

2019

Annual
Security
& Fire
Safety
Report



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Important Numbers / Agency Information

All Emergencies Dial 911 or 215.489.4444

Delaware Valley University Department of Public Safety

Public Safety General Information	215.489.4444
Director of Public Safety	215.489.2905

Doylestown Area Police Departments

Central Bucks Regional Police	215.345.4143
Doylestown Township Police	215.348.4201
SEPTA Transit Police (South Eastern Pennsylvania Transportation Authority)	215.580.7800

Doylestown Area Hospitals

Doylestown Hospital	215.345.2200
Abington Memorial Hospital	215.481.2000

Other Delaware Valley University Offices

Title IX Coordinator	215.489.2297
Health Services	215.489.2252
Human Resources	215.489.2947
Office of Student Affairs	215.489.2215
Office of Environmental Health and Safety	215.489.2400
Study Abroad and International Student Services Coordinator	215.489.4851

SEPTA (South Eastern Pennsylvania Transportation Authority) – www.septa.org

Visa Services - U.S. Department of State - www.state.gov

Immigration Services - U.S. Citizenship and Immigration Services (USCIS) - www.uscis.gov

Campus Safety and Security: “A Shared Responsibility”

The Department of Public Safety prepares this report to comply with Chapter 33 (PA College and University Security Information Act) 24 P.S 2502.1 – 2502.5 and the Federal Student Right to Know and Campus Security Act of 1990 (P.L. 101-542) as amended through the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. This report is prepared in cooperation with municipal law enforcement agencies surrounding our campus. Its statistics are drawn from university reports and reports by local law enforcement.

These acts require the publication and distribution of the information contained in this document. It requires the disclosure of crime statistics for the most recent years, as well as disclosure of the institutions current security policies. Furthermore, daily crime logs containing a chronological report of all valid complaints and reports of crime are maintained by the Department of Public Safety. These crime logs are available for review by the public during regular business hours upon request.

Additionally student affairs staff and other designated university personnel report criminal offenses. Each entity provides updated information in their educational efforts and programs to comply with the Act. Campus crime, arrest and referral statements include those reported to the Department of Public Safety, designated campus officials and local law enforcement agencies.

Annually, the Notice of Availability of the Annual Security Report is posted on Inside DelVal, the campus email distributed, web-based news and information site. Inside DelVal is distributed triweekly to all students, faculty and staff via email. A link to the report is embedded in the notice. Copies of this report may also be obtained from the Department of Public Safety upon request.

While the primary responsibility for the safety and security of the campus lies with the Department of Public Safety, each member of the campus community must accept responsibility for his or her own personal safety. The cooperation, involvement and perceived support of the campus community in an overall campus safety program are crucial to its success. The welfare of all who live, work or visit Delaware Valley University is of paramount importance to the Department of Public Safety.

The Delaware Valley University Campus

Delaware Valley University, located in picturesque Doylestown, PA., is an independent, interdisciplinary university featuring individualized attention, small class sizes and an applied as well as theoretical approach to learning. Del Val is located partly in New Britain Borough and Doylestown Township, Bucks County, Pennsylvania. The 571-acre campus is located approximately 30 miles North-West of Philadelphia.

Founded in 1896, DelVal has grown from an agricultural school to an academically rigorous institution dedicated to the sciences and liberal arts. In the words of our founder, Joseph Krauskopf, we take “science with practice” seriously. Today, we use our more than one thousand acres of beautifully maintained land as a functional learning environment, creating a real-life, open-air classroom for many of our disciplines.

Students, faculty and staff energize one another to tackle the most important issues of our time, both in the classroom and in the real world with hands-on experiences. Our entire community cultivates inspiration, intelligence and imagination to motivate new thinking, debate new options and create new initiatives. Because of our 15:1 student-faculty ratio, there is no room for anonymity. Our faculty knows our students by name, developing strong mentoring relationships with them.

DelVal offers more than 25 undergraduate majors in the life, physical and agricultural sciences, humanities and business; five master’s programs; and a variety of complementary adult education courses.

The campus of Delaware Valley University is an open one and, as such, access to the grounds is generally not limited. There always exists the possibility of a criminal act occurring, despite the best efforts of the Department of Public Safety staff.

The Department of Public Safety

The Department of Public Safety consists of a Director, 15 Unsworn Public Safety Officers, and an Administrative Assistant. Each Officer is trained in basic security procedures, first aid, automated external defibrillator (AED), cardiopulmonary resuscitation (CPR), and the administering of Naloxone (NARCAN).

The Department of Public Safety records all reported crimes that occur on campus. Investigations are conducted by Delaware Valley University officers. All major crimes that may occur, i.e. motor vehicle theft, aggravated assault, rape, etc., are reported to the municipal police with the permission of the victim. Doylestown Township and the Central Bucks Regional Police Department have shared jurisdiction for the campus. Minor offenses, such as vandalism or criminal mischief may not be reported immediately to the police. This referral decision is made on a case by case basis. The Department of Public Safety has an excellent working relationship with both municipal police departments. A written agreement or memorandum of understanding has been drafted between the university and the municipal police departments regarding the investigation of alleged criminal offenses.

Officers of The Department of Public Safety neither carry weapons nor have powers of arrest but work with the municipal police when an arrest is warranted. Delaware Valley University Officers enjoy an excellent working relationship with all law enforcement agencies. The Department of Public Safety has a responsibility to ensure the safe travel of pedestrians and motor vehicles while on campus. Officers have the authority to administratively enforce parking and moving violations occurring on campus. The Department reserves the right to tow, impound or immobilize any vehicle parked in violation of University rules and to impose appropriate administrative fines and penalties.

Resident students are provided information on crime prevention topics such as theft, personal safety, sexual assault and fire safety annually through orientation.

The Department of Public Safety Officers patrol student resident areas 24 hours a day, 7 days a week. Enforcement of policy and procedures is the responsibility of both the Department of Public Safety Officers and the Residence Life staff. The Department of Public Safety and Student Affairs personnel enjoy a close working relationship. This cooperative venture addresses situations as they arise, as well as future concerns. The University takes a proactive approach in this regard. All students have the option of contacting the municipal police at any time to report a violation of the law.

Emergency Communications

The Department of Public Safety provides emergency communications and response, 24 hours a day, 7 days a week. The Department of Public Safety is responsible for monitoring all campus alarm systems including fire, duress, and intrusion alarm systems in addition to monitoring and having direct communication with the Bucks County Department of Emergency Communications.

Reporting a Crime, Fire, Hazardous Condition or Suspicious Behavior

The entire Delaware Valley University community is encouraged to report anything suspicious or of a criminal nature occurring on the Delaware Valley University campus. All criminal and fire-related incidents should be reported to the Department of Public Safety. Reports may be in person at the Department of Public Safety office; by telephone on the campus telephone system extension 89 or dialing 215.489.4444 (direct line); or by e-mail to security@delval.edu. This does not preclude, in extremely urgent situations, requesting assistance by dialing 911. If a call has been placed to 911, a call to Public Safety should be placed immediately thereafter. In non-urgent situations, nothing precludes contacting the Central Bucks Regional Police Department at 215.345.4143; the Doylestown Township Police Department at 215.348.4201, or dialing 911.

To report a crime, fire, hazardous condition or suspicious behavior:

Doylestown Main Campus

By Telephone:	Department of Public Safety Bucks County Emergency Communications Blue Light Emergency Phones	215.489.4444 911 Push the red button
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In Person: To any Public Safety Officer

Via email: security@delval.edu

Roth Farm (North Wales) or Gemmill Campus (Jamison)

By Telephone: 911

Confidential Crime Reporting

Except for communication made to pastoral counselors and licensed counselors, all Campus Security Authorities (CSA's) have the obligation to report all offenses to the Department of Public Safety. It is important for university employees to report statistical information, which may not include personal identifiers. Confidential reports that provide sufficient detailed information for classification of the offense by law enforcement officials using FBI Uniform Crime Reporting Guidelines will be included in crime statistics.

Reported crimes are entered into the university's Department of Public Safety database, including those that occur on campus, those that occur in the immediate surrounding neighborhood, and those that occur at branch campuses. This data serves as the basis for crime statistics reported to the FBI Uniform Crime Reporting System, for compliance with The Clery Act and the Pennsylvania Uniform Crime Reporting Act and for reporting crime statistics to the campus community. Our annual report also includes data from non-public safety sources, including certain school officials.

If you are a victim of a crime and do not want to pursue action within the university, you may still want to consider making a confidential report. A report on the details of the incident without revealing your identity can be filed via a third party by calling 1-800-620-7406.

Campus Security Authority (CSA)

According to a federal law known as the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act*, Delaware Valley University is required to disclose "statistics concerning the occurrence of certain criminal offenses reported to local law enforcement agencies or any official of the institution who is defined as a 'Campus Security Authority.'"

The law defines "Campus Security Authority" as: "An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, and campus judicial proceedings." Similarly, directors of athletics, team coach, and faculty advisor to a student group also have significant responsibility for student and campus activities. A single teaching faculty member is unlikely to have significant responsibility for student and campus activities, except when serving as an advisor to a student group. Clerical staffs, as well, are unlikely to have significant responsibility for student and campus activities.

The criminal offenses for which we are required to disclose statistics are murder/non-negligent manslaughter, negligent manslaughter, sex offenses (forcible and non-forcible), robbery, aggravated assault, burglary, motor vehicle theft, arson, liquor law violations, drug abuse violations and weapons: carrying, possessing, etc., domestic violence, stalking, and dating violence.

The University is also required to report statistics for bias-related (hate) crimes for the following offenses: murder/non-negligent manslaughter, sex offenses (forcible and non-forcible), robbery, aggravated assault, burglary, motor vehicle theft, arson, larceny-theft, vandalism, intimidation, simple assault, and damage/destruction/vandalism of property.

The University is required to disclose statistics for offenses that occur on campus, in or on non-campus buildings or property owned or controlled by our school, and public property within or immediately adjacent to our campus.

Under the Clery Act a crime is reported when a victim, witness, other third party or even the offender brings it to the attention of a CSA or university public safety personnel. It does not matter whether or not the individual/s involved in the crime or reporting the crime are associated with the institution. If a CSA receives the crime information and believes it was provided in good faith, he or she should document it as a crime report and provide this report to the Department of Public Safety.

In "good faith" means there is a reasonable basis for believing that the information is not simply rumor or hearsay. CSAs are not responsible for investigating crimes. Their role is to report all incidents immediately, no matter how minor an incident may seem. All investigations and crime classifications are the responsibility of the Department of Public safety and sworn law enforcement personnel.

Training for CSAs is conducted annually either in person by the Director of Public Safety or designee or with self-guided training.

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

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

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

Timely Warnings

In compliance with the "Timely Notice" provisions of the federal *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1998*, the Department of Public Safety will from time to time, as necessary, issue "Timely Warning Notifications".

A Timely Warning Notification will be generated for Clery Act crimes that occur within the Clery Geography of the University that are reported to the Department of Public Safety or local police authorities and considered to represent a serious or continuing threat to the campus community.

Timely Warnings may be issued via email, website, or Omnilert notification depending on circumstance.

For your own safety and the security of everyone in the university community, you are urged to familiarize yourself with the information contained in these notices. It is not unusual for information contained in these alerts pertaining to specific crimes or incidents to also apply to other situations, risks or potential offenses.

Awareness and alertness are your two best tools to avoid becoming a crime victim!

Emergency Response Policy

The Delaware Valley University Emergency Response Plan establishes policies, procedures and the organizational structure for response to emergencies. The plan contains clear strategies and the roles played by various departments (Public Safety and Security, Facilities, Health Center, Residential Life, etc.) during the initial response and throughout an emergency.

Nothing in the plan shall be construed in a manner that limits the use of good judgment and common sense in matters not foreseen or covered by the elements of the plan. The plan and organization shall be subordinate to Municipal, County, State and Federal plans during a disaster declaration by those authorities.

The Emergency Response Plan is a campus-level plan that guides emergency response personnel and resources during a major emergency. The Incident Commander during the initial stages of an emergency will be the senior member of the Department of Public Safety staff who is on duty. His or her responsibilities will include:

- Responding to the scene of the emergency to stabilize and direct the initial response
- Insuring that the members of the Emergency Response Team (ERT) are notified
- Coordinating with responding emergency services personnel
- Insuring that a campus Emergency Operations Center is established and operational
- Receiving and following instructions from the President and members of the ERT

Emergency notifications to the university and community will be issued without delay by the Director of Public Safety or their designee unless doing so will compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

Emergency Notification System

Delaware Valley University has instituted Omnilert, a digital alert notification system, to contact and notify students, faculty, and staff as quickly as possible when there is pertinent information that must be relayed. This information can include, but is not limited to, emergencies, severe weather notifications, school closures, or in progress criminal incidents or police activity, so that the community may take action to ensure their safety.

Omnalert works by sending an alert to all communication devices and services: mobile phones (via SMS text messages), desktop alerts, email accounts, web site pages, as well as existing infrastructure such as digital signage. Alerts will also simultaneously reach popular social media sites such as Facebook and Twitter.

Emergency notifications are initiated by the chief marketing & communications officer in coordination with director of Public Safety or their designees. A number of templates for varying incidents have been developed for dispersal in an expeditious manner.

Emergency Evacuation Guidelines

In non-fire emergencies, a decision to evacuate will be based on the information available at the time, i.e. the specific threat type, its context (time of day, location, likelihood, etc.) and the recommendations of the Emergency Response Team. When an order is given to evacuate a building for any reason occupants shall be instructed to follow incident specific life safety survival skills, not to use elevators and to evacuate by way of the nearest safe stairway or egress point. Occupants will be instructed to exit the building and proceed to a pre-designated Emergency Assembly Area (EAA). Public Safety Officers, Area Coordinators, Resident Assistants and university Staff all have responsibilities during an evacuation including assisting those with disabilities.

Student Crime Reporting Policy

The University encourages students to report criminal activity immediately to the Department of Public Safety and/or a municipal law enforcement agency. If a student desires, University officials will facilitate the reporting of crimes to law enforcement authorities and provide available support services to the student victim.

A student who is a victim of rape, sexual assault, or sexual abuse is strongly encouraged to report this crime immediately to the police; Student Affairs, Residence Life, or Counseling Center personnel; or to the Department of Public Safety. All reports will remain confidential and no further action is taken without the emotional and safety needs of the victim attended to promptly, completely and confidentially. Delaware Valley University has a working relationship with Network of Victim's Assistance (NOVA), and referrals are easily expedited. A university official will arrange escorted transportation for the victim. The trauma center at Doylestown Hospital is thoroughly equipped to handle sexual assault cases in a caring and professional manner.

Victims will be notified of the final results for any crime of violence.

Access Policy

Generally during business hours, the university will be open to students, parents, employees, contractors and visitors. During non-business hours access to all university facilities is by key, if issued; access card; or by admittance via the Department of Public Safety

Every student, faculty and staff member is issued an ID card by the University and it is suggested that this ID be carried and/or worn at all times while on campus.

Residence halls are secured 24 hours a day. The University maintains a guest policy. The complete details of the Guest Policy can be found in the online Student Handbook.

Alcoholic Beverage Policy

In compliance with current Pennsylvania Law, the university does not condone the consumption of alcohol by students or their guests who are under the age of twenty-one. The university is not responsible for enforcing the laws of Pennsylvania but will cooperate fully and openly with municipal, state and federal authorities in the enforcement of these laws and regulations.

University policies governing the use of alcoholic beverages can be found in the online Student Policy Guide.

Drug Policy (Controlled Substance)

Delaware Valley University will not tolerate any form of Drug Abuse or Illegal Drug Distribution. Students involved and found to be conducting themselves improperly or illegally may result in students being separated from the university. Depending on the circumstances, expulsion may occur on the first offense. A Statement of Policy (Drug) can be found in the online Student Policy Guide. When a student is sanctioned for a drug related offense, the University reserves the right to notify a parent or legal guardian about the student's disciplinary status, consistent with the provisions of the Family Education Rights and Privacy Act (FERPA).

Weapons Policy

The possession or use of any weapon in any university building, or on university property by unauthorized persons is strictly prohibited. This policy is an effort to reduce the probability of violence and injury to all who constitute the Delaware Valley University community. This prohibition conforms to the Pennsylvania Uniform Firearms Act, Chapter 61 and Section 301 of the Pennsylvania Crimes Code which defines a deadly weapon as any firearm, whether loaded or unloaded, or any device designed as a weapon and capable of producing death or instrumentality which, in the manner in which it is used or intended to be used, is calculated or likely to produce death or serious bodily injury.

Sexual Misconduct Policy

Introduction:

Delaware Valley University does not discriminate on the basis of sex in the administration of any of its educational programs or activities, including but not limited to admissions, financial aid, athletics and employment policies and practices, as required by Title IX of the Educational Amendments of 1972, which states that:

- No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.
- Gender and sex-based misconduct is a form of discrimination under Title IX.
- One of our university's values is to respect all people. Members, guests and visitors of our campus have the right to be free from all forms of gender and sex-based misconduct, examples of which can include acts of sexual harassment, sexual violence, domestic violence, dating violence, and stalking.

For these reasons, Delaware Valley University has a zero-tolerance policy in regard to sexual misconduct. The university is committed to eliminating sexual misconduct, preventing its recurrence and addressing its effects to ensure that all students have equal opportunity to be engaged in campus life and benefit from the university's educational programs.

The information contained with this policy describes the manner in which this commitment will be fulfilled.

Scope of the Policy

This document sets out procedures, confidential resources, prohibited conduct, educational resources and guidance to assist those who have experienced or been affected by sexual misconduct whether as a complainant, a respondent or a third party.

The policy applies to all students regardless of sexual orientation or gender identity, addresses student-to-student misconduct and applies to such conduct that may occur both on-or-off campus.

After reviewing this document, students will have the knowledge and information that will allow them to:

- Understand what sexual misconduct is and what conduct is prohibited
- Find sources of support, information and resources to address sexual misconduct
- Understand ways to prevent sexual misconduct against themselves or others
- Know how to make a report or complaint
- Understand the process by which the university responds to complaints.

Title IX Coordinator

The Title IX coordinator is the University's responsible employee with major responsibility for the development, implementation and monitoring of meaningful efforts to comply with Title IX. Responsibilities include: coordinating any investigations of complaints under Title IX and insuring: a coordinated and integrated response across the university through education, training, policies and support; a centralized reporting, investigatory and record-keeping process; and a prompt, fair and impartial grievance process.

The Title IX coordinator is assisted by a deputy coordinator who has responsibility for managing the grievance process for student-to-student complaints of sexual misconduct. The following personnel serve in these roles:

Title IX Coordinator:

Timothy Poirier
Dean of Student Development
timothy.poirier@delval.edu
215.489.2297

Title IX Coordinator Designees:

Cindy Transue
Director of Public Safety
cynthia.transue@delval.edu
215.489.2905

Kelly Hojnacki
Assistant Dean of Student Development
kelly.hojnacki@delval.edu
215.489.2216

Evelia Hunter
 Assistant Dean of Student Development and Inclusion
evelia.hunter@delval.edu
 215.489.4471

The Title IX coordinator convenes the university's Central Review Team (CRT), the body responsible for investigating and responding to complaints of sexual misconduct (see Section X). The CRT convenes twice a semester with representatives from community agencies that provide victim support, advocacy and resources, as well as local law enforcement officials. This gathering of university and community personnel, or University Community Response Team (UCRT), is designed to provide and support a coordinated and systemic network of effective prevention and response.

Prohibited Conduct Defined

An understanding of the terms associated with this policy is essential. Sexual misconduct is the umbrella term used in this policy to describe a broad range of behaviors prohibited at law and under this policy. Sexual misconduct includes the following behaviors which, if alleged, will be reviewed under the university's investigation and resolution process for sexual misconduct complaints, which is outlined under Section X of this policy.

Under this policy, sexual misconduct includes:

Sexual Harassment

Sexual harassment is unwelcome conduct of a sexual nature, including unwelcome sexual advances, requests for favors, and other forms of verbal, physical or electronic behavior of a sexual nature. Specific examples of sexual harassment include but are not limited to: touching of a sexual nature; making sexual comments, jokes or gestures; writing graffiti or displaying sexually explicit drawings, pictures or written materials; calling others by sexually charged names; spreading sexual rumors; rating students on sexual performance; circulating or creating e-mails, websites or other forms of social media of a sexual nature.

A hostile environment is created when there is sexually harassing conduct is sufficiently severe, persistent or pervasive, with the result that the behavior unreasonably interferes with or limits someone's ability to take advantage of the university's educational programs and activities.

A single or isolated incident of harassment may create a hostile environment if the incident is sufficiently severe. Anyone can be a victim and harassment that occurs between members of the same sex will be treated the same as that between members of different sexes.

Sexual Assault

Defined as physical sexual acts perpetrated without consent or against a person's will; where a person is incapable of giving consent, for example because of the use of drugs or alcohol or due to an intellectual or other disability; and through coercion or force. The concept of consent is explored more fully later in this policy.

Sexual assault takes two forms:

- Non-consensual sexual intercourse is any sexual intercourse, however slight, with any object, by a man or woman upon a man or a woman that is without consent and/or by force. This includes but is not limited to vaginal/anal/oral penetration by a penis, object, tongue or finger, no matter how slight the penetration or contact.
- Non-consensual sexual contact is any intentional sexual touching, however slight, with any object, by a man or a woman upon a man or a woman that is without consent and/or by force. This includes but is not limited to intentional contact with the breasts, buttocks, groin, or genitals, or touching another with any of these body parts, or making another touch you or themselves with or on any of these body parts.

Domestic Violence

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

Dating Violence

Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim and where the existence of such a relationship is determined based on consideration of the following factors:

- The length of the relationship
- The type of relationship
- The frequency of interaction between the persons involved in the relationship

Exploitation

Occurs when a student takes a non-consensual or abusive sexual advantage of another for his/her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of other sexual misconduct offenses.

Examples include but are not limited to:

- Invasion of sexual privacy; non-consensual video or audio recording of sexual activity
- Knowingly transmitting a sexually transmitted disease
- Sexting or public distribution of images of a sexual nature without another’s consent

Stalking

Engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

- Fear for their safety or the safety of others
- Suffer substantial emotional distress
- Create a hostile environment

Cyber-stalking is a particular type of stalking in which electronic media (the Internet, social media and networks, blogs, cell phones, texts, or other similar devices or forms of contact are used to pursue, harass, or to make unwelcome contact with another person.

Retaliation

Is behavior to seek revenge or retribution against any individual who makes or is connected to the bringing forward of allegations of harassment or discrimination. Delaware Valley University has a zero-tolerance policy for retaliatory behaviors which will be addressed with severity.

Complicity

The act of contributing to, assisting with or facilitating behavior in violation of the policies set forward in this document.

Gender-based harassment

As distinguished from sexual harassment, is the harassment of any individual or group within the University based on gender identity, or sexual orientation, whether or not such acts involve physical conduct that is sexual in nature.

Gender-based harassment may include but not be limited to:

- Verbal or non-verbal acts
- Physical aggression
- Intimidation

False reporting

Falsely reporting and/or falsely accusing an individual of sexual harassment or any of the behaviors under the umbrella of that definition is a serious violation of policy.

Intentionally providing false/and or inaccurate information regarding an allegation of prohibited conduct under this policy is considered serious misconduct. Good faith reports for which a respondent is not found to be responsible is not considered false reporting.

Consent Defined and Explained

Our university's core value to respect all people relates to the concept of consent, an issue that figures prominently in complaints of sexual misconduct.

In a sexual context, respecting another person means understanding that we do not have the right to act upon another person sexually unless and until they give clear permission to do so.

Consent means giving permission for sexual activity to occur. Consent to engage in sexual activity must be informed, knowing and voluntary prior to and during sexual activity. Consent is active not passive and is demonstrated through clear and mutually understood gestures and words that signal a willingness to engage in sexual activity. Silence cannot be interpreted as consent. Obtaining consent is the responsibility of the individual who wishes to initiate sexual activity.

Consent to sexual activity can be withdrawn at any time. Further, consent to one type of sexual activity may not, in itself, be taken to imply consent to another type of sexual act.

The influence that drugs and alcohol is an important consideration in understanding the concept of consent. The use of alcohol or other drugs can have unintended consequences and can create an atmosphere of confusion and impaired judgment over whether consent is freely and effectively given. Being under the influence of drugs and/or alcohol does not diminish the responsibility of the initiator of sexual activity to obtain consent and is never an excuse for sexual misconduct.

There are several circumstances under which consent cannot be freely given, nor should it be assumed to have been given:

- **Incapacitation:** A person may not engage in sexual activity with another person who the initiator knows, or should reasonably have known, is incapacitated as a result of alcohol or other drugs. Incapacitation is a state where a person lacks the capacity to appreciate the nature of giving consent to participate in sexual activity. Examples may include but are not limited to vomiting, falling/inability to walk or stand, incoherent speech, unresponsive behavior. Physical markers such as these indicate an inability for a person to give affirmative consent which is required for sexual activity to occur.
- **Coercion:** The use of fraud or force to compel another person to engage in sexual activity does not constitute consent. Examples of fraud or force include but are not limited to physical force, threats, intimidation, or coercion.
- **Current or prior intimate partner relationship:** The existence of a relationship between parties does not confer consent nor should consent be presumed. Clearly understandable agreements about sexual activity are still expected within the parameters of an intimate partner or dating relationship.

Confidentiality Policy: Disclosing and Reporting Sexual Misconduct

The University is committed to eliminate sexual misconduct, students are strongly encouraged to talk with someone about what has happened to them so that victims can receive support and the University can respond appropriately.

Students who wish to discuss or formally report an incident should know that faculty and staff members at Delaware Valley University have differing abilities to maintain confidentiality upon learning of an incident.

You should know that:

Certain personnel on campus (and off campus) can offer confidentiality -- providing support, advice and options without any obligation to tell anyone unless a student requests that they do so, or if there is an imminent risk of harm to someone. Other personnel can provide privacy in the advice and support they can offer. While they are not required to report specific, personally identifying information (unless there is fear for your safety or that of others), they do have an obligation to report that something has occurred, without specifics or names. This limited reporting keeps the University's Title IX Coordinator informed about the nature of incidents on campus for purposes of tracking patterns, evaluating campus wide procedures and providing remedies for the campus community.

Finally, some personnel, who are designated by the university as "responsible employees," are required to act on a specific report, which means they have an obligation to report the specifics of an incident to the Title IX coordinator, for review and investigation.

The options:

Generally there are four options, classified as informal and formal, for discussing an incident.

Informal reporting: the option of discussing an incident for the purposes of support or guidance, without expectation or desire for the University to act on the incident. Informal reporting may occur by:

Confidentially discussing an incident with University counseling or health services personnel:

Counseling Services (on campus) in Elson Hall
215.489.2317

After 4:30 p.m. on weekdays and weekends call the Department of Public Safety at 215.489.4444.

Privately discussing an incident with campus personnel (faculty and staff not designated as "responsible employees" for support and guidance). Examples of personnel in this category include those without supervisory responsibility or authority to address sexual misconduct including but not limited to:

- Faculty
- CSPD staff
- Advisors to student organizations
- Certified athletic trainers
- Admission, financial aid, bursar, registrar and finance personnel
- Dining and facilities staff
- Academic affairs/support (tutoring, learning support, student success)
- Custodial and facilities staff

- Administrative assistants and clerical

Victims wishing to speak with someone on campus about an incident are encouraged to first ask about the level of confidentiality or privacy that will be afforded to the conversation.

Limits of confidentiality and privacy:

Victims who choose to speak informally with personnel who can extend confidentiality or privacy must understand that a victim's desire for confidentiality means that the university will be unable to conduct an investigation into an incident or pursue action against the alleged perpetrator.

Formal reporting: defined as a report with the desired intent to initiate an investigation. Details about formal reporting to the university follow in Section VIII of this policy. Formal reporting may occur by:

- Making a formal report to the university through a responsible employee, public safety, the Title IX coordinator or Title IX deputy, which will result in the university evaluating and investigating as appropriate.
- Making a formal report to law enforcement and/or the U.S. Office of Civil Rights (OCR). The University will actively assist in the process of formal reporting to local law enforcement.
- University personnel are annually trained on their reporting roles and obligations and are able to identify for students into which category of reporting obligation they fall.

Victim Support and Assistance Immediate assistance:

If a sexual assault has occurred, the university is committed to providing a variety of support and assistance to victims including information in writing about resources and options. Medical care following an assault is important to ensure the victim's safety and well-being, to evaluate any injuries, and for preventative treatment for sexually transmitted diseases and other health services.

Medical attention and resources:

Immediate medical care, a rape kit, and the services of a sexual assault nurse examiner (SANE) can be accessed locally at:

Doylestown Hospital Emergency Services
595 West State Street, Doylestown, PA 18901
215.345.2586

Preserving evidence:

Students who are sexually assaulted may experience severe emotions or even shock. Any victim of rape, domestic violence, dating violence, sexual assault and/or stalking is advised to take steps immediately to preserve any evidence they may have in their possession and/or on their person. This evidence can be important proof if the victim chooses to pursue a protective order and/or criminal charges in the future.

Seeking medical treatment is an important option to preserve evidence for the future. If evidence is to be collected, go immediately to the hospital; avoid food, drink, smoking, showering or changing clothes.

Students are strongly encouraged to seek medical care and are advised that the hospital will notify police that an assault has occurred and that evidence has been collected. Students are not obligated to speak with police or to pursue a criminal complaint.

Students who would like the support of a victim advocate to accompany them to the hospital are strongly encouraged to contact NOVA, a local Network of Victim Advocates. The contact information is below.

Confidential resources for support and information after an assault:

Students can receive confidential support and information both on and off campus without making a report to the University or law enforcement.

Counseling Services or Health Services (on-campus) in Elson Hall, 215.489.2317 / 215.489.2252
After 4:30 p.m. on weekdays and weekends, call the Department of Public Safety 215.489.4444

NOVA (Network of Victim Advocates) - off campus, 24/7, 800.675.6900, novabucks.org
A victim advocate can accompany a student to the hospital or health provider.

A Woman's Place – off campus 800.220.8116, awomansplace.org

Emergency assistance and response:

Department of Public Safety – on campus, 215.489.4444

Doylestown Hospital Emergency Services - off campus, 215.345.2586

Central Bucks Regional Police Department - off campus, Non-emergency line 215.345.4143

Doylestown Township Police Department - off campus, Non-emergency line 215.348.4201

In the event of an emergency where seconds count, dial 911!

Academic accommodations and other measures:

Upon notice of a sexual assault, the university will take interim measures as needed to protect the safety and emotional and/or physical well-being of parties involved in a report and the university community.

These measures are taken regardless of whether a victim wishes to pursue action through local law enforcement. A request for interim measures may be made by any party involved in a report. Such measures may include:

- No contact directives
- Changes in class schedules
- Changes in work arrangements
- Changes in living arrangements
- Medical services
- Academic support services
- Counseling or other support services
- Escort services to ensure safe movement on campus
- Withdrawal from classes without penalty

In cases where the report of sexual harassment or violence poses an ongoing threat or risk to individuals or to the university community, the university may place an individual or organization on Interim Separation -- from the university, from residence or from specified activities.

Formal Reporting of Sexual Misconduct to the University

Under the expectations of Title IX, the university has a set of obligations and procedural responses to evaluate and treat reported incidents of sexual misconduct in ways designed to end the behavior, prevent its recurrence and to ensure the safety of the reporting student and the Delaware Valley University community.

A formal report occurs when a victim of sexual misconduct makes a report to institutional personnel directly responsible for investigating an incident, or to a "responsible employee" of the university.

Any report will result in an immediate assessment of any risk of harm to individuals or to the campus community and any steps necessary to address those risks. The initial evaluation will proceed to the point where a reasonable assessment of the safety of the individual and of the campus community can be made. Thereafter, an investigation may continue depending on a variety of factors, such as the request of the complainant not to proceed and the risk posed to the any individual or the campus community by not proceeding.

Institutional Officials:

The following personnel comprise the university's Central Review Team and are trained and charged to investigate and resolve complaints (*see Section X for process*). A victim may bring a complaint of sexual misconduct directly to:

Title IX Coordinator:

Timothy Poirier

Dean of Student Development

timothy.poirier@delval.edu

215.489.2297

Title IX Coordinator Designees:

Cindy Transue

Director of Public Safety

cynthia.transue@delval.edu

215.489.2905

Kelly Hojnacki
Assistant Dean of Student Development
kelly.hojnacki@delval.edu
215.489.2216

Evelia Hunter
Assistant Dean of Student Development and Inclusion
evelia.hunter@delval.edu
215.489.4471

Reports to the university result in a procedural response, described throughout this document, to ensure the safety of the reporting student and the Delaware Valley University community. The university will respect and safeguard the privacy of reporting individuals while meeting the university's responsibility to maintain a safe learning environment.

Responsible Employees:

Victims also have the option of making a report through a "responsible employee" of the university. For the purposes of this policy, the following staff positions are designated as "responsible employees." A report to them serves as notice to the university, which will initiate an investigation (*see section X*).

- President and Vice Presidents of the university.
- Associate administrators with supervisory responsibilities
- Deans, Assistant Deans, Directors, and Work-study supervisors
- Public Safety officers
- Human Resources staff
- Coaches, Assistant Coaches, and staff of athletic teams
- Student Affairs professional staff

When a report is made to a responsible employee, a victim has the right to expect that the university will take timely and appropriate steps to investigate what happened and to resolve the matter promptly and equitably. It is the obligation of a responsible employee to make a report to the Title IX coordinator or deputy, outlining the details shared by the victim.

Retaliation for reporting:

No individual will be subject to retaliation for making a reasonable and good faith complaint as described above regarding: unlawful harassment or discrimination; cooperating in the investigation of alleged unlawful harassment or discrimination; or otherwise opposing unlawful harassment or other discrimination. The university will not tolerate retaliatory behavior. Engaging in retaliation or abusing this policy is a form of prohibited conduct under this policy.

Third-party and anonymous reporting:

By encouraging reporting and responding to same, the university signals its commitment to eliminate sexual misconduct on campus. For this reason, the university, through the Title IX coordinator or other member of the CRT, will evaluate and investigate reports of sexual misconduct that are made through third-parties or anonymous reporting.

Formally Reporting Sexual Misconduct to Outside Agencies Reporting to local law enforcement:

Victims may choose to pursue resolution through the local law enforcement as well as through the university's processes if the alleged violation is also a crime. Criminal acts under the scope of this policy include but are not limited to:

- Assault
- Stalking
- Rape
- Domestic Violence
- Dating Violence.

Contact information for outside law enforcement is provided below:

Central Bucks Regional Police Department - off campus, Non-emergency line 215.345.4143
Doylestown Township Police Department - off campus, Non-emergency line 215.348.4201

In the event of an emergency where seconds count, dial 911!

The university strongly encourages and supports victims and complainants in choosing this option and will assist as requested in connecting individuals with appropriate local officials. The main university campus straddles two local municipalities and the university operates other facilities on the Gemmill Campus and the Roth Farm. The Department of Public Safety is available for guidance in determining the appropriate jurisdiction and contact information.

Pursuing action through local law enforcement does not prevent the university from taking action as well, or from a victim requesting formal action by the university. The university's conduct proceedings differ in mission and purpose from the criminal justice system and represent two separate processes. For that reason, reports made to the university will be evaluated and may proceed through university grievance procedures independent of any action being pursued through the criminal justice system.

Office of Civil Rights (OCR):

Complaints of violations under Title IX, or inquiries regarding same, may also be referred to the Office for Civil Rights of the U.S. Department of Education at the following address:

Philadelphia Office Office for Civil Rights
U.S. Department of Education
The Wanamaker Building
100 Penn Square East, Suite 515
Philadelphia, PA 19107-3323
215.656.8541
[OCR Philadelphia@ed.gov](mailto:OCR.Philadelphia@ed.gov)

Investigation and Resolution Procedures

The university is committed to providing members of the university community with a safe place to live and learn. Because of this commitment, the university will respond with procedures that provide a fair, prompt and impartial resolution to reports and allegations of sexual misconduct that occur on or off our campus.

Because of the unique nature of sexual harassment complaints and the university's requirements to resolve them in a manner consistent with Title IX, the resolution process for sexual misconduct cases is related to but distinct from the university's student code of conduct.

Sexual misconduct is a violation of the university's student code of conduct. The manner in which such cases are investigated and resolved differ from cases of a non-sexual nature that are resolved through the student code of conduct.

The university's Title IX Central Review Team (hereafter CRT), comprised of the Title IX coordinator, the director of public safety and the deputy Title IX coordinator/chief student conduct officer is the body primarily charged with ensuring that all reports of sexual misconduct are evaluated in a fair, prompt and impartial manner.

Investigation defined:

For the purpose of this policy, an investigation is a fact-finding and decision-making process to determine:

1) Whether or not the conduct occurred; and 2) if the conduct occurred, what actions will be taken to end the behavior, eliminate the hostile environment and prevent its occurrence, which may include imposing sanctions on the perpetrator and providing remedies for the victim and the broader campus community.

Initial evaluation and response:

Any formal report will result in an immediate assessment of any risk of harm to individuals or to the campus community and any steps necessary to address those risks. The initial evaluation will proceed to the point where a reasonable assessment of the safety of the individual and of the campus community can be made. Thereafter, an investigation may continue depending on a variety of factors, such as the request of the complainant not to proceed and the risk posed to the any individual or the campus community by not proceeding.

Complainant confidentiality and university action:

When a formal report comes forward, but the complainant wishes or requests to remain anonymous, or requests that the matter not be pursued, the university will balance and evaluate this request against the responsibility to provide a safe and non-

discriminatory environment for all university community members, considering factors such as: 1) the seriousness of the alleged harassment; 2) the respective ages and positions of the complainant and the respondent; 3) whether there have been other harassment complaints against the respondent; and 4) the respondent's right to receive information if such information is maintained in an "education record" under the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. §1232g; 34 C.F.R.

Part 99.

At all times, the university will seek to respect the request of the complainant, and where it cannot, the university will consult with the complainant and keep him/her informed about the planned course of action.

Investigation process:

Delaware Valley University employs a two-step process for resolving student-to-student sexual misconduct complaints. The resolution process combines the expertise of individuals who by position and training are best suited to assume this responsibility for the university, maximizes the privacy of those involved in the complaint, and maintains the engagement of the university's Student Conduct Board, the body generally charged with resolving student conduct that violates university policy.

While each case is unique, steps of the investigation process generally include: 1) preliminary interview of the complainant by the CRT; 2) collection of additional information relevant to the report which may include but is not limited to, interviewing the respondent and any other individuals who may have relevant information, and gathering any physical or medical evidence available. An investigation may also include consideration of prior allegations of, or findings of responsibility for, sexual harassment or misconduct by the respondent. Evidence of a prior consensual dating relationship or sexual relationship between the parties by itself does not imply consent or preclude a finding of sexual misconduct.

Information gathered during the investigation will be used to evaluate the appropriate course of action, provide for the safety of the individual and the university community and impose remedies as necessary to address the effects of the alleged conduct. The report and recommendations (redacted of personally identifiable information) prepared by the CRT is presented to a hearing panel from the Student Conduct Board for its endorsement and approval in finalizing a determination of responsibility under this policy. The CRT's report and recommendation, with personally identifiable information redacted, is forwarded to a conduct board panel, comprised of one member of the faculty, one student and one member of the staff, for review and ratification. A member of the CRT represents the findings and recommendation of that group to the board. What follows are specific procedural issues and protections relevant to the Title IX investigation.

Rights of the complainants and respondents:

Students participating in a Title IX investigation are afforded the same rights of fundamental fairness which are part of the university's student conduct process and include:

- The right to have appropriate notice of concerns about specific behavior
- The opportunity to be assisted by an advisor of their choice
- The opportunity to respond to the concern
- The opportunity to appeal the initial hearing outcome if grounds for appeal are met
- The right to present witnesses in support of or response to matters of fact

Additional rights for all parties relevant to a Title IX investigation include:

- Simultaneous written notice of the outcome of an investigation
- Right to be informed of options for counseling and support
- An investigation panel that is trained for the task and that has no prior relationship with either party that would render them impartial

Additional rights for victims/complainants:

- Right to be informed of options to notify law enforcement
- Right to be notified of options for changing academic or living situation, or other remedies

Timeline:

An investigation (with outcome and appeals) will be conducted promptly and come to conclusion within 60 days, although this time frame may be extended as necessary to achieve thorough and reliable gathering of the relevant facts. Throughout the investigation, the university will make a commitment to regular and timely communication with complainant and respondent on the progress of the investigation.

The university reserves the right to reasonably adapt the time frames or processes described in this policy in light of the nature of the complaint and the time of year during which it was received, to ensure a full and fair investigation and resolution, or due to other similar significant factors.

Standard of proof:

Consistent with the U.S. Department of Education's Office for Civil Rights requirements, Delaware Valley University uses the

standard of “preponderance of the evidence” to determine a student's responsibility for violations of our policies. This means that the Central Review Team will decide whether it is “more likely than not,” that the behavior occurred, based upon the information provided through the course of the investigation.

Role of the advisor:

An advisor is an individual who may assist a student in preparing for the investigation and who may accompany the party that he or she is assisting to the meeting(s) with the Central Review Team. Advisors are not advocates for the party they are assisting and their role is not to speak on behalf of a complainant or respondent during any meetings.

Students participating in a Title IX investigation are entitled to be assisted by an advisor of their choice during the process. Students who intend to bring a practicing attorney as their advisor of choice are required to provide the CRT with notice of this intent in advance of any meeting(s). This will allow the CRT to inform other parties involved and to encourage all parties (including the university) to be assisted by the presence of such an advisor.

Witnesses:

All parties in a hearing have the right to request that the CRT meet with witnesses who may have information that goes to the determination of facts in a case. Because all parties have the right to understand what information may be presented in a Title IX investigation, the names of any witnesses must be submitted to the Title IX coordinator in advance of a meeting. Such communication should include: 1) The names of any witnesses that either party wishes the CRT to meet with; 2) a written statement and/or description of what each witness observed, if not already provided during investigation; or 3) a summary of why the information the witness has is relevant to making a determination of responsibility in the investigatory process.

The CRT will determine if the witnesses identified for inclusion have information relevant to the finding of facts in the case. Witnesses must have direct, credible information about the specific allegation. Generally speaking, personnel who respond to and are involved with any aspect of a complaint of sexual misconduct will not be permitted as witnesses, nor will confidential support providers (counseling/health services) for either party. Students may always introduce information about their own health or counseling records into the investigation process.

Training of investigative personnel:

Members of the CRT have been identified for inclusion in that role by virtue of their positions and training. The CRT meets regularly to continually explore current issues related to prevention and response to sexual misconduct on university campuses and to review emerging compliance mandates and guidelines.

The members of the CRT, chaired by the Title IX coordinator, provide training to other participants in the student conduct process on issues of non-discrimination, sexual harassment and misconduct, intimate partner violence, dynamics of gender violence and the proper resolution of allegations under this policy. Ongoing training for the CRT and conduct board also includes, but is not limited to, burden of proof, standard of proof, questioning parties and witnesses, assessing credibility and relevance of information, evaluating consent, determining incapacitation, victim/offender behavior and sanctioning.

Records and confidentiality:

The report of the CRT is maintained with the Title IX coordinator as a Title IX case file. A copy of the outcome report will also become a part of the student's conduct file maintained in the student affairs office for reviewing any subsequent behavioral violations and determining sanctions of same.

Student records are maintained for a period of three years after a student graduates or terminates from the university with the exception of records associated with a recommendation of suspension or expulsion which are maintained indefinitely. Title IX case files constitute "educational records" under the Family Educational Rights and Privacy Act ("Buckley Amendment") and are subject to its release and confidentiality provisions.

No information shall be released from such proceedings except as required or permitted by law and university policy. Generally, the policy at Delaware Valley University is to obtain consent from a student before releasing information from a student's education record to parents. When in the judgment of the university a release of information to parents is appropriate for health and safety, and when such release is not in violation of FERPA or other applicable privacy laws, the university reserves the right to notify parents.

Students have a right to request a copy of their educational records and may do so through a written request to the vice president for student affairs. In situations where a victim chooses to pursue action through local law enforcement, the university will cooperate with the sharing of all information and records.

Notice of outcome:

The outcome of an investigation will be communicated simultaneously to the respondent and the complainant. Generally, the

outcome of the hearing will be final and communicated to the parties within five (5) business days from the date the investigation is concluded and will be provided in writing. Any changes as may occur through an appeals process will be similarly communicated to the respondent and complainant.

Outcomes and Sanctions

The investigation process outlined above may yield four levels of response: voluntary resolution; sanctions for individuals found responsible for sexual misconduct; remedies and accommodations for the victim; and any additional remedies for the university community.

Voluntary resolution among parties involved:

This outcome may be employed if the CRT determines that such an outcome between parties might be an appropriate response given the investigatory process. This outcome may include practices of restorative justice and dialogue. Because outcomes of such a resolution are mutually developed and agreed upon, there is no process of appeal for cases resolved in this manner.

Voluntary resolution or mediation is never an option in instances of sexual assault, domestic violence or dating violence.

Outcomes and sanctions for those found responsible for violations:

Those found responsible for violations of this policy are subject to a full range of actions including any civil or criminal charges which may accompany such acts. The following outcomes and sanctions may be imposed upon any student found responsible for violations under this policy:

- **Education:** Educational activities, programs or interventions
- **Warning:** A notice in writing that institutional regulations have been violated
- **Probation:** A written reprimand in place for a designated period of time and noting the probability of more severe sanctions for subsequent violations during the period of probation. Probation may impose limits on student's participation in certain student programs and activities.
- **Restrictive Probation:** Restrictions may include but not be limited to, for a designated period of time: Probation; loss of ability to hold office in any club or organization; restriction from participation in university programs (varsity athletics or other co-curricular or academic programs); loss of access to facilities or equipment; housing restrictions or limitations. A student may lose his/her privileges or be subject to more severe disciplinary sanctions and/ or suspension if found in violation of any regulations during their restrictive probationary period, no matter how minor.
- **No Contact Order:** Respondent instructed to have no contact with the victim through any means including: verbal, telephonic, electronic, written or through third parties. This can be imposed by the university or a student(s) can request it, based on the circumstances of an incident.
- **Assessment:** Professional evaluation or assessment of problematic behavior and appropriate treatment by a certified professional.
- **Suspension:** Separation of the student from the university for a definite period of time, after which the student is eligible to return. Conditions for readmission may be specified.
- **Expulsion:** Permanent separation of the student from the university
- The determination of sanctions is based upon a number of factors, including: the harm suffered by the complainant; any ongoing risk to either the complainant 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.

Remedies and accommodations for the victim:

The result of the investigation process may include actions to address and remediate the misconduct for the victim, such as:

- No contact directives
- Changes in class schedules
- Changes in work arrangements
- Changes in living arrangements
- Medical services
- Academic support services
- Counseling or other support services
- Escort services to ensure safe movement on campus
- Withdrawal from classes without penalty

Additional remedies for the university community:

The investigative process may result in remedies for the campus community at large, in order to address the effects of the sexual misconduct. Such remedies may include but not be limited to:

- Designating an individual specifically trained in providing trauma-informed services to victims and those affected by sexual assault to be available to meet with individuals
- Training or retraining university personnel on university's responsibilities to report and address allegations of sexual misconduct
- Developing information and educational materials related to sexual misconduct prevention and response that can be distributed to all students
- Conducting regular bystander education
- Issuing policy statements about the university's zero tolerance policy
- Conducting, in cooperation with student leaders, a campus "climate check" to assess the efficacy of prevention and response efforts;
- Training for groups of particular students impacted by an incident -- if for example sexual violence created a hostile environment within a team, residence hall, or other student group
- Informational (prevention, safety) emails to students after an event

Appeals:

Both parties involved in a Title IX investigation have the right to appeal the findings and recommendations of the CRT. Appeals may be made based on the following grounds:

- Procedures set forth in this policy were not followed
- New information not available at the time of the resolution process has become available

Appeals shall be made in writing, and delivered within five business days to the vice president for student affairs (VPSA):

Dr. April Vari
Vice President for Student Affairs
Delaware Valley University
700 E. Butler Avenue Doylestown, PA 18901
april.vari@delval.edu
215.489.2413
Student Center

If grounds exist, the appeal will be considered by the VPSA and the vice president for academic affairs within five business days from receipt. Results of the appeal will be communicated simultaneously, and in writing (via electronic mail) to both parties within five business days from the date the appeal review concluded.

Appeal decisions are final.

Prevention, education, and training

The university educates students about sexual misconduct, dating violence, and stalking through several means. New students are required to complete the EverFi® on-line programs "AlcoholEdu" and "Sexual Assault Prevention" before matriculating in the fall. These programs fulfill the Title IX and Campus SaVE Act training requirements for incoming students on matters related to sexual assault, substance abuse prevention, risk reduction, and bystander intervention education.

The on-line component is complemented by additional required programs that occur during the fall semester. A fall Welcome Weekend program is hosted by Student Affairs professional staff that reviews community expectations. At this program, all new, incoming students receive a publication from student affairs entitled: Delaware Valley University Support and Resource Guide for Sexual Misconduct. Additionally, The University policy is addressed with new students as a course module in a required freshman seminar course DelVal Experience I. Finally, at the beginning of each semester, students receive a welcome email messages that contains information and links to key student life policies, including the Sexual Misconduct Policy

During the course of each academic year, offices within the student affairs division sponsor or co-sponsor additional programs each semester on sexual misconduct. Examples include "Take Back the Night" and "It's On Us". In 2017, the University received a Commonwealth of Pennsylvania grant to implement the Green Dot® strategy to reduce the incidence of intimate partner violence.

The Department of Public Safety conducts annual Clery training for all campus security authorities (CSA). Clery Act training includes but is not limited to sexual assault, domestic violence, dating violence, and stalking.

University's Reporting and Record-Keeping Obligations

The [Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act \(20 USC § 1092\(f\)\)](#) is the landmark federal law, originally known as the Campus Security Act, that requires colleges and universities across the United States to disclose information about crime on and around their campuses.

The law was amended in 1992 to add a requirement that schools afford the victims of campus sexual assault certain basic rights, and was amended again in 1998 to expand the reporting requirements. The Clery Act requires colleges and universities to:

- Publish an Annual Security Report (ASR)
- Devise an emergency response, notification, and testing policy
- Have a crime log
- Disclose crime statistics for incidents that occur on campus, in unobstructed public areas immediately adjacent to or running through the campus and at certain non-campus facilities
- Compile and report fire data to the federal government and publish an annual fire safety report
- Issue timely warnings about Clery Act crimes which pose a serious or ongoing threat to students and employees. (Names of victim's are withheld as confidential)
- Enact policies and procedures to handle reports of missing students

The Campus Sexual Violence Elimination Act, or [Campus SaVE Act \(SaVE\)](#), is a 2013 amendment to the federal Jeanne Clery Act. SaVE was designed by advocates along with victims/survivors and championed by a bi-partisan coalition in Congress as a companion to [Title IX](#) that will help bolster the response to and prevention of sexual violence in higher education.

President Obama signed the measure into law as part of the [Violence Against Women Reauthorization Act of 2013](#) on March 7, 2013.

SaVE requires colleges and universities to increase transparency about the scope of sexual violence on campus, guarantee victims enhanced rights, provide for standards in institutional conduct proceedings, and provide campus community wide prevention educational programming.

The university, beginning with the 2013 calendar year, collects and reports statistics for domestic violence, dating violence and stalking (as defined by the Violence Against Women Act) occurring on campus, on public property within and adjacent to campus, and at non-campus properties like off-campus student organization housing and remote classrooms. Institutions are already required to report sexual assault statistics.

The university's Annual Security Report is available on the university's website.

In accordance with regulations, the university collects statistics from a broad range of campus officials including resident advisors, deans and athletic coaches, campus police or security, and local law enforcement. The law requires disclosures to protect the confidentiality of victims in these statistical disclosures as well as any public record keeping, to the extent provided by law.

The law requires that campus security authorities report crime statistics for inclusion in the university's Annual Security Report. Campus security authorities include, but are not limited to, officials of the university with significant responsibility for students or campus activities. CSA's are trained and assessed annually.

A crime will be considered reported when it is brought to the attention of a campus security authority by a victim, witness, or third party.

Campus Security Authority - The following are defined by the Jeanne Clery Act as Campus Security Authorities:

- Campus police/security departments
- Individuals with campus security responsibility - Any individuals who have responsibility for campus security but who do not constitute a campus police department or a campus security department, such as an individual who is responsible for monitoring entrance into institutional property
- Individuals designated by the campus - Any individual or organization specified in an institution's statement of campus security policy as one to which students and employees should report criminal offenses
- Officials with significant responsibility for student and campus activities - An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline and campus judicial proceedings. If such an official is a pastoral or professional counselor as defined below, the official is not considered a campus security authority when acting in those capacities. Examples of this category are: deans of students, student housing officials, student judicial affairs officials, officials who oversee a student center, officials who oversee student extracurricular activities, director of athletics, team coaches and faculty advisors to student groups.

Related Policies

Responsible employees:

The university is on notice that an act of sexual misconduct has occurred if a responsible employee knew or should have known about the behavior. Responsible employees are required to act on a specific report, which means they have an obligation to report an incident to the Title IX coordinator, for review and investigation (**Section X**). Responsible employees are those employees who:

- Have authority to take action to redress sexual misconduct
- Who have been given the duty of reporting incidents of sexual misconduct to the Title IX coordinator
- Whom a student could reasonably believe has the authority or duty to redress the sexual misconduct

At Delaware Valley University the following personnel are identified as "responsible employees":

- President and Vice Presidents of the university.
- Associate administrators with supervisory responsibilities
- Deans, Assistant Deans, Directors, and Work-study supervisors
- Public Safety officers
- Human Resources staff
- Coaches, Assistant Coaches, and staff of athletic teams
- Student Affairs professional staff

When a report is made to a responsible employee, a victim has the right to expect that the university will take timely and appropriate steps to investigate what happened and to resolve the matter promptly and equitably. It is the obligation of a responsible employee to make a report to the Title IX coordinator or deputy, outlining the details shared by the victim.

Responsible employees are trained annually by the CRT on Title IX, reporting procedures and expectations, the University's policy generally, and strategies for sensitively responding to those who come forward with complaints.

Prohibited relationships:

A romantic or consensual sexual relationship between a faculty member and a student currently enrolled in their class is not permitted. Faculty and/or staff members may not supervise students, employees or university community members with whom they have a romantic or sexual relationship.

If such a relationship exists it is a conflict of interest and arrangements must be made to ensure a faculty/student or supervisor/employee reporting relationship does not occur.

Child protection policies:

While any individual may, and is encouraged to, report child abuse whenever and wherever it occurs, all employees, students who work or volunteer with individuals under the age of 18, consultants, sub-contractors, adjunct faculty, volunteers, or those affiliated in any way with Delaware Valley University are required to make a report whenever the person has reasonable cause to suspect that a child under the age of 18 is a victim of child abuse.

University employees, students, volunteers and/or outside contractors who suspect child abuse shall immediately notify the individual's supervisor unless the alleged perpetrator is the individual's supervisor. If an employee, student, volunteer or outside contractor does not know to whom a report should be made, the individual should report the alleged abuse to the Delaware Valley University office of human resources at 215.489.2346.

Upon notification, the supervisor or human resources shall report the suspected child abuse.

The obligation to report suspected child abuse to a supervisor is in addition to the requirement for reporting to the local police and the Department of Public Welfare. The complete policy and expectations of Delaware Valley University in this regard can be found on the human resources section of the university portal.

Comprehensive Resource and Contact Listing

Below is a comprehensive listing of all resources, offices and contact information referenced in this policy.

Emergency assistance and response:

Department of Public Safety – Delaware Valley University 215.489.4444	Doylestown Hospital Emergency Services 215.345.2586
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Central Bucks Regional Police Department Non-emergency line - 215.345.4143	Doylestown Township Police Department Non-emergency line: - 215.348.4201
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In the event of an emergency where seconds count, dial 911!

Confidential support – on and off campus:

Counseling Services (on campus) in Elson Hall 215.489.2317	Health Services (on campus) in Elson Hall 215.489.2252
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NOVA (Network of Victim Advocates) – off campus 24/7 - 800.675.6900	A Woman’s Place – off campus 800.220.8116
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Formal reporting to the University:

Title IX Coordinator:

Timothy Poirier
Dean of Student Development
timothy.poirier@delval.edu
215.489.2297

Title IX Coordinator Designees:

Cindy Transue
Director of Public Safety
cynthia.transue@delval.edu
215.489.2905

Kelly Hojnacki

Assistant Dean of Student Development
kelly.hojnacki@delval.edu
215.489.2216

Evelia Hunter

Assistant Dean of Student Development and Inclusion
evelia.hunter@delval.edu
215.489.4471

Policy questions:

General questions regarding these regulations and policies or student complaints of student-to-student discrimination or harassment may be referred to:

Dr. April Vari

Vice President for Student Affairs
april.vari@delval.edu
215.489.2415

Questions specifically regarding Title IX or sexual harassment or violence may be referred to the following official who has been designated by the university to serve as the Title IX coordinator:

Title IX Coordinator:

Timothy Poirier
Dean of Student Development
timothy.poirier@delval.edu

215.489.2297

Title IX Coordinator Designees:

Cindy Transue

Director of Public Safety

cynthia.transue@delval.edu

215.489.2905

Kelly Hojnacki

Assistant Dean of Student Development

kelly.hojnacki@delval.edu

215.489.2216

Evelia Hunter

Assistant Dean of Student Development and Inclusion

evelia.hunter@delval.edu

215.489.4471

Inquiries regarding Title IX may also be referred to the Office for Civil Rights of the U.S. Department of Education at the following address:

Office for Civil Rights

Philadelphia Office

U.S. Department of Education

The Wanamaker Building

100 Penn Square East, Suite 515

Philadelphia, PA 19107-3323

215.656.8541

OCR_Philadelphia@ed.gov

Sexual Harassment Policy

It is the university's policy to maintain a nondiscriminatory work and educational environment that is free of any form of discrimination and unlawful harassment, including sexual harassment. Discrimination and/or other unlawful harassment of students, employees, and university community members, by other university employees, clients, or contractors, are strictly prohibited and will not be tolerated.

Discrimination and unlawful harassment based on gender or any other protected class, in any context including its education programs, is reprehensible and will not be tolerated. Discrimination and unlawful harassment are a matter of particular concern in an academic community in which students, faculty, and staff must rely on strong bonds of intellectual trust and dependence. As an employer and as an educational institution, we are committed to eradicating discrimination.

Discrimination and unlawful harassment, including sexual harassment, constitute violations of the university's code of conduct and are prohibited by Title VII of the 1962 Civil Rights Act, as amended in 1972, Title IX of the Education Act Amendment of 1972, the Americans with Disabilities Act, and various other Federal and state regulations. It is illegal to discriminate against or otherwise harass students and employees on the basis of age, color, race, sex, national origin, religion, physical or mental disability, or any other class protected by applicable law.

Any employee who engages in any of the acts or behavior as defined above, or similar acts, will be subject to disciplinary action, up to and including termination.

A romantic or consensual sexual relationship between a faculty member and a student currently enrolled in his/her class is not permitted. Faculty and/or staff members may not supervise students, employees, or university community members with whom they have a romantic or sexual relationship. If such a relationship exists it is a conflict of interest and arrangements must be made to ensure a faculty/student or supervisor/employee reporting relationship does not occur.

Campus Sex Crime Prevention: Pennsylvania Sex Offenders Information (Megan's Law)

The Campus Sex Crimes Prevention Act of 2000, passed as part of the Victims of Trafficking and Violence Protection Act.

The Campus Sex Crimes Prevention Act, required any person who was obligated to register in a state's sex offender registry to notify the institution of higher education at which the sex offender worked or was a student of his or her status as a sex offender; and to notify the same institution if there was any change in his or her enrollment or employment status; that the

information collected as a result of this Act be reported promptly to local law enforcement and entered promptly into the appropriate state record systems; and amended the Higher Education Act of 1965 to require institutions obligated to disclose campus security policy and campus crime statistics to also provide notice of how information concerning registered sex offenders could be obtained.

It should be noted that the Family Educational rights and Privacy Act of 1974 (FERPA) permits an educational institution to disclose information provided by a state concerning registered sex offenders. The Commonwealth of Pennsylvania maintains a system for making certain Registry Information on violent sex offenders publicly available. Pennsylvania's Megan Law, 42 Pa.C.S. 9799.1, requires the State Police to create and maintain a registry of persons who have either been convicted of or entered a plea of guilty to, or adjudicated delinquent of certain sex offenses listed in Megan's Law.

The Pennsylvania State Police is required to make certain information on registered sex offenders available to the public through an internet website. The Pennsylvania State Police has established this website according to the requirements of 42 Pa. C.S. 9798.1.

Pertinent web address for securing related information is:

<http://www.pameganslaw.state.pa.us/>

Community notification is the process by which the community law enforcement officer notifies the community of the presence of the violent predator. The Chief Law enforcement officer notifies the community using a community notification flyer. Megan's Law requires notification of the President of each college, university and community college located within 1,000 feet of a sexually violent predator or out-of-state offender residence.

Disciplinary Policies

Any student who fails to comply with university policies or local, state or federal laws may be subject to discipline under the university code of student conduct. Sanctions can include, but are not limited to, a reprimand, disciplinary probation, and withdrawal of privileges, suspension, and expulsion. When a student's presence on campus is considered a threat to order, health or safety, the Dean of Students or his or her designee may impose a mandatory leave of absence or conditions on the student's attendance. The university's student disciplinary procedures is available online at:

<http://www.delval.edu/offices-services/student-affairs/student-life-policies/student-code-of-conduct>

Missing Persons

The purpose of this policy is to establish procedures for Delaware Valley University's response to reports of missing students, as required by the Higher Education Opportunity Act of 2008. This policy applies to students who reside in on-campus housing and are deemed missing or absent from the university for a period of more than 24 hours without any known reason or which may be contrary to usual patterns of behavior. Such circumstances could include, but are not limited to, a report or suspicion that the missing person may be the victim of foul play, has expressed suicidal thoughts, drug use, is in a life threatening situation, or has been with persons who may endanger the student's welfare.

Procedures for Designation of Emergency Contact Information

Residential Students age 18 and above (includes emancipated minors):

Students will be given the opportunity during each semester's registration process to designate an individual or individuals to be contacted by the university no more than 24 hours after the time that the student is determined to be missing in accordance with the procedures set forth below. A designation will remain in effect until changed or revoked by the student.

Residential Students under the age of 18:

In the event a student is determined to be missing or absent as defined above, the university is required to notify a custodial parent or guardian no more than 24 hours after the student is determined to be missing in accordance with the procedures set forth below.

All missing persons information provided is registered and confidential, accessible only to authorized campus officials, and may not be disclosed except to law enforcement personnel in furtherance of a missing person investigation.

Notification Procedures for Missing Residential Students

Any individual who has information that a residential student may be a missing person must notify the Department of Public Safety (215-489-4444) as soon as possible.

The Department of Public Safety will gather all essential information about the residential student from the reporting person and from the student's acquaintances. Such essential information will include, but not be limited, to the following: description of the student, clothes last worn, where student might be, who student might be with, cell phone number, vehicle description,

class schedule, and status of student’s physical and mental well-being.

Notification, contact, and follow up with the Vice President for Student Affairs or designee.

If the above actions are unsuccessful in locating the student or it is apparent immediately that the student is a missing person (e.g., witnessed abduction), the Department of Public Safety will contact the appropriate local law enforcement agency to report the student as a missing person and the local law enforcement agency will take charge of the investigation.

No later than 24 hours after determining that a residential student is missing, the Student Affairs Office will notify the emergency contact (for students 18 and over or emancipated minors) or the parent/legal guardian (for students under the age of 18) that the student is believed to be missing.

Appropriate University Administrators will be notified by the Vice President of Student Affairs or designee in accordance with this policy.

University Communications about missing students

Law enforcement personnel are best situated to provide information to the media that is designed to gain public assistance in the search for a missing person. As such, all communications regarding missing students will be handled by the appropriate local law enforcement agency, who may consult with the university’s Department of Public Relations. All inquiries to the university regarding missing students, or information provided to any individual at the university about a missing student, shall be referred to the Department of Public Safety, who shall refer such inquiries and information to the appropriate local law enforcement agency.

Prior to providing the Delaware Valley University community with any information about a missing student, the Department of Public Relations shall consult with the Department of Public Safety and with the appropriate local law enforcement agency to ensure that communications do not hinder the investigation.

Student Residence Halls

Delaware Valley University offers on campus housing options for undergraduate students. No fraternity and sorority residences are located on campus. On campus residence halls include:

Residence Hall	Occupancy
Barness Hall	68 students
Berkowitz Hall	107 students
Centennial Hall	77 students
Cooke Hall	74 students
Goldman Hall	99 students
Samuel Hall	100 students
South Hall	305 students
Ulman Hall	107 students
Work Hall	128 students

Security of Residence Halls

Access to residential facilities is limited to students and authorized personnel at all times. All visitors must be signed in by a resident student. Both the visitor and the student must have identification. The university has a comprehensive access control system in place, which includes both automated and manual locks.

Crime Prevention Education and Awareness

The Department of Public Safety is available to provide seminars, forums and other presentations on campus safety and security to members of the university Community. Campus safety and security is discussed at new student orientation.

Safety and security material is available online on the Department of Public Safety web page at:

<http://www.delval.edu/offices-services/public-safety>.

Daily Crime and Fire Log

The Department of Public Safety, located in the Welcome Center, maintains a Daily Crime and Fire Log of all reported incidents. The most recent 60-day period is available for public inspection at the Department of Public Safety. Portions of the log older than 60 days are available within two business days of a request for public inspection.

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (The Clery Act)

The federal **Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act)** requires colleges and universities, both public and private, participating in federal student aid programs to disclose campus safety information, and imposes certain basic requirements for handling incidents of sexual violence and emergency situations. Disclosures about crime statistics and summaries of security policies are made once a year in an Annual Security Report (ASR) and information about specific crimes and emergencies is made publicly available on an ongoing basis throughout the year.

The Clery Act is named in memory of [Jeanne Clery](#) who was raped and murdered in her residence hall room by a fellow student she did not know on April 5, 1986. Her parents [championed](#) laws requiring the disclosure of campus crime information, and the federal law that now bears their daughter's name was first enacted in 1990. It has been amended regularly over the last two decades to keep up with changes in campus safety with the most recent update in 2013 to expand the law's requirements concerning the handling of sexual violence (see the summary of the [Campus Sexual Violence Elimination Act](#) for additional information about these requirements which take effect in 2014).

Certain crimes reported to campus authorities (campus police/security, officials with significant responsibility for campus and student activities such as RAs and Deans, anyone crimes are directed to be reported to) and local police as occurring on-campus (which includes a subset for on-campus student housing facilities), on public property within and immediately adjacent to campus, and non-campus properties such as houses operated by officially recognized student organizations must be disclosed for the prior three calendar years. Crimes reported in the context of a privileged communication, such as with a licensed mental health counselor are exempt.

The specific crimes are:

- Criminal homicide
- Murder: The willful (non-negligent) killing of one human being by another
- Manslaughter
- Non-negligent Manslaughter [Murder]: the willful (non-negligent) killing of one human being by another
- Manslaughter by Negligence [Criminal Homicide]: the killing of another person through gross negligence

Sex offenses: Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent. For the purposes of the crime statistics listed in this report the following definitions were used.

- **Rape:** Penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
- **Sodomy:** Oral or anal sexual intercourse with another person, forcibly and/or against that person's will; or not forcibly against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.
- **Sexual Assault with an Object:** The use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.
- **Fondling:** The touching of the private parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental incapacity.

Non-forcible Sex Offenses: Unlawful, non-forcible sexual intercourse.

- **Incest:** Non-forcible Sexual intercourse between two persons who are related to each other within the degrees wherein marriage is prohibited by law
- **Statutory rape:** Non-forcible sexual intercourse with a person who is under the statutory age of consent

Effective with crimes reported in 2015 and in compliance with VAWA and Clery reporting, the following definitions for all sexual offenses are now used for statistical reporting.

- **Sex offenses:** Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.
- **Rape:** Penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
- **Fondling:** The touching of the private parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent.

- **Incest:** Sexual intercourse between two persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory rape:** Sexual intercourse with a person who is under the statutory age of consent.
- **Domestic Violence:** A pattern of abusive behavior in any relationship that is used by one partner to gain or maintain power and control over another intimate partner. Domestic violence can be physical, sexual, emotional, economic, or psychological actions or threats of actions that influence another person. This includes any behaviors that intimidate, manipulate, humiliate, isolate, frighten, terrorize, coerce, threaten, blame, hurt, injure, or wound someone.
- **Dating Violence:** Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim is dating violence. The existence of such a relationship shall be determined based on a consideration of the length of the relationship; the type of relationship and the frequency of interaction between the persons involved in the relationship.
- **Stalking:** A pattern of repeated and unwanted attention, harassment, contact, or any other course of conduct directed at a specific person that would cause a reasonable person to feel fear.
- **Robbery:** The taking or attempting to take anything from the care, custody, or control of a person or persons by force, or threat of force, or violence and/or by putting the victim in fear.
- **Aggravated Assault:** An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of attack is usually assault accompanied by the use of a weapon or by means likely to produce death or great bodily harm. (It is not necessary that injury results from an aggravated assault when a gun, knife, or other weapon is used which could and probably would result in serious personal injury if the crime were successfully completed).
- **Burglary:** The unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes: unlawful entry with intent to commit a larceny or felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.
- **Motor Vehicle Theft:** The theft or attempted theft of a motor vehicle. (Classify as a motor vehicle theft all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned, including joyriding).
- **Arson:** Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.
- **Weapon Law Violations:** The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; and all attempts to commit any of the aforementioned.
- **Drug Abuse Violations:** Violations of state and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine).
- **Liquor Law Violations:** The violation of laws or ordinances prohibiting: the manufacture, sale, transportation, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to a minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; and all attempts to commit any of the aforementioned. (Public Drunkenness and Driving Under the Influence are not included in this definition).
- **Referrals for Disciplinary Actions** by Student Conduct must be reported to the University for the following: Illegal Weapons Possession Violations of Drug Laws Violations of Liquor Laws

Hate Crimes

Additionally, institutions must separately report if any of the main Clery crimes or theft, simple assault, intimidation, and destruction, damage, or vandalism of property was a hate crime. Crimes must be reported by their category of bias or biases which are race, gender, religion, sexual orientation, ethnicity and disability. The 2013 amendments specifically add national origin and gender identity. Institutions are expected to make a "[good faith](#)" effort to comply with these new requirements for calendar year 2013 statistics. For additional information on these new requirements please see the summary of the [Campus SaVE Act](#).

The definitions of additional hate crimes categories are as follows:

- **Larceny / Theft:** The unlawful taking, carrying, leading, or riding away of property from the possession, or constructive possession, of another.
- **Threats:** Intimidation (including Stalking) 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.
- **Vandalism:** To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.
- **Simple Assault:** An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor

the victim suffers obvious severe or aggrieved bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.

- **Destruction/Damage/Vandalism of Property:** To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

The University's policy is that all reports received are documented in the following crime statistics table, even those later deemed to be unfounded through the appropriate investigatory process.

DELAWARE VALLEY UNIVERSITY - 2018 CRIME STATISTICS

CRIME CLASSIFICATION	ON CAMPUS			ON CAMPUS - RESIDENCE HALLS			NON CAMPUS			PUBLIC PROPERTY		
	2018	2017	2016	2018	2017	2016	2018	2017	2016	2018	2017	2016
MURDER / NON-NEGLIGENT MANSLAUGHTER												
NEGLIGENT MANSLAUGHTER												
SEX OFFENSES - RAPE	2		3	2		3						
SEX OFFENSES - FONDLING	2								1		1	
SEX OFFENSES - INCEST												
SEX OFFENSES - STATUTORY RAPE												
SEX OFFENSES - NON FORCIBLE												
ROBBERY		1			1						1	
AGGRAVATED ASSAULT	1	2			2				4		1	
SIMPLE ASSAULT											6	
INTIMIDATION	1			1								
BURGLARY	3	5	8		5	8			10			
LARCENY - THEFT								7	2			2
MOTOR VEHICLE THEFT								1			1	
VANDALISM / PROPERTY DESTRUCTION	1			1				5				
ARSON									1			
LIQUOR LAW VIOLATIONS												
ARREST	2	2			1						3	
DISCIPLINARY REFERRAL	19	14	20	16	11	20						
DRUG RELATED VIOLATIONS												
ARREST								3	2		6	2
DISCIPLINARY REFERRAL	24	12	12	22	12	8						
ILLEGAL WEAPONS POSSESSION												
ARREST												
DISCIPLINARY REFERRAL		2			2							

HATE CRIMES (BY BIAS)	ON CAMPUS			ON CAMPUS - RESIDENCE HALLS			NON CAMPUS			PUBLIC PROPERTY		
	2018	2017	2016	2018	2017	2016	2018	2017	2016	2018	2017	2016
MURDER / NON-NEGLIGENT MANSLAUGHTER												
RACE												
GENDER												
RELIGION												
NATIONAL ORIGIN												
SEXUAL ORIENTATION												
GENDER IDENTITY												
ETHNICITY												
DISABILITY												
NEGLIGENT MANSLAUGHTER												
RACE												
GENDER												
RELIGION												
NATIONAL ORIGIN												
SEXUAL ORIENTATION												
GENDER IDENTITY												
ETHNICITY												
DISABILITY												
SEX OFFENSES - RAPE												
RACE												
GENDER												
RELIGION												
NATIONAL ORIGIN												
SEXUAL ORIENTATION												
GENDER IDENTITY												
ETHNICITY												
DISABILITY												
SEX OFFENSES - FONDLING												
RACE												
GENDER												
RELIGION												
NATIONAL ORIGIN												
SEXUAL ORIENTATION												
GENDER IDENTITY												
ETHNICITY												
DISABILITY												

HATE CRIMES (BY BIAS)	ON CAMPUS			ON CAMPUS - RESIDENCE HALLS			NON CAMPUS			PUBLIC PROPERTY		
	2018	2017	2016	2018	2017	2016	2018	2017	2016	2018	2017	2016
SEX OFFENSES - INCEST												
RACE												
GENDER												
RELIGION												
NATIONAL ORIGIN												
SEXUAL ORIENTATION												
GENDER IDENTITY												
ETHNICITY												
DISABILITY												
SEX OFFENSES - STATUTORY RAPE												
RACE												
GENDER												
RELIGION												
NATIONAL ORIGIN												
SEXUAL ORIENTATION												
GENDER IDENTITY												
ETHNICITY												
DISABILITY												
ROBBERY												
RACE												
GENDER												
RELIGION												
NATIONAL ORIGIN												
SEXUAL ORIENTATION												
GENDER IDENTITY												
ETHNICITY												
DISABILITY												
AGGRAVATED ASSAULT												
RACE												
GENDER												
RELIGION												
NATIONAL ORIGIN												
SEXUAL ORIENTATION												
GENDER IDENTITY												
ETHNICITY												
DISABILITY												

HATE CRIMES (BY BIAS)	ON CAMPUS			ON CAMPUS - RESIDENCE HALLS			NON CAMPUS			PUBLIC PROPERTY		
	2018	2017	2016	2018	2017	2016	2018	2017	2016	2018	2017	2016
SIMPLE ASSAULT												
RACE												
GENDER												
RELIGION												
NATIONAL ORIGIN												
SEXUAL ORIENTATION												
GENDER IDENTITY												
ETHNICITY												
DISABILITY												
INTIMIDATION												
RACE	1	2		1	1							
GENDER												
RELIGION												
NATIONAL ORIGIN												
SEXUAL ORIENTATION												
GENDER IDENTITY												
ETHNICITY												
DISABILITY												
BURGLARY												
RACE												
GENDER												
RELIGION												
NATIONAL ORIGIN												
SEXUAL ORIENTATION												
GENDER IDENTITY												
ETHNICITY												
DISABILITY												
LARCENY - THEFT												
RACE												
GENDER												
RELIGION												
NATIONAL ORIGIN												
SEXUAL ORIENTATION												
GENDER IDENTITY												
ETHNICITY												
DISABILITY												

HATE CRIMES (BY BIAS)	ON CAMPUS			ON CAMPUS - RESIDENCE HALLS			NON CAMPUS			PUBLIC PROPERTY		
	2018	2017	2016	2018	2017	2016	2018	2017	2016	2018	2017	2016
MOTOR VEHICLE THEFT												
RACE												
GENDER												
RELIGION												
NATIONAL ORIGIN												
SEXUAL ORIENTATION												
GENDER IDENTITY												
ETHNICITY												
DISABILITY												
VANDALISM / PROPERTY DESTRUCTION												
RACE	1		1	1		1						
GENDER												
RELIGION												
NATIONAL ORIGIN												
SEXUAL ORIENTATION												
GENDER IDENTITY												
ETHNICITY												
DISABILITY												
ARSON												
RACE												
GENDER												
RELIGION												
NATIONAL ORIGIN												
SEXUAL ORIENTATION												
GENDER IDENTITY												
ETHNICITY												
DISABILITY												
HATE CRIMES (BY BIAS)	ON CAMPUS			ON CAMPUS - RESIDENCE HALLS			NON CAMPUS			PUBLIC PROPERTY		
	2018	2017	2016	2018	2017	2016	2018	2017	2016	2018	2017	2016
DOMESTIC VIOLENCE								1				
DATING VIOLENCE	3		2	2								
STALKING	3	2	3	2				2				

The Pennsylvania College and University Security Information Act

The Pennsylvania College and University Security Information Act requires the release of crime statistics and rates to students and employees, and, upon request, to new employees and applicants for admission. The statistics reported below reflect the number of incidents reported to the University's Department of Public Safety and subsequently reported to the Pennsylvania State Police for publication in the Pennsylvania Uniform Crime Report (UCR). Please note that the state crime classifications vary from the federal crime classifications which are published elsewhere in this report. The index in the table below is based on incidents per 100,000 Full Time Equivalent (FTE) students and employees. The index rate is calculated using the actual number of FTEs, determined by a state-mandated formula. The University's FTE population was 2,631 in 2016; 2,685 in 2017; and 2,689 in 2018.

Delaware Valley University Crime Statistics For Pennsylvania Reporting Purpose

FULL TIME EQUIVALENCY (FTE) STATISTICAL INFORMATION						
	2016		2017		2018	
	ACTUAL	COUNTED	ACTUAL	COUNTED	ACTUAL	COUNTED
STUDENTS ENROLLED	2177	2177	2234	2234	2245	2245
FULL TIME EMPLOYEES	346	454*	347	451*	342	444*
PART TIME EMPLOYEES	217		208		203	
*FULL TIME EQUIVALENTS (FULL TIME EMPLOYEES + 1/2 PART TIME EMPLOYEES)						
TOTAL FULL TIME EQUIVALENCY	2631		2685		2689	

	2016		2017		2018	
	ACTUAL	INDEX*	ACTUAL	INDEX*	ACTUAL	INDEX*
PART I OFFENSES						
MURDER	0	0	0	0	0	0
MANSLAUGHTER	0	0	0	0	0	0
RAPE	2	76.02	0	0	2	74.38
ROBBERY	0	0	1	37.24	0	0
AGGRAVATED ASSAULT	0	0	0	0	0	0
OTHER ASSAULT	0	0	1	37.24	3	111.56
BURGLARY	7	266.06	4	148.98	3	111.56
THEFT	0	0	0	0	2	74.38
THEFT VEHICLE	0	0	0	0	0	0
ARSON	0	0	0	0	0	0
TOTAL	9	342.08	6	223.46	10	371.88
PART II OFFENSES						
FORGERY AND COUNTERFEITING	0	0	0	0	0	0
FRAUD AND EMBEZZLEMENT	0	0	0	0	0	0
RECEIVING STOLEN PROPERTY	0	0	0	0	0	0
VANDALISM	1	38	0	0	2	74.38
WEAPONS	0	0	2	74.49	0	0
PROSTITUTION	0	0	0	0	0	0
OTHER SEX OFFENSES	0	0	0	0	2	74.38
NARCOTICS	12	456.1	10	372.44	21	780.96
GAMBLING	0	0	0	0	0	0
FAMILY OFFENSES	0	0	0	0	0	0
DRIVING UNDER THE INFLUENCE	0	0	0	0	0	0
LIQUOR LAW POSSESSION	22	836.18	19	707.64	19	706.58
DRUNKENNESS	0	0	0	0	0	0
DISORDERLY CONDUCT	0	0	0	0	0	0
VAGRANT	0	0	0	0	0	0
ALL OTHERS	5	190.04	4	148.98	3	111.56
TOTAL	40	1520.33	35	1303.54	47	1747.86
GRAND TOTAL	49	1862.41	41	1527	57	2119.75
* Based on FTE of 100,000						
Calculation: Actual # X 100,000 / FTE						

2018 Annual Fire Safety Report on Student Housing

On August 14, 2008, the Higher Education Opportunity Act was signed into law. In order to comply with this Act, the University has prepared this report, which includes required information about student housing fire safety systems, fire drills, fire safety policies and education and training programs.

Fire Safety Information

Fire Detection and Protection Systems in Residence Halls

Delaware Valley University has a professional independent fire detection and service company inspect, repair and certify all the Residence Halls on an annual basis.

Presently, all campus Residence Hall systems have been certified for detection and the two Residence Halls with sprinkler systems have also been tested and certified.

Delaware Valley University Residential Facility	Fire Alarm Monitoring on Site	Full Sprinkler System**	Smoke Detection	Fire Extinguisher Devices	Evacuation Plans	Number of evacuation (fire) drills/year
Barness Hall	X		X	X	X	2
Berkowitz Hall	X		X	X	X	2
Centennial Hall	X	X	X	X	X	2
Cooke Hall	X		X	X	X	2
Goldman Hall	X		X	X	X	2
Samuel Hall	X		X	X	X	2
South Hall	X	X	X	X	X	2
Ulman Hall	X		X	X	X	2
Work Hall	X		X	X	X	2

The following table provides details about the fire detection systems in place. Please note that these numbers reflect only the smoke & heat detectors connected to the fire alarm system.

Residence Halls Smoke & Heat Detectors		
Residence Hall	Number of Detectors	Date Certified
Berkowitz Hall	25	5/30/2018
Centennial & Work Halls	60	5/29/2018
Cooke Hall	19	5/29/2018
Barness Hall	14	5/25/2018
Goldman Hall	26	5/24/2018
Ulman Hall	24	5/29/2018
South Hall	345	5/21/2018
Samuel Hall	12	5/30/2018
Residence Hall Sprinkler Systems		
Residence Hall	Date Certified	
Centennial Hall	5/29/2018	
South Hall	5/21/2018	
Residence Hall Detection System Upgrades/Repairs		
Residence Hall	Upgrade/Repair	
N/A	N/A	

Detectors are located in all common areas such as hallways, stair towers, lounges and game rooms.

All campus fire detection systems are connected to a monitoring system in the Department of Public Safety office. When a fire detection system is activated an alarm sounds in the Department of Public Safety office, and the monitoring system indicates which building's fire detection system is in alarm. The Department of Public Safety office is staffed 24 hours a day, 7 days a week, 52 weeks a year.

Presently all Residence Hall Fire Detection and Protection systems are covered by a service contract with Keystone Fire Equipment Company.

Plans for Future Improvement

As of October 2019 there are no immediately planned upgrades to the fire detection and sprinkler systems in the Residence Halls at Delaware Valley University.

Supervised Fire Drills

Mandatory, supervised fire drills are conducted for each residence hall in the fall and spring semesters by the Environmental Health & Safety Department. One drill is conducted in the fall semester, and one in the spring semester.

Fire Safety Policies

The following information on fire safety policies is taken from the Delaware Valley University Residence Hall Policy Guide (online at <http://www.delval.edu/events-campus-life/student-life-policies/residence-hall-policies>)

1. Fire Safety

Tampering with fire detection equipment, fire alarms, fire extinguishers, or setting off a false fire alarm are serious community safety concerns and are designated as a Type I violation in the Student Code of Conduct. Any violation of the Fire Safety policy compromises the safety of all residents, and as such are more likely than not to result in a student's separation from the University.

Each residence hall room is equipped with a smoke detector. For the safety of the community, students are not permitted to remove the batteries from the smoke detector. If the smoke detector in a student's room signals a need for new batteries, students should report the matter to residential staff or contact the Maintenance Department at x2228. With the sole exception of lighting cigarettes outside of the residence halls, unauthorized fire in or around the residence halls is prohibited.

2. Fire Drills and Procedures

Fire drills must be conducted for all residence halls at least once per semester. When a fire alarm sounds, all individuals of the building are expected to leave the building using the nearest exit as quickly as possible. To ensure safety and to account for each resident, it is required that once outside the building residents of each residence hall regroup in these areas:

- Barnes, Cooke, and Ulman Halls: Meet in Levin Dining Hall.
- Berkowitz, Goldman, Samuel, and South Halls: Meet in the Work Gym lobby.
- Centennial and Work Halls: Meet in the Life Sciences Building lobby

Students may only return to the building when a university official gives the notice that it is safe to do so.

*During inclement weather, it is recommended that students wait inside another building (such as the gym or the Student Center) until a University official has indicated students can return to the building.

Prohibited Items

For the safety of each student and the community, the following items are not permitted in the residence halls:

- Any cooking or heating appliance with a hot plate or exposed coil
- Microwave ovens, refrigerators, or air conditioners not supplied by the University
- Grills and associated items, including charcoal, lighter fluid, propane gas or other flammable substances
- Weapons, firearms, ammunition, or any other dangerous projectiles (including BB & pellet guns)
- Water beds
- Power strips and extension cords other than "Fire Shield" and "Woods" brand products
- Any flammable or incendiary material including candles, incense, fireworks, or explosives
- Halogen or heating lamps
- Cut plants, such as natural Christmas trees and wreaths, live potted trees, and hay bales
- Battery-operated personal transport devices and/or their batteries, such as "hoverboards" or powered scooters (effective January 15, 2016)

Room Modification

Each student is encouraged to arrange and decorate his/her room to create the most comfortable environment. Students are encouraged to keep in mind when decorating to avoid using materials that may cause damage to the room. For safety reasons, students are asked to remember the following:

- Artificial plants (such as holiday trees) may be no more than 4 feet in height and labeled by the manufacturer as being constructed out of fire-resistant materials.
- Window screens may not be removed from windows for any reason. Additionally, students may not use windows as entry points to their rooms or residence halls.
- University furniture is not to be removed from lounges, computer rooms, or student rooms for any reason.
- Dismantling of University furniture is not allowed.
- Each bedroom is an individual assignment and must retain the occupants and originally assigned sets of furniture. In suite style housing, students may not reorganize the suite by turning one of the bedrooms into a "living room" or by turning the common room into a bedroom.
- With the exception of University provided furniture, lofts and bed risers higher than 6 inches are not permitted in the residence halls. Bed risers may not be makeshift or homemade (i.e., cinder blocks lumber etc.).

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Students are welcome to add additional seating in their residence hall rooms. For fire safety reasons, there are guidelines around the number and size of furniture pieces permitted. Students may have furniture pieces with a maximum combined seating capacity of 3 people. Room furniture is to be arranged in a way that does not block access to and from the room, as well as, does not impede the door from opening and closing.

*Centennial Hall 6-person suites may have furniture pieces with a maximum combined seating capacity of 3 people in the living/common room in addition to the furniture that is provided by the University.

Fire Reporting

If you see a fire on campus, pull the nearest Fire Alarm station; this alerts the Department of Public Safety to the location of the emergency via their monitoring system. Once safely outside and away from the building you may call the Department of Public Safety office at x 4444 or *89 from any campus phone. The number to call from non-campus phones is 215-489-4444; calling 911 will not directly alert The Department of Public Safety.

2018 Fire Statistics- Entire Campus	
Type	# of Fires
Unintentional Fires	
Cooking	0
Smoking Materials	0
Open Flames	0
Electrical	0
Heating Equipment	0
Hazardous Products	0
Machinery/Industrial	0
Natural	0
Other	1
Total Unintentional	1
Intentional Fire	0
Undetermined Fire	0
Number of Fire Related Deaths	0
Number of Fire Related Injuries	0
Value of Fire Related Property Damage	\$14,809

*The unintentional fire involved a motorcycle stored in a detached garage at one of our private residences. Both the motorcycle and garage were destroyed in the fire.

2018 Fire Statistics – Residence Halls

Type	Barness Hall	Berkowitz Hall	Centennial Hall	Cooke Hall	Goldman Hall	Samuel Hall	South Hall	Ulman Hall	Work Hall
Cooking	0	0	0	0	0	0	0	0	0
Smoking Materials	0	0	0	0	0	0	0	0	0
Open Flames	0	0	0	0	0	0	0	0	0
Electrical	0	0	0	0	0	0	0	0	0
Heating Equipment	0	0	0	0	0	0	0	0	0
Hazardous Products	0	0	0	0	0	0	0	0	0
Machinery/Industrial	0	0	0	0	0	0	0	0	0
Natural	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0
Total Unintentional	0	0	0	0	0	0	0	0	0
Intentional Fire	0	0	0	0	0	0	0	0	0
Undetermined Fire	0	0	0	0	0	0	0	0	0
Number of Fire Related Deaths	0	0	0	0	0	0	0	0	0
Number of Fire Related Injuries	0	0	0	0	0	0	0	0	0
Value of Fire Related Property Damage	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0