

Keystone College

La Plume, Pennsylvania

Annual Security and Fire Safety Report: 2016



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Keystone College

La Plume, Pennsylvania

Annual Security and Fire Safety Report: 2016

DEPARTMENT OF CAMPUS SAFETY

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Officer David Fetzko

Officer Ronald Nelson
Officer Nicholas Parlanti
Officer Dale Richmond

Officer David Richmond
Officer Nichole Rohs
Officer Stephen Skierski

CONTENTS

FOREWORD	1
NOTICE OF ANNUAL REPORT AND AVAILABILITY	1

PART I – ANNUAL SECURITY REPORT

ABOUT THE KEYSTONE COLLEGE DEPARTMENT OF CAMPUS SAFETY	2
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CRIME & OFFENSE REPORTING

REPORTING CRIMINAL OFFENSES AND OTHER EMERGENCIES	3
CRIMES AND OFFENSES REPORTED UNDER THE <i>CLERY</i> ACT	4
DISCLOSURE OF CRIME STATISTICS FOR CALENDAR YEARS 2015, 2014, AND 2013	10

EMERGENCY RESPONSE AND EVACUATION PROCEDURES

FIRES AND OTHER EMERGENCIES	16
TIMELY WARNINGS	19

ACCESS TO CAMPUS FACILITIES AND SECURITY CONSIDERATIONS

ACCESS TO RESIDENTIAL AND OTHER CAMPUS FACILITIES	19
CAMPUS FACILITIES: SECURITY CONSIDERATIONS	19
CRIME PREVENTION AND CAMPUS SECURITY	20

KEYSTONE COLLEGE POLICY STATEMENTS: ALCOHOL AND ILLEGAL DRUGS

ALCOHOL POLICY	20
ILLEGAL DRUGS - POLICY	21

**KEYSTONE COLLEGE POLICY STATEMENT:
MISSING RESIDENT STUDENTS**

POLICY: MISSING RESIDENT STUDENT 22

**KEYSTONE COLLEGE POLICY STATEMENTS:
DATING VIOLENCE, DOMESTIC VIOLENCE, SEXUAL
ASSAULT, AND STALKING**

**IF YOU HAVE BEEN THE VICTIM OF DATING VIOLENCE, DOMESTIC
VIOLENCE, SEXUAL ASSAULT, OR STALKING 25**

**INFORMATION THAT WILL BE PROVIDED TO *VIOLENCE AGAINST
WOMEN ACT* CRIME VICTIMS 26**

PROTECTIVE ORDERS AVAILABLE TO VICTIMS 27

**KEYSTONE COLLEGE POLICY STATEMENT:
VIOLATIONS OF THE STUDENT CODE OF CONDUCT**

**INITIATION AND INVESTIGATION OF VIOLATIONS OF THE STUDENT
CODE OF CONDUCT 28**

MEDIATION 29

INFORMAL AND FORMAL MEETINGS 29

STUDENT CONDUCT BOARD HEARING OVERVIEW 31

STUDENT CONDUCT BOARD PROCEDURES 32

VIOLATION OF LAW AND COLLEGE DISCIPLINE 33

SANCTIONS 33

INTERIM SUSPENSION 35

APPEAL PROCESS 36

NON-COMPLIANCE 38

**KEYSTONE COLLEGE POLICY STATEMENT:
STUDENT SEXUAL MISCONDUCT**

DEFINITIONS USED BY THE COLLEGE 38

IF YOU ARE A VICTIM OF A SEXUAL ASSAULT OR WITNESS TO A SEXUAL ASSAULT:	39
INVESTIGATION AND RESOLUTION OF STUDENT SEXUAL MISCONDUCT	41
PROCESS FOR RESOLUTION	46
RESOLUTION OUTCOMES	50
APPEAL PROCESS	51
STUDENT RECORDS & CONFIDENTIALITY	52
EDUCATION AND PREVENTION	53
TRAINING	53
KEYSTONE COLLEGE POLICY STATEMENT: ADVISING THE CAMPUS COMMUNITY ABOUT REGISTERED SEX OFFENDER INFORMATION	
HOW TO OBTAIN INFORMATION	54



PART II – FIRE SAFETY REPORT

PROCEDURES FOR REPORTING FIRES	55
EVACUATION OF RESIDENCE HALLS IN THE EVENT OF A FIRE	55
FIRE HAZARDS	56
DISCLOSURE OF FIRE-RELATED STATISTICS FOR CALENDAR YEARS 2015, 2014, AND 2013	57



FOREWORD

On behalf of the entire College Community, welcome to Keystone College. Keystone College is a private, coeducational residential and culturally diverse institution that is situated on a 276-acre campus. The main College campus is located in La Plume Township, Pennsylvania, 15 miles northwest of the City of Scranton.

As part of the Northeastern Pennsylvania community, Keystone College is part of a vibrant and diverse area. Nearly 1,400 students come to our beautiful campus from nearby states such as New York, New Jersey, and Maryland, as well as nationally and internationally.

In a relatively short period of time, Keystone College has advanced from being an excellent junior college that granted associate degrees to a fully accredited and highly respected institution, offering associate, bachelor's and master's degrees.



NOTICE OF ANNUAL REPORT AND AVAILABILITY

The *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act*, commonly referred to as the *Clery Act*, mandates that all Title IV institutions without exception, prepare, publish, and distribute an annual Security and Fire Safety Report. The Annual Security and Fire Safety Report (*Clery Report*, or Report) is published by October 1 of each calendar year. The purpose of this Annual Security and Fire Safety Report is to comply with this mandate, in accordance with the guidelines issued by the United States Department of Education, as well as fulfill our intent to be a safe, collegial, and supportive community.

Preparation of the Annual Security and Fire Safety Report

The Annual Security and Fire Safety Report is prepared by the Director of Campus Safety in conjunction with the Dean of Student Life and the Keystone College Title IX Coordinators. Statistics related to reported crimes and offenses, arrests, and disciplinary referrals contained within this Report are aggregated from information reported by campus security authorities as well as that provided by the law enforcement agencies serving the College.

Availability of the Report

Each year, the Report is distributed to all currently-enrolled students, faculty, and staff via the College email system. Anyone - including prospective students or employees - may access the Report by visiting the Keystone College website at <http://www.keystone.edu>. Copies of the annual Report may be obtained at the Campus Safety Department office, or by calling the Department of Campus Safety at (570) 945-8997. The Report is also available on the webpages of both the College Admissions Office and the Human Resources Department.

PART I – ANNUAL SECURITY REPORT

ABOUT THE KEYSTONE COLLEGE DEPARTMENT OF CAMPUS SAFETY

The Department of Campus Safety operates twenty-four hours a day, seven days a week, 365 days per year in order to fulfill its mission of promoting and maintaining a safe and peaceful campus environment for all students, faculty, staff, and visitors, as well as protecting the property and assets

of the College. The Department's offices are located on the ground floor of Hollinshead Hall, across from the Tewksbury Hall entrance to Health Services. The Director of Campus Safety reports to the Associate Vice President for Administration.



The Department of Campus Safety is located at Hollinshead Hall

Authority

Keystone College Campus Safety Officers have the authority to ask persons for identification and to determine whether individuals have valid and lawful business at the College. Campus Safety Officers have the authority to issue parking citations, which are billed to the financial accounts of students, faculty, and staff.

Members of the Keystone College Department of Campus Safety are not police officers; they do not carry firearms, and they do not have arrest powers.

Cooperation with Law Enforcement

Although there are no official memoranda of understanding between the College and the law enforcement agencies that serve the College, sworn law enforcement officers may exercise full police powers on the Keystone College campus, including the power to make arrests and/or issue citations returnable to the appropriate magisterial district judge.

There are no formal agreements for police monitoring of any off-campus locations that house members of any student teams or groups.

The Keystone College Department of Campus Safety maintains professional working relationships with the Dalton Borough Police Department and the Pennsylvania State Police. Since the Keystone campus is situated in both Wyoming and Lackawanna Counties, we maintain relationships with both the Tunkhannock and the Dunmore stations of the state police, respectively.

CRIME & OFFENSE REPORTING

REPORTING CRIMINAL OFFENSES AND OTHER EMERGENCIES

Reporting to a Campus Security Authority

Any member of the College community (including students, faculty, staff, and visitors) who is the victim of or, is a witness to a criminal offense or other emergency on Keystone College property is strongly encouraged to report the circumstances to the Department of Campus Safety or any campus security authority (CSA). Campus safety authorities include:

Campus Safety Staff

- Director of Campus Safety
- Campus Safety Officers

Student Life Staff

- Dean of Student Life
- Associate Dean of Student Life
- Director of Residence Life
- Area Coordinators
- Resident Assistants

Athletic Staff

- Athletic Director
- Team Coaches
- Assistant Coaches

Title IX Coordinator and/or Deputy Title IX Coordinators

Faculty Advisors to Student Groups

Director of Health Services

Members of the Sexual Offense Advocate Response (S.O.A.R.) Team

Reporting Directly to Law Enforcement

If you are the victim of, or a witness to a crime you may also make a report directly with the law enforcement agency concerned, whether or not you report it to the College. As stated above, Keystone College is served by the Dalton Borough Police Department, as well as the Pennsylvania State Police (PSP) at Tunkhannock (Wyoming County) and PSP at Dunmore (Lackawanna County). If requested, the Campus Safety Department can and will assist you in making a report to law enforcement.

If you (a Keystone College student or staff member) are the victim of a crime that occurred in another jurisdiction (including out-of-state), the Director of Campus Safety will at your request, assist you in filing a report with the appropriate law enforcement agency in the other jurisdiction.

Voluntary Confidential Reporting

If you are the victim of a crime and do not want to pursue action through either the Keystone College Department of Campus Safety or through the criminal justice system (law enforcement), you may still want to consider making a confidential report. At your request, the Director of Campus Safety can file a report of the details of an incident without revealing your identity.

The purpose of filing a confidential report is to comply with your stated desire to keep the matter confidential while taking necessary steps to ensure the safety of the College community. Confidential reporting also allows the College to maintain accurate records of reported offenses and to take any immediate actions and/or issue any timely warnings that might be required.

Offense statistics generated by confidential reports are counted and disclosed in the Annual Safety Report; however, no personally identifying information is revealed or reported.

Pastoral and Professional Counselors

Pastoral and Professional Counselors are encouraged to inform the persons they are counseling of procedures to report crimes on a voluntary, confidential basis.

CRIMES AND OFFENSES REPORTED UNDER THE *CLERY* ACT

Clery Geography: Where Reported Offenses Have Occurred

The *Clery* Act requires that statistical information be collected for certain crimes and offenses occurring on the College campus including on-campus student housing, on non-campus College property, and on public property immediately adjacent to and accessible from the campus. These location categories are further defined:

On-Campus includes any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and

Any building or property that is within or reasonably contiguous to the campus that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).

On-Campus Student Housing includes any student housing facility that is owned or controlled by an institution, or is located on property that is owned or controlled by the institution, and is within the reasonably contiguous geographic area of the campus.

Non-Campus Property includes any building or property owned or controlled by a student organization that is officially recognized by an institution; or any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

Public Property includes all public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.

The Campus Safety Department Daily Crime and Fire Log

The Department of Campus Safety maintains a daily crime and fire log. The log is used to record all criminal incidents reported to the Department or a campus safety authority, as well as any fires in on-campus student housing facilities. The Crime and Fire Log contains information beyond statistics, and includes all reported crimes, not just *Clery* Act crimes (see below). The Crime and Fire Log is updated within two (2) College business days of any report received.

The Crime and Fire Log for the most recent 60-day period is open to public inspection to anyone, during the College's normal business hours. Crime and fire log information beyond 60 days old will be made available upon request for public inspection within two business days of such request. There is no charge to view the Crime and Fire Log, and a written request is not required.

Clery Offenses: Types of Offenses Recorded

The *Clery* Act requires that statistical information be recorded for the following types of crimes and offenses:

Criminal Offenses: criminal homicide, including murder and non-negligent manslaughter, and manslaughter by negligence; sexual assault, including rape, fondling, incest and statutory rape; robbery; aggravated assault; burglary; motor vehicle theft; and arson.

Hate Crimes: any of the above-mentioned offenses, and any incidents of larceny-theft, simple assault, intimidation, or destruction/damage/ vandalism of property that were motivated by bias.

Violence Against Women Act (VAWA) Offenses: any incidents of domestic violence, dating violence and stalking (note that sexual assault is also a VAWA offense but is included in the criminal offenses category for *Clery* Act reporting purposes).

Arrests and Referrals for Disciplinary Action: for violations of laws relating to liquor, drug abuse, and the carrying, possession, etc. of weapons.

Clery Act Crimes and Offenses - Definitions

Unless otherwise noted, the definitions below are based upon the definitions used by the Federal Bureau of Investigation (FBI) in the Uniform Crime Reports (UCR) and the National Incident-Based Reporting System (NIBRS).

CRIMINAL OFFENSES

Murder and Non-Negligent Manslaughter involve *the willful (non-negligent) killing of one human being by another*. One (1) offense per victim is counted.

Manslaughter by Negligence involves *the killing of another person through gross negligence*. One (1) offense per victim is counted.

Sexual Assaults (Sex Offenses) include any of the following four (4) *sexual acts directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent*. Attempted instances of the below listed sexual assault offenses are included.

Rape is the penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This offense includes the rape of both males and females. Note that this reporting category includes offenses previously classified separately as Forcible Sodomy and/or Sexual Assault with an Object. One (1) offense per victim is counted.

Fondling is the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity. One (1) offense per victim is counted.

Incest is nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law. One (1) offense per victim is counted.

Statutory Rape is nonforcible sexual intercourse with a person who is under the statutory age of consent. One (1) offense per victim is counted.

Robbery is the taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear. One (1) offense per incident is counted regardless of the number of victims robbed in that single incident.

Aggravated Assault is the unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. One (1) offense per victim is counted.

Burglary is the unlawful entry of a structure to commit a felony or a theft. One (1) offense per incident is counted.

Motor Vehicle Theft is the theft or attempted theft of a motor vehicle. One (1) offense is counted for each (attempted) vehicle theft.

Arson is any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, or personal property of another. One (1) offense is counted for each incident. Incidents where an individual willfully or maliciously burns his or her own property are included.

HATE CRIMES

A **hate crime** is a criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. Hate Crimes are reported if they fall into one of the following categories: race, religion, sexual orientation, gender, gender identity, ethnicity, national origin, or disability.

In addition to the crimes described above, the following crimes are reported if any of their commission is motivated by bias:

Larceny-Theft involves *the unlawful taking, carrying, leading or riding away of property from the possession or constructive possession of another.*

Simple Assault involves *an unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.*

Intimidation is to *unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.*

Destruction/Damage/Vandalism of Property is to *willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner.*

VAWA OFFENSES

Certain types of offenses are reported pursuant to the *Violence Against Women Act (VAWA)*. These offenses are those involving Dating Violence, Domestic Violence, Sexual Assault, and Stalking. In addition to the four types of Sexual Assault described above in the Criminal Offenses section, the following definitions are provided:

Dating Violence is defined as *violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.*

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

Stalking is defined as *engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others; or suffer substantial emotional distress.*

Pennsylvania Definitions Related to VAWA Offenses

Notwithstanding the VAWA definitions provided above, the following definitions are provided as they apply to *dating violence, sexual assault, and stalking* under [Title 18](#) of Pennsylvania's Consolidated Statutes (the Crimes Code):

Dating Violence is not defined as a particular offense by Pennsylvania's criminal laws. Dating violence then, can be any violent offense committed against a victim depending upon his or her relationship to the offender.

Domestic Violence is not defined as a particular offense by Pennsylvania's criminal laws. Domestic violence then, can be any violent offense committed against a victim depending upon his or her relationship to the offender.

Sexual Assault would include the following offenses as defined in the Pennsylvania Crimes Code:

Rape - A person commits [rape] when the person engages in sexual intercourse with a complainant:

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

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

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

Incest - Except as provided under *incest of a minor* (below), a person is guilty of [incest] if that person knowingly marries or cohabits or has sexual intercourse with an ancestor or descendant, a brother or sister of the whole or half blood or an uncle, aunt, nephew or niece of the whole blood.

A person is guilty of [incest of a minor] if that person knowingly marries, cohabits with or has sexual intercourse with a complainant who is an ancestor or descendant, a brother or sister of the whole or half blood or an uncle, aunt, nephew or niece of the whole blood and:

- (1) is under the age of 13 years; or
- (2) is 13 to 18 years of age and the person is four or more years older than the complainant.

Statutory Sexual Assault - Except as provided in the definition of *rape* (above), a person commits [statutory sexual assault] when that person engages in sexual intercourse with a complainant to whom the person is not married who is under the age of 16 years and that person is either:

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

A person commits a felony of the first degree when that person engages in sexual intercourse with a complainant under the age of 16 years and that person is 11 or more years older than the complainant and the complainant and the person are not married to each other.

Stalking is committed by a person when that person either:

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

Consent is available as a defense in the Pennsylvania Crimes Code if such consent negates an element of an offense or precludes the infliction of the harm or evil sought to be prevented by the law defining the offense. Chapter 31 of the Crimes Code (relating to sexual offenses) provides that while an alleged victim need not resist an actor, nothing in that section shall be construed to prohibit a defendant from introducing evidence that the alleged victim consented to the conduct in question.

Consent as Defined by Keystone College in Regard to Sexual Activity

Consent to engage in sexual activity must exist from the beginning to the end of each instance of sexual activity. Consent consists of an outward demonstration indicating that someone has freely chosen to engage in sexual activity. In the absence of an outward demonstration, consent does not exist. Consent is informed, knowing, and voluntary. Consent is demonstrated through mutually understandable words and/or actions that clearly indicate a willingness to engage in sexual activity. Consent is not effective if it results from the use of physical force, intimidation, and coercion; if incapacitation develops, there is no longer consent.

Prior to engaging in sexual activity, each participant should ask himself and/or herself this question: "Has the other person consented?" If the answer is "no," or "I'm not sure," then consent has not been demonstrated and hence it does not exist. Silence or the lack of resistance does not demonstrate consent. Relying upon non-verbal communication can lead to misunderstandings. The responsibility of obtaining consent rests with each person that wishes to engage in sexual activity. Students who initiate sexual activity should be able to explain the basis for their belief that consent existed. Consent to engage in sexual activity may be withdrawn by either party at any time. Withdrawal of consent must also be outwardly demonstrated by words or actions that clearly indicate a desire to end sexual activity. Once withdrawal of consent has been expressed, sexual activity must cease. A previous

sexual relationship, and/or current relationship with a partner, may not, in themselves, be taken to imply consent. Use of alcohol or drugs shall not diminish one's responsibility to obtain consent, and does not excuse an actor's conduct.

ARRESTS AND DISCIPLINARY REFERRALS FOR VIOLATIONS OF WEAPONS, DRUG ABUSE AND LIQUOR LAWS

Statistics are reported separately for the number of persons arrested and for the number of persons referred for disciplinary action for violations of laws involving weapons, drug abuse, and liquor.

Arrests are defined as *persons processed by arrest, citation or summons*. Arrests include instances where a person is taken into custody, regardless of whether any formal charge is filed; arrests also include charges that are filed through the issuance of a summons or citation.

A **referral for disciplinary action** is defined as *the referral of any person to any official who initiates a disciplinary action of which a record is established and which may result in the imposition of a sanction*.

Violations of weapons, drug abuse, and liquor laws are defined as:

Weapons Violations are defined as *the violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature*.

Drug Abuse Violations are defined as *the violation of laws prohibiting the production, distribution and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs*.

Liquor Law Violations are defined as *the violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession or use of alcoholic beverages, not including 'driving under the influence' and drunkenness*.

DISCLOSURE OF CRIME STATISTICS FOR CALENDAR YEARS 2015, 2014, AND 2013

Statistical information for all reported criminal incidents (those that would be recorded in the Campus Safety Daily Crime and Fire Log) are reported to the Pennsylvania State Police through the Pennsylvania Uniform Crime Reporting System (PaUCR), as required by the Pennsylvania Uniform Crime Reporting Act. Only those offenses with statistics within the past three years are shown.

Statistical information collected pursuant to the *Clery* Act is shown in separate tables below.

Readers should note that the statistics reported under the PaUCR and the *Clery* Act are not the same and will appear to be dissimilar. This is because of differences in the respective mandates of the two reporting requirements.

Table Definitions – Pennsylvania Uniform Crime Reporting

Part I / Part II Offenses Pennsylvania crime categories are classified by the PaUCR as either Part I or Part II depending on the nature of the offenses.

N Represents the number of reported offenses.

Rate Represents the crime rate for a particular offense or group of offenses. Rates are calculated by dividing the number of reported offenses by the aggregated total number of full-time equivalent students and full-time equivalent employees, per 100,000 persons.

Example - for an institution with 2,500 full-time equivalent students and 1,500 full-time equivalent employees: 50 reported crimes would produce a rate of 0.000000125, and would be represented as 1.25×10^{-7} . This scientific notation is used so as to avoid obscuring low rates.

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Criminal Offenses Reported to the Pennsylvania Uniform Crime Reporting System

	2015		2014		2013	
Part I Offenses Reported	N	Rate	N	Rate	N	Rate
Rape	0	0.000	1	6.729×10^{-9}	0	0.000
Attempted Rape	0	0.000	1	6.729×10^{-9}	0	0.000
Assault - Other (Non-Aggravated)	8	5.743×10^{-8}	1	6.729×10^{-9}	2	1.323×10^{-8}
Burglary - Unlawful Entry	2	1.436×10^{-8}	1	6.729×10^{-9}	9	5.952×10^{-8}
Burglary – Attempted Forcible Entry	0	0.000	0	0.000	2	1.323×10^{-8}
Larceny-Theft	11	7.897×10^{-8}	14	9.412×10^{-8}	8	5.291×10^{-8}
Assault - Hands, Fist, Feet, Etc.	0	0.000	0	0.000	2	1.323×10^{-8}
Total Part I Offenses	21	1.508×10^{-7}	18	1.211×10^{-7}	23	1.521×10^{-7}
Part II Offenses Reported	N	Rate	N	Rate	N	Rate
Fraud	1	7.179×10^{-9}	0	0.000	0	0.000
Vandalism	7	5.025×10^{-8}	18	1.211×10^{-7}	35	2.315×10^{-7}
Sex Offenses (Except Rape)	5	3.589×10^{-8}	1	6.729×10^{-9}	0	0.000
Drug Sale/Mfg. - Marijuana	0	0.000	0	0.000	1	6.614×10^{-9}
Drug Possession - Marijuana	6	4.307×10^{-8}	8	5.384×10^{-8}	13	8.598×10^{-8}
Drug Possession - Synthetic	0	0.000	4	2.692×10^{-8}	2	1.323×10^{-8}
Drug Possession - Other	3	2.154×10^{-8}	1	6.729×10^{-9}	0	0.000
Liquor Law	15	1.077×10^{-7}	16	1.077×10^{-7}	25	1.653×10^{-7}
Disorderly Conduct	17	1.220×10^{-7}	2	1.346×10^{-8}	11	7.275×10^{-8}
All Other Offenses	3	2.154×10^{-8}	8	5.384×10^{-8}	0	0.000
Total Part II Offenses Reported	57	4.092×10^{-7}	58	3.903×10^{-7}	87	5.754×10^{-7}
All Reported Offenses	78	5.599×10^{-7}	76	5.114×10^{-7}	110	7.275×10^{-7}

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Clery Act: Reported Criminal Offenses

Criminal Offenses	On-Campus Reported Offenses			On-Campus Student Housing ¹			Non-Campus			Public Property		
	2015	2014	2013	2015	2014	2013	2015	2014	2013	2015	2014	2013
Murder & Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0	0	0	0
Sexual Assault: Rape	0	2	0	0	2	0	0	0	0	0	0	0
Fondling	5	1	0	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	2	0	0	1	0	0	0	0	0	0
Burglary	2	1	11	2	1	11	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

¹ Student Housing Figures are Included in the On-Campus Figures

Clery Act: Reported Hate Crimes

2015	No bias-related incidents were reported.
2014	One (1) on-campus Vandalism incident characterized by Sexual Orientation bias.
2013	One (1) on-campus (student housing) Intimidation incident characterized by Race bias. One (1) on-campus (student housing) Intimidation incident characterized by Sexual Orientation bias. One (1) on-campus (student housing) Vandalism incident characterized by Race bias.

Clery Act: Offenses Reported Under the Violence Against Women Act (VAWA)

VAWA Offenses ²	On-Campus Reported Offenses			On-Campus Student Housing ¹			Non-Campus			Public Property		
	2015	2014	2013	2015	2014	2013	2015	2014	2013	2015	2014	2013
Domestic Violence	0	1	0	0	1	0	0	0	0	0	0	0
Dating Violence	0	4	0	0	3	0	0	0	0	0	0	0
Sexual Assault	5	3	0	0	2	0	0	0	0	0	0	0
Stalking	1	0	2	0	0	0	0	0	0	0	0	0

¹ Student Housing Figures are Included in the On-Campus Figures

² These offenses may have been included in the Criminal Offenses tables above.

Clery Act: Arrests and Disciplinary Referrals for Violations of Liquor, Drug Abuse, and Weapons Laws

	On-Campus Reported Offenses			On-Campus Student Housing ¹			Non-Campus			Public Property		
	2015	2014	2013	2015	2014	2013	2015	2014	2013	2015	2014	2013
Disciplinary Referrals - Liquor Law Violations	38	47	21	38	47	21	0	0	0	0	0	0
Disciplinary Referrals - Drug Law Violations	8	6	16	8	6	16	1	0	0	0	0	0
Disciplinary Referrals - Weapons Law Violations	0	0	0	0	0	0	0	0	0	0	0	0
Arrests - Liquor Law Violations	2	0	0	1	0	0	0	0	0	0	0	0
Arrests - Drug Law Violations	3	0	0	1	0	0	0	0	0	0	0	0
Arrests - Weapons Law Violations	0	0	0	0	0	0	0	0	0	0	0	0

¹ Student Housing Figures are Included in the On-Campus Figures

EMERGENCY RESPONSE AND EVACUATION PROCEDURES

FIRES AND OTHER EMERGENCIES

Each Keystone College building is equipped with smoke detection devices. Manual devices (pull stations) are also located within most buildings. These devices provide for internal notification to the Campus Safety Department; they do not cause immediate notification to emergency services. In the event of a fire, all individuals within a building should immediately leave the building by way of the nearest safe exit.

Emergency Call Boxes

There are 18 working emergency call boxes located throughout the campus. Each call box is tested by members of the Campus Safety Department three (3) times each month so as to ensure that they are functioning properly.

Emergency call boxes are located at these buildings and facilities:

- 39 College Avenue;
- Athletic Field Complex;
- Baseball Field - College Road;
- Brooks Theatre;
- Davis Hall;
- Frear-Reynolds Residence Hall, Campus Center side;
- Frear-Reynolds Residence Hall, Circle/Commons side;
- Gambal Athletic Center;
- Gardner Hall;
- Hibbard Campus Center, 1st Floor Patio;
- Hibbard Campus Center, 3rd Floor;
- Hollinshead Residence Hall, Ground Floor;
- Keystone Commons Residence Hall;
- Moffat Residence Hall;
- Physical Facilities Building;
- Sabiston Hall
- Tewksbury Residence Hall, Ground Floor;
- Ward Hall, Main Entrance



**Emergency call box located at
Tewksbury Hall**

Keystone College Emergency Action and Response Plan

Keystone College has developed an emergency action and response plan (Plan), and that plan is reviewed regularly so as to ensure that it meets the current needs of the College. Plan activities are carried out through the activation of the Campus Response Team (CRT). The Campus Response Team is made up of key staff members, representing multiple College constituencies.

Should it become necessary to respond to an emergency situation or dangerous situation involving an immediate threat to the health or safety of our students or employees, the Campus Response Team will be activated and the Plan will be implemented. The Campus Response Team is normally activated by the Director of Campus Safety upon confirmation of the existence of an emergency or dangerous condition, but it may be activated by any of its members.

As part of the College response to emergencies, the Campus Response Team is assisted by a number of building coordinators that can help with building evacuation or lock-down.

Emergencies might include for example: criminal incidents, chemical spills, extreme weather, and earthquakes. An emergency does not have to be located on our campus to be considered an immediate threat to the campus.

As part of the Plan, appropriate measures will be taken according to the situation. These measures may include the evacuation of a building(s), or they may require securing a building(s) for use as shelter.

Depending on the nature of the situation, emergency services will be notified to respond and assist the College in mitigating the emergency. The College is served by several emergency services: the Dalton Borough Police Department, the Pennsylvania State Police, and the Factoryville Fire Department.

Upon a report of an on-campus emergency situation, Campus Safety personnel will respond to the reported location so as to evaluate the situation and take any necessary action. Upon confirmation of a serious emergency, the Director of Campus Safety will confer with appropriate members of College administration (including, but not limited to the Associate Vice President for Administration and the Director of Physical Facilities) to coordinate any additional response.

Notification to the Campus Community

Should the emergency be of a particularly serious nature, the Campus Safety Department will ensure that notification is made to the persons affected. The scope of such notification will be commensurate with the nature of the situation (campus-wide, a single building, etc.).

Notification to the campus community of a serious emergency will be made via the College's Wireless Emergency Notification System (WENS). The Director of Campus Safety will request activation of the WENS through the College's Chief Information Officer.

The content of the WENS message will be determined by taking into account the safety of the community. The WENS will be activated without delay, unless issuing the notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency.

All students, faculty, and staff are urged to sign up for WENS alerts through the [MyKC Portal](#) on the College website as early as possible.

Notification to the Community at Large

Should an on-campus emergency be of such a nature that affects the larger community, the Director of Campus Safety will confer with the Associate Vice President for Administration and public safety officials so that a determination may be made concerning notification to the community at large. If such a determination is made to make a community notification, a decision will also be made as to how that notification will be made (College website, news media, etc.)

Building Evacuation

The first person who becomes aware of any type of an emergency or criminal situation should notify the Department of Campus Safety by the most direct means available, or call 9-1-1 directly if he or she feels that the situation warrants it. **The Campus Safety emergency telephone number is (570) 945-8989, or extension 8989 (from a campus telephone).**

In the event of an actual or suspected fire or other emergency that would necessitate a building evacuation, all persons should proceed to their designated predetermined assembly point and shall remain at the assembly point to await further detailed instruction. **AT NO TIME WILL ANYONE RE-ENTER A BUILDING UNTIL AN “ALL CLEAR” ANNOUNCEMENT HAS BEEN MADE BY A MEMBER OF THE CAMPUS SAFETY DEPARTMENT.**

The Residence Life staff and Campus Safety Officers are made aware of residence hall rooms designated as those with “special accommodations.” These rooms have fire alarm/horn/strobe units installed therein that are connected to the fire alarm system within the building. When a fire alarm is activated, the alarms will strobe, and a very loud audible alarm will sound.

Campus Lock-Down Procedures

If a building or campus lockdown becomes necessary:

- a WENS alert email message will be sent indicating that a LOCKDOWN is in effect
- all buildings should initiate lockdown procedures
- exterior doors will be secured by building coordinators and/or Campus Safety
- if you are in a hallway or other open area, proceed to the nearest interior room
- close and lock all doors and windows
- if a door does not lock, barricade it with a large, heavy object
- close blinds or drapes
- turn off lights and any unnecessary equipment
- set cell phones / tablets to silent
- move to a wall location within the room, on the same wall as the door
- receive students, staff, etc. from hallways if it is safe to do so
- remain calm and as quiet as possible
- refrain from the use of electronic / social media; doing so may compromise safety
- if gunshots are heard, assume a prone position (face-down) on the floor

AT NO TIME SHOULD ANYONE LEAVE A SECURED BUILDING UNTIL AN OFFICIAL “ALL CLEAR” ANNOUNCEMENT HAS BEEN TRANSMITTED VIA THE EMERGENCY NOTIFICATION SYSTEM (WENS).

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TIMELY WARNINGS

When the Department of Campus Safety is made aware that a *Clery* Act crime occurring within the College's *Clery* geography has been reported to a campus security authority or a local police agency, which represents a serious or continuing threat to students and employees of the College, the Director of Campus Safety will ensure that a timely warning is issued via the College WENS.

Timely warnings are intended to provide information so as to allow members of the College community to protect themselves. Warnings will include known information such as the nature of the crime, the location, and the date/time of occurrence. The aim is to promote safety and help to prevent similar crimes.

The WENS system is tested annually.

ACCESS TO CAMPUS FACILITIES AND SECURITY CONSIDERATIONS

ACCESS TO RESIDENTIAL AND OTHER CAMPUS FACILITIES

During business hours, the College (excluding certain housing facilities) will be open to students, parents, employees, contractors, guests, and invitees. During non-business hours, restricted access to all College facilities is granted through the Department of Campus Safety or Residence Life staff. In the case of periods of extended College closing, the College will admit only those with prior written authorization to its facilities.

Residence halls are secured twenty four (24) hours a day, seven (7) days a week, year round. Access to residence halls is limited to students and their guests. Non-emergency access to residence halls by College employees is granted on an as-needed basis.

Other facilities may have individual hours which may vary at different times of the year. Examples are the Gambal Athletic Center, Miller Library, and the Hibbard Campus Center. In these cases, the facilities will be secured according to schedules developed by the department responsible for the facility.

CAMPUS FACILITIES: SECURITY CONSIDERATIONS

College facilities are private property; it is expected that visitors will abide by College rules and regulations. Safety and security within the residence halls is the combined responsibility of the Department of Campus Safety, the Department of Residence Life, and the students that reside within.

Entrances to residence halls are equipped with closed circuit cameras (CCTV), which have the ability to be monitored by the Department of Campus Safety.

Entrances to the residence halls are locked at all times. Access to residence halls is by use of College *KeyKards*. Card access is issued on an individual, documented basis.

Resident students are responsible for helping to maintain security in their respective buildings and rooms by keeping doors and windows secured. Resident students can also help to ensure that residence halls are free from uninvited individuals by reporting any unauthorized individuals to on-duty Residence Life or Campus Safety staff. Resident students are responsible for the actions and behavior of their respective guests.

While campus facilities are patrolled by Campus Safety staff, any student or employee is urged to report any unsafe condition or occurrence of which they become aware.

Keystone College students, faculty, and staff enjoy access to academic, recreational and administrative facilities on campus. The general public may attend public cultural, athletic, or recreational events on campus; however, their access is limited only to the facilities in which these events are held.

CRIME PREVENTION AND CAMPUS SECURITY

The Department of Campus Safety will provide information from time-to-time for students and employees concerning crime prevention and to encourage them to be responsible for their own and others' personal safety.

This information will be presented through the Campus Safety webpage, literature made available at the Department of Campus Safety, and/or group instruction.

KEYSTONE COLLEGE POLICY STATEMENTS: ALCOHOL AND ILLEGAL DRUGS

Students, faculty, staff, and contractors are hereby advised that Keystone College, as a recipient of federal funds, supports and complies with the provisions of the Drug Free Work Place Act of 1988 and the Drug Free Schools and Communities Act of 1989. The unlawful manufacture, distribution, dispensation, possession, or use of illicit drugs and alcohol by employees or students on the College campus are prohibited and violations of this policy will result in appropriate disciplinary action.

ALCOHOL POLICY

Keystone College has a zero tolerance for alcohol policy violations. A student's presence where any aspect of the alcohol policy is being violated, even if he/she is not directly involved in the specific act constitutes a violation of the Alcohol Policy. A student who actively, or passively, supports another's violation of College policy is in violation of their duty to uphold community standards, including the Student Code of Conduct.

The College recognizes that there are serious health risks, behavioral problems, and legal consequences associated with the abuse, irresponsible use, and/or illegal use of alcohol. Therefore, all members of the campus community are expected to understand that alcohol use is inconsistent

with the mission of the College. All students are expected to abide by local, state and federal laws along with the Student Alcohol Policy of Keystone College.

Enforcement of State Alcohol Laws

Keystone College recognizes that students above the legal drinking age of 21 are allowed to responsibly obtain, consume and possess alcohol in off-campus properties not associated or leased by the College. In cases where students are cited and/or arrested by local law enforcement for furnishing, providing, or selling alcohol to minors, the student will be immediately placed on disciplinary probation and social probation until a formal meeting or Student Conduct Board hearing can be held. Any students found responsible for furnishing, providing or selling alcohol to minors will be immediately suspended for at least one (1) semester.

ILLEGAL DRUGS - POLICY

Students, faculty, staff, and contractors are hereby advised that Keystone College, as a recipient of federal funds, supports and complies with the provisions of the Drug Free Work Place Act of 1988 and the Drug Free Schools and Communities Act of 1989. The manufacture, distribution, dispensation, possession or use of illegal drugs or other legal mind-altering synthetics drugs including, but not limited to, “Spice”, “K2”, “Salvia”, or “Bath Salts” by employees or students on the College campus are prohibited, and violations of this policy will result in appropriate disciplinary action.

Keystone College has a zero tolerance for drug policy violations. A student’s presence where any aspect of the drug policy is being violated, even if he/she is not directly involved in the specific act constitutes a violation of the Drug Policy. A student who actively, or passively, supports another’s violation of College policy is in violation of their duty to uphold community standards, including the Student Code of Conduct.

The College recognizes that there are serious health risks, behavioral problems, and legal consequences associated with the abuse, irresponsible use, and/or illegal use of illicit drugs. Therefore, all members of the campus community are expected to understand that the illegal use is inconsistent with the mission of the College. All students are expected to abide by local, state and federal laws along with the Student Drug Policy of Keystone College.

Enforcement of Federal and State Drug Laws

If a College Official smells illegal substances emanating from a student’s personal belongings, any residence hall room, or any other location on the College campus, or finds drug paraphernalia, the student will be found in violation of the Drug Policy. This also provides the College with sufficient probable cause to search the student’s room (or area involved) for illegal or controlled substances.

If a College Official searches a residence hall room or other student property on Keystone College premises (automobile, locker, etc.) and sees indications of possible dealing, distribution or selling of illegal substances on Keystone College property, the student could face immediate suspension and/or expulsion from the College along with other legal consequences including, but not limited to, being reported to the appropriate law enforcement agencies. Indications of dealing, distribution or

selling of illegal substances can include, but are not limited to, the possession of several baggies and/or scales and/or a significant amount of an illegal drug or substance.

Drug & Alcohol Abuse Education Programs

Keystone College provides campus-wide programming available to students and employees aimed at the prevention of drug and alcohol abuse. These programs have included:

- Seminars featuring speakers on pertinent topics
- Mocktail gatherings / non-alcoholic bar nights
- Mentoring programs for resident assistants
- Activities to promote positive stress reduction strategies

KEYSTONE COLLEGE POLICY STATEMENT: MISSING RESIDENT STUDENTS

As an institution that provides on-campus student housing facilities, the following is the Keystone College statement of policy regarding missing student notification procedures for students who reside in on-campus student housing facilities.

POLICY: MISSING RESIDENT STUDENT

This policy has been established by Keystone College in order to be in compliance with the *Higher Education Opportunity Act of 2008*. The policy applies to all Keystone College resident students (those living in on-campus housing or housing properties leased by the College). The policy does not cover students other than resident students.

For the purpose of this policy, a missing student is considered to be a resident student whose absence from campus is contrary to his or her normal pattern of behavior and/or there is a concern that unusual circumstances may have caused the student's absence from campus. Such unusual circumstances may include, but are not limited to:

- a report or suspicion that the person may be a victim of foul play, or
- the person has expressed suicidal thoughts, or
- the person is drug or alcohol-dependent, or
- the person is in a life threatening situation, or
- the person has been with persons who may endanger the student's welfare or,
- the person is overdue to return to campus and has not been heard from after giving a specific return time to friends or family.

In the event of a missing resident student, College Officials will refer to the student's emergency contact information. Students are responsible for updating their emergency contact information on a regular basis and should update their emergency contact information at least once each semester by logging onto [MyKC](#). Responsibility for the accuracy of emergency contact information belongs solely to the student. Keystone College faculty and staff remind the students of this important task at the beginning of each semester.

Procedure – Missing Resident Student:

Anyone – including students, faculty, and staff – who has reason to believe that a resident student has been missing for twenty-four (24) hours should immediately report the occurrence to an on-duty resident assistant (R.A.), the Director of Residence Life, or an on-duty member of the Department of Campus Safety. The emergency number for Campus Safety is 570-945-8989 or 8989 from a campus phone.

Definition - Missing Resident Student

A resident student is determined to be missing when a report comes to the attention of a Keystone College Official and the report is determined to be credible. Circumstances used in determining credibility may include, but are not limited to establishing that:

- a student is out of unexplained contact after reasonable efforts to reach that student by phone/text, email, and/or in-person attempts to establish contact have failed;
- circumstances indicate that an act of criminality may be involved, even lacking twenty-four (24) hours in time;
- circumstances indicate that the student's physical safety is in danger, even lacking twenty-four (24) hours in time;
- circumstances become known that medicine dependence may affect the student's life or health, even lacking twenty-four (24) hours in time;
- the existence of a physical or mental disability indicates that the student's physical safety is in danger, even lacking twenty-four (24) hours in time.

Missing Persons Contact (Optional for Students)

Each student has the option to identify a *missing person* contact person or persons whom Keystone College will notify within Twenty-four (24) hours of the determination being made by the Department of Campus Safety or any of our local law enforcement agencies, that the student is missing.

The missing person contact person or persons may include, be the same as, or be different from the student's emergency other contact information.

The missing person contact information provided by a student will be registered confidentially. This contact information will be accessible only to authorized campus officials, and it will not be disclosed, except to law enforcement personnel in furtherance of a missing person investigation.

Action the College Will Take

Any official report of a missing resident student requires that the Department of Campus Safety be notified immediately.

The Department of Campus Safety will be responsible to notify local law enforcement, within 24 hours of the determination that the student is missing (unless the local law enforcement agency was the entity that made the determination that the student is missing).

The Department of Campus Safety / Residence Life staff will notify the contact person or persons (pre-identified by the student at his or her option) within 24 hours of the determination that the student is missing.

If a missing resident student is under the age of eighteen (18) and not emancipated, a custodial parent or guardian will also be notified within 24 hours of the determination that the student is missing, in addition to notifying any additional contact person designated by the student.

The Department of Campus Safety will continue the investigation, in conjunction with Residence Life staff and make a determination whether the student has been missing for more than twenty-four (24) hours and has not returned to campus. If a resident student is still missing after 24 hours, notifications will again be made as indicated above.

During the investigation, efforts will be made to establish and document the following information:

- Name, location, and contact information of the person reporting the missing student
- Name and vital information of the student reported to be out of contact
- Nature of the circumstances supporting the determination that the student is out of contact
- Steps taken to establish that the student remains out of contact
- Dates and times of notifications made

The Dean of Student Life, the Assistant Dean of Student Life, and the Director of Residence Life will be kept informed by the Department of Campus Safety of attempts to contact the student and the results thereof.

During regular business hours, the Dean of Student Life may also involve other Keystone College faculty, staff or administrators to assist in establishing contact with the missing student.

KEYSTONE COLLEGE POLICY STATEMENTS: DATING VIOLENCE, DOMESTIC VIOLENCE, SEXUAL ASSAULT, AND STALKING

Keystone College Department of Student Life engages in a number of programs and activities to promote the awareness of sexual violence. These activities include:

- Presentations for first-year students; these presentations also include information on options for bystander intervention
- Discussions related to consent and alcohol-facilitated sexual violence
- Providing information relating to risk education and personal protection
- Participation in the *It's On Us* Campaign
- Keynote speakers

IF YOU HAVE BEEN THE VICTIM OF DATING VIOLENCE, DOMESTIC VIOLENCE, SEXUAL ASSAULT, OR STALKING

If someone you know has been the victim of dating violence, domestic violence, sexual assault or stalking, you can help them by urging them to consider the information below.

Any person reporting an incident involving dating violence, domestic violence, sexual assault, or stalking can expect to be treated with dignity. Reports will be taken seriously and with the well-being of the victim as the first priority.

The College will assist victims in seeking medical attention. We will inform victims of available resources and will review reporting options available to the victim.

What You Should Do

Crime victims are not powerless. There are actions that one can take to reduce the possibility of further harm or injury, as well as to bring criminal action against an offender. These actions, at a minimum, will also be helpful in obtaining a protective order.

- Try to get to a safe location.
- Try to remain as calm as possible.
- Call 9-1-1 if you feel you are in immediate danger.
- Seek medical attention if needed.
- Consider telling someone you trust what happened.
- Report the occurrence to Campus Safety, the on-call Resident Assistant, and/or the police.
- Preserve evidence of the occurrence.

Preserving Evidence

Evidence can take several forms, including your physical self, your clothing, and electronic devices.

If you have been the victim of a physical attack, you should make every attempt to preserve evidence of the occurrence, even if you are not sure if you want to report it:

- Avoid drinking, eating, showering, brushing your teeth, combing your hair or changing your clothes following the incident.
- If you have already changed your clothes, place them in a paper bag (plastic may destroy evidence).
- Try not to urinate. Urinating may reduce the ability to detect “date rape” drugs.
- Do not erase any electronic messages (voicemail, text, photos, etc.) from any of your electronic devices.
- If you have been threatened via social media, try to capture a screenshot(s) of any threat(s).

Reporting Crimes: Victims’ Options

Crimes involving dating violence, domestic violence, sexual assault or stalking - as with any crime or offense - should be reported as soon as possible to the Department of Campus Safety or any campus security authority, or to the police. The emergency telephone number for Campus Safety is (570) 945-8989, or 8989 from a campus phone.

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The Department of Campus Safety can help you seek immediate medical attention and will assist you in reporting a crime to the police, should you choose to do so.

Victims have the option as to whether or not they report the occurrence of any crimes. If a victim is not sure whether he or she wants to pursue criminal charges through the criminal justice system (the police) a confidential report can still be made through the Department of Campus Safety or any campus security authority.

Confidentiality

In cases of voluntary confidential reporting by a victim, the College will honor a victim's and/or reporter's request to have his or her personal information remain confidential. The College will keep all personally identifying information (name, age, residence, etc.) confidential and will reveal that information only to those directly connected with any subsequent investigation.

Statistical information will be included in annual reporting, even though no identifying information will be reported. What this means to the victim is that a statistic of the occurrence will be reported, but no information that would jeopardize the confidentiality of the victim will be disclosed.

Keystone College will proceed in a manner that is consistent with applicable law, with the principles of thorough investigation, and the safety of the campus community. The College will act so as to preserve the privacy and confidentiality interests of the victim and maintain as confidential any accommodations or protective measures provided to the victim, to the extent that maintaining such confidentiality will not impair the College's ability to provide any such accommodations or protective measures.

INFORMATION THAT WILL BE PROVIDED TO VAWA CRIME VICTIMS

When a student or employee reports to the College that he or she has been a victim of dating violence, domestic violence, sexual assault or stalking, whether the offense occurred on or off campus, he or she will be provided with a written explanation of the student's or employee's rights and options.

The College will provide written notification to VAWA crime victims about available protective measures as well as how to request any available accommodations for academics or, on-campus living situations (resident students). The College will provide such protective measures or make accommodations if the victim requests them and if they are reasonably available, regardless of whether the victim chooses to officially report the crime to Campus Safety or law enforcement.

The College will provide written information to VAWA crime victims about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid and other available services, both from the College and from within the community.

PROTECTIVE ORDERS AVAILABLE TO VICTIMS

There are several kinds of protective orders that might be available to victims. In addition to no-contact agreements that can be made at the College level, there are different types of court-issued orders that may be issued, depending upon the circumstances involved.

No Contact Agreement – an agreement generated at the College level, between two or more students that restricts for example, in-person, electronic, and/or third-party communication or contact.

In addition to no-contact agreements, there are several different types of court-issued protective orders that can help protect persons from abuse. Depending upon one's home state, these orders might be known as Orders of Protection, Protection from Abuse Orders (PFA), Temporary Restraining Orders (TRO), or simply Protective Orders.

In Pennsylvania, there are three (3) basic types of protective orders; they are: Protection from Abuse Orders (PFA), Sexual Violence Protection Orders (SVP), and Protection from Intimidation Orders (PFI).

Protection from Abuse Orders (PFA) may be sought by those victims where a household or family-type relationship exists between the victim and the offender:

- Spouses, former spouses, or persons living as spouses
- Current or former sexual, intimate, or dating partners
- Parents and children
- Family members related by blood (consanguinity)
- Family members related by marriage (affinity)

and where the plaintiff alleges abuse, including sexual abuse and intimidation.

Sexual Violence Protection Orders (SVP) may be sought by those victims where no family/household relationship exists, as described above and where the plaintiff alleges sexual violence, as described by state law.

Protection from Intimidation Orders (PFI) may be sought by those victims where no family/household relationship exists, as described above and where the plaintiff alleges intimidation (harassment or stalking). These Orders are only available where the plaintiff is under 18 years of age and the perpetrator is over 18 years of age. A parent or legal guardian must file on behalf of the minor.

KEYSTONE COLLEGE POLICY STATEMENT: VIOLATIONS OF THE STUDENT CODE OF CONDUCT

Article VI of the Keystone College Student Handbook outlines the procedures that have been established to preserve the academic integrity of the College community, while also providing a process that provides opportunities for students to respond to allegations of violations of the College student conduct policy.

The procedures established for investigating violations of the student code of conduct, as outlined in the Student Handbook follow.

INITIATION AND INVESTIGATION OF VIOLATIONS OF THE STUDENT CODE OF CONDUCT

Initiation of Process

Person(s) witnessing or experiencing (complainants) what they believe to be a possible Student Code of Conduct violation should provide an authorized College official with the information.

Information and/or complaints about possible Code violations occurring in the residence halls should be provided to the Resident Assistant (RA), Senior Resident Assistant (SRA) or the Area Coordinator (AC).

Information and/or complaints about possible non-residence hall related Code violations should be provided to the Coordinator of Student Conduct, the Dean of Student Life or the Department of Campus Safety after normal business hours or weekends.

Information and/or complaints regarding academic misconduct should be referred to the Vice President and Dean of Academic Affairs who will forward the appropriate information to the Coordinator of Student Conduct.

In cases where the alleged activity may involve a violation of criminal law in addition to a violation of the Code, information and/or complaints should be provided to Campus Safety or other appropriate law enforcement agency.

The College will review all information and/or complaints received and may conduct a preliminary investigation of the alleged violation. Any alleged violations should be submitted as soon as possible after the event takes place, but must be filed within six (6) months.

Investigation

The Department of Campus Safety or other appropriate law enforcement agency shall have primary responsibility for the investigation of acts that involve suspected violation of federal, state, and local laws or applicable College policies.

Designated Student Conduct Officers are authorized to investigate alleged violations that occur on-campus in the residence halls other than those involving academic misconduct.

During the investigation, the student allegedly involved in the misconduct may be sent a letter or an email describing the alleged violation, requiring the student to make an appointment to discuss the matter, and specifying a date by which the appointment must be made. Any person believed to have information relevant to an investigation may also be contacted and requested to make an appointment to discuss the matter. Failure to comply with such a request to make and keep such an appointment may result in a disciplinary hold being placed on a student's registration and records and/or the initiation of sanctions for student conduct procedure abuse.

The Coordinator of Student Conduct, in consultation with the Dean of Student Life, may conduct an investigation to determine if the alleged violation has merit and/or if it can be disposed of administratively by mutual consent of the parties involved on a basis acceptable to the Coordinator of Student Conduct. Such disposition shall be final and there shall be no subsequent proceedings. If the alleged violation cannot be disposed of by mutual consent, the Coordinator of Student Conduct may later serve in the same matter as the conduct body or a member thereof.

Upon completion of an investigation, the investigator, in consultation with the Dean of Student Life and the Coordinator of Student Conduct, will decide upon an appropriate course of action. Actions may include, but is not limited to: taking no further action, deferring further action with or without conditions, or initiating sanctions with the Coordinator of Student Conduct or the All-College Student Conduct Board.

MEDIATION

All cases processed through the Office of Student Conduct are not required to go through formal hearings or informal resolution meetings. Mediation is a learning process which entails understanding and respecting the rights of others. It is an informal and confidential process to resolve minor conflicts, disputes, or disagreements without going through formal conduct proceedings.

Mediation cases may not be identified or filed as a conduct case. Mediation records will be maintained in a file and database separate from conduct files, and will not be recorded or reported as part of a student's record. All mediation files are confidential and will not be released without written consent, except in cases where the conduct or behavior is a repeat offense. In repeat cases, this information is only released to the hearing officer or committee conducting a formal hearing, and only used if found responsible for a violation of the Student Code of Conduct.

Alleged violations of the Student Code of Conduct which the College believes to be serious in nature are not subject to the mediation process. Such serious violations can include, but are not limited to: sexual misconduct, endangerment, physical assault, hazing, harassment, illegal drugs, alcohol, weapons, or certain violations of local, state, and federal laws.

Mediation files are expunged after a student graduates or after four (4) years after the date of the incident, whichever comes first. A request to have a mediation file expunged prior to this time must be sent in writing. The other person(s) involved in the case must agree, through signed consent, to the expungement of the file. The Dean of Student Life reserves the right to deny any request for the expungement of a file prior to graduation or the 4-year time frame.

INFORMAL AND FORMAL MEETINGS

The Coordinator of Student Conduct will review all information presented and determine whether the violation of student conduct will be handled in one of three ways: an informal resolution meeting with a Student Life staff member, formal meeting with the Coordinator of Student Conduct or assigned to an All-College Student Conduct Board hearing.

Each student is expected to attend all meetings and hearings. If a student fails to attend a meeting or hearing, it will proceed without the student's participation. The outcome will be based on the information available at that time.

Informal Resolution Meeting (IRM)

Informal Resolution Meetings are an informal way for a student to resolve behavioral or academic misconduct issues with the College. These meetings will be with a Student Life staff member such as an Area Coordinator, Senior Resident Assistant, Director of Commuter Living, etc.

IRMs will be completed within one week of the alleged violation.

There will not be a verbatim record of the IRM.

Written decisions (including findings of fact) will serve as the official records of informal hearings and will be sent to the student within ten (10) calendar days of the conclusion of the IRM. Documentation should also be sent to the Coordinator of Student Conduct to be placed in the student's file.

All IRM decisions and sanctions shall be reviewed by the Coordinator of Student Conduct.

All IRM decisions and sanctions shall be final.

Formal Meeting with Coordinator of Student Conduct

The formal meeting with the Coordinator of Student Conduct will not follow any particular set of procedures. At a minimum, the respondent(s) is apprised of the nature of the alleged violation(s) and the evidence and witnesses from the alleged violation(s). The respondent student has an opportunity to refute or explain the evidence, offer additional evidence and present witnesses on behalf of the respondent. The student is expected to participate in the meeting.

Upon receiving and reviewing all of the information and evidence, the respondent student can either admit or deny responsibility for the alleged violation(s).

If the respondent student admits responsibility, sanctions may be assigned by the Coordinator of Student Conduct to the respondent student to complete.

If the respondent student denies responsibility, the Coordinator of Student Conduct will decide if an All-College Student Conduct Board needs to be convened to hear the details of the alleged violation(s) or if the violation(s) should be dropped against the student.

The Coordinator of Student Conduct has the option to convene an All-College Student Conduct Board in place of a formal meeting depending upon the severity of alleged violation(s).

If the respondent student is assigned sanctions by the Coordinator of Student Conduct and feels that the sanctions are unfair, the student can appeal the decision and sanctions assigned. All appeals must be presented in writing to the Dean of Student Life.

STUDENT CONDUCT BOARD HEARING OVERVIEW

Hearings shall be conducted by the All-College Student Conduct Board on a case-by-case basis at the discretion of the Coordinator of Student Conduct. Hearings shall be held according to the following guidelines, upon conclusion of which a decision will be tendered to the Coordinator of Student Conduct.

The hearing shall be held at least four (4) calendar days after notice is received by the respondent student and complainant.

The hearing shall be conducted in private, with only the participants present.

The Student Conduct Board hearing is conducted by an impartial body composed of at least one student, one staff, and one faculty member.

In hearings involving more than one student, they shall be held separately. A joint hearing may be held upon waiver of this provision.

The complainant and the respondent student have the right to be assisted by an advisor. The complainant and/or the respondent student are responsible for presenting his or her own information regarding the alleged violation and, therefore, advisor(s) are not permitted to speak or to participate directly in any hearing before the All-College Student Conduct Board. If a joint hearing is offered for more than one student, only one advisor can be selected to represent all of the students for either the respondent or complainant side.

The complainant and the respondent student shall have the privilege of presenting witnesses subject to the right of cross examination by the All-College Student Conduct Board and/or the Coordinator of Student Conduct.

The hearing body shall call appropriate witnesses to provide information in support of the alleged violation(s), if needed.

Pertinent records, exhibits, and written statements may be accepted as evidence for consideration by the All-College Student Conduct Board and/or the Coordinator of Student Conduct.

All procedural questions are subject to the final decision of the Coordinator of Student Conduct of the All-College Student Conduct Board.

After the hearing, the All-College Student Conduct Board shall determine by majority vote whether the student has violated each section of the code that the student is alleged with violating.

The All-College Student Conduct Board's determination shall be made on the basis of preponderance of evidence, which is defined as being more likely than not that the respondent student has violated the code.

There shall be a single verbatim record, such as a digital recording, of all hearings before the All-College Student Conduct Board. The record shall be the property of the College.

If a student conduct hearing is scheduled, the respondent student shall be informed of the alleged violation(s), the date(s), time(s), and location(s) of the alleged violation(s), and a summary of the

action which led to the alleged violation(s). Notification of the alleged violations against the respondent student shall also include, but not be limited to, the following information:

- a. The date, time, and location of the hearing.
- b. The members of the All-College Student Conduct Board.
- c. Information regarding student rights afforded the student prior to and during the hearing.

A student will be given a minimum of four calendar days' notice prior to appearing before the All-College Student Conduct Board.

The respondent student and complainant may select an advisor to advise him/her at the conduct hearing. The advisor may consult and interact privately with the respondent student or complainant during conduct proceedings. The advisor is not permitted, however, to represent the respondent student or complainant.

The respondent student may waive in writing his/her right to a hearing and accept one or more sanctions as determined by the Coordinator of Student Conduct; however, the Coordinator of Student Conduct may refuse to honor the waiver and require a hearing. The sanction(s) will reflect the severity of the current alleged violations(s) against the student, as well as any previous disciplinary record. A student who waives his/her right to a hearing forfeits any right to appeal the sanction(s) as determined by the Coordinator of Student Conduct.

Students who are considered an immediate or substantial threat to themselves, others, and/or property may be issued an interim suspension by the Dean of Student Life.

STUDENT CONDUCT BOARD PROCEDURES

Presentation of Evidence

The following order of presentation will be followed in formal hearings:

- a. Opening statement by Coordinator of Student Conduct. This must include presentation of alleged violation(s). Statement of complaint by complainant or Coordinator of Student Conduct.
- b. Presentation of witnesses and/or evidence supporting the alleged violations(s), including questions directed to the witnesses.
- c. Statement of the respondent student.
- d. Presentation of witnesses and/or evidence by the respondent student, including questions directed to the witnesses and follow-up questions directed to the respondent student.
- e. Closing statement by complainant.
- f. Closing statement by respondent student.
- g. The Coordinator of Student Conduct brings hearing to closure.
- h. The Coordinator of Student Conduct shall have the final decision on what evidence may be presented and the tone of the questioning, and may place limits on length of testimony at any time.

Deliberation

The All-College Student Conduct Board shall decide in closed deliberations if a preponderance of the evidence exists that the respondent student violated the stated provision(s) of the Student of Code of Conduct.

Deliberation is not part of the hearing; no verbatim record will be kept.

The hearing body's determination of "in violation" or "not in violation" shall be based solely on the information presented at the hearing using the standard of "preponderance of evidence."

Prior records of disciplinary action and victim impact statements are considered by the hearing body only in the sanctioning phase of deliberations.

A formal decision email and letter will be sent to the student within ten (10) calendar days of the conclusion of the hearing body's deliberation.

VIOLATION OF LAW AND COLLEGE DISCIPLINE

If a student is charged with an off-campus violation of federal, state, or local laws, disciplinary action may be taken and sanctions imposed for misconduct which demonstrates flagrant disregard for the College community.

Proceedings under this student code may be carried out prior to, simultaneously with, or following civil or criminal proceedings.

When a student is charged by local, state, or federal authorities with a violation of law, code, or ordinance, the College will not request or agree to special consideration for that individual because of his or her status as a student. If the alleged offense is also the subject of a proceeding before a conduct body under the student code, however, the College may advise off-campus authorities of the existence of the student code and of how such matters will be handled internally. The College will cooperate fully with law enforcement and other agencies in the enforcement of criminal law on campus and with the conditions imposed by criminal courts for the rehabilitation of student violators. Individual students, staff, and faculty members, acting in their personal capacities, remain free to interact with governmental representatives as they deem appropriate.

SANCTIONS

Any of the following sanctions may be imposed on a student, a group of students, or a student organization. Violations of the Student Code of Conduct may result in one or more of the following sanctions:

Warning - A notice in writing to the student that the student is violating or has violated the Student Code of Conduct or other College policies or regulations.

Probation – Probation is for a designated period of time and includes the deferment of more severe disciplinary sanctions. If the student is found to be violating any College policies or

regulations during the probationary period, more severe disciplinary sanctions will be automatically applied by the Coordinator of Student Conduct.

Loss of Privilege – Denial of specified privileges for a designated period of time.

Restitution – Full payment for the cost of material(s) and labor for repair or replacement of damaged, destroyed, stolen property, etc.

Fines – Monetary sanction for violations.

Educational Sanction – An assignment such as a public presentation and/or researched paper on a designated topic.

Formal Apology - A written and/or verbal expression of one's regret, remorse or sorrow for having insulted, failed, or injured or wronged another.

Behavioral Contract – A document signed by the respondent student or others involved in a particular incident or situation which outlines certain restrictions or requirements which must be followed over a designated period of time.

Community Service – A specified number of service hours performed by the student.

Social Suspension – A separation of the student from all non-academic activities and functions for a specified period of time.

Social Expulsion – The permanent separation of the student from all non-academic activities and functions.

Residence Hall Warning – A notice in writing that a student will lose housing privileges and be suspended from the residence halls if the student is found in violation of another major violation of the Student Code of Conduct.

Residence Hall Suspension – Separation of the student from any of the residence halls and immediate vicinity of any of the residence halls for a definite period of time, after which the student is eligible to return. Residence hall suspension prohibits visitation within the residence halls. Students placed on residence hall suspension are not eligible for any housing refunds and are responsible for paying any outstanding charges during this time.

Interim Suspension – The temporary separation of the student from the residence halls and/or premises including classes, prior to the hearing of the student conduct body. Students placed on interim suspension are not eligible for any housing refunds and are responsible for paying any outstanding charges during this time. (See Article VI, Section H)

Residence Hall Expulsion – The permanent separation of the student from the residence halls and in the immediate vicinity of any College residence hall. Residence hall expulsion results in permanent revocation of visitation rights. Students placed on residence hall expulsion are not eligible for any housing refunds and are responsible for paying any outstanding charges during this time.

College Suspension – The separation of the student from the entire College and all College premises for a specified period of time or until certain conditions are met as specified by the College. College suspension shall result in administrative withdrawal from courses and immediate removal from the residence halls, pending appeal. Students who are suspended are not eligible for any housing refunds and are responsible for paying any outstanding charges during this time.

College Expulsion – The permanent separation of the student from the entire College and all College premises. College expulsion shall result in administrative withdrawal from courses and immediate removal from the residence halls, pending appeal. Students who are expelled are not eligible for any housing refunds and are responsible for paying any outstanding charges during this time.

Lowering of Grade or Failing Grade – A reduction of a grade for a paper, assignment, quiz, exam, project, etc., or a reduction of the grade for a particular course.

Any other reasonable type of sanction(s) at the discretion of the Coordinator of Student Conduct.

Proof of sanction(s) completion must be provided to the Coordinator of Student Conduct by the specified deadline date given to the student at the end of their informal/formal meeting or following the All-College Student Conduct Board hearing. It is the responsibility of the respondent student to ensure that proof of completion is provided by the specified date. Failure of the respondent student to provide proof by the specified date will result in a violation of noncompliance and lead to further sanctions and fines as described below.

Disciplinary sanctions shall not be recorded in the student’s permanent transcript, but shall become part of the student’s confidential educational record.

Upon graduation, a student may petition the Dean of Student Life to have disciplinary actions other than residence hall expulsion, College suspension, or College expulsions expunged from the student’s educational record.

INTERIM SUSPENSION

Interim suspension shall be imposed:

- a. to ensure the safety and well-being of members of the College community or preservation of College property;
- b. to ensure the student’s own physical or emotional safety and well-being; or
- c. to prevent disruption or interference of the normal operation of the College where a student poses a specific identifiable threat.

During the interim suspension, students shall be denied access to:

- a. Residence halls
- b. College premises (including classes)
- c. College activities
- d. Privileges for which the student might otherwise be eligible

Grounds for Interim Suspension

- a. In situations where the Dean of Student Life has reasonable cause to believe a student presents an immediate threat or danger to the health, safety, or general welfare of the campus community, an interim (temporary) suspension shall be imposed. Immediate threats or dangers may include, but are not limited to, sexual assault, physical assault, hazing, possession of a firearm or explosives, or serious drug violations.
- b. Interim suspensions shall be imposed immediately upon determination that a student poses an immediate threat or danger to the health, safety, or general welfare of the campus community.

A student under interim suspension shall not be allowed on campus except with the permission of the Dean of Student Life or the Coordinator of Student Conduct.

The respondent student will be provided information regarding his/her student rights and procedures used in a student conduct hearing.

Notice of a formal hearing including date, time, and location will be sent at least four (4) calendar days prior to the hearing. If the respondent student fails to appear at the scheduled hearing, the hearing will be held in the student's absence.

The respondent student will be provided with the names of the hearing body members prior to the scheduled hearing, except in cases involving emergency hearing body appointments. The respondent student has the right to challenge the inclusion of any member at least 24 hours prior to the scheduled hearing. The challenge must be in writing and be based on cause that clearly provides evidence of a conflict of interest, bias, pressure, or influence that could preclude a fair and impartial hearing. The Coordinator of Student Conduct will rule on all such challenges and his/her decision is final.

Notification of the hearing decision will be made in writing within ten (10) calendar days from the date of the decision.

The appellate process is the same as outlined in the section on the Appeal Process.

Student organizations shall be suspended by the Dean of Student Life (or designee) in circumstances involving actions related to that group that may affect the health, safety, or general welfare of its members or the College community. This includes, but is not limited to, sexual misconduct, physical assault, hazing, possession of a firearm or explosives, or serious drug violations. The affected group has the right to a review with the appropriate hearing body as previously described.

APPEAL PROCESS

Appeal Requests

Decisions of the All-College Student Conduct Board or by the Coordinator of Student Conduct may be appealed to the Dean of Student Life within five (5) business days, as described immediately below.

Appeals must be in writing and must state the reasons for why an appeal should be considered. A written request must be submitted by the student(s) to the Dean of Student Life within five (5) business days of the receipt of the hearing decision.

The written request must state the reason(s) for appeal and the supporting facts.

Failure to describe the nature of the evidence in full detail in the appeal letter will result in the denial of an appeal.

Appeal considerations are limited to:

- a. Errors involving violations of the respondent student's rights that substantially affected the outcome of the initial hearing. Appeals based on this consideration will be "limited solely" to a review of the record of the first-level hearing.
- b. New evidence that was not available at the time of the original hearing and could have substantially affected the outcome. The nature of the evidence must be described in full detail in the appeal letter.
- c. The severity of the sanction is disproportionate to the nature of the offense.

If a first-level disciplinary action is not appealed, that decision becomes final.

Appeal Review

The Dean of Student Life will review the written appeal, recording (if applicable), and documentation from the original hearing or meeting and determine if there is a basis for appeal.

If the Dean of Student Life determines there is no basis for appeal, the Dean of Student Life will notify the Coordinator of Student Conduct of his/her decisions. A written decision will be sent to the student stating appeal denial and basis for the denial.

If an appeal is granted, the Dean of Student Life will send the Coordinator of Student Conduct the decisions and/or changes to the sanction(s).

Appeal Decisions

The Dean of Student Life may uphold the first-level decision.

The Dean of Student Life may modify any sanction(s).

The decisions made regarding the appeal will be sent in writing to the student within ten (10) calendar days of an appeal review, unless notification is given that additional time is necessary for consideration of the record on appeal.

Decisions of the Dean of Student Life are final.

Except in the case of an interim suspension, all sanctions are placed on hold during the appeal process.

Appellate Panel

This option can only be used in cases of sexual misconduct when an All-College Student Conduct Board had been convened.

NON-COMPLIANCE

Students who fail to comply with final decisions or sanctions of a conduct body and/or the Coordinator of Student Conduct will result in the following penalties:

The Coordinator of Student Conduct will attempt to contact the student via email or letter to find out what is going on or set up another meeting to discuss the past due sanctions and establish a new timeline. If the student does not respond to any communications or if no progress on the past due sanctions is made within five (5) business days after the original deadline, the student will be found in violation of Failure to Comply / Non-compliance.

Once the student is found in violation of Failure to Comply / Non-compliance, additional sanctions may be added to the past due sanctions at the discretion of the Coordinator of Student Conduct.

The student remains responsible for the completion of all original sanctions regardless of the additional sanctions imposed.

Non-compliance with final decisions or sanctions of a conduct body or the Coordinator of Student Conduct result in automatic penalties and will not be scheduled for further conduct hearings on this issue.

KEYSTONE COLLEGE POLICY STATEMENT: STUDENT SEXUAL MISCONDUCT

Sexual misconduct - in any form - will not be tolerated at Keystone College. The College has programs in place to educate the campus community regarding prevention and issues surrounding sexual misconduct; training programs for staff and faculty to provide student victims with direction for assistance; conduct policies and procedures to adjudicate cases involving sexual misconduct; and, most importantly, support systems for victims.

As a recipient of Federal funds, the College is required to comply with Title IX of the Higher Education Amendments of 1972 along with other applicable laws, which prohibit discrimination on the basis of sex in education programs or activities. Sexual misconduct, as defined in this policy, is a form of sexual discrimination prohibited by Title IX. The protections of Title IX apply to all Keystone College students as well as third parties participating in College programs and activities.

The purpose of the following definition is to make Keystone College's Sexual Misconduct Policy understandable. The definition of sexual harassment, sexual misconduct, and sexual assault are listed below. These terms are not mutually exclusive.

DEFINITIONS USED BY THE COLLEGE

Sexual Harassment: Any unwelcome sexual advances (verbal or physical), requests for sexual favors or other verbal or physical conduct of a sexual nature are considered sexual harassment when: submitting to or participating in the conduct is either explicitly or implicitly a term or condition of an individual's employment or educational achievement; or the conduct interferes with or is intended to interfere with academic or work performance; or if the conduct creates an

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intimidating, hostile or offensive educational or work environment. A single instance of sexual misconduct may be sufficiently severe to create a hostile learning environment.

Sexual Misconduct: Includes non-consensual sexual intercourse, non-consensual sexual contact, sexual exploitation, voyeurism, partner violence, stalking and any other behavior of a sexual nature that is non-consensual and used for the purpose of coercing, intimidating or threatening another person. Sexual misconduct can occur between people of the opposite sex or people of the same sex.

Sexual Assault: A person commits sexual assault when that person engages in sexual intercourse or deviate sexual intercourse with a complainant without the complainant's consent. Additionally, for the purpose of this policy, sexual assault includes the deliberate touching of a person's intimate parts (including genitalia, groin, breast or buttocks), or using force to cause a person to touch his or her own or another person's intimate parts.

IF YOU ARE A VICTIM OF A SEXUAL ASSAULT, OR WITNESS TO A SEXUAL ASSAULT:

- Get victim to a safe place as soon as possible.
- **Seek immediate medical attention!**
- In a life threatening situation, call 911.
- In a non-life threatening situation contact Campus Safety at 570-945-8989 or the Residence Life On-Call phone at 570-499-9372.
- Once a victim is feeling safe they should make every attempt to try to preserve any evidence of an act of sexual misconduct, even if they are unsure if they want to report it.

Victims should take the following steps to preserve evidence:

- Avoid drinking, eating, showering, brushing your teeth, combing your hair or changing your clothes following the incident.
- If you have already changed your clothes, place them in a paper bag (plastic may destroy evidence).
- Try not to urinate. Urinating may reduce the ability to detect “date rape” drugs.

If you have done any of these things, evidence can still be collected.

Keystone College offers to any party involved in an incident of sexual misconduct assistance and non-judgmental support. Victims of sexual misconduct can expect to be treated with care and respect from the time the institution becomes aware of an incident, through the entire conduct process, and thereafter. The College understands that any party involved in an incident of sexual misconduct will have questions and may need the support of on and off campus services. Any party is encouraged to contact the Keystone Counseling Center, Health Services, the Dean of Student Life, the Associate Dean of Student Life, the Title IX Coordinator, or a S.O.A.R (Sexual Offense Advocate Response) team member for assistance, in addition, to the resources below.

24-Hour Resources

- S.O.A.R. Team Members: Members can be contacted by speaking with a college official or the Residence Life On-Call phone at 570-499-9372
- Women’s Resource Center (Scranton) 570-346-4671 or 800-257-5765
- Victims’ Resource Center (Tunkhannock) 570-836-5544
- Scranton Counseling Center (Scranton) 570-348-6100
- Geisinger Community Medical Center (CMC: Scranton) 570-969-8000
- Tyler Hospital (Tunkhannock) 570-836-2161
- Keystone College Department of Campus Safety 570-945-8989 ***

Campus Safety can request an officer of any gender. Campus Safety can also assist in providing 24-hour access to S.O.A.R members, Residence Life, and Crisis Mental Health Services.

*** Campus Safety will file an official report for Keystone College use only and will make the victim aware of his or her right to report to law enforcement and aid him or her in this process if he or she chooses.

- Dalton Police Department (Local Police) 570-836-6161 or 911 ***
- Pennsylvania State Police (Tunkhannock) 570-836-2141 or 911 ***

*** Dalton and/or the State Police MUST investigate and file an official police report of the sexual misconduct incident.

- ChildLine (PA Department of Public Welfare) 800-932-0313
ChildLine should be used to report incidents for students under the age of 18

Daytime On-Campus Resources (9:00 a.m. – 5:00 p.m.)

- Dean of Student Life 570-945-8274
- Keystone Counseling Center 570-945-8309
- Daniel Ullrich 570-945-8305
- Dana Fortunato 570-945-8387
- Office of Health Services 570-945-8255
- Office of Residence Life 570-945-8271
- Office of Student Conduct 570-945-8288
- Office of Student Life 570-945-8000
- Title IX Coordinator 570-945-8361

Reporting:

Despite Keystone College's strong interest in having victims of sexual misconduct come forward, the College realizes not every student is prepared to report. If you are a victim of sexual misconduct but are not ready to inform the College, you are encouraged to speak with one of the College counselors in the Keystone College Counseling Center or Health Services. As health professionals, the counselors of the Keystone Counseling Center and Health Services staff are bound by separate laws of confidentiality and will not inform other members of the College under most circumstances, unless there is an imminent safety concern or as otherwise required by law.

Victims of sexual misconduct can be assured that all reports will be taken seriously and that they will be treated with dignity, respect and in a non-judgmental manner. The College provides resources to victims of sexual misconduct in making decisions, obtaining information about available resources, and assisting if she/he decides to make an official report and/or request resolution. Victims are not expected or required to pursue a specific course of action.

All victims are afforded the following:

- Notification of available on and off campus resources, including medical assistance, mental health counseling services, law enforcement agencies and campus conduct options.
- Information on their options to notify and if necessary file a complaint with the proper law enforcement authorities (if other than Keystone College Campus Safety), and the option to be assisted by the Department of Campus Safety or other College officials in notifying such authorities, if the student so chooses. Any incidents involving students under the age of 18 needs to be reported to the PA Department of Public Welfare through *ChildLine*.
- The opportunity to request that the College impose Interim Measures to prevent unnecessary or unwelcomed contact or proximity to a respondent. All requests should be directed to the Title IX Coordinator or the Associate Dean of Students. Such measures may include on or off campus housing relocation of the victim or alleged offender, the imposition of "no-orders" (no contact, etc.) with the parties, and adjustments to course schedules to prevent contact, as determined appropriate by the Title IX Coordinator or the Associate Dean of Students.

INVESTIGATION AND RESOLUTION OF STUDENT SEXUAL MISCONDUCT

The College is dedicated to upholding its Title IX obligation to assist victims of sexual misconduct by recovering and restoring their sense of self and wholeness. Victims of sexual misconduct are encouraged, but never pressured, to participate in the College's investigation and hearing process so that the facts of each situation can be explored and responsible parties held accountable for their misconduct, if warranted. Where an allegation of sexual misconduct also appears to raise the possibility of criminal behavior, such as sexual assault, victims are also encouraged to pursue criminal charges against an alleged offender.

In any report, investigation, or resolution of an allegation of sexual misconduct, Keystone College will preserve the privacy and confidentiality interests of the individuals involved in a manner that is consistent with applicable law, and with principles of thorough investigation, and the safety of the

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campus community.

The College will make every reasonable effort to protect the confidentiality of the complainant; however, confidentiality may be compromised if it is determined that an investigation should move forward based on several factors including: the seriousness of the infraction; the complainant's age; whether there have been previous complaints about the accused. Furthermore, the Title IX Coordinator, or Deputy Coordinator will inform the complainant that the College's ability to respond will be limited when there is a request for the complaint to remain confidential. If the complainant does not wish to move forward with a formal Sexual Misconduct Proceeding and/or requests confidentiality, Title IX requires the College to investigate and take reasonable action in response to the information.

If the complainant decides to go forward with the complaint, and the professional staff member conducting the preliminary investigation determines there is cause to proceed, a formal investigation and hearing will be held. The ultimate decision to move forward with a sexual misconduct hearing will be made after the Title IX Coordinator or Associate Dean of Student Life has met with the complainant and the accused.

The complainant will be asked to sign a declaration of intent to proceed with the sexual misconduct process. The accused will be promptly notified in writing of the charges being made. The complainant and the accused will be asked to provide a written summary of the event.

When meeting with the accused, the Title IX Coordinator or the Associate Dean of Student Life will inform him/her of the reason for the interview and will provide the opportunity to relate his/her perspective. All processes and policies relative to the allegations, as found in the Student Handbook, will be explained. The accused will review the declaration of intent signed by the complainant.

Both the accused and complainant will be informed that each is allowed to be accompanied to all meetings, hearings, and interviews by an advisor of their choice. Advisors are allowed solely for the purpose of support and may not serve as representatives of the complainant or accused. During the course of a hearing, advisors are not allowed to cross examine or actively engage in the discussion.

Both the complainant and the accused will have an equal opportunity to provide a list of witnesses, along with contact information. Once the lists have been received, the Title IX Coordinator will appoint investigators to begin to interview witnesses.

Both the complainant and the accused will be afforded the opportunity to review copies of each other's written summary. Each will review the summary for alleged inaccuracies and inconsistencies, along with a Title IX investigator, who will make note of the inaccuracies and inconsistencies purported by each party.

During the process of investigating the alleged sexual misconduct, other violations of the College Code of Conduct may be found to have been committed. The Conduct Board on Sexual Misconduct reserves the right to question and sanction those involved in other conduct violations (including the accused and the complainant) following the outcome of the sexual misconduct hearing. The use of alcohol and drugs is not considered a defense against violations of the sexual misconduct policy. Please refer to the explanation of consent that is provided above in the definitions section on page 9.

Investigations will be completed within sixty (60) calendar days of the initial report to the Title IX Coordinator or Deputy Title IX Coordinators, unless extenuating circumstances, requires an extension of time.

When a victim requests that a hearing not occur, the College will make every reasonable effort to comply with that request. There may be exceptional circumstances when the College determines that the continued threat of a situation warrants a hearing despite the request of a victim. The victim will never be required to participate in such a hearing process. Prior to the hearing, the victim will be contacted by the Title IX Coordinator or Deputy Title IX Coordinator to discuss the reasoning for the decision.

The College's responsibility to investigate all allegations of sexual misconduct exists regardless of whether that investigation culminates in a hearing and exists independently of the criminal justice process. The investigation process will be thorough, prompt, and impartial.

The first step of an investigation will usually be a preliminary interview by the Department of Campus Safety, the Title IX Coordinator, and the Associate Dean of Student Life and or the Dean of Student Life with the reporter of sexual misconduct. If a student does not wish to pursue resolution of any potential violations of the Sexual Misconduct Policy through the hearing process, the College will use the information gathered to evaluate, and if necessary, provide for the safety of the College campus community. All College investigations will take place in compliance with applicable laws and college policies, including laws and policies pertaining to student privacy and confidentiality. If a hearing has been requested, the investigator will collect all relevant information for the hearing panel for its consideration and evaluation.

The College will also take appropriate interim measures to protect the parties involved. This can include, but is not limited to, the imposition of No Contact Directives or interim suspension. The Dean of Student Life, or his/her designee, may limit a student or organization's access to certain College facilities or activities pending resolution of the matter. In other cases, the Dean of Student Life, or his/her designee, may place a student or organization on interim suspension in response to a report of sexual misconduct where that misconduct poses an ongoing risk of harm to the safety or well-being of an individual or members of the campus community. Pending resolution of the situation, the student or organization may be denied access to campus. During interim suspension, a student may continue his/her coursework as outlined in the interim suspension letter. When interim suspension is imposed, the College will make reasonable efforts to complete the investigation and hearing (but not appeal), when a hearing is required, within two weeks of the interim suspension implementation.

Reporting Options

Keystone College's response to sexual misconduct allegations is pursued in three stages: report, investigation, and resolution. At each of these stages, the College is committed to maintaining fairness for all parties and to balancing the needs and interests of the individuals involved with the safety of the community as a whole.

Victims of sexual misconduct are encouraged to report. When reporting an allegation of sexual misconduct, victims have four options:

- (1) Informing the College without pursuing any further resolution, including the College's Sexual Misconduct Policy hearing process or the criminal justice system;
- (2) Invoking the College's Sexual Misconduct Policy hearing process but not the criminal justice system;
- (3) Invoking the criminal justice system but not the College's Sexual Misconduct hearing process;
- (4) Invoking both the College's Sexual Misconduct hearing process and the criminal justice system.

If a victim under the age of 18 reports to the College, the College is obligated to contact ChildLine.

Conduct may constitute a violation under this policy even if law enforcement agencies decline to prosecute or if a respondent has been found not guilty in the legal system.

(Note: Invoking the criminal justice system is an option only if the conduct may have violated the law).

Statement on Amnesty

The College strongly encourages reporting and seeks to make the procedures for reporting transparent and straightforward. The College will generally not seek to hold any student reporting sexual misconduct accountable for his/her own violations of the Student Code of Conduct in which the reporting party may have been involved at or near the time of the event, provided that any such violations did not and do not place the health and safety of any person at risk. This means that students reporting sexual misconduct will generally not face disciplinary action due to those violations (e.g. underage drinking). However, if a reporter is to be held accountable for his/her own misconduct, such violations will be reviewed in conduct proceedings separate from the sexual misconduct proceedings.

Individuals are encouraged to report alleged sexual misconduct immediately in order to maximize the College's ability to respond promptly and effectively. Keystone College does not limit the timeframe for reporting. If any party involved in a complaint is no longer a student, the College will still take steps to meet its Title IX obligation by taking steps to end the behavior, prevent its recurrence, and address its effects. If the accused individual is no longer a student, that step cannot involve a hearing.

Reports can be made in the following manner:

Option 1: Informing a Keystone College employee: The Title IX Coordinator, Associate Dean of Students and Director of Campus Safety are the primary administrators at the College charged with ensuring reports are investigated and resolved. Students may file a complaint directly with either the Title IX Coordinator, the Deputy Title IX Coordinator, Dean of Student Life, Associate Dean of Students or the Director of Campus Safety.

If information regarding an incident of sexual misconduct is shared with an employee of Keystone College, the employee is required to report this information to any of the following, the Title IX Coordinator, the Deputy Title IX Coordinator, Dean of Student Life or the Director of Campus

Safety, who will assist in the investigation. Victims have the option to share as much or as little information as they are comfortable disclosing, and the College will keep the information private, unless under the victim is under the age of 18. Once it is disclosed, the employee will share the details, including any individuals identified, with the Title IX Coordinator. The information will be shared only with those College employees necessary to assist in the investigation and/or resolution of the complaint. All reports of sexual misconduct will be handled in confidence, to the extent allowed by law. Generally, the Title IX Coordinator will contact the victim as the first step in their investigation. Trained Title IX Deputy Coordinators can also offer assistance are available in the following offices:

- Dean of Students
- Human Resources

In every situation reported, the Title IX Coordinator with the assistance of the Department of Campus Safety, Associate Dean of Student Life, and/or the Dean of Student Life, will make an immediate assessment of any risk of harm to individuals or to the campus community and will take measures necessary to address those risks.

Option 2: Reporting to the Department of Campus Safety or Law Enforcement agencies: Victims can choose to make a report directly to the Department of Campus Safety. Campus Safety will notify the Title IX Coordinator, Associate Dean of Student Life, and/or the Dean of Student Life.

The Title IX Coordinator will assign trained investigators to investigate the incident in a manner that ensures fairness to all parties involved, and take those measures necessary to provide for the safety of the individual and of the College community.

Victims also have the option of reporting directly to an outside law enforcement agency. To the extent permitted by applicable law, Keystone College will cooperate with outside investigators. However, outside law enforcement agencies do not respond to Title IX violations, and will only respond to allegations of criminal behavior. As a result, the College encourages reporting to both the College itself – through the Department of Campus Safety, the Title IX Coordinator or to the Associate Dean of Student Life and to an outside law enforcement agency, if the alleged sexual misconduct may also be a crime.

Because the goals and objectives of the College's Sexual Misconduct Policy differ from those of the civil and criminal justice systems, in situations which give rise both to violations of the Sexual Misconduct Policy and to violations of local, state or federal law, student conduct proceedings move forward without regard to pending civil or criminal proceedings.

Proceedings under the College's Sexual Misconduct Policy may be carried out prior to, simultaneously with, or following civil or criminal proceedings off-campus. On-campus resolution does not preclude or limit a student's access to the state and federal justice systems.

If a victim reports sexual misconduct committed by an individual who is not a member of the College community, the victim can speak with the Title IX Coordinator and the Department of Campus Safety to discuss options such as contacting other law enforcement authorities and/or removing the individual(s) from campus. If an individual accused of violating the Sexual

Misconduct Policy is a guest, the host may be held accountable for his or her guest's behavior.

Option 3: S.O.A.R. Team: Students can file a report by contacting any member of the S.O.A.R (Sexual Offense Advocate Response) Team. Brochures detailing the S.O.A.R. team members and services are available in the Keystone Counseling Center, Health Services, Campus Safety, Residence Life, Student Life and the Office of Student Conduct. A member of the S.O.A.R team can be reached after hours by calling the Department of Campus Safety. When contacting Campus Safety just state that you wish to speak to a S.O.A.R team member and name a specific member you wish to speak with. If you do not know anyone on the S.O.A.R. Team, Campus Safety can tell you the names of the team members who are on the S.O.A.R. team and then pick a member. The Campus Safety Officer will contact the S.O.A.R. team member for you and will not ask any specific information other than a phone number where you can be reached. After the Campus Safety Officer has called the S.O.A.R. team member, the member will contact you at the number you gave to Campus Safety.

Retaliation & False Accusation

No retaliation: An individual reporting sexual misconduct is entitled to protection from retaliation for a report that is made in good faith, even if it is determined that the information was wrong or cannot be proven.

False accusation: A good-faith complaint that results in a finding of a person not responsible is not a false or fabricated accusation of sexual misconduct. The College takes the validity of information very seriously. A fabricated accusation of sexual misconduct is an especially serious violation of the Acts of Dishonesty provision of the [Student Code of Conduct](#) (see pages 97-98 of the Student Handbook).

PROCESS FOR RESOLUTION

If the preliminary investigation has determined there are no grounds for a hearing, a hearing will not take place. The College will inform, in writing, the complainant and the alleged respondent (if s/he is aware of the allegation and investigation) of the findings when the investigation has concluded.

A sexual misconduct hearing panel is also empowered to hear allegations of, and to impose sanctions for, any violations of the Keystone College Student Code of Conduct directly related to the alleged incident of sexual misconduct. In any hearing the complainant and respondent have the right to be assisted by an advisor. The advisor can be an attorney.

When a hearing is deemed necessary, the Title IX Coordinator or his/her designee will contact the complainant and respondent and ask each party, together with his/her advisor, to meet individually to receive an explanation of the panel hearing process and to ask any questions before the hearing occurs. If the respondent and/or complainant have elected to have an advisor present throughout the hearing process, they are encouraged to accompany them to this initial meeting. At that meeting, each party will have an opportunity to strike up to two members from the hearing panel pool. Parties may petition to have additional panelists removed provided they can demonstrate that a potential for bias exists.

Once both parties have met with the Coordinator of Student Conduct or his/her designee, and the investigation is completed, a notice letter is sent to the complainant and the respondent. The letter provides both parties with a statement of the policy violation(s) that are alleged to have taken place and a summary of the facts underlying the allegations. In addition, the letter also provides a student or organization with the date, time, and place of the hearing, as well as the name(s) of the person(s) hearing the case.

All parties will be notified to pick up copies of hearing documents from the Office of Student Conduct no later than forty-eight (48) hours before the hearing is to begin. If either party wishes to call witnesses, the following must be submitted no later than thirty-six (36) hours before the hearing to the Coordinator of Student Conduct via e-mail or in hardcopy format:

- the names of any witnesses that either party intends to call,
- a written statement and/or description of what each witness observed, if not already provided during investigation,
- a summary of why the information they have is relevant to making a decision of responsibility at the hearing.

The Coordinator of Student Conduct will determine if the witnesses have relevant information. If witnesses are approved to be present, the respondent and complainant are provided with a list of witnesses and any relevant documents related to their appearance at the hearing no later than twenty-four (24) hours before the hearing. All parties have the opportunity to ask questions of witnesses, regardless of who called them to the hearing.

Panel Composition

Sexual misconduct violations will be reviewed by a hearing panel. The hearing panel consists of three members of the College community: a student, a faculty member, and an administrator / staff member. All hearing panelists, must participate in training on non-discrimination, harassment, and the proper adjudication of sexual misconduct allegations. The training will be coordinated by the Office of Student Conduct in conjunction with campus and external partners. The training includes, but it not limited to, burden of proof, standard of proof, questioning parties and witnesses, assessing credibility and relevance of information, determining consent, determining incapacitation, victim/offender behavior, and sanctioning.

Participants in Hearing Procedures

The individuals from our community who may appear before a hearing panel are: the complainant, the respondent, any individuals serving as advisors, and any individuals who appear as witnesses. The complainant, respondent, and panel all reserve the right to call witnesses. Witnesses must have observed the acts in question or have information relevant to the incident and cannot be participating solely to speak about an individual's character. The Coordinator of Student Conduct will facilitate the hearing board.

Sexual Misconduct Hearing Procedures

Presentation of Evidence

The following order of presentation will be followed in formal hearings:

- a. Opening statement by Title IX Coordinator or their designee. This must include presentation of alleged violation(s).
- b. Statement of complaint by complainant or Coordinator of Student Conduct.
- c. Presentation of witnesses and/or evidence supporting the alleged violations(s), including questions directed to the witnesses.
- d. Statement of the respondent student.
- e. Presentation of witnesses and/or evidence by the respondent student, including questions directed to the witnesses and follow-up questions directed to the respondent student.
- f. Closing statement by complainant.
- g. Closing statement by respondent student.
- h. The Coordinator of Student Conduct brings hearing to closure.
- i. The Coordinator of Student Conduct shall have the final decision on what evidence may be presented and the tone of the questioning and may place limits on length of testimony at any time.

Deliberation

- a. The Student Sexual Misconduct Board shall decide in closed deliberations if a preponderance of the evidence exists that the respondent student violated the stated provision(s) of the Student Code of Conduct.
- b. Deliberation is not part of the hearing; no verbatim record will be kept.
- c. The hearing body's determination of "in violation" or "not in violation" shall be based solely on the information presented at the hearing using the standard of "preponderance of evidence."
- d. Prior records of disciplinary action and victim impact statements are considered by the hearing body only in the sanctioning phase of deliberations.
- e. A formal decision email and letter will be sent to the student within ten (10) calendar days of the conclusion of the hearing body's deliberation.

Attendance at Hearings & Special Provisions: If a party does not attend a hearing, for any reason other than an emergency, the hearing may be held in his/her absence. Either party can request to have a hearing rescheduled. Requests to reschedule must be submitted to the Coordinator of Student Conduct at least two business days prior to the hearing. Requests must come directly from the individual receiving a notice letter. If a hearing must be held at or after the end of the semester and a full hearing panel cannot reasonably be convened, those cases may be heard by three trained sexual misconduct panelists from the pool of trained sexual misconduct hearing officers appointed by the College.

Complainant's or Victim's Rights

Victims' rights apply to violations of the Student Sexual Misconduct Policy. The victim has the right to:

- Notice of violations of Sexual Misconduct Policy against the respondent, as well as date time and location of hearing (if applicable);
- Participate in person, or by other suitable means that would not require physical proximity to the respondent. This can include, but is not limited to, partitioning a hearing room or using technology to facilitate participation;
- Have an advisor of the victim's choice accompany her/him when presenting information to the hearing body and at any other relevant meetings held throughout the process;
- Testify in limited privacy, to be determined by the Title IX Coordinator, as long as the process does not compromise the respondent student's right to confront and question witnesses;
- Be present throughout the entire hearing or provide witness at an appointed time to be determined by the Coordinator of Student Conduct;
- Submit questions to the Title IX Coordinator who will then consider posing those questions to the respondent student;
- Submit a victim impact statement to the hearing body. This information will be used only in the sanctioning phase of deliberations, if the respondent student is found responsible for the alleged violation(s);
- To have unrelated past behavior excluded from the hearing. The Coordinator of Student Conduct will decide if such information is unrelated;
- To be notified of the student conduct hearing outcome and appeals outcome;
- To appeal the hearing decision on the basis outlined in Victim's Appellate Process;
- Notification in writing of the outcomes of the student conduct hearing and/or appeals.
- The opportunity to provide an impact statement to be read by the hearing panel if the panel determines that the Respondent is responsible for violations of the Sexual Misconduct Policy;
- The opportunity to provide character witness letters to the panel to be read by the hearing panel if the panel determines that the Respondent is responsible for violations of the Sexual Misconduct Policy; and
- The opportunity to appeal the initial hearing outcome if grounds for appeal are met.

Respondent's Rights

The respondent has the right to:

- Clear and complete notice of violations of the Sexual Misconduct Policy against the respondent, (including for the respondent the identity of the alleged victim), as well as the date, time, and location of hearing (if applicable) where responsibility will be determined;
- Access to all relevant documents and written statements to be presented as evidence at least 24 hours in advance of any student conduct hearing;
- Have an advisor of their choice accompany her/him when presenting information to the hearing body and at any other relevant meetings held throughout the process;

- The opportunity to have a confidential conduct hearing in which the College will endeavor to keep all details of the hearing confidential including the names of the complainant, respondent, and witnesses;
- The opportunity to ask questions of the complainant/respondent via the panel;
- The opportunity to ask questions of the complainant's/respondent's witnesses via the panel;
- The opportunity to respond to the alleged sexual misconduct violations before the panel renders a decision;
- The opportunity to see, hear, or otherwise observe the complainant and all witnesses appearing at the hearing against him/her during all questioning, statements and exchanges with the hearing panel;
- The assumption during the hearing that the respondent is not responsible until all information has been submitted and has been considered by the panel;
- A hearing that does not discuss past sexual history;
- The opportunity to be present for the entire duration of the hearing, except for deliberations;
- Notification in writing of the outcomes of the student sexual misconduct hearing and/or appeals;
- The opportunity to provide an impact statement to be read by the hearing panel if the panel determines that the Respondent is responsible for violations of the Sexual Misconduct Policy;
- The opportunity to provide character witness letters to the panel to be read by the hearing panel if the panel determines that the Respondent is responsible for violations of the Sexual Misconduct Policy; and
- The opportunity to appeal the initial hearing outcome if grounds for appeal are met.

RESOLUTION OUTCOMES

Consistent with the U.S. Office of Civil Rights requirements, the hearing panel will determine a respondent's responsibility by a preponderance of the evidence. This means that the panel will decide whether it is "more likely than not," based upon the information provided at the hearing, that the respondent is responsible for the alleged violation(s). If it is determined that a violation has occurred for which the respondent is responsible, the panel will determine sanctions taking into account past disciplinary action for which the respondent has been found responsible.

Hearing panels that find a student or organization responsible for a violation of the Sexual Misconduct Policy and/or Community Standards will impose appropriate sanctions. Sanctions may be issued individually, or a combination of sanctions may be imposed. The determination of sanctions is based upon a number of factors, including: the harm suffered by the victim; any ongoing risk to either the victim or the community posed by respondent; the impact of the violation on the community, its members, or its property; any previous conduct violations; and any mitigating or aggravating circumstances.

In appropriate cases, a panel may determine that student misconduct was motivated by bias, insofar as a victim was selected on the basis of his or her race, color, ethnicity, national origin, religion, sex, sexual orientation, gender expression, age or disability. Where the panel determines that student

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misconduct (such as stalking, property damage, trespass, etc.) was motivated by bias, the panel may elect to increase the sanction imposed as a result of this motivation.

The College identifies sanctions for violating the Sexual Misconduct Policy when a formal hearing is utilized. These sanctions are specific to the student's status at the institution. Students found responsible for sexual misconduct via the formal hearing process can expect to have additional sanctions to assist in his/her learning and/or the safety of the campus and victim.

Notice of Hearing Panel

The hearing panel will communicate the result of the hearing and any sanction(s) to the respondent and the victim. Generally, the outcome of the hearing will be final and communicated to the parties within five (5) business days from the date the hearing concluded and will be provided in writing.

APPEAL PROCESS

Appeal Requests

Decisions of the Student Sexual Misconduct Board may be appealed to the Dean of Student Life within five (5) business days, as described immediately below.

Appeals must be in writing and must state the reasons for why an appeal should be considered. A written request must be submitted by the student to the Dean of Student Life within five (5) business days of the receipt of the hearing decision.

The written request must state the reason(s) for appeal and the supporting facts.

Failure to describe the nature of the evidence in full detail in the appeal letter will result in the denial of an appeal.

Appeal considerations are limited to:

- Errors involving violations of the respondent student's rights that substantially affected the outcome of the initial hearing. Appeals based on this consideration will be "limited solely" to a review of the record of the first-level hearing.
- New evidence that was not available at the time of the original hearing and could have substantially affected the outcome. The nature of the evidence must be described in full detail in the appeal letter.
- The severity of the sanction is disproportionate to the nature of the offense.

If a disciplinary action is not appealed, that decision becomes final.

Appeal Review

- The Dean of Student Life will review the written appeal, recording (if applicable), and documentation from the original hearing or meeting and determine if there is a basis for appeal.
- If the Dean of Student Life determines there is no basis for appeal, the Dean of Student Life will notify the Title IX Coordinator and the Coordinator of Student Conduct of his/her

decisions. A written decision will be sent to the student stating appeal denial and basis for the denial.

- If an appeal is granted, the Dean of Student Life will send the Title IX Coordinator and the Coordinator of Student Conduct the decisions and/or changes to the sanction(s).

Appeal Decisions

- The Dean of Student Life may uphold the first-level decision.
- The Dean of Student Life may modify any sanction(s).
- The decisions made regarding the appeal will be sent in writing to the student within ten (10) calendar days of an appeal review, unless notification is given that additional time is necessary for consideration of the record on appeal.

Decisions of the Dean of Student Life are final.

Except in the case of an interim suspension, all sanctions are placed on hold during the appeal process.

STUDENT RECORDS & CONFIDENTIALITY

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

It is generally the policy of Keystone College to obtain consent from a student before releasing to parents information from a student's education record, including the disciplinary proceedings of the College. However, when in the judgment of the College the release of such information to parents is appropriate and is not otherwise prohibited by FERPA or other applicable laws, the College reserves the right to release information without student consent. The College's complete [FERPA policy](#) may be found on the College website. See URL <http://www.keystone.edu/registrar/academic-policies/>.

Affirmative findings of responsibility in matters resolved by the panel hearing process are part of a student's conduct record. If a student has been found responsible for violating the Sexual Misconduct Policy by the panel hearing process, all records of matters addressed by informal or voluntary resolution shall be transferred to and become a part of a student's conduct record. Such records shall be used in reviewing any further conduct, or developing sanctions, and shall remain a part of a student's conduct record.

Generally suspension, expulsion, and withdrawal pending disciplinary action are permanently noted on a student's transcript. The conduct files of students who have been suspended or expelled from the College are maintained in the Office of Student Conduct for no fewer than five years after their departure from Keystone College. Further questions should be directed to the Title IX Coordinator or the Coordinator of Student Conduct. Records of disciplinary action involving organizations (other than suspension or expulsion) are destroyed after four (4) years.

Students who declare an interest in studying abroad through the Center for Global Learning Committee are subject to a conduct record check. Information that will be shared with the Office of

Global Learning Committee includes, but is not limited to, determination of sexual misconduct violations. It is within the sole discretion of the College, through the Center for Global Learning Committee, to determine whether a student who has violated College policy is eligible to study abroad. Students with disciplinary issues may not be able to go if it is a Keystone College faculty-led trip. If the trip is with an outside company, Keystone College may not accept their credits or coursework. Consideration and qualification for study abroad may be affected by a student's disciplinary record.

Reporting to the College Community

Information about [reporting sexual harassment and sexual violence](#) is published annually in the Annual Security and Fire Report by the Office of Campus Safety and placed on the Keystone College website. See URL <http://www.keystone.edu/campus-safety-parking/title-ix/>.

EDUCATION AND PREVENTION

Keystone College takes sexual misconduct seriously and makes every effort to educate the entire campus population. Through the Office of Student Conduct, students are made familiar with the College's policy. This occurs on several occasions, a general meeting with freshman residents the night of move-in, where all major campus policy is discussed. The Coordinator of Student Conduct will visit First Year Seminar classes and explain the policy in the classroom. The Coordinator of Student Conduct, in conjunction with the Keystone College Counseling Center, will also plan and coordinate events where this information is broadcast to its student population. The Keystone College Counseling Center offers a wide variety of programs through various initiatives that educate and empower students on this issue.

TRAINING

Members of campus are invited to attend S.O.A.R. (Sexual Offense Advocate Response) Training once a year. This training is conducted by the Victims Resource Center in Wyoming County, Tunkhannock, PA. The training covers advocacy, the College's policy, and federal, state, and local mandates. The Title IX Coordinator, Dean of Student Life, advocates, Campus Safety, Coordinator of Student Conduct and Residence Life are required to attend this training. Annual training is provided to all employees which includes training on Sexual Misconduct and Harassment.

KEYSTONE COLLEGE POLICY STATEMENT: ADVISING THE CAMPUS COMMUNITY ABOUT REGISTERED SEX OFFENDER INFORMATION

Individuals convicted of sex crimes may be required by law or court order to register their respective statuses with state law enforcement agencies. These laws are often referred to as "Megan's Laws." If registered sex offenders are enrolled at or employed at a postsecondary institution, the offenders must also provide this information to the state.

HOW TO OBTAIN INFORMATION

The Pennsylvania State Police maintains its Megan's Law Website, which is available at URL <https://www.pameganslaw.state.pa.us/Main.aspx>. Members of the College community can access information regarding registered sex offenders.

Please note that due to website restrictions as to the use of information contained therein, College employees, including Campus Security Authorities will not look up or disseminate information about registered offenders.

If an individual does not have access to the Internet, he or she may contact the Director of Campus Safety; the Director will assist the individual in locating the telephone number for the appropriate law enforcement agency.



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PART II – ANNUAL FIRE SAFETY REPORT

PROCEDURES FOR REPORTING FIRES

Fire emergencies within campus buildings are reported through the automatic detection and suppression systems or through any manual alarm system (fire pull-stations) present nearby. Alternatively, fires may be reported by dialing 911 or through the Campus Safety emergency number at (570) 945-8989 or extension 8989 from a campus telephone. In the event that a fire or smoke condition is identified, individuals are instructed to activate the manual fire alarm system and leave the building by the closest exit. Building doors and windows will be closed when evacuating for fire purposes.

Any fire that occurs or that has occurred within a residence hall must be reported to the Director of Campus Safety and/or the Director of Residence Life. This includes any fire no matter how small, and regardless of whether it was extinguished before spreading.

EVACUATION OF RESIDENCE HALLS IN THE EVENT OF A FIRE

WHEN AN ALARM SOUNDS, EVACUATE THE BUILDING IMMEDIATELY! Failure to evacuate in a timely and orderly manner may lead to disciplinary action. Fire drills are conducted by members of the Residence Life staff.

Although there are some false alarms from time-to-time, each student should treat every fire alarm as if a real fire were occurring and evacuate the building promptly. The Residence Life staff and Campus Safety Officers will check all rooms to ensure the building is clear and everyone is out safely.

What to Do

- Feel your room door and doorknob. If either is hot, do not open the door. Call 911 or Campus Safety. Attempt to signal emergency or rescue personnel from your window.
- Take keys, shoes and a towel, if possible. Walk – do not run – to the nearest safe exit. Make sure to close your door behind you.
- Do not enter areas if thick or heavy smoke is present.
- Exit the building and go immediately to the location designated by Campus Safety or Residence Life staff.
- **DO NOT RETURN** to your room or building until told that it is safe to do so by Campus Safety or a Residence Life staff member.



FIRE HAZARDS

The college is very concerned about the safety and well-being of its students. In the event of a fire, if any of the following items are found in the residence hall rooms and found to be the origin of the fire, the student(s) responsible may be suspended or expelled from the Residence Halls. If the fire causes significant damage, the student(s) may be suspended or expelled from the College. If a resident has a specific question about an item, they should contact a Residence Assistant or Area Coordinator. Residence Life will conduct random and unannounced safety inspections throughout the course of the year. At least two (2) safety inspections will be conducted each semester.

Smoking and Open Flames

Smoking and/or the possession of, or using candles or incense in any residence hall is prohibited.

Prohibited Items

The following items are not permitted in residence hall room under any circumstances:

- ordinary household extension cords
- power strip without surge protectors
- holiday lights (including rope lights)
- incense
- halogen lamps
- toaster ovens
- electric frying pans
- hot plates
- indoor grills
- heaters
- covering light fixtures
- candles (burning or decorative)
- open burners
- electric potpourri burners
- *George Foreman*-type grills
- toasters
- black lights
- fireworks
- lava lamps
- refrigerators larger than 2.0 ft.
- more than one (1) refrigerator per room
- coffee makers without auto shut-off
- microwaves (except in micro-fridge unit)

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DISCLOSURE OF FIRE-RELATED STATISTICS FOR CALENDAR YEARS 2015, 2014, AND 2013

On-Campus Student Housing Facilities: Fire Statistics for Calendar Year 2015

Housing Facility	Street Address	Number of Fires	Nature/ Cause	Persons Injured	Related Deaths	Property Damage (Value Range)
Davis Hall	One College Green	0	-	-	-	-
Frear-Reynolds Hall	One College Green	0	-	-	-	-
Hollinshead Hall	One College Green	0	-	-	-	-
Keystone Commons	One College Green	0	-	-	-	-
Moffat Hall	One College Green	0	-	-	-	-
Tewksbury Hall	One College Green	0	-	-	-	-
39 College Avenue	39 College Avenue	0	-	-	-	-

On-Campus Student Housing Facilities: Fire Statistics for Calendar Year 2014

Housing Facility	Street Address	Number of Fires	Nature/ Cause	Persons Injured	Related Deaths	Property Damage (Value Range)
Davis Hall	One College Green	0	-	-	-	-
Frear-Reynolds Hall	One College Green	0	-	-	-	-
Hollinshead Hall	One College Green	1	Unknown	1	0	\$0 - \$99
Keystone Commons	One College Green	0	-	-	-	-
Moffat Hall	One College Green	0	-	-	-	-
Tewksbury Hall	One College Green	0	-	-	-	-
39 College Avenue	39 College Avenue	0	-	-	-	-

On-Campus Student Housing Facilities: Fire Statistics for Calendar Year 2013

Housing Facility	Street Address	Number of Fires	Nature/ Cause	Persons Injured	Related Deaths	Property Damage (Value Range)
Davis Hall	One College Green	0	-	-	-	-
Frear-Reynolds Hall	One College Green	0	-	-	-	-
Hollinshead Hall	One College Green	0	-	-	-	-
Keystone Commons	One College Green	1	Burnt Food	0	0	\$0 - \$99
Moffat Hall	One College Green	0	-	-	-	-
Tewksbury Hall	One College Green	0	-	-	-	-
39 College Avenue	39 College Avenue	0	-	-	-	-

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On-Campus Student Housing Facility Fire Safety Systems

Housing Facility	Street Address	On-Site Fire Alarm Monitoring by Campus Safety	Partial Sprinkler System ¹	Full Sprinkler System ²	Smoke Detection	Fire Extinguishers	Evacuation Plans/Placards	Number of Fire Drills		
								2015	2014	2013
Davis Hall	One College Green	X		X	X	X		1	4	1
Frear-Reynolds Hall	One College Green	X		X	X	X		2	3	4
Hollinshead Hall	One College Green	X		X	X	X		2	4	3
Keystone Commons	One College Green	X		X	X	X		2	4	3
Moffat Hall	One College Green	X		X	X	X		2	3	3
Tewksbury Hall	One College Green	X		X	X	X		2	4	3
39 College Avenue	39 College Avenue	X		X	X	X		2	4	1

¹ A partial sprinkler system is defined as having sprinklers in the common areas only

² A full sprinkler system is defined as having sprinklers in both the common areas and individual rooms

