

2024 Annual Security Report

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act is a federal law that requires post-secondary institutions that participate in Title IV programs to disclose annual information regarding their campus crime, security, and policies. This report is based on these regulations and contains crime statistics for the previous three years for on- and off-campus properties and the on-public property within or immediately adjacent to the campus that are owned or leased by Lehigh Valley Hospital - Schuylkill and part of the student curriculum. This report also includes institution policies such as Drug and Alcohol Prevention, firearms, Prevention of Violence, reporting crimes and criminal actions, campus security alerts, bomb threats, active shooter, emergency notification-response-evacuation procedures, and photo identification. Crime prevention tips are also included.

The full text of this report is available by October 1 of each year and is located on the School of Nursing website at www.LVHN.org/SON for use by prospective students. Hard copies are available by calling 570-621-5035. Each academic year, the Annual Security Report is distributed to current students, faculty, and staff, who all must acknowledge that the school has provided them with campus crime and safety information in compliance with the Clery Act and that they have read that information.

The Joseph F. McCloskey School of Nursing academic building is located at 700 Schuylkill Manor Road, Pottsville, PA 17901. Student clinical experiences are held at Lehigh Valley Hospital – Schuylkill. This includes the South campus, located at 420 S. Jackson Street and the East Campus located at 700 E. Norwegian Street. The term “campus” refers to all East and South Hospitals and School of Nursing properties, as well as the public property within and adjacent to the campus.

Title IX Officer –Thomas McPhillips, Director Human Resources

570-621-4066

420 South Jackson Street

Pottsville, PA 17901

Thomas.McPhillips@lvhn.org

Security Department South Campus 570-621-5474

Security Department East Campus 570-621-4330

Table of Contents

Introduction	1
Table of Contents	2
Geographic Locations Student Campus Grounds.....	3
Campus Crime Statistics	7
Campus Security Authority	8
Daily Crime Logs	10
Emergency Response	10
Evacuation Procedures	11
Emergency Notification Codes used by LVHN – Schuylkill Campus.	12
Sheltering in Place	13
Timely Warnings for Criminal Activity	13
Annual Security Report (includes Preparation, Publication, Distribution)	14
Access to Campus Facilities.....	16
Security Considerations Used - Maintenance of Campus Facilities.	17
Authority of Security Officers	17
Counseling of Crime Victims	18
Student and Employee Education and Awareness Programs.....	22
Drug and Alcohol Prevention Program.....	23
Drug and Alcohol Abuse Prevention Policy.....	24
Preventing Violence (Includes Domestic and Dating) Harassment (All forms), Hate Crimes, Intimidation, Assault and Misconduct, And Stalking on the School of Nursing and Hospital Campus....	28
Registered Sex Offenders.....	43
Fire Safety	43
Photo Identification Badge System	45
Personal Safety	45
Personal Property Responsibility	45
How to Report Criminal Offenses	45
Crime Prevention Tips	46
Lost & found	47
Vehicle Safety & Registration of Vehicle(s)	47
Infant/Child/Adult Missing on Campus	47
Hazardous Materials and Waste	48
Escort Service	48
RL6 Event Reporting Form	48
Workplace Search and Weapons Statement.....	48
Violence Prevention in Case of Robbery Policy.....	48
Preventing Violence on Campus	49
Appendix A – Crime Statistics Definitions.....	52
Appendix B – Campus Security Authority Incident Report Form...	58

Geographic Locations Student Campus Grounds

A. Joseph F. McCloskey School of Nursing is the academic building which houses the classrooms, library, computer laboratory, faculty offices, and school administration offices. The building is located at 700 Schuylkill Manor Road, Pottsville PA. Public Streets adjacent to the building are as listed:

- PUBLIC STREETS – Academic Building
 - Schuylkill Manor Road to Hopkins Street
- PARKING FACILITIES – Academic Building
 - Lot A Student Parking located at Hopkins Street & Schuylkill Manor Road
 - Reserved Parking- Lot A- Employee and Patient Parking- Medical Office Building
 - Reserved Parking- Lot A- Hospital Employees

B. The Lehigh Valley Hospital – Schuylkill S. Jackson Street is located at 420 S. Jackson Street, Pottsville PA 17901. The students have clinical experiences with direct patient contact. The public property that is immediately adjacent to or within the core campus, including:

- PUBLIC STREETS – South Campus
 - South Jackson Street from Mauch Chunk Street to Jefferson Street
 - Mauch Chunk from Baber Street to Anderson Street
 - Jefferson Street from S. Jackson Street to Fleet Street
 - Parking Lot at Collins Street & Mauch Chunk Street
- PARKING FACILITIES – South Campus
 - Main Parking Lot at S. Jackson, Washington, Baber, and Mauch Chunk Streets
 - Colleague Parking Lot at Collins Street & Mauch Chunk Street
 - Reserved Parking Lot at 509 Mauch Chunk Street
 - Reserved Parking Lot at 455 Mauch Chunk Street
 - Reserved Parking Lot at Baber, Stein, Washington, and Hamilton Streets
 - Reserved Parking Lot at Baber, Stein, Washington, and Hamilton Streets
 - 3A Parking Lot at the rear of the hospital adjacent to Jefferson Street

C. The Lehigh Valley Hospital – Schuylkill East Norwegian Street is located at 700 E. Norwegian Street Pottsville Pa, 17901. The students have clinical experiences with direct patient contact. The public property that is immediately adjacent to or within the core campus, including:

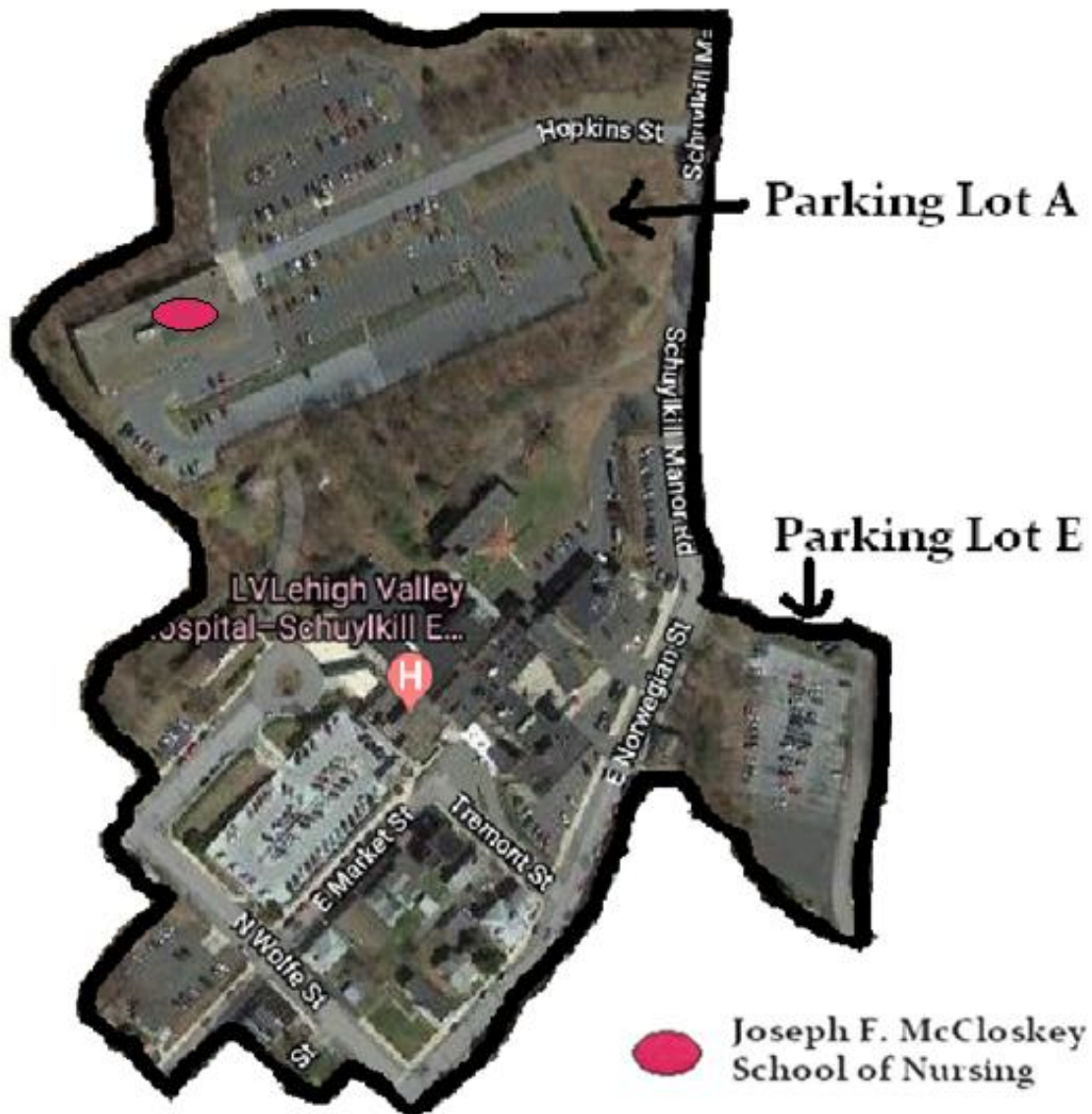
- PARKING FACILITIES – East Campus
 - Lot A Colleague Parking located at Hopkins Street & Schuylkill Manor Road
 - Patient Parking – Parking Garage located at Arch, Wolfe, and East Market Streets
 - Lot C Reserved Parking on Arch Street
 - Lot D Disability Lot located on Wolfe and East Market Street
 - Lot E Colleague Parking located on Anderson Street
 - Lot F Administration Parking located on Schuylkill Manor Road
 - Lot G Annex Building Parking located on Schuylkill Manor Road
 - Lot H Reserved Parking located on Schuylkill Manor Road
 - Lot I Physician's Parking located on E. Norwegian & Tremont Streets

- PUBLIC STREETS – East Campus
 - E. Norwegian Street from Tremont Street to Schuylkill Manor Road
 - Schuylkill Manor Road to Hopkins Street
 - Tremont Street from E. Norwegian Street to Market Street
 - Market Street from Tremont Street to Wolfe Street
 - Wolfe Street to Arch Street
 - East Arch Street from Wolfe Street to Main entrance of hospital

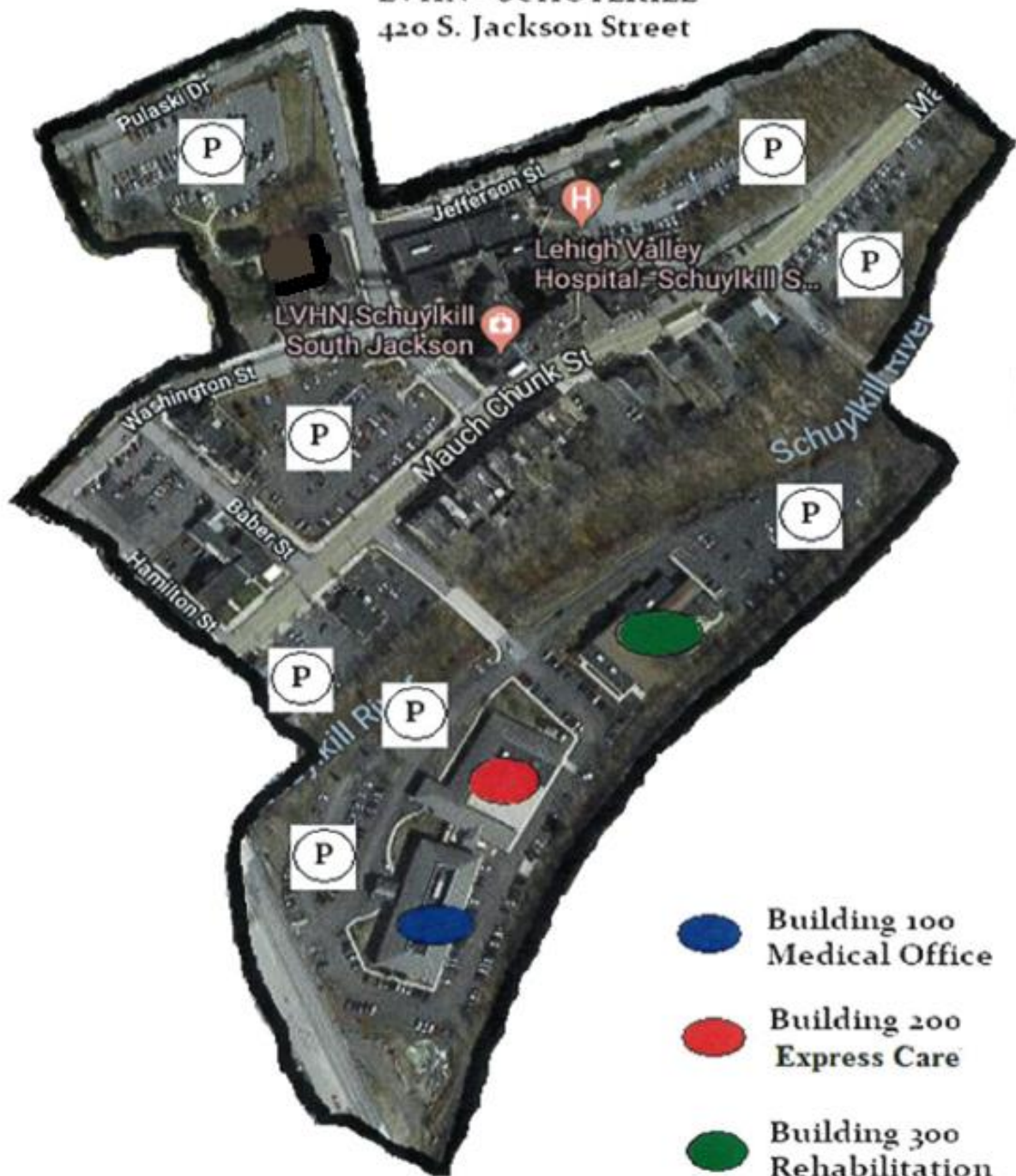
- D. The LVHN Schuylkill Medical Plaza located on Route 61 Building 100, 200 and 300
 1. Building 100: Medical Office Building & Outpatient Laboratory Draw Station. Parking is located on both sides of the building.
 2. Building 200: Express CARE. Parking is located on both sides of the building.
 3. Building 300: LVHN Rehabilitation Services – 300 Schuylkill Medical Plaza. Parking is located on both sides of the building.

- E. The LVHN Magnetic Resonance Imaging Building (MRI) is located at 700 East Norwegian Street. Pottsville, PA 17901. Patient parking is at the Parking Garage located at Arch, Wolfe, and East Market Streets.

LVHN -- SCHUYLKILL
700 E. Norwegian Street



LVHN - SCHUYLKILL
420 S. Jackson Street



- Building 100
Medical Office
- Building 200
Express Care
- Building 300
Rehabilitation
Center

Campus Crime Statistics

	ON CAMPUS			NON-CAMPUS			PUBLIC PROPERTY		
REPORTING YEAR >	2021	2022	2023	2021	2022	2023	2021	2022	2023
Criminal Offenses									
Murder/Non-Neglect Manslaughter	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	2	1	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	12	8	17	0	0	0	0	0	0
Simple Assault	10	5	3	0	0	0	1	0	0
Burglary	0	0	0	0	0	0	0	1	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Destruction/damage/Criminal Mischief of property	11	10	18	0	0	0	0	0	0
Hate Crimes	2021	2022	2023	2021	2022	2023	2021	2022	2023
Murder/Non-Neglect Manslaughter	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0
Larceny Theft	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0
Destruction/damage/Criminal Mischief of property	0	0	0	0	0	0	0	0	0
Violence Against Women Act	2021	2022	2023	2021	2022	2023	2021	2022	2023
Dating Violence	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0
Arrests	2021	2022	2023	2021	2022	2023	2021	2022	2023
Weapons Possession	0	0	0	0	0	0	0	0	0
Drug Abuse Violations	2	1	1	0	0	0	2	5	0
Liquor Law Violations	1	0	1	0	0	0	0	0	0
Disciplinary Actions	2021	2022	2023	2021	2022	2023	2021	2022	2023
Weapons Possession	0	0	0	0	0	0	0	0	0
Drug Abuse Violations	0	0	0	0	0	0	0	0	0
Liquor Law Violations	0	0	0	0	0	0	0	0	0
Unfounded Crimes	2021	2022	2023	2021	2022	2023	2021	2022	2023
Total Unfounded Crimes	0	0	0	0	0	0	0	0	0

Definitions of Crimes according to jurisdiction are listed in Appendix A

Campus Security Authority

Campus Security Authorities (CSA) are persons designated for the student and campus population to report criminal or suspicious activity to which is occurring within the geographic area listed in this report or the school's education program or activities. Suspicious activity includes but is not limited to disturbances, alcohol use/possession, hate crimes, sexual harassment (includes quid pro quo, unwelcome conduct), sexual assaults (rape, including date rape, fondling, incest) assaults, burglary, robbery, motor vehicle theft, arson, weapon possession, drug use/possession/sales, theft, and violence of any type.

The Joseph F. McCloskey School of Nursing has designated all full-time faculty members of the School of Nursing as a Campus Security Authority and all Security Officers employed by LVHN – Schuylkill as a Campus Security Authority. This includes the Director, full-time Faculty, and all Security Officers. Hospital pastoral or professional counselors are not considered a Campus Security Authority and are not required to report crime statistics; however, counselors or campus ministry providers are encouraged to refer persons they are counseling to report crimes on a voluntary, confidential basis to the campus security authority for inclusion in the annual security report of campus crime statistics.

Students and colleagues of the School of Nursing are required to report all alleged or actual crimes that occur, a Campus Security Authority. The Joseph F. McCloskey School of Nursing encourages anyone who is a victim of a crime or a witness to a crime to promptly report the incident to a Campus Security Authority and/or the local law enforcement agency. Under state law, police reports are public record and cannot be held in confidence. Reports made to a Campus Security Authority may qualify to be added to the annual security report and held confidential if the incident does not result in criminal charge(s). The individual reporting the incident can request that his/her name be kept confidential.

Active crimes occurring at the present time should be reported directly to the local law enforcement immediately by dialing 911 or 8 on a hospital phone and then 911. Security should then be notified by calling the hospital operator at 570-621-4000 or on a hospital phone at extension 4330.

If a student, faculty, staff member or visitor reports a crime or incident that may be a Clery Act qualifying crime, the CSA is required to record the information on a Campus Security Authority Incident Report form and promptly submit the completed form to the Security Department (See Appendix B). Under the Clery Act, CSAs are only obligated to report Clery Act qualifying crimes as directed by 20 United States Code Section 1092(f) of the "Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act." CSAs should only report crimes or incidents that have not been previously reported to the Security Department. If unsure, make sure and report it. If the report is made "in good faith," meaning that there is a reasonable basis for believing that the information is not a rumor or mere hearsay, then the incident must be reported.

Who are the Campus Security Authorities?

When a threat exists, the appropriate, timely notice of the occurrence of these crimes shall be made to students and employees by means described in the Emergency Response section of this report. The following will serve as Campus Security Authorities.

Lehigh Valley Hospital – Schuylkill Security Department
Director, School of Nursing
Program Coordinator
Full-time Faculty

A listing of the Campus Security Authorities is found in the table below:

Name	Title	Phone	Email
John Brobst	Public Safety Director	570-621-5025	John.Brobst@lvhn.org
Joseph Hannon	Security Supervisor	570-621-4330	Joseph.Hannon@lvhn.org
Tina Van Buren	Director, SON	570-621-5037	Tina.VanBuren@lvhn.org
Jennifer Jones-Lapp	Director, Strategic Development	570-621-5159	Jennifer.Jones-lapp@lvhn.org
Judith Baker	Nursing Instructor	570-621-5038	Judith.Baker@lvhn.org
Christiane Benner	Nursing Instructor	570-621-5538	Christiane.Benner@lvhn.org
Donnamarie Cowan	Nursing Instructor	570-621-5337	Donna-Marie.Cowan@lvhn.org
Sharon Weaver Gallo	Nursing Instructor	570-621-5040	Sharon.Gallo@lvhn.org
Karen Lightcap	Nursing Instructor	570-621-5536	Karen.Lightcap@lvhn.org
Michelle Morcombe	Nursing Instructor	570-621-5535	Michelle.Morcombe@lvhn.org
Karen Schulze	Nursing Instructor	570-621-5124	Karen.Schulze@lvhn.org
Shaina Whitecavage	Nursing Instructor	570-621-5039	Shaina.Whitecavage@lvhn.org

Campus Security Authorities Contact Numbers:

Title IX Officer – Thomas McPhillips – 570-621-4066

Security Department South Campus at 570-621-5474 or via hospital operator.... 570-621-4000

Security Department East Campus at 570-621-4330 or via hospital operator at... 570-621-4000

All CSAs annually review all policies in the Annual Security Report, review their role, review the presentation on CSAs, review material on sexual offenses and reporting systems, and receive the Annual Security Report, which contains the campus crime statistics and applicable policies.

Daily Crime Logs

Each Security Department at each campus building maintains a daily log of activities and Security Incident reports which includes any criminal activity in which the Security Department has knowledge of and occurs on or adjacent to the LVHN– Schuylkill campuses. Qualifying incidents are reported on the annual crime report. All incidents and alleged incidents are reported regardless of how much time has passed since the incident occurred and are logged by the date the incident was reported, not the date the incident occurred. The crime log includes the nature of crime, date, time it occurred, general location of crime, disposition of the complaint, if known. The day shift Security officer will update the daily crime log from the previous day. Review of the log is available for review by the public at 420 S. Jackson Street, Pottsville, PA; First floor Security Office.

Emergency Response

The Joseph F. McCloskey School of Nursing notifies the campus community upon the confirmation of a significant emergency or dangerous situation, occurring on the campus, which involves an immediate threat to the health and safety of students or employees.

The Joseph F. McCloskey School of Nursing without delay will determine the content of the notification and initiate the notification system. The Joseph F. McCloskey School of Nursing will consider the safety of the community and issue the notification unless issuing a notification will, in the professional judgment of reasonable authorities, compromise the efforts to assist a victim, containment of the situation, response to the situation, or otherwise mitigate the emergency. In the event the situation requires notification to the larger community the public information officer will disseminate the information to the Schuylkill County Emergency Management Agency, Pottsville Police, or the local radio broadcast station.

Reporting Procedure

1. The incident is to be reported to the security officer on duty.
2. Security officer will immediately consult with the Public Safety Director, Security Supervisor, Pottsville Police, or the administrative officer on duty about the situation.
3. Upon confirmation of the situation the emergency notification system will be activated by paging the appropriate code over the intercom. The Public Safety Director, Security Supervisor, or designee will activate the VOLO Emergency Notification System from their cellphones or computers.
4. Based on the situation the appropriate segment or segments of the campus community will be notified.
5. The content of the notification will include incident type (active shooter, chemical release, dangerous situation, etc.) location of incident (campuses affected) and recommendations to take (such as barricading or sheltering in place, evacuation, etc.).
6. A notification will be sent out once the situation and been determined to be no longer a threat to the health and safety of students or employees.

The following positions are authorized to activate the emergency notification system:

1. Public Safety Director
2. Security Supervisor
3. Administrative Officer or designee in charge of the campus.
4. School of Nursing Director

Testing of Emergency Notification System

The Joseph F. McCloskey School of Nursing tests the emergency notification system annually in the fall of each calendar year. The test may be announced or unannounced. Documentation of each test includes a description of the exercise, the date and time and whether it was announced or unannounced. Evacuation of the Academic Building occurs quarterly along with each fire drill. Fire drills conducted in buildings with inpatients do not evacuate, the safety of the patients comes first.

Evacuation Procedures

Fire Evacuation Procedures

1. School of Nursing Building: Upon activation of the fire alarm system; building occupants are to exit the building at the nearest fire exit. Individuals shall move away from the building to a safe area. A safe area would include evacuating to another building that is not affected by the fire; maintaining a safe distance from the building that should be at least the same distance as the height of the building; remain up wind of the fire to avoid debris and/or any smoke emitting from the building.
2. Hospital Buildings: Hospitals do not typically evacuate the building during a fire situation. Hospitals are constructed of fire-retardant materials and have fire suppression systems. The closing of doors and windows will usually confine the fire to a room or compartment. In the event that the fire cannot be contained, and an evacuation is required patients are typically evacuated horizontally. Evacuation occurs with ambulatory patients first, wheelchair patients second, and bed ridden patients third.

Earthquake Evacuation Procedures

School of Nursing Building: Upon discovery or notification of the event, building occupants will proceed to the nearest exit. During an earthquake, exiting the building may or may not pose as much danger to the individual as staying in the stairwell by an exterior exit door. Debris (glass, bricks, facade) falling from the exterior of the building, electrical lines on telephone poles and other objects may pose more of a risk to individuals who choose to exit the building. If outside the building, find an area away from such debris, such as an open field, without overhead objects.

Emergency Notification Codes used by the Lehigh Valley Hospital– Schuylkill Campus

EVENT	CODE NAME
Fire	Code Red
Bomb Threat	Code-White
Missing/Abducted Child	Code Pink
Missing Adult	Code Gray
Massive Blood Loss	Code Crimson
Hazardous Situation/Active Shooter	Code 45
Cardiac Arrest	Code Blue
Peds Cardiac Arrest	Code Ped Blue
Campus Response Team	Campus Response Team
Facility Lockdown	Code-Yellow
Medical Gas Emergency	Code Green
Behavioral Dysfunction	Control Team
Rapid Response Team	Rapid Response Team

Sheltering in Place

Recommendations for sheltering in place occurs when a manmade act (active shooter, violent individual) or an environmental issue (acts of nature) endangers the wellbeing of the campus population. To effectively shelter in place, you must consider the threat or hazard and then choose a place in the building you currently occupy.

For tornados you would select an interior space such as a lower-level area without windows and where water plumbing enters the building, but not in rooms that natural gas lines enter the building.

For active shooter on campus, you would select a room with a solid door that locks from the inside. Barricade the door with the furniture. Place all cell phones on vibrate only, turn off the lights, keep quiet, determine if there are any possible exits such as a window. If you are in immediate danger from the shooter entering the room in which you occupy, plan of action (Run/Hide/Fight)

The hospital uses the Run, Hide, Fight scenario for active shooters. Run away from the sound of the gun; Hide in a place that you can shelter in place; Fight if the individual enters the room by using available objects in the room.

For biological/chemical/radioactive releases into the environment choose a room that is not at the bottom of the building or the top of the building. Due to the gravity weight of the release the substance may settle at low levels or at high levels. Close windows, vents and any area air is exchanged from outside the room. If the room becomes uninhabitable, move to the closest safe area.

Additional shelter in place information can be found at <https://ready.gov/shelter>

Timely Warnings for Criminal Activity

In the event a situation arises that involves a Clery Act crime and/or endangers the health and/or safety of the campus community, Lehigh Valley Hospital– Schuylkill will activate one or more of its emergency plans which includes notification of the campus community. The Pottsville Police will be notified to assist in the apprehension and arrest of the individual(s) perpetrating the crime. The Pottsville Police notifies the campus authorities of situations that occur in the community which represent a serious or continuing threat to the student and the campus community.

Notification will include pertinent information pertaining to the threat such as incident type, location, recommendations, areas to avoid, or the need to evacuate an area or building.

Notification may include a recommendation to shelter in place due to a manmade act or act of nature incident on or near the hospital campus that endangers or poses an immediate danger to the life or health of campus occupants.

The School of Nursing building does not have a paging system. Emergency notifications are through personal cellular phones, email, fixed phone lines, or the fire alarm system.

In hospital buildings notifications include overhead paging, cellular phones, fixed phone lines, utility alarm systems, or the fire alarm system.

Students and faculty are enrolled in the Emergency Notification System. Students are enrolled at the time of their entrance into the student nurse program and faculty are enrolled at the beginning of their employment. **Lehigh Valley Health Network is not responsible for charges applied by cellular phone providers.**

Issuing of an emergency notification may be automatic such as the activation of the fire alarm system. Other emergency notifications may require validation of the threat and confirmation of the circumstances. The administrative officer or designee (nursing supervisor) in charge of the campus, Public Safety Director, security supervisor, or School of Nursing Director may initiate the emergency notification system.

Some incidents occur at the hospital which may pose an immediate threat to colleagues in areas such as the Emergency Department or Behavioral Health Units an emergency code is paged over the intercom. These incidents are often contained and resolved immediately and do not pose an additional threat to the campus. In these cases, the emergency notification of students and faculty will not occur.

Incidents that are not an immediate threat to health or safety (such as a theft from a motor vehicle) initiate a Crime Alert Bulletin which is emailed to students and campus personnel. These bulletins are also posted on the second floor of the School of Nursing Building.

Cooperation has been established with the local Pottsville Police Department. The School of Nursing has requested their cooperation in informing the institution about crimes reported to them that may warrant timely warnings. Pottsville Police will notify the Security Department regarding any incidents that occur in the community that endanger the welfare of campus personnel so that the campus can notify everyone in a timely manner.

Annual Security Report

The Joseph F. McCloskey School of Nursing prepares, publishes, and distributes this annual security report prior to October 1, of each year in compliance with 34. C.F.R. § 668.46(b). The report includes the crime statistics for the previous three calendar years. This report is placed on the School of Nursing website at www.LVHN.org/SON

PREPARATION OF THE ANNUAL SECURITY REPORT

1. Each year, the Annual Security Report (ASR) will be prepared by the Title IX Coordinator, Director of the School of Nursing, and the Public Safety Director in the 3-month period prior to the due date. The School of Nursing Health and Safety Committee, a subcommittee of Student Services, will review and approve the ASR prior to publication and distribution. This will be done prior to October 1 each year in accordance with 34.C.F.R. § 668.46(b).
2. Crime statistics for the Annual Security Report will be compiled by the Campus Security Department utilizing the following tools:

- A. Daily Crime log listing all crimes that occurred on the geographic locations of the student campus grounds, as identified within this report.
 - B. Campus Security Authority Incident Reports
 - C. Security Incident Reports
 - C. Crime Statistics from the local police department
3. Crime statistics will include statistics for incidents of crimes reported during the three most recent calendar years. The covered categories include criminal homicide (murder, negligent manslaughter, and non-negligent manslaughter), forcible and non-forcible sex offenses, robbery, aggravated assaults, burglary, motor vehicle theft, and arson. Statistics for certain hate crimes, as well as arrest and disciplinary referral statistics for violations of certain laws pertaining to illegal drugs; illegal usage of controlled substances, liquor, and weapons also must be disclosed in the Annual security report. The crime statistics will delineate drug law violations, liquor law violation, and illegal weapons possession by arrests and disciplinary referrals, as required by 34.C.F.R. § 668.46 (c) (ii). Crime statistics will record crimes by location according to 34.C.F.R. § 668.46 (c) (5) (i) which states (A) on campus; (B) in or on a non-campus building or property; or (C) on public property.”
4. Completed crime statistics will be reviewed by the Security Department and the School of Nursing administration for accuracy prior to submission to the cutting tool.
5. Crime statistics will be submitted to the US Department of Education’s “Campus Safety and Security Data Analysis Cutting Tool (CSSDACT) in accordance with 34.C.F.R. § 668.41 (e) (5).
6. The School of Nursing will review the following tools to prepare the Annual Security Report:
- A. 34.C.F.R. § 668.46(b)
 - B. The Handbook for Campus Safety and Security Reporting
 - C. Complying with the Drug-Free Schools and Campuses Regulations
7. The Annual Security Report will include the following information: Clery geography, crime statistics including definitions of crimes, law enforcement authority and practices of campus security, policies that govern the preparation of the Annual Security, educational programs, campus security authorities, daily crime log, emergency response and evacuation procedures, timely warnings, Policy on Preventing Violence (includes Domestic and Dating) Harassment (all forms), Hate Crimes, Intimidation, Assault and Misconduct, and Stalking on the School of Nursing and Hospital Campus (includes information pertaining to sexual assault education, prevention, and adjudication); Drug and Alcohol Prevention Program; Drug and Alcohol Prevention Abuse Policy, and other applicable safety and security policies determined by the Joseph F. McCloskey School of Nursing to pertain to the safety and security of students and employees. Other policies include institution policies such as firearms, reporting crimes and criminal actions, campus security alerts, bomb threats, active shooter, emergency notification-response-evacuation procedures, and photo identification. Crime prevention tips are also included.

PUBLICATION

1. Crime statistics will be submitted to the US Department of Education's "Campus Safety and Security Data Analysis Cutting Tool (CSSDACT) in accordance with 34.C.F.R. § 668.41 (e) (5) and will be included in the Annual Security Report. They will be submitted in accordance with the US Department of Education's guidelines and due date.
2. The Annual Security Report will be published by October 1 of each year.
3. The Annual Security Report will be published on the Joseph F. McCloskey School of Nursing website at www.LVHN.org/SON for prospective and current students and prospective employees and current employees. It will be found under the Annual Security Report link under-the Safety and Security link.
4. The Annual Security Report will be published on the Joseph F. McCloskey School of Nursing's course management system for enrolled students.
5. The Annual Security Report will be available as a paper copy in the School of Nursing, Administrative Assistant Office, 700 Schuylkill Manor Road, Pottsville, PA 17901.

DISTRIBUTION

1. By October 1 of each year, the Joseph F. McCloskey School of Nursing will distribute:
 - A. Individual notice to all current students, employees, OPEIU faculty union that states the Annual Security Report is available on the School of Nursing website at www.LVHN.org/SON as the exact URL, with the description of the contents, and availability of paper copy upon request by calling 570-621-5035.
 - B. Notice to all prospective students (via School of Nursing Information Packet) that states the Annual Security Report is available on the School of Nursing website at www.LVHN.org/SON as the exact URL, with the description of the contents, and availability of paper copy upon request by calling 570-621-5035.
 - C. Notice to all prospective employees (as applicable when advertising for a position in the School of Nursing) that states the Annual Security Report is available on the School of Nursing website at www.LVHN.org/SON as the exact URL, with the description of the contents, and availability of paper copy upon request by calling 570-621-5035.
2. Notice to those listed individuals/groups includes name, title, office, address, email address, and phone number of Title IX Coordinator.

Access to Campus Facilities

The Joseph F. McCloskey School of Nursing academic building is secured via a card access control system. The School of Nursing building has classrooms, faculty offices, a library, and computer laboratory. The building also houses two medical offices. Students also have after hour access to the building to utilize the library and computer lab and will utilize their supplied IDs to enter the building using the access control system.

The Lehigh Valley Hospital - Schuylkill East Campus public entrances are open daily from 5:30 a.m. to 9:00 p.m. All access after the stated times is through the Emergency Department. The Lehigh Valley Hospital – Schuylkill South Campus main entrance is open from 7:00 a.m. to 4:00 p.m. Monday through Friday and 6:30 p.m. to 8:00 p.m. Monday through Saturday. The 3rd floor simulation lab is controlled via card access.

Security Considerations Used in the Maintenance of Campus Facilities

The Joseph F. McCloskey School of Nursing campus is regularly maintained by the hospital's Maintenance Department. The Lehigh Valley Hospital– Schuylkill utilizes an internal intranet-based Maintenance Request reporting system. Maintenance requests are printed out in the Maintenance Department and the request can be reviewed for progress of the request. Landscaping is regularly maintained in a manner that minimizes unsafe conditions. All students and employees are encouraged to report any hazards, security concerns, defects, lighting issues or door locking issues immediately to the appropriate campus personnel.

Authority of Security Officers

Security Officers at Lehigh Valley Hospital– Schuylkill do not have police powers of arrest. They have the same powers as a citizen. Citizen Arrest in the State of Pennsylvania authorizes a Security Officer (citizen) to detain a person who has committed a felony in plain view of the Security Officer. The police must be immediately notified and take custody of the individual.

The campus of the Joseph F. McCloskey School of Nursing and the campus buildings all are located within the City of Pottsville and are under the jurisdiction of the Pottsville Police. Crime and alleged crime occurring on campus grounds are reported to and investigated by the Pottsville Police.

It is always recommended that students and colleagues promptly report actual and alleged crimes to a campus security authority, security officer and/or the Pottsville Police. Only by reporting these incidents can steps be taken to correct security deficiencies and/or apprehend perpetrators of crime.

The School of Nursing campus is within the geographical location of the Pottsville Police Department making the within the Pottsville city limits and part of the coverage area of the Pottsville Police. The Pottsville Police have been notified of reporting of Campus Security Authorities to the Security Department, Emergency Response, and Timely Warnings for Criminal Activity. The Campus Security Department has a working relationship with the Pottsville Police for the investigation of alleged criminal offense

Counseling of Crime Victims

Students and Employees: For victims of crimes, a student/employee assistance program is available. This is a service provided by the school to help the student/employee and their family resolve school-related personal and family problems.



ABILITY ASSIST

ABILITY ASSIST® COUNSELING SERVICES

COMPASSIONATE SOLUTIONS

GETTING SUPPORT SHOULD BE EASY.

Life presents complex challenges. If the unexpected happens, you want to know that you and your family have simple solutions to help you cope with the stress and life changes that may result. That's why the Hartford's Ability Assist Counseling Services, offered by ComPsych®,¹ can play such an important role. Our straightforward approach takes the complexity out of benefit when life throws you a curve.

FOR COMMON CHALLENGES.

From the everyday issues like job pressures, relationships, retirement planning or personal impact of grief, loss, or a disability, Ability Assist can be your resource for professional support.

You and your family, including spouse and dependents, can access Ability Assist, at any time, as long as you are covered under



The Hartford's **Disability insurance,**

Critical Illness insurance or Leave management services.

ABILITY ASSIST COUNSELING SERVICES

Emotional or Work-Life Counseling

Helps address stress, relationship or other personal issues you or your family members may face. It's staffed by Guidance ExpertsSM – highly trained master's and doctoral level clinicians – who listen to concerns and quickly make referrals to in-person counseling or other valuable resources. Situations may include:

- Job pressures.
- Relationship/marital conflicts.
- Stress, anxiety and depression.
- Work/school disagreements.
- Substance abuse.
- Child and elder care referral services.

Financial Information and Resources

Provides support for the complicated financial decisions you or your family members may face. Speak by phone with a Certified Public Accountant and Certified Financial PlannerTM Professionals on a wide range of financial issues. Topics may include:

- Managing a budget.
- Retirement.
- Getting out of debt.
- Tax questions.
- Saving for college.

ABILITY ASSIST[®]

follow through with the program. She was

Legal Support and Resources

Offers assistance if legal uncertainties arise. Talk to an attorney by phone about the issues that are important to you or your family members. If you require representation, you'll be referred to a qualified attorney in your area with a 25% reduction in customary legal fees thereafter. Topics may include:

- Debt and bankruptcy.
- Guardianship.
- Buying a home.
- Power of attorney.
- Divorce.

Health ChampionSM

A service that supports you through all aspects of your health care issues by helping to ensure that you're fully supported with employee assistance programs and/or work-life services. Health Champion is staffed by both administrative and clinical experts who understand the nuances of any given health care concern. Situations may include:

- One-on-one review of your health concerns
- Preparation for upcoming doctor's visits/lab work/tests/surgeries
- Answers regarding diagnosis and treatment options
- Coordination with appropriate health care plan provider(s)
- An easy-to-understand explanation of your benefits—what's covered and what's not
- Cost estimation for covered/non-covered treatment
- Guidance on claims and billing issues
- Fee/payment plan negotiation

= A CASE IN POINT.³

"The initial counselor I spoke with was so comforting and easy to communicate with. She put me right at ease and empowered me to

wonderful."

— Hartford Customer, Ability Assist User

SERVICE FEATURES.

The service includes up to three face-to-face emotional or work-life counseling sessions per occurrence per year. This means you and your family members won't have to share visits. Each individual can get counseling help for his/her own unique needs. Legal and financial counseling are also available by telephone during business hours. Health ChampionSM offers unlimited access to services.²

GETTING IN TOUCH IS EASY.

On the phone: Just one simple call.

For access over the phone, simply call toll-free **1-800-96-HELPS (1-800-964-3577)**.

Online: The point is simplicity.

You'll also have 24/7 access to Guidance Resources® Online (offered by ComPsych).¹ This resource provides trusted information, resources, referrals and answers to everyday questions right from your desktop or the privacy of your home. It includes:

- Chat sessions with professional moderators.
- Access to hundreds of personal health topics and resources for childcare, elder care, attorneys or financial planners.

Visit **WWW.GUIDANCERESOURCES.COM**

to create your own personal username and password. If you're a first-time user, you'll be asked to provide the following information on the profile page:

1. In the **Company/Organization** field, use:
HLF902
2. Then, create your own confidential username and password.
3. Finally, in the Company Name field at the bottom of personalization page, use: **ABILI**



Prepare. Protect. Prevail.®

Visit us at THEHARTFORD.COM/EMPLOYEEBENEFITS

The Hartford® is The Hartford Financial Services Group, Inc. and its subsidiaries including issuing companies Hartford Life Insurance Company and Hartford Life and Accident Insurance Company. Home Office is Hartford, CT.

¹ Ability Assist®, The Guidance Resources® Program, and Health Champion™ services are offered through The Hartford by ComPsych®. ComPsych is not affiliated with The Hartford and is not a provider of insurance services. The Hartford is not responsible and assumes no liability for the goods and services provided by ComPsych. ComPsych and Guidance Resources are registered trademarks and Health Champion is a service mark of ComPsych Corporation.

² Health Champion™ specialists are only available during business hours. Inquiries outside of this time frame can either request a call-back the next day or schedule an appointment. ³ This case illustration is fictitious and for illustrative purposes only.

4264 06/15 Printed in U.S.A. © 2015 the Hartford Financial Services Group, Inc. All rights reserved.

Further victim resources for counseling include the following:

Sexual Assault Resource and Counseling Center of Schuylkill County 17 Westwood Center
Pottsville, PA 17901 Business: 570-628-2965 Hot Line: 570-628-2965

Schuylkill Hope Center P.O. Box 96 Pottsville, PA 17901 Hotline: 570-622-6220, 800-282-0634

Lehigh Valley Hospital – Schuylkill Center for Counseling Services 502 South second street St.
Clair, PA 17970 570-622-5898

Lehigh Valley Hospital – Schuylkill Security Department 420 South Jackson St. Pottsville, PA
17901 Phone – 570-621-5474

Lehigh Valley Hospital – Schuylkill Security Department East Norwegian Street Pottsville, PA
17901 Phone – 570-621-4330

Joseph F. McCloskey School of Nursing Student Assistance Program 800-964-3577

Lehigh Valley Hospital – Schuylkill Employee Assistance Program 800-538-3543

Joseph F. McCloskey School of Nursing Financial Aid Office – 570-621-5027

Pottsville Bureau of Police 401 N. Centre St Pottsville, PA 17901 Emergency – 911
Business phone – 570-628-3792

Victim/Witness Services (provides information on victims' rights and services in the criminal justice system) District Attorney's Office 401 N Second St Pottsville, PA 17901 Phone 570-628-1363

Rape and Victim Assistance Center: (Provides counseling, services and advocacy for adult and child sexual assault victims, robbery, burglary and aggravated assault victims, and surviving family of homicide victims) 368 South Centre St. Pottsville, PA 17901 Hotline 570-622-6220
Business – 570-628-2965

Crime Victim's Compensation Board: Provides compensation for lost wages or support, medical bill, counseling, funeral expenses, because of a crime, if eligible 333 Market St Harrisburg PA 17101 800-233-2339

Student & Employee Education and Awareness Programs

An Information Session for all incoming junior students is held in May of each year. Students are educated on the Drug and Alcohol Prevention Program and the Drug and Alcohol Abuse Prevention Policy via handouts and explanation. The students are made aware of Drug and Alcohol Information and Resources and Federal Trafficking Penalties for Drugs.

A Junior Orientation is held for all incoming junior students in August prior to entering the second year of the Nursing Program. The Security Department provides education by review of this Annual Security Report. Security procedures and practices to encourage students to be responsible for their own safety and the security of others are emphasized. The orientation includes Personal Safety, Photo Identification of Campus Personnel, Personal Property Responsibility, Crime Prevention Tips, Lost & Found, Vehicle Safety and Registration of Vehicle, Escort Service, Emergency Codes, and Timely Warning Notification. The emergency notification system and timely warnings are reviewed. Students are registered for notifications, by text messaging/voice notification on cell phones. Sex Offense Education and Crime Prevention Measures are emphasized at this orientation via the Policy on Prevention of Violence. The Policy includes (a) a statement by the school that it prohibits acts of sexual violence; **(b)** The definition of various acts of sexual violence; **(c)** Education on bystander intervention; **(d)** Risk reduction programs so students recognize and can avoid abusive behaviors or potential attacks; **(e)** Information on disciplinary proceedings.

Continuing education is provided throughout the school year during Student Association meetings to both students and employees. The following annual mandatory educational programs are presented:

1. Campus Security Authority and Title IX education- provided by the School of Nursing
2. Domestic Violence Prevention – provided by Schuylkill Hope Center or Sexual Assault Resource and Counseling Center of Schuylkill County
3. Review of Professional Nursing Law as it relates to convictions for alcohol and drugs – provided by the School of Nursing Director or designee. Review social/behavioral/physiological effects of alcohol and drug usage with distribution of informational literature related to alcohol and other drugs. – presented by alcohol and drug counselors and/or police drug task force.

Additional yearly required educational activities for School of Nursing Administration, Faculty, and Staff is provided via TLC, an online educational platform. Educational activities include assigned activities required by LVHN. Review of Campus Security Authority duties is provided on an annual basis. A live webinar regarding Title IX training is provided by Lehigh Valley Health Network.

New employees will be oriented to all policies in the Annual Security Report upon hire.

DRUG AND ALCOHOL PREVENTION PROGRAM

Purpose

1. To maintain drug and alcohol-free school campus and school activities.
2. To provide a safe, healthy, and secure learning and working environment for students, faculty, and staff.
3. To provide education on the effects of and prevention for drug and alcohol usage.
4. To provide information and access to counseling treatment and rehabilitation programs.

Definition: N/A

Guidelines

1. Dissemination of Information

The School of Nursing Drug and Alcohol Prevention Policy will be made available to all newly enrolled students via Student Handbook and to all new employees via Faculty Manual and Student Handbook during their respective orientations.

Policy review for other students and employees will occur annually at the onset of each new academic year. This will be done at a Student Association Meeting when all student body is present.

All students and employees are provided with annual Hospital (Lehigh Valley-Schuylkill)/School campus security statistics which include data on Drug and Alcohol violations. These are distributed electronically to students, faculty, and staff. Copies also are available in Human Resources and Security offices.

2. Education/Prevention

Review Pennsylvania Professional Nursing Law as it relates to convictions, etc., for alcohol and drugs with all students annually at a Student Association Meeting.

Review social/behavioral/physiological effects of alcohol and drug usage annually at a Student Association Meeting.

A Presentation by alcohol and drug counselors and/or police drug task force will be provided annually at a Student Association Meeting.

Provide information related to alcohol and other drugs.

3. Counseling/Treatment/Rehab/Reentry

Students will be referred to the Student/Employee Assistance Program

Employees/Nursing faculty will be managed in accordance with Pennsylvania Nursing Law and Lehigh Valley Health-Schuylkill Administrative Policy related to Drug Free Workplace. Non-nursing staff will be managed in accordance with Administrative Policy related to Drug Free Workplace.

4. Committee (Student Health & Safety Subcommittee)

Purpose

- A) Ensure program implementation.
- B) Review policy and programs.
- C) Collect and analyze data.
- D) Prepare biennial reviews.

Members: Director of School of Nursing, student representatives, Director of Security, Employee/Student Health Coordinator, Student Services Coordinator, Admissions/Financial Aid Administrator, and Chairperson of Student Services Committee.

Meetings - biannually.

Policy violation: N/A

DRUG AND ALCOHOL ABUSE PREVENTION POLICY

Purpose:

1. To provide a drug/alcohol free, healthy, safe, and secure campus.
2. To comply with the provisions of the Drug-Free Schools and Communities Act (P.L. 101-226).
3. To educate students, faculty, and staff on the effects of drug/alcohol use.
4. To inform students, faculty, and staff of the penalties for drug/alcohol use in the school environment, and in the practice of professional nursing.
5. To provide referral for counseling and/or rehabilitation, if appropriate.

Definition: Effects of Drug and Alcohol Abuse

1. The use of illegal drugs and the abuse of alcohol can have an adverse effect on personal health and learning ability, as well as the safe delivery of patient care and efficient performance of students. Health risks associated with the use of illicit drugs and alcohol include mental impairment, chronic illness and death. Individual drugs impair mental and physical well-being in a variety of ways. Policy 707 (Student handbook) provides a link to detailed information regarding the effects of substance abuse. Additional information relating to the health effects of specific drugs is available from the current student assistance program. See policy 606A
2. Legal penalties may be exacted for the unlawful possession or distribution of illicit drugs and alcohol. All students and employees are hereby advised of the following:
 - a. In Pennsylvania, the Controlled Substance, Drug, Device, and Cosmetic Act, 35 P.S. 780-101 – 780-960.7 prohibits, inter alia, the manufacture, sale, or delivery, holding, offering for sale, or possession of any controlled substance or other drug, device, or cosmetic that is adulterated or misbranded. Violations of the Controlled Substance Drug, Device, and Cosmetic Act are punishable by imprisonment, fine, or both.
 - b. The Federal Controlled Substance Act, 21 U.S. Code 841 et seq. prohibits the knowing or intentional manufacture, distribution, dispensing, or possession with intent to manufacture, distribute, or dispense a controlled or counterfeit substance, violations of which also are punishable by imprisonment, fine, or both.

Policy #706 (Student handbook) contains a link to detailed description of Federal trafficking penalties for substance covered by the Controlled Substance Act. This also contains a description prepared by the Department of Justice of Federal penalties and sanctions for illegal possession of a controlled substance.

Guidelines:

1. General

A. Employees are subject to provisions of the Lehigh Valley Health Network (LVHN) Policy related to Drug Free Workplace.

***Please note: Medical marijuana use is not permitted. Anyone with a medical marijuana card must rescind it.

B. Students are subject to provisions of School of Nursing Drug Free School Campus – Drug and Alcohol Abuse Prevention Policy.

2. School/LVHN campuses

A) Students are required to report for classes and planned learning experiences in appropriate mental and physical condition. Employees are required to report to work in appropriate mental and physical condition to perform essential functions of their position.

3. Drug Screen/Testing:

A) Mandatory –The School of Nursing and LVHN reserves the right to test pre-nursing students for presence of illegal drugs as follows:

a. Pre-Nursing Students – All Freshmen pre-nursing students will be tested prior to beginning nursing courses (second year of the Program).

b. Pre-Nursing and Nursing Students will be notified to report for testing (specimen collection) to the LVH-Schuylkill by an authorized LVHN Representative.

--All testing will be done per applicable Federal, State, and/or local laws.

--Results will be released to the Director of the School of Nursing.

B) “For Cause” (reasonable suspicion) Testing – Presence of illegal drugs/alcohol

a. Any student who is identified as unfit for class/clinical planned learning experiences, School activities, or School-sanctioned event by Faculty, Staff, or Staff of cooperating agency will be subject to urine drug screen and/or blood alcohol screen. Testing will be performed immediately.

b. Students must be accompanied to the testing area by the referring Faculty member or a designated school representative.

c. The student is prohibited from driving to the testing site. The faculty member is not required to transport the student in his/her private vehicle.

d. Indications for “just cause” (reasonable suspicion) testing may include, but are not limited to:
--The odor of alcohol on the breath, unsteady gait, unexplained mood swings, altered perception, confused thought processes, bloodshot eyes, dilated or constricted pupils, lack of motivation, tremors, loss of coordination, slurred or incoherent speech, sudden inability to do one’s job safely and effectively, abnormal conduct, erratic behavior.

--Evidence of involvement in manufacture, use, possession, sale, distribution, receipt, transportation, or purchase of illegal drugs and/or alcohol.

e. Student will not be allowed to participate in any clinical practice until the results of the test are known.

C) Refusal - A student who refuses a drug and/or alcohol screen in any of the above-mentioned circumstances will be dismissed from the school.

D) Positive Results of Screen – A student whose drug and/or alcohol screen results are positive will be dismissed from the school.

E) “No Show” – A student who fails to report on the same day as requested for either a drug and/or alcohol screen, will be dismissed from the school.

F) Nursing Student/LVHN Employee – A student who is also an employee of LVHN and who violates LVHN Policy related to Drug Free Workplace – will be dismissed from the school.

G) Notification of School – A student who is convicted of drug and/or alcohol related violations under State or Federal law, plead guilty or “no contest”, must inform the school immediately. Failure to do so will result in dismissal from the school.

H) Pre-Nursing and/or nursing students who have been dismissed from the School of Nursing for violations of this policy WILL NOT BE READMITTED.

4. Treatment and Referral

A. the School of Nursing will aid any student who seeks help with a drug or alcohol abuse problem.

a. Students with drug and/or alcohol concerns are encouraged to voluntarily seek assistance and/or appropriate care on a confidential basis.

b. Such counseling can be arranged by contacting the Student Assistance Program—See policy 606A

c. When a student voluntarily seeks assistance, that assistance may also include a medical leave, when applicable. Students may be granted a leave of absence while resolving their

problems. All students seeking help will be treated in a confidential manner. The assistance defined above will be subject to authorization by the Director of the School of Nursing.

d. Upon return to School, written conditions of continued study must be signed by the student. The written condition of continued study will include, but not be limited to, random blood alcohol and urine drug screening. Refusal to submit to this condition of continued study or subsequent violation of the written condition of continued study will result in dismissal from the school.

e. Students must abide by the terms of this policy and must report any conviction under a criminal drug statute for violations occurring on or off the campus to the Director of the School of Nursing within five days after conviction. The Financial Aid Administrator will report any convictions of either students or employees to the U.S. Department of Education in compliance with the Drug Free Schools and Communities Act.

*Note: The Professional Nursing Law of Pennsylvania. (Amended 1986, P.L. 1607, No. 179, Section 6) specifies that the Boards may not issue a license to an applicant who has been convicted of a felonious act prohibited by (P.L. 233, No. 64) the Controlled Substance, Drug, Device, and Cosmetic Act, or convicted of a felony relating to a controlled substance in a court of law or the United States or any other state, territory, or country. As used in this statement, the term convicted shall include a judgment, an admission of guilt, or a plea of nolo contendere.

Policy Violations:

1. Illegal or unauthorized possession, use, manufacture, sale, distribution, dispensation, receipt, transportation, or purchase of illegal drugs or alcohol is prohibited.

2. Being under the influence of alcohol or drugs during class, clinical (on or off-campus) learning experiences, or a School-sanctioned event is prohibited.

3. The following, even if not occurring on School/LVHN Campuses or during Off-campus School learning experiences, activities, or School-sanctioned events are considered harmful to the School's and LVHN's reputation for integrity, honesty, safety, and professionalism. In addition, these actions violate PA nursing law.

A. Violation of any Federal or State criminal drug and/or alcohol statute.

(This includes underage drinking—see current PA law at <http://www.legis.state.pa.us/WU01/LI/LI/CT/HTM/18/00.063.008.000..HTM>)

B. Indictment, conviction, or a plea of “no contest” to criminal offenses related to the possession, use, manufacture, sale, distribution, dispensation, receipt, purchase, or transportation of any controlled substances or illegal drugs.

C. Any other actions involving alcohol, or controlled or illegal drugs that, in the reasonable opinion of the school, endangers the School's and LVHN's reputation for integrity, honesty, and safety.

4. Violations of any provision of the policy by students will result in dismissal from the school and referral to local and/or state authorities.
5. All actions resulting from violations of this policy will be coordinated through the Director of the School of Nursing.

Drug Trafficking Penalties Charts

Please see the following website for the most up to date penalties associated with the trafficking of various drugs:

https://www.dea.gov/sites/default/files/drug_of_abuse.pdf#page=30

Drug and Alcohol Information and Resources

See <https://www.dea.gov/drug-information> for general information

See <https://www.dea.gov/factsheets> for effects of specific drugs

6/15/2021

Preventing Violence (includes Domestic and Dating) Harassment (all forms), Hate Crimes, Intimidation, Assault and Misconduct, and Stalking on the School of Nursing and Hospital Campus

Statement: The Joseph F, McCloskey School of Nursing is committed to providing a safe learning and working environment that is in compliance with federal laws, including the Jeanne Clery Act and the Campus Sexual Violence Elimination Act (Campus save Act), Crime Victims' Rights Act (<https://www.justice.gov/usao/resources/crime-victims-rights-ombudsman/victims-rights-act>) and Pennsylvania state laws, including PA House Bill 1615, section 2001-J – Violence Policy and Online Reporting System.

The School of Nursing prohibits all forms of violence (includes dating violence, domestic violence), assault, harassment, including sexual harassment, sexual assault, and stalking as they are defined for purposes of the Clery Act.

Purpose: To provide an academic and clinical learning and working environment that is safe, secure, and free of violence (domestic, dating), including sexual harassment and misconduct, and stalking.

To provide a procedure for students, school faculty, staff, and other employees to report campus incidents of alleged violence (domestic, dating) sexual assault, stalking, and harassment.

To ensure prompt investigation and resolution of all incidents of alleged violence (domestic, dating)

Definitions:

Assault – an act done with intent to cause fear in another of immediate bodily harm or death. The intentional infliction of or attempt to inflict bodily harm upon another; the threat to do bodily harm to another with present ability to carry out the threat.

Sexual Assault – attempted or unwanted sexual activity (rape [oral, anal, and/or vaginal] fondling, incest, or statutory) directed against another person forcibly and/or against the person's will; or not forcibly or against the person's will where the victim is incapable of giving consent

- Mental or physical incapacity or impairment that includes incapacity/impairment due to alcohol, drugs, sleep, or an unconscious state

Campus Security Authority – a person that a victim of a crime committed on any Lehigh Valley Health Network campus or non-campus leased buildings/property, School of Nursing clinical sites, School of Nursing sponsored activities, or public property immediately adjacent to Lehigh Valley Hospital – Schuylkill campus properties (sidewalk adjacent to hospital property and the street and sidewalk directly across from hospital property) can report the crime. This includes any School of Nursing administration, full-time faculty, and security department officers. The Title IX Coordinator has the major responsibility for Title IX compliance efforts, such as coordinating any investigations of complaints received pursuant to Title IX and the implementing regulations

Complainant - an individual who is alleged to be the victim of conduct that could constitute sexual harassment. Recognizes the legal rights of parents and guardians to act on behalf of parties (including by filing formal complaints) in Title IX matters.

Consent – effective consent is clear, known, and voluntary. It is active, not passive. Silence cannot be interpreted as consent. Consent can be given by words or actions, if they create mutually understandable, clear permission regarding willingness to engage in sexual activity. Consent to one form of sexual activity does not automatically imply consent to another form. Consent can also be withdrawn at any point in sexual activity. If a person is mentally or physically incapacitated or impaired so that they are prevented from understanding the fact, nature, or extent of the sexual situation is not consent.

Formal Complaint - document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the school investigate the allegation of sexual harassment. At the time of filing a formal complaint, a complainant must be participating in or attempting to participate in the education program or activity of the school with which the formal complaint is filed.

Hate Crimes – any crime motivated by perpetrator bias against the victim based on race, religion, gender, gender identify, sexual orientation, ethnicity, national origin, and disability (whether actual or perceived)

Harassment – unwelcome, severe, persistent, or pervasive physical, verbal, or visual contact that:

- Has the purpose or effect of creating an intimidating, hostile, or offensive working or academic environment
- Has the purpose or effect of substantially or unreasonably interfering with an individual's work or student's academic performance
- Otherwise adversely affects an individual's employment or student's academic opportunities
- *Sexual harassment* – means conduct on the basis of sex that satisfies one or more of the following: (i) A school employee conditioning education benefits on participation in unwelcome sexual conduct (i.e., quid pro quo); or (ii) Unwelcome conduct that a reasonable person would determine is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the school's education program or activity; or (iii) Sexual assault (as defined in the Clery Act), dating violence, domestic violence, or stalking as defined in the Violence Against Women Act (VAWA).
- *Visual harassment* – derogatory or offensive posters, cartoons, drawings, or other written or electronic communications that causes discomfort to others
- *Verbal harassment* – verbal threats, use of vulgar or profane language; disparaging or derogatory comments, slurs or jokes, verbal intimidation, name calling, or unreasonable or excessive criticism
- *Physical harassment* – any physical assault such as hitting, pushing, kicking, holding, impeding, or blocking movement or other unwanted, unwarranted, and inappropriate physical contact
- *Racial or Color harassment* – can include unwelcome verbal, written, or physical conduct, directed at the characteristics of a person's race or color, such as nicknames emphasizing stereotypes, racial slurs, comments on manner of speaking, and negative references to racial customs
- *Religious (Creed) harassment* – unwelcome verbal, written, or physical conduct, directed at the characteristics of a person's religion or creed, such as derogatory comments regarding surnames, religious tradition, religious clothing, or use of religious slurs or graffiti
- *National Origin harassment* – unwelcome verbal, written, or physical conduct, directed at the characteristics of a person's national origin, such as negative comments regarding surnames, manner of speaking, customs, language, or ethnic slurs.
- *Sexual Orientation harassment* – unwelcome verbal, written, or physical conduct, directed at the characteristics of a person's sexual orientation, such as negative name calling and imitating mannerisms.
- *Lifestyle harassment* – unwelcome verbal, written, or physical conduct, directed at the characteristics of person's lifestyle, such as negative name calling and imitating mannerisms.
- *Disability harassment* – harassment based on a person's disabling mental or physical condition and includes any unwelcome verbal, written, or physical conduct, directed at the characteristics of a person's disabling condition, such as imitating manner of speech or movement, or interference with necessary equipment.
- *Retaliatory harassment* – intentional action(s) taken by an accused individual or allied third party

Intimidation – words or conduct that places the victim in reasonable fear of bodily harm.

Sexual Misconduct – is a form of sexual harassment and includes sexual offenses such as rape, sexual assault, battery, exploitation, coercion, and any other form of nonconsensual sexual activity.

Sexual Exploitation – includes, but is not limited to, prostituting another person, non-consensual visual or audio recording of sexual activity, nonconsensual distribution of photos, images or information of an individual's sexual activity or intimate body parts, non-consensual voyeurism, (the practice of obtaining sexual gratification by looking at sexual objects or acts, especially secretly), coercing someone against their will to engage in sexual activity, or knowingly transmitting sexually transmitted infection (STI) without disclosing STI status

Stalking – A course of conduct directed at a specific person that would cause a reasonable person to

- Fear for his or her safety or the safety of others
- Suffer substantial emotional stress Stalking may include harassment, repeated telephone calls, written and/or electronic communication, social media, personal visits, following or other unwanted behavior

Supportive Measures - Non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, without fee or charge, to the complainant or respondent, before or after the filing of a formal complaint or where no formal complaint has been filed. - Such measures are designed to restore or preserve access to the recipient's education program or activity, without unreasonably burdening the other party; protect the safety of all parties and the recipient's educational environment; and deter sexual harassment. - Supportive measures may include counseling, course-related adjustments, modifications of work or class schedules, campus escort services, increased security and monitoring of certain areas of campus, and mutual restrictions on contact between the parties.

Violence – physical act of aggression, force or assault based on all defined forms of harassment

- *Dating violence* - Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim; The existence of such a relationship shall be based on consideration of the length and type of relationship, and the frequency of interaction between the persons involved in the relationship
- *Domestic Violence* – includes felony or misdemeanor crimes of violence committed by: A current or former spouse, or intimate partner of the victim; A person with whom the victim shares a child; A person residing in the same household as the victim; Any person against whom the victim is protected under Pennsylvania domestic and family violence laws

Retaliation

Retaliation against anyone reporting, participating in, or thought to have reported or participated in an allegation or investigation regarding sexual assault, domestic violence, dating violence, stalking, or harassment is prohibited. Retaliation is considered a violation of this policy.

Knowingly false accusations are prohibited and considered a violation of this policy. Good faith, reports of sexual assault, domestic violence, dating violence, stalking or Harassment that are found to be unsubstantiated is not a violation of the policy.

No school or person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in a Title IX investigation, proceeding, or hearing. - Charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX, constitutes retaliation.

The school must keep confidential the identity of complainants, respondents, and witnesses, except as may be permitted by FERPA, or as required by law, or as necessary to carry out a Title IX proceeding.

Complaints alleging retaliation may be filed according to the grievance procedures for sex discrimination.

The exercise of rights protected under the First Amendment does not constitute retaliation. - Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding under this part does not constitute retaliation; provided, however, that a determination regarding responsibility, alone, is not sufficient to conclude that any party made a bad faith materially false statement.

Reporting

Victims of sexual assault, sexual harassment, sexual exploitation, non-consensual sexual contact, domestic violence, dating violence, and stalking are encouraged to report such incidents to local police by dialing 911 or to seek immediate assistance by going to a Lehigh Valley Hospital – Schuylkill Emergency Department or the nearest medical facility's Emergency Department.

The Campus Security Authority will assist the victim in obtaining medical attention, if necessary, which may involve a sexual assault examination to check for sexually transmitted diseases and injury, as well as to collect evidence of the crime. If the victim chooses to have this type of exam, there should be no showering or changing of clothing prior to the exam. Police will collect these items as evidence.

Victims are encouraged to report such incidents occurring on School/Hospital campus or adjacent to campus to a Campus Security Authority (CSA). If the CSA are Faculty, they will notify the Title IX Officer.

The Title IX Officer will notify the Lehigh Valley Hospital – Schuylkill Security Department provide supportive measures including, but not limited to assisting the victim in seeking treatment and speaking to the Security Department and/or local police. The victim may choose to decline to notify the Security Department and/or local police.

Incidents occurring at School sponsored off-campus activities should be reported to the Director of the School of Nursing. Victims are encouraged to report such incidents to the local police. Note: The School does not have off-campus student organizations officially recognized by the School of Nursing.

The Joseph F. McCloskey School of Nursing does not publicize the name of crime victims, nor does it include identifiable information in the Campus Security Daily Log.

Victims

The Joseph F. McCloskey School of Nursing does not discriminate on the basis of sex in accordance with education programs. Questions regarding Title IX may be referred to the School of Nursing's Title IX Officer or to the Office of Civil Rights.

Victim's and Accused's Bill of Rights

A victim of a sexual assault is entitled to:

- Be treated with dignity
- Report the incident to a Campus Security Authority and/or the Security Department
- Be offered assistance in notifying law enforcement
- Be taken to the emergency department for the collection of sexual assault evidence if the victim so chooses
- Have reasonable changes made to academic and living situations
- Have access to counseling through the student and/or Employee Assistance Program
- Choose whether to have the case adjudicated through the Joseph F. McCloskey School of Nursing, the criminal justice system, or both
- Be present during disciplinary hearings
- Have same opportunity as accused to have others present at a disciplinary hearing
- Protection from any reference to past sexual history in the disciplinary proceedings
- Be unconditionally notified of outcome of hearing, sanctions, and terms of sanctions in place
- Speak (or choose not to speak) to anyone regarding the outcomes
- Have their name and identifying information kept confidential (FERPA)

- Be free from intimidation or further harassment by the alleged perpetrator or others
- Obtain an order of protection, a “no contact” order, a restraining order or a similar lawful order issued by a criminal, civil or tribal court.

Victims have rights under federal and state law, including the crime victim’s bill of rights. Under PA state law, victims are referred to <https://law.lclark.edu/live/files/4976-pennsylvania> and under federal law, victims are referred to <https://www.justice.gov/usao/resources/crime-victims-rights-ombudsman/victims-rights-act>

An individual accused of a sexual assault has the right to:

- Reasonable confidentiality
- Be afforded all rights as defined in the Student Handbook
- Have access to counseling through the Student/Employee Assistance Program

Bystander Intervention/Risk Reduction

An engaged bystander intervenes before, during, or after a situation when they see or hear behaviors that promote violence, including sexual violence.

When and How to Intervene:

- Each situation is different and there is no universal response when intervening to prevent sexual violence. Safety is key in deciding when and how to respond to sexual violence. Every person must decide for themselves the safest and most meaningful way to become an engaged bystander.
- The following are ideas on how one can maintain safety while being an engaged bystander:
 - ✓ If you witness any form of violence as listed in this policy, get support from people around you. You do not have to act alone.
 - ✓ Practice with friends and family about what you would say and how you would say it
 - ✓ When intervening, be respectful, direct, and honest.
 - ✓ If you see or hear something and you do not feel safe, call 911

When Alcohol is involved – bystanders are less likely to intervene when alcohol is involved, particularly when both the victim and offender have been drinking. People tend to place the responsibility on the female for her behavior. However, alcohol is never a cause of rape or an excuse for committing a crime; consent cannot be obtained when someone is incapacitated due to alcohol or other substances.

Role of social media – during and after acts of sexual violence, social media and online anonymous spaces could provide venues for harmful comments and abusive behavior toward other. This might include threatening with distribution of photos or videos of the assault. Responsible bystanders play a powerful role in showing support for survivors, challenging disrespectful comments, and changing the culture to end violence

Checklist for bystanders

- Is there a problem? Does someone need help?
- Is it safe to intervene? What are my options?
- What should I do? Should I call on others to help?

Bystander Intervention Examples

- Online: There are comments posted regarding a story about a sexual assault that imply that the person deserved to get raped because of how they are dressed and how much they had to drink. An engaged bystander could respond to the comments by posting that it is never the survivor's fault if he or she is sexually assaulted, and that the responsibility lies with the person who chose to commit sexual violence.
- At work: Someone overhears a female supervisor say that she wishes her boyfriend had a butt like one of her male employees. An engaged bystander could talk with the supervisor directly or report the incident based on the workplace's sexual harassment policy.
- At a party: A friend starts flirting with someone. The other person is not interested, but the friend will not leave them alone. An engaged bystander could go up to the friend and start a conversation to distract them from the uninterested person.
- At school: A group starts making sexual gestures and comments to another student. The student tries to ignore the comments but becomes upset. An engaged bystander could tell the group to stop harassing the student or ask the student to leave and tell an instructor or the director.

Bystander Intervention Strategies

- "I" Statements
 - ✓ Three parts: 1. State your feelings, 2. Name the behavior, 3. State how you want the person to respond. This focuses on your feelings rather than criticizing the other person.
 - Example: "I feel when you _____. Please don't do that anymore."
- Silent Stare
 - ✓ Remember, you don't have to speak to communicate. Sometimes a disapproving look can be far more powerful than words
- Humor – reduces the tension of an intervention and makes it easier for the person to hear you. Do not undermine what you say with too much humor. Funny doesn't mean unimportant.
- Group intervention – there is safety and power in numbers. Best used with someone who has a clear pattern of inappropriate behaviors where many examples can be presented as evidence of the problem

- Bring it Home - Prevents someone from distancing themselves from the impact of their actions.
✓ Example: "I hope no one ever talks about you like that."
- Prevents someone from dehumanizing their target.
✓ Example: What if someone said your friend deserved to be raped or called your family member a derogatory name?

- We're Friends, right?

Reframes the intervention as caring and non-critical

- ✓ Example: Hey as your friend I've got to tell you that getting someone drunk to have sex with them is not cool and could get you in a lot of trouble. Don't do it."

- Distraction

Snaps someone out of their "sexist comfort zone."

- ✓ Example: Ask a man harassing a woman on the street for Directions or the time.

- Allow a potential target to move away and/or to have other friends intervene.

- ✓ Example: Spill your drink on the person or interrupt and

Start a conversation with the person.

Guidelines:

The School of Nursing in conjunction with Lehigh Valley Health Network prohibits harassment, acts of violence, or inappropriate aggressive behavior directed toward any student, school faculty or staff members, other employees, or other individual while participating in any school program or activities. This includes school activities that take place off campus. Harassment includes but is not limited to: incidents based on race, color, sex, national origin, disability, sexual orientation, lifestyle, or religion as outlined in Definition of Terms. Acts of violence or aggressive behavior include but are not limited to incidents as outlined in Definition of Terms.

Weapons are prohibited on the campus of the School of Nursing Lehigh Valley Hospital (all campuses) and any of its adjacent buildings, or student's vehicles. The carrying of weapons by students while engaged in any school activity is prohibited.

Weapons prohibited include guns, knives, clubs, explosives, or chemicals that could be used to harm another. The use of such weapons in a menacing or threatening manner is also prohibited.

The School of Nursing will immediately investigate all complaints of violence, which include, but are not limited to incidents as outlined in Definition of Terms, formal or informal. Action will be taken to protect individuals from further harassment or violence/aggression. Appropriate disciplinary action will be taken against any individual found to be in violation of this policy (see Disciplinary Proceedings).

Students found to be in violation of this policy will be disciplined to a degree based on the nature and seriousness of the incident(s). This may include suspension or dismissal from the nursing program as well as criminal prosecution.

Victims of Crime

- A student who believes he/she has been the victim of harassment or violent/aggressive behavior by another student, school faculty or staff member, employees of Lehigh Valley Health network, or any individual while participating in school programs and activities should report the alleged acts to a Campus Security Authority (CSA). Reporting by victims and witnesses is done on a voluntary, confidential basis. Victims may also use the anonymous online reporting system at <http://www.lvhn.ethicspoint.com/>
- This information is received by the Title IX Officer. The report is anonymous and will go directly to the School of Nursing's Title IX officer –Thomas McPhillips. The Title IX officer may not be compelled to produce a record of the email except pursuant to a court order.
- If the victim is unable to make a report of a crime, witnesses should report the alleged act to a CSA, Security Department, or the Police. Witnesses may also use the anonymous online reporting system at <http://www.lvhn.ethicspoint.com/>
- This information is received by the Title IX Officer. The report is anonymous and will go directly to the School of Nursing's Title IX officer –Thomas McPhillips. The Title IX officer may not be compelled to produce a record of the email except pursuant to a court order.
- Campus Security Authorities will record the information on a Campus Security Authority Incident Report form, located in Appendix B, on the Hospital Intranet School of Nursing shared Drive, and 5th floor conference room, School of Nursing.
- CSAs are required to record the information on a Campus Security Authority Incident Report form and promptly submit the completed form to the Title IX Coordinator and Security Department.
- CSAs are obligated to report Clery Act qualifying crimes which have occurred in any of the following areas: On Campus: Lehigh Valley Hospital – Schuylkill buildings and/or property; Non-campus: Lehigh Valley Hospital – Schuylkill leased off-campus buildings/property; public property immediately adjacent to the Lehigh Valley Hospital-Schuylkill property, School-sponsored events, Lehigh Valley Health Network properties.
- Prior to filing a report, CSAs should ask of themselves the following 3 questions:
 1. Is it a qualified Clery Act crime/incident?
 2. Did the crime/incident occur in one of the geographic areas defined by the Clery Act or in the school's education program or activity?
 3. Was this crime/incident specifically reported to me as a CSA?

If “yes is the answer to those questions you are required to report the incident to the Director, who will report to Security department in a timely manner.

Crimes covered under the Clery Act: murder, manslaughter, sex offenses, robbery, aggravated assault, burglary, motor vehicle theft, arson, hate crimes, violence against women, drug, alcohol and weapons violations.

- CSA will take the information and report it to the Security Supervisor immediately.

- School faculty or staff members who receive a report or have cause to believe harassment or violent aggressive behavior have occurred to a student, school faculty or staff member, or an employee of the Lehigh Valley Health Network while participating in school programs or activities are required to report the alleged acts to Title IX Coordinator.
- School faculty, staff members, employees of the Lehigh Valley Health Network or other individuals who believe they have been the victim of harassment or violent/aggressive behavior committed by a student(s) enrolled in the School of Nursing should report the alleged acts to the Title IX Coordinator immediately or use the anonymous online reporting system at <http://www.lvhn.ethicspoint.com/>
- Should the alleged acts involve an employee of the School of Nursing or Lehigh Valley Health Network, the Administrative Policy – Prevention of Violence in the Workplace and/or Sexual Harassment will take precedence as appropriate.
- Upon receipt of a report, the Title IX Coordinator will conduct or authorize an investigation. The Campus Security Department will be notified, and a report filed. All reported incidents will be reduced to writing. Confidentiality will be maintained to the maximum extent possible in the investigation process.
- It may be necessary to take immediate steps to protect the alleged victim, and other individuals pending completion of the investigation.
- The results of the investigation process and actions taken will be made within 60 days in a written report to the President of Lehigh Valley Hospital –Schuylkill, LVHN Department of Education, and to the victim.
- A witness or victim of an incident of sexual harassment or sexual violence who reports the incident in good faith will not be sanctioned by the School of Nursing for admitting in the report to a violation of the School of Nursing's student professional behavior/conduct policy or drug and alcohol abuse prevention policy on the personal use of drugs or alcohol.

Alternative appeal/complaint process

1. A student, who believes they have been deprived of due process or the school has not acted on his/her report or corrected the situation as outlined in the policy, or whose conclusions are erroneous, has the right to use the Student Grievance Procedure as outlined in the Student Handbook. They also have the right to file a complaint with the Office of Civil Rights (OCR) for the state of Pennsylvania.
2. School personnel and hospital employees will follow appeal procedures in accordance with Administrative Policies, Collective bargaining agreements, and Lehigh Valley Hospital – Schuylkill Human Resources Departments.
3. The school must offer both parties an appeal from a determination regarding responsibility, and from a school's dismissal of a formal complaint or any allegations therein, on the following bases: procedural irregularity that affected the outcome of the matter; new evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and/or the Title IX Coordinator, investigator, or decision-maker had a conflict of interest or bias that affected the outcome of the matter. - A school may offer an appeal equally to both parties on additional bases.

Investigation Process

The Title IX Coordinator will thoroughly and impartially investigate all allegations in a prompt and confidential a manner as possible. An accused individual may be suspended pending investigation if the Title IX Officer deems appropriate to shield the alleged victim from further potential misconduct by the accused. Privacy of all parties will be protected, and corrective action will be taken when warranted.

The standard of evidence to be used to determine responsibility is the preponderance of the evidence standard.

If the victim determines that she/he wants to proceed with formal School of Nursing disciplinary proceedings, the Title IX Coordinator will proceed with an investigation as stated below.

The accused will be contacted and scheduled for an appointment with the Title IX Coordinator. At this meeting, the Title IX Coordinator will:

- Inform the accused of his/her rights
- Ask the accused to respond to and discuss the allegations
- Give the accused the opportunity to provide a written statement to contest the allegations.
- Assess if the accused student's continued presence on campus appears dangerous to property, to the student him/herself, or to any other member of the Joseph F. McCloskey School of Nursing community. If so, the student may be subjected to suspension pending the results of the proceedings.
- Instruct the accused in all cases to refrain from any contact with the victim.
- Schedule a follow-up appointment to discuss the status of the case, if necessary.

Persons identified by the victim or accused, who has facts pertinent to the allegations, will be contacted by the Title IX Coordinator and asked to provide information about the incident.

The Title IX Coordinator will meet with the victim and discuss the results of the investigation. With the consent of the victim, formal charges may be initiated.

Should the Title IX Coordinator determine, if necessary, a committee consisting of Campus Security Authorities may be called to hear the case.

- All members of the committee will be educated on issues involved in sexual assault and sexual harassment utilizing both School of Nursing and community resources.
- Both the accused and victim will be allowed to be present throughout the hearing.
- The accused and the victim will each be allowed to have others present, including the opportunity to be accompanied to any related meeting or proceeding by a faculty counselor of their choice. The counselor is prohibited from speaking during the proceeding, addressing the disciplinary committee, or questioning witnesses. The

school may remove or dismiss advisors who become disruptive or who do not abide by the restrictions on their participation.

- Both the accused and the victim will have the opportunity to ask questions of each other and any other witnesses testifying at the hearing.
- The victim's sexual history will not be received as evidence at the hearing.
 - Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.
 - The rape shield protections apply for complainants clarified to state: Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.
- The consumption of alcohol or other drugs may not be used as an excuse for rape, sexual assault, or harassment by the accused.
- This must be a live hearing:
 - - At the live hearing, the decision-maker(s) must permit each party's advisor to ask the other party and any witnesses all relevant questions and follow-up questions, including those challenging credibility.
 - - Such cross-examination at the live hearing must be conducted directly, orally, and in real time by the party's advisor of choice and never by a party personally.
 - - At the request of either party, the recipient must provide for the live hearing to occur with the parties located in separate rooms with technology enabling the decision maker(s) and parties to simultaneously see and hear the party answering questions.
 - - Only relevant cross-examination and other questions may be asked of a party or witness. Before a complainant, respondent, or witness answers a cross-examination or other question, the decision-maker must first determine whether the question is relevant and explain any decision to exclude a question as not relevant.
 - - If a party does not have an advisor present at the live hearing, the recipient must provide without fee or charge to that party, an advisor of the school's choice, who may be, but is not required to be, an attorney, to conduct cross-examination on behalf of that party.
 - - Live hearings pursuant to this paragraph may be conducted with all parties physically present in the same geographic location or, at the school's discretion, any or all parties, witnesses, and other participants may appear at the live

hearing virtually, with technology enabling participants simultaneously to see and hear each other.

- - Schools must create an audio or audiovisual recording, or transcript, of any live hearing and make it available to the parties for inspection and review.

Both the accuser and accused are required to simultaneously receive the results of a disciplinary proceeding in writing within five School days.

- Both the accuser and accused have a right to appeal disciplinary proceeding decisions or changes to the result.

Possible Outcomes

- If the investigation reveals that the accused individual has not engaged in the alleged misconduct, the school will inform both the accused and complaining party that a thorough investigation has been conducted and that there are no grounds to substantiate the report or suspicion of alleged domestic violence, dating violence, sexual harassment, sexual misconduct, stalking, discrimination, unlawful harassment, sale or use of illegal drugs or alcohol, or weapons charges.
- In the event an investigation of alleged domestic violence, dating violence, sexual harassment, sexual misconduct, stalking, discrimination, unlawful harassment, sale or use of illegal drugs or alcohol, or weapons charges) reveals that the accused individual has engaged in the alleged misconduct, the accused is subject to appropriate disciplinary action, up to and including termination of employment or dismissal from the school, depending on whether the accused is an employee or student.
- The school retains the option to choose to offer informal resolution options, if both parties give voluntary, informed, written consent.
- The school 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 an investigation and adjudication of formal complaints.
- A school may not require the parties to participate in informal resolution and may not offer informal resolution unless a formal complaint is filed.
- At any time prior to agreeing to a resolution, any party has the right to withdraw from informal resolution and resume the grievance process with respect to the formal complaint.
- The school must not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.

Disciplinary proceedings

A student in the School of Nursing who has been in violation of this policy will have a disciplinary hearing which shall:

- Be prompt, fair and impartial
- Use preponderance the evidence standard

- Be adjudicated by officials receiving annual training on issues of dating violence, domestic violence, sexual assault, and stalking; and conducting investigations and hearing that protects safety of victims and promotes accountability

Procedural rights for both victim and accused include:

- Same opportunity to have others present as witnesses
- Opportunity to be accompanied by an advisor of their choice
- Receive simultaneous written notification of delay and the reason for the delay; outcome of disciplinary hearing; opportunity to appeal the result; changes to results; results that are final; and reason for the results and sanction imposed

Policy Violation

Any student who is found to be in violation of this policy will be subject to disciplinary and measures that may include but are not limited to warning suspension, or dismissal from the program. School personnel and other employees of the Lehigh Valley Health Network will be subject to provisions as outlined in the Administrative Policy – Prevention of Violence in the Workplace and will be consistent with the requirements of applicable collective bargaining agreements.

Students/Employees may contact the

U.S. Department of Education

Office for Civil Rights

Lyndon Baines Johnson Department of Education Bldg.

400 Maryland Avenue, SW

Washington, DC 20202-1100 if their rights have been violated or policy violation has occurred.

Main Line: 800-421-3481 Hot Line: 800-368-1019 FAX: 202-453-6012; TDD: 800-877-8339

Email: OCR@ed.gov

References:

The campus sexual violence elimination act of 2013. (2013.). Retrieved October 30, 2016, from <http://campussaveact.com/>

Clery Center: At the heart of campus safety. (n.d.). Retrieved from <http://clerycenter.org/>

Knowyourix.org. (n.d.). Retrieved from <http://knowyourix.org/>

Nondiscrimination based on Sex in Education Programs or Activities Receiving Federal Financial Assistance 2020, 85 Fed. Reg. 30026 (May 19, 2020) (to be codified at 34 C.F.R. pts. 106).

The national sexual violence resource center – Info & stats for journalists – Engaging Bystanders (2013).

The national sexual violence resource center website. (2012.).
<http://www.nsvrc.org/projects/150/bystander-intervention-resources>,

Violence against Women Reauthorization Act of 2013 (VAWA) (Pub. Law 113-4).

Registered Sex Offenders

The Campus Sex Crimes Prevention Act of 2000 requires sex offenders, when they register with the appropriate law enforcement agency, to indicate whether or when they are enrolled, employed, or volunteering on a college campus. The registering agency must share that information with the relevant colleges/schools, and the colleges/schools must tell students, faculty members, administrators, and staff members where information on registered sex offenders can be obtained. Students and employees can find this information on the PA State Police website <http://www.pameganslaw.state.pa.us/> otherwise known as Megan's Law Website. The Jacob Wetterling Crimes against Children and Sexually Violent Offender Registration Act (enacted in 1994), the Federal version of "Megan's Law" (enacted in 1996), and the Pam Lychner Sexual Offender Tracking and Identification Act (also enacted in 1996). The statutes require states to establish registration programs so local law enforcement will know the whereabouts of sex offenders released into their jurisdictions, and notification programs so the public can be warned about sex offenders living in the community.

Fire Safety

The LVHN – Schuylkill campuses use Code Red to denote a fire or fire drill situation. Code Red is announced over the hospital's intercom system. The School of Nursing does not have an intercom system. A fire or fire drill will be announced by the activation of the fire bell system.

Fire extinguishers are located throughout the facility. The School of Nursing has ABC (all purpose) fire extinguishers located on each floor. In the event of a fire alarm in the School of Nursing, MRI Building, Medical Office Building and Schuylkill Rehabilitation Center personnel are to evacuate the building. Both hospitals and the Outpatient Surgery Center do not initially evacuate due to 1) fire systems are in place that prevent the spread of the fire, 2) patients maybe in surgery, 3) Emergency evacuation may be detrimental to patient's health. When an evacuation is necessary the patients are typically moved (horizontally) to another safe section of the hospital/OSC. Never use an elevator during a fire alarm. See Evacuation Procedures.

Realizing that fires do occur in healthcare facilities, all colleagues should be made aware of what actions they should take if they discover a fire. Fires require discretionary judgment. For example, in the case of a small-contained fire, such as a wastepaper basket fire, the fire should be immediately extinguished by suffocation or drowning.

In the event of a larger fire, which cannot be immediately extinguished, the person discovering the fire should remember the "**RACE**" acronym.

Rescue patients from immediate danger. Patients and visitors in the immediate fire area should be removed from danger. Immediate area is the room or area in which the fire can be contained by the closing of smoke barrier door(s).

Alarm Pull the fire alarm and tell another employee to report the fire: call 911 and contact the hospital at extension 4040 on any hospital phone, state exact location of the fire.

"RED" manual fire pull stations are located on the hallway walls adjacent to the exit doors and stairwells that lead directly out of the campus buildings. To activate a Pull Station, pull handle in direction indicated on the Pull Station. In the event the fire was undetected by staff, the fire alarm system will activate automatically when a smoke detector, duct detector, or sprinkler head detects a fire situation. When the system activates a signal is sent to an alarm monitoring company, the fire panel, and to the switchboard operator. The alarm monitoring company alerts the 911-communication center, which dispatches the Fire Company. The fire panel activates the hospital fire bell system. The switchboard operator announces the location of the fire over the hospital's intercom system.

Confine or contain the fire by closing all the doors and windows and turning off all non-patient care electrical apparatuses. Fire and/or smoke in rooms can be confined to the room by closing any doors that lead to the room. Wet towels can be placed at the bottom of the door to reduce the amount of smoke in the hallway. Fire and/or smoke in the hallway can be confined to the hallway by closing fire/smoke barrier doors.

Extinguish the fire or **evacuate** the patients. Extinguish: remember the **PASS** acronym:

Pull the pin.

Aim the extinguisher. Stay a safe distance from the fire.

Squeeze down on the handle or press handle.

Sweep the nozzle of the extinguisher from side to side at the base of the fire until the fire goes out.

Evacuate: In the event of immediate danger to occupants the charge nurse on the fire unit is authorized to order limited horizontal evacuations (removal of patients to a safe area). As soon as the Pottsville Fire Department arrives, the Fire Chief or person acting in that capacity will evaluate the situation and notify the hospital administrative staff. If additional evacuations are necessary, the administrative person in charge will formulate an evacuation plan for each area needing evacuation. Evacuation will be under the direction of the charge nurse or senior department staff person on duty. It should be noted that horizontal evacuation routes should be used whenever possible. Vertical routes should be used only when necessary.

Photo Identification Badge System

Colleagues of School of Nursing and the hospital are issued LVHN photo identification name badges. Lost badges are replaced at the current rate charged by the hospital. The Security Department manages and issues photo identification cards. The Department of Health requires all staff, who come into contact with patients, to wear a LVHN Photo Identification Card. Anyone without an LVHN issued identification card is considered a visitor or patient.

Personal Safety

Every individual must take responsibility for their own personal safety twenty-four hours a day, seven days a week. Police and security personnel cannot be with you everywhere you go. Everyone must take reasonable steps to increase their own personal safety. You should be mentally aware of all the events which are always going on around you and you should be taking reasonable steps to protect yourself from any dangerous situations. Always walk in groups to and from your vehicle.

Personal Property Responsibility

The hospital and its agents are not responsible for personal property which is lost or stolen. Everyone is responsible for their own personal property that is brought onto the hospital campus.

How to Report Criminal Offenses

Active crimes occurring at the present time should be reported directly to the local law enforcement immediately by dialing 911 or 8 on a hospital phone and then 911. Security should then be notified by calling the hospital operator @ 570-621-4000 or on a hospital phone @ 4330.

In addition, crimes can be reported to any designated campus security authority. The institution has identified these groups as campus security authority personnel:

- Joseph F. McCloskey School of Nursing faculty instructors.
- Title IX Coordinator, Thomas McPhillips.
- Lehigh Valley Health Network Department of Public Safety and Security Services:
Security Officers

The LVHN Joseph F. McCloskey School of Nursing encourages anyone who is a victim of a crime or a witness to a crime to promptly report the incident to a campus security authority and/or the local law enforcement agency. Under state law police reports are public record and cannot be held in confidence. Reports made to a campus security authority may qualify to be added to the annual security report and held confidential if the incident does not result in criminal charge(s). The individual reporting the incident can request that their name be kept confidential.

Crime Prevention Tips

Valuables- The first step you can take in protecting your personal property is not to bring your valuables to the school in the first place. If you don't have valuables here, they cannot be stolen. If you have to bring valuables with you, keep them in your possession at all times. Keep your money in your possession and secure any other valuables in a locked area such as your locked office, locked file cabinet, or a locked locker. Do you have the only key to the lock? Is the lock heavy duty? For a theft to occur there must be both an item to steal and a way for the criminal to steal the item (usually undetected). Remove either of these or you will most likely not be a victim of this type of crime.

Example: An unsecured purse is stolen from a break/locker room area. Victim states she only had five dollars in her purse; that is why she didn't lock her purse in a locker. The criminal didn't know there was only five dollars in her purse when he stole it. But now he has her credit cards, driver's license with her name and address on it, and the keys to her house. Victim was more concerned about the family pictures she could not replace. I was more concerned the criminal was going to use her credit cards, burglarize her home, or assault her at her residence.

Vehicle Security- The first step to vehicle security is to keep your vehicle's windows closed and your doors locked. This will deter "theft of opportunity" type crimes. The second step to vehicle security is keeping your valuables out of sight, in your trunk, or at home. If a criminal walks past your vehicle and does not see any valuables inside your vehicle he will most likely exclude your vehicle from being searched through. Over the years employees have had the following items stolen from locked vehicles: electronic devices which include radar detectors, navigation units, compact disk players/disks, electronic tablets, cellular phones, spare tires, and other valuables. If a criminal sees just one compact disk in a vehicle, they might assume that there are more disks and maybe a disk player. Other preventative steps include parking in well-lit areas at night, having gasoline caps that lock, having an anti-theft deterrent system installed in your vehicle, having locking wheel lugs, and reporting suspicious individuals to security.

Lost & Found

One of the Security Department's responsibilities is the Lost & Found Department. Items that are found on the hospital campus should be turned over to the security officer on duty. Items are retained by the Security Department for thirty days. Items that are lost should be reported to the Security Department.

Vehicle Safety & Registration of Vehicle

When you arrive in the parking lot, you should observe the area around the parking lot for anything unusual and/or suspicious persons before you exit your vehicle. If you see a suspicious person don't exit your vehicle wait for other colleagues coming to the campus or call or drive to the Emergency Department ambulance entrance and report it to security. Suspicious persons should always be reported to security! Your vehicle doors should be locked, and the vehicle's windows should be completely closed. This will deter individuals from entering your vehicle. When you are departing any campus building and approaching your vehicle you should: have your door key (remote) in your hand ready to use, observe the parking lot for anything unusual, and before you enter your vehicle check the interior for any individuals who may be hiding in back seat or on the floor area. If you notice that another vehicle is following you do not drive home call 911 give them your location, direction of travel and follow their instructions. No cell phone: lock your car doors, drive to a local police station, stay in your vehicle, and blow your horn until the police come out to investigate the noise. If you're not sure where a police station is located: return to the hospital and pull into the Emergency Department's ambulance driveway. Sound your vehicle's horn until someone comes out to investigate the noise. Anytime you feel it necessary, have LVHN Security escort you to your vehicle. Most crimes occur when victims are alone. Whenever possible walk to and from the campus in the company of individuals you recognize as students and/or colleagues of the campus.

Register all vehicles, which you are driving, with the Department of Public Safety and Security Services. Parking registration forms are provided during initial orientation day. Parking lots and the parking sticker associated with the assigned lot are issued to the student at that time.

Infant-Child-Adult Missing on Campus

LVHN used the following codes to denote an occurrence of someone missing or abducted. Code Pink denotes a child or infant missing. Code Gray denotes an adult missing. All staff need to report if they saw something/someone suspicious to their instructor, supervisor, or administration as soon as possible. Write down the description of the individual(s) involved, license plate number, make, model and color of the vehicle they left in. Colleagues need to search their work/classroom areas to see if the missing individual is hidden in their section of the facility. (Restrooms, etc.).

Hazardous Materials & Waste

SDS (Safety Data Sheets) list important information regarding each chemical: health hazards, personal protective equipment required, clean up, etc. Students should not clean up chemicals unless under the direct supervision of a faculty instructor. In the event of a chemical spill contact your faculty instructor. Keep clear of the spill and keep others away from the spill. SDS sheets can be obtained, on all the chemical used by the hospital, by utilizing the internal website. The Maxcom SDS Database icon listed on the LVHN – Schuylkill website.

Escort Service

The Security Department provides an escort service for visitors, patients, students, staff, and any other individuals requesting an escort. Escorts are limited to each hospital's campuses.

RL6 Event Reporting Form

This is an online reporting system that can be submitted by all colleagues with access to a hospital computer. When first signing onto the computer the APPS icon will open. Open apps icon titled Event Reporting. You are then able to sign onto the RL 6 system with your hospital I.T. credentials or submit a report anonymously. The Report is then submitted to the Patient Safety Officers at both Schuylkill & Cedar Crest. The Report is then emailed to the appropriate personnel.

Workplace Search & Weapon Statement

The School of Nursing faculty and Public Safety Security Personnel reserves the right to inspect any possessions or articles carried into or out of the campus buildings by colleagues. Alcohol and illegal drugs are prohibited on the campus.

Weapons of any type including firearms, knives, and other dangerous objects that are not part of the colleague duties are prohibited on campus. A state concealed weapon permit does not permit colleagues to carry the device on campus.

Violence Prevention in Case of Robbery Policy

The purpose of this policy is to reduce the risk of injury to colleagues in the event a perpetrator demands LVHN property through threats of violence, weapon, or physical force. Colleagues are to give the individual the campus property immediately. Immediately after the incident the colleague should call 911 and report the incident. The colleague will then notify campus security of the incident. Colleagues need to make their own decision regarding their own wellbeing when a perpetrator is demanding personal property from the individual. LVHN will not reimburse colleagues for personal property.

Preventing Violence on Campus

Lehigh Valley Hospital – Schuylkill and the School of Nursing have a zero tolerance of actions and behaviors that can lead to violence on the campus. Any unprofessional behavior by colleagues occurring on or off the campus but connected to the campus may be applicable under this policy. If an incident is determined to be founded, the perpetrator's actions will result in either discipline, criminal charges, or termination. Report all incidents to a campus security authority. These behaviors are listed as a reference but may include other behaviors that are not listed:

Bullying

Bullying is unwanted, aggressive behavior that involves a real or perceived power imbalance. The behavior is repeated, or has the potential to be repeated, over time. Bullying includes actions such as making threats, spreading rumors, attacking someone physically or verbally, and excluding someone from a group on purpose. Most types of bullying are considered harassment in the state of Pennsylvania.

Harassment

Any type of disruptive and aggressive behavior that is repeated and results in continued annoyance towards another individual.

Visual Harassment

Derogatory or offensive posters, cartoons, drawings, or any other written communication that causes discomfort to other

Verbal Harassment

Verbal threats towards other persons or their property, the use of vulgar or profane language, disparaging or derogatory comments or slurs, verbal intimidation, unreasonable or excessive criticism or name calling.

Physical Harassment

Any physical assault such as biting, pushing, kicking, holding, impeding, or blocking movement or any other unwanted and inappropriate physical contact.

Stalking

The repeated unwanted harassment of an individual. Stalking is a pattern of behavior that makes you feel afraid, nervous, harassed, or in danger. It is when someone repeatedly contacts you, follows you, sends you things, talks to you when you don't want them to, or threatens you. Stalking behaviors can include knowing your schedule; showing up at places you go; sending you unwanted mail, emails, and pictures; calling or texting repeatedly; contacting you or posting about you on social network sites; creating

a website based on you, sending gifts, stealing your possessions, sending unwanted gifts and other unwanted behaviors that allows them to contact, harass, track, or frighten you.

Domestic Violence

According to the United States Department of Justice Office on “Violence against Women”, the definition of domestic violence is a pattern of abusive behavior in any relationship that is used by one partner to gain or maintain control over another intimate partner. Many forms of abuse are included in the definition of domestic violence:

- Physical abuse can include hitting, biting, slapping, battering, shoving, punching, pulling hair, burning, cutting, pinching, etc. (any type of violent behavior inflicted on the victim). Physical abuse also includes denying someone medical treatment and forcing drug/alcohol use on someone.
- Sexual abuse occurs when the abuser coerces or attempts to coerce the victim into having sexual contact or sexual behavior without the victim’s consent. This often takes the form of marital rape, attacking sexual body parts, physical violence that is followed by forcing sex, sexually demeaning the victim, or even telling sexual jokes at the victim’s expense.
- Emotional abuse involves invalidating or deflating the victim’s sense of self-worth and/or self-esteem. Emotional abuse often takes the form of constant criticism, name-calling, injuring the victim’s relationship with his/her children, or interfering with the victim’s abilities.
- Economic abuse takes place when the abuser makes or tries to make the victim financially reliant. Economic abusers often seek to maintain total control over financial resources, withhold the victim’s access to funds, or prohibit the victim from going to school or work.
- Psychological abuse involves the abuser invoking fear through intimidation; threatening to physically hurt himself/herself, the victim, children, the victim’s family or friends, or the pets; destruction of property; injuring the pets; isolating the victim from loved ones; and prohibiting the victim from going to school or work.
- Threats to hit, injure, or use a weapon are a form of psychological abuse.
- Stalking can include following the victim, spying, watching, harassing, showing up at the victim’s home or work, sending gifts, collecting information, making phone calls, leaving written messages, or appearing at a person's home or workplace. These acts individually are typically legal, but any of these behaviors done continuously results in stalking a crime.
- Cyberstalking refers to online action or repeated emailing that inflicts substantial emotional distress in the recipient.

Dating Violence

Dating violence has many of the forms of abuse that domestic violence has usually without the economic component. Being able to tell the difference between a healthy or an unhealthy and abusive relationships can be more difficult than you would think. No two

relationships are the same, so what's unhealthy in one relationship may be abusive in another. Although there are many signs to pay attention to in a relationship, look for these common warning signs of dating abuse: they check your cell phones, emails, or social networks without permission; are extreme jealousy or insecurity; are belittling towards you or uses put downs; has an explosive temper; tries to isolate you from your family and friends; is possessive of you; psychologically or physically inflicts pain in order to influence you in any way; tells you what you can and cannot do; repeatedly pressures you to have sex.

Physical Violence

This type of violence can come from numerous individuals on the campus. The number one type of physical violence on the LVHN –Schuylkill is typically caused by psychiatric and drug use patients in the clinical environment. The clinical environment includes three psychiatric units and two Emergency Departments, and numerous Medical Surgical Units. Report all acts of violence to a security authority.

Note: While policies may not always prevent all types of inappropriate behavior, they do enhance the degree of awareness and provide an option of referral to those needing guidance. Remember See Something Say Something. By reporting your concerns, you can help minimize the potential risk to all of the campus population.

Appendix A

Crime Statistics Definitions

Aggravated Assault – An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied using a weapon or by means likely to produce death or great bodily harm.

Arrest – Persons processed by arrests, citation, or summons.

Arson – Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.

Burglary – The unlawful entry of a structure to commit a felony or a theft.

Fire – 1. Unintentional Fire: A fire that does not involve an intentional act by a human to ignite or spread a fire into an area where the fire should not be. 2. Intentional Fire: A fire that is ignited, or that results from a deliberate act, in circumstances where the individual known there should not be a fire. 3. Undetermined Fire: A fire in which the cause cannot be determined.

Cause of Fire – The factor or factors that give rise to a fire. The cause may be, but is not limited to, the result of an intentional or unintentional action, mechanical failure, or act of nature.

Consent- In relation to sexual activity, the School of Nursing defines consent as words or actions that demonstrate an affirmative, knowing, and voluntary agreement to engage in a mutually agreed upon sexual act. Consent must be informed and freely given. Consent may be withdrawn at any time by either person. No means NO. Consent is invalidated when it is forced, coerced, or when an individual is incapable of giving consent due to a mental or physical impairment. An individual may be impaired by drugs or alcohol and may not be able to give consent. Signs of impairment may include but is not limited to the, loss of balance, slurred speech, vision impairment, inability to walk, vomiting, behavior that contrary to the individual's usual behavior such as erratic or extreme behavior. Knowledge of the other individual's use of drugs or alcohol which would impair the individual from giving consent. Consent is an active and on-going process and can be withdrawn at any time. Consent for one act does not imply consent for additional subsequent sexual acts. Withdrawal of consent or lack of consent can be expressed by words and/or actions or both. Verbal silence or the absence of physical resistance does not automatically mean someone has consented to a sexual act; nor is physical resistance required for a person to verbally communicate a lack of consent or to withdraw consent.

Dating Violence – Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.

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

Domestic Violence – A. A felony or misdemeanor crime of violence committed: 1. by a current or former spouse or intimate partner of the victim. 2. by a person with whom the victim shares a child in common. 3. by a person who is cohabitating with or has cohabitated with; the victim as a spouse or intimate partner. 4. By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred. 5. 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 in which the crime of violence occurred. B. Any incident meeting the definition is considered a crime for the purposes of Clery Act reporting.

Drug Abuse Violations – The violation of laws prohibiting the production, distribution and/or use of certain controlled substances and the equipment or devices utilized in the preparation and or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics; manufactured narcotics which can cause true addiction (Demerol, methadone); and dangerous nonnarcotic drugs (barbiturates, Benzedrine).

Fire – Any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner.

Fire Related Death – Any instance in which a person is killed because of a fire, including death resulting from a natural or accidental cause, while involved in fire control, attempting to rescue, or escaping from the dangers of the fire. The term student may include students, employees, visitors, firefighters, or any other individuals.

Fire Related Injury – Any instance in which a person is injured because of a fire, including an injury sustained from a natural or accidental cause, while involved in fire control attempting to rescue, or escaping from the dangers of the fire. The term student may include students, employees, visitors, firefighters, or any other individuals.

Hate Crimes – A criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. Although there are many possible categories of bias, under the Clery act, only the following eight categories are reported:

1. Race: A preformed negative attitude towards a group of persons who possess common physical characteristics, e.g., color of skin, eyes, and/or hair; facial features, etc., genetically transmitted by descent and heredity which distinguish them as a distinct and heredity which distinguish them as a distinct division of mankind, e.g., Asian, blacks, or African Americans, whites.

2. Religion: A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being e.g., Catholics, Jews, Protestants, atheists.
3. Sexual Orientation: A preformed negative opinion or attitude towards a group of persons based on their actual or perceived sexual orientation. Sexual Orientation is the term for a person's physical romantic and/or emotional attraction to members of the same and/or opposite sex, including lesbian, gay, bisexual, and heterosexual (straight) individuals.
4. Gender: a preformed negative opinion or attitude towards a person or group of persons based on their actual or perceived gender, e.g., male or female.
5. Gender Identity: A preformed negative opinion or attitude towards a person or group of persons based on their actual or perceived gender identity, e.g., bias against transgender or gender non-conforming individuals. Gender non-conforming describes a person who does not conform to the gender-based expectations of society, e.g., a women dressed in traditionally male clothing or a man wearing makeup. A gender non-conforming person may or may not be a lesbian, gay, bisexual, or transgender person but may be perceived as such.
6. Ethnicity: A preformed negative opinion or attitude toward a group of people whose members identity with each other, through a common heritage, often consisting of a common language, common culture (often including a shared religion) and/or ideology that stresses common ancestry. The concept of ethnicity differs from the closely related term race in that race refers to a group based mostly upon biological criteria, while ethnicity also encompasses additional cultural factors.
7. National Origin: A preformed negative opinion or attitude towards a group of people based on their actual or perceived country of birth. This bias may be against people that have a name or accent associated with a national origin group, participate in certain customs associated with a national origin group, participate in certain customs associated with a national origin group, or because they are married to or associate with people of a certain national group.
8. Disability: A preformed negative opinion or attitude toward a group pf persons based on their physical or mental impairments, whether such disability is temporary or permanent, congenital, or acquired by heredity, accident, injury, advanced age or illness.

For Clery Act purposes hate crimes include any of the following offenses that are Motivated by bias: Murder, and non-negligent manslaughter, rape, fondling, incest statutory rape, sexual assault, robbery, aggravated assault, burglary, motor vehicle theft, arson, larceny-theft, simple assault, Intimidation, destruction/damage/vandalism of property.

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

Larceny Theft – The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of the rightful owner. Constructive possession is the condition in which a person does not have physical custody or possession but is able to exercise dominion or control over the property.

Liquor Law Violations - The violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages, not including driving under the influence and drunkenness. Included in this classification: the manufacture, sale, transportation, furnishing, possessing, etc., of intoxicating alcohol; maintaining unlawful drinking places, bootlegging; operating a still; furnishing liquor to a minor or intemperate person; underage possession; using a vehicle for illegal transportation of liquor; and attempts to commit any of the above.

Manslaughter by Negligence – the killing of another person through gross negligence.

Motor Vehicle Theft – the theft or attempted theft of a motor vehicle.

Murder and Non-Negligent Manslaughter – The willful (non-negligent) killing of one human being by another human being.

Non-Campus Building or Property – 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 the 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.

On-Campus – (1) Any building (700 Schuylkill Manor Road School of Nursing, 420 S. Jackson Street Hospital, 700 E. Norwegian Street Hospital); controlled by the by LVHN Schuylkill 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; and (2) any building or property that is within or reasonably contiguous to 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).

Property Damage – The estimated value of the loss of the structure and contents, in terms of the cost of replacement in the like kind and quantity. The estimated value includes contents damaged by fire, smoke, water, and overhaul. Business interruption is not included in this definition.

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.

Referred for Disciplinary Action – The referral of any person to any official who initiates a disciplinary action of which a record is kept, and which may result in the imposition of a sanction.

Robbery – The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

Sexual Assault – An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI’s Uniform Crime Reporting (UCR) program. Per the National Incident – Based Reporting System, a sex offense is any sexual act against another person, without the consent of the victim, including instance where the victim is incapable of giving consent.

- (1) Rape is the penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. The offense includes the rape of both males and females.
- (2) Fondling is the touching of the private body part of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental incapacity.
- (3) Incest is sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- (4) Statutory Rape is sexual intercourse with a person who is under the statutory age of consent.

Sexual Harassment – Sexual harassment means conduct on the basis of sex that satisfies one or more of the following: (i) A school employee conditioning education benefits on participation in unwelcome sexual conduct (i.e., quidpro quo); or (ii) Unwelcome conduct that a reasonable person would determine is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the school's education program or activity; or (iii) Sexual assault (as defined in the Clery Act), dating violence, domestic violence, or stalking as defined in the Violence Against Women Act (VAWA).

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

Stalking -

1. Engaging in a course of conduct directed at a specific person that would cause a reasonable person to:
 - a. fear for the person's safety or the safety of others
 - b. Suffer substantial emotional distress.
2. For the purpose of this definition:
 - a. Course of conduct means two or more acts, including but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.

- b. Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.
 - c. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.
3. Any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

Unfounded Crime - A crime is considered unfounded for Clery Act purposes only if sworn or commissioned law enforcement personnel make a formal determination that the report is false or baseless after a full investigation by sworn or commissioned law enforcement personnel.

Violence Against Women Act – The Violence against Women Act was signed into law on March 07, 2013. This act requires institutions to include domestic violence, dating violence and Stalking in the annual security report.

Weapons – Weapon violations include the illegal carrying, possession, sale, transportation, manufacture, concealment, or use; of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons. This classification includes weapon offenses that are regulatory in nature. Included in this classification: the manufacture, sale or possession of deadly weapons, carrying deadly weapons concealed or openly, using, manufacturing silencers etc., furnishing, deadly weapons to minors, aliens possessing deadly weapons; and attempts to commit any of the above.

APPENDIX B



CAMPUS SECURITY AUTHORITY INCIDENT REPORT FORM

NOTE: If incident has just occurred and the perpetrator of the incident is still on campus, please call 911 if the victim wants an arrest to occur. Security is to also be notified if the police were called.

Please notify security of incidents that the victim does not want the police involved, is a policy violation, or has occurred in the past and will not result in additional victims. Security is to also be notified if the police were called.

The incident may result in a Crime Alert Bulletin and/or Emergency Notification being issued to campus personnel.

This form is intended for the sole use by persons designated by the institution as a "Campus Security Authority" under the Clery Disclosure Act.

In all cases the person reporting the incident to the designated Campus Security Authority may choose to withhold their identity.

Date of Report	Time of Report	Date of Incident	Time of Incident	
Location Of Incident				
<input type="checkbox"/> 420 S. Jackson Street Hospital		<input type="checkbox"/> Sidewalk adjacent to a campus building		
<input type="checkbox"/> 700 Schuylkill Manor Road School of Nursing Building		List Street:		
<input type="checkbox"/> 407 Mauch Chunk Street Building		<input type="checkbox"/> Sidewalk across street from building/parking lot		
<input type="checkbox"/> LVPG 106 Claude Lord A Boulevard		List Street:		
<input type="checkbox"/> Schuylkill Medical Plaza Building 100				

☐ Schuylkill Medical Plaza Building 200

☐ Parking Lot

☐ Schuylkill Medical Plaza Building 300

List Parking Lot:

☐ Women's Imaging Center/LVPG Red Horse Road

☐ 700 East Norwegian Street Hospital

☐ Other:

☐ Frackville Health Center ☐ Saint Clair Health Center

☐ Annex Building East Norwegian Street

☐ LVPG 205 Laurel Street Building Pottsville

☐ Schuylkill Medical Group Building Pine Grove

Type Of Incident

☐ Murder

☐ Non-Negligent Manslaughter

☐ Negligent Manslaughter

☐ Robbery

☐ Burglary

☐ Aggravated Assault

☐ Motor Vehicle Theft

☐ Arson

☐ Weapon Law Violation

☐ Drug Type Violation

☐ Liquor Type Violation

☐ Rape

☐ Fondling

☐ Incest

☐ Statutory Rape

☐ Other sex offense

☐ Domestic Violence

☐ Dating Violence

☐ Stalking

☐ Hate Crime Any crime that has occurred and is motivated by an individual(s) bias against the victim based on their race, sexual orientation, religion, ethnicity, national origin, gender identity, or disability. Crime can be any crime including larceny theft, simple assault, intimidation, harassment, destruction, damage, or vandalism of property, and any other crime involving bodily injury to a person.

List Hate Crime incident type here:

Description of Incident		
CSA's Name Completing This Form		Police Notified? <input type="checkbox"/> YES <input type="checkbox"/> NO
		Police Officer(s) Name
Date form is hand delivered to Security Officer	Security Officer's Name	Name of Individual Reporting the Incident <i>(Person can anonymously report incident)</i>
Attachments? <input type="checkbox"/> YES <input type="checkbox"/> NO	Attachment/Addendum to Report? <input type="checkbox"/> YES <input type="checkbox"/> NO	Type of Attachment

- Upon completion of this form the form must be immediately delivered to the Title IX Officer and the Security Officer on duty. Security Officer on duty will notify the Public Safety Director.

Revised 9/2024