



**Eastern University, 16<sup>th</sup> & Market**  
1601 Market Street suite 210  
Philadelphia, PA 19103

### **2020 ANNUAL SECURITY REPORT:**

The report published December 1, 2020 contains statistics for 2019, 2018 & 2017

#### **PREPARATION AND DISCLOSURE OF CRIME STATISTICS**

*Eastern University, as a recipient of Title IV, student financial aid, is required to adhere to the provisions of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, commonly referred to as the CLERY ACT. One provision of the Clery Act is that all postsecondary institutions receiving federal Title IV financial aid must publish an annual report disclosing campus security policies and three years worth of selected crime statistics. In compliance, this report is prepared by the Department of Public Safety and made available to the campus community and others, with the cooperation of Local law enforcement agencies and various University offices, including Student Development and the office of Dean of Students.*

*This publication is distributed in accordance with the Pennsylvania College and University Security Information Act (24 P.S. § 2502-1-2502-5) and the following federal statutes: Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, Section 486 (e) of the Public Law: 105-244 and The Accuracy in Campus Crime Reporting Act of 1997.*

*This report is prepared in compliance with the Federal Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act of 1998 (formerly the Crime Awareness and Campus Security Act of 1990). The statistics are maintained and compiled by the Eastern University Department of Public Safety. The report is available at: <http://www.eastern.edu/offices-centers/public-safety/clery-reporting> Information about the link to the report is disseminated via email and handout messages to all prospective and current faculty, staff, and students. A paper copy of this report is available upon request by contacting the Director of Public Safety at 610-341-1720.*

Total Students	166
Non-Student Employees	23
Total 16 <sup>th</sup> & Market Campus	189

## **THE COMMUNITY at EASTERN UNIVERSITY, PHILADELPHIA at 16<sup>TH</sup> & MARKET**

At Eastern University, we believe that a safe campus is your right – and your responsibility. Security is a team effort that involves the cooperation of all concerned: students, faculty and staff. The Office of Public Safety, the Office of Student Development, and all of Eastern University take a lead role and are an integral part of this team. Our goal is to foster a stable environment in which security is balanced with freedom of movement on an open campus.

The classrooms and offices of Eastern University, Philadelphia at 16<sup>th</sup> & Market are located at suite 210, 1601 Market Street, Philadelphia, PA, 19123 (*the campus moved from 18<sup>th</sup> & JFK, Sept 2016*). The building has security officers in the lobby 24 hours a day. In addition, the Philadelphia Police Department provides police service for this location and can be reached at 911 for emergency services. The Eastern University community at this location consists primarily of working adults, most of who work in the vicinity of the office complex. There are no residential facilities at this location.

### **ACCESS to FACILITIES**

Access to elevators leading to the office and classroom location is monitored by building security.

### **SECURITY PERSONNEL, POLICY AND PROCEDURES**

The University does not maintain security personnel at this venue. The building security is available at all times while classes are in session. If there is an emergency, contact Philadelphia Police Department by dialing 911 and building security at 215-563-0628.

### **VOLUNTARY & CONFIDENTIAL REPORTING PROCEDURES**

Although we encourage the reporting of crime directly to building security or Philadelphia Police in some instances members of the campus community may choose to file a report with one of the other **Campus Security Authorities**. They include any member of Eastern University 16<sup>th</sup> and Market staff, the Dean of Students, another member of the student development offices, other Directors and Department Heads, advisors, some counselors or directly to the Director of Public Safety at 610-341-1737.

Allegations of campus crime that any staff member becomes aware of and that were made in good faith must be reported to the Department of Public Safety. Eastern University allows for confidential reporting of crime. Victims who do not want to pursue action within the University or the criminal justice system can make a confidential report without revealing the identity of the victim. The Philadelphia Police Department will be notified as well. The University will guide the victim through the available options and support the victim in their decision. Various outside resources are available for other students on a referral basis. The purpose of a confidential report is to comply with a victim's expressed wishes to keep the matter confidential, while taking steps to ensure the future safety of the victim and others.

With this information, the University can keep and disseminate accurate records of the number of incidents involving students, determine where there is a pattern of crime with regard to a particular location, method, or assailant, and alert the community to potential danger. Reports filed in this manner are counted and disclosed in the annual crime statistics for the University.

All crime reports filed with Public Safety are recorded on the Department of Public Safety *Daily Crime Log*. This log is available to students, faculty and staff for their review, and is the basis for the university's annual crime reports.

### **EDUCATION AND PREVENTION**

All security procedures are reviewed annually. Annually all students receive notice of the availability of the annual crime statistics as posted on the University Website. These statistics and important security information are available to external community members and prospective students/families as well. Eastern University currently contracts with 3<sup>rd</sup> Millennium Classrooms to provide evidence-based prevention and intervention programs, on-line to the University community, including "Alcohol Wise" and "Consent and Respect".

## **INCIDENT PREPAREDNESS DRILLS**

The Emergency Notification System (e2Campus) is tested yearly to ensure that all systems are working properly. There are notices preparing the campus for these tests to remind the community that the system does exist and is a functioning system that can be relied on. The Public Safety Department holds a number of table-top exercises on topic such as Active Shooter and Weather related emergencies throughout the year at the St Davids Campus. Special emphasis is placed on emergency response and evacuation. All of the University campuses and local first responders are encouraged to participate. The drills are followed by a question and answer session with all participants to learn what we can build on.

## **ALCOHOL AND DRUG POLICIES**

The Drug Free Schools and Campus Regulations (34 CFR Part 86) of the Drug Free Schools and Communities Act (DFSCA) require an institution of higher education such as Eastern University to certify it has implemented programs to prevent the abuse of alcohol and use or distribution of illicit drugs both by EU students and employees, both on its premises and as a part of any of its activities. Eastern University publishes a Biennial Review of their Drug and Alcohol Abuse Prevention Programs (DAAPP). The DAAPP report can be found at: [https://www.eastern.edu/sites/default/files/inline-files/DAAPP\\_2018.pdf](https://www.eastern.edu/sites/default/files/inline-files/DAAPP_2018.pdf)

### **At a minimum each institution of higher education must annually distribute the following in writing to all students and employees:**

Standards of conduct that clearly prohibit the unlawful possession, use or distribution of illicit drugs and alcohol by students and employees; *An email to EU students and employees is sent to directing the campus to: The information may also be found in the EU student and employee handbook. Student email was sent on February 1, 2019.*

A description of the legal sanctions under local, state, or federal law for the unlawful possession or distribution of illicit drugs and alcohol; *Individuals found guilty of crimes of this nature can have fines imposed, criminal probation or parole, and incarceration.*

A description of any drug or alcohol counseling, treatment, or rehabilitation or reentry programs that are available to employees or students; *Counseling can be provided by the be the EU University Chaplain, Center for Counseling & Academic Support, and private counseling.*

A clear statement that the institution will impose sanctions on students and employees and a description of those sanctions, up to and including expulsion or termination of employment and referral for prosecution, for violations of the standards of conduct. *Individuals found responsible for violations of the EU policy on Drugs and Alcohol may face fines, academic probation, mandatory completion of abuse programming, suspension from the University, expulsion from the University and may be referred to local law enforcement.*

### **The law further requires that the institution conduct a biennial review of its program with the following objectives:**

Determining the effectiveness of the policy and implementing changes to the alcohol and other drug programs if they are needed; and to ensure that the sanctions developed are enforced consistently. The most recent biennial review was conducted in 2018. The biennial DAAPP report is available at: [https://www.eastern.edu/sites/default/files/inline-files/DAAPP\\_2018.pdf](https://www.eastern.edu/sites/default/files/inline-files/DAAPP_2018.pdf)

## **WEAPONS**

Possession and/or use of firearms or weapons, including air rifles, air pistols, knives, ammunition or explosives (fireworks) in or upon university owned or staffed properties is prohibited.

## **TIMELY WARNINGS**

In the event of an emergency, or when a serious criminal incident has occurred- especially in situations that could pose an immediate threat to the community and individuals, the department will use appropriate channels to notify the Eastern University community and a campus wide “timely warning “will be issued- including printed Safety Alerts posted around campus, email notifications and text messaging. You must [register](#) in order to receive text messages. There is no charge for email alerts but, REGULAR TEXT MESSAGING FEES WILL APPLY ACCORDING TO YOUR CONTRACT WITH YOUR SERVICE PROVIDER AND MUST BE PAID BY YOU. THE FEE, if any, FOR A SINGLE TEXT MESSAGE RANGE FROM .15 per message to .75 per message received depending on the service provider. Registration is free of charge to subscribers, and is voluntary but highly encouraged. The provider for this instant text messaging system is e2Campus.

The decision to issue a Timely Warning is the responsibility of the Director of Public Safety after consultation with the Dean of Students and/or the Vice Provost of Student Development.

General information about the service can be found at [www.e2campus.com](http://www.e2campus.com). Be sure to select the “16<sup>th</sup> & Market” at options to receive information about this site.

## **Emergency Notifications**

Should an emergency occur on any Eastern University campus or site, a text message or email will be sent to registered community members with the location, the problem, and what to do to stay safe. The message will be brief and to the point. Additional information will be disseminated through an all-community e-mail as soon as it is available. This system will be used for EXTREME EMERGENCIES ONLY and weather related information. You must [register](#) in order to receive text messages. There is no charge for email alerts but, REGULAR TEXT MESSAGING FEES, if any, WILL APPLY ACCORDING TO YOUR CONTRACT WITH YOUR SERVICE PROVIDER AND MUST BE PAID BY YOU. Registration is free of charge to subscribers, and is voluntary but highly encouraged. The provider for this instant text messaging system is e2Campus.

The decision to issue an Emergency Notification is the responsibility of the Director of Public Safety after consultation with the Dean of Students and/or the Vice Provost of Student Development.

General information about the service can be found at <https://www.omnilert.com/industry-higher-education-and-campuses>. Be sure to select the “16<sup>th</sup> and Market” option to receive information about this site.

## **REPORTING CRIMINAL OFFENSES**

Individuals who witness or become the victim of a crime on or near the Eastern University | Philadelphia at 16<sup>th</sup> & Market are expected to contact the Philadelphia Police immediately by dialing 911. Front desk coverage at 16<sup>th</sup> & Market ends at 6:30pm each evening Monday – Friday. The Site Services Coordinator will file an incident report with the Director of Public Safety for Eastern University. Victims or witnesses will be asked 911.

All incident reports filed with Public Safety, including crimes, are recorded on the Department of Public Safety *Incident Journal Log*. This log is available to students, faculty and staff for their review, and is the basis for the university’s annual crime reports.

## **EDUCATION AND PREVENTION**

All security procedures are reviewed. Annually all students receive notice of the availability of the annual crime statistics as posted on the University Website. These statistics and important Security information are available to external community members and prospective students/families as well.

Eastern University currently contracts with 3<sup>rd</sup> Millennium Classrooms to provide evidence-based prevention and intervention programs, on-line to the University community, including “Alcohol Wise” and “Consent and Respect”.

## INCIDENT PREPAREDNESS DRILLS

The Emergency Notification System (e2Campus) is tested yearly to ensure that all systems are working properly. There are notices preparing the campus for these tests to remind the community that the system does exist and is a functioning system that can be relied on. The Public Safety Department also coordinates with the Radnor Police Department to conduct Active Shooter Drills at the St. Davids campus. All of the University campuses are invited to participate. The drill is followed by a question and answer session with all participants to learn what we can build on.

## CRIME PREVENTION PROGRAMS

Given that this location is for the benefit of adult students, no formal crime prevention programs are offered for this venue. **While it is NEVER the fault of a crime victim, the following tips are offered as reminders to students:**

1. always walk with a friend;
2. walk in lit areas only;
3. walk quickly and with confidence;
4. keep doors locked and have car keys in hand before leaving building; and
5. call the police immediately if you feel threatened or see a person acting suspiciously.

## CRIME STATISTICS

Geographic locations: The university is required to report crime statistics for Clery – designated crimes and to issue timely warning for those crimes that represent a severe and continuing threat in the following locations: *On Campus, Public Property and Non-Campus buildings and Property.*

*On 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; and Any building or property that is within or reasonably contiguous to the area identified in paragraph (1) of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).*

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

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

### Reporting of Campus Crime: Eastern University | Philadelphia 16<sup>th</sup> & Market OFFENSES / LOCATIONS

REPORTABLE CRIME CATEGORIES	YEAR	ON CAMPUS	RESIDENCE HALLS	NON CAMPUS	PUBLIC PROPERTY
Criminal Homicide: Murder and Non-negligent Manslaughter	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
Criminal Homicide: Manslaughter by Negligence	2017	0	0	0	0
	2018	0	0	0	0

	2019	0	0	0	0
Sex Offenses: Rape	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
Sex Offenses: Fondling	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
Sex Offenses: Incest	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
Sex Offenses: Statutory Rape	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
Robbery	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
Aggravated Assault	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
Burglary	2017	0	0	0	0
	2018	0	0	0	0
	2018	0	0	0	0
Motor Vehicle Theft	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
Arson	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0

**ARRESTS**

VIOLATION	YEAR	ON CAMPUS	RESIDENCE HALLS	NON CAMPUS	PUBLIC PROPERTY
Liquor Law	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
Drug Law	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
Weapons Law	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0

### DISCIPLINARY REFERRALS

VIOLATION	YEAR	ON CAMPUS	RESIDENCE HALLS	NON CAMPUS	PUBLIC PROPERTY
Liquor Law	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
Drug Law	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
Weapons Law	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0

Statistics supplied by the Office of Dean of Student & Philadelphia Police Department

### Hate Crimes

A Hate Crime is a criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim due to Race, Religion, Sexual Orientation, Gender, Gender Identity, Ethnicity, National Origin or Disability. No Hate Crimes were reported for this reporting period of years 2019, 2018, or 2017.

### VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2013 (VAWA)

REPORTABLE CRIME CATEGORIES	YEAR	ON CAMPUS	RESIDENCE HALLS	NON CAMPUS	PUBLIC PROPERTY*
Domestic Violence	2017	0	0	0	0

Dating Violence	2017	0	0	0	0
Stalking	2017	0	0	0	0
Domestic Violence	2018	0	0	0	0
Dating Violence	2018	0	0	0	0
Stalking	2018	0	0	0	0
Domestic Violence	2019	0	0	0	0
Dating Violence	2019	0	0	0	0
Stalking	2019	0	0	0	0

Statistics supplied by the Office of Dean of Student & Philadelphia Police Department

### Sex Offender Registry and Access to Related Information

The federal Campus Sex Crimes Prevention Act went into effect on October 28, 2002.

The law requires institutions of higher education to issue a statement advising the campus community where state law enforcement agency information concerning registered sex offenders may be obtained. It also requires the sex offenders, already registered in a state, provide notice to each institution of higher education in that state, as to where the person is employed, carries on a vocation, or is a student. Pennsylvania's Megan's Law, 42 Pa.C.S. § 9799.1, requires the State Police to create and maintain a registry of persons who have either been convicted of, entered a plea of guilty to, or adjudicated delinquent of certain sex offenses. Additionally, the Pennsylvania State Police is required to make certain information on registered sex offenders available to the public through an Internet website. Information regarding registered sex offenders on the campus of Eastern University may be obtained from the following agencies, or at the following Web site <http://www.pameganslaw.state.pa.us>.

### Sexual Discrimination and Title IX Policies

As a Christian academic community, Eastern University expects a sexual lifestyle that is consistent with biblical teaching. For our community, sexual intimacy is not acceptable apart from marriage. Eastern University is committed to providing an environment free from all forms of sexual discrimination, to include sexual assault, sexual violence, and sexual harassment for all members of its community; the below policies apply to visitors, contractors, and other third parties.

#### Definitions

**Sexual Assault** – the commission of a sex offense. It is a more general term which includes, but is not limited to, rape and sexual abuse. The Campus SaVE Act defines sexual assault as “an offense classified as a forcible or non-forcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation (FBI).” If a person is unable to give consent, the behavior of the perpetrator is considered sexual assault. Persons are considered unable to consent if:

1. they are temporarily incapable of appraising their conduct due to a) the influence of alcohol or drugs or b) physical helplessness because they are unconscious or otherwise physically unable to communicate consent;
2. they are impaired because they are suffering from a mental illness which renders them incapable of appraising the nature of their conduct; or
3. they are under the age of 18. Having a sexual encounter with a person under such circumstances is considered sexual assault, even if the assailant is under the influence of alcohol or drugs.



Consent – a clear, voluntary, unambiguous, and positive agreement to engage in specific sexual activity through a sexual encounter. Consent cannot be inferred from the absence of a “no”; a clear “yes,” verbal or otherwise, is necessary.

Sexual Violence - sexual acts perpetrated against a person’s will where consent is not obtained or where a person is incapable of giving consent due to his/her use of alcohol or other drugs. It is a form of sexual harassment, and includes rape, sexual assault, sexual battery, sexual coercion, unwanted touching, dating violence, and sexually motivated stalking.

Domestic Violence - a “felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction...or by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction.”

Dating Violence - “violence committed by a person—(A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (B) where the existence of such a relationship shall be determined based on a consideration of the following factors:

- i. the length of the relationship
- ii. the type of relationship
- iii. the frequency of interaction between the persons involved in the relationship”

Stalking - “engaging in a course of conduct directed at a specific person that would cause a reasonable person to—(A) fear for his or her safety or the safety of others; or(B) suffer substantial emotional distress.”

Rape – forcing someone to have sexual intercourse, either vaginal, oral, or anal. The act may be perpetrated by a person who is either a stranger or an acquaintance of the victim. The force necessary can be any threat or physical force that places the victim in fear of anything, including but not limited to loss of job, lowered grades, injury, or death. The perpetrator does not need to use a weapon or to injure the victim in order or make the victim fearful.

Date Rape - also known as “acquaintance rape,” “social rape,” or “silent rape,” is rape by someone the person knows-friend, roommate, classmate, date, neighbor, professor, employer, co-worker, fiancé, lover or ex-lover, or casual acquaintance.

Sexual Abuse – forcing a person to engage in any sexual contact other than sexual intercourse. Sexual abuse means any touching of the sexual or intimate parts of another person, whether directly or through clothing, which is offensive to the victim and which could reasonably be understood as offensive. (See Sexual Harassment Policy for additional infractions not covered in this document).

### **Sexual Assault Policy**

Sexual assault is a violation of Title VII of the Federal Civil Rights Act of 1964, Title IX of the 1972 Education Amendments Act, the Pennsylvania Human Relations Act, and the standards which Eastern University expects of its students. Sexual assault is a crime that involves power as the motive, sex as the weapon, and aggression as the method. Anyone can become a victim of sexual assault regardless of age, gender, race, appearance, or economic status. A person has the right to say “no” at any stage of an encounter.

However, a person does not have to say "no" for the attack to be considered a sexual assault. A person does not attract sexual assault by acting or dressing in a provocative manner. There is no evidence to support a link between physical attractiveness and sexual assault.

If you are sexually assaulted:

1. Immediately tell a trusted friend, a member of the Student Development staff, or CCAS counselor. You will need support throughout the process.
2. Seek medical attention immediately. Call your doctor or go to the hospital emergency room for treatment of any injuries and for collection of evidence for legal prosecution, even if you are not sure that you want to prosecute. You can decide later to prosecute, but the exam cannot wait. Seek medical assistance/forensic examination within 72 hours of the assault.
  - a) Medical personnel are required to make a report to the local police, but you have the right not to press charges.
3. Report the sexual assault to the police. They will inform you of your legal rights and help you collect evidence. You can decide whether or not to prosecute later. The Philadelphia police can be reached at **911**.
4. Make a written report of all the events that led up to the sexual assault, the sexual assault event, and your behavior after the sexual assault. Include dates, times, and witnesses.
5. Seek counseling. Your Resident Assistant, Residence Hall Director, or a member of the Student Development Office can help you contact the Eastern University Counseling Center. A counselor can give confidential support, help in decision-making, and help the victim to move through the emotional and psychological processes from victim to survivor.
6. Report the sexual assault to any member of the Student Development Office staff. See **Complaint Procedures** below for more information on the process.
7. DO NOT:
  - a. clean up, wipe or wash with tissue, douche, bathe, shower, or change your clothes before you go to the hospital. Do not go to the bathroom, brush your teeth or chew gum, eat or drink, smoke. Do not brush your hair, wash your hands, clean/sanitize cuts or injuries obtained during the assault.
  - b. be afraid to tell others and report this crime to the police.
  - c. blame yourself. **This is not your fault.**

### **Sex Discrimination Policy**

#### **Statement of Policy**

Eastern University is committed to complying with all State and Federal laws prohibiting discrimination, including Title IX of the Education Amendments of 1972 and its implementing regulations, which prohibit discrimination on the basis of sex.

#### **Prohibited Acts**

Title IX of the Educational Amendments of 1972 states:

*No person in the United States shall, on the basis of sex, be excluded from participation in, or be denied the benefits of, or be subjected to discrimination under any education program or any activity receiving Federal financial assistance.*

Title IX, as it pertains to the Eastern University community, applies to but is not limited to, fair practices regarding: recruitment, admissions, housing, athletic, and extracurricular activities, rules and regulations, discipline, class enrollment, access to programs, courses, and internships, distribution of financial assistance, distribution of institutional resources, hiring practices, employment, promotion, and policies, among other things.

### **Title IX Coordinator**

The Title IX coordinator responsible for Title IX compliance at Eastern University is Dr. Jacqueline Irving, Vice Provost for Student Development, Walton Hall rm. 200, St. Davids campus. Phone: **(610) 341-5872**, [jirving@eastern.edu](mailto:jirving@eastern.edu).

### **Complaint Procedures**

Any person at Eastern University who believes that s/he has been discriminated against on the basis of sex (the “complainant”), by Eastern University students, faculty, staff or outside third parties is encouraged to promptly take the following actions:

1. Immediately communicate with the individual perceived as engaging in discriminatory conduct (the “respondent”) and request a proposed course of action to resolve the situation.
2. If the matter cannot be resolved at that level or if the complainant does not wish to or feel comfortable communicating directly with the respondent, then the complainant may make a complaint in writing within two weeks of the alleged discriminatory conduct to the Vice Provost for Student Development. If the Vice Provost for Student Development is involved in the acts that the complainant believes to be discriminatory, then the complaint should be made to the General Counsel.
3. The complaint should provide the following information.
  - a. The names, addresses and telephone numbers, if available, of the complainant and respondent;
  - b. Specific acts alleged, including dates, times and locations;
  - c. Names of any potential witnesses, including addresses and telephone numbers, if available
  - d. Actions taken by any party to address the discrimination, if any.

### **Investigation Procedures**

The following procedures will govern all investigations of complaints alleging violations of this policy. Eastern reserves the right to deviate from these procedures only when such deviation is necessary to ensure appropriate processing of the investigation. Preponderance of the Evidence will be used in all cases for adjudication decisions.

1. The investigation will begin within 10 work days<sup>1</sup> of the receipt of the complaint. Should the Vice Provost for Student Development be unavailable within the time frame, his/her designee will act instead. If the Vice Provost

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<sup>1</sup>Work days are defined as days in a row, when the University is open for business, excluding Saturday and Sunday.

for Student Development or his/her designee is involved in the alleged discrimination, the complaint will be investigated by General Counsel.

2. The Vice Provost for Student Development, or his/her designee(s), will investigate allegations of violations of this policy.
3. If the complainant or the respondent is under 18 years of age h/her parent or legal guardian will be notified of the complaint via phone, e-mail or US mail.
4. The investigation should include interviewing the complainant and the respondent, as well as any relevant witnesses suggested by the complainant and the respondent.
5. The investigation should also include interviewing any additional witnesses or reviewing any documents deemed relevant by the Vice Provost for Student Development or his/her designee(s).
6. Confidentiality of the investigation will be maintained to the extent possible. If a complainant requests confidentiality or asks that the complaint not be pursued, Eastern will weigh the request for confidentiality against the following factors: the seriousness of the alleged harassment, the complainant's age, whether there have been other harassment complaints about the same individual, and the alleged harasser.<sup>2</sup>
7. If witnesses cannot be reached or are not available, the complaint will be investigated in their absence.
8. After all available information is reviewed and interviews are completed, the Vice Provost for Student Development or his/her designee(s) will:
  - a. Determine whether a violation of this policy has occurred, and if so, the appropriate response.
  - b. Notify the complainant and the respondent either verbally or in writing of the outcome of the investigation within five working days after the completion of the investigation.
  - c. Make recommendations to the appropriate supervisor/dean regarding discipline, if warranted.
  - d. Partner with departments, divisions, programs and Deans to take any corrective action as may be appropriate under the circumstances.
9. All complaints will be adjudicated as expeditiously as possible and generally within 30 work days.

#### **Appeal Procedures**

1. Within two weeks of being notified by the Vice Provost for Student Development or their designee of the decision regarding the investigation, either party may appeal the decision by submitting a written statement of the basis for the appeal to Judiciary Board.
2. Appeals will be heard by the aforementioned Judiciary Board who will hear/review statements (oral or written) from the parties and review evidence compiled by the Vice Provost for Student Development during his/her investigation. All appeals will be heard as expeditiously as possible and generally within 30 work days.

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<sup>2</sup> As outlined in the Dear Colleague letter and the Campus SaVE Act.

- Eastern University believes that individuals involved in a sex discrimination investigation should be heard in final appeal by an impartial Judiciary Board with representation by at least one member from their primary constituency group (i.e., student, faculty or staff, which includes administration). Accordingly, members of the Judiciary Board shall reflect the primary constituency group of the complainant and the respondent.

<b>When the alleged discrimination involves:</b>	<b>The Judiciary Board will be composed of:</b>
Faculty and student	Faculty and student(s)
Staff and student	Faculty, staff and student(s)
Student and student	Faculty and student(s)
Staff and staff or faculty and staff	Faculty and staff
Faculty and faculty	Faculty

- The decision of the Board will be communicated to the complainant within five working days of the conclusion of the Board’s investigation. The decision of the Board will be final.

**Retaliation**

Retaliation against a person who brings a complaint alleging a violation of this policy or who participates in an investigation is strictly prohibited. Under the law, retaliation includes any form of intimidation, threat, coercion or any other type of discrimination because of the individual’s complaint or participation. Retaliation will be cause for appropriate disciplinary action in accordance with the procedures set forth above. Students, faculty or staff who knowingly make false charges alleging violations of this policy may be subjected to disciplinary action, as well as any related/relevant civil or criminal legal proceedings.

**Sexual Harassment Policy**

Believing that members of our community have the right to work, study, and communicate with each other in an atmosphere free from unsolicited and unwelcome sexual advances, Eastern University does not condone and will not tolerate any behavior, verbal or physical, which constitutes sexual harassment.

**Definition**

Sexual harassment is a form of discrimination in violation of Title VII of the Federal Civil Rights Act of 1964, Title IX of the 1972 Education Amendments, the Pennsylvania Human Relations Act, and Eastern University Policy. Unwelcome sexual advances, requests for sexual favors, inappropriate behavior of a sexual nature, and other written, verbal, or physical conduct of a sexually intimidating or offensive nature constitutes sexual harassment when:

- such conduct is pursued among persons who have not mutually consented (implicitly or explicitly, verbally or non-verbally) to such conduct;
- submission to such conduct is made, explicitly or implicitly, a term or a condition for a employment, advancement, matriculation, or academic evaluation at Eastern University;
- submission to, or rejection of, such conduct is used as the basis for employment or academic decisions;
- a pattern exists of singling out members of one sex for disproportionate attention with elements of emotional or physical pressure;

5. such conduct has the purpose or effect of substantially interfering with an individual's employment or academic performance or creating an intimidating, hostile, or offensive residential, work, or academic environment. Sexual harassment is unwelcome and usually repeated behavior, but in some instances it can be an action that occurs only once.

Examples of sexually harassing conduct include, but are not limited to:

1. repeated sexually suggestive looks, gestures, or questions;
2. repeated, unwanted, and unacceptable remarks that stigmatize or ridicule on the basis of gender or sexual matters;
3. persistent following, letters, or phone calls discussing sexual matters;
4. display of offensive, sexually oriented visual materials (i.e. photos or posters), except those used for the purposes of instruction as appropriate to course objectives;
5. cornering or leaning over, touching, pinching, or patting;
6. pressure for sexual favors.

### **Dealing with Sexual Harassment**

Eastern University strongly urges that each member of the community know her/his rights and responsibilities, cooperate with those who are designated to help resolve allegations of harassment, and report all incidents of harassment, especially if she/he is a victim.

### **What To Do**

1. Say "no" to the offender. Respond immediately and directly to the offender, indicating that the behavior or remark is not acceptable. State without smiling or apologizing that you want the behavior to stop, and make it clear that you do not approve.
2. Do not ignore the problem. Experience shows that this only makes things worse.
3. If you are unsure that your experience was sexual harassment, discuss it with a trusted friend, colleague, or a member of the Student Development staff on an informal basis.
4. Keep a written record of the harassment. Include the date, time, place, and any other relevant circumstances. Record your response to the harassment as well. Keep all relevant correspondence that may be used as evidence of harassment, such as letters, notes, or memos.
5. Find out if someone witnessed the incident or your reaction immediately after the incident. That person may be a witness for you. Take names and phone numbers for future reference.
6. If you feel that your academic or work evaluation will be effected by the harassment, ask for and collect copies of past academic work or evaluations or anything that would tell the quality of your work.

### **The Procedure for Reporting Sexual Assault/Sexual Harassment**

Members of the Eastern University community are encouraged to report information regarding an alleged incident of sexual harassment or assault to any member of the Student Development staff. Although any member of the Student Development staff may be informed, that member will report the incident to the Dean of Students, who will investigate it.

Should the alleged victim choose to do so, she/he may choose a support person who may be a friend or a trusted staff or faculty member of the Eastern University community. Faculty and staff members, including Resident Assistants, but with the exception of professional counselors, have a duty to report any and all sexual assault to the Title IX Coordinator. The support person may accompany and advise the alleged victim in the investigation and in any informal or formal procedures that follow.

The following procedures apply when the alleged perpetrator is a student. To initiate an informal grievance, the victim of the alleged incident or her/his support person should inform the Dean of Students of her/his intent. The Dean will seek to resolve the complaint informally in a manner satisfactory to both the complaining party and the accused party. If the complaint is not resolved to the satisfaction of both parties, the complaining party may elect to initiate a formal grievance. The victim of the alleged incident is not obligated to pursue an informal grievance before filing a formal grievance.

The victim of the alleged incident may initiate a formal grievance to the Dean of Students, after which the Dean of Students will notify the accused party of the incident. If evidence warrants it, a formal hearing will be convened. The nature of the charges necessitate that the Judiciary Board be composed of the Dean of Students, at least one male faculty or staff member, at least one female faculty or staff member, at least one male student, and at least one female student. The fifth voting member will be of the same gender as the alleged victim. An effort will be made to have the same members of the Board present at every hearing for the particular case. Either the victim or the accused may request that a student member be included or excluded. The Hearing, Disciplinary Sanction, and Appeals Process are outlined elsewhere in this handbook.

If the alleged perpetrator is a member of the faculty or staff, the Dean of Students will report the incident to the Vice-Provost or Dean to whom the alleged perpetrator reports. The provisions of the Faculty and Staff Handbook, available in the full official edition of the Sexual Harassment Policy, will pertain relative to hearing proceedings.

### **Confidentiality and External Charges**

The university will maintain complete confidentiality regarding allegations. Only those directly involved in the alleged incident(s) and resulting investigation will have access to information concerning the case unless the alleged victim or accused chooses otherwise. The victim of criminal activity such as sexual harassment or assault is strongly encouraged to file formal charges with the local police. The victim will receive support from all members of the Student Development Office, should the victim choose this option. The internal procedure will be implemented and disciplinary sanctions imposed without regard to the status of the external procedure.

Eastern University strictly prohibits any retaliation, intimidation, or coercion directed against any member of the community, anyone who intends to register a complaint, or anyone who has done so. Any member of the community who, after appropriate investigation, has been determined to have retaliated against a complainant or one who expresses the intent to complain (or against any other party involved), will be subject to disciplinary action. If any member of the Eastern University community believes she/he has been retaliated against, that person should contact a member of the Student Development Staff.

### **Victim's Rights at Eastern University**

Eastern University is concerned for those within the community who might become victims related to the actions of others in the community as well as those outside the community. Although internal incidents are rare, victims should know their rights and advocate for themselves regarding them.

The following are Victim's Rights at Eastern University:

- To request advice and personal support from authorities without making a formal complaint
- To make a complaint and then withdraw the complaint

- To present a spoken or written report and or complaint concerning the matter, to appropriate authorities
- To have a friend or personal counselor accompany them at meetings concerning the matter
- Should the case go before the Student-Faculty Judiciary Board:
  - To submit a written statement to the Dean of Students to be read during the hearing
  - To request to the Dean of Students anonymity during the hearing
  - To be informed of the outcome of the hearing. This may be done verbally or in writing by the Dean of Students or designee.

Victims may consider bringing their case through the legal system and/ or to other external authorities. The choice to do this or not rests solely with the victim. Note that adjudication of matters relative to student behavior within a private university setting is not subject to laws regarding legal proceedings, nor is it meant to be a substitute for the legal process. Regardless of the victim’s decision relative to bringing external charges, when school policy has been broken internal disciplinary procedures will be followed and concluded, with or without reference to external adjudication, at the discretion of the Dean of Students.

Victims who participate in the legal system should understand their rights under the law within the state of Pennsylvania. Pennsylvania, victim’s rights can be found [here](#).

Victim’s rights differ state by state. Victims are advised to check policy in the appropriate state where the concerning event occurred.

### **The Federal Campus Sexual Assault Victims Bill of Rights**

- Survivors shall be notified of their options to notify law enforcement.
- Accuser and accused must have the same opportunity to have others present.
- Both parties shall be informed of the outcome of any disciplinary proceeding.
- Survivors shall be notified of counseling services.
- Survivors shall be notified of options for changing academic and living situations.

*The Campus Sexual Assault Victims’ Bill of Rights” exists as a part of the campus security reporting requirements, commonly known as the Jeanne Clery Act.*

### **Pennsylvania Crime Victim's Bill of Rights**

#### **PENNSYLVANIA VICTIM'S BILL OF RIGHTS**

As a victim of crime in Pennsylvania you have the following rights:

- To receive basic information concerning the services to assist you;
- To be notified of certain significant actions and proceedings pertaining to your case, including, in personal injury crimes, the arrest of the suspect and escape from police custody;
- To be accompanied at all public criminal proceedings by a family member, a victim advocate or another person;
- In cases of personal injury crimes, burglary, or driving under the influence involving bodily injury, to submit prior comment to the prosecutor's office on the potential reduction or dropping of any charge or changing of a plea;



- To offer prior comment or to submit a written victim impact statement for the judge's consideration at sentencing;
- To recover your losses, to the extent possible, through restitution, compensation through the victim's compensation program and the return of property which was seized as evidence when it is no longer needed by the prosecutor;
- In personal injury crimes where the offender is sentenced to a state prison, to provide prior comment on and to receive notice of release decisions, and to be immediately notified if the offender escapes;
- In personal injury crimes where the offender is sentenced to a local correctional facility, to receive notice of release decisions and to be immediately notified if the offender escapes; \
- To receive immediate notice of release on bail where the offender is committed to a local correctional facility for violation of a protection from abuse order;
- To receive notice when an offender is committed to a mental health facility from a state prison and of the discharge, transfer or escape of the offender from the mental health facility; and
- To have assistance in the preparation of, submission of and follow-up on the financial assistance claims to the Crime Victim's Compensation Board.

## IMPORTANT NUMBERS

### Off Campus Victim/Witness Contact Resources

LOCATION	CONTACT	PHONE
Philadelphia Police Department	Business	
	Emergency	911
Pennsylvania State Police	2201 Belmont Ave, Philadelphia, PA 19131	215-452-5216
Philadelphia District Attorney's Office	3 S Penn Square, Philadelphia, PA 19107	215-686-8000

### Victim/Witness Contact Resources - located at St. Davids Campus

Office/Department	Contact	Phone
Student Development	Dr. Jacqueline Irving, Vice Provost for Student Development /Title IX coordinator	610-341-5872
Student Development	Dean of Students	610-341-5822
Student Health Center	Damona Wilson LPN, Director of Student Health Center	610-341-5955
Public Safety	Michael D. Bicking	610-341-1720

	<b>Director of Public Safety</b>	
<b>Public Safety</b>	<b>Public Safety Officer</b>	<b>610-341-1737</b>
<b>Cushing Center for Counseling &amp; Support</b>	<b>Lisa Hemlick, Ph.D</b>	<b>610-341-5837</b>
<b>Chaplain</b>	<b>Rev. Joseph B. Modica, Ph.D</b>	<b>610-341-5826</b>
<b>Human Resources</b>	<b>Kacey Bernard</b>	<b>610-341-1481</b>

**For all Emergencies students and employees should call Philadelphia Police, Fire and Ambulance by dialing 911**

*The Eastern University Public Safety Department is required to report crimes under the Uniform Crime Reporting for compliance with PA law, in addition to the Jeanne Clery Act. Due to the difference in crime classifications and their definitions, reported statistics in the two reports are not generally comparable. Crimes reported may not have occurred on Eastern University, but in the general location. (Student data is based on fall semester student population.)*

YEAR	NUMBER OF STUDENTS
2017	119
2018	77
2019	166

**OFFENSES**

REPORTABLE CRIME CATEGORIES	YEAR / Crimes	Crimes/Students
Aggravated Assault	2017 /0	0/0
	2018 /0	0/0
	2019 /0	0/0
Other Assaults	2017 /0	0/0
	2018 /0	0/0
	2019 /0	0/0
Arson	2017 /0	0/0
	2018 /0	0/0
	2019 /0	0/0
Burglary	2017 /0	0/0
	2018 /0	0/0
	2019 /0	0/0
	2017 /0	0/0

<b>Disorderly Conduct</b>	2018 /0	0/0
	2019 /0	0/0
<b>Driving Under Influence</b>	2017 /0	0/0
	2018 /0	0/0
	2019 /0	0/0
<b>Drug Abuse</b>	2017 /2	2/59.5
	2018 /0	0/0
	2019 /0	0/0
<b>Drunkenness</b>	2017/0	0/0
	2018 /0	0/0
	2019 /0	0/0
<b>Embezzlement</b>	2017 /0	0/0
	2018 /0	0/0
	2019 /0	0/0
<b>Forgery/Counterfeiting</b>	2017 /0	0/0
	2018 /0	0/0
	2019 /0	0/0
<b>Fraud</b>	2017 /0	0/0
	2018 /0	0/0
	2019 /0	0/0
<b>Gambling</b>	2017 /0	0/0
	2018 /0	0/0
	2019 /0	0/0
<b>Liquor Laws</b>	2017 /0	0/0
	2018 /0	0/0
	2019 /0	0/0
<b>Motor Vehicle Theft</b>	2017 /0	0/0
	2018 /0	0/0
	2019 /0	0/0
<b>Murder</b>	2017 /0	0/0
	2018 /0	0/0

	2019 /0	0/0
Offenses Against Family	2017 /0	0/0
	2018 /0	0/0
	2019 /0	0/0
Prostitution	2017 /0	0/0
	2018 /0	0/0
	2019/0	0/0
Rape	2017 /0	0/0
	2018 /0	0/0
	2019 /0	0/0
Other Sex Offenses	2017 /0	0/0
	2018 /0	0/0
	2019 /0	0/0
Robbery	2017 /0	0/0
	2018 /0	0/0
	2019 /0	0/0
Theft/Larceny	2017 /4	4/29.75
	2018/2	2/38.5
	2019 /0	0/0
Vagrancy	2017 /0	0/0
	2018 /0	0/0
	2019/0	0/0
Vandalism	2017 /0	0/0
	2018 /0	0/0
	2019/0	0/0
Weapons	2017 /0	0/0
	2018/0	0/0
	2019/0	0/0
All Others	2017 /0	0/0
	2018 /0	0/0

	2019 /0	0/0
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Information received from Philadelphia Police