



2023 ANNUAL SECURITY AND FIRE SAFETY REPORT

October 2023

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Annual Security Report

YOUR SECURITY AT CABRINI UNIVERSITY

Your safety and security are extremely important to us at Cabrini University. The following information is provided to share our commitment to the security of our University family, to inform you about our campus security policies and procedures, and to instruct you on how to report crime or suspicious behavior and the steps you can take to assist the Department of Public Safety in keeping the University community safe.

The total undergraduate full-time equivalent (FTE) enrollment at Cabrini University for the fall of 2022 was 1,135, which included 1,103 full-time and 32 part-time undergraduate on-campus students. The total graduate full-time equivalent (FTE) enrollment for the fall of 2022 was 211, which included 75 full-time and 125 part-time graduate students and 11 non-degree seeking students in on-campus and off-campus programs. The total number of part-time on-campus students considered as “Other” was 34. These students were diocesan scholars, dual partnership students.

As of September 2022, 654 undergraduate students lived on campus, and 500 non-student personnel were employed by the University.

Campus security continues to be improved by updating and enhancing the lighting throughout campus. Existing exterior lighting was upgraded by fitting outdoor fixtures with LED lamps to lower operating costs and increase lamp life. In addition, the University continues to update and vigorously enforce the Cabrini University Community Standards for Student Conduct (hereafter: Community Standards). It is the responsibility of every Cabrini student to familiarize themselves with the Community Standards, which can be accessed at <https://www.cabrini.edu/about/departments/mission-dei-student-engagement/handbook-and-code-of-conduct>. The Community Standards informs students of the University’s expectations of a Cabrini Student, each student’s responsibilities as a member of the Cabrini community, and informs students of disciplinary procedures and sanctions.

WHY AN ANNUAL SECURITY & FIRE SAFETY REPORT

Federal Requirements – The Clery Act

Enacted in 1990, The Student Right to Know and Campus Security Act (pub. L. 101-542) was designed to “...assist students in making decisions which affect their personal safety...” and “...to make sure institutions of higher education provide students, prospective students, and faculty the information they need to avoid becoming the victim of campus crime.” The Higher Education Act of 1998 and the subsequent amendment of the implementing regulations (34 C.F.R. 668.46) significantly expanded the institutions’ obligations under the Act. The Act was also renamed the “Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act” (hereafter the Clery Act). The Clery Act requires colleges and universities to:

- Publish an annual report every year on or before October 1st that contains three years of campus crime statistics and certain campus security policy statements.

- Disclose crime statistics for the campus, public areas immediately adjacent to or running through the campus, and certain non-campus facilities. The statistics must be gathered from campus police or security, local law enforcement, and other University officials who have “significant responsibility for students and campus activities,”
- Provide “timely warning” notices of those crimes that have occurred and pose an ongoing “threat to students and employees.”
- Disclose in a public crime log “any crime that occurred on campus...or within the patrol jurisdiction of the campus police or the campus security department and is reported to the campus police or security department.”

State Requirements – The College & University Security Information Act

The College & University Security Information Act 73 (24 P.S. 2501.12), as implemented in 1991 under Chapter 33 of the Regulations of the State Board of Education, and supplemented by the Pennsylvania Uniform Crime Reporting Act (S.B. 668, 2003, Act 180), requires colleges and universities to:

- Report to the Pennsylvania State Police on an annual basis crime statistics for publication in the FBI’s Uniform Crime Report, which collects data on additional categories of felony and misdemeanor crimes.
- Report crime rates for all reportable offenses.
- Provide the numbers of enrolled students and employees.
- Disclose information and security policies on the types of available student housing, admission of visitors to housing facilities, measures to secure entrances and standard features to secure room doors.

The purpose of this report is to keep enrolled students and current employees, as well as prospective students or employees, informed about security and fire safety at Cabrini University, and to equip you with the information you need to stay safe while at Cabrini. It also describes the public safety policies and procedures of the University in the hope that an informed campus will be a more secure campus. Links to individual public safety policies and procedures are also available at the Cabrini website under “Public Safety” at www.cabrini.edu/PublicSafety.

PREPARING THE REPORT

The Cabrini University Department of Public Safety is responsible for preparing and distributing this report, which includes crime statistics for the past three calendar years. The Department of Public Safety works with many other University departments including the Department of Residential Life, the Facilities Department, and the Title IX Coordinator to compile the information. The report is available on the Web at <https://www.cabrini.edu/about/departments/public-safety/reporting-crime>. Each member of the University community receives an email on/before October 1st of each year that describes the report and provides its web address. For a printed copy of the report, contact the Department of Public Safety at 610.902.8111 or email the Director of Public Safety at safety@cabrini.edu.

The Radnor Township Police Department and the Tredyffrin Township Police Department, as well as other persons identified by the University as “Campus Security Authorities” (CSAs), all cooperate in the preparation of the report. CSAs include members of the Department of Public Safety, individuals who have responsibility for campus security, but are not part of the Department of Public Safety, and certain

designated University officials who have the authority and the duty to take action or respond to particular issues on behalf of the institution. Other CSAs include:

- Director of Residence Life and Department of Residence Life, Graduate Assistants and Resident Assistants
- Dean of Students
- Title IX Coordinator & Deputy Title IX Coordinators
- Director of Human Resources
- Directors of Undergraduate and Graduate Admissions
- Admissions staff directly involved in student recruiting
- Director and Assistant Director of Student Engagement-Leadership
- Chief Diversity Officer
- Director and Assistant Directors of Athletics & Recreation
- Athletic Department Coaches, Trainers and Advisors
- Faculty members with student advising responsibilities

CSAs report allegations of Clery Act crimes made in good faith to either the Department of Public Safety, Radnor Police, or Tredyffrin Police. RAs in particular play a key role in reporting criminal activity in the residence halls and houses, and are required to keep a log of incidents occurring during their shifts. In most instances, Residence Life staff will also be involved in answering a call for assistance.

The Clery Act requires, among other things, an annual statistical report of certain crimes reported to the Department of Public Safety, the police departments in Radnor and Tredyffrin Townships, or to a Campus Security Authority. Those crimes include Clery Act Crimes, VAWA Offenses and Hate Crimes and include the following:

- Criminal homicide (murder, non-negligent manslaughter, negligent manslaughter)
- Sexual Assault (including rape, fondling, incest, statutory rape)
- Robbery
- Aggravated Assault
- Burglary
- Motor Vehicle Theft
- Arson
- Stalking
- Dating Violence
- Domestic Violence

The Clery Act also requires colleges and universities to compile statistics on liquor law and drug law arrests as well as arrests for possession of illegal weapons. The report includes statistics on the number of students referred for campus disciplinary action for liquor and drug law violations and weapons possession violations.

The report also includes additional safety requirements such as enhanced hate crime reporting, emergency notification protocols, response and evacuation procedures, missing student notification policy, maintenance of a fire log and related fire safety issues, all of which are described in more detail herein. The statistics are broken down by location – those reported to have occurred on campus, in residence halls, and on non-campus and public property.

THE DEPARTMENT OF PUBLIC SAFETY – WHO WE ARE

The Department of Public Safety is the primary department at Cabrini University charged with creating a safe and secure environment. Our mission is to protect and serve all members of the University community, to respond to calls for service in an expeditious manner, to provide educational resources and crime prevention awareness programs, and to support a culturally diverse atmosphere for all employees, students, and visitors by treating all persons equitably and respectfully.

This mission is accomplished by seeking the support of and building partnerships with the entire community, and supporting the mission and core values of Cabrini University. Our efforts to maintain a safe and secure environment rely on our ability to develop collaborative relationships with the many communities that make up the University. We believe that through partnering and problem solving, we can make Cabrini University one of the safest institutions of higher education in the region. This task, however, is not one we can accomplish alone. Crime prevention, risk identification, and problem solving are the responsibilities of everyone. We ask you to join us in these efforts by reading this report and referring to it often.

We hope you will find this report informative and helpful, and that your stay at Cabrini University will be both pleasant and safe. If you have questions or would like further information about safety and security at Cabrini, please visit our website at www.cabrini.edu/PublicSafety.

Public Safety employees, with the exception of the Investigator/Education Officer, are contracted through a third party – Allied Universal Security Services. The Department consists of a Director, two assistant directors, an Investigator, 2 Corporals, 15 Public Safety Officers, 7 dispatchers, and 5 shuttle drivers dedicated to providing safety and security services to the University community. Officers patrol the campus on foot and in vehicles. The Communications Center is staffed by trained dispatchers who answer calls for service, dispatch officers to incidents, and monitor intrusion detection and fire alarms.

The Department of Public Safety patrols the campus 24 hours each day, 7 days a week year-round, and is responsible for the security of the Radnor campus and certain off-campus buildings. However, Cabrini University does not have any off-campus student organizations that are recognized by the University. Public Safety Officers' duties include educating the campus community on security concerns and enforcing University policies. Additionally, the Public Safety team promotes the Cabrinian core values and the Strategic Initiatives of the University (see Strategic Agenda at www.cabrini.edu). Cabrini University and the Department of Public Safety are a vital part of the international educational ministry of the Missionary Sisters of the Sacred Heart of Jesus.

Officers receive orientation training in areas such as building security, key control and patrol procedures. All personnel are required to attend mandatory in-service training throughout the year to enable them to perform more efficiently and safely. They also train in specialty areas including medical emergencies, proper handling of hazardous materials, Blood Borne Pathogens, Spill Prevention, Slip and Fall Prevention and assisting outside law enforcement and emergency medical responders in all of these areas. Responding to Active Shooter incidents is a priority to the Department and trainings are held throughout the year with Public Safety personnel along with students, faculty, and staff members of the Cabrini community.

The Department of Public Safety provides an ongoing program of in-service and on-the-job training for Public Safety Officers in CPR, first aid, use of automated external defibrillators (AEDs), patrol procedures, emergency response, fire safety, and report writing.

Enforcement Authority

The Department of Public Safety is comprised of non-sworn Public Safety Officers who derive their enforcement authority from the Board of Trustees. Since the use or possession of firearms or other dangerous weapons is not permitted on campus, Public Safety Officers do not carry weapons and do not have arrest powers, but work with local police to carry out an arrest. Their authority includes, but is not limited to, requesting identification, stopping and temporarily detaining a person to determine if s/he is on campus to conduct lawful business, issuing campus parking tickets and moving violations, attaching immobilizing boots to scofflaw vehicles, and enforcing the Community Standards.

In its efforts to provide a safe campus, the Department of Public Safety and the University educate the student body about the Cabrini Community Standards and enforces these provisions. These Standards are broader in scope than the Clery Act or state law. The Community Standards clearly set forth the parameters of behavior for each member of the Cabrini Community to achieve an “education of the heart”.

Upon receipt of any complaint (criminal or otherwise), a Public Safety Officer will respond to the site to take a report and, if applicable, enter it into the Daily Crime Log and include the crime in the Annual Security Report. A follow-up investigation will be conducted in appropriate situations. Anyone who is the victim of a crime is also encouraged to report the crime to Radnor Police. Public Safety Officers cannot report a crime for the victim but will assist and instruct the victim on how to file a report. Radnor Police will only take a crime report from a victim.

The Department of Public Safety works with the Facilities Department to monitor the safety and security of University buildings and grounds. As a result of this collaboration, the University has installed high intensity discharge lighting, LED lighting in high traffic areas and has trimmed shrubbery that could provide cover or concealment for criminals or suspicious behavior. The Department of Public Safety also works closely with the Department of Residence Life to maintain a safe environment in and around residence halls.

Emergency Telephones/Blue Light Phones

Emergency telephones are located at each residence hall, in all campus elevators, and throughout the campus. The University has installed 40 two-way emergency phones throughout the Radnor campus for use during emergencies – 14 yellow call boxes and 26 pedestal mounted “Blue Light” phones. Without dialing, the caller is immediately connected to a Public Safety dispatcher in the communications center. The location of the call is automatically recorded and response is immediate.

Escorts

Students and employees may call the Department of Public Safety 24 hours a day, 7 days a week and request a walking escort from one campus building to another or to and from the campus parking areas.

Other Services

In an effort to enhance the safety and security of Cabrini University, the Department of Public Safety offers a variety of services and prevention programs. Throughout the academic year, the Department regularly sponsors educational programs on campus upon request on issues such as fire safety, sexual

misconduct and bystander intervention training, active shooter/hostile intruder situations, and alcohol and drug abuse. Emergency notifications and transports, on-campus motor vehicle assists to stranded motorists, and room lock-outs are also provided. The Public Safety Office issues all student, faculty and staff photo ID cards, and maintains the University's lost and found repository.

Transportation System

Cabrini University's shuttle service is operated by the Department of Public Safety. The shuttle is available for transportation between the main campus, the King of Prussia Mall area, and the two SEPTA train stations located in Radnor/Wayne during the week and on weekends during the fall, spring, and summer semesters when classes are in session. Additionally, the Department runs the Lancaster Avenue Loop Shuttle from 7:15-11pm during the school year. Shuttle services are not available during the Christmas holiday or spring breaks, and may be suspended during periods of severe winter weather.

INTERAGENCY COOPERATION

The Radnor Township Police Department, the Tredyffrin Township Police Department, and the Pennsylvania State Police are the major elements in a crime-prevention network that includes the public safety agencies of several colleges and universities located in Radnor Township. The Cabrini University Department of Public Safety works closely with these and other local law enforcement agencies surrounding our campus. Students attending Cabrini University benefit from the cooperative relationship that the Department of Public Safety enjoys with federal, state, county, and local police agencies. We rely on these relationships for support on several levels.

In addition to sharing critical information with other law enforcement and public safety colleagues, the Department of Public Safety has immediate contact with the Delaware County 9-1-1 Center. This arrangement allows timely access to mutual aid and support from Radnor Police, the Radnor Fire Department, and the Radnor Emergency Medical Service. Radnor and Tredyffrin police officers regularly patrol the township streets that border the campus, occasionally patrol the campus, and work at large annual events on campus as well as special events that occur on an intermittent or last-minute basis.

An Emergency Service Agreement exists with the Radnor Police Department to respond to all campus emergencies and alleged criminal incidents when contacted. Significant criminal incidents and suspicious criminal activity are reported to the Radnor Police Department as they are discovered by, or reported to, the Department of Public Safety or other CSAs. Similarly, criminal events occurring off campus, but in an area that could impact the safety of the University community, are transmitted by the Radnor Police Department to the Cabrini Department of Public Safety.

Additionally, the Department of Public Safety is an active member of the Campus Security Directors' Association of Delaware Valley. The Association serves as a forum for sharing information among campus security personnel from colleges and universities in the Philadelphia region. Representatives meet quarterly during the academic year to share information about campus criminal activity and criminal suspects preying on students from member institutions.

REPORTING CRIMES

It is critically important that all crimes occurring on campus or in/on University owned or leased off-campus buildings and property be immediately reported to the Department of Public Safety to ensure that appropriate action is taken. For each incident reported, an investigation is conducted and a file is created. Crimes can be reported at any time of day or night seven days a week as follows:

- **In person** (walk-ins) – at the Public Safety Office located in Maguire House.
- **By calling** – the Department of Public Safety at **-8111(on campus) or 610.902.8111** or by using one of the emergency phones on campus. Public Safety dispatchers will answer this line promptly.

We encourage all students, employees, contract workers, faculty members, and guests to promptly report criminal incidents, motor vehicle accidents, and other emergencies to the Department of Public Safety. To the extent possible, confidentiality and anonymity are respected when requested. Upon request, a representative of the Department of Public Safety will accompany a complainant to the local police department and assist a complainant in making a criminal report.

Reports of stolen motor vehicles are immediately referred to the Radnor Police Department. The Department of Public Safety will take an internal report of the incident, but Radnor Police will be responsible for investigating the theft and entering the specifics about a stolen vehicle into the FBI's National Criminal Information Center (NCIC) computer system.

Routinely through the distribution and posting of brochures, pamphlets, memoranda, and in-house publications, members of the campus community are educated regarding the reporting of all criminal or suspicious activities that occur on campus to the Department of Public Safety. Additionally, the campus community is informed of security matters of concern both on and off campus. They are also advised to report all criminal acts occurring off campus to the Radnor Police Department.

CONFIDENTIAL REPORTING PROCEDURES

If you are a victim of a crime but do not want to pursue action either within the University or through the criminal justice system, you may still wish to consider making a confidential report to the University. You may report an incident without revealing your identity. A confidential report helps the University to comply with your wish to keep the matter confidential while assisting the University in its efforts to make the campus a safe place. Such reports also assist the Department of Public Safety in maintaining accurate records of the number of incidents involving students, recognizing if there is a discernible pattern of crime and alerting the campus community to any potential danger.

Reports filed in this manner are included in the crime statistics for the University if they are "Clery Act crimes" and are listed in the Daily Crime Log in a confidential manner.

University counselors, when acting as a counselor, and members of Campus Ministry, when acting as pastoral counselors, are not CSAs and are not required to report crimes for inclusion in the Annual Security Report's disclosure of crime statistics. Counselors are, however, encouraged to inform a person being counseled of the procedures to report crimes on a voluntary and/or confidential basis.

An online confidential reporting site was created in 2018 to allow individuals to make reports to University officials. This tool allows the reporting party to choose to provide their contact information or to remain anonymous. All reports received are investigated immediately. This site can be found at:

<https://www.cabrini.edu/about/departments/human-resources/anonymous-reporting>

DAILY CRIME LOG

In compliance with the Clery Act, the Department of Public Safety maintains a daily log of all crimes reported to the Department, whether occurring on campus, in/on a non-campus building or property, or on public property within the patrol jurisdiction of the Department. All crimes reported to the Department of Public Safety are documented in the Daily Crime Log. The entry, or an addition to the entry, is made within two (2) business days of the date when the initial report was made. The Daily Crime Log records information on each alleged criminal incident, to include the nature of the crime, its general location, the date reported, the date and time it occurred, and the disposition of the complaint (if known). The crime log for the last 60-day period is located in the Public Safety Office and is open to public inspection during normal business hours. Portions of the crime log older than 60 days are made available within two (2) business days of a request for inspection. Crime logs are retained electronically for seven (7) years.

BUILDING SECURITY

Residence Halls and Houses

Cabrini University offers a variety of housing configurations including singles, doubles, triples, quads, and apartments. Cabrini also offers coeducational residence halls and houses.

The Department of Public Safety, the Department of Residence Life and the student residents themselves share responsibility for the security and safety of the residence halls and houses. The Director, Assistant Director (AD) and three Graduate Assistants (GAs) manage all aspects of their assigned campus areas and serve in counseling, supervising, advising, disciplinary and programming roles. Full-time Residence Life staff members reside on campus in apartments within one of our residence facilities and oversee 30 Resident Assistants (RAs). Residence Life staff (AD, GAs, and RAs) monitor residence hall/house safety conditions and are trained in safety and security issues and fire safety during summer workshops.

The entrance doors to all residence halls and houses are locked 24/7. Entrances to the larger residence halls – Xavier, Woodcrest, East – are regularly staffed by Residence Life desk assistants from 8pm–2am. Students' room doors are equipped with heavy-duty dead bolt locks and peepholes. The side and back doors of all residence halls and houses are alarmed to prevent propping. Emergency exit doors are alarmed locally and the Public Safety Communications Center receives an alarm if a door is opened so that Officers can be dispatched to investigate the cause of the alarm. Visitors to the first-year residence halls must sign in on a visitor's register. The Department of Public Safety patrols all residence halls on a regular basis, and RAs conduct building tours in the residence halls until 2am each night.

Academic Buildings

All classroom doors are lockable from inside the classroom. If equipped with card access, classroom doors can be locked remotely from the Public Safety Communications Center. All academic buildings are locked after evening classes and unlocked in the morning when classes are scheduled to begin. The Department of Public Safety patrols all academic buildings on a regular basis.

Card Access

Campus residential buildings are locked 24 hours a day, 7 days a week. The main entrances of each residence hall and house may only be accessed through the University's electronic identification swipe-card system. It is a violation of University policy for a student to permit someone else to use his or her identification card.

CCTV Monitoring

All residence halls and houses are equipped with high-resolution digital video cameras that are integrated with each building's card access system. If an exterior door is propped open or an emergency door is opened, a dispatcher in the Public Safety Communications Center can view the nearest camera, evaluate the condition, and dispatch officers as required. Academic buildings are also equipped with video cameras that are remotely monitored in the Public Safety Communications Center. Additional cameras were added in 2018 to ensure additional coverage of all residential floors (dorms only), floors of all staff offices in Grace Hall and all areas of the Dixon Center.

CAMPUS ACCESS

Since Cabrini University is an open campus, access is not limited during the day. However, from 12–5am daily, limited security-controlled campus access and egress are afforded only through the Upper Gulph Road Welcome Center entrance. Only vehicles displaying a current Cabrini University parking permit may enter campus without showing identification. However, if there are passengers in the vehicle, the driver must stop and all occupants are required to show a photo identification in order to gain entrance to the campus. Vehicles not displaying a current Cabrini University parking permit must stop at the Welcome Center and all vehicle occupants must provide a photo ID and campus destination information. Inasmuch as the Cabrini campus is considered private property, trespassers are escorted off campus by Public Safety Officers and/or arrested by Radnor Police.

SEXUAL and GENDER BASED HARASSMENT AND MISCONDUCT POLICY

1. INTRODUCTION

Cabrini University seeks to foster and maintain a community of mutual respect and concern for all of its members. The University also expects all members of the Cabrini community to conduct themselves in a manner consistent with the Cabrini Mission Statement and its Core Values as described in the Community Standards for Student Conduct, the Faculty Handbook, and the Staff Handbook. There can be no greater violation of the terms of that community, or of the essential dignity of any member of it, than an act of sexual violence or sexual harassment. Sexual misconduct, including sexual harassment and sexual violence, is prohibited and will not be tolerated in any form. These acts constitute the deepest affront to Cabrini standards, and the University is committed to addressing and preventing sexual misconduct within its community through the application of the University's Sexual and Gender-Based Harassment and Misconduct Policy (hereafter: Policy).

Under Title IX of the Education Amendments of 1972 (Title IX), sexual violence is a form of sexual discrimination and is prohibited. Any person found responsible for such violations will face disciplinary

actions up to and including dismissal or expulsion from the University. Acts of sexual violence may also be prosecuted under the Pennsylvania Criminal Code.

Should an incident of sexual misconduct, including sexual harassment or sexual violence occur, the University has both reporting procedures and support resources in place so that an individual does not need to face the effects of such an incident alone. The first concern is for the safety, health, and well-being of those affected. Confidential and non-confidential (yet private) options for support and reporting are available both on and off campus, and are described in more detail in Section 5.

Due to the nature of incidents involving gender-based violence, sexual misconduct and sexual harassment, Cabrini University has developed a process to specifically address these concerns. As a result, the investigation and adjudication process for incidents of gender-based violence, sexual misconduct and sexual harassment will differ from the student conduct process that is highlighted in the Cabrini University Community Standards for Student Conduct.

2. THE LAW

Title IX of the Education Amendments of 1972 is a federal law that prohibits sex discrimination in education. The law forbids sex discrimination in all university student services and academic programs including, but not limited to, admissions, financial aid, academic advising, residential life, athletics, discipline, recreational services, health, wellness and support services, academic assignments and grading. Title IX also forbids sex discrimination in university employment and recruitment consideration or selection.

Title IX violations include discrimination on the basis of sex or gender as well as include sexual harassment, sexual violence, sexual exploitation, sexual misconduct, dating violence, domestic violence, and stalking. Title IX applies to all of the University's education programs and activities, whether such programs or activities occur on or off campus. Cabrini reserves the right to address sexual harassment affecting its students or employees that fall outside Title IX's jurisdiction in any manner the University chooses, including providing supportive measures or pursuing discipline.

It is the policy of Cabrini University, in accordance with federal and state law, to prohibit unlawful discrimination. Sex discrimination includes a variety of behaviors that can limit or negatively impact an individual's educational opportunity. These behaviors include: sexual harassment, sexual violence, sexual misconduct, stalking, relationship violence (dating, domestic and intimate partner violence), gender identity, gender presentation and sexual orientation discrimination.

The Office for Civil Rights (OCR) in the U.S. Department of Education is responsible for enforcing Title IX. OCR engages in compliance enforcement to ensure that institutions that receive certain federal funds comply with Title IX.

3. SCOPE & JURISDICTION

All members of this community – students (current and applicants), faculty, staff, applicants for employment, persons doing business with or acting on behalf of the University, and visitors to campus – are protected under this Policy, regardless of sexual orientation or gender identity. All community

members also share in the responsibility for creating and maintaining an environment that promotes the safety and dignity of each person. Towards that end, this Policy provides the framework for addressing all forms of discrimination within our community, preventing its occurrence and recurrence, and addressing its effects.

This Policy applies to all on-campus conduct, as well as any off-campus conduct that has an adverse impact on any member of the University community or the University. The policy applies to all of the University's educational programs and activities occurring both on and off campus and only those which occurred in the United States.

Duty to Report

The University strongly encourages reporting of any incident to the Title IX Coordinator or persons designated in Appendix C and/or to local law enforcement.

All University employees, except those who must maintain confidentiality by law (see Appendix A), are expected, and in some cases required, to report sexual assault, sexual harassment, and other sexual misconduct to the University authorities designated in this Policy.

When an incident is reported, the University will respond promptly and in a manner that is not deliberately indifferent to all allegations of sexual discrimination, sexual misconduct, sexual violence, or sexual harassment. Anyone making a report, filing a complaint, or participating in the investigation or resolution of an allegation of sexual discrimination, sexual misconduct or sexual harassment, is protected by law and by this Policy from retaliation (see Section 5.A.). The University will take prompt responsive action to any retaliation.

4. TITLE IX COORDINATOR

The University has appointed Regina Campbell, Executive Director of Human Resources, as its Title IX Coordinator. The Title IX Coordinator oversees the University's centralized review, investigation, and resolution process for reports of sexual assault, sexual harassment, and other sexual misconduct, and coordinates the University's compliance with Title IX. See Appendix C for the complete Title IX Notice.

Educational Programs and Prevention

The prevention of sexual harassment and the establishment of educational programs is a priority at Cabrini University. The University educates its community about sexual misconduct through diverse educational opportunities for faculty, professional staff and students. These include, but are not limited to, mandatory online employee training, educational programs for freshman and transfer-student orientation each fall, and in-person programs for residential living, and all athletic teams, coaches and other personnel. The Title IX Coordinator in conjunction with the Public Safety Education Officer offer sexual assault education and information programs to University students and employees upon request. Literature on non-stranger rape education, violence prevention, bystander prevention programming, risk reduction and University response is available through the following offices/departments:

- Public Safety
- Title IX Coordinator
- Human Resources

- Diversity Initiatives
- Counseling and Psychological Services
- Health Services
- Campus Ministry

5. DEFINITIONS & PROHIBITED CONDUCT

Complainant

When used in this Policy, Complainant is an individual who is alleged to be the victim of conduct that could constitute sexual harassment, sexual assault, sexual discrimination, or other sexual misconduct. The Complainant must be participating or attempting to participate in educational programs and/or activities at the time of the alleged incident(s).

While parents/guardians are not considered Complainants, they have the right to act on behalf of the Complainant and may file formal complaints.

In some cases, Cabrini University may serve as the Complainant (e.g., in cases where a person involved in an incident of alleged sexual violence does not wish to participate in the process, but the University decides that the alleged misconduct needs to be addressed through the process).

Respondent

A Respondent is an individual who has been reported to be the alleged perpetrator of conduct that could constitute sexual harassment in violation of Cabrini University's policy regarding sexual misconduct, sexual violence, sexual discrimination, sexual harassment or disparate treatment on the basis of sex. The Respondent must be participating or attempting to participate in educational programs and/or activities at the time of the alleged incident(s).

Definitions hereafter are alphabetically listed

Coercion

Coercion is defined as compelling someone to act based on pressure, harassment, threats or intimidation. When someone makes clear that they do not want to engage in sexual contact, want it to stop, or do not wish to go past a certain point of sexual interaction, continued pressure beyond that point is coercive.

Consent

Consent means words or actions, freely, unambiguously and actively given by each party throughout a sexual encounter, which demonstrate each party's willingness and agreement to continue to participate in agreed-upon sexual conduct.

Consent *cannot* be given when:

- a person's judgment is substantially impaired by alcohol or drugs or otherwise incapacitated;
- intimidation, coercion or threats are involved;
- physical force is used;

- a physical or mental condition is present such that the person cannot knowingly or voluntarily give consent; or
- a person has not achieved the age required for consent, as defined by state law.

An objective standard will be used in determining whether a person's judgment is "substantially impaired" by alcohol or drugs, or a physical or mental condition as described above is present. That is, consent is *not valid* when:

- From the standpoint of a reasonable person, the Respondent knew, or reasonably should have known, that the person's judgment was substantially impaired as a result of alcohol or drugs or was otherwise incapacitated, or that the person's physical or mental condition would prevent knowing and voluntary consent; or
- The person's judgment was, in fact, substantially impaired as a result of alcohol, drugs, or the person was incapable of providing knowing or voluntary consent due to a physical or mental condition.

Silence, non-communication, or a lack of resistance does not imply consent. Previous relationships or consent do not imply consent to future sexual conduct. Consent to one form of sexual activity does not imply consent to other forms of sexual activity. Consent can be rescinded at any time.

The use of alcohol or drugs does not minimize or excuse a person's responsibility for committing sexual misconduct, or for determining whether another is capable of giving consent, as described above.

Dating Violence

Dating Violence means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on a consideration of the following factors:

- a. The length of the relationship.
- b. The type of relationship.
- c. The frequency of interaction between the persons involved in the relationship.

Domestic Violence

Domestic violence can be defined as a single occurrence or a pattern of abusive behavior that is used by an intimate partner to gain or maintain power and control over the other 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.

Formal Complaint

A document filed by a Complainant or signed by the Title IX Coordinator alleging sexual harassment against a Respondent and requesting that the University investigate the allegation of sexual harassment.

Gender-Based Misconduct

Gender-Based Misconduct includes discrimination or verbal, non-verbal or physical harassment, violence, or intimidation which is based on the person's gender but which is or is not sexual in nature.

Grievance Process

The Grievance Process involves the following: the filing of a formal complaint by the Complainant to the Title Coordinator or Deputy Title IX Coordinator; the Investigation conducted by the Public Safety Investigator; completion of the Investigative Report; and the Hearing and the Appeals Process.

Inappropriate Sexual Conduct

Inappropriate sexual conduct includes unwelcomed sexual conduct that does not meet the definition of sexual assault but is sexually violating in nature. It includes but is not limited to the following:

- Nonconsensual physical contact of a sexual nature. This includes intentional contact with the breasts, buttocks, groin, mouth, genitals, or any other body parts;
- Sexually exploitative behavior. Examples include but are not limited to:
 - Capturing through any means images of sexual activity, sexually explicit images, or another's nudity without consent, and/or sharing this material with others without all participants' consent;
 - Viewing or allowing or aiding others to view sexual activity or another's nudity without all participants' consent;
 - Indecent exposure.

Exception: This section is not intended to prohibit the use of sexually explicit materials that are reasonably related to the academic mission of the University. Specifically, this section is not intended to proscribe or inhibit the use of sexually explicit materials, in or out of the classroom, when in the judgment of a reasonable person they arise appropriately to promote genuine discourse, free inquiry, and learning.

Investigation

The investigation will be conducted by investigators who are neutral fact-finders. During the course of the investigation, the investigator will typically conduct interviews with the Complainant, the Respondent and third-party witnesses; gather any evidence from the Complainant, the Respondent and/or any witnesses; visit and take photographs at each relevant site as appropriate; and, where applicable, coordinate with law enforcement agencies to collect and preserve relevant evidence.

Investigative Report

The Investigative Report consists of written summaries of the alleged violation; statements taken from the Complainant, Respondent and any witnesses; and any evidence received or discovered throughout the investigation.

Investigator

The Investigator is employed by the University and receives annual training on the definition of sexual harassment, the scope of the University's educational program, how to conduct an investigation and

Grievance Process, including hearings, appeals, and informal resolution processes. Training also includes issues of relevance, including how to apply the rape shield protections provided only for Complainants. The investigator must know how to serve impartially, including by avoiding pre-judgement of the facts at issue, conflicts of issue, and bias. The University also reserves the right to hire outside independent Investigators. Information regarding training of Title IX personnel is posted on the University's website.

Retaliation

Retaliating directly or indirectly against a person who has in good faith filed, supported, or participated in an investigation of a complaint of sexual misconduct as defined above is prohibited.

Retaliation includes but is not limited to ostracizing the person, pressuring the person to drop or not support the complaint, providing false or misleading information, or engaging in conduct that may reasonably be perceived to affect adversely that person's educational, living, or work environment.

Except as required by law, or as necessary to carry out the Grievance Process, the University will keep confidential the identities of the complainant, respondent and any witnesses.

The University will take immediate responsive action in instances of retaliation. Individuals who, in bad faith, provide false or misleading information may be charged with code of conduct violations.

Sexual Assault

Sexual assault occurs when a person engages in a sexual act or contact with another person without that person's consent, or compels that person to participate in a sexual act or contact without consent; and/or by threat or coercion; by placing the other person in fear that any person will suffer imminent bodily injury; by substantially impairing the ability of another person to appraise or control conduct by administering or employing drugs or intoxicants without the knowledge or against the will of the other person; or when a person is under the age of 16.

Sexual assault can be committed by any person against any other person, regardless of gender identity, sexual orientation, or past or current relationship status. Sexual assault may occur with or without physical resistance or violence and may occur if the Complainant and/or Respondent are under the influence of alcohol or other drugs.

Sexual Discrimination

Sexual discrimination is defined as disparate treatment of an individual on the basis of sex.

Sexual Exploitation

Sexual Exploitation means to take advantage of another person without consent, including but not limited to:

- Causing or attempting to cause the incapacitation of another person in order to gain a sexual advantage over such other person;
- Causing the prostitution of another person;
- Recording, photographing or transmitting identifiable images of private sexual activity and/or the intimate parts (including genitalia, groin, breasts or buttocks) of another person;

- Allowing third parties to observe private sexual acts;
- Engaging in voyeurism;
- Knowingly or recklessly exposing another person to a significant risk of sexually transmitted infection, including HIV.

Sexual Harassment

Sexual Harassment is defined as conduct on the basis of sex that satisfies one or more of the following:

Sexual Harassment means conduct on the basis of sex that satisfies one or more of the following:

- an employee conditioning the provision of an aid, benefit or service on an individual's participation in unwelcome sexual conduct (i.e., quid pro quo)
- unwelcome conduct determined by a reasonable person to be so severe, pervasive and objectively offensive that it effectively denies a person equal access to an education program or activity (i.e., hostile environment)
- sexual assault (as defined by Clery Act), or "dating violence," "domestic violence" and "stalking" (as defined by Violence Against Women Act)

Sexual Misconduct

Sexual misconduct includes many behaviors including rape, non-consensual sexual contact, sexual assault, sexual violence, sexual harassment, sexual exploitation, indecent exposure and any other discriminatory or harassing conduct, whether physical or verbal, based on sex or gender that is nonconsensual, or has the purpose or effect of threatening, intimidating, or coercing a person.

Stalking

Stalking is 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 fear his or her safety or the safety of others or suffer substantial emotional distress. This includes cyber stalking, a particular form of stalking in which electronic media is used to pursue, harass, or make unwelcome contact with another person.

Supportive Measures

Supportive measures are individualized services reasonably available that are non-punitive, non-disciplinary, and not reasonably burdensome to the other party while designed to ensure equal educational access, protect safety, and/or deter sexual harassment.

Privacy and Confidentiality: Understanding the Differences

The University is committed to protecting the privacy of all individuals involved in the investigation and resolution of reports under this Policy. The University also is committed to assisting students, employees, and third parties in making informed choices. With respect to any report under this Policy, the University will make reasonable efforts to protect the privacy of participants, in accordance with applicable state and

federal law, while balancing the need to gather information to take steps to eliminate Prohibited Conduct, prevent its recurrence, and remedy its effects. All University employees who are involved in the University's Title IX response receive specific instruction about respecting and safeguarding private information.

Privacy and confidentiality have distinct meanings under this Policy.

Privacy

Privacy generally means that information related to a report of Prohibited Conduct will only be shared with a limited circle of individuals who "need to know" in order to assist in the assessment, investigation, or resolution of the report. While not bound by confidentiality, these individuals will be discreet and respect the privacy of all individuals involved in the process.

The privacy of student education records will be protected in accordance with the Family Educational Rights and Privacy Act ("FERPA"), as outlined in the University's FERPA policy. The privacy of an individual's medical and related records may be protected by the Health Insurance Portability and Accountability Act ("HIPAA").

While there are certain limitations on privacy, the University generally will not release the names of the Complainant or Respondent to the general public without express written consent or absent another exception consistent with the law. The release of names will be guided by applicable law, including the Family Educational Rights and Privacy Act (FERPA) and the Clery Act.

In addition, no information shall be released from a proceeding to enforce this Policy except as required or permitted by law and University policy.

Confidentiality

Confidentiality generally means that information shared by an individual with designated "Campus Confidential Resource" cannot be revealed to any other individual without the express permission of the individual.

The confidentiality of information shared by an individual with designated "Campus Confidential Resource" generally is governed by law, including restrictions on disclosure of information by mental health providers, ordained clergy, rape crisis counselors, and attorneys, all of whom have legally protected confidentiality. These individuals are prohibited from breaking confidentiality unless there is an imminent threat of harm to self or others.

An individual who seeks confidential assistance may do so by speaking with "Campus Confidential Resource" who have a legally protected confidentiality.

The confidential resources available to individuals on campus are listed in Section Confidential Reporting Options, below. Note, however, that these confidential resources are required by state law to notify child protective services and/or local law enforcement of any report which involves suspected abuse of a minor under the age of 18.

6. HOW TO REPORT AN INCIDENT OF SEXUAL AND GENDER-BASED HARASSMENT AND MISCONDUCT

Any person may report sexual discrimination, including sexual harassment, in person, by mail, by telephone, by email, or by any other means that results in the Title IX Coordinator receiving the verbal or written report. The report may be made regardless of whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sexual discrimination or sexual harassment. Supportive measures will be offered to the Complainant whether or not they file a formal complaint. Information for how to file a formal complaint will also be provided.

A complaint may also be filed through EthicsPoint, Cabrini’s online reporting tool. The reporting person may choose to remain anonymous. The dedicated website to make an online report through EthicsPoint is: <https://www.cabrini.edu/about/departments/human-resources/anonymous-reporting>

A student Complainant may report to the Dean of Students, the Title IX Coordinator, or the Department of Public Safety and/or to local law enforcement. A faculty or staff Complainant may report to the Title IX Coordinator identified in the Title IX Notice (and included in Appendix C of this Policy). An individual may pursue a complaint through the criminal process or through the University disciplinary process consecutively or concurrently.

The University encourages individuals who have experienced physical or sexual violence to seek immediate medical treatment and to make a prompt report to law enforcement in response to an incident of sexual violence in order to address immediate safety concerns, allow for the preservation of evidence, and trigger a prompt investigative and remedial response. When the incident is reported to a campus resource (Title IX Coordinator, Dean of Students, Director and Assistant Director of Resident Life, Public Safety Investigator and Education Officer, and Public Safety), the University will help the individual get to a safe place and assist the individual in seeking immediate medical attention or in reporting an allegation to local law enforcement if he/she so chooses. The University will provide transportation to the hospital, assist with notification of local law enforcement, and provide information about the University’s resources and complaint process. The University will also provide appropriate Supportive measures, as needed, to help ensure the safety and well-being of the parties affected.

Faculty, Staff and Administrators should make known to all of their members the available resource offices for information, counseling and support, as well as the informal and formal procedures for resolving complaints of sexual harassment.

Reporting Options and Resources

Cabrini University Department of Public Safety	610.902.8111
Local Law Enforcement: Radnor Township Police	610.688.0503

Medical/Hospital Care:

Penn Adolescent and Young Adult Medicine	610.902.4566 (appointments)
Philadelphia Sexual Assault Response Center	215.425.1625

Bryn Mawr Hospital 484.337.3000

Support/Resources:

Philadelphia Domestic Violence Hotline 866.723.3014

National Domestic Violence Hotline 800.799.7233 (SAFE)

National Sexual Assault Hotline 800.656.4673 (HOPE)

Delaware County Women Against Rape 610.566.4342

Women Against Rape 215.985.3333

Laurel House (Domestic Violence Hotline) 800.642.3150

An individual's physical well-being should be addressed as soon as possible, whether or not that individual wishes to make a report to the University or local law enforcement. A medical provider can provide emergency and/or follow-up medical services, which has two goals: first, to diagnose and treat the full extent of any injury or physical effect and second, to properly collect and preserve evidence. There is a limited window of time (typically 72 to 96 hours) following an incident of sexual violence to preserve physical and other forms of evidence for proof of a criminal offense. In the event of a report immediately following an incident of sexual violence, an individual is encouraged to not shower, bathe, douche, brush teeth, drink, or change clothing prior to seeking medical treatment. Similarly, any clothing or bedding should remain untouched pending collection by law enforcement. Whether or not an individual has chosen how to proceed at the time of the medical examination, taking the step to gather evidence will preserve the full range of options to seek resolution through the University's Grievance Processes or through the pursuit of criminal action.

Please note that under Pennsylvania law, a medical provider may be required to notify law enforcement of a reported sexual assault under most circumstances. Although the medical provider will provide information to law enforcement, the individual may decline to speak with a law enforcement officer or participate in a criminal prosecution.

Campus Security Authority (CSA)

A Campus Security Authority (CSA) as per the Clery Act is defined as: (1) a campus police or security department; (2) any other individual who has responsibility for campus security, e.g., an individual who is responsible for monitoring entrance into the University's property; or (3) a Cabrini official who has significant responsibility for student and campus activities, including student housing, student discipline and campus judicial proceedings (e.g., Director of Residence Life, Director of Student Engagement and Leadership, Athletic Coaching Staff, etc.).

A CSA who receives a report of a sexual offense must report the offense to the Office of Public Safety.

Student resident assistants or other persons with significant responsibility for student and campus activities who receive a report of sexual misconduct must report the incident to the Office of Public Safety within twenty-four (24) hours of receiving report of the alleged offense.

Specifically exempted from the definition of campus security authorities are pastoral or professional counselors when acting in that capacity. A pastoral counselor is defined as "a person 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 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."

Confidential Reporting Options

There are options for individuals to confidentially report incidents of gender-based, relationship misconduct, sexual misconduct, sexual discrimination, sexual harassment, domestic violence, dating violence, or stalking. The degree to which confidentiality can be protected depends upon the professional role of the person being consulted.

Pastoral counselors, professional counselors, and medical staff are able to provide confidentiality (within reasonable limits as described below) and will not disclose the details of your report to any outside source. They include counselors such as those employed by the Cabrini University Counseling and Psychological Services, Cabrini University Health Services, and the Cabrini University Chaplain.

Exceptions to maintaining confidentiality are generally set by law; for example, confidential resources may need to report certain incidents. The grounds for breaking confidentiality include when a minor or elderly person is involved in an allegation of abuse; there is imminent harm to self or others; or an individual has been subpoenaed or court ordered to testify in a criminal case.

Contact information for confidential sources on campus are:

Counseling and Psychological Services	610.902.8561
Campus Ministry	610.902.8438

Formal Reporting Options

University employees as identified in Section 3 of this Policy are required as part of their role to report incidents. Federal law requires these staff members to report information and they are not able to maintain confidentiality. Mandatory reporters are required to report the details of any incident to the Title IX Coordinator or appropriate deputy Title IX Coordinator. The report must include, if known, the name of the alleged Complainant, the alleged Respondent, and the date, time, location, and nature of the incident.

Prior to information being disclosed, the employee should make clear to the complaining individual that they are not a confidential resource and refer the individual to the appropriate confidential resources if they do not want the formation shared to be disclosed. In so doing, however, the employee should take care that in identifying themselves as a non-confidential resource that they do not discourage an individual from making a report.

Faculty, staff and administrators should make known to all of their members the available resource offices for information, counseling and support, as well as the informal and formal procedures for resolving complaints of sexual harassment.

Under the Clery Act, Cabrini University is required by law to report specified factual details about incidents occurring on campus property. As required by law, all disclosures of an act of violence or intimidation (including Gender-Based Misconduct, Relationship Misconduct, Sexual Assault and Violence) must be reported for statistical purposes only to Cabrini University Public Safety, which has the responsibility for tabulating and publishing the Annual Security Report. The information provided for statistical reporting will not include any personally identifiable information and will be limited to the date, time, location, and nature of the incident.

Requests for Confidentiality

Cabrini University will make every effort reasonably possible to preserve an individual's privacy and protect the confidentiality of information. If the individual does not wish to pursue a formal complaint and/or requests that their complaint remain confidential the individual will be informed that the University's ability to respond may be limited, and that Title IX still requires the University to investigate and take reasonable action in response to the individual's information. The following factors will be considered when assessing the individual's request for confidentiality: the severity of the alleged Gender-Based Misconduct, Sexual Assault and Violence; whether there have been other complaints of gender-based or sexual misconduct against the same alleged respondent; and the alleged respondent's right to receive information about the allegations if the information is maintained by the University as an "education record" under FERPA. Students alleged with a violation of Community Standards for Student Conduct are afforded certain rights, one of which includes the ability to know one's accuser. The Respondent will be provided with the name of the individual.

Timely Warnings

The Clery Act also requires the University to issue "timely warnings" in response to reports of Sexual Assault or Violence and that are an on-going threat to the University community. The reports can be received from an individual, a CSA or law enforcement. In the instance of an immediate and serious threat to the University community, Cabrini University Public Safety will issue a security alert.

The Title IX Coordinator will be responsible for evaluating requests for confidentiality based on the criteria above. The individual (complainant) will be informed by the Title IX Coordinator if the University cannot ensure confidentiality, and Respondent will be made aware of the University's decision to pursue the allegations against the wishes of the alleged respondent. Granting a request for confidentiality will not prevent the University from undertaking an appropriate inquiry, issuing a Contact Restriction, (No Contact Order), or taking other reasonably necessary measures to protect the alleged complainant and campus community.

Retaliation

Retaliating directly or indirectly against a person who has in good faith filed, supported, or participated in an investigation of a complaint of sexual misconduct as defined above is prohibited. Retaliation includes but is not limited to ostracizing the person, pressuring the person to drop or not support the complaint,

providing false or misleading information, or engaging in conduct that may reasonably be perceived to affect adversely that person's educational, living, or work environment. Except as required by law, or as necessary to carry out the Grievance Process, the University will keep confidential the identities of the complainant, respondent and any witnesses,

The University will take immediate responsive action in instances of retaliation. Individuals who, in bad faith, provide false or misleading information may be charged with code of conduct violations.

Drug and Alcohol Use

Gender-Based Misconduct, Relationship Misconduct, Sexual Assault and Violence is a serious issue and Cabrini University's primary concern is ensuring that individuals feel comfortable reporting a complaint. As such, the University does not want to discourage victims from reporting an incident because they have participated in the consumption of alcohol or drugs. A Complainant, in addition to bystanders and witnesses acting in good faith, who are reporting an incident of Gender-Based Misconduct, Sexual Misconduct and Sexual Harassment, will not be subject to the University's disciplinary proceedings if alcohol or drug consumption that is in violation of the Community Standards for Student Conduct has taken place. In addition, the use of alcohol and/or drugs by either party will not diminish the alleged student's responsibility as consent is not valid if given while an individual is incapacitated by alcohol and/or drugs.

Amnesty for Students Who Report Sexual Misconduct

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

Prohibited Romantic or Sexual Relationships

Because of the relationship of trust between Cabrini employees and Cabrini students, Cabrini takes this policy seriously, and employees who violate this policy will be subject to discipline, up to and including termination from employment.

Undergraduate Students: Cabrini University prohibits intimate, romantic, or sexual relationships between Cabrini employees and Cabrini undergraduate students. For purposes of this policy, the word "student" includes undergraduate students of any age, those who are part-time or full-time, and those who are enrolled in online programs. This prohibition against relationships with undergraduate students applies to all employees. In particular, this policy applies to: resident assistants, resident directors, athletic trainers, full- or part-time athletic coaches, teaching or graduate assistants, adjunct faculty, laboratory assistants, facilities employees, and clinical

preceptors. If an employee has a relationship with an individual who seeks to become or becomes a student (for example, the employee's spouse or partner has enrolled as an undergraduate student), the employee should inform Human Resources immediately.

If you have a question about whether a relationship with a student may violate this policy or need to declare a relationship, please confer with Human Resources.

Graduate Students: Cabrini prohibits intimate, romantic, or sexual relationships between Cabrini employees and Cabrini graduate students when the Cabrini employee is (or might reasonably be expected to be) in a position of power or authority over that graduate student. This means Cabrini faculty and staff may not engage in an intimate, romantic, or sexual relationship with a graduate student enrolled in any course, academic program, or department in which that faculty member, regardless of rank, teaches, advises, or holds an appointment. If an employee has a relationship with an individual who seeks to become or becomes a student (for example, the employee's spouse or partner has enrolled as a graduate student), the employee should inform Human Resources immediately.

If you have a question about whether a relationship with a student may violate this policy or need to declare a relationship, please confer with Human Resources.

Direct Reports and Supervisory Relationships: Cabrini prohibits employees with supervisory or evaluative authority from engaging in intimate, romantic, or sexual relationships with those employees they supervise, evaluate, or over whom they otherwise have direct or indirect influence or authority. Such relationships can compromise professional integrity and may generate claims of unfair treatment by others. If a promotion or change in reporting structure leads to this situation, or if such a relationship develops, the manager or supervisor must notify the Vice President or Dean who oversees the employee's department so that the University can ensure unbiased supervision and evaluation of the employee. Failure to report such a relationship is considered a violation of this policy.

Once a relationship is reported, it is the Vice President's or Dean's responsibility to notify Human Resources so the situation can be addressed promptly and confidentially. Circumstances may necessitate a transfer or reassignment of one or more employees to address the conflict, actual or perceived. It is the responsibility of both employees to cooperate in actions taken to eliminate any actual or potential conflicts of interest and to mitigate adverse effects on other employees and/or third parties.

All violations of this Policy should be reported to Human Resources for investigation and appropriate administrative action, which could include disciplinary action up to and including loss of employment. Retaliation against anyone who reports concerns about consensual relationships is prohibited and constitutes a separate violation of this Policy.

7. WHAT TO EXPECT ONCE A COMPLAINT HAS BEEN FILED

Standard of Evidence

Investigations involving allegations of acts of Sexual and Gender-Based Harassment and Misconduct will be conducted promptly and be fair, equitable, and impartial. The standard of proof in such disciplinary proceedings shall be that of the “preponderance of the evidence” or that it is more likely than not that what the Complainant alleges is true.

Time Limits for Reporting

There is no time limit to invoking this policy in responding to complaints of alleged Sexual and Gender-Based Harassment and Misconduct. Nevertheless, students, faculty and staff are encouraged to report allegations immediately in order to maximize the University’s ability to obtain evidence, and conduct a thorough, impartial and reliable investigation. Failure to promptly report alleged gender-based or sexual misconduct may result in the loss of relevant evidence and witness testimony and may impair the University’s ability to enforce this policy.

Receipt of Report

If the Complainant wishes to proceed through the Grievance Process regarding sexual harassment, they must file a formal complaint. The formal complaint is defined as a document filed by the Complainant (or signed by the Title IX Coordinator or Deputy Title IX Coordinator) alleging sexual harassment against a named Respondent, date, location and requesting that the University investigate the allegation of sexual harassment. The formal complaint must state:

1. The Complainant must be participating in or attempting to participate in educational programs or activities at Cabrini;
2. The formal complaint must be filed with the Title IX or Deputy Title IX Coordinator in person, by mail, email or any other digital or optical means provided by the University;
3. The documented formal complaint must be signed either with a physical or digital signature;
4. Where the Title IX or Deputy Title IX Coordinator signs the formal complaint, they are not considered the Complainant and must comply with requirements for Title IX personnel to be free from conflicts and bias.

Once the formal report is filed, the complaint will be sent to the Investigators for further investigation.

Upon receipt of notice of any allegation of a violation of the Sexual and Gender Based Harassment and Misconduct Policy, the Title IX Coordinator, Deputy Title IX Coordinator and/or his/her designee will contact the Complainant confidentially to discuss the availability of supportive measures, consider the Complainant’s wishes with respect to supportive measures, inform the Complainant of the availability of supportive measures with or without filing of a formal complaint, and explain the process for filing a formal complaint. The Complainant will be provided information of how they would like to proceed: law enforcement investigation, University investigation, neither or both.

Complainants and Respondents will be provided a written copy of this policy. Both the Complainant and the Respondent have the right to have an advisor or attorney to assist with providing support during the process. The advisor or attorney may be present during the investigative process. The Complainant and/or the Respondent may use an advisor of their choice who is not affiliated with the University. This person will act as a support person and will represent the party throughout the Grievance Process and at the Hearing.

A Complainant may change their mind at any point in time and pursue a formal complaint, regardless of where they are currently engaged in the informal resolution process. Even if a Complainant does not wish to file a report or participate in any form of informal resolution, Cabrini University is still required to provide reasonable accommodations that are deemed appropriate for the situation, including but not limited to, directing appropriate University officials to alter the alleged victim's and/or Complainant's academic, housing, and/or employment arrangements, as well as assisting the Complainant with referrals to counseling and obtaining orders of protection. Any Supportive measures taken will be designed to minimize the burden on both the Complainant and Respondent as much as possible.

Informal Resolution

If the Complainant does not wish to move forward with a formal complaint, the option for informal resolution of the complaint, such as mediation or restorative justice will be explored if appropriate. Some minor incidents can be resolved through facilitation or other interventions as long as both parties give voluntary, informed written consent to attempt information resolution. The Title IX Coordinator or Deputy Title IX Coordinator who facilitates the information resolution must be fully trained to oversee this process.

The University may not require as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right, waiver of the right to a formal investigation and adjudication of formal complaints of sexual harassment. Additionally, the University may not require the parties to participate in an informal resolution process and may not offer an informal resolution process unless a Formal Complaint is filed.

Facilitation and other forms of informal resolution are not appropriate for any form of sexual assault, domestic violence, dating violence, or stalking. Facilitation of information resolutions are not appropriate for any allegations involving an employee and a student. In these circumstances, Cabrini will never facilitate informal resolution.

Supportive Measures

In all complaints of alleged Sexual and Gender-Based Harassment and Misconduct, Cabrini University will investigate and take prompt and effective action as is reasonably practicable under the circumstances. This includes taking supportive measures pending the investigation. Supportive Measures are defined as individualized services reasonably available that are non-punitive, non-disciplinary, and not reasonably burdensome to the other party while designed to ensure equal educational access, protect safety, and/or deter sexual harassment.

Such measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between

the parties, changes in work or housing locations, leaves of absence, and increased security and monitoring of certain areas of the campus. All Supportive Measures are outlined in Appendix B.

Bystander Intervention

The University strongly encourages all community members to take reasonable and prudent actions to prevent or stop an act of sexual violence and sexual harassment. Campus community members who choose to exercise this positive moral obligation will be supported by the University and protected from retaliation.

Taking action may include direct intervention, calling Public Safety or law enforcement, or seeking assistance from a person in authority

False Reports

A good faith complaint that is not substantiated does not constitute a false report.

Submission of a good faith complaint, concern, or report under this Policy will not affect a Complainant's employment, grades, academic standing, or work assignments. An individual found to have made a false complaint or report, or to have knowingly and willingly given false information during an investigation, will be subject to disciplinary action.

Reporting To Local Law Enforcement

The University Grievance Process and the criminal justice process are separate and independent courses of action. A Complainant who wishes to pursue a criminal complaint is encouraged to make a report to local law enforcement. Incidents occurring on campus are within the jurisdiction of the Radnor Township Police Department. Actions occurring off campus are within the jurisdiction of one of several surrounding townships. If the Complainant does not know in which township the incident occurred, the Complainant should contact Public Safety or 911 for assistance. Upon request, the Title IX Coordinator or their designee will appoint a representative or someone the Complainant chooses, who will accompany a Complainant to the local police department and assist a Complainant in making a criminal report. Notifying local law enforcement will generally result in the Complainant and in some cases the Respondent, being contacted by a police officer. The police will determine if a criminal investigation will occur and if the case will be referred for prosecution. Unless there are compelling circumstances (i.e., Complainant is under 18, or risk of immediate danger), the University will typically not file an independent police report without the consent of the Complainant.

8. GRIEVANCE PROCESS

Due to the nature of incidents involving gender-based violence, sexual misconduct and sexual harassment, Cabrini University has developed a process to specifically address these concerns. As a result, the investigation and adjudication process for incidents of gender-based violence, sexual misconduct and sexual harassment will differ from the student conduct process that is highlighted in the Cabrini University Community Standards for Student Conduct.

The University will conduct an objective evaluation of all relevant evidence, inculpatory and exculpatory, and will avoid credibility determinations based on a person's status as a Complainant, Respondent, or witness.

The following provisions apply to cases of Sexual and Gender-Based Harassment and Misconduct:

Undergraduate/Graduate Students

Formal Undergraduate/Graduate Student complaints will be forwarded to the Public Safety Investigator(s) designated by the Title IX Coordinator. Investigators receive annual training on the definition of sexual harassment, the scope of the University's educational program, how to conduct an investigation and Grievance Process, including hearings, appeals, and informal resolution processes. Training will also include issues of relevance, including how to apply the rape shield protections provided only for Complainants. The investigators must know how to serve impartially, including by avoiding pre-judgment of the facts at issue, conflicts of issue, and bias. The University also reserves the right to hire independent Investigators. Information regarding training of Title IX personnel is posted on the University's website.

All Title IX personnel (Coordinator, Deputy Coordinator, Investigator(s), decision-makers, and anyone who facilitates an informal resolution process) must be free from conflicts of interest or bias for or against Complainants or Respondents. Additionally, the Title IX personnel must have a presumption that the Respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the Grievance Process.

Faculty and Staff

In order to avoid any conflicts of interest, the University has partnered with outside independent Investigators specializing in these types of incidents to investigate any complaints involving Faculty or Staff.

The Investigation

Written notice will be sent to both parties of the allegations upon receipt of a formal complaint. The burden of gathering evidence and the burden of proof is on the University and not on either party. The Investigators are neutral fact-finders, who, during the course of the investigation, typically conduct interviews with the Complainant, the alleged Respondent and third-party witnesses; gather any evidence from the Complainant, the Respondent and/or any witnesses; visit and take photographs at each relevant site; and, where applicable, coordinate with law enforcement agencies to collect and preserve relevant evidence.

The entire Investigative Process will be completed within a reasonable prompt time frame. Should there be a need for the investigation to extend beyond what is reasonable, the reasons for the extension will be formally documented and communicated to both parties. Extensions will only be considered and granted for good cause (i.e., complexity of allegations, evidentiary issues, number of witnesses involved, effect of concurrent criminal investigation or intervening school breaks and vacations).

Both parties have a right to present witnesses and information during the Grievance Process. A list of potential witnesses, as well as any additional information either party plans to present, should be submitted to the Investigator during the investigation. Witnesses must be able to provide relevant, first-hand information regarding the incident. Character witnesses will not be allowed. The privacy of both parties medical, psychological, and similar treatment records will be protected and not used by the University in the Grievance Process unless and until they obtain the party's voluntary, written consent.

Both the Complainant and the Respondent may have their advisor or attorney present during any parts of the investigation. Both parties have the same opportunity to select an advisor of their choice who may be, but need not be, an attorney.

Administrative Review of Determination that the Policy Elements Have Not Been Raised

The University may dismiss allegations of conduct that do not meet the definition of sexual harassment or did not occur in the University's education program or activity against a Respondent in the United States.

If the determination has been made that the elements of a policy violation have not been raised, or that a reasonable person could not conclude, based on the information gathered in the investigation, that a policy violation had occurred, the Complainant may request Administrative Review of the finding by submitting a written request to the Title IX Coordinator within five (5) business days within receipt of the determination.

Administrative Review will be conducted by an impartial decision-maker selected by the Title IX Coordinator ("Reviewer"). The Reviewer may consult with the Investigator, the Complainant, the Respondent, or any other individual with relevant information. The Complainant or Respondent also may submit additional information to the Reviewer in writing. The Reviewer may agree with the investigative finding, request additional investigative follow-up, or direct that the report be forwarded for review under the Community Standards for Student Conduct or further action. The Reviewer will render a decision in writing to both the Complainant and Respondent within thirty (30) business days of the request for review. The decision of the Reviewer to take no further action is final and may not be appealed.

Notifications

If the determination has been made that the elements of a policy violation have been raised, or that a reasonable person could conclude, based on the information gathered in the investigation, that a policy violation occurred, the Title IX Coordinator will direct the manner of resolution, which may include an Informal Resolution (see above), acceptance of responsibility by the Respondent or holding a live Hearing. At a live Hearing, the standard for evaluating whether the policy has been violated is preponderance of the evidence.

The University will conduct an objective evaluation of all relevant evidence, inculpatory and exculpatory, and will avoid credibility determinations based on a person's status as a Complainant, Respondent, or witness.

The University will send both parties the following information at least 10 days prior to the Hearing:

1. Investigative Report summarizing the allegations
2. Any evidence directly related to the allegations
3. Interviews
4. Hearing notices

The University reserves the right to consolidate formal complaints where the allegations arise out of the same facts.

At least five (5) days prior to the hearing, the Investigator will forward a copy of the Investigative Report to the Adjudicator.

Acceptance of Responsibility

After receiving the formal charge(s) from the Title IX Coordinator or Deputy Title IX Coordinator, the Respondent may choose not to contest the charge(s) and give up the right to a Hearing by accepting responsibility for all charges. If a Respondent accepts responsibility, the Complainant will be notified in writing and both parties will have the opportunity to submit written information for consideration by Adjudicator (Deputy Title IX Coordinator); a Complainant may submit an impact statement, and a Respondent may submit a mitigation statement. The Respondent must meet with an Advisor prior the Adjudicator agreeing to the Respondent accepting responsibility for the allegations.

The Adjudicator (Deputy Title IX Coordinator), will impose the appropriate sanction(s) (see below for guidelines and range of permissible sanctions). The Complainant and Respondent will be simultaneously notified of the sanction(s) and rationale for the sanction in writing, and this sanction decision may only be appealed by both parties based on Severity of Sanction. If there is no appeal by either party, the sanction imposed by Adjudicator (Deputy Title IX Coordinator) will be final.

Hearing

As per the Title IX regulations, a live Hearing will be held for every formal complaint filed by a Complainant against an alleged Respondent. The following is a list of individuals involved in the Hearing process and their roles:

- | | |
|-----------------------------|---|
| 1. Nikkie Gillum-Clemons | Title IX Coordinator; Adjudicator of Appeals |
| 2. Anne Filippone | Deputy Title IX Coordinator; Hearing Adjudicator |
| 3. Joseph LaSpina | Public Safety Investigator |
| 4. Advisor for Complainant: | Will ask questions of the Complainant and conduct cross examination of the Respondent |
| 5. Advisor for Respondent: | Will ask questions of the Respondent and conduct cross examination of Complainant |

Advisors

Both the Complainant and the Respondent will have an Advisor of their choice represent them at the Hearing. The Advisor can, but doesn't have to be, an attorney. The role of the Advisor is as follows:

1. Represent the student at all phases of the investigation and/or Hearing and/or the appeal process.
2. Conduct cross examination of all witnesses.
3. Neither the Complainant nor the Respondent may ask any questions. All questioning must go through their Advisor.
4. The Advisor may be a witness in the case. In this instance, a second or alternate Advisor will question and conduct cross examination of the initial Advisor when they provide testimony.
5. If a student is unable to secure the services an Advisor, the University will appoint one from the list of trained individuals.

Evidence

All evidence gathered during the investigation, both inculpatory and exculpatory, will be presented at the live Hearing.

At least 10 days prior to the scheduled Hearing, all Investigative Reports, including evidence gathered during the investigation, will be supplied to the Respondent and their Advisor. All information will be sent either in hard copy form or through electronic means. However, the following items will not be turned over to the Respondent and their Advisor:

1. Pornography including but not limited to any nude photographs, videos, images and the like, of the victim and/or any witness whether they be in hard copy format or digital/online format.
2. Personal biographical information of the victim and/or any witness to include: date of birth, social security number, home address
3. Any illegal drugs.
4. Any alcohol.
5. Any medical, psychological or therapeutic reports unless a signed release is obtained from the victim and/or witness.

The Respondent and their Advisor will have the opportunity to review the aforementioned items in person with the Title IX Investigator prior to the Hearing. No copies, photographs, videos or any other digital media will be made of this evidence by the Respondent and/or their Advisor.

All items of evidence turned over to the Respondent and their Advisor must be held in confidence and only used for the Hearing and/or appeal. At no time will any evidence, including but not limited to investigative reports, witness statements, photograph, text messages, emails, medical reports, and the like, be copied and distributed to anyone else including uploading these items to the Internet, social media or any digital platform. If it is discovered that items of evidence were distributed to another party, the Investigator will immediately notify the Title IX Coordinator and the Deputy Title IX Coordinator. A Code of Conduct Investigation will be instituted and investigated by the Title IX Coordinator or Deputy Title IX Coordinator and official sanctions imposed if appropriate.

Within 10 days of the conclusion of the Appeal Process, all items of evidence sent to the Respondent and their Advisor must be returned to the Title IX Coordinator. All information regarding the entire complaint, investigation, Hearing, and appeal will be sealed and secured by the University for the required 7 years.

Hearing Process

The Adjudicator will facilitate the Hearing. The Complainant and Respondent will not be in the Hearing room at the same time. However, each party will be in a separate room with the ability to watch the proceedings via live stream or closed circuit video. The following is the flow of how the Hearing will run:

1. The Investigator will provide the outline of the case to the Adjudicator (Deputy Title IX Coordinator).
2. The Advisors for the Complainant and Respondent will ask questions of the Investigator.
3. The Adjudicator will ask any follow up questions for clarification.
4. The Advisor for the Complainant will ask questions of the Complainant.
5. The Advisor for the Respondent will ask questions of the Complainant, known as cross examination.

6. The Adjudicator will ask any follow up questions for clarification.
7. The Adjudicator will ask questions of each witness.
8. The Advisors for the Complainant and the Respondent will ask questions of each witness.
9. The Adjudicator will ask any follow up questions for each witness.
10. The Advisor for the Respondent will ask questions of the Respondent.
11. The Advisor for the Complainant will ask questions of the Respondent, known as cross examination.
12. The Adjudicator will ask any follow up question for clarification.
13. The Advisor for the Complainant will summarize the information provided by the Complainant and any witnesses.
14. The Advisor for the Respondent will summarize the information provided by the Respondent.
15. The Adjudicator will take all information under advisement and render a decision within 10 days. The decision will be in writing to both parties.

All hearings will be recorded and the recordings will be kept in accordance with Title IX rules and regulations for 7 years. All parties must submit to their consent for the recording of the Hearing. The consent of all persons involved will be put on the record prior to that person providing any information during the Hearing.

Cross Examination

Both the Complainant and the Respondent must answer questions on cross examination by the representative of the other party. The cross examination must be conducted directly, orally and in real time. At no time will either party (Complainant or Respondent) personally conduct the cross examination.

Only relevant questions on direct and cross examination will be allowed during the Hearing. The Adjudicator will determine the relevance of each question prior to the person answering. If the Adjudicator determines a question to be irrelevant, he/she must explain to the party asking the question the decision to exclude the question as not relevant.

If either the Complainant or Respondent does not submit to cross examination at the Hearing, the Adjudicator must not rely on any statement that person gave in order to determine if the Respondent is responsible or not responsible for the action alleged.

All of the above information regarding cross examination also holds for any witness who provided information.

Rape Shield Protections for Complainant

Title IX and Cabrini University provide rape shield protections for Complainants. The Adjudicator will deem irrelevant any and all questions and evidence about a Complainant's prior sexual behavior unless the following circumstances exist:

1. The information offered is to prove that someone else other than the Respondent committed the alleged misconduct; OR
2. The information is offered to prove consent.

Adjudication and Notification of Outcome

A written determination regarding responsibility will be issued by the Adjudicator which will include:

1. Findings of fact
2. Conclusions about whether the alleged conduct occurred
3. Rationale for the result of each allegation
4. Any disciplinary sanctions imposed on the Respondent
5. Whether remedies will be provided to the Complainant

Both the Complainant and Respondent will be informed of the outcome of the Hearing and information about the appeal process.

9. SANCTIONS AND REMEDIES

Disciplinary Action and Remedies for Students

Any student found responsible for violating the policy on **Inappropriate Sexual Conduct, specifically nonconsensual physical contact of a sexual nature (where no intercourse has occurred)** will likely receive a sanction ranging from probation to expulsion, depending on the severity of the incident, and taking into account any previous violations of the Community Standards for Student Conduct.

Any student found responsible for violating the policy on **Sexual Assault (nonconsensual or forced sexual intercourse)** will likely face a recommended sanction of suspension or expulsion.

Any student found responsible for violating the policy on **Sexual Exploitation or Sexual Harassment** will likely receive a recommended sanction ranging from warning to expulsion, depending on the severity of the incident, and taking into account any previous violations of the Community Standards for Student Conduct.

Any student found responsible for violating the policy on **Stalking** will likely face a recommended sanction ranging from probation to expulsion, depending on the severity of the incident, and taking into account any previous violations of the Community Standards for Student Conduct.

Any student found responsible for violating the policies of **Domestic or Dating Violence** will likely received a recommended sanction ranging from suspension to expulsion, depending on the severity of the incident.

The Dean of Students/Deputy Title IX Coordinator reserves the right to broaden or lessen any range of recommended sanctions in the case of serious mitigating circumstances or egregiously offensive behavior.

Other remedies may also be offered and provided. Appropriate remedies may include, but are not limited to:

- providing an escort on campus;
- assistance with academics, including rescheduling exams and assignments,
- receiving an incomplete in a course,
- facilitating a classroom change;
- housing assignment relocation;

- Restriction of campus access for the alleged Respondent (restricted from specific buildings, areas, etc.);
- no-contact orders;
- campus employment reassignment;
- And counseling referrals.

Disciplinary Action and Remedies for Faculty and Staff

If a faculty or staff member is found responsible for violation of any part of this Policy, the Title IX Coordinator in consultation with the area Vice President will determine appropriate disciplinary action.

Any faculty or staff member found responsible for violating the policy on **Inappropriate Sexual Conduct, specifically nonconsensual physical contact of a sexual nature (where no intercourse has occurred)** will likely receive a discipline ranging from counseling to termination, depending on the severity of the incident, and taking into account any previous violations of Cabrini Policies.

Any faculty or staff member found responsible for violating the policy on **Sexual Assault (nonconsensual or forced sexual intercourse)** will likely face a recommended disciplinary action of termination.

Any faculty or staff member found responsible for violating the policy on **Sexual Exploitation or Sexual Harassment** will likely receive a recommended disciplinary action ranging from warning to termination, depending on the severity of the incident, and taking into account any previous violations of Cabrini policies.

Any faculty or staff member found responsible for violating the policy on **Stalking** will likely face a recommended disciplinary action ranging from warning to termination, depending on the severity of the incident, and taking into account any previous violations of Cabrini policies.

Any faculty or staff member found responsible for violating the policies of **Domestic or Dating Violence** will likely receive a recommended disciplinary action ranging from suspension to termination, depending on the severity of the incident.

The Title IX Coordinator reserves the right to broaden or lessen any range of recommended sanctions in the case of serious mitigating circumstances or egregiously offensive behavior.

Other remedies may also be offered and provided. Appropriate remedies may include, but are not limited to:

- providing an escort on campus;
- rescheduling assignments,
- office relocation;
- restriction of campus access for the alleged faculty or staff member (restricted from specific buildings, areas, etc.);
- no-contact orders;
- campus employment reassignment; and
- counseling referrals.

10. APPEALS

Either party may appeal the decision by filing an appeal to the Title IX Coordinator within five (5) business days after delivery of the formal outcome of the Adjudicator. Both parties will be informed in writing if either party appeals, any change to the result, and when such results become final.

Appeal requests must fall into one of the following grounds:

- Procedural irregularity that affected the outcome of the Hearing;
- New evidence available that was not available prior to the original Hearing that could affect the outcome of the Hearing; AND/OR
- Title IX personnel had a conflict of interest or bias that affected the outcome of the Hearing.

The appeal shall consist of a concise, written statement outlining the grounds for the appeal.

Student Appeals Process

Upon receipt of an appeal from the Title IX Coordinator, the Dean of Students or his/her designee will notify both parties. Each party will have an opportunity to respond, in writing, to the appeal. Responses to the appeal by either the Complainant and/or Respondent must be submitted to the Dean of Students or his/her designee within five (5) business days from receipt of the appeal.

In any request for an appeal, the burden of proof lies with the party requesting the appeal, as the original determination and sanction are presumed to have been decided reasonably and appropriately.

The Title IX Coordinator or his/her designee can affirm the original findings, alter the findings, and/or alter the sanctions, depending on the basis of the requested appeal. If the appeal is based on procedures not having been followed in a material manner, the Title IX Coordinator or his/her designee can ask that a new Hearing occur before a newly appointed Adjudicator. In the case of new and relevant information, the Title IX Coordinator or his/her designee can recommend that the case be returned to the original Adjudicator to assess the weight and effect of the new information and render a determination after considering the new facts.

The Title IX Coordinator or his/her designee will communicate the outcome of the appeal to the student who requested it within 10 business days from the date of submission. However, additional time may be necessary depending on the nature of the case and basis of appeal.

All appeal decisions made by the Title IX Coordinator are final.

Faculty and Staff Appeals Process

Upon receipt of an appeal, the Title IX Coordinator or his/her designee will notify both parties. Each party will have an opportunity to respond, in writing, to the appeal. Responses to the appeal by the Complainant and/or Respondent must be submitted to the Title IX Coordinator or his/her designee within five (5) business days from receipt of the appeal. In any request for an appeal, the burden of proof lies with the party requesting the appeal, as the original determination and sanction are presumed to have been decided reasonably and appropriately.

The Chief of Staff/Vice President for Community Development and External Relations or his/her designee will consider the appeal and can affirm the original findings, alter the findings, and/or the sanctions, depending on the basis of the requested appeal. If the appeal is based on procedures not having been followed in a material manner, the Chief of Staff/Vice President for Community Development and External Relations or his/her designee can ask that a new Hearing occur before a newly appointed Adjudicator. In the case of new and relevant information, the Chief of Staff/Vice President for Community Development and External Relations or his/her designee can recommend that the case be returned to the original Adjudicator to assess the weight and effect of the new information and render a determination after considering the new facts.

The Chief of Staff/Vice President for Community Development or his/her designee will communicate the outcome of the appeal to the student who requested it within 10 business days from the date of submission. However, additional time may be necessary depending on the nature of the case and basis of appeal. All appeal decisions made by the Chief of Staff/Vice President for Community Development or his/her designee are final.

11. STATEMENT OF THE RIGHTS OF THE COMPLAINANT

- A Complainant may have their Advisor present during the Grievance Process.
- A Complainant will be afforded similar and timely access to any information that will be used during the Grievance Process and Hearing.
- A Complainant will be given periodic status updates throughout the process.
- A Complainant will have equal opportunity to present relevant witnesses and other information during the Grievance Process and Hearing.
- A Complainant will never be questioned directly by or be in the presence of the Respondent during the Grievance Process and Hearing.
- A Complainant may submit a list of questions related to the alleged incident to the Investigator that they feel the Respondent should be asked during the Grievance Process. The Investigator may use their discretion in evaluating the relevancy of the questions submitted and may choose to reframe or omit them as necessary.
- A Complainant may not have their irrelevant past conduct, including sexual history, discussed during the Grievance Process and Hearing.
- A Complainant has the right to know the outcome of the Grievance Process and Hearing.
- A Complainant has the right to appeal the outcome of the Grievance Process and Hearing.
- A Complainant has the right to be treated with respect during the Grievance Process and Hearing.
- A Complainant has the right to be notified of available counseling, mental health, medical, or student services for victims of sexual assault or gender-based misconduct both on campus and in the community.
- A Complainant has the right to preservation of privacy, to the extent possible and allowed by law.

12. STATEMENT OF THE RIGHTS OF THE RESPONDENT

- A Respondent may have their Advisor during the Grievance Process.
- A Respondent will be afforded similar and timely access to any information that will be used during the Grievance Process and Hearing.
- A Respondent will be given periodic status updates throughout the Grievance Process.

- A Respondent will have equal opportunity to present relevant witnesses and other information during the Grievance Process and Hearing.
- A Respondent will never be questioned directly by or be in the presence of the Complainant during the process.
- A Respondent may submit a list of questions related to the alleged incident to the Investigator that they feel the Complainant should be asked during the Grievance Process. The Investigator may use their discretion in evaluating the relevancy of the questions submitted and may choose to reframe or omit them as necessary.
- A Respondent may not have their irrelevant past conduct, including sexual history, discussed during the Grievance Process and Hearing.
- A Respondent has the right to know the outcome of the Grievance Process and Hearing.
- A Respondent has the right to appeal the outcome of the Grievance Process and Hearing.
- A Respondent has the right to be treated in a respectful and unbiased manner during the Grievance Process and Hearing.
- A Respondent has the right to be informed of and have access to campus resources for medical, counseling, and advisory services.
- A Respondent has the right to preservation of privacy, to the extent possible and allowed by law.

Supportive Measures to Protect Safety and Well-Being

Following a report of sexual violence or sexual harassment, the University will provide Supportive measures and reasonable protection against further acts of violence, harassment, or retaliation as needed, as well as provide services and resources to provide a safe educational and employment environment. For a listing of services and resources, see Appendix A.

Individuals seeking such assistance should speak with the Dean of Students or Title IX Coordinator. The University will maintain consistent contact with the parties to ensure that all safety, emotional, and physical well-being concerns are being addressed.

The University will determine the necessity and scope of any Supportive measures pending the completion of the complaint process. Even when a Complainant or Respondent does not specifically request that protective action be taken, the University may still choose to impose Supportive measures at its discretion to ensure the safety of any individual, the broader University community, or the integrity of the review process.

All individuals are encouraged to report concerns about failure of another individual to abide by any restrictions imposed by a Supportive measure. The University will take prompt responsive action to enforce a previously implemented Supportive measure.

The University may impose any remedy that can be tailored to achieve the goals of this Policy, even if not specifically listed here. The range of Supportive measures includes:

1. **Contact Restriction:** The Complainant or Respondent may request, or the University may impose, communication and contact restrictions to prevent further potentially harmful interaction. These communication and contact restrictions generally preclude in person, telephone, electronic or third party communications.

An individual may also seek a protection/anti-harassment order from the local court of the Commonwealth of Pennsylvania. This is a civil proceeding independent of the University. If a court order is issued the University will, to the extent possible, assist the protected person in benefitting from the restrictions imposed by the court and will also facilitate on-campus compliance with the order.

2. **Escort:** The University may provide an escort to a Complainant to ensure safe movement between classes and activities.
3. **Academic, Employment or Living Arrangements:** A Complainant or Respondent may request a change in his/her own academic, employment, or living arrangements after a report of sexual violence or sexual harassment by speaking with the Dean of Students, or the Title IX Coordinator. A request for an employment change in the case of sexual harassment where the Respondent is an employee may also be directed to the Title IX Coordinator. Upon request the University will inform the Complainant or Respondent of the options and will accommodate the request if those changes are reasonably available. In some cases the University may initiate these changes without a request. These may include a change in class or work schedule, a change in living accommodations, academic accommodations, and/or a voluntary leave of absence.

Title IX Notice

Title IX of the Education Amendments of 1972 (“Title IX”) prohibits discrimination on the basis of sex in any federally funded education program or activity. Sexual harassment, which includes sexual violence, is a form of sex discrimination. Under the University Sexual Violence and Sexual Harassment Policy, the University prohibits sexual harassment, sexual assault, sexual exploitation, stalking and retaliation. Title IX and the University’s Policy also applies to acts of intimate partner violence. As a recipient of federal funds, Cabrini University complies with Title IX and has appointed Susan Rohanna, Director of Human Resources, as its Title IX Coordinator with overall responsibility for Title IX compliance.

Any student, employee or applicant for employment or admission to the University, who believes that he or she has been discriminated against on the basis of sex, in violation of Title IX, or has been a complainant of sexual violence or sexual harassment, may file a complaint with the Title IX Coordinator or Deputy Coordinators designated below. The Title IX Coordinator or Deputy Coordinators will assist the Complainant in identifying the appropriate University policy (with its grievance procedure) to resolve the complaint in a prompt and equitable manner. The Title IX Coordinator or Deputy Coordinators may consult with other Cabrini administrators, as needed, to resolve the complaint in the most effective manner.

The Title IX Coordinator is supported by several Deputy Title IX Coordinators, all of whom are knowledgeable and trained in state and federal laws that apply to matters of sexual assault, sexual harassment or other sexual misconduct, as well as University policy and procedure.

Nikki Gillum-Clemons Title IX Coordinator
Director of Human Resources

Room 160, Grace Hall / 610.902.8206/ ng7009@cabrini.edu

Anne Filippone | Deputy Title IX Coordinator
 Dean of Students

Grace Hall 1st Floor/ 610.902.8417/ af727@cabrini.edu

**Sexual Harassment by an Employee:
 (not sexual violence)**

Nikki Gillum-Clemons (Coordinator)
 Director of Human Resources
 Grace Hall, 1st Floor
 610.902.8206
ng7009@cabrini.edu

**Sexual Harassment by a Student:
 (not sexual violence)**

Anne Filippone (Deputy)
 Dean of Students
 Grace Hall, 1st Floor
 610.902.8417
af727@cabrini.edu

Sexual Violence by a Student:

Anne Filippone
 Dean of Students
 Grace Hall, 1st Floor
 610.902.8417
af727@cabrini.edu

Sexual Violence by an Employee:

Nikki Gillum-Clemons (Coordinator)
 Director of Human Resources
 Grace Hall, 1st Floor
 610.902.8206
ng7009@cabrini.edu

Gender Equity in Athletics:

Laura Patton (Deputy)
 Associate Athletics Director
 Dixon Athletic Center
 610.902.1094
lpatton@cabrini.edu

**Other Forms of Discrimination
 Against a Student:**

Anne Filippone (Coordinator)
 Director of Human Resources
 Grace Hall, 1st Floor
 610.902.8417
af727@cabrini.edu

Other Forms of Discrimination

Nikki Gillum-Clemons (Coordinator)

Against an Employee:

Director of Human Resources
Grace Hall, 1st Floor
610.902.8206
ng7009@cabrini.edu

Notice of Non-Discrimination

The University seeks to provide all Cabrini community members with a safe and non-discriminatory environment free from harassment. The University does not discriminate on the basis of personal characteristics such as race, color, national origin, religion, gender, sexual orientation, gender identity, age, veteran status, disability, or any other basis protected by federal or state law. For the University's general Non-Discrimination Policy, [click here](#).

The University does not discriminate on the basis of sex in its education programs and activities or in the context of employment. Sexual harassment, including sexual violence as defined in this policy, is a form of sex discrimination prohibited by Title IX of the Education Amendments of 1972. Title IX requires 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.

Sexual harassment is also prohibited under Title VII of the Civil Rights Act of 1964, the Pennsylvania Human Relations Act, and other applicable statutes.

False Reports

A good faith complaint that is not substantiated does not constitute a false report.

Submission of a good faith complaint, concern, or report under this Policy will not affect a Complainant's employment, grades, academic standing, or work assignments. An individual found to have made a false complaint or report, or to have knowingly and willingly given false information during an investigation, will be subject to disciplinary action.

PREVENTION AND EDUCATION EFFORTS

Cabrini University is committed to the prevention of sexual misconduct and sexual harassment through education and awareness. Throughout the year, programs designed to promote sexual misconduct awareness and prevention are presented by a variety of campus resources including New Student Orientation, New Employee Orientation, Health Services, peer educators and other Cabrini students, and Public Safety. Additionally the University provides online and in-person training for faculty and staff. The University also promotes participation of student groups in prevention activities, through training provided in Residence Life, Athletics, Dean of Students, among others. Prevention programs stress the added risks involved when the use of alcohol and/or illegal drugs is present. Incoming first year students, as part of their orientation, attend programs that cover the topic of sexual violence given by the Dean of Students, Public Safety and the Office of Residence Life. Flyers about sexual misconduct and sexual harassment are posted in residence halls. The educational programs review strategies for prevention and inform faculty, staff and students of options and resources available should such misconduct or harassment occur.

Primary Prevention Programs

During 2022, the following primary prevention programs and activities were presented throughout the fall semester:

- “Behind Closed Doors” skits for RAs: September 2022
- Sexual Assault & Bystander Intervention for all athletes and coaches: September 2022
- Sexual Assault & Bystander Intervention for housekeeping staff: August 2022
- Sexual Assault & Bystander Intervention for food service staff: August 2022
- Sexual Violence Prevention Training for incoming students: August 2022
- RAD – Rape, Aggression Defense Training: October 2022

Ongoing Prevention and Awareness Programs

During 2022, the following ongoing prevention and awareness programs and activities were presented:

- Sexual Misconduct and Bystander Intervention: May–December
- Alcohol, Sexual Assault, and Social Media: May–December
- Self-Defense Workshops: October 2022
- Domestic Violence Symposium: October 2022
- Domestic Violence Awareness Workshops: April and October 2022

RISK REDUCTION

With no intent to victim blame and recognizing that only rapists are responsible for rape, the following are some strategies to reduce one’s risk of sexual assault or harassment (taken from Rape, Abuse and Incest National Network, www.rainn.org).

1. Be aware of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
2. Try to avoid isolated areas. It is more difficult to get help if no one is around.
3. Walk with purpose. Even if you don’t know where you are going, act like you do.
4. Trust your instincts. If a situation or location feels unsafe or uncomfortable, it probably isn’t the best place to be.
5. Try not to load yourself down with packages or bags as this can make you appear more vulnerable.
6. Make sure your cell phone is with you and charged, and that you have cab money.
7. Don’t allow yourself to be isolated with someone you don’t trust or someone you don’t know.
8. Avoid putting music headphones in both ears so that you can be more aware of your surroundings, especially if you’re walking alone.
9. When going to a social gathering, go out in a group. Arrive together and leave together.
10. Trust your instincts. If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately.
11. Don’t leave your drink unattended while talking, dancing, using the restroom, or making a phone call.
12. Don’t accept drinks from people you don’t know or trust.
13. Watch out for your friends, and vice versa. If a friend seems out of it, is way too intoxicated for the amount of alcohol they’ve had, or is acting out of character, get him or her to a safe place, immediately.
14. If you suspect you or a friend has been drugged, contact law enforcement immediately. Be explicit with doctors so they can give you the correct tests.

15. If you need to get out of an uncomfortable or scary situation, here are some things that you can try:
- a. Be true to yourself. Don't feel obligated to do anything you don't want to do. "I don't want to" is always a good enough reason. Do what feels right to you and what you are comfortable with.
 - b. Remember that being in this situation isn't your fault.
 - c. Have a code word with your friends or family so that if you don't feel comfortable you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come to get you or make an excuse for you to leave.
 - d. Lie. If you don't want to hurt the person's feelings, it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use are: needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.
16. Try to think of an escape route. How would you try to get out of the room? Where are the doors? Are there people around who might be able to help you? Is there an emergency phone nearby?

BYSTANDER INTERVENTION - HOW TO BE AN ACTIVE BYSTANDER

Bystanders play a critical role in the prevention of sexual and relationship violence. They are *"individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it."* We want to promote a culture of community accountability at Cabrini University where bystanders are actively engaged in the prevention of violence without causing further harm. We may not always know what to do even if we want to help. Below is a list of some ways to be an active bystander. If you or someone else is in immediate danger, dial 9-1-1. This could be when a person is yelling at or being physically abusive towards another and it is not safe for you to interrupt.

1. Watch out for your friends and fellow students/employees. If you see someone who looks like they could be in trouble or need help, ask if they are okay.
2. Confront those who attempt to have sexual contact with people who are incapacitated.
3. Speak up when someone discusses plans to take sexual advantage of another person.
4. Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
5. Refer people to the on or off campus resources listed in this report for support in health counseling or with legal assistance.

SEX OFFENDER REGISTRY

The federal Campus Sex Crimes Prevention Act (Public Law No. 106-386 §1601), which went into effect on October 28, 2000, requires each state to provide information regarding registered sex offenders to the local law enforcement agency with jurisdiction where an institution of higher education is located. The law also requires institutions of higher education to issue a statement advising the campus community where state law enforcement agency information concerning registered sex offenders may be obtained. Under Pennsylvania's Megan's Law, 42 Pa.C.S.9799.1, information regarding registered sex offenders may be obtained at <http://www.pameganslaw.state.pa.us/>

EMERGENCY NOTIFICATION SYSTEM/TIMELY WARNINGS

(See also Emergency Notification System sign up at www.cabrini.edu/TXT, and policy for Issuing “Timely Warnings” to the Campus Community at www.cabrini.edu/PublicSafety.)

If a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurs on campus, the University will employ its emergency notification system.

Once the Department of Public Safety determines that there is a significant emergency or dangerous situation involving an immediate threat, the Director of Public Safety, conferring with the Dean of Students, shall notify the campus community without delay. Where appropriate, the Dean of Students and the Director of Public Safety will determine the segment(s) of the University to receive a notification. The Dean of Students and the Director of Public Safety will, following the confirmation of the emergency, then determine what the notification shall contain and initiate the notification, unless the Director of Public Safety determines that to do so would compromise the safety of the victim and/or ongoing law enforcement efforts.

In the event that a situation arises, either on or off campus, that, in the judgment of the Director of Public Safety, constitutes an ongoing or continuing threat to the campus community, a campus wide “timely warning” will be issued without delay. A timely warning alerts the campus to certain Clery Act crimes and aids in the prevention of crime. The timely warning will also be issued through the University notification system called *e2Campus*, which is described below. In such instances, timely warnings disseminated through the University email system and/or posted to the website will describe the nature of the event, and/or a copy of the notice will be posted in each residence hall or on the front door of each apartment or other buildings which may be affected by the particular criminal threat.

The *e2Campus* system, which is an opt-in system requiring users to register/log in, uses text messaging and email to alert students, faculty and staff to potentially dangerous situations. In the event of such an emergency, the University will issue such emergency notifications and/or, when appropriate, timely warnings to students, faculty and staff about emergency situations or crimes occurring on or proximate to the campus when those crimes are determined to represent a potential threat to their safety and if self-protective actions should be taken, regardless of whether or not the alleged victim and/or perpetrators are members of the Cabrini community.

Generally, *e2Campus* and other communications, including any verbal announcements/notifications, will direct recipients to the University’s email system or website for additional information and/or updates. Although participation is voluntary, successful implementation and maximum effectiveness rely on campus-wide participation. **We strongly urge all students, faculty and staff to sign up to receive emergency notifications.** To register or update your information with *e2Campus*, please go to www.cabrini.edu/TXT. You will be required to have your cell phone in hand when you register. Follow the instructions, choose an opt-out date, and then validate your account after you receive your text number validation on your cell phone.

The emergency notification system is tested annually on an announced basis.

EMERGENCY OPERATIONS PLAN

The Cabrini University Emergency Operations Plan (EOP) is available on the University website at www.cabrini.edu/PublicSafety. The EOP serves as a guideline for University personnel when planning for, responding to, and recovering from any disaster or emergency situation that could or does affect the University. The EOP sets forth an operational structure and outlines basic operational procedures that direct those individuals and departments that may be called upon to assist in an emergency response. The EOP is applicable to any man-made and natural disaster, including, but not limited to floods, hurricanes, earthquakes, power failures, hazardous material releases, civil disturbances, and active shooter situations.

Due to the unpredictable nature of emergencies, the EOP is organized according to *general* detection, notification and response guidelines. There are sections of the Plan containing specific response strategies – or Incident Specific Emergency Plans – pertinent to specific kinds of emergencies where appropriate. It is recognized that no plan can cover all contingencies. Therefore, the Emergency Response Officer (the Director of Public Safety or other person as designated by the University President) and members of the Emergency Response Team – the President, Vice President for Finance, Vice President for Student Life, Vice President for Academic Affairs, Executive Director of Marketing and Communications, Director of Facilities, Director of Residence Life, Director of Public Safety – possess authority to employ strategies not specified in the EOP commensurate with their responsibility to protect life and property. The maintenance of resource information in the Plan is the responsibility of the Director of Public Safety and is verified on an annual basis.

The Emergency Response Officer or an Emergency Response Team member shall direct the immediate response of emergency assistance (e.g., Police, Fire, Ambulance) based on the circumstances of the emergency; direct the deployment of all appropriate University resources (e.g., Facilities, Student Life); and evaluate the need for additional outside assistance from private and governmental entities based on the circumstances of the emergency conditions (e.g., housing, transportation, environmental hazard, etc.).

The Cabrini University EOP follows the Incident Command System model according to FEMA guidelines for institutions of higher education, enabling a coordinated response and unity of command in the event of a critical incident on campus.

ALCOHOL AND DRUG POLICIES

(See Policies & Procedures regarding alcohol and drugs on the Department of Public Safety webpage at www.cabrini.edu/PublicSafety). The Clery Act requires institutions of higher education to annually report the number of arrests and the number of persons referred for disciplinary action for drug, weapons, and liquor law violations. Annually, the University provides these statistics to the US Department of Education and the Pennsylvania State Police.

ALCOHOLIC BEVERAGES AND ILLEGAL DRUGS

Alcoholic Beverages

The legal drinking age in Pennsylvania is 21. In accordance with Pennsylvania law, it is both illegal and a violation of the Community Standards for students and their guests under the age of 21 to possess or consume alcoholic beverages on Cabrini's campus. Underage students are prohibited from having

alcoholic beverages in their rooms, and legal-aged students are prohibited from furnishing alcoholic beverages to minors.

The University permits legal-aged students and their legal-aged guests to possess and consume alcoholic beverages, in moderation, but only in those residential hall rooms where all residents are 21 years old or older (State legal age). All students are prohibited from consuming alcoholic beverages in public areas on campus. The University considers violations of the alcohol policy and intoxication, and disorderly or offensive behavior resulting from the use of alcoholic beverages, to be violations of the Community Standards and subject to disciplinary action and parental notification in addition to possible criminal charges.

Illegal Drugs

Under state and federal laws, the possession, use or sale of narcotics or unauthorized drugs is illegal. Such actions also violate the Community Standards. The University abides by and enforces all federal and state laws on the possession, use and sale of narcotics and other unauthorized drugs. Persons involved in this type of activity on campus are subject to disciplinary action and parental notification, in addition to possible criminal charges. Drugs and drug paraphernalia found in residence hall rooms or other campus locations are turned over to the proper authorities and, as warranted, the person is turned over to the proper authorities as well. The University will not shield students from possible legal consequences of drug possession, sale or use.

Drug-Free Schools and Communities Act

Cabrini University complies with the Drug-Free Schools and Communities Act and Education Department General Administrative Regulations Part 86 (the Drug-Free Schools and Campuses Regulations) by enforcing policies which include sanctions for illegal alcohol and other drug use and by providing students and employees with information and services to understand those policies. Cabrini's Community Standards for Student Conduct (<https://www.cabrini.edu/about/departments/mission-dei-student-engagement/handbook-and-code-of-conduct>) sets forth standards of conduct clearly prohibiting the unlawful possession, use, or distribution of alcohol or illegal drugs on the campus.

The Community Standards clearly states that sanctions apply to student acts committed while under the influence of alcohol or illegal drugs, such as public disturbances, endangerment to self or others, or property damage.

WEAPONS POLICY

The Clery Act requires that the University annually report the number of incidents involving the possession of weapons. Possessing, entering with or using any firearm, ammunition, replica of a weapon, martial arts equipment, explosives, fireworks, gas/air pellet or BB guns in any University building or on the campus, including in motor vehicles, is strictly prohibited. This prohibition assists in reducing the probability of violence and injury to the members of the University community.

HATE CRIMES

Any Clery Act crime, any crime involving bodily injury, and any larceny/theft, simple assault, intimidation, destruction, damage or vandalism of property in which the victim is intentionally selected because of the actual or perceived race, gender, religion, sexual orientation, ethnicity/national origin or disability of the victim, is considered a “hate crime” and is included in the Annual Security Report. Any questions or concerns regarding prohibited harassment in the University community should be directed to the Department of Public Safety or other CSAs.

The Commonwealth of Pennsylvania also considers certain crimes to be more serious when motivated by hatred or malice based on race, color, religion or national origin of another group. These underlying offenses include, but are not limited to, crimes against persons such as harassment, terroristic threats, and assaults.

Victims should immediately report any such activities or crimes to the Department of Public Safety and/or Radnor Police.

MISSING STUDENT NOTIFICATION POLICY

If a member of the Cabrini University community has reason to believe that a resident student is missing, s/he should immediately notify the Department of Public Safety at 610.902.8111 or notify a CSA. [For purposes of this section only, the term “resident” shall refer to a student who resides in on-campus student housing.] If a CSA is notified, the CSA shall immediately notify the Department of Public Safety. Upon notification, the Department of Public Safety will inform the Dean of Students that a resident has been reported as missing and will immediately undertake an investigation to locate the resident. If the resident is not located within 24 hours of the initial report, Radnor Police will be notified by the Department of Public Safety. The Dean of Students shall remain informed by the Department of Public Safety of the developments in and outcome of the investigation.

If the Department of Public Safety or Radnor Police determines that a resident student is missing, the Department of Public Safety shall inform the Dean of Students who will then notify the resident’s confidential contact person that s/he has been missing within 24 hours of that determination. The Dean of Students will also notify the Vice President for Student Life. If the missing resident is under the age of 18 and is not an emancipated individual, the Dean of Students will notify the resident’s parent or legal guardian immediately after the Department of Public Safety has determined that the resident has been missing for more than 24 hours. Unless Radnor Police made the determination that the resident was missing, the Department of Public Safety shall inform Radnor Police that the resident has been determined to be missing within 24 hours of its determination.

If the Department of Public Safety determines that the resident is NOT missing, it will so inform the Dean of Students who will then request a meeting with the resident upon his/her return to campus to discuss the importance of informing roommates, friends and/or family members of any departure from campus that will exceed 24 hours.

All students, resident or not, are responsible for ensuring that the emergency contact information on file with the Registrar's Office and the Department of Residence Life is accurate and current. In addition to collecting emergency contact information, each student has the option to name a contact person(s) who shall also be notified if a resident is determined missing. The confidential contact information is confidential and may only be disclosed to law enforcement personnel who are involved in the missing person investigation. Should the student decide not to declare a separate missing resident student notification form, information contained on the emergency contact form will be used.

STUDENT AND STAFF RESPONSIBILITY

The cooperation and involvement of all members of the Cabrini community in an overall program of campus safety is a necessary prerequisite for success. For example, students and staff who see unfamiliar or unauthorized persons or persons acting in a suspicious manner on campus should report them at once to the Department of Public Safety. By learning and practicing basic safety and security precautions, each individual will help make Cabrini University a safer place to live, work and to learn.

Residents and staff should always lock their room and office doors when the room is unoccupied – even for a minute – and at night. The serial numbers of valuable items such as small electronic devices should be kept in a safe place. By working hand-in-hand with the Department of Public Safety, staff and students may positively influence the security of the campus.

The Department of Public Safety is also responsible for the enforcement of all campus parking rules and regulations. Therefore, all student vehicles must be registered at <https://cabrini.thepermitstore.com>. All faculty and staff must register their vehicles with the Department of Public Safety. Locking your vehicle will assist in deterring thefts.

AVAILABILITY OF THE ANNUAL SECURITY REPORT

The University's Annual Security Report is available online at (<https://www.cabrini.edu/about/departments/public-safety/reporting-crime>). The University will provide a paper copy of the report upon request to currently enrolled or prospective students and current or prospective employees of the University.

LOCATION AND GEOGRAPHIC DEFINITIONS

The Clery Act requires that statistics be disclosed for reported Clery crimes that occur (1) on campus, (2) on public property within or immediately adjacent to the campus, and (3) in or on non-campus buildings or property that are owned or controlled by Cabrini University. The following Clery Act-specific definitions are for these geographic categories.

Campus: Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution’s educational purposes, including residence halls.

Residence Facilities: On campus residence halls or other residential facilities for students. This means a student housing facility that is owned or controlled by the institution, or is located on property that is owned or controlled by the institution, and is within the reasonably contiguous geographic area that makes up the campus is considered an on-campus student housing facility.

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

Public Property: All public property, including thoroughfares, streets, sidewalks, parking facilities, and forested areas (i.e., woods, parks) that is within the campus or immediately adjacent to and accessible from the campus.

Off-Campus Locations: Cabrini University does not have any off-campus locations used by student organizations that are recognized by the University.

IMPORTANT CAMPUS PHONE NUMBERS

Public Safety:	610.902.8111
Residence Life:	610.902.8410
Student Engagement and Leadership (SEaL):	610.902.8755
Facilities:	610.902.8242

TITLE IX STAFF TRAINING

Nikki Gillum-Clemons Title IX Coordinator

Training:	Title IX and Sexual Harassment
Date:	2021
Trainer:	Safe Colleges
Location:	Virtual
Training:	Title IX: Roles of Employees
Date:	2021
Trainer:	Safe Colleges
Location:	Virtual

Anne Filippone Title IX Coordinator

Training: Title IX and Sexual Harassment
Date: 2021
Trainer: Safe Colleges
Location: Virtual

Joseph LaSpina, Investigator & Education Officer

Training: National Campus Safety Awareness Month Summit
Rebuilding safety on Campus
Date: September
Trainer: Clery Center for Campus Safety
Location: Virtual

Training: Title IX Investigations
Investigation planning
Date: September
Trainer: Academic Impressions
Location: Virtual

CRIME STATISTICS

Cabrini University Crime Statistics for Calendar Years 2020, 2021, 2022

This chart includes offenses that were reported to the Cabrini University Department of Public Safety, local law enforcement agencies and to any official of Cabrini University who has significant responsibilities for student and campus activities. Those offenses are compiled in accordance with the provisions of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act.

Offense Type	On Campus			Student Housing – subset of On Campus			Non-Campus Building or Property			Public Property			TOTAL		
	2020	2021	2022	2020	2021	2022	2020	2021	2022	2020	2021	2022	2020	2021	2022
Murder	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Rape	0	1	1	0	1	1	0	0	0	0	0	0	0	1	1
Fondling	1	0	1	1	0	1	0	0	0	0	0	0	1	0	1
Incest	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Dating Violence	0	1	1	0	1	1	0	0	0	0	0	0	0	1	1
Stalking	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

NOTES:

Hate Crimes

2020: 0 Incidents
 2021: 0 Incidents
 2022: 0 Incidents

Unfounded Reports

2020: 0 incidents
 2021: 0 incidents
 2022: 0 incidents

ARRESTS AND DISCIPLINARY REFERRALS

Offense Type (includes attempts)	On Campus			Student Housing – subset of On Campus			Non-Campus Building or Property			Public Property			TOTAL		
	2020	2021	2022	2020	2021	2022	2020	2021	2022	2020	2021	2022	2020	2021	2022
Liquor Law Violations															
Arrests	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Referrals	16	142	9	16	142	9	0	0	0	0	0	0	16	142	9
Drug Law Violations															
Arrests	0	0	1	1	0	0	0	0	0	0	0	0	0	0	1
Referrals	41	42	29	41	42	29	0	0	0	0	0	0	41	42	29
Weapons Law Violations															
Arrests	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Referrals	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Fire Safety Report

The Higher Education Opportunity Act (Public Law 110-315) became law in August 2008, requiring academic institutions to produce an annual fire safety report outlining fire safety practices, standards, and all fire-related on-campus statistics. An on-campus student housing facility is a dormitory or other residential facility for students located on an institution's campus. Cabrini University currently has nine (9) on-campus student housing facilities. Cabrini University has prepared this report, which includes required information about student housing fire safety systems, fire evacuation drills, fire safety policies, and education and training programs. The chart at the end of this report indicates fire events that occurred in two of our eleven halls/houses during the past three calendar years.

ON CAMPUS HOUSING FIRE SAFETY EQUIPMENT

All residence halls are equipped with sprinkler systems, and all residence halls and houses are equipped with fire alarms, fire extinguishers, and fire/smoke detectors. Fire alarm systems are monitored 24 hours a day, 365 days a year by a certified central station fire alarm monitoring company. When an alarm is activated on campus, the central station dispatcher immediately contacts the Department of Public Safety. Public Safety Officers are immediately dispatched to the activation location. Public Safety Officers have two-way radio communications with the Department of Public Safety Communications Center and can advise the dispatcher if fire department response is warranted. The Department of Public Safety dispatcher then calls 9-1-1 to request fire department response as needed.

Tampering with fire safety equipment or setting off a false alarm is illegal. It also makes the alarm system ineffective and endangers the lives of other persons living in the residence halls/houses. Any person who sets off a false alarm, interferes with the operation of the alarm system, damages or removes any part of the alarm system, fire extinguishers, smoke detectors, or exit signs, or in any other manner interferes with or otherwise hampers the effectiveness of the fire safety system, is subject to severe disciplinary action, including dismissal from the residence halls/houses, possible suspension or expulsion from the University, and/or criminal prosecution. If a smoke detector is detached from the wall for any reason, it is the responsibility of the person residing in that room to report it immediately. If not reported, all residents will be held responsible for tampering with fire safety equipment and will be disciplined and/or fined.

Inspection, testing, and maintenance programs for fire sprinkler, fire/smoke detection, and fire alarm systems are performed and recorded on an annual basis in accordance with National Fire Protection Association (NFPA) 72, National Fire Alarm Code and with NFPA 13 and 13A. Training and competency of state certified personnel responsible for the routine inspection, testing and maintenance of fire sprinkler systems, fire/smoke detectors, and alarm systems is handled by the certified contractors hired to perform these inspections. Fire extinguishers are checked each month by Public Safety Officers and inspected annually by our contractor in accordance with NFPA 10, Standard for Portable Fire Extinguishers.

Newly constructed residential facilities on the campus, as well as those that undergo reconstruction, as defined by the building code of Pennsylvania, have sprinkler systems and complete fire and smoke detection and alarm systems.

SUPERVISED FIRE DRILLS

Unscheduled fire and evacuation drills are conducted in all residence halls/houses and academic buildings during the spring and fall semesters of each academic year in compliance with the section 408.2 of the PA State Fire Code. The drills are conducted and supervised by the Department of Public Safety and the Department of Residence Life staff. Drills are documented and problems are addressed. Students must participate in the fire drills, and it is a violation of the University's Community Standards not to evacuate during a drill.

Drills were conducted in all residence halls and houses in March 2021 and drills for all academic buildings were in September 2021.

EVACUATION POLICY AND PROCEDURES

The purpose of evacuation drills is to prepare occupants for an actual, organized evacuation in case of fire or other emergency. Occupants of a residence hall and their guests must immediately evacuate the building upon the sounding of a fire alarm, regardless of its nature (drill, false alarm or actual alert) and follow the directions of University officials during the evacuation. During a drill, occupants practice drill procedures and familiarize themselves with the location of exits and the sound of the fire alarm. In the event of an actual fire, notify a Residence Life staff member or Department of Public Safety personnel immediately. The Department of Public Safety will call 9-1-1 for fire department assistance.

Fire alarm pull-stations alert residents only – they do not notify the Radnor Fire Department. At the sound of the alarm, each resident should immediately leave by the nearest fire exit and proceed directly to their assembly location. When possible, students are encouraged to pick up coats and shoes as they exit the building and to close room windows and doors.

The Residence Life staff (RAs) living in each residence hall or house assist with accounting for residents outside the building during the evacuation process. Residents are instructed on the location of the assembly area for their hall/house by the RAs. Residents and RAs are not permitted to re-enter the building until the "all clear" is given by an on-scene Public Safety Officer. Should the situation prohibit a timely re-entry into the affected building, evacuated residents will be temporarily relocated to another campus building.

Evacuation route placards are posted on the back of the door of each residence hall/house room. Residents should become familiar with multiple evacuation routes out of their building and should leave using the nearest safe exit. Elevators are not to be used during a fire alarm evacuation of any building.

RAs and residents are to assist individuals with disabilities. If someone cannot be evacuated due to an injury or disability, notify the first Public Safety Officer or RA encountered as you are leaving the building.

Residents are not expected to fight fires and are encouraged not to use fire extinguishers unless designated and trained. Individuals designated and trained by the University in the proper use of extinguishers may use a portable fire extinguisher to fight a small fire where there is little risk of harm from smoke, heat or flames.

Students, faculty and staff are encouraged to immediately report all campus fires to the Department of Public Safety.

FIRE SAFETY VIOLATIONS AND PROHIBITIONS

The *Cabrini University Student Handbook*, Residence Life section, contains information on residence hall policies. The Student Handbook is located on the University web page <https://www.cabrini.edu/about/departments/mission-dei-student-engagement/handbook-and-code-of-conduct>). RAs conduct periodic health and safety inspections of residence hall rooms during each semester. Listed below are fire safety guidelines and prohibitions.

- Hanging any items from or attaching any items to ceilings or other horizontal surfaces above the head is prohibited.
- Hanging any items from or draping any items over electrical outlets, smoke detectors, lamps, or other items with the potential to ignite the item through excessive heat exposure is prohibited.
- Hanging any items from sprinkler pipes or within 18” of any sprinkler head is prohibited.
- Electrical outlets and extension cords may not be overloaded.
- Only UL-approved and rated electrical extension cords may be used on campus. The rating must be visible and legible on the cord. Total combined voltage of all appliances on the cord may not exceed the UL rating for that cord. Cords without the UL label, or those carrying total wattage in excess of the cord’s rating will be disconnected, confiscated and discarded. High power drawing appliances (irons, hair dryers, televisions, refrigerators) should be plugged directly into electrical sockets and not extension cords or power strips.
- Surge protectors must be circuit-breaker protected and UL approved. Instead of extension cords, use surge protectors for multiple plugs. Surge protectors may not be linked to other surge protectors or be placed underneath carpets.
- Candles, lit or unlit, functional or decorative, are prohibited in the residence halls.
- Appliances with open heating elements, including hot plates, griddles, toaster ovens, and space heaters are prohibited in the residence hall.
- Items involving open flames (e.g., incense and potpourri burners, kerosene lamps) are also prohibited.
- Flammable/combustible materials, liquids or devices including gasoline, lighter fluid, open paints, paint thinner, turpentine, BBQ grills, and helium tanks are prohibited.
- Microwave ovens are prohibited in all residence hall living areas except the Cabrini Apartment Complex.
- Live Christmas trees, wreaths and/or garland are fire safety hazards and are prohibited in the residence halls. Holiday decorations involving lights must use cords that meet the UL requirements outlined earlier and that are in good condition.
- Equipment or vehicles powered with gasoline or combustible fuels are prohibited in residence halls.
- Blocking or preventing the use of room doors, hallways, exit doors and stairwells or propping of exterior access doors and fire doors is prohibited.
- SMOKING is prohibited in any residence facility.
- Fireworks, projectiles or explosives of any type are prohibited in residence halls.
- Tampering with fire alarm or fire protection systems, including extinguishers, smoke detectors, alarms, sprinklers, fire exit signs and fire doors or deliberately causing a false fire alarm are violations of the student conduct code and students found responsible are subject to strict sanctions.
- The use of halogen lamps or floor lamps is prohibited in residence hall rooms or common areas. Having such lamps will result in disciplinary action and immediate removal of the lamp.
- Keep room clear of fire hazards that are created through the accumulation of potentially

- flammable materials such as newspapers, magazines, boxes, etc.
- Stairway and hallway fire doors shall be kept closed at all times. These closed doors can contain a fire long enough to allow the occupants to escape.

FIRE SAFETY EDUCATION AND TRAINING

Residence Life ADs, GAs, and RAs are staff and students who live in and supervise the University's residence halls and houses. These personnel receive annual fire safety, evacuation, and fire extinguisher training prior to residential students arriving for the fall semester. The staff holds educational floor meetings when students arrive on campus at which time fire safety and evacuation procedures are covered with the resident students. Fire evacuation routes and procedures are posted on the back of the door of each residence hall room.

Fire and building evacuation protocols and procedures are also addressed in the following documents:

- *Cabrini University Staff Handbook* (see <https://www.cabrini.edu/about/departments/human-resources/employee-handbook>)
- *Cabrini University Emergency Operations Plan* (see www.cabrini.edu/PublicSafety)

Specialized training is routinely provided to service employees, such as Dining Services and housekeeping staffs, who work in high occupancy campus buildings and residence halls.

The Department of Public Safety and the Facilities Department maintain an active working relationship with the Radnor Township Fire Marshal and consult with that office on matters of fire safety when questions arise. The Fire Marshal's Office conducts periodic inspections of campus facilities.

FIRE LOG

The Department of Public Safety maintains a fire log that records all fires that occur in a residential housing facility by the date the incident was reported. The Fire Log is available for public inspection at the Department of Public Safety, and includes the nature, date, time, and general location of each fire reported to the Department. The Department of Public Safety posts fire incidents in the Fire Log within two (2) business days of receiving a report of a fire and reserves the right to exclude reports from the log in certain circumstances.

AVAILABILITY OF THE ANNUAL FIRE SAFETY REPORT

The Annual Fire Safety Report is available online at <https://www.cabrini.edu/about/departments/public-safety/reporting-crime>. The University will provide a paper copy of the report upon request to currently enrolled or prospective students and current or prospective employees of the University.

FIRE STATISTICS

This chart includes fires in Residential Halls that were reported to the Cabrini University Department of Public Safety. These statistics are compiled in accordance with the provisions of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act.

On-Campus Residence Halls	Total Number of Fires	Type of Fire	Fire Related Deaths	Fire Related Injuries	Property Damage Value
Cabrini Apartment Complex					
2020	0		0	0	\$0
2021	0		0	0	\$0
2022	0		0	0	\$0
Casey House					
2020	0		0	0	\$0
2021	0		0	0	\$0
2022	0		0	0	\$0
Dixon House					
2020	0		0	0	\$0
2021	0		0	0	\$0
2022	0		0	0	\$0
East Residence Hall					
2020	0		0	0	\$0
2021	0		0	0	\$0
2022	0		0	0	\$0
Infante House					
2020	0		0	0	\$0
2021 – no longer residence hall	0		0	0	\$0
2022– no longer residence hall	0		0	0	\$0
McManus House					
2020	0		0	0	\$0
2021	0		0	0	\$0
2022	0		0	0	\$0
South Residence Hall					
2020	0		0	0	\$0
2021	0		0	0	\$0
2022	0		0	0	\$0
Sullivan House					
2020	0		0	0	\$0
2021 – no longer residence hall	0		0	0	\$0
2022- no longer residence hall	0		0	0	\$0
West Residence Hall					
2020	0		0	0	\$0
2021	0		0	0	\$0
2022	0		0	0	\$0
Woodcrest Hall					
2020	0		0	0	\$0
2021	0		0	0	\$0
2022	0		0	0	\$0
Xavier Hall					
2020	0		0	0	\$0
2021	0		0	0	\$0
2022	0		0	0	\$0

Consistent with the Clery Act, the Department of Public Safety has designated its reporting area for the Cabrini campus by using the below map:

