LETTER FROM THE DIRECTOR OF PUBLIC SAFETY

Welcome to the Wilkes Community!

As you are aware, Wilkes is an urban college campus, well-integrated into the Wilkes-Barre community. This offers students, staff and faculty the unique opportunity of walking access to diverse cultural, arts and restaurant destinations. Your safety and security at Wilkes is our highest priority and we encourage you to partner with us and utilize the services, initiatives and trainings provided by the Department of Public Safety during your course of study or work at Wilkes.

The professional staff serving you in Public Safety provides 24/7 year round safety services, emergency response, parking enforcement, and traffic control for the campus. We take an “all-hazards” approach to public safety and work vigilantly with our municipal, state and federal law enforcement and fire safety partners to ensure that our Department of Public Safety remains a best in class organization. As a department, we strive for excellence.

The philosophy and mission for your Department of Public Safety is quite simple – to provide customized, high level of community safety and security for the Wilkes University campus. A core value and mission for your Public Safety is cultivating relationships that foster trust, understanding, and respect of individual rights and responsibilities. We do more than serve and protect; DPS members have an opportunity to partake in our community member’s life-learning process — to teach by example and help students develop into responsible citizens. Poor service is never acceptable and I encourage community feedback to provide us with an opportunity to learn about your thoughts and concerns.

While Public Safety is responsible for safety and security on campus, we can’t do it alone. Safety at Wilkes is a partnership between our officers and the community we serve. We are all Public Safety, from faculty, to staff, to student, and each of us is charged with the responsibility to look out for each other. Call us immediately if you observed suspicious activity or people on or around campus. A community which takes an active role in being aware and responsive is a safe community.

The Department of Public Safety is always here to give you the peace of mind you need to navigate safely through working, living and studying successfully at Wilkes.

Best Regards,
Chief Christopher J. Jagoe
Director, Public Safety
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IMPORTANT PHONE NUMBERS

EMERGENCY: CALL 911

Luzerne County Communication Center: 911

What is a 911 emergency?
It’s any situation that requires an immediate police, fire, or medical response to preserve life or property. These can include:

- an assault or immediate danger of assault
- someone choking
- a crime in progress
- a drowning
- a fight
- a fire
- a serious injury or illness
- a situation involving weapons

Important Numbers for Non-emergencies:
Wilkes Public Safety: (570) 408-4999
Wilkes-Barre Police Department: (570) 826-8106
Wilkes-Barre Fire Department: (570) 208-4257

Wilkes University Support Services
General Information: (570) 408-2349
Public Safety Manager: (570) 408-4984

Other University Offices
Health Services: (570) 408-4730
Student Affairs: (570) 408-4100
Residence Life: (570) 408-4350
Admissions: (570) 408-4400

Local Hospitals
General Hospital: (570) 829-8111
Geisinger North Hospital: (570) 826-7300
Geisinger South Hospital: (570) 826-3100
THE CAMPUS SECURITY ACT & LEGAL REQUIREMENTS

The Campus Security Act requires colleges and universities to:

- publish an annual report every year by October 1 that contains three years of campus crime statistics and certain campus security policy statements;
- disclose crime statistics for the campus, public areas immediately adjacent to or running through the campus, and certain non-campus facilities and remote classrooms. The statistics must be gathered from campus police or security, local law enforcement, and other University officials who have “significant responsibility for student and campus activities;”
- provide “timely warning” notices of those crimes that have occurred and “pose an ongoing threat to students and employees;”
- disclose in a public crime log “any crime that occurred on campus... or within the patrol jurisdiction of the campus police or the campus security department and is reported to the campus police or security department;” and
- disclose any agreements with state and/or local law enforcement.

On March 7th, 2013, President Obama signed the Violence Against Women Reauthorization Act of 2013 (VAWA) (Pub. Law 113-4). Included in the bill was what is known as the Campus Sexual Violence Elimination Act (Campus SaVE), which amends the Jeanne Clery Act and affords additional rights to campus victims of sexual violence, dating violence, domestic violence, and stalking.

These statutory changes require institutions to compile statistics for certain crimes that are reported to campus security authorities or local police agencies including incidents of sexual assault, domestic violence, dating violence, and stalking. Additionally, institutions will be required to include certain policies, procedures, and programs pertaining to these crimes in their Annual Security & Fire Safety Reports.

Under section 304(b) of VAWA, the changes made by the new law “take effect with respect to the annual security report... prepared by an institution of higher education one calendar year after the date of enactment” of VAWA. Thus, the first Annual Security Report that must include the new required information is the report that must be issued by each institution by October 1st. This report would include crime statistics from calendar years 2012, 2013, and 2014. These crime statistics are also reported to the Department of Education through the web-based data collection by October 1, 2015.

PREPARATION AND DISCLOSURE OF CRIME STATISTICS

The Department of Public Safety prepares, publishes, and distributes this annual report in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (The “Clery Act”). The information contained in this publication is compiled in cooperation with the Department of Public Safety, the Offices of Student Affairs, Residence Life, Facilities Services, Human Resources, Risk & Compliance and Campus Security Authorities. The Department of Public Safety also collaborates with local law enforcement agencies, including the Wilkes-Barre Police Department, the Edwardsville Police Department and other law enforcement agencies near satellite site.

In addition to Federal and State compliance, this report serves several other purposes:

- Shows how the University reports, investigates and handles crime and fire emergency situations on or near University property;
- Advises the University community of the many University resources that are available to assist it in emergencies;
- Provides tips to mitigate threats to the safety of the University community;
- Provides other safety and security information to the University community so that informed decisions may be made.

NOTICE OF ANNUAL REPORT

Each year the Department of Public Safety sends an e-mail notification to all current students, faculty, and staff providing an electronic copy of the report along with a web link to access the report. Upon request, prospective students and employees may obtain a written paper copy of the report at:

- The Department of Public Safety, 148 South Main Street, Wilkes-Barre
- The Office of Admissions, Chase Hall, 184 South River Street, Wilkes-Barre
Prospective and new employees are notified about the Clery Act via the Wilkes University Human Resources jobs website: http://wilkesuniversitycareers.applicantpro.com/jobs/

A notification statement and link to this report is available at the bottom of the page.

The current Annual Security and Fire Safety Report available on the Department of Public Safety website: http://www.wilkes.edu/safetyreport. You may also request a copy mailed to you by calling (570) 408-4999.

WILKES UNIVERSITY DEPARTMENT OF PUBLIC SAFETY

Wilkes University’s Department of Public Safety is designated as the University office responsible for policing, security, and emergency response at the University. The Department is led by a Director that reports to the Vice President of Finance and General Counsel. The Department operates 24 hours a day, 365 days a year and is responsible for campus security, access control, and parking enforcement. These committed men and women contribute to a comprehensive and integrated safety and security program in collaboration with the Wilkes community. Public Safety Officers conduct regular patrols of the University grounds and buildings by foot, bicycle, and vehicle. You may notice several of our Public Safety Officers are equipped with firearms. These officers have successfully passed entrance level police training through the Municipal Police Officers Education and Training Commission (MPOETC) for Act 120 certification. Most of these officers have lengthy experience in law enforcement. All Public Safety Officers are well versed in, and enforce, the policies governing Wilkes University. If minor offenses involving University rules and regulations are committed by a Wilkes student, the officer may also refer the individual to the Dean’s Office or other academic officials.

As it relates to medical emergencies, each officer has been trained in emergency medical procedures, first aid, and cardiopulmonary resuscitation. During normal business hours, medical assistance is available through the University Health Services Office. Call 911 for emergencies and a Public Safety Officer will be dispatched to assess and assist.

Wilkes University is located in the heart of a vibrant urban community, with all the arts, culture, and rich diversity of experience that city life brings. With city living, it is important to take steps to stay safe, and Wilkes invests in significant public safety resources. While campus safety is the primary job of the Department of Public Safety, the safety and security of our community at Wilkes University is a shared responsibility. Suspicious people, activity, or packages should be reported immediately to the Department of Public Safety. The best protection against campus crime is an aware, informed, alert campus community—students, faculty and staff who use reason and caution—along with a strong public safety presence.

The Department of Public Safety’s Communications Center is linked to all University buildings by calling extension 4999 or ‘0,’ for assistance. This includes over 50 emergency callboxes connected directly to the Service Center and more than 149 pan/tilt/zoom and fixed closed-circuit television (CCTV) cameras. The Communications Center logs and records all requests for service from the Wilkes Community, and is responsible for monitoring all alarms throughout campus, including burglar alarms, panic alarms, and fire alarm systems.

The administrative offices, Public Safety Communications Center is located on the ground floor of 148 South Main Street, Wilkes-Barre in the Public Safety Complex.

LAW ENFORCEMENT AUTHORITY & INTERAGENCY COOPERATION

Wilkes Public Safety Officers attend mandatory in-service training sessions. In addition to our complement of Act 120 officers, the Department of Public Safety employs numerous Act 235 officers. The state of Pennsylvania requires in Act 235 that any person wishing to become a certified security officer or who is privately employed and is required, as a condition of employment,
to carry a lethal weapon must participate in a 40 hour Lethal Weapons Training Program.

Public Safety officers do not have arrest authority and have no legal jurisdiction upon which to enforce criminal offenses. Public Safety Officers have the authority to ask persons for identification and to determine whether individuals have lawful business at Wilkes University.

Wilkes Public Safety Officers have the authority to issue parking tickets, which are billed to financial accounts of students, faculty, and staff through the University Controller’s Office. Criminal incidents are referred to the local police who have jurisdiction on the campus. All crime victims and witnesses are strongly encouraged to immediately report the crime to the Department of Public Safety and the appropriate police agency. Prompt reporting will assure timely warning notices on-campus and timely disclosure of crime statistics.

The Department of Public Safety maintains a close working relationship with the Wilkes-Barre Police Department, the Edwardsville Borough Police Department, the Pennsylvania State Police, Kings College Public Safety, the Wilkes-Barre Fire Department, and other law enforcement and first responders in the area.

The Department of Public Safety does not have a written Memorandum of Understanding with any state or local law enforcement agency. Should you become the victim of a crime, Public Safety will work with the investigative staff of these agencies to enhance our efforts, resources, crime related reporting. We rely on these relationships to share critical crime information and build upon a dynamic network of public safety professionals.

CRIME LOG

The Department of Public Safety maintains a combined Daily Crime and Fire Log of all incidents reported. This includes all crimes, fire-related incidents (including fire alarms), and other serious incidents that occur on Wilkes University campus, and also including areas jointly patrolled by Wilkes Public Safety and the Wilkes-Barre Police Department, non-campus buildings, and public property immediately adjacent to campus property.

The Daily Crime and Fire Log includes the incident type, the date incident is reported, date and time of occurrence, general location of the incident, and the incident disposition. The Department of Public Safety posts specific incidents in the Daily Crime and Fire Log within two (2) business days of receiving an incident report, and reserves the right to exclude from the Log, as permitted by law, in certain circumstances. The University does not publish the name of crime victims nor house identifiable information regarding victims in the Departments Daily Crime Log.

The most current 60 days of information is available for public inspection immediately at the Public Safety Office, 148 South Main Street, Wilkes-Barre (570) 408-4999. Historical data is kept for 7 years and is available within 2 days of a request.

CRIME RATES AND STATISTICS

The Clery Act (20 U.S.C. § 1092(f)) is a federal law that requires colleges and universities to disclose information about crime on and around their campuses. The Clery Act requires that the following “Clery crimes” be reported:

- Murder
- Negligent Manslaughter
- Rape
- Fondling
- Incest
- Statutory Rape
- Robbery
- Aggravated Assault
- Burglary
- Motor Vehicle Theft
- Arson
- Arrests & Referrals
- Illegal Weapons Possession
- Drug Law Violations
- Liquor Law Violations
- Domestic violence
- Dating violence
- Stalking
- Hate Crimes

The law requires the release of statistics by category of prejudice concerning the occurrence of hate crimes in the crime classifications listed above, and for other crimes involving bodily injury to any person in which the victim is selected because of the actual or perceived race, gender, religion, sexual orientation, ethnicity, disability, gender identity or national origin of the victim. Hate Crimes are any of the above-mentioned offenses,
and any incidents of larceny-theft, simple assault, intimidation, or destruction/damage/vandalism of property that were motivated by bias.

The following statistics are provided in compliance under federal law with the specific time periods, classifications, geographic categories, and arrest data. (Please note that incidents shown in the On-Campus Residential category are also counted in the statistics shown in the Campus category).

Geography Definitions from the Clery Act

Campus – “any building or property owned or controlled by an institution of higher education within the same reasonably contiguous geographic area of the institution and used by the institution in direct support of, or in a manner related to, the institution’s educational purposes, including residence halls; and property within the same reasonably contiguous geographic area of the institution and is owned by the institution but controlled by another person, is used by students, and supports the institutional purposes, such as a food or other retail vendor.”

On-Campus Residential – a sub-category of Campus that reflects the number of on-campus incidents that occur “in dormitories or other residential facilities for students on campus.”

Non-Campus – “any building or property owned or controlled by a student organization recognized by the institution; and any building or property, other than a branch campus, owned or controlled by an institution of higher education that is used in direct support of, or in relation to, the institution’s educational purposes, is used by students, and is not within the same reasonable contiguous geographic area of the institution.”

Public Property – “all public property that is within the same reasonably contiguous geographic area of the institution, such as a sidewalk, a street, other thoroughfare or parking facility, and is adjacent to a facility owned or controlled by the institution if the facility is used by the institution in direct support of, or in a manner related to the institution’s educational purposes.”
Incidents shown in the On-Campus Residential category are also included in the statistics shown in the On-Campus category.

<table>
<thead>
<tr>
<th>CRIME CLASSIFICATION</th>
<th>CAMPUS 2014</th>
<th>ON-CAMPUS RESIDENTIAL 2014</th>
<th>NON-CAMPUS 2014</th>
<th>PUBLIC PROPERTY 2014</th>
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<td>Murder</td>
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<td>0</td>
<td>0</td>
<td>0</td>
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<tr>
<td>Manslaughter</td>
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<td>0</td>
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<td>0</td>
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<td><strong>Sex Offenses</strong></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Rape</td>
<td>2</td>
<td>2</td>
<td>0</td>
<td>2</td>
</tr>
<tr>
<td>Fondling</td>
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<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Incest</td>
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<td>0</td>
<td>0</td>
<td>0</td>
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<tr>
<td>Statutory Rape</td>
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<td>0</td>
<td>0</td>
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<tr>
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<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Arson</td>
<td>0</td>
<td>0</td>
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<tr>
<td><strong>VAWA Offense</strong></td>
<td></td>
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<td></td>
</tr>
<tr>
<td>Domestic Violence</td>
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<tr>
<td>Dating Violence</td>
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<td>0</td>
</tr>
<tr>
<td>Stalking</td>
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<td><strong>Arrests</strong></td>
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<td>Weapons Possession</td>
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<td><strong>Disciplinary Referrals</strong></td>
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<td>Drug-Related Violations</td>
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<td>Weapons Possession</td>
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</tbody>
</table>

**Hate Crimes**

2014 There were no reportable hate crimes.

All satellite facilities reported no reported Clery Crimes in 2014.
CRIME SUMMARY & STATISTICS

Incidents shown in the On-Campus Residential category are also included in the statistics shown in the Campus category.

<table>
<thead>
<tr>
<th>CRIME CLASSIFICATION</th>
<th>CAMPUS</th>
<th>ON-CAMPUS RESIDENTIAL</th>
<th>NON-CAMPUS</th>
<th>PUBLIC PROPERTY</th>
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</thead>
<tbody>
<tr>
<td>Murder</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
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<td>Manslaughter</td>
<td>0</td>
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<td><strong>Sex Offenses</strong></td>
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<td>Forcible</td>
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<td>Non-Forcible</td>
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<td>0</td>
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<tr>
<td>Robbery</td>
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<td>Aggravated Assault</td>
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<td>Arson</td>
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<tr>
<td><strong>VAWA Offense</strong></td>
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<tr>
<td>Domestic Violence</td>
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<td>Dating Violence</td>
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<td>Weapons Possession</td>
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<td>Drug-Related Violations</td>
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<tr>
<td>Weapons Possession</td>
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<td>0</td>
<td>0</td>
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</tr>
</tbody>
</table>

**Hate Crimes**

2013, 2012, 2011 There were no report able hate crimes.

All satellite facilities reported no reported Clery Crimes in 2013, 2012 & 2011.
SECURITY AWARENESS, CRIME PREVENTION AND EDUCATION

Wilkes University provides a number of services and programs to the campus community to ensure the safety and security of our campus affiliates. Our services strive to emphasize proactive measures in order to minimize the need for reactive responses. We must all take responsibility for our own safety and the safety of others. Promptly and accurately reporting any and all criminal acts, dangerous situations and suspicious behaviors greatly assists in the provision of a safe campus community.

Security Awareness Programs are sponsored by various campus groups (including, but not limited to, the Department of Public Safety, the University Health Services Office, the Office of Residence Life, and Student Development) throughout the academic year, and targeted towards the entire campus community (students, faculty, and staff).

1. All first-year resident students are required to attend residence hall meetings in September, where they are informed of all safety, fire, and security procedures and precautions. Students are also told of crime on-campus and in the immediate surrounding neighborhoods.

2. Campus Advisory Reporting Extension or “C.A.R.E.” is a program designed to allow students to phone in anonymous information regarding safety and security concerns (e.g. potentially dangerous situations, suspected criminal activity, etc.) both on campus and in the community. If making the report from an on-campus phone, dial CARE (2273); or if making a report from an off campus phone, dial (570) 408-CARE (2273). All calls will be fielded by a digital answering machine, which will not be able to identify the incoming caller’s extension or phone number. Each message received will be handled by the Department of Public Safety. Additionally, each message will be logged and given its due attention and follow-up.

3. ‘S.A.F.E.’ (an acronym for Self-defense Awareness and Familiarization Exchange) is an unparalleled 2-hour educational awareness, crime-victim prevention program – encompassing Strategies, Techniques, Options, and Prevention – that provides teenaged & adult women with information that may reduce their risk of exposure to violence and introduces them to the physical aspects of self-defense: “Teaching that “90% of self defense is awareness, risk reduction, and avoiding confrontation; and only 10% is physical”; and focusing on both mental and physical preparedness, ‘S.A.F.E.’ provides women with solid public safety awareness information to incorporate into their everyday lives. The S.A.F.E. Program is provided by the Department of Public Safety to any campus group, affiliation, or organization.

4. The Department of Public Safety operates a “Safe Escort Service” on campus for any member of the University Community who requires an escort from dusk until dawn. This escort may consist of a vehicle or walking escort depending on the activities at the time of the call. During busy periods, callers may experience a delay in the arrival of the escort. Escorts are provided for safety, not convenience. To request an escort, dial the Public Safety Office at x4999. The Wilkes “Safe Escorts Service” is a service intended to provide escorts for persons who actually need an escort and do not wish to walk alone at night. It is not intended to be a “taxi” service for groups that do not wish to walk from one location to another.

5. In addition, the Department of Public Safety, in conjunction with Residence Life and Health & Wellness Services, conducts programs throughout the calendar year to raise awareness of certain dangers of campus life, such as, but not limited to, Alcohol Awareness Week, Sexual Assault Awareness Week, and the “Take Back the Night” program.

6. “The Light Walk” At the beginning of each Fall semester, members of the Department of Public Safety, Student Affairs staff, Facilities Services staff and Student Government tour the campus for the purpose of ascertaining any additional needs for outdoor lighting or other factors which will enhance campus safety and security. The items that require repairs are taken care of immediately, while new requests are prioritized based on importance and facility needs.
REPORTING CRIMINAL ACTIONS OR OTHER EMERGENCIES ON CAMPUS

Wilkes University encourages accurate and prompt reporting of all crimes to the Department of Public Safety and the appropriate police agencies, when the victim of a crime elects to, or is unable to, make such a report. Community members, students, faculty, staff and visitors who may be a victim of a crime, observe a crime or a suspicious incident, an incident of domestic violence, dating violence or stalking, or if you see what you believe to be a security problem or other emergency on the campus, you are encouraged to notify the Department of Public Safety immediately by dialing ext. 4999 from any in-house telephone, utilize any blue light emergency call box, contact any Public Safety Officer or respond to the Public Safety Communications Center located at 148 South Main Street.

Whether you are a victim or a witness, you have the responsibility to report crime. If a crime occurs on or around campus, report it immediately to the police.

- Emergencies: call 911
- Non-emergencies: call (570) 408-4999

Emergency Call Boxes (“Blue Lights”) are located strategically throughout the campus, residence halls and in parking structures to report crimes in progress, suspicious persons, medical emergencies or concerns about your personal safety. These phones will connect you with the Public Safety Communications Center (dispatch) at Wilkes University.

In addition, you may report a crime to the following areas:

- Student Housing (570) 408-4353
- Directors of Athletics (570) 408-4038
- Dean of Students (570) 408-4103
- Health Services Center (570) 408-4734
- Human Resources (570) 408-4631

WHISTLEBLOWER PROTECTION & ANTI-RETALIATION

In accordance with the Higher Education Opportunity Act (Public Law 110-315) enacted into law August 14th, 2008, Wilkes University establishes safeguards and protections for “whistleblowers” by prohibiting any retaliatory action against any individuals that “witness or suspect violations of laws, regulations, policies, procedures and/or standards”. The University also prohibits any form of retaliation against whistleblowers, including but not limited to threats, verbal or physical abuse, harassment or any adverse employment, academic or educational consequence.

Whistleblower reports are handled with sensitivity and discretion, and will be treated confidentially to the extent allowed by the circumstances and the law. Normally, the University will only share information related to the report on a need to know basis for the purpose of conducting a thorough and effective investigation.

RESPONSE TO CALLS

A dispatcher is available 24 hours a day to answer your call. In response to a call, Public Safety will take the required action: dispatching a Public Safety Officer, contacting Wilkes-Barre Police, or asking the victim to report to the Public Safety Office to file an incident report.

All Public Safety incident reports involving University students are forwarded to the Offices of Student Affairs and Residence Life for review and potential action by the University Judicial Council.

Wilkes University community members, students, faculty, staff, and guests are encouraged to report all crimes and public safety related incidents in a timely manner. Crimes should be reported to the Department of Public Safety, the Office of Student Affairs, or the Office of Residence Life to ensure inclusion in the annual crime statistics, and to aid in providing timely warning notices to the community, when appropriate.

CAMPUS SECURITY AUTHORITIES (CSA)

A Campus Security Authority (CSA) is an individual who is an official of the institution that has significant responsibility for student and campus activities, including but not limited to:

1. Student Housing
2. Student Discipline
3. Campus Judicial Proceedings
4. Directors of Athletics and team coaches
5. Faculty Advisor to a student group
6. Dean of Students overseeing Student Housing, a Student Center or student extracurricular activities
7. Student Resident Assistant (RA) or a Graduate Assistant (RD) who monitors access to resident halls
8. Physicians in the Health Services Center

**What is the role of a CSA?**
CSAs are required to report all crimes reported to them, on a timely basis, to the Department of Public Safety. However, under the Clery Act, CSAs are only obligated to report Clery Act qualifying crimes which occurred on campus, in public areas bordering campus and in certain non-campus buildings owned or controlled (leased) by the University. If the reported crime is made in good faith, meaning that there is reasonable basis for believing that the information is not rumor or hearsay, then the crime is Clery reportable. CSAs should only report those crimes that have not been previously reported to the Department of Public Safety or another University CSA. The intent of including non-law enforcement personnel in the CSA role is to acknowledge that some community members and students in particular, may be hesitant about reporting crimes to the police, but may be more inclined to report incidents to other campus-affiliated individuals.

**Who is not a CSA?**
The following non-CSA positions / functions include but are not limited to: faculty member without responsibility for student and campus activity beyond the classroom; physicians/nurses in Student Health who only provide care for students; clerical or administrative support staff; cafeteria staff; facilities maintenance staff; information technology staff, licensed mental health or pastoral counselors, when acting within the scope of their license or certificate; and other like functions.

In accordance with the Clery Act regulations, Campus “Professional Counselors”, when acting as such, are not considered to be a Campus Security Authority and are not required to report crimes for inclusion into the annual disclosure of crime statistics. Campus Counseling is a part of the Health and Wellness Services, and provides on-campus, confidential assessment and counseling for Wilkes University students that are experiencing personal problems. The counselors are encouraged; if and when they deem it appropriate, to inform persons being counseled of the procedures to report crimes on a voluntary, confidential basis for inclusion into the annual crime statistics.

**ACCURATE AND PROMPT CRIME REPORTING**
Community members, students, faculty, staff and guests are encouraged to report all crimes and public safety related incidents to the Department of Public Safety in a timely and accurate manner.

Crimes reported to the Department of Public Safety will be included within the annual crime statistics (if they occurred within the university's defined Clery boundaries) and may be used to aid in the provision of timely warnings or safety advisories to the university community.

Crimes reported to the Department of Public Safety that fall outside the department's jurisdiction will be referred to the appropriate law enforcement entity.

**VOLUNTARY, CONFIDENTIAL REPORTING**
Wilkes University encourages all members of the University Community to report crime to the Department of Public Safety, even when the victim of such crime elects or is unable to make a report. You may wish to remain anonymous by not releasing your name, or not desiring to pursue action through the University judicial board or crime justice system. With your request, the Department of Public Safety will file a report on the details of the incident without revealing your identity. The purpose of this confidential report is to respect your desire to keep the incident confidential, while taking steps to ensure the safety of yourself and others. With such information, the University can keep an accurate record of the number of incidents involving students, determine where there is a pattern of crime with regard to a particular location, method, or assailant, and alert the campus community to potential danger. Reports filed in this manner are counted and included in the Annual Security Report. In limited circumstances, the Department may not be able to assure confidentiality and will inform you in those cases.

**MONITORING CRIMINAL ACTIVITY AT OFF-CAMPUS LOCATIONS**
When a Wilkes student is involved in an off-campus offense, Wilkes Public Safety officers may assist with the investigation in cooperation with local, state, or federal law enforcement. Wilkes-Barre and Edwardsville Police routinely work and communicate with the Department
of Public Safety on any serious incidents occurring on-
campus or in the immediate neighborhood and business
areas surrounding campus. Wilkes University does
not operate off-campus student housing or off-campus
student organization facilities.

In a city community the lifestyle of neighbors will vary
considerably. Wilkes is located in a residential area and
respect for the property, privacy, and lifestyle of all the
University’s neighbors is expected. The University will
not be responsible for the condition of non-university
buildings or the actions of a landlord. Students are
encouraged to see the Associate Dean of Student Affairs
if serious problems arise or if the City of Wilkes-Barre
needs to be involved.

Wilkes University works in conjunction with the Wilkes-
Barre Police Department and other law enforcement
agencies in order to monitor criminal activity at off-
campus locations. The Wilkes-Barre Police Department
routinely provides information to the University regarding
incidents involving students residing or visiting Wilkes-
Barre.

The University has established regulations for those
living on campus based on safety and respect for others.
It is essential, therefore, for students living off campus
to create a positive climate of mutual respect for their
neighbors. Certainly the foremost of these regulations is
that students residing off campus must live in conformity
with the laws of the Commonwealth of Pennsylvania
and the City of Wilkes-Barre. Similarly, conduct by off-
campus students or guests visiting their apartments
cannot interfere with the reasonable expectations of
neighbors.

Off-campus students will, therefore, be expected to
behave in such a manner that will afford their neighbors
their rights as citizens and will promote positive
neighbor/community/University relationships. Noise,
littering, or other complaints referred to University Public
Safety or the Associate Dean of Student Affairs or a
delegate will be referred to the city police for disposition
under the laws governing the City of Wilkes-Barre.
Just as the University campus cannot be regarded as
a sanctuary from the law, students who elect to live
off campus cannot expect immunity from reasonable
expectations of their neighbors and/or city ordinances.

Disciplinary action will be taken by the University
regarding such complaints independent of criminal or
civil action. Second offenses will be considered as very
serious violations of University policy. Students residing
in off-campus apartments need to be aware that city
and state police may enter a dwelling without a search
warrant if they have reason to suspect a crime is being
committed. Obviously, this can pertain to the underage
consumption of alcohol. Conduct and noise interfering
with the lifestyle of off-campus students’ neighbors
are unacceptable and will result in sanctions imposed
through the usual University disciplinary channels.
Students who elect to live off campus and who become
involved in disciplinary matters need to be aware of the
limitations of the range of sanctions available to Student
Affairs. By electing to live in a more independent setting,
students living off campus also accept the obligation to
live by increased variances in lifestyle and awareness of
those residing around them.
CAMPUS SECURITY POLICIES & PROCEDURES

All policies and procedures in this report are maintained in the Undergraduate and Graduate Student Handbooks. The Student Handbook is designed to provide Wilkes students with an overview of the University — its people, programs, policies, and procedures. The Handbook and other University publications provide significant information all students should know, and students are responsible for the information and regulations outlined within. The Student Handbook is published by the Office of Student Affairs.

Timely Warnings
In order to aid in the prevention of similar crimes, the Director of Public Safety (or designee) will develop and issue timely warning notices. The purpose of the notice is to inform members of the community about crimes that have occurred on campus, on non-campus property, or on public property where it is determined that the incident may pose a serious or ongoing threat to members of the University community.

Timely warnings will be issued through the university email system, and posted on the MyWilkes portal under “Urgent News.” Depending on the particular circumstances of the crime, especially in all situations that could pose an immediate threat to the community and individuals, the Department of Public Safety may also post an electronic text message notification via the e2Campus Alert System, providing the university community with more immediate SMS notifications. In such instances, a copy of the notice may also be posted on each residence hall and all main access points to campus academic and office buildings. The University will post and continually update information on the MyWilkes portal and the Wilkes InfoLINE (866) 660-6781.

Anyone with information warranting a timely warning should report the circumstances to the Public Safety Office, by phone (570) 408-4999 or in person at 148 South Main Street, UCOM parking garage, ground floor.

Emergency Notifications
Wilkes University maintains an emergency notification system that allows the University to quickly notify the campus community of critical information during an emergency. This system will be used only for emergency communication and not for general information or advertisements.

Wilkes University’s Department of Public Safety has overall responsibility for alerting the appropriate parties of an emergency or dangerous situation that poses an immediate threat to the health or safety of some or all members of the University community. Once an emergency has been confirmed by the Department of Public Safety, and it is deemed necessary to warn the university community of an impending threat or emergency situation, the Department of Public Safety shall do so without undue delay through the emergency notification process. Based on the initial report, and information obtained from other appropriate entities, the University Incident Commander will declare the level of the emergency.

Upon confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees on campus, the Director of Public Safety (or designee) quickly evaluates the situation to determine if an alert is warranted, then develops the content of the notification message and determines the appropriate segment or segments of the campus community who will receive the notification. The content of the alert will be developed using the most current and confirmed information about the incident. In situations where an imminent threat is present, the Director of Public Safety (or designee) has the ability and authority to issue an alert without further consultation with any other University official.

In an effort to provide for the rapid transmission of critical information in the event of an emergency, the University utilizes e2campus™ to send text messages to each registered phone. Current students, faculty and staff must register a cell phone number that has a texting plan enabled. Cell phone numbers and other personal information will not be shared with anyone. When an e2campus™ emergency notification is sent, the University uses its website to provide current and continuous updates acting as a central reference point for accurate information. This method is useful for those both on and off-campus.

E2campus™ is not activated if in the professional judgment of the responsible authorities such a
notification would compromise efforts to resolve the emergency. Once it is determined to send the notification, the proper message is selected from several pre-scripted messages and sent to the appropriate audience. A notification can only be sent by one of several dispatchers who are trained by the Department of Public Safety.

Should the need occur to notify the City of Wilkes-Barre and the surrounding neighborhoods of an emergency at the University, the Office of Marketing and Communication will be responsible for sharing this information with appropriate city officials and neighborhoods.

BUILDING SECURITY AND ACCESS POLICY

During normal business hours, Wilkes University (excluding residence halls) will be open to students, parents, employees, contractors, guests, and invitees. During non-business hours, access to all university facilities is by key, if issued, limited access card swipe, or by admittance via the Department of Public Safety or Residence Life staff. In the case of periods of extended closing, the University will admit only those with prior written approval to all facilities.

Residence halls are secured 24 hours a day. Over extended breaks, the doors of all halls will be secured around the clock and swipe card access will be suspended for all resident students without prior approved access. Some facilities may have individual hours, which may vary at different times of the year. Examples are the Henry Student Center, Dorothy Dickson Darte Center, Farley Library, Marts Center, and the Recreational Athletic Center (R.A.C.) inside the University Center on Main building. In these cases, the facilities will be secured according to schedules developed by the department responsible for the facility and the Department of Public Safety.

Emergencies may necessitate changes or alterations to posted schedules. Areas that are revealed as problematic have security surveys conducted of them. Members of the Department of Public Safety, Student Affairs, Facilities Services, and Student Government tour the campus, once a year, to ascertain factors which will enhance or improve campus safety and security. Additionally, throughout the calendar year, the management of Public Safety, Facilities Services, and Student Affairs meet weekly to discuss issues of pressing concern.

Lastly, Wilkes University’s Environmental Health and Safety Committee, composed of representatives from across the university community, meet throughout the year with the responsibility to:

- Serve as a resource for various departments on campus, assisting them in the identification and correction of unsafe conditions or practices in their areas;
- Serve as the coordinating body in monitoring compliance with safety regulations;
- Conduct inspections of University buildings; and,
- Recommend to the University’s Executive-Level Officers improvements to help ensure the campus environment is as free of risk as possible, thereby reducing the number of illnesses and injuries. Recommend to the University’s Executive Level Officers expenditures to maintain a safe campus environment.

RESIDENCE HALL FACILITIES

Wilkes University has housing facilities to accommodate 1,129 undergraduate students. There are single rooms, doubles, triples, and quads available. There are no accommodations for graduate students or married couples.

The following residence halls are co-ed facilities:
40 West Northampton St (YMCA)  
Barre Hall  
Catlin Hall  
Evans Hall  
Doane Hall  
Fortinsky Hall  
Pearsall Hall  
Rifkin Hall  
Ross Hall  
Roth Hall  
Schiowitz Hall  
Slocum Hall  
Sturdevant Hall  
Sullivan Hall  
University Towers  
Waller Hall North  
Waller Hall South
Members of the Resident Assistance staff, a member of Student Affairs staff, and a member of the Department of Public Safety are on duty each day of the week the University is in session during the academic year to respond to any emergency or unusual incident.

All freshmen resident students are required to attend residence hall meetings in September, at which time they are informed of all safety and security procedures and precautions as they pertain to their specific hall. Resident students are also required to attend meetings throughout the year prior to vacation periods to understand closing procedures necessary to insure that student rooms and the halls are safely secured for the vacation periods.

All students receive written materials on residence hall safety and security procedures through the Student Handbook, Guide to Residence Life Handbook, and handouts distributed from the Residence Life Office and the Department of Public Safety throughout the year.

Every residence hall is equipped with an Emergency Call Box at the main entrance to the hall. Also, there are 3 Emergency Call Boxes on every floor of the UCoM Parking Garage. By using the touch-tone pad, you can dial the 4 digit extension of any on-campus phone. If you need assistance from Public Safety, press the red button marked “HELP!” or dial “4999.” In addition, there are Emergency Callbox poles that are strategically located in numerous areas around campus. These poles are directly linked to the Department of Public Safety and are accessed by pushing the red button marked HELP! There is a blue strobe light that is activated when a call is made so as to attract attention to that area. The Emergency Call Boxes are tested twice a week by Public Safety Officers to make sure they are in proper working order.

Wilkes University utilizes a system of video cameras and closed circuit televisions to monitor and record activity on University property. All video monitoring and related recording conducted by the University shall be limited to locations in which a person does not have a reasonable expectation of privacy, and conducted in a manner that is professional and ethical, and that is consistent with all relevant University policies. In general, camera locations are indicated with appropriate visibility or signage. However, the University may have cause to utilize the system in the course of conducting an investigation into conduct which violates law, University policy, or otherwise poses a threat to campus security or safety, or in the course of assisting in a law enforcement investigation. Under these circumstances, there shall be no notification that locations being monitored for any of the purposes set forth above are under video surveillance. Information obtained through video monitoring and/or recording is deemed to be Confidential Information pursuant to the Wilkes University’s Confidential Information Policy, and will also be used for the following purposes:

1. To assist the University in its efforts to provide a safe and secure campus;
2. For purposes of a University investigation;
3. To ensure compliance with University procedures;
4. When necessary due to exigent circumstances, for the assistance of duly authorized law enforcement officers;
5. In conjunction with special events.

University policy states that each student is assigned a room key that will unlock only his/her room. The student is encouraged to keep his/her room door locked at all times and is told not to give the room key to anyone. All residence hall windows are lockable from the inside. Windows located on the first floor of all residence halls are equipped with heavy-duty security screens.

MAINTENANCE OF CAMPUS FACILITIES
Wilkes University’s Facilities Department considers safety and security service requests a high priority. The Facilities Department quickly responds to reports of exterior lighting deficiencies, inoperable doors, broken windows and screens, and requests from the Department of Public Safety to do such things as trim bushes for safety and security reasons. Members of the campus community are encouraged to report any facility concerns to the Facilities Service Center at (570) 408-2FIX.

Department of Public Safety personnel closely monitor any security-related maintenance problems after hours until reported to and resolved by the Facilities Department.
ALCOHOL AND DRUG POLICIES

University regulations have consistently supported and recognized the concerns expressed in recent legislation regarding Drug Free Campuses and workplaces. Alcohol abuse and the use of illicit substances and drugs constitute obvious hazards to health, safety, and well-being and destroy one’s ability to function in a productive and contributory fashion. Policies have been developed and adopted by the University that strictly prohibit the use, possession and/or supplying of illicit substances not only on our property, but in the larger community as well.

Alcoholic Beverage Policy

The goals of the Wilkes University Alcoholic Beverage Policy include protection of health and safety of students, the preservation of an environment conducive to scholarship, as well as positive social interaction, the protection of personal and University property, and the prevention of abusive behaviors related to alcohol consumption.

The possession, sale or the furnishing of alcohol on the University campus is governed by the University Alcoholic Beverage Policy and Pennsylvania state law. Laws regarding the possession, sale, consumption or furnishing of alcohol is controlled by the Pennsylvania Liquor Control Board (PLCB). The Liquor Code and the PLCB’s regulations are enforced by the Pennsylvania Bureau of Liquor Control Enforcement (BLCE) within the Pennsylvania State Police. However, the enforcement of alcohol laws on-campus is the primary responsibility of the Wilkes Department of Public Safety. The University cooperates fully with law enforcement agencies in support of these regulations.

Wilkes University does not encourage the use of alcoholic beverages by students. The University respects the rights of individuals who are 21 years old who decide to use alcoholic beverages, but is greatly concerned about the misuse and abuse of alcohol. Students of legal age who choose to drink must drink responsibly. Pennsylvania State law (18 Pa. Cons. Stat. s. 6308) prohibits the consumption, possession or purchase of alcohol by anyone under the age of 21. It is also unlawful to sell, furnish or provide alcohol to a person under the age of 21.

Violators of University alcohol/drug policies or State law are subject to University disciplinary action, criminal prosecution, fine and imprisonment.

Illicit Drugs Policy

Wilkes University is opposed to the use of any illicit substances. The possession, sale, manufacture or distribution of any controlled substance is illegal under both state and federal laws. Such laws are strictly enforced by the Department of Public Safety. Violators are subject to University disciplinary action, criminal prosecution, fine and imprisonment.

Additionally, any misuse and/or abuse of prescription or over-the-counter medications will not be tolerated. Any drugs, or drug combination (legal or illegal), deemed by the University to be detrimental to the health and safety of community members are not allowed on campus. This would include, but is not limited to: synthetic cannabinoids (synthetic marijuana), mephedrone (street name “bath salts”), and party powders. Possession of drug paraphernalia is also illegal, particularly when there is evidence of drug use. Students who are charged with possession, use, transfer, or sale of these substances will be subject to disciplinary action that may result in penalty charges, suspension, or dismissal from the University independent of any external legal action.

Wilkes University is committed to maintaining a drug free workplace and regularly informs all employees about policies and available assistance with respect to drug and alcohol issues. Additionally, the Office of Human Resources co-sponsors an annual health fair open to all employees where dozens of community resources are available to raise awareness regarding a myriad of issues. Finally, staff and faculty are welcome to attend and participate in all student sponsored drug and alcohol programs and most extra-curricular activities.

SUBSTANCE ABUSE EDUCATION PROGRAMS

MyStudentBody.com is a comprehensive approach to reducing the risk of drug and alcohol abuse and sexual violence among college students. MyStudentBody.com engages students and parents in effective, evidence-based prevention and gives administrators the data to target, evaluate, and strengthen prevention initiatives. Every incoming, first year student is required to complete the MyStudentBody.com program within the
allotted timeframe. An email is sent to each student at the beginning of the school year with directions to participate. Failure to successfully complete the program will result in a $100 penalty charge and required participation in a Choices alcohol education class.

All first year students participate in Welcome Weekend which occurs two days prior to the beginning of the fall semester. At that time students participate in a variety of social and educational programs including a program on sexual assault which emphasizes the connectedness between increased risk of sexual assault, alcohol and drug use.

The University uses E-mentors to serve as a resource and role-model for first year students. The relationship begins at new student orientation during the summer and continues through the fall semester. The E-mentors are trained to engage students in positive aspects of University life and identify students who present concerning behavior, including behavior associated with drug and alcohol use. For the upcoming academic year E-mentors will be included in training with resident assistants as it relates to substance abuse and sexual assault to better inform them.

Wilkes University’s BACCHUS (Boosting Alcohol Consciousness Concerning the Health of University Students) is a student club that actively promotes student based, campus and community-wide leadership on healthy and safe lifestyle decisions concerning alcohol abuse, tobacco use, illegal drug use, unhealthy sexual practices and other high-risk behaviors.

The School of Pharmacy (includes those in the nursing program) has procedures to encourage students who display risk factors for substance abuse to obtain the needed treatment in order to complete their professional education. Participation in the recovery program will require that individuals who are impaired agree to undergo a professional evaluation, agree to enter and participate in a treatment program if deemed necessary, and agree to continue their recovery program after treatment.

Employees are required to adhere to the University’s Drug-Free Workplace Policy which strictly prohibits the unlawful manufacture, distribution, dispensation, sale, possession or use of drugs by its employees in the workplace. Those who violate these policies may be subject to disciplinary procedures or may be required to participate in alcohol or other drug rehabilitation programs. In support of this policy, the University has available through the Employee Assistance Program (EAP) and the Counseling Center, therapeutic education and referrals to appropriate therapy programs dealing with drug abuse. The Human Resources department, as well as individual departments, will refer faculty and staff to the EAP or the Counseling Center. Student employees will be referred to the Counseling Center. The EAP or Counseling Center will make referrals for treatment as appropriate. An employee may be given the opportunity to choose between corrective action, which may include termination or professional intervention, diagnosis, and/or treatment.

Wilkes University and the Employee Assistance Program offer information on drug abuse assistance programs, individual counseling and referrals, and periodic educational programs on the dangers of drug abuse and managing drug related problems. Further information regarding these programs and services can be obtained from the EAP by calling (570) 823-5144, or contacting Health and Wellness Services which has extensive resource materials and which sponsors many educational seminars, lectures and other events which are designed to increase drug and alcohol awareness among members of the University community.

MISSING STUDENT NOTIFICATION AND PROCEDURES

Reports of missing students will be immediately directed to the Department of Public Safety, which has the responsibility and authority to investigate each report and make a determination whether the student is missing. If any member of the Wilkes community believes that a student is missing, it is the University’s policy that the Department of Public Safety should be contacted immediately at (570) 408-4999. The Department of Public Safety will generate a missing person incident report, and initiate a joint investigation with Student Affairs and Residence Life.

In accordance with the Higher Education Act of 2008, and in addition to registering a general emergency contact, all resident students have the opportunity to confidentially register an individual to be contacted in
the event the student is determined missing for more than 24 hours. A student who wishes to identify a confidential contact can do so at the beginning of each year. This contact information will be accessible only by authorized campus officials in the offices of Residence Life, Student Affairs, and Public Safety, and will not be disclosed except to law enforcement personnel in furtherance of a missing student investigation.

Reports of missing on-campus residents should be made to the Department of Public Safety. Reports of missing students who live off-campus should typically be made to the law enforcement agency in that jurisdiction. No waiting period exists for the Department of Public Safety to document information and report an individual as missing. The Department of Public Safety will ensure all reasonable and necessary investigation, notification, dissemination of information, coordination of resources and searches are conducted to resolve missing person cases.

After investigating a missing person report, should the Department of Public Safety determine that the student has been missing for 24 hours, the University will notify the Wilkes-Barre City Police and the student’s emergency contact no later than 24 hours after the student is determined to be missing. If the missing student is under the age of 18 and is not an emancipated individual, the University will notify the student’s parent or legal guardian immediately after the Department of Public Safety has determined that the student has been missing for 24 hours.

FIREARMS AND DANGEROUS WEAPONS POLICY

The possession or use of firearms, deadly weapons, or explosives or explosive substances on University property by unauthorized persons is strictly forbidden. CO2 and spring-propelled guns are also prohibited. Those who have a permit to carry a concealed firearm may not bring the firearm on campus or to University-sponsored events held off campus. Only authorized law enforcement personnel may possess a firearm while on University property.
SEXUAL MISCONDUCT

Sexual misconduct in any form is prohibited by and will not be tolerated at Wilkes University. By University policy, sexual misconduct includes sexual assault, dating violence, domestic violence and stalking, as those terms are defined by applicable federal and state law. These acts constitute the deepest affront to University standards and will not be tolerated in any form. The University has in place: programs to educate the campus community regarding prevention and issues surrounding sexual misconduct; training programs for staff and faculty to provide student victims with direction for assistance; conduct policies and procedures to adjudicate cases involving sexual misconduct; and, most importantly, support systems for victims.

In order to make the Sexual Misconduct Policy understandable, definitions specific to the policy are listed below. These terms are not mutually exclusive.

Sexual Harassment: Any unwelcome sexual advances (verbal or physical), requests for sexual favors or other verbal or physical conduct of a sexual nature are considered sexual harassment when: submitting to or participating in the conduct is either explicitly or implicitly a term or condition of an individual's employment or educational achievement; or the conduct interferes with or is intended to interfere with academic or work performance; or if the conduct creates an intimidating, hostile or offensive educational or work environment. A single instance of sexual misconduct may be sufficiently severe to create a hostile learning environment.

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

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

Consent: A clear “yes” and mutual approval must be presented in order to be considered consent, as those parties who knowingly and willingly engage in a sexual activity. No response, or, a lack of response, is not considered consent.

Assent does not constitute consent if such assent is given by a person because of youth, mental disease, or intoxication, and is unable to make a reasonable judgment concerning the nature or harmfulness of the activity. Behavior that does not constitute assault, yet which is deplorable to the University will also, upon report, result in disciplinary action against the perpetrator. For example, the attempt to obtain sexual favors through psychological coercion is behavior that may result in disciplinary action even though that behavior is not defined as sexual assault. Offenses such as unwanted touching or actions that a reasonable person would consider intimidating or offensive such as obscene phone calls and indecent exposure are also covered under policies governing sexual misconduct. Sexual violence can be perpetrated by a stranger or acquaintance. Both men and women can be victims or perpetrators.

Domestic Violence (42 U.S. Code § 13925): The term “domestic violence” includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction.

Dating violence (42 U.S. Code § 13925): The term “dating violence” means violence committed by a person—

1. who is or has been in a social relationship of a romantic or intimate nature with the victim; and
2. where the existence of such a relationship shall be determined based on a consideration of the following factors:
   a. The length of the relationship.
   b. The type of relationship.
   c. The frequency of interaction between the persons involved in the relationship.

**Stalking:** The Pennsylvania Stalking Law (18 Pa.C.S. § 2709.1) defines stalking as a serious crime. A person commits the crime of stalking when the person either:
   1. engages in a course of conduct or repeatedly commits acts toward another person, including following the person without proper authority, under circumstances which demonstrate either an intent to place such other person in reasonable fear of bodily injury or to cause substantial emotional distress to such other person; or
   2. engages in a course of conduct or repeatedly communicates to another person under circumstances which demonstrate or communicate either an intent to place such other person in reasonable fear of bodily injury or to cause substantial emotional distress to such other person.

A comprehensive sexual misconduct policy for Wilkes University students and employees is published in the student handbook and available at: http://wilkes.edu/PDFFiles/StudentHandbook/StudentHandbook201415.pdf

**SEXUAL ASSAULT EDUCATIONAL AND PREVENTION PROGRAMS**

Wilkes University is committed to the prevention of sexual misconduct through education and awareness. The following are prevention and training programs and campaigns that are currently offered, which includes programming intended to end sexual assault, dating violence, domestic violence, and stalking and address bystander intervention:

1. Training programs on how to recognize and appropriately report allegations of sexual harassment and sexual misconduct to those who may meet students in crisis situations or serve in an advisory or adjudicating capacity, such as resident assistants, Title IX officers, public safety officers, first-year student mentors, department supervisors, student affairs emergency on-call staff, and members of the student affairs council and judicial council.
2. All students and employees are provided written notification about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, and other services available for victims both on-campus and in the community. The Dean of Student Life distributes an email to all students in the fall semester and to new students in the spring semester. The email contains a link to a video and written information covering the resources state above, reporting, assistance, and prevention and awareness information including strategies to reduce one’s risk of sexual assault, dating violence, domestic violence, and stalking. Human Resources provides a similar email distribution to all employees annually.
3. An online, health-education and self-assessment program administered to all incoming first-year students, which addresses their choices related to drugs and alcohol along with the connection between alcohol/drug use and the prevention and awareness information including strategies to reduce one’s risk of sexual assault, dating violence, domestic violence, and stalking.
4. A mandatory First-Year Student Orientation workshop on sexual, sexual assault, dating violence, domestic violence, and stalking presented by the Victim’s Resource Center of Wilkes-Barre, PA.
5. A sexual harassment and violence brochure disseminated annually to all first-year students.
6. A sexual harassment and violence resource guide disseminated annually to all faculty and staff.
7. On duty uniformed Public Safety Officers, 24 hours a day/7 days a week.
8. A Bystander Intervention program designed to provide students with the skills and confidence to intervene safely and effectively when witness to situations where individuals may be at risk of dating violence, domestic violence, sexual assault or stalking.
9. An emergency on-duty Student Affairs professional, 24 hours a day/7 days a week.
10. A “Safe Escort” from a Public Safety officer anywhere on campus from dusk until dawn.
11. An emergency community notification system comprised of several communication methods including, text messaging, printed fliers, and the Wilkes Portal.
12. An anonymous campus advisory extension (x2273) to report information regarding safety and security concerns.

13. Self-Defense Awareness & Familiarization Exchange (S.A.F.E.) – a voluntary educational awareness program for women designed to provide basic self-defense skills along with information to reduce the risk of sexual violence.

Making a Report of Sexual Misconduct:
Reports of sexual misconduct, including dating violence, domestic violence, sexual assault and stalking are to be reported to the Department of Public Safety, the Office of Student Affairs or Human Resources. There is no time limit with regard to reporting; however, complainants are encouraged to proceed as quickly as possible. Evidence, witnesses, and even the accused may not be available after a period of time.

Reporting the incident to local law enforcement and campus authorities is up to the victim, but is strongly encouraged. If the victim requests, a University staff member will assist the victim in notifying law enforcement authorities. The victim may also choose to decline to notify law enforcement as well as campus authorities. If additional counseling services (beyond those identified below) are requested, the University will assist in identifying off-campus counseling or mental health services.

**Students**
Reports of sexual misconduct are to be reported to the Office of Student Affairs or the Department Public Safety. Students may contact:
- Department of Public Safety (570) 408-4999
- Dean of Students (570) 408-4103
- Director of Residence Life (570) 408-4353
- Health Services Center (570) 408-4734

The Office of Student Affairs will also provide the alleged victim assistance in reporting the incident to the local police department (if desired). The Office of Student Affairs will work in conjunction with other University offices to provide counseling; accommodate necessary residence hall and class/work scheduling changes; and obtain the proper medical attention. Once the immediate necessities have been addressed, options available to the complainant with regard to University adjudication and criminal procedures will be explained.

**Employees**
Allegations of sexual misconduct are to be reported to the Chief Human Resource Officer.

Chief Human Resource Officer (570) 408-4631
The Chief Human Resources Officer (or designee) will work in conjunction with other University offices to accommodate any necessary workplace changes. Once the immediate necessities have been addressed, options available to the complainant with regard to University adjudication and criminal procedures will be explained.

If you wish to report a sexual assault and want to remain anonymous, you can call the CARE line (570) 408-2273. Procedures to follow after a rape, sexual assault or other sexual misconduct:

Wilkes University has effective systems in place to support a victim of rape, dating violence, domestic violence, sexual assault or stalking. Trained University personnel work closely with a victim to provide information about reporting and support services. If a victim chooses not to proceed with a disciplinary complaint or police report, and the University is aware of the allegation, the Title IX investigatory process will determine the appropriate steps to be taken in accordance with the University's Sexual Misconduct Policy while mindful of University's obligation to provide a safe and nondiscriminatory environment for all students, faculty and staff.

The following information provides steps to follow should sexual violence occur. The individual's physical well-being should be addressed as soon as possible, whether or not the individual wishes to make a formal report to the Department of Public Safety or local law enforcement.

1. Get the victim to a safe place as soon as possible.
2. Seek immediate medical attention. A medical provider can diagnose and treat the full extent of any injury or physical effect.
3. For life-threatening situations call 911.
4. For non-life-threatening situations contact the Department of Public Safety at (570) 408-4999 or the Student Affairs staff person on duty at: (570) 362-8346.
5. Try to preserve all physical evidence. Do not wash, use the toilet, or change clothing if you can avoid
it. If you do change clothes, put all clothing you were wearing at the time of the attack in a paper, not plastic, bag. 

6. In cases of sexual assault, domestic violence, dating violence, and stalking, preserve evidence by saving text messages, instant messages, social networking pages, communications, pictures, or other documents, if any, that would be useful to police or investigators.

Victims will:
• Have their complaints taken seriously, subject to full and prompt investigation by both civil and University authorities;
• Have access to legal assistance and representation as allowed the accused;
• Have cooperation from campus personnel in the collection of evidence;
• Have access to independently obtained counseling services;
• Be entitled to changes in academic and living environments; and
• Not be subject to pressure from University and/or police authorities.

SUPPORT SERVICES AND RESOURCES

Anyone who is a victim of sexual assault, dating violence, domestic violence, and/or stalking at Wilkes University is encouraged to seek support and assistance and to report the incident. Victims may utilize the services of personnel in the University Counseling Center or services available in the Wilkes-Barre Community such as the Victims Resource Center, Center for Domestic Violence or Community Counseling Services of Northeastern Pennsylvania.

Designated university officials provide a written explanation to each victim reporting sexual misconduct including sexual assault, dating violence, domestic violence, and stalking. The handout includes information regarding the importance of preserving physical evidence, victim's rights and options, confidentiality, protection from retaliation, procedures about how and to whom the alleged offense should be reported, procedures for institutional disciplinary action, and other on and off campus resources.

Regardless of whether a victim chooses to report the crime to the Department of Public Safety or other law enforcement, or whether the offence occurred on or off campus, Wilkes University will assist victims of sexual assault, dating violence, domestic violence, and stalking by providing assistance and accommodations. A victim may be offered support services including, but are not limited to:
• Accompaniment to the hospital (if desired) by an on-duty Student Affairs professional.
• Assistance in reporting the incident to the local law enforcement (if desired).
• Accommodations to avoid contact with the alleged assailant.
  - A University “Stay Away Letter” can be issued upon request, which would require the alleged assailant to avoid any contact with the alleged victim. Wilkes University will respond to and comply with orders of protection, “no-contact” orders, restraining orders or similar lawful orders issued by criminal, civil or tribal court or by the institution itself.
  - A change in academic, transportation, working or living situations as appropriate.
• Protection from retaliation
  - Retaliation against a person who files a complaint or participates in an investigation is prohibited by University policy, and by state and federal law. Any retaliation should be immediately reported to the Office of Student Affairs.
• Access to a Title IX officer
  - The Title IX officers serve as an impartial observers to assist students with any questions or concerns that they may have beginning from the time immediately following the alleged misconduct, through the investigation and to the outcome of hearings and appeals.
• Academic Support Services
  - Sexual assault, dating violence, domestic violence, and stalking may affect a students’ academic progress. The University can provide ongoing support to students whose academic progress was disrupted.
• Changes to academic, living, transportation, and working situations, such as changing residence hall rooms, alternative transportation options, adjustment to course schedules, or a leave of absence.
• A full explanation of the investigation and adjudication process (including timelines, hearing
procedures, and the appeals process).

- Access to ongoing information including criminal and University policy options as well as support and advice from campus and/or off campus counselors. (Please note that information shared with campus and off campus counselors is confidential; however, alleged sexual assault cases brought to the attention of the University through non-confidential sources must be investigated. Efforts will be made to honor confidentiality but cannot be guaranteed. See definition of confidentiality.)

POSSIBLE PROTECTIVE MEASURES

Protective measures for victims may be available and put into place on an interim basis pending the final outcome of disciplinary procedures regarding sexual assault (which includes, but is not limited to, rape), domestic violence, dating violence, or stalking.

Any accommodations or protective measures provided to the victim will remain confidential, to the extent that maintaining such confidentiality would not impair the ability of the University to provide the accommodations or protective measures.

University policies include the right of the alleged victim to freedom from encountering the alleged perpetrator in living and learning situations. The institution will change a victim's academic, living and transportation situation after an alleged sex offense if requested by the victim, or independent of such request, if the changes are reasonably available. The Dean of Student Affairs in discharging responsibilities for the health, safety and welfare of all students will make decisions relative to such cases.

Other interim measures offered by the University may include: University-imposed no contact orders as well as assistance in enforcement of court-issued protective orders, restraining orders, or similar lawful orders issued by a criminal, civil, or tribal court or by the University. Escort services, emotional support, and interim suspension of the accused are also possible measures that can be taken (for students, interim suspension is subject to the applicable provisions of the Student Code of Conduct).

DISCLOSURES TO ALLEGED VICTIMS OF CRIMES OF VIOLENCE OR NON-FORCIBLE SEX OFFENSES

Wilkes University will, upon request, disclose to the alleged victim of a crime of violence, or a non-forcible sex offense, the results of any disciplinary hearing conducted by the University against the student who is the alleged perpetrator of the crime or offense. If the alleged victim is deceased as a result of the crime or offense, Wilkes University will provide the results of the disciplinary hearing to the victim's next of kin, if so requested.

Procedures for Investigating Sexual Assault, Dating violence, Domestic Violence, and Stalking; Disciplinary Action, Possible Protective Measures, and Sanctions

Wilkes University's disciplinary process provides a prompt, fair, and impartial investigation and resolution process. The proceedings are conducted by officials who receive training on issues related to sexual assault, domestic violence, dating violence, and stalking, and how to conduct an investigation and to ensure a process that protects the safety of victims and promotes accountability. All investigations and subsequent findings as applicable use the "preponderance of the evidence standard," which means whether it is more likely than not that the conduct occurred.

Students

Sexual misconduct investigations for students are led by the Associate Dean of Student Affairs (or designee) who has been trained in sexual misconduct investigation and adjudication. The University reserves the right to proceed with the sexual misconduct investigation and adjudication independent of any criminal proceeding. Verdicts in criminal court are not determinative of the proceedings held by the University.

The University will make every reasonable effort to protect the confidentiality of the complainant; however, confidentiality may be compromised if it is determined that an investigation should move forward based on several factors including: the seriousness of the infraction; the complainant’s age; whether there have been previous complaints about the accused. Furthermore, the Office of Student Affairs will inform the complainant that the University’s ability to respond will be limited when there is a request for the
complaint to remain confidential. If the complainant does not wish to move forward with a formal Sexual Misconduct Proceeding and/or requests confidentiality, Title IX requires the University to investigate and take reasonable action in response to the information. If the complainant decides to go forward with the complaint, and the professional staff member conducting the preliminary investigation determines there is cause to proceed, a formal investigation and hearing will be held. The ultimate decision to move forward with a sexual misconduct hearing will be made after Student Affairs has met with the complainant and the accused. (If the University receives an allegation of sexual misconduct involving an individual who is under the age of 18, the incident will be immediately reported to the appropriate county agency.)

The complainant will be asked to sign a declaration of intent to proceed with the sexual misconduct process. The accused will be promptly notified in writing of the charges being made. The complainant and the accused will be asked to provide a written summary of the event. When meeting with the accused, the Office of Student Affairs will inform him/her of the reason for the interview and will provide the opportunity to relate his/her perspective. All processes and policies relative to the allegations, as found in the Student Handbook, will be explained. The accused will review the declaration of intent signed by the complainant. Both the accused and complainant will be informed that each is allowed to be accompanied to all meetings, hearings, and interviews by an advisor of their choice. Advisors are allowed solely for the purpose of support and may not serve as representatives of the complainant or accused. During the course of a hearing, advisors are not allowed to cross examine or actively engage in the discussion. Both the complainant and the accused will have an equal opportunity to provide a list of witnesses, along with contact information. Once the lists have been received, the Office of Student Affairs will begin to interview witnesses.

Both the complainant and the accused will be afforded the opportunity to review copies of each other’s written summary. Each will review the summary for alleged inaccuracies and inconsistencies, along with a member of the Office of Student Affairs staff, who will make note of the inaccuracies and inconsistencies purported by each party.

During the process of investigating the alleged sexual misconduct, other violations of the University Code of Conduct may be found to have been committed. The Administrative Council on Sexual Misconduct reserves the right to question and sanction those involved in other conduct violations (including the accused and the complainant) following the outcome of the sexual misconduct hearing. The use of alcohol and drugs is not considered a defense against violations of the sexual misconduct policy. Please refer to the explanation of consent that is provided above in the definitions section. Investigations will be completed within thirty (30) calendar days of the initial report to the Office of Student Affairs, unless extenuating circumstances, as reviewed and approved by the Vice President of Student Affairs, requires an extension of time.

The hearing will take place before the Administrative Committee on Sexual Misconduct, a representative group trained in the areas of sexual misconduct and adjudication. A minimum of four voting members of the Committee must be present to conduct a sexual misconduct hearing. The voting members may include staff members from the Athletics Department, the Office of Student Development, Residence Life, the Center for Global Education and Diversity and University College along with a faculty member appointed by the Vice President for Student Affairs, in conjunction with the Provost.

A designated hearing officer of the Administrative Committee on Sexual Misconduct will serve as the official in charge of convening and leading the hearing and notifying the parties of the outcome. The Deputy Title IX Coordinator serves as a non-voting member, who attends sexual misconduct hearings to address procedural and policy questions.

The hearing will take place within sixty (60) calendar days of the initial report to the Office of Student Affairs unless extenuating circumstances, as reviewed and approved by the Vice President of Student Affairs, requires an extension of time. Both the complainant and the accused will be given, at a minimum, at least five (5) calendar days’ notice of the hearing. All parties will be informed that the proceedings will be recorded and can be used for the appeals process. It is an expectation that confidentiality among members of the Administrative Committee on Sexual Misconduct be maintained with
regard to any and all aspects of the hearing.

The standard of proof used by the Administrative Committee on Sexual Misconduct in determining policy violations will be based on the “preponderance of evidence,” meaning that it is more likely than not the violation occurred.

Cross-examination, by the accused or the alleged victim, is prohibited. The alleged victim and/or the accused may ask to have the other party view the testimony via Skype or other electronic means from within the building. This allows for questioning without confrontation or additional distress. The alleged victim or the accused must request this accommodation two days prior to the hearing in order to allow adequate time to prepare the technology. Requests for accommodations that are not made within the two day designated timeframe may result in a postponement of the hearing.

The hearing process is as follows:

- A review of the hearing process and introduction of the Administrative Committee on Sexual Misconduct.
- The alleged victim and accused are given an opportunity to offer commentary relative to each other’s statement.
- The alleged victim is questioned by the Administrative Committee on Sexual Misconduct.
- The accused is questioned by the Administrative Committee on Sexual Misconduct.
- Witnesses give testimony and are questioned by the Administrative Committee on Sexual Misconduct.
- The alleged victim gives his or her closing statement.
- The accused gives his or her closing statement.
- All but the Committee are excused and deliberation begins.

The Designated Hearing Officer leading the hearing will determine time restrictions and questions of relevance, enforce rules prohibiting advisors from actively engaging in the discussion, and other procedural matters as required.

The Administrative Committee on Sexual Misconduct has the authority to levy a sanction or sanctions against a student who has violated the sexual misconduct policy. Sanctions levied against a student who has violated the Sexual Misconduct Policy will vary according to the severity of the action and can include, among other forms of sanction:

- Warning/Written Reprimand
- Disciplinary dismissal from the University
- Interim suspension
- Indefinite suspension
- Expulsion from residence halls
- Residence Hall Reassignment
- Additional Sanctions

As is consistent with Federal legislation, the outcome of the hearing will be shared simultaneously, in writing, with both the accused and the complainant within one (1) calendar day of the hearing.

In cases that are adjudicated using the Sexual Misconduct Process both the alleged victim and the accused have an opportunity to request an appeal with the University’s Judicial Council. The student must request a review of his/her case within five (5) academic days of written notification to the student of the Administrative Committee on Sexual Misconduct’s decision (appeal request form). The Dean of Students and another member of the University Judicial Council (UJC) will review the student’s reason(s) to request an appeal along with any relevant documentation involving the original decision. An appeal will be granted only if there appears to be:

1. New evidence of significance relative to the original outcome;
2. Procedural error in the original hearing that was detrimental to the outcome; or
3. An inappropriate sanction relative to the policy violation.

The student requesting the appeal will be notified within five (5) academic days of the request of a decision to grant an appeal. If an appeal is granted, the UJC must give written notice to all parties concerned of the nature of the appeal and the date and time of the appeals session. All appeals sessions will be held within ten (10) academic days of the approval to grant an appeal. Appeal sessions will be closed for UJC members only.

The UJC will ask the student initiating the appeal to provide a detailed, written statement, describing his/
her position relative to the case. The Administrative Committee on Sexual Misconduct (adjudicating body who heard the original case) will provide rationale for making the initial decision. Upon request from the UJC, the Administrative Committee on Sexual Misconduct will provide any documentation relevant to the case. The student initiating the appeal will have the opportunity to review the Administrative Committee on Sexual Misconduct’s rationale, along with supporting documentation, prior to submitting his/her statement. The UJC will not hold any regular or special sessions without at least three members present of which there shall be at least one member of the faculty, Office of Student Affairs staff. The Council uses a preponderance of the evidence standard in making a decision relative to appeals. Notification of the decision of the UJC is sent to, the alleged victim, and the accused simultaneously. If an appeal is successful the UJC will require a re-hearing of the case by the original adjudicating body, or a new hearing by a new adjudicating body, and that outcome is final.

All sessions of the UJC, in its discretion, are closed. The Council has the power to govern its own internal proceedings and establish its procedures.

**Employees**

The Human Resources Department, in conjunction with legal authorities, appropriate division head(s) and Legal Counsel will investigate all alleged sexual misconduct (including sexual assault, domestic violence, dating violence and stalking) and take appropriate actions at conclusion. Any Wilkes University employee that has violated this policy will be subject to disciplinary action, including:

- Employee termination from the University
- Unpaid suspension
- Restrictions from all or portions of campus
- Change in working facility
- Mandated education
- Written reprimand in personnel file
- Removal from classroom teaching
- Tenure revocation
- Withhold salary increase (from one to several years)
- Removal of endowed chair
- Removal of emeritus status
- Removal of graduate school status
- Termination of research project funding
- Removal from administrative position
- Verbal reprimand
- Required participation in counseling or training
- Demotion
- Change to reporting structure
- Reinstatement of an employment probationary period

The University reserves the right to proceed with the sexual misconduct investigation and adjudication independent of any criminal proceeding. Verdicts in criminal court are not determinative of the proceedings held by the University.

The University will make every reasonable effort to protect the confidentiality of the complainant; however, confidentiality may be compromised if it is determined that an investigation will move forward based on several factors including: the seriousness of the infraction; the complainant’s age; whether there have been previous complaints about the accused. The Chief Human Resources Officer will inform the complainant if the University’s ability to respond will be limited when there is a confidentiality request. If the complainant does not wish to move forward with a formal investigation and/or requests confidentiality, Title IX requires the University to investigate and take reasonable action in response to the information.

During the process of investigating the alleged sexual misconduct, additional policy violations may evolve. The University reserves the right to question and sanction those involved in other violations (including the accused and the complainant) following the outcome of the sexual misconduct investigation. The use of alcohol and drugs is not considered a defense against violations of the sexual misconduct policies.

As is consistent with Federal legislation, the outcome of the hearing will be shared simultaneously, in writing, with both the accused and the complainant within one calendar day of the hearing. The Human Resources department will maintain all investigatory records.

**Information on Registered Sex Offenders.**

The Federal Campus Sex Crimes Prevention Act (CSCPA), enacted on October 28, 2000, provides for the tracking of convicted sex offenders enrolled as students at, or employed by, institutions of higher education. The CSCPA amends the Clery Act by adding a new
provision to require institutions of higher education to include a statement in their annual security reports that advises the campus community where information on registered sex offenders, provided by a State, pursuant to the federal Violent Crime Control Law Enforcement Act of 1994, may be obtained.

The CSCPA also amends the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, to require sex offenders who are already required to register in a State to provide notice to each institution of higher education at which the offender is employed, carries on a vocation, or is a student (and each change in enrollment or employment status at that institution of higher education). The amendment requires state law enforcement agencies (in Pennsylvania, it is the Pennsylvania State Police) to provide Wilkes University with a list of registered sex offenders who have indicated that they are enrolled, employed, or carrying on a vocation at Wilkes University. The CSCPA further amends the Family Educational Rights and Privacy Act of 1974 (FERPA) to clarify that nothing in the Act can prohibit an educational institution from disclosing information provided to the institution concerning registered sex offenders.

This statement is provided in compliance with the Campus Sex Crimes Prevention Act of 2000. Information on registered sexually violent offenders can also be obtained from the Pennsylvania State Police or their website at http://www.pameganslaw.state.pa.us/ The Commonwealth of Pennsylvania requires sex offenders to register with the police in the jurisdiction in which they reside. Pennsylvania makes this information available to law enforcement agencies. This information is available to the public at the Wilkes-Barre Police Department, 15 North Washington Street, Wilkes-Barre, PA 18711, (570) 208-4207 and the Edwardsville Police Department, Borough Building, 470 Main Street, Edwardsville, PA 18704, (570) 288-8463. This information is also available at the Department of Public Safety, UCoM Garage, 148 South Main Street, Wilkes-Barre, PA 18766, (570) 408-4999.
EMERGENCY RESPONSE PLAN

Emergency preparedness is managed at Wilkes University under the guidelines established in the Emergency Action Plan (EAP).

The EAP is intended to establish policies, procedures, and organizational structure for response to emergencies that are of sufficient magnitude to cause a significant disruption of the functioning of all or portions of the University. The EAP describes the roles and responsibilities of departments, support units, and personnel during emergency situations. The basic emergency procedures are designed to protect lives and property through effective use of University and community resources. Since an emergency may be sudden and without warning, these procedures are designed to be flexible in order to accommodate contingencies of various types and magnitudes.

The University, through the EAP, intends to accomplish the following priorities during an emergency situation:

1. Protection of human life
2. Support of health and safety services
3. Protection of college assets
4. Maintenance of college services
5. Assessment of damages
6. Restoration of general campus operations

The EAP was developed and put into action in the spring of 2009. The EAP documents the readiness of the University Community’s response in an all-hazards approach to emergency management and provide information for emergency responders to manage a crisis event as it unfolds.

The EAP is subordinate to federal, state, or local plans during a disaster declaration by those authorities. The EAP is consistent with established practices relating to coordination of emergency response. Accordingly, the EAP incorporates the use of the Incident Command System (ICS) to facilitate interagency coordination, promote the use of common emergency response terminology and command structure, and facilitate the flow of information between responding agencies.

Wilkes University cooperates with the Pennsylvania Emergency Management Agency, Luzerne County Emergency Management Agency, Wilkes-Barre Police, Wilkes-Barre Fire Department, the state-certified regional hazardous materials response team and other external responders in the development and coordination of these emergency response plans.

ASSESSMENT OF EMERGENCY PLANS

The University conducts regularly scheduled drills, exercises and appropriate follow-through activities designed for assessment and evaluation of emergency plans and capabilities. These include table top exercises, field exercises and tests of the emergency notification systems on campus. Emergency response and evacuation procedures are tested on an annual basis. Each test
is documented by the Department of Public Safety and Risk & Compliance, including the date, time and whether it was announced or unannounced. Emergency response and evacuation procedures are publicized in conjunction with at least one test per calendar year.

**ANNUAL FIRE SAFETY REPORT**

**Campus Fire Safety Right To Know Act**

The Campus Fire Safety Right-to-Know Act is an amendment to the Higher Education Opportunity Act. This amendment serves to increase campus fire safety awareness across the nation, providing students and their families with the fire safety records of colleges/universities. Signed into law by President George W. Bush on August 14, 2008, this amendment requires post-secondary institutions to publicly display fire safety information and statistics, much as they already do with other safety statistics, such as campus theft and assault. This information provides prospective and current students of the policies, concerns, and fire safety conditions that are present at the institution in which they have applied or are enrolled.

**WILKES UNIVERSITY FIRE SAFETY SYSTEMS**

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## WILKES UNIVERSITY FIRE STATISTICS
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## WILKES UNIVERSITY FIRE STATISTICS

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### FIRE LOG

The Department of Public Safety maintains a combined Daily Crime and Fire Log of all incidents reported. This includes all crimes, fire-related incidents (including fire alarms), and other serious incidents that occur on Wilkes University campus, and also including areas jointly patrolled by Wilkes Public Safety and the Wilkes-Barre Police Department, non-campus buildings, and public property immediately adjacent to campus property.

The Daily Crime and Fire Log includes the incident type, the date incident is reported, date and time of occurrence, general location of the incident, and the incident disposition. The Department of Public Safety posts specific incidents in the Daily Crime and Fire Log within two (2) business days of receiving an incident report, and reserves the right to exclude from the Log, as permitted by law, in certain circumstances.

The most current 60 days of information is available for public inspection at the Public Safety Office, 148 South Main Street, Wilkes-Barre (570) 408-4999.

### REPORTING A FIRE

Per Federal law, Wilkes University is required to annually disclose statistical data on all fires that occur in on-campus student housing facilities. Listed below are the non-emergency numbers to call to report fires that have already been extinguished in on-campus student housing. These are fires for which you are unsure whether the Department of Public Safety may already be aware. If you find evidence of such a fire, or if you hear about such a fire, please contact one of the following:

- Department of Public Safety (570) 408-4999
- Office of Residence Life (570) 408-4350

When calling, please provide as much information as possible about the location, date, time and cause of the fire.

### FIRE EMERGENCY AND EVACUATION PROCEDURES

The Department of Public Safety encourages all members of the Wilkes Community to remain calm during the event of a fire alarm, or fire-related incident. In addition, individuals are reminded:

**BEFORE a fire:**

1. Know the location of all fire alarm stations in your building, and how to use them.
2. Know the location of portable fire extinguishers, and how to use them.
3. Know the location of alternate exits.
UPON DISCOVERING a fire:
1. Activate the fire alarm immediately to alert all residents and/or occupants. Call 911. If the fire is small, use fire extinguishers.
2. Exit by the nearest available stairwell. Do not use elevators. Do not run.
3. Meet emergency staff and direct them to the proper building floor and section.

UPON HEARING the fire alarm:
1. Remain low to the floor if there is smoke present in the room.
2. Feel the door before attempting to open. If it is hot, do not attempt to open the door. If no heat is detected, brace against the door and slightly open the door. If heat or heavy smoke is present, close the door and stay in the room.
3. Seal cracks around the door using sheets, pieces of clothing, or whatever is available if leaving the room is not possible.
4. Open windows a few inches at the top and bottom to release smoke and bring in fresh air. Hang an object or sheet from the window to attract the emergency staff.
5. If possible, notify Public Safety (570) 408-4999 and report you are trapped. Remember to give your name and location.

IF YOU CAN’T LEAVE the room:
1. Put on shoes and coat. Take a wet towel and cover your face.
2. Close all doors as you exit. Move to the designated stairway.
3. Do not use an elevator.
4. Meet at the designated area outside the building.
5. If the designated area is blocked due to fire, heat, or smoke, find an alternate route. If an alternate route is unavailable, find a window and signal for help.
6. Return to your room if all exits are blocked. Close the door, and take action as outlined above.

All University buildings are equipped with local “in-house” fire alarm systems. These systems do not alert the Wilkes-Barre Fire Department. The alarms sound inside the building and at the Public Safety Office. The Public Safety Office will then notify Wilkes-Barre Fire Department of the alarm.

If an alarm activates inside a building, all persons in that building should vacate using the closest available exit.

This procedure reflects both the law and common sense. Persons failing to vacate a building when a fire alarm activates are subject to disciplinary action.

The following charges and penalties are automatically invoked for students failing to vacate a residence hall during a fire alarm:

- First Offense: $50 penalty charge, and referral to the Residence Life Office.
- Second Offense: $75 penalty charge, and possible dismissal from campus residence.

Tampering with fire extinguishers and other fire equipment, or the sounding of false alarms is a serious threat to the safety of all and is strictly prohibited. Violations of this policy will result in serious disciplinary action by the University.

The following system of charges and penalties are automatically invoked against students who tamper with fire extinguishers:

**First Offense:**
- If an individual is deemed responsible, $100 penalty and referral to Student Affairs Cabinet.
- If a residence hall is deemed responsible, $5 penalty charge per resident; minimum charge, $25.

**Second Offense:**
- If an individual is deemed responsible, $100 penalty and dismissal from campus residence; notification forwarded to the Wilkes-Barre Fire Chief.
- If a residence hall is deemed responsible; $5 penalty charge per resident; residence hall probation; notification of same to Student Affairs Cabinet.

**Electrical Devices, Open Flames, and Smoking**

Wilkes University will permit the use of some small electrical appliances as long as the circumstances are consistent with good safety and health considerations. In order that safety standards are met, all appliances containing a heating-type element must have that element fully enclosed. Both the appliance and electrical cord must have Underwriter Laboratory approval.

Property and safety considerations prevent the authorization of the use of toaster ovens, electric skillets, hot plates, or similar appliances. Because of the high
potential for damage and fire, electric blankets, halogen lamps, and sunlamps may not be used in student rooms. Candles, incense or other open flame devices are prohibited in and around residence halls.

Smoking is prohibited in all University-owned buildings, shuttles and vans. The University’s Smoking Policy also established a “Smoke Free Zone” of twenty (20) feet from any university building door, window, or ventilating system.

Any of the aforementioned prohibited items may be confiscated by appropriate University personnel.

FIRE SAFETY AND EDUCATION TRAINING

Resident Assistant (RA) Fire Safety training is held each August at Wilkes University. The program is provided by Cocciardi & Associates and is designed to help teach student staff about fire safety and lead effectively during emergencies. The goals of this training enable the participants to:

1. Define fire and the characteristics of each class of fire;
2. Identify immediate actions needed in the event of a fire;
3. Demonstrate how to properly inspect fire extinguishers; and
4. Demonstrate how to properly use a fire extinguisher on a (simulated) fire.

All students living in on-campus student housing receive fire alarm education at the beginning of the school year during residence hall meetings. The residence hall meetings provide information on evacuation routes, outside rally points, and fire alarm equipment locations. These educational trainings are designed to familiarize residents with fire safety systems, equipment, and University fire alarm procedures.

Mandatory fire safety education and suppression device training is held annually for all members of the Department of Public Safety and Facilities Management. This training is also optionally available to all other staff and faculty of Wilkes University. Additional fire education training is available through the Department of Public Safety upon request.

PLANS FOR FUTURE IMPROVEMENTS IN FIRE SAFETY

The University continues to assess and upgrade fire safety equipment as an ongoing process to ensure that all equipment meets National Fire Safety standards. At this time, there are no specific plans for future improvements. Future improvements will be made as needed as part of the ongoing assessment process.