The security and safety of the Millersville University campus is paramount to providing an environment that fosters educational exploration and academic excellence. The policies and procedures outlined in our annual report promote the safety of and help reduce risks to the members of the Millersville University campus community.

Millersville University has implemented training, policies, victim-centered support and reporting that complies with changes made to the Clery Act through the Violence Against Women Act (VAWA). At Millersville University, we use the Clery Act, Title IX and VAWA policies to guide our prevention, education and responses across University divisions. Our University Police focus on student engagement and problem-solving using a community policing emphasis, consistent with the University’s EPPIIC values and commitment to student success.

Each member of the campus is encouraged to read and know about the programs and services in place at Millersville University to reduce risk and to ensure a safer campus community. Each member of the Millersville University campus community shares in the responsibility for keeping our campus safe. It is our shared duty to report any safety or security concerns we may each have to the Millersville University Police. You can contact the police at 717-871-4357 or use our new smartphone app, LiveSafe, to make those reports.

Thank you for your contribution to building a safe, caring and concerned campus community.

Guilbert L. Brown
 Vice President
 Finance and Administration
Preparing the Annual Security Report

The University Police Department has the responsibility for collecting and preparing the information that is contained within the Annual Campus Crime Report. Millersville University Office of the President will exercise the Department of Education’s Campus Survey Administrator (normally within the month of July). The letter will contain the following information: the start date that the collection site will open, the internet web page and web address of the submission site, the login credentials that will be used to access the site, and the due date that the submission data should be entered by and the date of closing.

The Office of the Vice President for Student Affairs and Enrollment Management, which is responsible for ensuring the compliance of the Act, will receive the letter from the Director of Police. The Chief of Police or his/her designee will open (log on to) the submission site. Under the guidance of the Chief of Police, all the data or information will be collected, which may include:

- gathering on- and off-campus information
- contacting other outside agencies for statistical information
- creating policies and/or directives
- reviewing current information
- using the assistance of auditors
- contacting/using other Millersville University departments

The University Police

Primary responsibility for security on campus belongs to the Millersville University Police Department, which is part of Finance, Administration, and the University Police. The University uses a dual-force concept, employing both commissioned police officers and non-commissioned officers. Nine officers and three supervisors are assigned to regular patrols of the campus to ensure the safety and security of the campus. The security officer who is assigned solely to the residence halls campus and a second full-time security officer who is assigned full-time to the Lancaster Campus Center hosts academic classes and special events. Administrative duties are handled by the chief and deputy chief, who report to the vice president of Administration. The department employs clerical staff. The administrative office is located in Lebanon House, which is open from 8 a.m. to 4:30 p.m., weekdays. A 24-hour, seven-day-a-week system is maintained by the University Police with an around-the-clock dispatcher system of emergency and non-emergency calls. University Police officers and security officers are required to maintain appropriate levels of training. University Police officers and security officers are required to maintain appropriate levels of training in CPR, first aid, and emergency arrest. The university Police is a full-service, 24-hour, seven-day-a-week department with multiple duties.

Law enforcement agencies as needed. All criminal prosecutions for offenses taking place on the campus of Millersville University are initiated by the University Police.

COMMUNITY POLICE SPECIALIST OFFICERS

Millersville University Police became the first University in the PASSHE system to establish community police specialist positions for police officers and also the first to have officers receive Community Police Specialist classifications.

The Police are required to have regular focus on community engagement and problem solving within patrol and to complete more than 80 hours of training which includes but is not limited to crisis intervention team certification, DOJ and COPS community police training, implicit bias training, de-escalation training, and patrol medicine training. Four police officers completed this training and other officers are in process to complete training for the department.

In cases where actions are violations of campus policy and conduct codes, or criminal offenses that are not a threat to the student, both internal and external judicial action may be taken. The Office of Justice and Conduct will initiate appropriate action in accordance with the University Code of Conduct for Violators of Campus Conduct. Students should be aware that some information may be shared regarding these violations.

Complete background investigations are made on all applicants considered for appointment to the University Police Department. Each background investigation consists of a Pennsylvania State Police criminal history record check and a consideration of judicial reference information. Preemployment criminal background checks, including fingerprint check, will be conducted for all new hires at the University. This background check policy began in April 2009, with child-abuse checks included.

No procedure for checking possible criminal records of prospective or current students is currently in use at the University; however, applications are asked to self-report felony convictions. The Office of Student Conduct currently has no Memo of Understanding (MOU) with any municipal agencies regarding to its police officers being covered under state laws with assisting outside agencies. You can find more information under the Millersville University Police policy section, PASSHE Act 188.

Campus Responsibility

Safety on the campus of Millersville University must involve a cooperative effort of the campus community. Everyone who utilizes campus facilities must assume responsibility for the security of personal belongings, their own personal safety, and the safety of others. Everyone should be aware that the location of the 46 emergency communication stations on campus. In addition, anyone traveling alone on campus between 11 p.m. and 7 a.m. should use the campus escort system (see escort policy rules and regulations for other times and guidelines). Personal items such as telephones, credit cards, and identification cards should be safeguarded and the serial numbers recorded. Information on secure, on-line registration of valuables is available at the University Police, Lancaster House. Vehicles should be locked at all times and valuables stored in the trunk. Campus community members, students, faculty, staff and guests are encouraged to report all public safety-related incidents and crimes to the appropriate police agency or the University Police in a timely manner. Prosecutorial decisions or formal witness status can always be decided at a later time, but reporting should be done immediately.

Millersville University has established a Behavioral Intervention Team (BIT) to assist in addressing situations where students, faculty, or staff are displaying behaviors that potentially impede their own or others’ ability to function successfully or safely. The primary goal of the BIT is to identify behaviors that may be serious and to involve the proper campus departments to intervene. The BIT works in collaboration with the LiveSafe System to identify persons whose behaviors potentially endanger their own or others’ health and safety.

It is the responsibility of faculty, staff, and students to immediately report any situation that creates a threat of violence in harm to one at the University. Any member of the campus community may become aware of a troubling person or situation that is causing serious concern. If so, this information should be provided to the Behavioral Intervention Team at (717) 871-7070. No procedure for checking possible criminal records of prospective or current students is currently in use at the University; however, applications are asked to self-report felony convictions. The Office of Student Conduct currently has no Memo of Understanding (MOU) with any municipal agencies regarding to its police officers being covered under state laws with assisting outside agencies. You can find more information under the Millersville University Police policy section, PASSHE Act 188.

Campus Safety App - LiveSafe

Millersville University is the first Pennsylvania university to launch LiveSafe. Millersville joined Virginia Tech, Georgetown and Delaware as institutions engaging in LiveSafe.

LiveSafe was launched after Student Senate engaged with University Police in another community policing effort to keep our community safe. Millersville is cited by LiveSafe as being a student-engaged campus.

For more information, visit the University Police website at www.millersville.edu/police.
Billions of photos are posted on social media. This program is aimed at raising awareness about sexual assault and the Red Zone, as well as helps students become aware of available resources on and off campus.

Escalation from the One Love Foundation: this program includes a discussion on healthy and unhealthy relationships, and provides information on how to identify warning signs of unhealthy relationships, and how to prevent and intervene in a potentially dangerous relationship. 

Sex Goes to the Movies: This program uses popular movie clips to educate participants about risky and unsafe partying, alcohol consumption, consent and how to make healthy personal decisions.

Keep It REALationships: Actively discusses various types of intimate relationships. Students discuss healthy and unhealthy aspects of relationships and learn to effectively communicate with current and future partners.

Behind the Post: Billions of photos are posted on social media every day, but can you really see the big picture through the small ones? Behind the Post is a seven-minute video followed by a discussion on how social media can skew our view of the relationships around us and, in some cases, influence our decisions to stay in them.

Outreach Peer educators provide brief education interactions with students as they walk around campus on topics that include the Red Zone, dating violence, domestic violence, sexual assault and stalking. 

Wellness Wednesdays: Throughout the semester, peer educators set up interactive booths outside the Center for Health Education and Promotion to provide additional learning opportunities on sexual assault, domestic violence, dating violence and stalking.

Awareness events this year included Take Back the Night, Purple Carnivals, and the Clothesline Project. The Purple Carnivals took place in October during Domestic Violence Awareness Month. This event was a collaborative effort with campus student organizations that engaged students in interactive learning activities focused on healthy relationships and dating/domestic violence. Numerous activities were planned throughout the month of February in recognition of Teen Dating Violence Awareness Month. The Red Flag Campaign, a national campaign aimed at encouraging students when they see a red flag in a relationship to say something, was the cornerstone activity connecting students to the educational programming that took place throughout the month. Activities included educational/promotional materials (posters, yard signs, banners), a social media campaign, a presentation of the One Love Foundation’s Eiscation workshop and presentations to various student groups. The month is dedicated to the memory of Karlie Hall. The Clothesline Project was displayed on campus, and students could make shirts to display during Sexual Assault Awareness Month in April.

The Center for Health Education and Promotion partnered with the Center for Student Involvement and Leadership to continue the work of programming for fraternity and sorority members. Many individual fraternities and sororities participated in the sexual-assault program “Greeks Against Sexual Assault,” created by the peer educators. The program focuses on definitions and statistics, myths vs. realities, bystander intervention, Greek Life rituals and procedures, how to support a survivor, and resources and referral information. The Greeks held their four Wellness Wednesday events during the 2018-2019 school year to educate students about bystander intervention and sexual violence.

A comprehensive web page [www.millerstown.edu/sexualityviolence](http://www.millerstown.edu/sexualityviolence) continues to provide students, families and the campus community easily accessible information about sexual and dating violence. 1,748 unique page views were logged from August 29, 2018, through August 29, 2019. The page contains numerous pieces of information, including reporting options, support resources, educational programming and how to support a student survivor. The page is dedicated to improving the care at which individuals can locate sexual and dating violence information on the web月底.

Distribution of sexual violence resource cards (distributed to students during orientation programming). Cards are available in various support offices across campus and can be found online. Sexual misconduct support services and reporting options were distributed to students and departments. A resource guide for LGBTQA+ students and staff was distributed as well. The Student Conduct and Community Standards Handbook provides information and guidance for student sexual misconduct.

The YWCA Lancaster continued to provide free advocacy services for survivors of sexual assault out of the Center for Health Education and Promotion every Monday afternoon from 10 a.m. - 6 p.m. Fifty-three sessions in the fall and 44 sessions in the spring occurred.

Domestic Violence Services of Lancaster provided a free advocate for students experiencing dating or domestic violence on Tuesdays from 1-4 p.m. in the Center for Health Education and Promotion. Seven advocacy sessions were held in the fall as well as 25 campus events and tabling throughout the fall and spring semesters.

The Office of Transition Programs encourages first-year-experience faculty to provide sexual-violence programming within their curriculum. The peer educators have been trained to provide sexual-violence programming within their courses.

Peer educators were provided with training on the Clery Act, Title IX, stalking and sexual-violence awareness. Students were asked to complete the online education portal Not Anymore.

A session on dating violence, domestic violence, sexual assault and stalking was provided to the residential assistants in Housing and Residential Programming by the Title IX Director and University Chief of Police.

The YWCA Lancaster provided two training blocks for their Sexual Assault Hotline training, one in the fall and another in the spring. The 40-hour training consisted of in-person and online training. The training is PCAR approved and may be transferable upon successful completion) to other rape crisis centers in Pennsylvania. Upon completion, individuals are required to complete an exit interview with the YWCA director in order to obtain a certificate of completion.

Millersville University received an It’s on Us PA grant award in November 2018 worth $29,959.50. Funding supported the continuation of the Red Flag Campaign, the development of a consent education campaign, Green Dot bystander training, social norms campaign and student assessment, and provided YWCA Lancaster Sexual Assault Counseling and Prevention experts.

2020 Annual Security and Fire Safety Report

Victim Services Numbers (all area code 717)

Victim/Witness Assistance ................................................................. 299-8048

Information on victim rights and services in the criminal justice system/community. 

Victim/Witness Hotline ................................................................. 299-8048

Victim/Witness Services ................................................................ 299-8048

Counseling and services for the surviving family of homicide victims, and robbery, aggravated assault and burglary victims.

Other Victims of Violence Hotline .................................................. 299-8048

Reimbursements for out-of-pocket loss due to personal injury.

Crime Victims Compensation Hotline .............................................. 299-8048

Domestic Violence Services of Lancaster County ......................... 299-1249

Counseling, shelter, legal protection. 

Domestic Violence Hotline .............................................................. 299-1249

Sexual Assault Prevention & Counseling Service ......................... 393-1735

Counseling and services for adult and child sexual-assault victims.

Sexual Assault Victims Hotline (YWCA) ....................................... 392-7273

Mothers Against Drunk Driving .................................................... 657-3911

Counseling, advocacy and services. 

Children & Youth Social Services .................................................. 299-7925

Counseling, information and referral services for at-risk and neglected children.

Child Abuse Victims Hotline ......................................................... 1-800-932-0313

Office of Aging ............................................................................ 299-7979

Counseling, shelter and protective services for victims age 60 and over.

Elder Abuse Victims Hotline ......................................................... 1-800-801-3070
Emergency Communication Procedures

PURPOSE
The purpose of these instructions is to establish guidelines by which the University emergency communication system, MU Alert, will be used for distribution of emergency messages to students, faculty, staff and any others who could be affected by a crisis. A crisis can be a disaster or an emergency which poses an imminent threat to their health or safety, given their presence on University property and/or its surrounding areas. The purpose is also to define various responsibilities for service, testing, maintenance of the system, training, and security. These instructions align with the Crisis Communications Plan, approved by the Millersville University cabinet in 2015 and updated in January of 2020.

MU Alert is triggered by any significant or dangerous situation involving an immediate threat to the health or safety of students and or employees either on campus, in the immediate area off campus, or at property owned or controlled by the University. A significant or dangerous situation includes a Clery crime such as a shooting, but also may involve a natural disaster such as an earthquake as well as noncriminal incidents, such as an outbreak of a communicable illness, an impending weather emergency or a gas leak. Notifications are issued without delay upon confirmation of the emergency by responsible authorities preidentified by the institution in their annual Clery Act reports.

INSTRUCTION
Millersville University recognizes its responsibility to provide accurate and timely information to the campus community and the public during emergencies. The University also recognizes its responsibility to students, faculty and staff to respond to concerns about personal safety and security, and to follow University policies concerning the release of personal information. In keeping with this commitment, the University will make every effort to inform students, employees, and individuals of an emergency, as quickly as possible, using MU Alert as well as other communication methods. The University will also follow standard procedures for the authorization and creation of emergency messages, approving authorized users, maintaining security, training and defining responsibilities.

SCOPE
In the event of an immediate or critical threat to the campus community, the University has procedures in place to activate the emergency communication system. Such emergencies shall include only those catastrophic or dangerous emergency events where there is an immediate threat of physical harm to community members and there is no time to warn of the crisis in advance. Such threats may be either on campus, in the immediate area off campus, or at property owned or controlled by the University. Therefore, Millersville University will activate MU Alert for those threats requiring immediate action by members of the campus community.

BACKGROUND
In the event of an imminent emergency (immediate or critical threat to the health or safety of students, faculty, staff and any others who could be affected by a crisis), Millersville University will attempt to notify as many campus constituents as possible of the nature of the emergency, where the emergency is taking place, and what they should do to protect themselves. Following the notification, including updates and notifications that the emergency has ended, will also be made. The goal is to provide individuals with timely and accurate information so they may seek shelter, escape, or otherwise protect themselves.

Millersville University has a multi-faceted and redundant emergency communication system designed to get information to a critical mass of campus constituents and provide appropriate direction on how to avoid potential harm. The system is detailed in the Crisis Communications Plan. Millersville University will only use MU Alert to notify campus constituents of imminent emergencies and weather alerts (this will include any cancellations and/or delays as well as thunderstorm warnings and tornado warnings issued for the 7551 area code).

PROGRAM
The Millersville University Crisis Communications Program details specific duties, responsibilities and actions to be taken by the University to ensure emergency communication takes place in a timely, accurate and coordinated fashion.

AUTHORIZATION OF NEW USERS
Only those University employees authorized to use the emergency communication systems may do so.

Authorization to new users is provided by University Administration. Once approved by the University Administration, access to the University emergency communication systems is provided to new, authorized users by the MU Alert administrator.

AUTHORIZATION TO SEND ALERT MESSAGES
Designees from the following University offices have the authority to approve dissemination of an emergency text message or other emergency alert message:

1. Office of the Vice President of Finance and Administration
   - Director of Environmental Health and Safety
   - Police Chief, Deputy Police Chief and Lead Investigator
   - Assistant VP for facilities

2. Office of the Vice President for Advancement
   - Director of Communications
   - Assistant Director of Communications

3. Office of Chief Technology Officer
   - Applications manager

MESSAGE COMPOSITION
All emergency communication messages must adhere to the limitations (8 of characters) set forth by the alert technology.

Where possible, utilize prepared emergency messages (“scenarios”).

When developing emergency alert messages, be brief, concise and accurate.

When possible, in the message body, refer the receiver of the emergency alert to the MU home page for more information and updates.

Sending Messages

• Only if absolutely necessary, send out multiple alerts. Try to send one initial alert message, and only use the emergency communication systems for follow-up alerts (updates, changing conditions, termination of the emergency, etc.).

When time permits, have University Administration and University Communications and Marketing review the message before it is sent.

• The person sending the alert message shall notify others so that all offices are sharing consistent information and are not sending duplicate messages.

• When time permits, notify the VFPA and the VFSAEM prior to sending an emergency message. Cabinet members will be alerted by the appropriate call tree as spelled out in the Crisis Communications Plan.

FOLLOW-UP MEASURES AFTER THE ALERT IS SENT

• University Police patrol officers will immediately contact Lancaster County-Wide Communications with the content of the emergency message and a very brief overview of the need for the emergency message.

• Ensure the MU Chief of Police (or designee), the Director of EHS (or designee) and Director of Communications (or designee) are notified.

• Notify all on-duty MUPD officers that the alert is about to be sent.

• Communications or Information Technology may initiate “web hit” measures to the MU home page and place the initial emergency message onto the home page. They will add more information and updates to the MU home page as it becomes available.

University Telecommunications is authorized to reduce the number of telephone lines answered following an emergency text message to only the X457 number.

The Director of Communications may prepare a media script for use by MU Call Center Dispatchers following the sending of all emergency messages. This way, dispatchers can answer public phone call questions in a consistent manner.

Responsibilities of individuals are spelled out in the Crisis Communications Plan.

SECURITY
Access to the emergency communication systems is only possible through secure logon procedures using security information and authorization. Authorized users may not share their passwords or other security information with others.

TRAINING
All authorized users and trainees will receive training in how to prepare emergency communication messages and use the technology to send the messages. Authorized users and administrators will also become familiar with this policy and its requirements.
Emergencies on Campus

MEDICAL EMERGENCIES - CALL 911
For medical emergencies that appear to be life-threatening, such as head, neck or back injuries; excessive bleeding; breathing difficulty; convulsions; loss of consciousness or chest pains:
Call 911 for an ambulance; be sure to give exact location and nature of emergency.

NONEMERGENCY MEDICAL SERVICES
For medical situations that do not appear to be life-threatening where the injured or ill party is mobile:
Contact Health Services staff at (717) 871-5250 and a police transport will be arranged, or dial (717) 871-4357 to contact University Police to escort the party to Health Services. Members of the campus community should check with Health Services for the actual hours of coverage.

POLICE EMERGENCIES - CALL 911
For situations that require urgent police assistance, such as criminal or suspicious activity, disorderly or threatening behavior in progress, or a vehicle or pedestrian accident:
Call 911 for University Police; be sure to give exact location and nature of the emergency.

FIRE EMERGENCIES
Upon discovery of a fire, activate the local alarm and vacate the area.
If a fire is suspected but not observed:
Activate the local alarm, then contact University Police at 911. Contact University Police from a safe location. If you suspect a fire, do not remain in the building.
When in doubt regarding a fire emergency (smoke visible but no flames, strong electrical burning odor):
Call 911, then University Police at 911 if it appears safe to do so.

For routine University Police information or assistance, call (717) 871-4357.

911 Information System
The 911 emergency dialing system facilitates the prompt response of police, fire and ambulance services to the campus community. When caller dials 911, each campus phone will create a display at the Lancaster County Dispatch Center, DO NOT HANG UP. Explain to the operator that you dialed 911 by mistake; seldom will additional action be taken. If you fail to stay on the line and explain that a mistake has been made, emergency personnel will respond to your location, and appropriate action will be taken.

Campus Security Authorities
The Campus Right to Know Act mandates that institutions disclose statistics both for crimes reported to criminal justice agencies and crimes reported to other members of the campus community. Local police agencies providing crime data include the Millersville Borough Police, Manor Township Police and the Lancaster City Bureau of Police. While everyone on campus is encouraged to report crime, under the Campus Right to Know Act some individuals are designated as campus security authorities. The name campus security authority is somewhat misleading, as it is applied to a group of people who by function are not necessarily engaged in security-related work. According to the law, any person who has the authority and duty to take action or respond to particular issues on behalf of the University, or has significant responsibility for student activities, is defined as a campus security authority.

Because job titles and official responsibilities vary from campus to campus, the Campus Right to Know Act does not provide a list of specific titles and/or functions that should be designated as a campus security authority. At Millersville University the following titles have been recognized as campus security authorities (CSA) in addition to all sworn and unsworn members of the Millersville University Police Department:
• Vice President for Student Affairs and Enrollment Management, all subordinate administrators and all division staff, excluding clerical staff.
• All athletics coaches and assistant coaches.
• Title IX Coordinator and subordinate nonclerical staff.
• Executive Director of Human Resources and subordinate nonclerical staff.
• Advisors to any student group.

NOTE: Students may be included in this category if they are employees of the University, have student activity status (to include residence hall assistants and peer educators).

Voluntary, Confidential Reporting
Certain individuals who have responsibility for student and campus activities are exempt from disclosing information. Pastoral and professional licensed counselors are exempt from disclosing reported offenses if they are acting in their role of pastoral and professional counselors. Counselors so noted are still encouraged to provide confidential reporting information to crime victims. Such confidential reports are still valuable in enhancing the safety of the greater campus community and in ensuring the accuracy of campus crime data. CSAs are notified of their responsibility on a yearly basis and have a tutorial available to them at the University Police website:
www.millersville.edu/police/.

Emergency Communication Phones
There are 46 emergency communication stations located at various locations around the campus. Wall-mounted phones are yellow in color, and the results of these tests are available through the University Police to escort the party to Health Services. Members of the campus community should check with Health Services for the actual hours of coverage.

2. The dispatcher will respond to the caller.
3. State the nature of your emergency and confirm your location.
4. Follow the directions of the dispatcher.
Only the large button needs to be pushed to summon aid.

Tips for Maintaining a Safe and Secure Campus
IN THE OFFICE OR CLASSROOM:
• Avoid working or studying alone in a building at night. Keep your purse and petty cash in a locked cabinet or drawer.
• While in class or in the library, keep personal belongings in view.
• Use LiveSafe’s safewalk feature or the University Police Escort Service guidelines.
• Report anyone who behaves suspiciously to the University Police. Remember his/her appearance and relay it to the dispatcher.

ON THE STREET:
• Stay in well-lit areas; walk midposition between curbs and buildings, away from alleys, entries and building edges.
• Carry only necessary credit cards and money.
• Obtain a whistle from the University Police, and carry it with you at all times.
• If you are followed, act suspicious. Keep looking behind you and you may discourage the follower.
• Never hitchhike.

LIVING ON CAMPUS:
• Keep doors locked, even if you are away for only a few minutes. Remember that most losses occur during the day.
• Use the peepholes in residence doors before permitting entry to anyone. If the peephole is broken or missing, notify the hall staff.
• Keep an accurate inventory of your possessions. Engraving tools may be borrowed from the University Police for inscribing your driver’s license or ID number.
• If you return to your residence and suspect that it has been illegally entered, do not enter. Call University Police immediately.
• If someone you don’t know tries to enter a building behind you, or asks to go past the security checkpoint with you for any reason, say NO.
• If you see a suspicious person in a corridor or lounge, or if someone you don’t know tries to enter a building behind you, or asks to go past the security checkpoint with you for any reason, say NO.
• If you see a suspicious person in a corridor or lounge, or if someone you don’t know tries to enter a building behind you, or asks to go past the security checkpoint with you for any reason, say NO.

2020 Annual Security and Fire Safety Report

Safety Information Activities
The University Police use a variety of media to address issues of campus safety:
• An annual report, a comprehensive report of all crimes reported to the University Police, is compiled, published and widely distributed yearly. This information may also be accessed through the University Police website at www.millersville.edu/police.
• Crime and safety programs presented by peer educators from the Center for Health Education and Promotion, members of the Lancaster County District Attorney’s Office, police investigators, and/or the Millersville University Police are offered each year. There is no charge for the service, and group presentations can be organized during late evening hours and adjusted for any group size. The University Police currently have three police-specific peer educators, students who also assist groups and individuals with academic projects related to crime and safety. Programs or educational materials can be scheduled or ordered by contacting the appropriate office. Generally, programs through the University Police require a two-week advance notice. Over the last three years, University Police have conducted presentations during faculty and staff group meetings. Some examples of what kinds of programs are offered at Millersville University include: MUI Get Involved, ALICE active shooter prevention training and the Women’s Commission programs.
• The campus newspaper, The Snapper, reaches almost every member of the University community and covers campus crimes and arrests. Major feature articles are presented frequently on issues relating to student safety. Published weekly, The Snapper addresses every major campus issue, including safety and security concerns. It should be noted, however, that the University Police have no editorial control over what appears in the campus newspaper. Information releases are furnished to the staff of The Snapper, but final published information may differ from the information releases due to the editors’ selective omissions. All arrests are public information.
• WIXO-FM, the campus radio station that serves the greater Millersville community, is sensitive to the needs of the community and broadcasts public service announcements upon request.
• Daily Log is a public record of all incident reports filed by the University Police. The daily log is available for public inspection Monday through Friday during normal business hours at 237 North George Street (Lebanon House), except holidays and with the permission of the University is officially closed. Those desiring to see entries on the daily log during hours other than those so noted must make an appointment through the chief of police to make sure that an accurate record is available to release the document. The daily log is currently available in hard copy format ONLY. The University reserves the right to withhold information from the log when posting such information could jeopardize an ongoing investigation, or the personal safety of a victim, accused or witness. Any information or posting temporarily withheld from the daily log for any lawful justification will be posted once adverse effects are no longer likely to occur. The daily logs are maintained for seven years, as suggested by law.
• An employee newsletter. Millersville Exchange, is published online bimonthly and carries articles regarding safety issues or policies when appropriate.
• The University Police website provides safety tips, crime statistics for a three-year period, a campus map, emergency response

Staff

Millersville University

11
EMERGENCY NOTIFICATION POLICY

SCOPE

Emergency Notifications may be issued for threats to personal safety such as street robbery and sexual assault. They may also be issued for weather-related and/or safety issues such as a pending tornado or street closing because of a building fire. It is irrelevant whether the victims or perpetrators are members of the campus community. Local police jurisdictions generally keep the University Police informed when such crimes take place near campus.

Personal and professional staff who have access to university information are responsible for informing the people who are affected by the event.

COMUNICATION OF THE WARNING

Such warnings may be distributed through:

1. Campus email blast to faculty, staff and students.
2. Electronic voice mail messages used to provide "flash" information or brief messages of public-safety importance. Messages may include weather, safety or crime-related information. These messages may contain more detail than a text message. Intended recipients include anyone who is registered with a Millersville account or is registered with the MU Alert system.
3. Mass Notification System Sirens – Outdoor audible tone and voice notification system. Alerts may be issued for weather, safety or crime-related information. Intended recipients include the campus and local Millersville community, as the system has an outdoor range of one-half mile or more, depending on wind and other weather conditions. The system is not intended to be heard indoors.
4. Web Page Lite – Electronic messages appearing on the MU home page used to provide information relating to weather, safety or crime. In the event of a campus emergency, the normal Millersville University home page will become inactive and a graphics-lightened page will appear that is intended to load more quickly and allow for faster reading time. Intended recipients include anyone who accesses the campus home page during a campus emergency.
5. Local News Media – The Office of University Communications and Marketing sends press releases and makes calls to contacts on a local media list. Because of the transient nature of its population, the University depends on a great deal on broadcast media to notify students, faculty members and staff members of emergencies before or during their campus commute.

NOTE

1. In the event of a campus emergency, the campus telecommunications operations will reduce service to phone lines and voice communications through radio to police officers only. DO NOT attempt to request routine service, including information services, etc., if the University is in a campus emergency operations situation.

Persons responsible for carrying out Notifications are the chief of police, deputy chief of police, lieutenant of police, Director of Safety and Environmental Health, Assistant Vice President for Facilities Executive Associate Department of Office of Vice President for Finance, and Director of Communications.

Campus Residence Halls

The University operates eight residence halls, all coed, housing about 2,214 undergraduate students. Residence hall housing is limited to unmarried students or married students residing separately. Residence halls are available for 2-person occupancy, with a choice of options or suites. The residence halls are managed by the Hall Director and graduate assistants, who supervise a staff of resident assistants. Resident assistants are assigned to each resident wing or floor with a general student ratio of 1:30. A full time security office for University Police is assigned to the residence halls for safety and security. This officer is assigned to evening and night work, and participates in Housing director meetings while being supervised by patrol supervisors. The security officer is trained toward student engagement and is well known by the resident hall students as an available resource.

Residents, graduate assistants and professional staff participate in mandatory in-service training at the beginning of each semester that is conducted by various professionals within Housing and Residential Programs in concert with other members of the Division of Student Affairs and Enrollment Management staff. Student development issues, campus safety and University policy and procedures are a central focus of this in-service training.

Resident students are instructed on University policy through regular floor or wing meetings, periodic all-residence hall meetings and University publications such as the Living On Campus Handbook (available annually and distributed to resident students by the Housing and Residential Programs staff) and the Millersville University Student Conduct and Community Standards Handbook, available online at millersville.edu/mypolicies. University Police crime- or incident-reporting practitioners are available to present programs in all residence halls and in any instructional venue upon request. In addition, housing staff and University Police provide brochures regarding campus regulations, local ordinances and state laws to students upon request.

Access to the residence halls is limited to the main lobby entrance 24 hours a day. All halls have card access. All residence hall exterior doors are locked and staffed during the regular academic year. Access to the residence halls is limited to the special housing assignments. For more information regarding special housing assignments, see the Residence Hall section of the Living On Campus Handbook. Over-night guests may be registered into a residence hall by a valid resident. The University Police (717) 871-4357 and inform them of the location and duration of the special housing assignment. Students should not assume that the police department has been informed of the special housing assignment. Students should not enter the residence halls in an emergency without assistance. Students and visitors should be prepared to present proper identification, as the University Police will provide assistance.

Student Personal Safety

Fire Safety Report

Access to Campus Facilities

Most campus buildings and facilities are accessible to members of the campus community during normal business hours (8 a.m.-4:30 p.m.), Monday through Friday. Authorization to use facilities when the University is not in normal operation must come from the facility staff or responsible for the specific area. Proper identification, such as a University identification card, is required when using any campus building or facility.
Other Campus Facilities
In the fall of 2010, Millersville University placed into operation a facility located at 42 North Prince Street in Lancaster, Pennsylvania. The Millersville University Lancaster building was later rededicated the Ware Center. The building sits within the jurisdiction of the Lancaster City Police Department, but for nonemergency situations both the building’s coordinator and front desk reception can be contacted during normal business hours. University Police have a security officer who is assigned full time to the Ware Center in Lancaster City and is supplemented by part time security officers. These security officers are present when students have classes in the building as well as for all evening and weekend special events. These security officers are trained toward being professional, friendly guardians of students, faculty and guests and have an ability to directly radio Lancaster County 911 for either Lancaster County Police or Millersville University Police officer assistance. Crimes at this location should first be reported to the Lancaster City Police Department at 800-957-2677 or 911 if appropriate. Millersville University publishes and distributes a separate Annual Security Report for this location. Fire-safety reporting is not required for this location, for it is a nonresidential building.

Security Considerations for Maintenance of Campus Facilities
The Maintenance and Operations Branch provides a variety of services to the campus community seven days a week and 24 hours a day through scheduling and on-call staff. The department includes maintenance, automotive garage and daily operations. For more information, please see the Maintenance and Operations web link. www.millersville.edu/buildfacilities/operations
The goal is to provide the physical environment and support services necessary to conduct teaching and service activities through professional management of the operations and maintenance of the buildings, grounds and infrastructure of the University.

Student Code of Conduct
Millersville University students are governed not only by local, state and federal laws, but also by regulations of the Millersville University Code of Conduct. Violation of those regulations may lead to University judicial action in addition to any action taken by civil or criminal courts. A complete copy of the current Student Code of Conduct appears in the Student Handbook (available online at www.millersville.edu/studenthandbook/files/studentcodeofconduct.pdf). Some current violations that are subject to campus judicial and/or criminal court action include:

- Use, sale, exchange or possession of alcoholic beverages on campus.
- Use or possession of firearms, knives, explosives or any other weapon. Students who wish to store hunting guns on campus must register and store such weapons with the University Police.
- Physical assault or attempted physical assault, or harassment of any kind.
- Theft or attempted theft of the property or services of the University, its students, employees, organizations or of any individual visiting or passing through the University campus.

New Student Organizations
For students interested in creating a new club or organization, Millersville University has put together a packet to aid them. We hope it will become a mainstay on campus and provide valuable activities and information. This packet has been separated into several sections for convenience.

To start the process, the first step is to submit the form entitled “Guide to Forming a New Organization” on the Student Senate Get Involved page at https://www.millersville.edu/student-senate/get-involved/
Students will need to submit everything electronically by attaching the advisor letter of support, the constitution and the signature sheet to the online form. The full process is outlined in the Millersville University Student Club and Organization Guidebook.

Considerations of Maintenance Facilities
Millersville University utilizes several processes in the maintenance of campus facilities, including landscaping, groundskeeping and outdoor lighting. Some of the processes students, employees or others can use to report unsafe or hazardous conditions include University dispatch, University Police, computer programs (SchoolDude, ATask, LiveSafe) and University residential housing and employee staff.

Functioning lights and other unsafe conditions are reported to the Facilities Management Department for repair or correction. Once received by Facilities Management, the request is enter into a computerized work order. The work order is then processed and assigned to the staff within 24 hours. Depending on the assignment, the request is reviewed and then repair is scheduled.

Drug and Alcohol Policy
The University complies with federal, state and local laws, including those that regulate the possession, sale and use of alcoholic beverages and controlled substances. Millersville University students who use, sell, exchange, consume or possess alcoholic beverages or illegal drugs or drug paraphernalia on University property or at University functions will be dealt with in accordance with the University judicial policy as well as Commonwealth, federal and local laws.

Visitors and/or employees who violate the University’s policies and whose actions are not in compliance with the orderly operation of the University will be prosecuted in accordance with Commonwealth, federal and local laws. Visitors and/or employees involved in on-campus violation of these policies may be banned from University property.

Millersville University students, visitors and employees need to be aware of local, state and federal laws, as violations may have long-term effects on their lives. Two examples are listed below:

- Pennsylvania law requires parental notification for all alcohol law violations where the offender is under 21 years of age.
- As also a note, now can be emitted as this notification has existed for years, not decades.

Millersville University supports and endorses the Drug-Free Schools and Communities Act amendments of 1989. The Drug-Free Schools and Communities Act Amendments require institutions of higher education to inform the campus community about issues related to substance use and abuse, including information describing the resources available to assist students, faculty and staff in combating alcohol and drug problems, and listing the appropriate regulations and laws. The University reaffirms the commitment to a campus community environment that promotes health, safety, personal development and academic success of all faculty, staff and students. Questions regarding further information on the University’s Drug-Free Schools and Communities Act and Drug-Free Workplace Act program should be directed to the Office of Human Resources (employees) or the Dean of Students (Office of Student Affairs).

ALCOHOL AND DRUGS IN THE WORKPLACE
The unlawful manufacture, distribution, dispensing, possession or use of alcohol and other controlled substances by a University employee while on duty, or on University grounds, is prohibited. Inappropriate use of alcohol or other controlled substances by any employee while on University grounds is prohibited. Such conduct shall subject the employee to appropriate discipline, up to and including termination. Employees who are taking a controlled substance as prescribed by a medical provider are not in violation of University policy.

Counseling and Human Development can provide additional information and services relating to substance-abuse problems, including:

- Accidents due to impaired judgment
- Unwanted sexual activity
- Physical damage to include heart, lung and liver problems
- Physical and psychological dependence
- Difficulty in learning and paying attention

In addition to offering professional counseling services, the University hires student peer educators, who provide lifestyle-change workshops. Workshop topics include a wide variety of wellness-related topics, such as alcohol and other drugs, dating and sexual violence, mental health and sexual health. The Center for Health Education and Promotion is supplied with brochures, videos, student resource files and consultation services.

DRUG-FREE SCHOOLS AND COMMUNITIES ACT
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International Programs
Millersville University has student-exchange programs in many locations around the world. Crime-reporting requirements at these schools differ significantly from methods mandated by law in the United States. Students are encouraged to seek out general crime information upon arrival at any foreign college or university. No reports of major criminal activity at any one of the participating exchange schools were received at the Millersville University Police Department. Exchange students should, however, take responsibility in matters dealing with personal safety and property protection.

2020 Annual Security and Fire Safety Report

Millersville University
**Sexual Violence and Prevention Information**

Millersville University is strongly committed to maintaining a positive learning, working and living environment for all and assuring its educational and employment environment is free from and provides unlawful sex discrimination, including sexual harassment and sexual violence. Other prohibited offenses include domestic violence, dating violence, sexual assault, and stalking. To ensure that the educational setting (on or off campus) may implicate several state and federal laws, including the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics (Clery Act), as amended by the Violence Against Women Act (VAWA), and a federal civil rights law titled Title IX of the Higher Education Amendments of 1972.

**Definitions**

**NOTE:** The definitions used here are the University’s definitions used in its policies to address these crimes.

**Consent:** Consent is clear, knowing and voluntary. Consent is active, not passive. Silence, in and of itself, cannot be interpreted as consent. Consent can be given by words or actions, as long as those words or actions create mutually understandable, clear permission regarding willingness to engage in (and the conditions of) sexual activity:

1. Consent to any one form of sexual activity cannot automatically imply consent to any other form of sexual activity.
2. Previous relationships or prior consent cannot imply consent to future sexual acts.
3. In order to give effective consent, one must be of legal age.

**Dating Violence:** The term “dating violence” means violence committed by a person who is or has been in a social relationship of a romantic or other emotional nature with the victim, and 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.

**Domestic violence:** The term “domestic violence” includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction wherein the crimes were committed, 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.

**Investigation:** This is a systematic collection of all reasonably ascertainable and relevant facts in a fair and objective manner. An assigned investigative team conducts an investigation, including investigatory interviews of witnesses, the employee or student making the complaint, and the employee or student respondent. The investigative team prepares an investigative report at the conclusion of the investigation. Generally, the investigative team will consist of the Title IX Coordinator and Director of Human Resources; however, depending on the circumstances of the complaint, alternative individuals may be assigned to conduct an investigation of a complaint.

**Rape:** The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

**Sexual assault:** This form of sexual violence is any involuntary sexual act in which a person is threatened, coerced or forced to engage against their will, or any nonconsensual sexual touching of a person. This includes acts such as forced vaginal, anal or oral penetration or drug-facilitated sexual assault, groping, forcing, kissing, child sexual abuse, or the torture of the victim in a sexual manner.

**Incest:** Nonconsensual sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

**Statutory rape:** Nonconsensual intercourse with a person who is under the statutory age of consent.

**Fondling:** The touching of the private parts of another person for the purposes of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

**Stalking:** Stalking, also known as “stalking,” means engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others, or suffer substantial emotional distress.

Millersville University has printed handbook material on the crimes of dating violence, domestic violence, sexual assault and stalking at the following locations: Millersville University’s Police Department, Center for Health, Safety and Promotion, Office of Judicial Affairs, Title IX Coordinator, Health Services, and University Center for Counseling and Human Development.

**DRUG-FREE WORKPLACE POLICY**

Pennsylvania’s State System of Higher Education Board of Governors in 1989 adopted a drug-free workplace policy that states: “The State System of Higher Education, Commonwealth of Pennsylvania, hereby declares as its policy that the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited at any workplace under the authority of the Board of Governors. Any employee violating the policy will be referred to the Commonwealth’s employee assistance program and/or disciplined in an appropriate manner, up to and including termination. Discipline, when appropriate, shall be taken under relevant provisions of collective-bargaining agreements, Civil Service Commission policy or other human resource policies adopted by the Board of Governors.”

For more information about drug and alcohol programs, please contact Millersville University’s Center for Health Education and Promotion at (717) 871-4141, or visit the web page at www.millersville.edu/chep. The University’s Drug and Alcohol Prevention Program biennial review for the 2019 period can be found at www.millersville.edu/cfca.18

**Educational Programs**

Millersville University offers the following educational programs (some online) for all incoming and current students and employees:

- All incoming and transfer students are asked to complete the Student Success online education portal, Not ANymore, prior to arriving on campus in August. The portal includes information on dating violence, domestic violence, sexual assault and stalking. In order to ensure that students completed the portal, we continued our partnership with the Wellness Center to integrate the online into the educational curriculum of the WELL175 course, which is a course that most students are required to complete before graduation and often is taken during the students’ first year on campus. Wellness faculty are requiring students to complete assignments relating to the content of the portal, are working to integrate information into the curriculum that students encounter in the postenrollment education, the portal, and are encouraging individual and group discussions about sexual violence. Additionally, orientation leaders encouraged student completion of the portal through ongoing communication with students about the importance of the educational portals.

- 808 MU students completed the Not ANymore program in 2019-2020.

- During orientation, students are engaged in several programming efforts to build upon the content of the online education portal. In 2019 these activities included:
  - The Center for Health Education and Promotion presented an orientation skit, “Millersville University: A Community of Respect with each Educator.”
  - Inclusion of sexual violence information in the campus safety presentation.

- The University provides a First 6 Weeks sexual violence education program to students and staff about health-related issues. Many faculty members offer students extra credit for participation, information is integrated into several department curriculums, students are approached by peer educators across campus, and educational workshops and awareness events are provided. A large focus of the First 6 Weeks includes information about the Red Zone.

- Athletics program: A presentation from the peer educators on health-related information, which included educational materials on sexual assault awareness, bystander intervention, and rape prevention. The Red Flag Campaign, a national campaign aimed at encouraging students when they see a red flag in a relationship to say something, was the cornerstone activity connecting students to the educational programming that took place throughout the year. The campaign included educational materials (posters, yard signs, banners and red flags), presentation of the One Love Foundation’s Education workshop and presentations to various campus organizations.

- Wellness Wednesdays: Throughout the semester, peer educators set up interactive opportunities outside of the Center for Health Education and Promotion to provide additional learning opportunities about sexual assault, domestic violence, dating violence and stalking.

- Awareness events this year included Purple Carnival and the Clothesline Project. The Purple Carnival took place in October during Domestic Violence Awareness Month. The event with campus student organizations that engaged students in interactive learning activities around healthy relationships and dating/domestic violence. Numerous activities were planned throughout the month of February in recognition of Teen Dating Violence Awareness Month. The Red Flag Campaign, a national campaign aimed at encouraging students when they see a red flag in a relationship to say something, was the cornerstone activity connecting students to the educational programming that took place throughout the year. The campaign included educational materials on sexual assault awareness, bystander intervention, and rape prevention. The Red Flag Campaign, a national campaign aimed at encouraging students when they see a red flag in a relationship to say something, was the cornerstone activity connecting students to the educational programming that took place throughout the year. The campaign included educational materials on sexual assault awareness, bystander intervention, and rape prevention.

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**Violence Prevention Education Workshops Include:**

- Getting Down in the Green: This program is aimed at raising awareness about sexual assault and the Red Zone (the time starting on the first day on campus until the first break, when students are at an increased risk of being sexually assaulted). The program provides information on bystander intervention, myths vs. facts about sexual assault, and what a bystander intervention, Greek Life rituals and procedures, how to support a survivor, and resources and referral information. The Greeks held their third Wellness Wednesday event during the 2019-2020 school year to educate students about bystander intervention and sexual violence. A comprehensive webpage (www.millersville.edu/wellness) provides information to students, families and the campus community easily accessible information about sexual and dating violence.

- Escalation: From the One Love Foundation, this program includes a film that illuminates the warning signs of an unhealthy and potentially abusive relationship, and prompts students to think about relationships, how to identify warning signs in unhealthy relationships, and how to be an active bystander (90 minutes).

- Sea Goes to the Movies: This program uses popular movies, clips, and sites to highlight issues related to gender roles, alcohol consumption, consent and how to make healthy personal decisions.

- Red Zone: In partnership with the Center for Health Education and Promotion, the program is designed to teach students how to recognize the dangers of the Red Zone, dating violence, domestic violence, sexual assault and stalking.

- Wellness Wednesdays: Throughout the semester, peer educators set up interactive opportunities outside of the Center for Health Education and Promotion to provide additional learning opportunities about sexual assault, domestic violence, dating violence and stalking.

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  a. the length of the relationship.
  b. the type of relationship.
**Prevention**

What safe and positive options are available for bystanders to take?

<table>
<thead>
<tr>
<th>Activity Name and Type (Wellness Workshops)</th>
<th>Brief Description of Activity</th>
<th>Date of Activity</th>
<th># of Students Reached</th>
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<td>DVSV Red Flagon</td>
<td>2/14/21</td>
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<td>2/14/21</td>
<td>15</td>
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<tr>
<td>Awareness Events</td>
<td>Do you want a kiss?</td>
<td>2/14/21</td>
<td>15</td>
</tr>
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<td>Tab on the Banes</td>
<td>3/10</td>
<td>25</td>
</tr>
<tr>
<td>Outreach</td>
<td>Green Dot</td>
<td>3/21</td>
<td>40</td>
</tr>
<tr>
<td>Outreach</td>
<td>Fit It On Us</td>
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</tr>
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<td>DVSV Red Flagon</td>
<td>3/14/21</td>
<td>18</td>
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<tr>
<td>Awareness Events</td>
<td>Do you want a kiss?</td>
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**What warning signs of abusive behavior, and how can potential attacks be avoided?**

Warning signs of abusive behavior include threats of violence, jealousy and controlling behavior. Potential attacks can be avoided by observing unsafe behaviors. The following are safety tips that can be used to avoid unwanted situations:

- Be aware of your surroundings, and avoid isolated areas.
- Avoid being alone with someone you do not trust or know well.
- Make sure your cell phone is with you and charged.
- Use the buddy system when going out or walking at night.
- Use the LiveSafe walk app.
- Utilize Millersville’s escort program.
- Should you choose to drink, do not let others get drinks for you. Always know what is in your drink.
- Never leave your drink unattended.
- Be cautious of those who pressure you to drink more than you want.
- Do not give in to guilt, pressure, threats or embarrassment.
- In case of an emergency, dial 911.

**Reporting an Incident**

**Who to Report To:**

Title IX Coordinator, Deputy Coordinators, University Police

Sexual assault is one of the most troubling of all campus crimes. The University provides on-campus victim advocacy services through the YWCA and Domestic Violence Services. In addition, a summary of relevant information in the Student Right to Know and Campus Security Act. Educational programming and support services for rape, acquaintance rape and other sex offenses are provided by members of the Red Flagon, members of the campus community can secure information from the University Police and Office of Housing and Residential Programs in addition to the Counseling Center, University Health, Center for Health Education and Promotion. Don’t be afraid to get help.

**If you are sexually assaulted, raped or stalked, it is important that you follow the steps noted below:**

- For cases of sexual assault or rape, get medical attention as soon as possible to document the crime and to collect evidence, which may be used if you wish to take legal action. Lancaster General Hospital, 555 N. Duke St., Lancaster, has a sexual assault nurse examiner, or one could get a sexual assault forensic exam.
- Attempt to preserve all physical evidence of the crime, which means that you should not wash, douche or change clothing. If you must change, put all your clothing in a paper bag. Preserve the scene of the crime as much as possible.
- For those who are sexually assaulted, raped or stalked, it is important to contact the appropriate police department. If the incident took place on campus, dial 911 for the University Police. If the incident took place off campus, local police may be reached by calling 911.
- Asking another bystander or a number of other bystanders to intervene with you ONLY if it is safe to do so.
- Notifying law enforcement by calling 911.
- Asking other bystanders to intervenne with you and to do so if it is safe to do so.
- Following a report of dating violence, domestic violence, sexual assault or stalking, whether the offense occurred on or off campus, the University will provide the student or employee a written explanation of the victim’s rights and options.

**If you plan to initiate charges through the criminal justice system:**

- It is important that you contact the police as soon as possible after the incident; however, if you decide at a later date to report the incident, you may still do so.
- For Title IX compliance, the Title IX Coordinator will be informed of the incident and the victim’s identity.
- The purpose of the police report is to protect you and others from future harm.
- The police report is the most accurate and reliable documentation of the event. As a victim, you have control over the direction of prosecution. Reporting an incident does not require prosecution.
- You should give a statement of what transpired. You should give a statement of what transpired.
- Should you wish to pursue prosecution, you will be required to give a statement of what transpired and possibly a deposition.
- An investigator from the University Police (if appropriate) will accompany you through every step of the justice system.
- Should you wish to file a criminal complaint, you should file a criminal complaint with the police department.
- The University Police will provide a written statement of the victim’s rights and options.
- The University Police will provide written notification to students and employees about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available to victims, both within the institution and in the community.
- Following a report of dating violence, domestic violence, sexual assault or stalking, whether the offense occurred on or off campus, the University will provide the student or employee with a written explanation of the victim’s rights and options.

**Prevent harm or to intervene when there is a risk of domestic violence, dating violence, sexual assault or stalking:**

All members of the Millersville University community should take safe and positive action when intervening with the risk of domestic violence, dating violence, sexual assault or stalking. There is no single “right” way to intervene, and what is appropriate depends on the situation and the individuals involved.

Available intervention strategies can include but are not limited to:

- Asking the individuals involved to stop what they are doing.
- Using a distraction in an effort to stop an individual’s activities.
- Making sure your cell phone is with you and charged.
- Use the buddy system when going out or walking at night.
- Use the LiveSafe walk app.
- Utilize Millersville’s escort program.
- Should you choose to drink, do not let others get drinks for you. Always know what is in your drink.
- Never leave your drink unattended.
- Be cautious of those who pressure you to drink more than you want.
- Do not give in to guilt, pressure, threats or embarrassment.
- In case of an emergency, dial 911.

**If the incident is a domestic/dating violence incident, obtain a Protection From Abuse (PFA) order.**

- Speak with a counselor, who can maintain confidentiality, explain your options and provide emotional support. Contact any of the areas previously noted or any external support service, such as the Sexual Assault Prevention and Counseling Center, located in the Lancaster YWCA.

- For Title IX compliance, the Title IX Coordinator will be informed of the incident and the victim’s identity.

- Millersville University will provide written notification to students and employees about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available to victims, both within the institution and in the community.

- Following a report of dating violence, domestic violence, sexual assault or stalking, whether the offense occurred on or off campus, the University will provide the student or employee with a written explanation of the victim’s rights and options.

- Millersville University will attempt to provide accommodations and/or protective measures that are available if the victim requests them and if they are reasonably available, regardless of whether the victim chooses to report the crime to campus police or local law enforcement.

- For Title IX compliance, the Title IX Coordinator will be informed of the incident and the victim’s identity.

- The purpose of the police report is to protect you and others from future harm.

- Should you wish to pursue prosecution, you will be required to give a statement of what transpired and possibly a deposition.

- An investigator from the University Police (if appropriate) will accompany you through every step of the justice system.

- Should you wish to file a criminal complaint, you should file a criminal complaint with the police department.

- The University Police will provide a written statement of the victim’s rights and options.

- The University Police will provide written notification to students and employees about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available to victims, both within the institution and in the community.

- Following a report of dating violence, domestic violence, sexual assault or stalking, whether the offense occurred on or off campus, the University will provide the student or employee with a written explanation of the victim’s rights and options.

- Millersville University will attempt to provide accommodations and/or protective measures that are available if the victim requests them and if they are reasonably available, regardless of whether the victim chooses to report the crime to campus police or local law enforcement.

- For Title IX compliance, the Title IX Coordinator will be informed of the incident and the victim’s identity.

- The purpose of the police report is to protect you and others from future harm.

- Should you wish to pursue prosecution, you will be required to give a statement of what transpired and possibly a deposition.

- An investigator from the University Police (if appropriate) will accompany you through every step of the justice system.

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Millersville University Employees

Sexual Harassment

Millersville University is committed to assuring that its educational and employment environment is free from unlawful discrimination and harassment based upon an individual’s sex. Sexual harassment, in any form, is considered unacceptable behavior and counterproductive to the mission of an educational institution. Students, faculty and staff form bonds based on intellectual trust and dependence. The University regards sexual harassment behavior, whether verbal, nonverbal, written or physical, as a violation of the standards of conduct required of all persons associated with the institution. Accordingly, those inflicting such behavior on others are subject to the full range of internal institutional disciplinary actions up to, and including, separation from the University. Likewise, acts of retaliation will not be tolerated and are subject to the same range of disciplinary actions. The University regards any retaliatory behavior as unacceptable and is committed to protecting the rights of any student and/or employee who reports any allegations of sexual harassment against any retaliation. Retaliation will be considered a separate offense. Please refer to the sexual violence and dating violence awareness page at www.millersville.edu/sexualviolence/index.php.

The University is able to deliver its mission and goals efficiently and effectively when each employee meets the standards of conduct and performance. Through performance appraisals, training and development, and coaching and counseling, management and supervision strive to maintain and improve employee conduct and performance through these positive actions. When these measures are not effective and the employee fails to meet established standards, disciplinary action may be necessary. Disciplinary procedures have been established pursuant to the Merit Principles Policy and the collective-bargaining agreements negotiated between the Commonwealth and employee organizations. The Commonwealth and the University operate on the principle of progressive discipline, which strives to match the severity of the infraction committed, taking into consideration the work and disciplinary history of the individual. In certain circumstances, when the actions of the employee are not conducive to rehabilitation or the conduct is too egregious to continue employment, termination may be imposed. Due to the amount of differences in the bargaining units, the following is a list of those bargaining units and the procedures for discipline with them:

American Federation of State, County and Municipal Employees (AFSCME)

These employees typically perform work in the clerical field, accounting, maintenance and trades, groundskeeping, custodial, and information technology.

www.passhe.edu/inside/HR/LR/Documents/afscme_agr.pdf

www.passhe.edu/inside/HR/LR/Documents/afscme_memo.pdf

Association of Pennsylvania State College and University Faculties (APSCUF)

These employees hold positions as full- and part-time teaching faculty, department chairpersons, librarians, athletic trainers and faculty members whose basic responsibilities lie outside of the classroom setting.

www.passhe.edu/inside/HR/LR/Documents/apscuf_agr.pdf

Management (Nonrepresented Employees)

These employees hold professional and managerial positions such as accountants, bursars, registrars, human resource generalists, maintenance managers, information technology specialists and academic deans. The State College and University Professional Association (SCUPA)

These employees typically hold professional positions working in admissions, financial aid, residence life, registrar or career services.

www.passhe.edu/inside/HR/LR/Documents/scupa_agr.pdf

Coaches (APSCUF Nonfaculty Athletic Coaches)

These employees hold positions as nonfaculty athletic coaches.

www.passhe.edu/inside/HR/LR/Documents/coaches_agr.pdf

Security, Police and Fire Professionals of America (SPFFA)

These employees typically hold professional positions working as patrol officers, supervisors, patrol officers or security officers.


Office of Professional Employees International Union Healthcare Pennsylvania (OPEIU)

These employees typically hold University-registered nurse, University-certified registered nurse practitioner, or University-registered nurse supervisory positions.

www.passhe.edu/inside/HR/LR/Documents/opeiu_agr.pdf

www.passhe.edu/inside/HR/LR/Documents/opeiu_memo.pdf

Annual Sexual-Violence Statistics

The chart below shows the incidents that were reported to the Millersville University Police and Title IX Coordinator.

<table>
<thead>
<tr>
<th>Crime Category</th>
<th>ON CAMPUS</th>
<th>RESIDENCE HALL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Domestic Violence</td>
<td>0 0 0 0 0 0</td>
<td>0 0 0 0 0 0</td>
</tr>
<tr>
<td>Dating Violence</td>
<td>0 0 0 0 0 0</td>
<td>0 0 0 0 0 0</td>
</tr>
<tr>
<td>Stalking</td>
<td>2 2 1 0 0</td>
<td>0 0 0 0 0</td>
</tr>
</tbody>
</table>

Sexual-Assault Information

Sexual assault is one of the most troubling of all campus crimes. The University has initiated a Sexual Assault Prevention and Survivor Support Program. In addition, the following is a summary of relevant information in the Student Right-to-Know and Campus Security Act. Educational programming and support services for rape, acquaintance rape and other sex offenses are provided by many campus organizations. Members of the campus community can secure information from the University Title IX Office, University Police, Office of Housing and Residential Life, Counseling Center, Health Services, and Center for Health Education and Promotion. Don’t be afraid or reluctant to get help.

If you plan to initiate charges through the criminal justice system in cases such as dating violence, domestic violence, sexual assault and/or stalking:

• Contact with the police should be made as soon as possible after the incident; however, if you decide at a later date to report the incident, you may still do so.

• For Title IX compliance, the Title IX Coordinator will be informed of the incident and the victim’s identity.

• The purpose of the police report is to protect you and others from possible future victimization—as a victim, you have control over the direction of prosecution. Reporting an incident does not require prosecution.

• Should you wish to pursue prosecution, you will be required to give statements, attend a preliminary hearing and possibly a trial. An investigator from the University Police (if appropriate) will accompany you through every step of the justice system. See also the Victim Bill of Rights provided by the investigating police department.

If you plan to initiate charges through the Student Code of Conduct:

Allegations of sexual misconduct can mark a very difficult period for both the complainant and the respondent. Title IX of the Education Amendments of 1972 and its underlying regulations mandate that educational institutions are to address cases of sexual misconduct against students, whether perpetrated by peers or by employees of the institution. Millersville University has appointed a Campus Title IX Coordinator. The Director of Judicial Affairs and the Assistant Director of Judicial Affairs serve as Deputy Title IX Coordinators who work closely with the Campus Title IX Coordinator to ensure adherence to the guidelines provided in Title IX. Alleged violations must be immediately reported to the Campus Title IX Coordinator or Deputy Title IX Coordinators. In addition, please reference the complainant and respondent rights statement if you are the victim (referred to as a complainant throughout this document) or accused person (referred to as a respondent throughout this document) of sexual misconduct. Mediation will not be used to resolve reports of sexual misconduct.
• The right to give testimony in a campus hearing by means other than being in the same room with the respondent student;

• The right to ask the investigators to identify and question relevant and employee witnesses;

• The right to have the disclosure of this information governed by the Family Educational Rights and Privacy Act and to only permit exceptions that are allowed by FERPA legislation.

**STATEMENT OF RIGHTS OF THE RESPONDENT IN CASES INVOLVING SEXUAL MISCONDUCT**

The right to an investigation and appropriate resolution of all credible complaints of sexual misconduct made in good faith to the University administration;

The right to be treated with respect by University officials;

The right to be informed of and have access to campus resources for medical, counseling and advisory services;

The right to be fully informed of the nature, rules and procedures of the campus conduct process and to the timely written notice of all alleged violations within the complaint, including the nature of the violation and possible sanctions;

The right to a hearing on the complaint, including timely notice of the hearing date and adequate time for preparation;

The right not to have irrelevant prior sexual history admitted as evidence in a campus hearing;

The right to make an impact statement during the investigation and to have that statement become a part of the report submitted to the Director of Judicial Affairs or designee for an administrative hearing;

The right to appeal the findings and sanctions given to the respondent, in accordance with the standards for appeal established for sexual misconduct cases;

The right to have the disclosure of this information provided in the investigative report available regarding the complaint, subject to state and federal law and/or information which cannot be revealed for compelling safety reasons, at least prior to the hearing;

The right to an adequate, reliable and impartial hearing closed to the public;

The right to have the University compel the presence of student, and employee witnesses and the right to challenge documentary evidence;

The right to have complaints investigated and heard by investigators and administrators who have received annual sexual misconduct training;

The right to have University policies and procedures followed without material deviation;

The right to have an advisor or advocate accompany and assist in the campus hearing process. This advisor can be anyone, including an attorney (provided at the respondent's own cost), but the advisor may not take part directly in the hearing itself, though they may communicate with the respondent's as necessary;

The right to a campus conduct outcome based solely on evidence presented during the investigation process. Such evidence shall be credible, relevant, based in fact and without prejudice;

The right to written notice of the outcome and sanction of the hearing;

The right to have the disclosure of this information governed by the Family Educational Rights and Privacy Act and to only permit exceptions that are allowed by FERPA legislation.

**ADMINISTRATIVE FACT-FINDING**

Upon a determination of an alleged sexual misconduct violation, the Campus Title IX Coordinator or Deputy Title IX Coordinators will coordinate an Administrative Fact-Finding process. This process will include interviews of the complainant, the respondent and any witnesses. Included in the Fact-Finding Report will be a summary of the allegation, a list of University policies that may have been violated and a synthesis of the facts outlined in what questions remain and elements that are in dispute or in agreement. Also, investigators will assess the credibility of both the complainant and respondent and provide an objective credibility statement based on the interviews and other facts of the case. Respondents and complainants will be informed of the outcome of the Administrative Fact-Finding process. If policy allegations have been substantiated, the Fact-Finding Report will be submitted to the Director of Judicial Affairs or designee for an administrative hearing.

**ADMINISTRATIVE HEARING PROCEDURES**

In order to make our campus disciplinary process not a criminal trial, the university administration is designed to hold students responsible for their role in violations of the Student Code of Conduct. Like in all other administrative hearings, the University will apply a “preponderance of the evidence” standard in determining whether a violation of the Student Code of Conduct occurred in cases of alleged sexual misconduct. A preponderance of the evidence standard means that it is “more likely than not” that a violation occurred. This is in contrast to “beyond a reasonable doubt,” which is the higher standard of proof required for a conviction in a criminal trial. In addition, the University has chosen to utilize an investigation model for resolving sexual misconduct complaints. The investigation model is nonadversarial and minimizes revictimization by discouraging interaction between the complainant and respondent. The investigations are conducted with all involved parties separately. Pertinent notes are synthesized and compiled into a Fact-Finding Report. If a Code of Conduct violation is prevalent in the right to Finding Report, the respondent (also known as the accused student) will be afforded an administrative hearing by the Office of Judicial Affairs. Outlined below are the additions to the existing administrative hearing procedures adhered to in cases of alleged sexual misconduct:

1. Upon receipt of the substantiated allegations in the Administrative Fact-Finding Report, an administrative hearing will be held.

2. In cases of alleged sexual misconduct, the respondent:
   a. Shall be advised of their responsibility to tell the truth before speaking to the charges;
   b. May decline to answer questions posed during a hearing. The respondent may accept the responsibility that such questions shall not be considered as evidence of a violation of the Code. However, such refusal may be considered in assessing credibility;
   c. Shall be allowed to introduce witness testimony, relevant evidence and his/her version of the events that resulted in the accusation of a violation of the Code of Conduct;
   d. May question and examine the relevant statements, evidence and documents presented in the Fact-Finding Report. The Director of Judicial Affairs, designee or hearing officer will determine if questions will be submitted in writing prior to the hearing;
   e. May bring an advisor or judicial advocate, who may consult with and advise the student/student organization but may not otherwise participate in the hearing;

3. All hearing procedures shall be carried out in a timely fashion, adhering to the following guidelines:
   a. All charges of a violation as well as the date, time and place of the hearing shall be provided in writing to the complainant, respondent or student organization;
   b. The hearing officer shall consider the evidence presented within the Administrative Fact-Finding Report and provided by the hearing officer as evidence presented in the Fact-Finding Report. The hearing officer will inform both the respondent and the complainant of the decision. If additional time is required to render a decision, the respondent and complainant shall be informed of the decision within five business days of the hearing conclusion. All decisions will be considered as final;
   c. The respondent and complainant have the right to an appeal in cases alleging sexual misconduct.

**APPEALS IN TITLE IX SEXUAL-MISCONDUCT CASES**

A student may appeal the administrative hearing decision in Title IX sexual-misconduct cases in writing to the University’s president or designee within five days following the decision. The president or designee will review the appeal and render a decision.

1. Appeals to the president or his/her designee must be based on one or more of the following:
   a. Alleged violations of hearing procedures;
   b. New information pertaining to the case that was not available at the time of the hearing that may substantially change the decision;
   c. Sanctions imposed were arbitrary or capricious for the violation of the Student Code of Conduct;

2. The president or designee will review the existing record and may:
   a. Uphold the findings and sanctions;
   b. Modify some or all of the findings and sanctions.

3. The decision rendered by the president or designee is final.

In matters of a safety and/or security risk to the campus, the president or designee reserves the right to institute measures to protect the safety and well-being of the campus. In such matters the president or designee will have sole discretion to ensure the safety of the University, including but not limited to an interim suspension.

Students found to have violated the Student Code of Conduct shall be subject to restitution, if appropriate, and a full range of penalties. Penalties shall include disciplinary reprimand, probation, disciplinary probation, suspension or expulsion.

Reporting of any criminal activity is encouraged and can be initiated by utilizing the University Police report. The report can be accessed through the University Police website at www.millersville.edu/police/police/report.php. Students may also be reported to any employee of the campus who has responsibility for student or campus activities. (See also “Campus Security Authorities” in this document.)

Regardless of where the alleged sexual assault took place, the University will assist, upon request, in changing the victim’s academic or living situation as long as what is requested is reasonable and available.

Specific questions regarding housing contracts, academic schedule changes or fee refunds should be directed to the appropriate campus office. The University Police sexual-assault investigators and/or a representative from the University Title IX Office and Lancaster County District Attorney’s Office will determine regarding specific on- and off-campus support services. The University can help with transportation with any incident or working incident.

A robust, comprehensive web page is available for all employees, students, families and the campus community with easily accessible information about sexual and dating violence. This site contains numerous pieces of information, including reporting options, policies, support resources, educational programming and how to support a survivor. The page was created to improve the ease with which individuals can locate sexual - and dating-violence information:

www.millersville.edu/sexualviolence/index.php

**www.millersville.edu/sexualviolence/index.php**
AWARENESS

• Give you more information about our institution’s disciplinary process,
• Share information on risk reduction, options that work to decrease violence, and dangerous. This promotes safety and helps people feel safe and supported.

We also consider environmental risk and protective factors as they occur throughout different levels so that we can address actual issues that may influence how or if violence is occurring within our own community and how the programs can meet our collective needs. You’ll notice some common themes throughout our programs. All of the programs will reinforce that sexual assault, domestic violence, dating violence, stalking, harassment, and social norms in healthy and safe directions.

In the descriptions of our programs below, you’ll get a sense of what programs focus on these ideas and encourage you and your peers to intervene if appropriate.

Our awareness programs may address primary prevention specifically, but may also raise your own knowledge about these types of crimes and how they can impact a campus community.

WHAT'S THE DIFFERENCE BETWEEN PRIMARY PREVENTION AND AWARENESS?

Primary prevention programs are those that are intended to stop dating violence, domestic violence, sexual assault and stalking. More than they occur through the promotion of positive and healthy behaviors that foster mutually respectful relationships and sexuality, encourage safe bystander intervention, and seek to change behavior and social norms in healthy and safe directions.

Awareness programs are programs that are community-wide (anyone can access) or audience-specific (targeted towards a certain segment of our community, or students or employees specifically) that increase your knowledge and share information and resources to prevent violence, promote safety and reduce perpetration.

WHAT IS BYSTANDER INTERVENTION?

Bystander intervention involves safe and positive options that might be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault or stalking.

Bystander intervention includes:
• Recognizing situations of potential harm;
• Understanding institutional structures and cultural conditions that facilitate violence;
• Overcoming barriers to intervening;
• Identifying safe and effective intervention options; and
• Taking action to intervene.

You’ll learn more about these options in the programs described below, but here are a few strategies for bystander intervention to consider:

GREEN DOT BYSTANDER INTERVENTION

Bystander education approach that aims to prevent violence with the help of bystanders. It is built on the premise that violence can be measured and systematically reduced within a community. Bystander intervention as a way of violence prevention is becoming popular and is an important part of our prevention philosophy on our campus; you can also find this on page 16 for reference.

They’ll also talk about how consent is defined within our jurisdiction, which you can also find on page 16 for reference.

• Discuss safe and positive options for bystander intervention. This is an important part of our prevention philosophy on our campus; you can find some of these strategies listed below.

• Share information on risk reduction, options that work to decrease perpetration and bystander inaction (by giving you the tools you need to intervene), and increase empowerment for victims of these crimes. The goal is to promote overall safety and help our institution address any conditions that might facilitate violence within our own community.

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Reporting a Crime

The University will not inform students' parents or guardians of their involvement in a situation involving sexual misconduct unless they are in major medical jeopardy. However, students are strongly encouraged to inform their parents or guardians. College officials will directly inform a student's parents or guardians only when requested to do so by the student. All reported instances of sexual misconduct will be investigated promptly, thoroughly and equitably, with appropriate response taken to ensure a safe and nondiscriminatory environment for all students, faculty and staff.

The University will inform the victim before conducting an investigation and determining appropriate action to remedy a situation. A victim may request that no investigation take place or that his or her name not be disclosed to the accused during an investigation. These requests will be evaluated according to the severity of the situation and the threat that the accused(s) poses to the overall safety of the campus community. The University will notify the victim if and when confidentiality and/or compliance with their wishes cannot be guaranteed.

Missing Persons

Student lifestyles often result in a situation where no contact is made with parents or friends, or that classes are skipped for several days. While generally there is no cause for alarm, members of the campus community are urged to use caution. Anytime a student is believed to be missing, whether or not the student is a campus resident, the appropriate police department should be immediately contacted. The University Police, the Division of Student Affairs and Enrollment Management, and Housing and Residential Programs (HARP) work together to locate missing students and check on the welfare of such students. Information on the process of a welfare check can be obtained from the student or student representative in the form of a welfare check. If the student is located, verification of the student's health and intention of returning to campus or classes is made.

If the student is not located, Millersville University will contact the appropriate police department. This will take place within 24 hours of the filing of the initial report. If the student is an off-campus resident, family or appropriate parties are encouraged to file a report with the law enforcement agency that has jurisdiction. University Police will assist in identifying the proper police agency.

University Police, the Division of Student Affairs and Enrollment Management, or HARP will make every attempt to notify all parties previously contacted when the case is brought to closure.

At the start of each semester, each student living in campus housing has the option of registering a confidential contact person to be notified in case the student is reported missing. Only campus officials authorized under the Higher Education Opportunity Act may have access to the confidential information provided by the student. The University Missing Student Policy will outline the complete process followed when a student is officially reported missing. Students should understand that a missing person investigation will be undertaken upon the filing of such a report even if no confidential contact person is listed with the University. An emergency contact person is NOT the same as a confidential contact person; however, they may be the same person.

Policy on Missing Students

www.millersville.edu/about/administration/policies/pdf/student-affairs/missingstudents/missingstudentsreference.pdf

Date-Rape Drugs

Designer or date-rape drugs can be placed in any drink, not just alcohol. Effects of such drugs may range from general illness or a feeling of euphoria, to short-term memory loss or an intoxication or aphrodisiac effect. Persons who have ingested such drugs have also reported anxiety, hallucinations, loss of muscle control, nausea and amnesia lasting up to 24 or more hours.

If anyone suspects that they or somebody they know has been drugged and/or assaulted, it is imperative that they:
• Go to a safe place.
• Call the University Police or the local police if off campus.
• Get to campus Health Services or a local hospital emergency room as soon as possible for treatment of any injuries, and possibly the initiation of a blood or urine test.

Protection from Abuse/No-Contact Orders

The highest rate of domestic abuse and dating violence takes place in the traditional college age category of 17-24. Abuse may take the form of physical or mental acting-out behaviors. Victims of abuse need not be married or living with someone to seek legal help from the police or courts. Protection from Abuse Orders are available through the Court of Common Pleas of Lancaster County. Students or other members of the campus community who request a Protection from Abuse Order should always make sure that the University Police are included in the distribution of those court documents. In addition to protection orders, the University Police may also wish to issue a No Trespass Order for the offending party named in the order. Information regarding Protection from Abuse Orders and other legal remedies may be obtained by contacting the University Police or any of the following off-campus resources:

Domestic Violence Legal Clinic
14 South Duke Street
Lancaster, PA. (717) 391-9266

Lawyer Referral Services
28 East Orange Street
Lancaster, PA (717) 393-0737

Lancaster County Court of Common Pleas
www.coc.lancaster.pa.us/233/Protection-From-Abuse

Safety Tips and Guidelines for Active-Shooter Incidents

An active shooter is a suspect who is actively discharging a firearm at police or citizens where it is reasonably expected that persons will be struck by fire. These situations normally require the first arriving law enforcement officers to take immediate action to end the danger, and not render immediate aid to injured citizens.

• Remain calm; do not engage the intruder.
• If you are in a classroom, room or office and can secure or barricade the door, staying there may be the safest option.
• If attempting to escape, do not carry phones, backpacks or other objects in your hands. Keep your hands elevated, with open palms visible to responding law enforcement officers.
• Do exactly and immediately what responding law enforcement officers tell you to do.
• Only one person in the secured room should call the police at 911. If you cannot speak, leave the line to the police open. Turn off cell phone ringers.
• Do not leave your secured room or hiding place until you are positive that it is a police officer or recognized campus official coming to help you.

ALICE Active Shooter Response Training

A.L.I.C.E. training: Teaching how to respond when an intruder threatens. A.L.I.C.E. stands for Alert, Lockdown, Inform, Counter and Evacuate. This nationally renowned training was developed following examination of school shootings, such as the one that occurred April 20, 1999, at Columbine High School in Colorado.

MUPD has adopted the program and conducts training sessions for students, faculty and staff, teaching the proactive measures that people can take when faced with an assailant entering a building or classroom.

For more information on the A.L.I.C.E. program or for training, contact Pete Anders, Chief of Police, at Peter.Anders@millersville.edu or visit www.millersville.edu/police/run-hide-fight.php, which includes the Department of Homeland Security Run, Hide, Fight video.
Campus Crime Reporting for University Employees

The Millersville University Police Department is responsible for gathering and publishing accurate and prompt reporting information required by the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, a federal law generally known as the Clery Act. A copy of the University Police publication that provides information about this law is available at Lebanon House (237 N. George St.) or at www.millersville.edu/police.

Unfortunately, some crimes that take place on a college or university campus are never reported to law enforcement authorities. Given the importance of campus security, recognizing that University employees in the course of their daily work may become aware of crimes committed on or adjacent to campus, and in light of our legal obligation to do everything possible to ensure the accuracy of our crime data, Millersville University’s CSAs are mandated to report crimes, but we urge all University employees to comply with the procedures for reporting crimes outlined herein.

Included in the law’s requirements is the stipulation that all incidents of murder, manslaughter, sexual offenses, robbery, aggravated assault, arson, burglary and motor vehicle theft taking place on the campus or on property contiguous to it be included in the institution’s annual report.

The following is information regarding procedures to be followed if you become aware of any of the crimes specified in the law:

If you learn from a victim/witness that a crime specified above has been committed on or contiguous to the campus, urge him/her to report the incident directly to the appropriate police department. If the crime occurred off but contiguous to the campus, it should be reported to the police department having jurisdiction. If you or the victim/witness is unsure of which police department to contact, the University Police will assist you in determining the appropriate one to notify.

Certain individuals who have responsibility for student and campus activities are exempt from disclosing information. Pastoral and professional licensed counselors are exempt from disclosing reported offenses if they are acting in their roles of pastoral and professional counselors.

If the victim/witness is unwilling to report the crime to the police, you must inform him/her that as a University employee, you are obligated under federal law to report the incident to the University Police. You are not required, however, to provide the name of the victim/witness to the police. Your report should include the time, date, location and description of the incident as reported to you or as much of this information as you know. University Police will then include the information in the University’s crime report.

Millersville University takes very seriously its obligation to provide accurate information to members of the campus community about crimes committed on or adjacent to the campus. Your cooperation in fulfilling this responsibility is important and appreciated.

If you have questions about this matter or would like to discuss any incident that has been reported to you, please feel free to contact University Police at (717) 871-4357 or Chief Peter Anders via email at Peter.Anders@millersville.edu.

Annual Crime Statistics (Main Campus)

Crimes reported to the Millersville University Police Department, campus officials and by other law enforcement agencies near the Millersville campus. These reports of crime are compiled in accordance with the provisions of the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act.

<table>
<thead>
<tr>
<th>CRIME CATEGORY</th>
<th>ON CAMPUS</th>
<th>RESIDENCE HALL</th>
<th>NONCAMPUS</th>
<th>PUBLIC PROPERTY</th>
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<tr>
<td>Murder/Non-Neg. Manslaughter</td>
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<tr>
<td>Negligent Manslaughter</td>
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HATE CRIMES

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PREFACE: Millersville University has changed the geographical designation of several properties contiguous to Millersville University from a statistical crime-reporting designation of “public property” to a designation of “noncampus.” This change will increase the amount of crime statistics for the University. Millersville University remains the same reporting against a redefinition that there was a significant change in crime rates among the noncampus area due to the adjacent student housing. Millersville University Police have not seen a significant change in crime rates for the adjacent property or in the adjacent area during the reporting year. The properties that were changed to “noncampus” are commonly known as Broadwalk Apartments, Reality Living Apartments, Ross Hall and Student Lodging. Millersville University does not own or control the Student Lodging Inc. properties. However, it does manage Ross Hall and Student Lodging LLC. All of these properties are owned by Millersville Borough contiguous to Millersville University. The initial change was made for the 2013 Annual Security Report due to the data provided by the Pennsylvania Office of Higher Education (PHISE). Subsequent changes follow the guidance of the Department of Education to include the PHISE institutions.


CRimes That Must Be Reported

- Aggravated Assault – Attacking another person for the purpose of inflicting severe or aggravated bodily injury.
- Arson – The willful or malicious burning or attempt to burn, with or without the intent to defraud.
- Burglary – Unlawful entry of a structure with the intent to commit a crime therein (theft or any other felony).
- Dating Violence – Dating violence or dating abuse is legally defined as the perpetration, act of intimidation or threat of an act of violence by one member involved in a romantic relationship on the other member within the context of a romantic relationship.
- Domestic Violence – The threat or causing of physical harm and any physical or sexual mistreatment of children.
- Fondling – The touching of the private body parts of another person for sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
- Hate Crimes – A crime manifesting evidence that the victim was chosen based on actual or perceived race, religion, sexual orientation, gender, gender identity, ethnicity, national origin or disability.
- Incit – Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- Judicial Affairs data may count offenses in more than one area.
- Millersville University uses an off-campus site for instruction and training of students.
- Millersville University uses The Marine Science Consortium Center for education and training. The Center is located at 34001 Mill Dam Road, Wallops Island, VA 23337. A request was made for crime statistic information data. Millersville University did not have any students attend the Marine Science Campus for the 2019 year.
- Millersville University uses an off-campus site for instruction, Dixon University Center, 2986 North Second Street, Harrisburg, PA 17110. A request was made for crime statistics information data. The Harrisburg City Police Department responded to the request, stating there were no Clery-reportable crimes for the 2019 year.

Motor Vehicle Theft – Theft or attempted theft of a motor vehicle.
Muder and Non-Negligent Manslaughter – The willful killing of another.
Negligent Manslaughter – The killing of another through gross negligence.
Rape – The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
Robbery – Taking or attempting to take anything of value from the custody of another person by force or threat of force.
Stalking – A person who is stalking 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.
Statutory Rape – Sexual intercourse with a person who is under the statutory age of consent.
The following is a description of each on-campus and associated student housing facility:

- **South Villages**: The University’s main campus housing complex fully opened in 2016 with the completion of East and West villages.
  - **Heitman Hall**: Mu-owned and–operated student housing and currently vacant but remain for overflow housing.
  - **Millersville University also reports fire statistics for Student Services Inc.–owned and MU-managed student housing.**
  - **Barndall and Leigh Hall (formerly known as Gilbert Hall)** are Mu-owned and–operated student housing units.
  - **Brookwood Apartments, College View Apartments and Wellness Apartments**.

### Fire Safety Systems and Building Information

The following is a description of each on-campus and associated student housing facility fire safety system:

- **Fire Drill**: All residence halls have four total fire drills per year (two each semester). All fire drills are unannounced and random, and are monitored and evaluated for effectiveness by Housing and Residential Programs staff.
  - **Brookwood Apartments**
    - **Address**: 101 Hillview Avenue - 1908 Hillview Avenue
    - **Year Built**: 1001 - 1004 Hillview Avenue - 2018
    - **Fire Suppression Equipment – Sprinkler Systems**: Each residence life housing facility fire safety system:
      - **Fire Alarm System**: Description: Manual pull alarm boxes, visual and audible alarms, integrated automatic detection devices, duct dampers, master fire panels, addressable smoke detectors, heat detectors located in individual sleeping rooms, corridors, common areas, and mechanical spaces.
      - **Fire Alarm Testing and Inspection**: Individual components of the fire alarm system are inspected and tested in accordance with NFPA 13A.
      - **Fire Suppression Equipment – Fire extinguishers**: Portable fire extinguishers are in conformance with NFPA 10. Fire extinguishers are inspected monthly by MU personnel in accordance with NFPA 10.
      - **Fire Suppression Equipment – Sprinkler Systems**: Each building has an automatic sprinkler system tied to the building fire alarm system. The coverage area is the entire building in accordance with NFPA 13A. All sprinkler systems are inspected as required by a certified inspection company in accordance with NFPA 13A.
      - **Fire Drills**: All buildings have four total fire drills per year (two each semester).

- **East Village**
  - **Address**: 210 East Residence Hall Circle
  - **Year Built**: 2015
  - **Occupancy**: Student Housing/R1 A Residential/University District
  - **Address**: 80 Brooks Drive
  - **Capacity**: 467
  - **Type of Construction**: Cinder block walls, wood construction
  - **Fire Alarm System**: Description: Manual pull alarm boxes, visual and audible alarms, integrated automatic detection devices, duct dampers, master fire panels, addressable smoke detectors/sounder bases and smoke/heat detectors located in individual sleeping rooms, corridors, common areas and mechanical spaces.
  - **Fire Alarm Testing and Inspection**: Individual components of the fire alarm system are inspected and tested in accordance with NFPA 13A.
  - **Fire Suppression Equipment – Fire extinguishers**: Portable fire extinguishers are in conformance with NFPA 10. Fire extinguishers are inspected monthly by MU personnel in accordance with NFPA 10.
  - **Fire Suppression Equipment – Sprinkler Systems**: Each building has an automatic sprinkler system tied to the building fire alarm system. The coverage area is the entire building in accordance with NFPA 13A. All sprinkler systems are inspected as required by a certified inspection company in accordance with NFPA 13A.
  - **Fire Drills**: All buildings have four total fire drills per year (two each semester).
Fire Drills – Statistics
Each on-campus student housing facility has four total fire drills each year, two per semester.

Prohibited Items and Activities – Fire Safety
The following are prohibited on off-campus student housing facilities:

- Smoking, including e-cigarettes
- Candles, incense burners, oil lamps, hookahs
- Hoverboards, e-cigarettes
- Flammable or combustible materials or gases such as gasoline, butane, propane (including indoor storage of grills, motorcycles or moped)
- Fireworks
- Deep fat fryer, slow cooker, crock-pot, hot-oil popcorn popper, electric web, electric griddle, toaster, toaster oven, portable grills (such as a “George Foreman” grill), any appliance capable of heating grease to the point of combustion, strobe lights, fog machines
- Sky lanterns (“Chinese lanterns”)
- Non-LED string (“Christmas”) lights
- Live Christmas trees, wreaths, garlands
- Highly combustible decorations such as constalks and hay bales
- Any device producing an open flame

Fire Evacuation Procedures – Building Evacuations
- If you see a fire or other emergency requiring people to leave the building, activate the building alarm and leave the building immediately. Do not delay your exit – get out right away.
- When the building alarm sounds, walk quickly to the nearest marked exit, and leave the building.
- Know the location of the nearest fire exit, and have an alternate exit pathway identified if your primary exit is blocked by smoke or flame.
- Do not use the elevator.
- Once outside, move a safe distance away from the building (at least 100 feet); do not block emergency responders as they enter the building.
- Do not return to an evacuated building until the all clear sign is provided by the Fire Chief, a police officer, the EHS Director or other official.
- If your building has established a designated assembly point, go there and stay at the assembly point until a head count is taken.

Fire Safety Training
- Fire safety training for all new and current RAs, GAs and professional staff working in on-campus student housing facilities.

Future Improvements to Fire Safety
In 2019 and continuing into 2020 until the project is completed, Millersville University will replace all of the older Siemens/Pyrotronics fire safety system panels with newer-model panels (Siemens “Firefinder” panels).
Fire Log
The Millersville University Clery-required Fire Log is a spreadsheet that records all Clery-reportable fires in campus residence life buildings/housing units by date of occurrence. This spreadsheet is updated as required by the Clery Act. The Fire Log can be found at the Millersville University website at www.millersville.edu/hr/hs/fire-safety.php.

Emergency Operations Plan (EOP)
The Millersville University Emergency Operations Plan (EOP) can be found here: www.millersville.edu/hr/hs/emergency-operations-plan.php.

Testing and Documentation of Emergency Response Communication
The office of Environmental Health and Safety, working with University Police, University Communications and other campus offices, will periodically test emergency communication systems and keep records of the tests. The tests are conducted to ensure that the emergency communication systems are operational and performing as expected so the campus community can be quickly notified of unfolding emergencies that could negatively impact the campus (such as severe weather events, acts of violence on or near campus, etc.). The emergency communication system utilized by Millersville University is MU | Alert. To sign up for MU | Alert emergency messages, go here: nudmail.millersville.edu Tests of the MU | Alert system will be conducted at least annually.

Testing and Documentation of Emergency Response Procedures
The office of Environmental Health and Safety, working with University Police, University Communications and other campus offices, will periodically update the Millersville University Emergency Operations Plan (EOP). The Millersville University EOP details the specific procedures to follow in case of an emergency that negatively impacts the campus or the adjacent Millersville Borough/Lancaster County area. The Millersville University EOP can be found here: www.millersville.edu/hr/hs/emergency-operations-plan.php.

Periodic (at least annually) tests of the emergency response procedures detailed in the EOP are conducted to test the viability of the plan and the capabilities of those responsible for implementing the plan in the event of an emergency. These emergency response procedure tests include:
- Mock emergency drills involving specific departments, buildings, offices or geographic portions of the campus, either with or without community participation (Penn Manor School District, Millersville Borough, Lancaster County Emergency Management, etc.).
- Tabletop exercises for emergency planners, emergency responders and other campus constituencies to test their ability to respond to various types of emergencies and practice working together to manage crises on campus.
- County or state emergency drills (such as nuclear power plant emergencies, implementation of emergency shelters, etc.).

The office of Environmental Health and Safety documents the emergency response procedure tests and maintains those records. These records document:
- Who participated in the emergency response procedure test.
- Date, time and location of the test.
- A description of the type of test (tabletop exercise, mock emergency drill, etc.).
- The scope of the emergency response procedure test.
- A detailed description of how the test was communicated to those who participated in the test or who were impacted by the test.
- A detailed description of the results of the emergency response procedure test.
- A detailed description of the post-drill evaluation.
- A detailed description of recommended changes (if applicable) as a result of the emergency response procedure test.

A summary of recent emergency response procedure tests includes:
- December 16, 2019 - Emergency response exercise for all members of the MU Emergency Administration Team (EAT) and Emergency Response Team (ERT) was conducted on December 16, 2018. The scenario was a flood emergency.
- December 18, 2018 - A tabletop exercise for all members of the MU Emergency Administration Team (EAT) and Emergency Response Team (ERT) was conducted on December 18, 2018. The scenario was a shooting and hostage situation on campus.
- December 11, 2017 - An emergency exercise was conducted for all Millersville University emergency responders, moderated by Duane Hagelgans, professor for the MU Center for Disaster Research and Education.
- May 19, 2016 - Tabletop exercise for Millersville University emergency responders moderated by a representative of Michael Baker International.
- October 26, 2015 - Actual mock emergency test (in the field) of a mock chlorine gas release.
- August 16, 2014 - Practice Incident Command Structure (ICS) test involving actual shutting down of all electrical power to the Millersville University campus to facilitate the installation of new electrical power infrastructure.

The new fire panels provide more functionality and include the ability to make public address announcements, using the fire alarm system, to building occupants. The new fire panels will enhance fire safety protection and notification of fires and other emergencies to building occupants, as well as to emergency responders.

Confirmation of Emergency Response and Emergency Evacuation Events
The Millersville University Behavioral Intervention Team (BIT) details the procedures which will be used by members of the University Administration, University Communications, University Police, Environmental Health and Safety and other involved parties to confirm an emergency and communicate the emergency to campus constituents. The Millersville University BIT can be found here: www.millersville.edu/safetyandsecurity/threatassessment.php.

The BIT also details how the emergency will be identified, and how notifications will be developed and sent out to the campus and other constituents, as well as who is responsible for these steps. Finally, the BIT details how the content of emergency communications will be developed.

Plans for Future Improvements in Fire Safety
Millersville University is currently in the process of upgrading all of the existing Siemens MXT-brand fire panels on campus to more modern Siemens XLS fire panels. This project is ongoing and should be completed in several years. The new fire panels provide more functionality and include the ability to make public address announcements, using the fire alarm system, to building occupants. The new fire panels will enhance fire safety protection and notification of fires and other emergencies to building occupants, as well as to emergency responders.

There are no other future plans for fire safety improvement.
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<tr>
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<tr>
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<tr>
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### Millersville University Addresses

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<tr>
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<th>215 North George St.</th>
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### Resident Life Fire Drills 2018

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### Resident Life Fire Drills 2019

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### Resident Life Fire Drills 2020

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### 2020 Annual Security and Fire Safety Report

- **Library & Learning Forum**
- **Shenks Hall**
- **Reighard Hall**
- **West Village**
- **East Village**
- **Lehigh Hall**
- **Shenks Hall**
- **South Village**
- **East Village**
- **West Village**
- **Reighard Hall**
- **Shenks Hall**
Important Telephone Numbers
Area code 717

When calling from off campus, add “871-” to extensions shown.

Millersville University Police (24 hours a day)

EMERGENCY ................................................................. 911

Business and from off campus .................................. ext. 4357

Parking Division ............................................................ 5964

Millersville University Information .................................. 4636

Millersville University Health Services .................................. ext. 5250

MU Center for Counseling and Human Development .... ext. 7821

Title IX Coordinator .......................................................... ext. 4100

LEMSA (Business) (Lancaster Emergency Medical Services Association) .. 872-4688

Millersville Fire Company (Business) .................................. 872-9345

MU Center for Health Education and Promotion ........ ext. 4141

Adjoining Police Jurisdictions

Millersville Borough Police Department .......................... 717-872-4657

100 Municipal Drive

Millersville, PA 17551

Manor Township Police Department .............................. 717-299-5231

950 West Fairway Drive

Lancaster, PA 17603

Lancaster City Bureau of Police ........................................ 717-735-3300

39 West Chestnut Street

Lancaster, PA 17603

Manheim Township Police Department .......................... 717-569-6401

1825 Musket Drive

Lancaster, PA 17601

Pequea Township Police Department .............................. 717-945-7546

1026 Millwood Road

Willow Street, PA 17584

www.pequeatownshippd.org

Registered Organizations - FULL SERVICES

1. ADAPAC
2. Allentown High School Corps
3. All Campus Musical
4. All Greek Council
5. Alliance for Social Change (formerly Social Work Organization)
6. Alpha Phi Alpha
7. Alpha Sigma Alpha
8. Alpha Sigma Tau
9. Alpha Xi Delta
10. American Chemical Society
11. American Choral Directors Association
12. American Meteorological Society
13. American Sign Language Learners Club
14. Art Club
15. Athletic Training Club
17. Beta Buddies
18. Bible Campus Ministers
19. Black Student Union
20. Board Games Club
21. Bowling Club
22. Choirs of Millersville University
23. Chroematic Expansion
24. Circle K
25. Cimatard Players
26. Club Baseball
27. Club Sport Council
28. College Bible Fellowship
29. College Republicans
30. Collegiate Middle Level Association
31. College of Teaching and Learning Program
32. Conestoga Outdoor Club
33. Creative Writers Guild
34. Cyber Defense Organization
35. Dance Team
36. Delta Phi Eta
37. Delta Sigma Theta
38. Delta Zeta
39. Early Childhood Organization
40. English Club
41. Entomology Club
42. Equestrian Club
43. Essence Dance Team
44. Expressions Dance
45. Fencing Guild
46. Flute Ensemble
47. Food Recovery Network
48. Friends of Advocates of Native Nations (FANN)
49. Gender & Sexuality Alliance
50. Geography Club
51. Geology Club
52. George Street Press
53. German Club
54. Helping Paws
55. Her Campus Millersville
56. Hiller
57. Honors College Student Association
58. Ice Hockey Club
59. Inter-Fraternity Council
60. International Association of Emergency Managers
61. Jazz Band
62. Jewelry & Metal Arts Guild
63. Kappa Alpha Psi
64. Lacrosse, Men's Club
65. Lambda Chi Alpha
66. Love Your Melanin (new as of 10/18/18)
67. Magic: Players
68. Marching Band
69. Mathematics Educators
70. Moose Ultimate
71. Mu Sigma Upsilon
72. Music Performance
73. NAACP
74. National Association for Music Education
75. National Broadcasting Society
76. National Society of Leadership & Success
77. Navigators
78. NewGen
79. NPHC NAFLU & NMMG presents GCC
80. Ocean Science Club
81. Omega Psi Phi
82. Orchestra
83. Pennsylvania Council of Social Studies
84. Percussion Ensemble
85. Phi Mu Alpha Sinfonia
86. Phi Sigma Pi
87. Phi Kappa Psi
88. Phi Kappa Phi
89. Phi Mu Alpha Sinfonia
90. Pre Health Club
91. Psychology Club
92. Public Relations Student Society
93. Reformed University Fellowship
94. Relay for Life
95. Rugby, Men's Club
96. Sigma Tau Gamma
97. Slip & Score Society
98. Snapwear
99. Soccer, Women's Club
100. Society for International Human Rights
101. Society of American Military Engineers (SAME)
102. Society of Manufacturing Engineers
103. Society of Motion Picture & Television Engineers
104. Spanish Club
105. Spoon University
106. Student Alumni Association
107. Student Business Association
108. Student Government Association
109. Student PSEA (Study Buddies)
110. Super Smash Club
111. Tau Kappa Epsilon
112. Team FTK (formerly Mini-TONI)
113. Technology & Engineering Education Collegiate Association
114. Travel Club
115. University Activities Board
116. University Christian Fellowship
117. Ville Students Officials Association
118. Volleyball
119. WISS 91.7
120. Zeta Phi Beta

Registration in Progress

1. Acacia
2. American Society of Safety Professionals
3. Badminton Club
4. Biology Club
5. Basketball Club
6. Biking Club
7. Bowling Club
8. Business Club
9. College Democrats
10. College Greens
11. Coppets

Registered Student Organizations, 2018 to 2019

LEMSA (Business) (Lancaster Emergency Medical Services Association) .. 872-4688

Millersville Fire Company (Business) .................................. 872-9345

No Registration Begins

5 Rivers Fly Fishing Club (new as of 1/26/17)

Artists Rocking Together Asian & Friends Affiliation

Council for Exceptional Children Feature Theater Lamba Sigma Upsilon

Mu Sigma Upsilon

National Society of Leadership & Success

Society for International Human Rights

Society of American Military Engineers (SAME)

Society of Manufacturing Engineers

Society of Motion Picture & Television Engineers

Spanish Club

Student Alumni Association

Student Business Association

Student Government Association

Student PSEA (Study Buddies)

Super Smash Club

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Technology & Engineering Education Collegiate Association

Travel Club

University Activities Board

University Christian Fellowship

Ville Students Officials Association

Volleyball

WISS 91.7

Zeta Phi Beta

Millersville University

2020 Annual Security and Fire Safety Report

No Registration Begins

5 Rivers Fly Fishing Club (new as of 1/26/17)

Artists Rocking Together Asian & Friends Affiliation

Council for Exceptional Children Feature Theater Lamba Sigma Upsilon

Mu Sigma Upsilon

National Society of Leadership & Success

Society for International Human Rights

Society of American Military Engineers (SAME)

Society of Manufacturing Engineers

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Volleyball

WISS 91.7

Zeta Phi Beta
COMPLAINT, INVESTIGATION AND DISCIPLINE PROCEDURES FOR EMPLOYEES

Complaints
- Complaints can be filed by the complainant, the impacted individual or by others who are made aware of the incident.

Notice of Complaint and Fact-Finding Investigation
- Each collective-bargaining agreement includes a brief article on complaint, investigation and discipline. The following policies have been developed based on the provisions of the relevant articles:
  - AFSCME Master Agreement and Memorandum: Except during the season.
  - SPFPA Master Agreement and Memorandum: Except during the probationary period, an employee may appeal a demotion, suspension or discharge beginning at the second step of the grievance procedure, within 15 working days of the date of its occurrence.
  - SPRFA Memorandum: Except during the probationary period, an employee may appeal a demotion, suspension or discharge beginning at the second step of the grievance procedure contained in Article 37, within 15 working days of the date of its occurrence.
  - SCUPA: Except during the probationary period, an employee may appeal a demotion, suspension or discharge beginning at the first step of the accelerated grievance procedure, within 15 working days of the date of its occurrence.
  - AFSCME: Except during the probationary period, an employee may appeal a demotion, suspension or discharge beginning at the second step of the grievance procedure contained in Article 37, within 15 working days of the date of its occurrence.
  - SPRFA: Except during the probationary period, an employee may appeal a demotion, suspension or discharge beginning at the first step of the accelerated grievance procedure, within 15 working days of the date of its occurrence.

Appeals/Grievance Process
- Following the completion of the grievance procedure, the Executive Director of Human Resources determines whether discipline is warranted and, if so, determines the appropriate level of discipline. The Executive Director of Human Resources, along with the appropriate vice president, as well as University legal counsel, will be consulted before a final decision is made.

Discipline
- Following the completion of the grievance procedure, the Executive Director of Human Resources provides a preliminary determination as to whether the employee is able to continue to perform his or her duties, pending the outcome of the investigation and final determination.

If a preliminary determination is made which requires suspension, pending investigation, the respondent will be notified in person (whenever possible) and in writing as soon as the preliminary determination is made.

- If a no-contact order, temporary office relocation or any other accommodation is required for the complainant, the written notice will include that information as well.

- The employer will attempt to discipline the employee in a manner so as not to embarrass the employee before the public or other employees, including the manner in which a suspended or discharged employee is escorted off of the employer’s premises. It must be kept in mind, however, that where insubordination or fouling of authority by an employee in public and in the presence of other employees takes place, this provision does not apply.

- The investigator, typically the Executive Director of Human Resources, will identify and interview all possible witnesses, research relevant policies and procedures, work with the University Police Department to see if any video surveillance is available, and take all necessary steps to perform a complete, thorough and timely investigation.

- The complainant is entitled to have an individual of their choosing accompany him/her to any meeting related to the investigation, but that individual may not participate in the meeting itself by responding to questions on behalf of the complainant. The respondent is entitled to have a union representative present during any meeting in which they are made aware of the incident.

- Following the completion of the respondent’s interview, the investigator will interview any additional individuals named by the respondent.

- The investigator will write a fact-finding report and submit said report to the Vice President of Student Affairs and Enrollment Management, the Executive Director of Human Resources and, if requested by the respondent, an APSUF representative.

- If necessary, the president will convene a disciplinary conference with the respondent, Vice President of Student Affairs and Enrollment Management, Executive Director of Human Resources and, if requested by the respondent, an APSUF representative.

- Prior to the disciplinary conference, the coach must receive a complete and unredacted copy of the fact-finding report, along with any supporting policies or procedures or other documents considered part of the investigation.

- The Executive Director of Human Resources runs the disciplinary conference, during which he or she provides the respondent with the specifics of the alleged offense. The respondent is given the opportunity to explain his or her actions and add anything to the record that he or she feels is relevant to the case.

- The notice must advise the respondent that he/she is prohibited from retaliating against the complainant or any other person, and such action may result in a separate disciplinary action; it must also state that the investigation is to be kept confidential, and information may only be shared with those persons necessary to prepare a response to the complaint. This same confidentiality requirement applies to those investigating the complaint and those interviewed as potential witnesses.

- If the complainant is a student who is a member of the coach’s team, the investigation may be delayed until the end of the season.

- If a no-contact order, temporary office relocation or any other accommodation is required for the complainant, the written notice will include that information as well.

- The Human Resources office, typically the Executive Director of Human Resources, will identify a co-fact finder to assist with the investigation process. The co-fact finder is typically the University’s Title IX Coordinator or another nonrepresented employee within the same division.

- The investigator will identify and interview all possible witnesses, research relevant policies and procedures, work with the University Police Department to see if any video surveillance is available, and take all necessary steps to perform a complete, thorough and timely investigation.

- Per Article 22 of the APSUF coaches CBA, prior to the investigatory interview, the respondent must receive a copy of the original complaint(s). If the initial complaint was verbal, the respondent must receive a written summary of the complaint.

- The complainant is entitled to have an individual of their choosing accompany him/her to any meeting related to the investigation, but that individual may not participate in the meeting itself by responding to questions on behalf of the complainant. Per Article 42 of the CBA, the respondent is entitled to an APSUF representative during any meeting where allegations are to be made, which the respondent reasonably believes could lead to discipline. APSUF representatives are not permitted to participate in the meeting itself by responding to questions on behalf of the complainant. All parties are permitted to pause the meeting to caucus.

- The following is required at the predisciplinary conference:
  - The complainant is permitted to have an individual of their choosing to act on behalf of the complainant. The respondent is entitled to continue to perform his or her duties, pending the outcome of the complaint.
  - The Executive Director of Human Resources convalescent.”
Complaints

Complaints can be filed through the Title IX online reporting system (Maxient) or through the Human Resources office (primarily the Executive Director of Human Resources/Deputy Title IX Coordinator).
• Complaints can be verbal or written in nature.
• Complaints can be filed by an impacted individual or by others who are made aware of the incident.

Notice of Complaint and Fact-Finding Investigation

• Article 42 of the APSUCF (faculty) collective-bargaining agreement (CBA) requires that the respondent must be notified in writing as soon as possible after a complaint is made (generally within 20 days of the receipt of the complaint). The notice must include the nature of the complaint but need not provide specific details at this stage of the investigation.

• The notice must advise the respondent that he/she is prohibited from retaliating against the complainant, and any such action may result in a separate disciplinary action; it must also include confidentiality language—specifically, that the investigation is to be kept confidential and may only be shared with those persons necessary to prepare a response to the complaint. This same confidentiality requirement applies to those investigating the complaint and those interviewed as potential witnesses.

• If the complainant is a student in the faculty member’s class, the investigation may be postponed until after the submission of the final grade.

• If a no-contact order, temporary office relocation or any other accommodation is required for the complainant, the written notice will include that information as well.

• The Human Resources office, typically the Executive Director of Human Resources, will identify a co-fact-finder to assist with the investigatory process. The co-fact-finder is typically the dean of another college within the University, but may also be the Title IX Coordinator, depending on the nature of the complaint.

• The investigators will identify and interview all possible witnesses, researchers relevant policies and procedures, work with the University’s Police Department to see if any video surveillance is available, and take all necessary steps to perform a complete, thorough and timely investigation.

• Per Article 42 of the APSUCF-CBA, prior to the investigatory interview, the respondent must receive a copy of the original complaint(s). If the initial complaint was verbal, the respondent must receive a written summary of the complaint.

• The complainant is permitted to have an individual of their choosing accompany him/her to any meeting related to the investigation, but that individual may not participate in the meeting itself by responding to questions on behalf of the complainant. Per Article 42 of the CBA, the respondent is entitled to an APSUCF representative during any meeting in which questions are to be made, which the respondent reasonably believes could lead to discipline. APSUCF representatives are not permitted to participate in the meeting itself by responding to questions on behalf of the respondent. All parties are permitted to pause the meeting to caucus.

• Following the completion of the respondent’s interview, the investigators will consider any additional information provided and interview any additional individuals named by the respondent.

• The investigators will write a fact-finding report and submit said report to the Vice President of Academic Affairs and provost and the University president, who will determine whether a predisciplinary conference is necessary.

• If necessary, the president will convene a predisciplinary conference with the respondent, provost, Executive Director of Human Resources and, if requested by the respondent, an APSUCF representative.

• Prior to the predisciplinary conference, the faculty member must receive a complete and unredacted copy of the fact-finding report, along with any supporting policies or procedures or other documents considered as part of the investigation.

• The University president runs the predisciplinary conference, during which he or she provides the respondent with the specifics of the alleged offense. The respondent is given the opportunity to explain his or her actions and add anything to the record that he or she feels is relevant to the case.

Discipline

• Following the predisciplinary conference, the University president, with advice from the Vice President of Academic Affairs and provost and the Executive Director of Human Resources, determines whether discipline is warranted and, if warranted, what level of discipline is appropriate. In cases where suspension without pay or termination is recommended, the appropriate vice president and the University president, as well as University legal counsel, will be consulted before a final decision is made.

• Possible outcomes are as follows: memorandum of instruction, suspension or termination.

• Decisions regarding discipline must be made in a timely manner following the predisciplinary conference and are provided in writing to the respondent.

• Degree of discipline is determined on an individual basis, taking into account such factors as the seriousness of the offense and the record of the employee’s service with the University.

Appeals/Grievance Process

• A faculty member may appeal a demotion, suspension or discharge within 48 working days of the date of its occurrence.

• The appeal must be filed in writing to the appropriate vice president of academic affairs, and a hearing will be scheduled. The vice president will determine the appealed decision and the basis for it. The vice president may request additional information and may consider additional witnesses.

• The respondent and the complainant will be informed of the hearing date, time, location and any additional information that may be considered.

• The hearing must be conducted in a fair manner and in a confidential setting. The decision of the hearing officer will be based on the evidence presented and will be in writing.

• The decision of the hearing officer is final, except that an appeal may be filed with the Provost within 10 days of the decision.

• If the appeal is successful, the decision will be reversed, and any such action may result in a separate disciplinary action; it is the responsibility of the Office of Student Conduct and Community Standards to balance between holding students accountable and creating a positive environment for learning. The University takes an educational approach to the enforcement of the Code of Conduct, intending that adherence to the Code will be a means for students to learn the importance of their responsibilities and the value of their rights. Students have the ability to file an incident report with the Office of Student Conduct and Community Standards if they believe their procedural due-process rights have been violated. The Office of Student Conduct and Community Standards will diligently follow up on all complaints. The University appreciates every student’s right to make a complaint and does not tolerate retaliation for having filed a complaint or having been involved in the student disciplinary process. Any form of retaliation will be taken very seriously, and students will be held accountable accordingly.

In accordance with Title IX of the Education Amendments of 1972, it shall be the policy of Millersville University to prohibit the harassment and discrimination of students on the basis of sex. Furthermore, the University’s obligation is to provide educational programs and activities that do not discriminate on the basis of sex. The University will investigate all allegations of sexual misconduct, harassment or discrimination, and will take appropriate corrective action, up to and including formal discipline, against individuals who violate the University’s policies. Procedures for reporting allegations of sexual misconduct are set forth in section 5 of this document.

Jurisdiction

The Student Code of Conduct applies to all students and student organizations of Millersville University. “Student” for the purposes of the Student Code of Conduct refers to any person who accepts an offer or extends an indication of intention to enroll at the University, including participation in a course or participation in a University-sponsored program. A person who is not enrolled for a particular semester or term, but who otherwise has a continuing relationship with the University, including students who are on a Medical Leave of Absence or serving an academic or disciplinary suspension with the University, is considered to be a “student” for the purposes of this Student Code of Conduct.

The classification of student is not limited to the physical campus of the University. The Student Code of Conduct applies to student conduct on campus as well as satellite and remote locations where University operations are conducted, including the virtual, online learning environment of the student. Students will also be held responsible for their conduct regardless of their place of residence or whether their conduct occurred on or off campus.

The Code also applies to any group of students that has compiled with the University requirements for recognition as a student organization. Members of a student organization may be held responsible individually or charged as a group for infractions and violations of the Code.

SECTION B

Student Code Of Conduct

Millersville University wants to ensure that all of our students and student organizations have an exceptional, productive and challenging educational experience in a civil and safe environment. In order to maintain such an environment, Millersville University has adopted this Student Code of Conduct in support of its mission to prepare students to become well-rounded individuals who become involved in productive roles as civic and community-engaged leaders and citizens.

The purpose of the Student Code of Conduct is not solely to punish students for transgressions, but to help them understand and accept their many obligations as citizens of this academic community. The Student Code of Conduct reflects the University community’s concern that students and student organizations on our campus and in our communities maintain the highest standards of conduct. It guarantees due process and protects the individual freedoms of our students while holding students accountable for conduct that violates the terms of the Student Code of Conduct.

Students are responsible for the actions of their invited guests. Violation of any policy by a guest of a Millersville University student may result in disciplinary action via the Code of Conduct. The Student Code of Conduct is reviewed annually by the Office of Student Conduct and Community Standards, and amendments to the Code must be approved by Millersville University’s president and Council of Trustees.

The following is prohibited conduct:

V.1. Conduct threatening the welfare of others: Acts that cause harm to another person or oneself, or threaten or endanger the health or safety of another person or oneself, or constitute harassing conduct. The prohibited conduct includes but is not limited to
A. Harassing conduct: Engaging in conduct that is harassing, intimidating or threatening, or engaging in conduct that constitutes unlawful discrimination based on another person’s race, color, sex, sexual orientation, gender identity, religion, creed, age, national or ethnic origin, citizenship or veteran status. Harassing conduct may include electronic communication.

B. Hazing: No person shall engage in hazing activities or intimidating practices for the purpose of initiation or maintaining group affiliation. Hazing is defined as any action that endangers the mental or physical health or safety of a student, with or without his/her consent. Any activity falling within the definitions is considered to be a forced activity, subjecting the organization and its individual members to the full range of penalties. Additional information is available in our Hazing Outreach Guidebook.

C. Physical violence: Striking, shaving or subjecting another person to unwanted physical contact.

D. Sexual misconduct: All sexual-misconduct cases are resolved in accordance with Section E (the Student Sexual-Misconduct Policy) on page 21 of this handbook. Sexual misconduct can be defined as any type of sexual conduct or contact that occurs without the explicit consent of the recipient. Sexual-misconduct violations include but are not limited to:

   A. Sexual and gender-based harassment – Sexual and gender-based harassment consists of interaction between individuals that is characterized by unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when: (1) submission to such conduct is made, directly or implicitly, as a term or condition of an individual’s employment, living conditions, and/or educational evaluation and/or educational activity; (2) submission to or rejection of such conduct by an individual is used as the basis for tangible employment or educational decisions affecting such individual; or (3) such conduct has the effect of unreasonably interfering with an individual’s work or academic performance, or creating an intimidating, hostile or offensive working or educational environment. Sexual harassment as described in elements (1) and (2) is known as ‘quid pro quo’ and typically arises when a person has authority over another. Sexual harassment as described in element (3) is also referred to as hostile work or educational environment harassment.

   B. Sexual Assault – Sexual assault is a form of sexual misconduct and represents a continuum of conduct from forcible intercourse to nonphysical forms of pressure that compel individuals to engage in sexual activity against their will. Examples of sexual assault under this policy include but are not limited to the following behaviors, however slight, when consent is not present:

   C. Nonconsensual sexual intercourse – Nonconsensual sexual intercourse is having or attempting to have sexual intercourse with another individual without consent. Sexual intercourse includes vaginal or anal penetration, however slight, with a body part or an object, or oral penetration by genital contact or penetration by an object; or attempted. Sexual intercourse is defined as vaginal penetration, however slight, by a penis, object, tongue or finger; anal penetration, however slight, by a penis, object, tongue or finger; or oral copulation (mouth-to-genital contact or genital-to-mouth contact).

   D. Nonconsensual sexual contact – Nonconsensual sexual contact is any intentional sexual touching (including touching with an object); however slight, by one person on another without consent. Intentional contact with the breasts, buttocks, groin or genitals, or touching another with any of these body parts, or making another touch you or themselves with or on any of these body parts; any other intentional, unwanted bodily contact of a sexual nature; use of coercion, manipulation or force to make someone else engage in sexual touching, including breasts, chest and buttocks.

   E. Sexual exploitation and/or exposure: Sexual exploitation occurs when an individual takes nonconsensual or abusive advantage of another in a sexual or intimate context for the advantage or benefit of the individual, or to the benefit or advantage of anyone other than the one being exploited. Sexual exploitation includes the exposure of one’s self to another person without that person’s consent; it also includes recording, photographing, transmitting, viewing or distributing intimate sexual images or sexual information without the knowledge and consent of all parties involved, or observing others who are engaged in intimate or sexual situations without permission, or engaging in consensual activity with another person while knowingly infected with a sexually transmitted disease or infected with the other person’s disease.

   F. Domestic violence – Domestic violence includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the complainant, or by a person with whom the complainant shares a child in common, by a person who is, or has lived with the complainant as a spouse or intimate partner, by a person similarly situated to a spouse of the complainant under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth complainant who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction.

   G. Stalking – Stalking is engaging in a pattern of conduct directed at a specific person that would cause a reasonable person to fear for the person’s safety or the safety of others; or suffer substantial emotional distress.

   H. Relationship violence refers to both dating violence and domestic violence. All acts of relationship violence are forms of sexual misconduct under this policy.

   I. Dating violence – Dating violence is violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the complainant, and where the existence of such relationship shall be determined based on a consideration of the following factors: (1) the length of the relationship; (2) the type of relationship; (3) the frequency of interaction between the persons involved in the relationship.

   J. Consent: Consent is clear, knowing and voluntary, and expressed prior to engaging in and during an act. Consent is active, not passive. Silence, in and of itself, cannot be interpreted as consent. Consent can be given by words or actions, as long as those words or actions create mutually understandable, clear permission regarding willingness to engage in (and the conditions of) sexual activity.

   K. In order to give effective consent, one must be of legal age.

   L. In order to give effective consent, one must not be incapacitated.

   M. Stalking includes but is not limited to:

   N.• Unwanted letters, emails, social-media messages (e.g., Twitter, Facebook) or other forms of communication/messaging;

   O. Pursuing or following a person without the person’s consent;

   P. Unwanted appearances at a person’s place of residence, school activity or work;

   Q. Surveillance or other types of unauthorized communication/messaging;

   R. Use of electronic devices or software to track or obtain private information;

   S. Cyberstalking, a form of stalking where a person engages in a course of conduct using the internet, email or other communications devices to pursue or track another person that would cause a reasonable person to fear for the person’s safety or the safety of others, or suffer substantial emotional distress.

   T. In order to have effective consent, one must be of legal age.

   U. In order to give effective consent, one must not be incapacitated.

*Please note that all sexual-misconduct cases are resolved in accordance to Section E (the Student Sexual-Misconduct Policy) on page 21 of this handbook.*
V.5. Conduct which violates community standards: The following conduct, which deviates from, interferes with and negatively impacts the academic and administrative functions or activities of the University, is prohibited.

A. Academic dishonesty: Incidents of plagiarism, cheating and other forms of academic dishonesty as set forth in the Academic Honesty Policy violate the Student Code of Conduct and are adjudicated by the appropriate academic personnel under the provision of the Academic Honesty Policy, which can be found at www.millersville.edu/honesty-policy.

B. Destruction: Deliberate or negligent acts that endanger and/or result in damage or vandalism (see Student Organization Guidebook for the policy on chalk) to University property, including its electronic resources, or the property of others.

C. Disorderly conduct: Conduct which is disorderly, disruptive or interferes with orderly University operations, including but not limited to:

- Any act that fails to comply with, ignores or disobeys directives given by law enforcement officers and duly authorized University officials, including Millersville University faculty, staff, paraprofessionals and student employee leaders in the performance of their duties.
- Fire safety – Violation of safety regulations including but not limited to (a) setting unauthorized fires, (b) tampering with fire safety, firefighting equipment and/or defibrillators, or rendering such equipment inoperable, (c) turning in false fire alarms by any means of communication, (d) tampering or improper use of campus emergency phones, (e) failure to evacuate facilities upon the sounding of a fire alarm/drift or if creating any hazardous condition that endangers the health and safety of others.
- C. Creating excessive noise or commotion. D. Disrupting scheduled University programs and activities. E. Obstructing vehicular and pedestrian traffic. F. Deliberate acts that interfere with the use of University electronic resources.

G. False reporting of an emergency.

H. Furnishing false information to any law enforcement officer or University employee orally, in writing or electronically.

I. Forgery, altering or misusing any document, record or any instrument of identification, including possession of a fake identification card.

J. Tampering with relevant evidence/information pertinent to a disciplinary proceeding.

K. Failing to appear when directed to do so by the Vice President for Student Affairs and Enrollment Management or designee, the Director of Student Conduct and Community Standards, the Assistant Director of Student Conduct and Community Standards, Residential Area Directors, or the University Appeal Board when charged with a violation of the Student Code of Conduct.

L. Failing to comply with a sanction imposed by either the Director of Student Conduct and Community Standards or designee, the Associate Provost, the University’s Appeal Board, the Vice President for Student Affairs and Enrollment Management or designee.

M. Fire alarm causation triggered by acts that are a violation of the Student Code of Conduct or any other rules, regulations, and state or local laws.

V.6. Theft: No person shall engage in the theft or misappropriation of University-provided funds or property, including its electronic resources or the property or funds of another person, entity or organization. For more information, follow this link: www.millersville.edu/about/administration/policies/pdf/information-technology/response/forms/information-technologyresources.pdf.

V.7. Trespassing: Unauthorized entry to or use of University/ non-University facilities or any other property, including electronic systems or acts constituting unauthorized possession, duplication, or use, transfer or access of University keys or IDs. Failure to adhere to a No Trespass Order is also a violation of this policy.

V.8. Unlawful conduct:

A. Conduct in violation of federal, state or local laws, including violations of municipal ordinances.

B. Conduct that constitutes unlawful discrimination based on a person’s race, color, sex, religion, age or national origin.

V.9. Prohibited conduct: Conduct that violates published University policies, rules and regulations that are contained in other University publications but not specifically set forth in the Student Code of Conduct that are announced to the University community following this publication, including but not limited to the Student Organization Guidebook, residence hall rules and regulations, and the Policy for Responsible Use of Technology found here: www.millersville.edu/about/administration/policies/pdf/information-technology/responsibleuse/informationtechnologyresources.pdf.

V.10. Retaliation. No individual shall physically harm, threaten, intimidate or harass any person or witness involved in a student conduct case or any other University process or investigation, or cause damage to a person’s property, with the intent of influencing the outcome of the case or investigation.

SECTION C Select Policies, Guidelines and Resources Responsible Action Policy

Millersville University holds the safety, security and well-being of its students as one of its highest priorities. The University prides itself on offering all of the benefits of a public institution while preserving a caring, individualized community. Millersville University recognizes that a student’s concern for potential disciplinary action when under the influence of alcohol and/or other substances may hinder a student’s actions in response to seeking assistance in certain emergency situations and/or reporting incidents. It is imperative that medical attention be sought should concerns arise for a person’s own safety or the safety of others. This policy is intended to increase the reporting of incidents requiring emergency assistance during a life-threatening or drug-alcohol-related illness and will in turn result in increased safety for students and the campus community.

Policy

As such, medical amnesty is in effect to ensure that those students who seek assistance for another individual who may have consumed excessive alcohol or other drugs will turn to the appropriate personnel to seek emergency medical assistance without fear of being cited for a violation under the Commonwealth of Pennsylvania’s Crimes Code or charged by the University for violating Section V.2.A, Alcohol or V.3, Drugs of the Student Code of Conduct, if all of the conditions below are met:

1. The only way law enforcement officers or University officials became aware of the person's violation of the Student Code of Conduct is because the person placed a 911 call or a call to campus safety, police or emergency services, in good faith, based on a reasonable belief, and reported that another person was in need of immediate medical attention to prevent death or serious injury.

2. The person reasonably believed they were the first person to make a 911 call or a call to campus safety, police or emergency services and reported that a person needed immediate medical attention to prevent death or serious injury.

3. The person provided their own name to the 911 operator or equivalent campus safety, police or emergency officer.

4. The person remained with the person needing medical assistance until emergency healthcare providers arrived and the need for the person's presence had ended.

Confidentiality

The Office of Student Conduct and Community Standards will take every measure to ensure the privacy of all parties involved in the disciplinary process. Information related to disciplinary cases will be shared only with appropriate University authorities and law enforcement authorities as necessary for each case. Due to University obligations to investigate particular complaints, circumstances may arise that may limit the Office of Student Conduct and Community Standards’ ability to provide absolute confidentiality.

PARENTAL NOTIFICATION

The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g, 34 CFR Part 99) protects the privacy of student education records. FERPA gives parents certain rights with respect to their children’s education records, but these rights transfer to the student when he or she reaches the age of 18 or attends a school beyond the high-school level. Millersville University must have written permission from the student in order to release any information from a student’s education record, including information contained in a record maintained by the Office of Student Conduct and Community Standards. FERPA does, however, allow for some disclosures without student consent.

In accordance with FERPA regulations, Millersville University’s Parental Notification policy includes notifying parents of students who are under 21 years of age who have been found responsible for involvement in an incident in which there was an alcohol violation. Millersville University’s Parental Notification policy also includes notifying parents of students who have been found responsible for being involved in an incident in which there was a drug violation. Parental notification is an option under FERPA regulations that will be subscribed to when deemed to be in the best interest of the student.

Local Law Enforcement

Millersville University students are expected to conduct themselves at all times in a manner that is consistent with the University’s Student Code of Conduct. Incidents that result in actions taken by any law enforcement agency, or on or off campus, will be addressed by the Office of Student Conduct and Community Standards. Application of the Student Code of Conduct may proceed while criminal investigations are pending and may proceed without a finding in court.

SECTION D Policy in Practice
**Citations:** A nontraffice summary citation is a ticket issued when someone has committed a nontraffice-related summary offense. The citation is either handed de in person to the defendant or sent via summons from a court of law. Both the Office of Student Conduct and Community Standards and local law enforcement will separately adjudicate conduct that results in the issuance of citations.

**Criminal complaints:** Charges that result in an arrest for an alleged criminal action.

**Disruptive conduct reports:** A formal written warning issued by local law enforcement and adjudicated by the Office of Student Conduct and Community Standards.

**SECTION D**

**Student Conduct and Community Standards Process Understanding The Student Conduct and Community Standards Process**

As members of the University community, Millersville University students are expected to act as responsible members and citizens both on campus and in the local community. In the event an incident or conflict arises in which the Student Conduct and Community Standards Process is in question, the Office of Student Conduct and Community Standards administers the Student Conduct and Community Standards Process for Millersville University.

It is important to note that our campus disciplinary process is not a criminal trial. It is a University proceeding designed to determine the facts pertaining to alleged misconduct. The University will apply a “preponderance of the evidence” standard in determining whether a violation of the Student Code of Conduct occurred. A preponderance of the evidence standard simply means that it is “more likely than not” that a violation occurred. This is in contrast to the “beyond a reasonable doubt” standard, which is the higher standard of proof required for a conviction in a criminal trial.

**USE OF ADVISORS IN THE PROCESS**

A student can have one advisor present with him/her at any stage in the Student Conduct and Community Standards process, whether a parent, member of the University community, advocate or attorney. At the discretion of the hearing officer, one additional advisor may be allowed. However, advisors may not speak in the process, may not question witnesses or otherwise participate in the hearing; rather, they may only communicate with the student. If the advisor charges a fee, the fee will be borne by the student.

**CONDUCT ADVOCATE PROGRAM**

A conduct advocate is a resource for students going through or involved in the disciplinary process at Millersville University. Advocates are here to help and guide both complainants and respondents (students accused of violating the Code of Conduct) in preparation for a University disciplinary hearing and will help students understand outcomes of disciplinary cases as appropriate. Conduct advocates also provide necessary support and resources to those who may have been victims of a violation of the Code. The advocates are well trained in the Student Conduct and Community Standards process and are neutral parties who have no influence on the outcome of the case.

**PROCEDURES FOR REPORTING AND RESPONDING TO**

**ALLEGED CODE VIOLATIONS**

Any member of the University community may report alleged violations of the Student Code of Conduct and Community Standards. All reports of violations of the Student Code of Conduct must be in writing and should be submitted via the online incident report found on the Student Conduct and Community Standards web page. Please note that all emergencies/crimes should be immediately reported to the police by dialing 911.

- The Director of Student Conduct and Community Standards or designee will review incident reports and will determine whether there are sufficient grounds to initiate the Student Conduct and Community Standards process for violations of the Student Code of Conduct.
- The University conduct process may proceed independent of any pending criminal or civil charges and actions. The Student Conduct and Community Standards process outcome, including sanctions in the University Student Conduct and Community Standards process, will be determined independent of other criminal or civil proceedings.
- Students will be notified in writing when a complaint of an alleged violation has been received by the Office of Student Conduct and Community Standards. The student shall respond as required by the notice. Failure to respond accordingly to the notice may result in further disciplinary charges.

**ADMINISTRATIVE HEARING PROCEDURES**

1. Upon receipt of a complaint of alleged violations of the Student Code of Conduct, the Office of Student Conduct and Community Standards will send reasonably specific advanced written notice of charges containing a description of the alleged acts of misconduct, including time, date and place of occurrence and the rules of conduct allegedly violated by the student. The student will be notified by email to their University account of charges filed against the respondent, along with the date, time and location of the respondent’s scheduled hearing.
2. Failure to appear at a hearing for the scheduled date and time may result in a decision being made in the absence of the respondent, which might result in additional charges and sanctions, including Failure to Comply, along with applicable fines.
3. If a student organization is charged with violating the Code of Conduct, the organization’s president or his/her designee must attend the hearing.
4. During the administrative hearing, the respondent:
   a. Shall be informed that the hearing will be recorded and the recording shall be the property of the University.
   b. Shall be advised of their responsibility to tell the truth before testifying in response to the charges.
   c. Shall be allowed to introduce witness testimony, relevant evidence and provide the respondent’s version of the events that resulted in the alleged violation of the Student Code of Conduct.
   d. May hear and may question witnesses as well as examine the relevant evidence and documents presented against the respondent.
   e. May bring an advisor or Student Conduct and Community Standards advocate, who may consult with and advise the student/student organization but may not otherwise participate in the hearing.
5. Only those individuals involved with the proceedings will be admitted to the hearing.
6. The hearing officer shall decide that a violation of the Code of Conduct occurred if it is proven that it is more likely than not that such a violation occurred.
7. Hearing decisions and penalties imposed shall be provided in writing within five business days to the respondent and shall include information about the student’s right to an appeal hearing.
8. All hearing procedures shall be carried out promptly, adhering to the following guidelines:
   a. All charges of a violation as well as the date, time and place of the hearing shall be provided in writing via University email to the complainant, respondent or student organization.
   b. The hearing officer shall consider the evidence presented by the parties and determine if a violation of the Code occurred. The hearing officer shall inform the respondent of the decision. If additional time is required to render a decision, the respondent shall be informed of the decision within five business days of the hearing conclusion. All decisions will be communicated in writing via University email to the complainant, respondent or student organization.
   c. The respondent has the right to an appeal.

**Appeals**

1. Millersville University’s appeal process is provided to ensure that the procedures used for resolving student conduct matters are followed in such a manner as to provide fundamental fairness to all parties involved. An appeal is not a rehearing of a case, but instead is an independent review of the original student disciplinary process, finding or sanctioning.
2. A respondent found responsible for violating the Student Code of Conduct may request an appeal of the administrative hearing decision by submitting an appeal request form to the Office of Student Conduct and Community Standards within five business days following the hearing officer’s decision. If granted, the University Appeal Board may hear the appeal. The Appeal Form is available on the Office of Student Conduct and Community Standards web page at [www.millersville.edu/studentconduct/files/appeal.pdf](http://www.millersville.edu/studentconduct/files/appeal.pdf).
3. All sanctions rendered at the administrative hearing must be adhered to while awaiting a result of the request for appeal. Appeals will only be considered if the request is based on one or more of the following reasons. The burden of proving that a legitimate reason exists for an appeal rests with the student:
   a. Alleged violations of administrative hearing procedures.
   b. New factual information pertaining to the case that was not available at the time of the administrative hearing which is relevant and may materially impact the decision issued by the Office of Student Conduct and Community Standards.
   c. The sanctions issued are allegedly arbitrary and capricious.
4. The appeal officer or designee will review the appeal request and determine whether there is sufficient reason to initiate the appeal process. Any requests not meeting the above criteria will not be considered, and all original findings will be upheld.
5. Should the appeal officer or designee conclude that the request meets any of the above-noted reasons, the following actions may be taken with or without reconvening a hearing:
   a. No change in any findings or sanctions.
   b. A modification of some or all of the findings and sanctions.
   c. Reversal of all of the findings of the administrative hearing decision and/or sanctions.

**UNIVERSITY APPEAL BOARD**

When a student has submitted the Administrative Appeal Form, the respondent may be granted a review by the University Appeal Board. The Director of Student Conduct and Community Standards or designee shall convene the Board to conduct a review. The University Appeal Board is responsible for reviewing appeals of findings made at administrative hearings.
The members of the Appeal Board include faculty, students, and staff, and they take their duties to the Millersville University community seriously. The Board is comprised by selecting the Campus Title IX Coordinator of the University's Student Code of Conduct. The Appeal Board's duties require the honesty, intelligence, professionalism, and diligence of every Board member, and to ensure this, the following is adhered to during appeal reviews:

1. At least three Appeal Board members will preside over a University Appeal Board review. One of the three Board members presiding over the case will act as chairman during the review.

2. If a member of the University Appeal Board has been involved in any way in a case to be heard or he/she feels unable to render a fair decision, they must disqualify themselves from the hearing. If it is determined by the University Appeal Board that a member of the University Appeal Board is unable to render a fair decision, the chairperson may disqualify the University Appeal Board member from the hearing. A respondent may request that a University Appeal Board member be disqualified if he/she feels the member is unable to make a fair decision. The chairperson reserves the right to approve or deny the respondent student's request.

3. Those present at a University Appeal Board hearing shall be limited to the Board members, chairperson and the Director of Student Conduct and Community Standards or their designee.

4. After completing and submitting the Administrative Appeal Hearing form, the respondent may be granted an appeal hearing before the University Appeal Board. The Director of Student Conduct or their designee shall convene the Board to conduct a hearing. During the hearing the following process will be followed:
   - A recording of the hearing shall be limited to the Board members, chairperson and the Director of Student Conduct and Community Standards or their designee. The recording shall be the property of the University.
   - Pertinent records, exhibits and written statements may be accepted as information for consideration by the University Appeal Board at the discretion of the chairperson.
   - All procedural questions are subject to the final decision of the chairperson of the University Appeal Board.
   - All decisions made by the University Appeal Board are final.
   - The appeal is the final step in the Millersville University process.

SECTION E Student Sexual-Misconduct Policy

Title IX of the Education Amendments of 1972 and its underlying regulations mandate that educational institutions prevent and address cases of sexual misconduct against students, whether perpetrated by peers or by employees of the institution. Millersville University has appointed a Campus Title IX Coordinator. The Director of Student Conduct and Community Standards, as a Deputy Title IX Coordinator, works with the Millersville Title IX Coordinator to ensure adherence to the guidelines provided in Title IX. Alleged violations must be immediately reported to the Campus Title IX Coordinator or Deputy Title IX coordinators. Section B for full descriptions of potential violations. In addition, please reference the complainant and respondent rights and expectations, which are set forth in this section of the Handbook. For more information about the University’s sexual-misconduct policy and additional resources available to all parties involved in these difficult matters, go to www.millersville.edu/titleix/definitions.php.

The University has designated the following person to assure compliance with Title IX requirements:

Millersville University Title IX Coordinator Elizabeth Swantek
Phone: 717-871-4100
Email: Elizabeth.Swantek@millersville.edu
Office: Student Memorial Center, Room 1078

Individuals who wish to report incidents of sexual misconduct in University programs or activities may contact the Title IX Coordinator in the event that there is a conflict of interest with the Title IX Coordinator. In the event that a conflict of interest with the Title IX Coordinator, reports or complaints of sexual misconduct may be made with the Deputy Title IX coordinators.

Sexual-misconduct complaints that only involve students will be processed by the Office of Student Conduct and Community Standards. Sexual-misconduct complaints involving employees will be processed by the Office of Human Resources.

LORI B. AUSTIN is a Deputy Title IX Coordinator and can be reached in person at the Wittmer Building, by telephone at 717-871-5841 or by email at lori.austin@millersville.edu. Ms. Austin's role is to work with complaints involving students. Ms. Austin serves as a hearing chairperson and sanctioning administrator. This deputy coordinator handles student complaints once they reach the Office of Student Conduct and Community Standards.

DIANE COPENHAVEN is a Deputy Title IX Coordinator and can be reached in person at the Dilworth Building, by telephone at 717-871-4950 or by email at diane.copenhaver@millersville.edu. Ms. Copenhaver’s role is to work with complaints involving employees from investigation through outcomes. This deputy coordinator handles student complaints once they reach the Office of Human Resources.

SCOTT HELFICH is a Deputy Title IX Coordinator and can be reached in person at the Lombardo Welcome Center, by telephone at 717-871-4200 or by email at scott.helfrich@millersville.edu. Dr. Helfrich’s role is to work with complaints involving on-campus students. This deputy coordinator handles response and intake of on-campus student complaints.

MELISSA WARDWELL is a Deputy Title IX Coordinator and can be reached in person at the Huntington House, by telephone at 717-871-7655 or by email at melissa.wardwell@millersville.edu. Ms. Wardwell's role is to work with complaints involving experiential learning and career management from investigation through outcomes. This deputy coordinator handles student complaints once they reach the Office of Experiential Learning and Career Management.

Please be advised that the roles of the listed Deputy Title IX coordinators (i.e., intake of complaints, investigation and adjudication) may be reassigned depending on the matter that is presented, workload, scheduling conflicts, prior involvement with a particular student, etc. Staff in the Office of Student Conduct and Community Standards are cross-trained so as to be competent in handling these respective duties.

Complaints of sex- and gender-based discrimination and/or sexual misconduct may be filed through completion of the online reporting form found at www.millersville.edu/studentconduct.

The Title IX Coordinator coordinates and oversees prompt, effective and impartial responses to Title IX and related sexual-misconduct complaints on both an individual and systematic basis, including the initiation of investigations and assisting University officials with the implementation of interim measures and remedies. The Title IX Coordinator is responsible for monitoring investigations and outcomes of sexual-misconduct complaints as assigned to Deputy Title IX coordinators or other University staff. The Title IX Coordinator will work with Office of Student Conduct and Community Standards staff, members of Student Conduct and Community Standards Title IX Panel, and Human Resources to assure compliance with Title IX requirements. In addition, the Title IX Coordinator will serve as a liaison with the University’s Police Department to assure coordination of sexual-assault and misconduct cases.

The Deputy Title IX coordinators will assist the Title IX Coordinator in assuring that the University provides adequate, reliable, and impartial investigations of sexual-misconduct complaints. This will include undertaking investigations of sexual misconduct consistent with (1) this policy and applicable collective-bargaining agreements when the employee is the respondent; and (2) the Student Code of Conduct for complaints involving students as respondents. Additional duties of Deputy Title IX coordinators include the training of Title IX Hearing Panel members about Title IX procedural due-process issues.

COMPLAINANT AND RESPONDENT RIGHTS AND EXPECTATIONS

A. The right to have complaints of sexual misconduct responded to quickly and professionally by campus law enforcement, the Office of Student Conduct and Community Standards and the Title IX Coordinator;

B. The right to an investigation and equitable resolution of all credible complaints of sexual misconduct made in good faith to University administrators;

C. The right to be treated with respect by University officials;

D. The right to be notified of available counseling and mental-health or student services, both on campus and in the community;

E. The right to be informed by University officials of the various reporting options;

F. The right to have an advisor or advocate accompany and assist in the campus investigation and hearing process. This advisor can be anyone, including an attorney (provided at the student's own cost), but the advisor may not take part directly in the investigation or hearing itself, though they may communicate with the student as necessary;

G. The right to notification of and options for, and available assistance in, reasonably available interim measures;

H. Freedom from retaliation for making a good-faith report of sexual misconduct or participating in any proceeding under the sexual-misconduct policy;

I. The responsibility to refrain from retaliation directed against any person for making a good-faith report or participating in any proceeding under the sexual-misconduct policy;

J. The right to an adequate, reliable and impartial investigation closed to the public;

K. The right to have any complaint of sexual misconduct fairly adjudicated and not mediated;

L. The opportunity for procedural due process;

M. The responsibility to provide truthful information in connection with any report, investigation or resolution under the sexual-misconduct policy or these procedures;

N. The opportunity to articulate concerns or issues about proceedings under the sexual-misconduct policy or these proceedings;

O. The right not to have irrelevant prior sexual history admitted as evidence in a campus hearing;

P. The right to submit an impact statement to the sanctioning administrator after the panel renders a decision;

Q. The right to be fully informed of campus conduct rules and procedures as well as the nature and extent of all alleged violations contained within the complaint; 2020 Annual Security and Fire Safety Report
Millersville University

2020 Annual Security and Fire Safety Report

R. The right to have complaints investigated and heard by investigators and administrators who have received annual sexual misconduct training.
S. The right to ask the investigators to identify and question relevant witnesses;
T. The right to review all documentary evidence provided in the investigative report regarding the complaint (subject to the privacy limitations imposed by state and federal law and/or information which cannot be revealed for compelling safety reasons) at least 48 hours prior to the hearing, and the right to challenge documentary evidence;
U. The right to preservation of privacy, to the extent possible and allowed by law;
V. The right to be promptly informed of the outcome and sanction of any conduct hearing involving sexual misconduct and/or any violent-crime offenses;
W. The right to appeal the findings in accordance with the standards of appeal established for sexual-misconduct cases;
X. The right to be considered for amnesty of other minor Student Code of Conduct violations when reporting a sexual-misconduct incident;
Y. The right to have the disclosure of this information governed by the Family Educational Rights and Privacy Act and to only permit exceptions that are allowed by FERPA legislation. You can find out more information about the disclosing of information

www.millersville.edu/registrar/ferpaforstudents.php.

FILING A COMPLAINT THAT INVOLVES A STUDENT-ON-STUDENT INCIDENT
Administrative Fact-Finding Involving Student-on-Student Incidents

Upon the report of alleged sexual misconduct, the Sexual Misconduct Response Team will meet to make an initial assessment as to whether the reported information impacts the health and safety of the Millersville University community. In the course of this assessment, the University will consider the interest of the complainant and the complainant’s expressed preference for manner of resolution: 1) administrative fact-finding; 2) voluntary resolution or 3) not moving forward. Where possible and supported by an assessment of the facts and circumstances, the University will seek action consistent with the complainant's request. If the complainant requests to move forward with the formal resolution process, or by virtue of the nature of the complaint, then the administrative fact-finding process will occur. The administrative fact-finding is a process which will include interviews of the complainant, the respondent and any witnesses. Included in the Administrative Fact-Finding Report will be a summary of the allegations, a list of University policies that may have been violated and an analysis of the facts, including testimony and documentation that is in dispute or in agreement. Respondents and complainants will be informed of the outcome of the administrative fact-finding process. If policy allegations have been substantiated, the Administrative Fact-Finding Report will be submitted to an administrator within the Office of Student Conduct and Community Standards and the Student Conduct and Community Standards Title IX Panel (SCCSS Title IX Panel) for an administrative hearing.

Administrative Hearing Procedures Involving Student-on-Student Incidents

It is important to note that our campus disciplinary process is not a criminal trial. It is a University proceeding designed to hold students responsible for their role in violations of the Student Code of Conduct.

Like in all other administrative hearings, the University will apply a “preponderance of the evidence” standard in determining whether a violation of the Student Code of Conduct occurred in cases of alleged sexual misconduct. A preponderance of the evidence standard simply means that it is “more likely than not” that a violation occurred. This is in contrast to “beyond a reasonable doubt,” which is the higher standard of proof required for a conviction in a criminal trial. In addition, the University has chosen to utilize an investigation model for resolving sexual misconduct complaints.

The investigation model is nonadversarial and minimizes recategorization by discouraging interaction between the complainant and respondent. Investigations are conducted with all involved parties separately. Pertinent notes and an analysis of the facts, including testimony and documentation, are compiled into a Fact-Finding Report. If a Code of Conduct violation is prevalent in the Administrative Fact-Finding Report, the respondent will be afforded an administrative hearing by the SCCCS Title IX Panel.

Outlined below are the additions to the existing administrative hearing procedures adhered to in cases of alleged sexual misconduct:

1. Upon receipt of the substantiated allegations in the Administrative Fact-Finding Report, an administrative hearing will be held.
2. In cases of alleged sexual misconduct, the respondent:
   a. May select an advocate to guide them through the Student Conduct and Community Standards process;
   b. Is informed that a recording of the hearing shall be made. The recording shall be the property of the University.
   c. Shall be advised of their responsibility to tell the truth before speaking to the charges;
   d. May decline to answer questions posed during a hearing. The refusal of the respondent to answer questions shall not be considered as evidence of a violation of the Code; however, such refusal may be considered in assessing credibility;
   e. Shall be allowed to introduce witness testimony, relevant evidence and his/her version of the events that resulted in the accusation of a violation of the Code of Conduct;
   f. May question and examine the relevant statements, evidence and documents presented in the investigative report. The Director of Student Conduct and Community Standards or designee, or Student Conduct and Community Standards Title IX Panel will determine if questions will be submitted in writing prior to the hearing;
   g. May bring an advisor or Student Conduct and Community Standards advocate, who may consult with and advise the student/student organization but may not otherwise participate in the hearing.
3. Hearing decisions and penalties imposed shall be provided to the respondent or student organization in writing, and shall include information about the student’s right to an appeal hearing. Complainants of sexual-misconduct violations shall also be notified of hearing decisions and their right to appeal in accordance with FERPA requirements and Title IX guidelines.
4. All hearing procedures shall be carried out in a timely fashion, adhering to the following guidelines:
   a. All charges of a violation as well as the date, time and place of the hearing shall be provided in writing to the complaining, respondent or student organization;
   b. The Student Conduct and Community Standards Title IX Panel shall consider the evidence presented within the Administrative Fact-Finding Report and provided by the hearing to determine if a violation of the Student Code of Conduct occurred. The Student Conduct and Community Standards Title IX Panel shall inform both the respondent and the complainant of the decision. If additional time is required to render a decision, the respondent and complainant will be informed of the decision within five business days of the hearing conclusion. All decisions will be communicated in writing;
   c. The respondent and complainant have the right to an appeal in cases alleging sexual misconduct.

APPEALS IN TITLE IX SEXUAL-MISCONDUCT CASES

A student may appeal the administrative hearing decision in Title IX sexual-misconduct cases in writing to the Vice President for Student Affairs and Enrollment Management or designee within five days following the decision. The vice president or designee will review the appeal and render a decision.

APPEALS TO THE VICE PRESIDENT FOR STUDENT AFFAIRS AND ENROLLMENT MANAGEMENT

a. Alleged violations of hearing procedures.
   b. New information pertaining to the case that was not available at the time of the hearing that may substantially change the decision.
   c. Sanctions imposed were arbitrary or capricious for the violation of the Student Code of Conduct.

The vice president or designee will review the existing record and may:

a. Uphold the findings and sanctions.
   b. Modify some or all of the findings and sanctions.
   c. Reverse all of the findings of the administrative hearing decision.
   d. Order a new hearing.

The decision rendered by the vice president or designee is final.

In matters of a safety and/or security risk to the campus, the vice president or designee reserves the right to institute measures to protect the safety and well-being of the campus. In such matters the vice president or designee will have sole discretion to ensure the safety of the University, including but not limited to an interim suspension.

SECTION F
DISCIPLINARY SANCTIONS

The following are general University sanctions which may be imposed upon a student or an organization that is found responsible for a violation of the Student Code of Conduct. This list is not intended to be exhaustive, and the University and its agents reserve the right to impose additional sanctions to ensure the highest standards of conduct. Counseling, treatment programs, restrictions from facilities or other conditions may be imposed when deemed appropriate. The University may impose any combination of the following sanctions:

a. Revocation of enrollment;
   b. Sanctions imposed were arbitrary or capricious for the violation of the Student Code of Conduct.

The University sanctions which may be imposed upon a student or an organization that is found responsible for a violation of the Student Code of Conduct. This list is not intended to be exhaustive, and the University and its agents reserve the right to impose additional sanctions to ensure the highest standards of conduct. Counseling, treatment programs, restrictions from facilities or other conditions may be imposed when deemed appropriate. The University may impose any combination of the following sanctions:

a. Revocation of enrollment;
   b. Sanctions imposed were arbitrary or capricious for the violation of the Student Code of Conduct.
**INTERIM SUSPENSION**

Pending final action on charges of violating the Student Code of Conduct, the student may be subject to immediate suspension or loss of privileges if it is determined by the Vice President for Student Affairs and Enrollment Management or designee that the student’s presence on campus may constitute a threat to the health, safety and welfare of the University community. In addition, a student may be placed on interim suspension if the student poses an ongoing disruption of, or interference with, the normal operations of the University.

If a student is placed on interim suspension, the administrative hearing will be scheduled within 10 class days to determine a final sanction. Unless extenuating circumstances prevent the facilitation of a hearing, a reversal of an interim suspension shall not be construed as a determination that the student is not in violation of the Student Code of Conduct. The University reserves the right to extend the required time period for exceptions based on the health and/or mental-health concerns that may impede the student’s ability to effectively participate on their own behalf. In such matters the Vice President for Student Affairs and Enrollment Management or designee will have sole discretion.

During a period of interim suspension, students may not continue to participate in classes or participate in online or distance-education courses, participate in University activities and/or be on University property. The interim suspension shall remain in effect until such time as it has been modified by the Director of Student Conduct.

*While on interim suspension, the student is responsible for the payment of all tuition and fees in accordance with the University payment policies. (Please reference the offices of Housing and Residential Programs and Office of Student Accounts fee schedules for more details.)*

**EDUCATIONAL SANCTIONS (E.S.)**

This action will be commemorated with the violation. The objective of educational sanctions is to provide the responsible student with a proportionate penalty in response to their role in violating the Code of Conduct.

A. Deferred action: Deferring the imposition of a standard sanction for a violation based on mitigating circumstances. Students imposed “deferred action” sanctions understand that any new misconduct for which a student is found responsible will result in the immediate imposition of the sanction that was deferred, becoming effective immediately without further review. A sanction may be in deferred status for a limited period of time.

B. Reprimand: A student shall be warned, in writing, not to violate the Student Code of Conduct in the future. Additional violations may result in more serious disciplinary action.

C. Financial restitution: A student or student organization may be required to make payment to the University or to another specified person(s) or group(s) for damages incurred as a result of a violation of behavioral expectations.

D. Fines: A financial cost applied to the student or organization as predetermined on existing policies.

E. Parental notification: A student’s parent or guardian may be notified of a violation of the Code of Conduct and the student’s disciplinary record in accordance with the Family Educational Rights Privacy Act (FERPA) (see page 49).

F. No-contact directive: This action is implemented at the discretion of a hearing officer directing a student to avoid initiating contact with another member of the University community and may include limiting access to areas to avoid incidental contact. Restricted contact includes direct interactions in person or through technology as well as the use of third parties to interact.

G. Loss of privileges: A student/student organization may be denied specific privileges for a designated period of time. These privileges include but are not limited to access to specific buildings, facilities, residence hall assignment and participation in extracurricular activities.

H. Probation: This level of sanction is intended to provide the student an opportunity to reflect on and learn from their conduct while increasing their awareness of the impact of their conduct on themselves and others, and of the University’s behavioral expectations. Additional violations during this period will result in more serious sanctions by the Office of Student Conduct and Community Standards.

**RETROACTIVE SANCTIONS (S.R.)**

This action will be commensurate with the violation. The objective of this administrative action is to revoke the suspension of a student from Millersville University. During a period of assigned “censure,” a student may maintain membership with any student organization, group or team. However, the student may not represent the University in any official leadership capacity or hold office or a leadership position in any student organizations, groups or teams. Censure indicates to the student that further violation(s) of University regulations will result in more stringent conduct action, including but not limited to suspension or expulsion from the University.

J. Suspension: The loss of privileges for enrollment for a designated period of time determined by the hearing officer or designee. A suspension remains in place during the appeal process and until a final outcome of the appeal has been determined.

Suspended persons are prohibited from taking classes, including distance-education and online courses, taking exams and/or receiving grades, participating in University activities and being present on University-owned or -controlled property. During a period of suspension, if a person is found to be present on University property without permission from the Office of Student Conduct and Community Standards, they will be subjected to arrest for criminal trespass. Persons are entitled to a monetary refund for tuition, housing or a meal plan. (Please reference the offices of Housing and Residential Programs and Office of Student Accounts fee schedules for more details.) If living on campus, a student must make arrangements to vacate within 48 hours or less. The time period will be determined by the hearing officer.

In order to be eligible for readmission, a person must comply with all aspects of the suspension letter. Readmission is contingent upon completion of the suspension period, fulfillment of sanctions if any, and the approval of the Vice President for Student Affairs and Enrollment Management or designee.

To petition for reenrollment, a letter must be submitted to the Office of Student Conduct and Community Standards. A student enrolled in Student Affairs and Enrollment Management no sooner than 30 days prior to the intended reenrollment. The petition letter should include 1) reasons for wanting to return to Millersville University, 2) how behavior has changed since the suspension and 3) plans for becoming a productive member of the University community.

After the petition has been approved, notification will be made to the Vice President for Student Affairs and Enrollment Management to arrange for a readmission meeting.

**2020 Annual Security and Fire Safety Report**
I. Termination of University Recognition:
The organization is not eligible for reinstatement for a minimum of five years. Only the Vice President for Student Affairs and Enrollment Management can grant reinstatement of an organization’s recognition. Consideration for reinstatement must be accompanied by a written proposal developed under the guidance of the Director of the Center for Student Involvement and Leadership. The proposal for reinstatement must also include the following criteria:

a. A letter of endorsement/support from a proposed faculty/staff advisor.

b. A letter of support from the Executive Board of Student Senate.

c. A cover letter outlining the steps that have been taken to avoid a repeat of the similar misconduct.

M. Expulsion: The student is separated from the University permanently. There are no provisions for the readmission of the student in the future. The expelled student is responsible for the payment of all tuition and fees in accordance with the University payment policies. (Please refer to the Department of Housing, and Residential Programs’ and Office of Student Accounts’ fee schedules for more details.)

COMPLIANCE

The Director of Student Conduct and Community Standards or designee has oversight for monitoring the compliance of sanctions. In the event a student does not comply with the imposed sanctions, the hearing officer may place a hold on their student record. A hold will prevent future course registration, receipt of diplomas and access to general business services.

Before a Student Conduct and Community Standards hold can be removed, the student will be required to submit a Hold Removal Form, located on the web page of the Office of Student Conduct and Community Standards.

Students who miss appointments during or as a part of the fulfillment of any phase of the Student Conduct and Community Standards process may incur fines and have additional charges imposed against them for noncompliance. This includes appointments with the hearing officer, the Appeal Board, Counseling Center personnel or with any other internal or external individuals or entities enlisted by the University to assist with the Student Conduct and Community Standards process.

It should be noted that noncompliance with mandated sanctions may also result in the loss of University scholarships. Students who are found responsible for violations are directed to contact the Financial Aid department to assess the consequences that may result from a sanction issued by the Office of Student Conduct and Community Standards. Sanctions imposed against student organizations do not apply to the individual members of the organizations. However, organization members may be held separately responsible for violations, depending on their individual role and involvement, and relevant sanctions may be imposed as appropriate.

*Please note that interim suspensions are applied prior to any Student Conduct and Community Standards proceedings in cases where safety may be a major concern.

APPENDIX

RETENTION OF RECORDS

Expunging of Records

1. All disciplinary records or electronic files for cases involving sanctions other than suspension or expulsion will be expunged seven years after the initial date of the incident. If for some reason the date of the initial incident is unknown, the case will be expunged seven years after the resolution of the initial incident.

2. University suspension and expulsion records will be maintained by the Office of Student Conduct and Community Standards for an indefinite period of time.

3. Audio recordings for cases resulting in suspension or expulsion will be maintained for an indefinite period of time.

Request to Obtain Student Records

1. All requests for a student disciplinary record must be done in writing and authorized/signed by the student and given to the appropriate office.

2. Students are able to view the files in the corresponding office where the file is kept and take appropriate notes of their observations.

Student disciplinary records are the property of Millersville University and cannot be copied, photographed or removed from the corresponding office.

AMENDMENTS AND REVISIONS

Any question of interpretation or application of the Code of Conduct shall be referred to the Vice President for Student Affairs and Enrollment Management for final determination, P.O. Box 1002, Millersville, PA 17551-0302.

The Code of Conduct is reviewed annually, and amendments are made under the direction of the Director of Student Conduct and Community Standards. Amendments to the Student Code of Conduct policy are subject to presidential approval and formal action by the Council of Trustees. An electronic version of the updated Code of Conduct is available for all students each year via the internet on the Office of Student Conduct and Community Standards website.

Information regarding advocates or forms may be obtained at www.millersville.edu/studentconduct/files/conductadvocatetprogram.pdf.

GLOSSARY OF TERMS

*Administrative hearing* refers to the lowest level of review in the conduct process. The hearing officer conducts this hearing. In cases involving Title IX, the Student Conduct and Community Standards Title IX Panel will hold the hearing.

*Arbitrary or capricious* refers to decisions subject to individual will or judgment without restriction, contingent solely upon one’s discretion, and made by an arbiter rather than by a law or statute.

*Business days* refers to days when University offices are open for normal business hours.

*Complainant* refers to the person who is impacted by or subject to the alleged violation. In some cases, the Miller University Police Department or the Office of Student Conduct and Community Standards, serving in the best interest of the University, may act as the complainant.

*Conduct advocate* refers to a resource for students going through or involved in the Student Conduct and Community Standards process at Millersville University. The advocates are well trained in the Student Conduct and Community Standards process and provide necessary support and resources as needed to any party involved in the disciplinary process. As neutral parties they have no influence on the outcome of the case.

*Consent*: Consent is clear, knowing and voluntary, and expressed prior to engaging in and during a sexual act. Consent is active, not passive. Silence, in and of itself, cannot be interpreted as consent. Consent can be given by words or actions, as long as those words or actions create mutually understandable, clear permission regarding willingness to engage in (and the conditions of) sexual activity.

- Consent to any one form of sexual activity cannot automatically imply consent to any other forms of sexual activity.
- Consent can be withdrawn at any time.
- Previous relationships or prior consent cannot imply consent to future sexual acts.
- In order to give effective consent, one must be of legal age.
- In order to give effective consent, one must not be incapacitated.

*Designee* means a person authorized to make decisions on behalf of the named administrator in his/her absence or on behalf of that administrator.

*Director of Student Conduct and Community Standards* refers to the administrator for Student Conduct and Community Standards serving in the best interest of the University, with oversight for the management of the division.

*Faculty member* means any person defined as a member of the faculty in the ASPCUI collective-bargaining agreement.

*Force*: Force is the use of physical violence and/or imposing on someone physically to gain sexual access. Force also includes threats, intimidation (implied threats) and coercion that overcome resistance or produce consent.

*Good standing* is defined as having no outstanding disciplinary sanctions or disciplinary actions pending. Students must be in “good standing” to receive a degree from the University.

*Hearing officer* refers to a staff member designated by the Vice President for Student Affairs and Enrollment Management or Director of Student Conduct and Community Standards to hold disciplinary hearings, including the administrative hearing; impose sanctions; manage student conduct records and administer the Student Code of Conduct.

*Incapacitation* is a state where someone cannot make rational, reasonable decisions because they lack the capacity to give knowing consent (e.g., to understand the “who, what, when, where, why or how” of their sexual interaction). This definition also covers a person whose incapacity results from mental disability, sleep, involuntary physical restraint, or from the use of alcohol or drugs. Sexual activity with a person who they know or reasonably should know to be mentally or physically incapacitated constitutes sexual misconduct under this Code. In evaluating whether a person should know if another individual is incapacitated is whether a reasonable person in the same position knew or should have known of the complainant’s incapacitation.

*Interim suspension* means that a student cannot attend classes and must leave University property and remain off University property until a hearing is completed.

*Office of Student Conduct and Community Standards* investigates possible violations, maintains Student Conduct and Community Standards records, trains the University Appeal Board and the Student Conduct and Community Standards Title IX Panel, interviews parties involved in alleged violations and coordinates with the Title IX Coordinator in matters pertaining to sexual assault/harassment.

*Preponderance of the evidence* has been described as just enough evidence to make it more likely than not.

*Relevant evidence* refers to evidence having any tendency to make the existence of any fact that is of consequence to the determination of the action more probable or less probable than it would be without the evidence.
I. PURPOSE
The purpose of this directive is to establish administrative and operational guidelines for property and evidence control by employees of the Millersville University Police Department (MUPD).

II. POLICY
It is the policy of the MUPD to ensure that all found and abandoned property, contraband and evidence in the department's custody are properly documented and accounted for, securely stored, and readily retrievable for court, analysis, return to the rightful owner or claimant, properly documented and accounted for, securely stored, and readily retrievable for court, analysis, return to the rightful owner or claimant, or unclaimed after the mandatory waiting period.

III. DEFINITIONS
EVIDENCE: Any physical item or object which may provide proof of a crime, could be used in a criminal proceeding as support for testimony, or which may implicate or clear a person of a criminal change(s), or disprove a disputed fact.

EVIDENCE CUSTODIAN: A sworn MUPD police officer authorized to possess and use the key to the evidence room and is solely accountable for control, chain-of-custody transfers and maintenance of all evidence and property stored in the department property area.

EVIDENCE ROOM: A room designated as a "restricted to authorized MUPD personnel only" area for long-term storage of evidence, requiring that any MUPD sworn officer, other employee, or other authorized law enforcement personnel entering same must be accompanied by an evidence custodian, and must sign the log when entering and exiting the room.

FOUND PROPERTY: Any item or object whose owner is not known or cannot be determined or located at the time of discovery or submission that is found and given or turned over to department personnel.

PROPERTY: Any item coming into the possession of the department which is not classified as evidence. Property may be generally classified as follows:
- Imputed
- Found
- Turned Over to Police for Destruction
- Safekeeping
- Personal Belongings
- Held for Forfeiture

PROPERTY HELD FOR SAFEKEEPING: Any item or object that is obtained by or given to any MUPD employee which because of the nature or value of the object, or the circumstances under which it is obtained, including to prevent injury to the owner or another, must be safeguarded.

TEMPORARY EVIDENCE LOCKER: The Temporary Evidence Lockers are located in the Firearms Storage/Cleaning Room in the basement of the MUPD. These evidence lockers are authorized by the department as temporary storage for evidence, until the evidence custodian can remove the items from the back side of the locker, which is located in the evidence room. (PLEAC 3.6.2)(Obs.).

IV. PROCEDURES
A. All property and evidence received by any MUPD employee must be properly documented and logged into the ALERT system as soon as possible, safeguarded and secured by the employee receiving or coming into possession of the property/evidence. (PLEAC 3.6.1(a))

B. Employees shall ensure that all property/evidence which comes into the possession of a student/student organization is properly safeguarded until relieved of that responsibility. It shall be the responsibility of the employee first receiving the property/evidence to ensure that it is clearly marked, identified and stored prior to the conclusion of the employee's shift and according to the provisions of this directive. (PLEAC 3.6.1(b))

1. In every instance, employees shall place all property evidence obtained in the course of their employment in the appropriate locker or storage area. (PLEAC 3.6.2(Obs.).)

2. In no instance shall an employee store property or evidence in a personal locker or other unauthorized location, or remove it from the MUPD station, unless removal is for legitimate, documented, authorized purposes.

C. When an employee cannot determine if an item should be classified as property or evidence, it shall be classified as property. Should the classification need to be changed to evidence, the employee shall notify the evidence custodian in writing. The employee shall also forward to the evidence custodian a copy of the supplement report explaining in detail why the change is needed.

D. When property/evidence comes into the control of this department, the receiving employee shall:
1. Ensure that an ALERT entry is made by the dispatcher.
2. Complete an Incident Report. The Incident Report shall include (PLEAC 3.6.1(c))
   a. The circumstances under which the property evidence came into the department's possession and control.
   b. A description of the item(s), including condition.
   c. Identification of the owner and/or finder, if known.
   d. Any details concerning special handling or disposition of the property/evidence.
   e. A copy of any search warrants and receipts (if applicable).

E. Property Record
1. The property record generated by the ALERT Property File module shall be utilized to document and record all property and evidence as required by this directive.

2. Mandatory fields: The following fields within the Property File module must be completed for each entry:
   a. Property Type: This field is a series of check boxes that allow you to classify the property/evidence by type. You may select more than one type. You will be able to search by this type later on.
   b. Property Status: This allows you to choose, from a list of check boxes, the status of the property evidence. You will also be able to print a report for any of these items. Check the boxes as indicated below:

      (1) Check "Entered into System" for all property and evidence that is held and deposited in one of the designated storage areas (temporary evidence locker, evidence room, basement storage area).
      (2) Check "Hold for Invest. And Do Not Release" for all evidence.
      (3) Check "Release on Demand" for all found property for which the owner has been identified.
      (4) Check "Hold for Invest." for all found property for which no ownership has been established, and for found property turned in by a person who states that they intend to claim the property if it remains unclaimed after the mandatory waiting period established in this directive.
      (5) Check "Hold for Destruct." for all alcoholic beverages.
      (6) For drugs and other controlled substances, check "Hold for Invest. + Hold for Destruct."

   c. Property Item Information: This is where you enter the specific property/evidence information. Names: Up to two names can be associated with a property record. You can click on the check box describing their relation to the case, and then enter their address information in the spaces provided.

F. When property/evidence in the storage area designated by this directive. Items such as bicycles, which are too big for the temporary evidence locker, shall be placed in the basement storage area.

G. Property Record
1. The property record generated by the ALERT Property File module shall be utilized to document and record all property and evidence as required by this directive.

H. Property Status: This allows you to choose, from a list of check boxes, the status of the property evidence. You will also be able to print a report for any of these items. Check the boxes as indicated below:

   (1) Check "Entered into System" for all property and evidence that is held and deposited in one of the designated storage areas (temporary evidence locker, evidence room, basement storage area).
   (2) Check "Hold for Invest. And Do Not Release" for all evidence.
   (3) Check "Release on Demand" for all found property for which the owner has been identified.
   (4) Check "Hold for Invest." for all found property for which no ownership has been established, and for found property turned in by a person who states that they intend to claim the property if it remains unclaimed after the mandatory waiting period established in this directive.
   (5) Check "Hold for Destruct." for all alcoholic beverages.
   (6) For drugs and other controlled substances, check "Hold for Invest. + Hold for Destruct."

   c. Property Item Information: This is where you enter the specific property/evidence information. Names: Up to two names can be associated with a property record. You can click on the check box describing their relation to the case, and then enter their address information in the spaces provided.
3. Evidence transfers/transactions
a. The transfer of custody of all property classified as evidence shall also be documented in the property record for each item of evidence. Examples of the transfer of custody of evidence include:
   (1) To the investigating officer for court appearances
   (2) To/from a lab for analysis
   (3) To the DA’s office
   (4) To another law enforcement agency which is assuming responsibility for the follow-up investigation and prosecution of the case to which the evidence is related (e.g., PSP, Millersville Borough, Butler County District Attorney’s Office, FBI, etc.)

b. To maintain the integrity of the physical evidence, all property records relating to evidence will remain in the custody of the MUPD.

c. When evidence is to be transferred for an extended period of time (i.e., 30 days or more) or permanently to the custody of another criminal justice entity, as in Subsections 4.a (3) and (4) above, the transaction shall also be documented in a supplemental report.

d. Information to be documented regarding the transfer of evidence shall include the following (PLEAC 3.5.2):
   (1) Name of the MUPD member possessing/receiving the evidence (PLEAC 3.5.2(a))
   (2) Date and time of every transaction/transfer (PLEAC 3.5.2(b))
   (3) Name and assignment of the member receiving the evidence (PLEAC 3.5.2(c))
   (4) Reason for the transaction/transfer (PLEAC 3.5.2(d))
   (5) Name and location of any laboratory and/or agency to which the evidence was transferred (PLEAC 3.5.2(e))
   (6) Type of examination(s) requested (PLEAC 3.5.2(f))
   (7) Any other pertinent information relating to the transaction/transfer of the evidence (PLEAC 3.5.2(g))
   (8) Any type of hazard related to the evidence (PLEAC 3.5.2(h))
   (9) Complaint/case/incident number
   (10) Location where evidence was obtained
   (11) If obtained from a person, name of the person
   (12) Full description of the item(s)

e. These requirements will ensure that the chain of custody of the evidence will be ascertainable for court purposes and presentation. It provides a way to determine who had possession of and the location of the evidence during any time that it was in the custody of the MUPD or other authorized agency or individual.

F. Determining Ownership
1. Employees shall make every attempt to determine the owner of found property and have the property returned.
   The employee taking actual, initial control of property which is found and/or recovered and not needed for evidentiary purposes shall be responsible for doing so. (PLEAC 3.6.1)(f)

2. If the found property is returned, the owner shall sign a printed/hardcopy of the ALERT Property Record. The ALERT Property File module for that record shall be updated to reflect the return. (PLEAC 3.6.1)(g)

3. If the property is not released prior to the employee going off duty, the property shall be secured in the temporary evidence locker.

4. All efforts to determine ownership shall be documented in the narrative of the incident report. These efforts may include but are not limited to:
   a. JNET inquiries
   b. Search of the ALERT Master Name File and other appropriate databases
   c. Messages to other University departments and law enforcement agencies

5. Once determined, the identity of the owner of any property/evidence shall be noted in the Incident Report and the property record along with what attempts were made to notify the owner. If the owner was already known, upon learning the identity of the owner, the employee shall make an attempt to notify the owner and document all pertinent information, including the attempt(s), in a supplemental report.

6. Employees shall make appropriate inquiries to the JNET/NCIC/CLEAN system regarding all serialized or identifiable items of property/evidence to determine if the property/evidence has been reported stolen. The results of the inquiry shall be noted in the incident report narrative.

7. If the inquiry results in a positive “hit,” the employee shall make appropriate inquiries with the originating agency and complete the necessary paperwork.

8. Information regarding the disposition of property evidence found to be stolen shall be included in the incident report and the property record.

H. Packaging (PLEAC 3.6.1)(d)
1. As a general rule, always practice Officer Safety when handling any property or evidence.

2. All property/evidence should be packaged in paper bags, secured and tagged. Always use a size-appropriate bag, and ensure that the bag will not tear or rip as a result of the item being placed in the bag.

3. To ensure the evidentiary properties of paper containers:
   a. Clothing or other items which are wet or which contain blood or other body fluids should be stored in a paper bag – never plastic.
   b. Wet evidence should be air dried before packaging.
   c. Evidence bags should be sealed with tape rather than staples.

4. Heavy items may be placed in a box after being sealed in a paper container.

5. Sharp items that are small, if dry, may be placed in a plastic container (syringe holder or jar). Seal the container, place the container in a paper bag and seal the bag.

6. Sharp items that are too large for a plastic container, if dry, may be wrapped in paper towel or newspaper, placed in a paper bag or box, and sealed.

7. Breakable items should be marked prominently.

8. In the event that the item is not suitable for packaging in an evidence bag, an evidence tag shall be secured to the item. All firearms shall be tagged and stored without ammunition.

9. The tag shall contain the same information as the evidence bag.

I. Valuables (PLEAC 3.6.1)(e)
1. Valuable property or evidence taken into department control shall be stored and recorded as described in Part VI, C.1-5 above. Additionally, the on-duty shift supervisor shall be notified.

2. Valuable property or evidence may include expensive jewelry, large amounts of U.S. or foreign coins/currency, large amounts of controlled substances, and any other items which may be deemed exceptionally valuable. These items will subsequently be stored in a designated locked metal cabinet/safe inside the evidence room by the evidence custodian after they have been removed from the temporary evidence locker.

3. When possible, two employees should be present during the inventory and securing of valuable property or evidence.

   a. Money will be counted by the reporting officer and verified by a shift supervisor.
   b. Practice Officer Safety – wear latex gloves when counting currency, particularly when cash is seized in connection with a drug arrest or the execution of a search warrant.
   c. If the reporting officer is a shift supervisor or if no shift supervisor is available, a second officer shall verify the amount.
   d. Both officers’ initials must appear on the hardcopy of the ALERT Property Record, and the names of all MUPD employees present during any part of the counting or inventory shall be listed in the incident report.
   e. All money will be submitted in a sealed package or envelope.

4. Illegal controlled substances/drugs shall be counted and/or weighed prior to submission.

   a. The quantity of drugs shall be listed on the ALERT Property Record.
   b. Practice Officer Safety – latex gloves should be worn when handling any drugs or drug paraphernalia.

1. Crime Scene Processing (PLEAC 3.5.1)
   a. The criminal investigator is responsible for most crime-scene processing. Patrol officers may be utilized for most types of crime scenes, exclusive of vehicle collision scenes, if requested by the shift supervisor or captains. Qualified MUPD police officers when on duty may also process minor crime scenes.

   b. If an incident requires crime-scene processing when a MUPD supervisor is not available, the OIC shall notify the criminal investigator.

   c. The MUPD shift supervisor shall request the services of PSP crime scene technicians in the following instances:
      (1) Any major crime (e.g., rape, arson, shooting, homicide, etc.) occurring on campus or on University-owned/leased property involving serious injury or death.
      (2) Any crime scene where blood or DNA evidence samples are present and need to be recovered, obtained or processed.
      (3) All vehicle collisions occurring on campus or on University-owned/leased property involving serious injury or death.

   d. When the processing of any crime scene located on University property is being handled by the PSP or another law enforcement agency, all evidence collection, documentation, submission to a laboratory and writing of the report shall be the responsibility of that agency.

   e. This includes any/all weapons and firearms that are part of the crime scene or recovered from a suspect’s possession, property or vehicle at the crime scene, or at the scene of arrest if the latter is other than the crime scene.

   f. If non-evidentiary property collected at such scenes by a member of another agency is turned over to a member of the MUPD (e.g., the victim’s personal property), the MUPD member shall complete an incident report and forward the property to the appropriate “On-Campus Agency” and follow all procedures for recording and storing said property as required elsewhere in this directive.

2. Found Property
   a. An ALERT incident report shall be completed on all property that is:
      (1) Found by a department employee
      (2) Turned in over to a department employee by someone on campus, or
      (3) Turned in to a supervisor or dispatcher by a walk-in at the Information Desk.

   b. The narrative shall contain:
      (1) The name, telephone number, local residence address and e-mail address of the person who turned in the property (if the person provides this information)
3. Containers: Locked/Large
a. Whenever locked containers, boxes, attached cases, suitcases, etc., come into the custody of the department for which no keys are available, the employee handling the property/evidence shall notify the shift supervisor, who shall decide the method to be utilized in opening the locked items.
b. When recovering large containers (e.g., trunks, the locked items.

4. Alcohol Beverages: Employees shall, whenever possible, avoid seizing even small quantities of alcoholic beverages. Every effort should be made to return to the rightful owner alcoholic beverages that are not evidence of illegal activity or a violation of the University alcohol policy, if the owner can be identified and if he/she is a responsible person of legal age. a. Before returning alcoholic beverages, a photo of the beverages should be taken for evidentiary purposes. The photo will then be documented in the incident report and property record as an item of evidence, and will be processed as any other item of evidence. b. Before returning the alcoholic beverages, employees shall document the type, brand and quantity in the incident report and obtain a signed property receipt from the responsible person. c. In the event that no responsible person is located, a photo shall be taken of the alcoholic beverages, and the photo will be processed as in item 4a above. The alcohol may then be disposed of under the supervision of the evidence custodian. The disposal and witnesses to the disposal shall be documented in a supplemental report.
d. When alcoholic beverages must be seized as evidence and a final disposition has been made in its criminal case, the evidence custodian shall dispose of small quantities.
e. In the event that a keg and/or pump (tap) is taken into custody as evidence, every possible attempt shall be made to identify the owner of the keg. A photo shall be taken of the keg/pump, the photo entered into evidence, and the keg turned over to the owner. The owner shall sign a property receipt upon receipt of the keg/pump. In the event that the owner of a keg is not immediately available or is not identified, the keg shall be properly tagged and stored in the basement storage area under the classification of Property.

5. Firearms
a. All firearms, except weapons which are to be fingerprinted, shall be unloaded immediately after being taken into custody. Firearms which will be fingerprinted shall be unloaded as soon as possible, taking extra care not to destroy any latent prints.
b. An officer seizing a firearm shall unload any firearm before entering the MUPD station.
   (1) If the firearm cannot be unloaded because of a malfunction or the officer’s unfamiliarity with the firearm, the officer shall attempt to secure the weapon so that it cannot fire (e.g., secure the cylinder or trigger). The officer shall attach a prominent note to the firearm, describing the malfunction, and/or a warning that the firearm has not been unloaded, before depositing it in the temporary evidence locker.
   (2) The officer shall document the incident and property record as an item of evidence, and will be processed as any other item of evidence.
   d. Absent any specific directions from the court as to disposal, the evidence custodian shall cause the weapon to be transferred to a suitable facility for disposal or destruction.
   e. BB guns and pellet guns shall be unloaded prior to entering the MUPD station. The evidence custodian may store them, and they do not have to be handled as other firearms.

2. The exact location where the item was found (e.g., in the PT Lot) is not sufficient. Describe as “1st row near building second and handicap space”.
3. The name and rank/title of the department employee to whom the property is turned over.
4. The location where the property is placed for storage (e.g., temporary evidence locker, basement storage area, etc.).
5. All contained items:十字, backpacks, wallets, cell phones and any other items – regardless of value – shall immediately be placed in the temporary evidence locker.
6. The procedure shall be followed regardless of whether or not:
   (1) The property (e.g., a wallet, MU ID card, PA driver’s license, etc.) readily identifies the owner and the owner can be immediately notified or contacted by phone or email.
   (2) The property will be in the department’s custody for any length of time.
7. Bicycles
a. All found, abandoned and recovered (stolen) bicycles taken into the custody of the department should be transported first to the police station for processing. b. An incident report shall be prepared for each bicycle taken into custody, except:
   (1) When more than one bicycle is seized recovered/find at the same time and location;
   (2) In connection with the same complaint number for,
   (3) During the annual sweep of campus to remove abandoned bicycles from bike racks or other locations. (In this, all seized bicycles may be listed in the same incident report.) c. If the bicycle is recovered (i.e., was previously reported as stolen or the JNET/NCIC query list it as stolen), a copy of the incident report or the JNET/NCIC check shall be attached to the hardcopy of the property record.
d. Employees shall examine the frame and front forks of each bicycle in an attempt to locate a serial number, bicycle registration number, Social Security number, or similar number engraved thereon or printed on a sticker/label attached thereto which indicates that the bicycle was registered in a law enforcement registration program.

1. The evidence custodian shall complete a supplemental report documenting the date, time, location and disposition of the weapon.
2. The destruction will be witnessed by the evidence custodian and his assistant.

2020 Annual Security and Fire Safety Report
Officials shall make an effort to locate the owners of all bicycles in the department's custody.
Bicycles shall be returned only upon presentation of a signed receipt for its return.
At the end of each calendar year, the evidence custodian shall submit a list of all unclaimed abandoned and/or lost property, or any bicycle still in the department's possession may be donated to an appropriate charity, and this shall be documented in a supplement.

8. Narcotics and Dangerous Drugs
a. Whenever any employee of the department comes into possession in any manner, of suspected narcotic and/or dangerous drugs, any needed field tests shall be performed as soon as possible and the suspected drugs entered into the department's property/evidence control system.
b. Employees shall keep in mind the importance of the continuity of evidence and shall protect the suspected drugs in every possible way, keeping them in their immediate possession, or in a secure place, until they are deposited in the temporary evidence locker.
c. The employee shall complete a single incident report and property record of all suspected narcotics and/or dangerous drugs remaining in the property system for which final dispositions have been obtained.
d. Any drugs not classified as evidence will be listed as "Hold For Destruction" on a separate property record.

9. Flammables, Explosives and Hazardous Materials
a. Employees shall not bring flammables or any property into the MUPD station (e.g., gasoline, kerosene, paint, industrial alcohol) that could present a direct or potential hazard to the health or safety of department personnel.
b. Any officer who locates an item either independently or in response to a complaint which he feels could be potentially volatile or hazardous shall:
   1. Secure the immediate area and ensure that the item/object is not disturbed.
   2. Request through the dispatcher that a representative of Environmental Health and Safety (EHS) be dispatched.
   3. If the item(s) is not needed for evidentiary purposes, Environmental Health and Safety shall be allowed to dispose of the item(s).

10. Perishable Items
a. All perishable items, such as food that was stolen, shall be photographed and then returned to the owner upon receipt of a signed property receipt. The photo will be processed as evidence. If the item cannot be returned, it may be disposed of.
b. In the case of items from a food store which are wrapped in plastic and have a price tag attached, photograph the entire item, but remove and retain the price tag from the wrapper for evidentiary purposes. Both the photo and the price tag will be entered on the property record and processed as evidence.

11. Prisoner’s Property
a. At the time of arrest, a prisoner shall be thoroughly searched, and any personal property which could be used to effect an escape or injure an officer shall be temporarily removed from the prisoner.
b. Noninnocuous property may be returned to the prisoner, at the discretion of the arresting officer.
c. Injurious property (e.g., ties, belts, suspenders, neck scarf, shoelaces, lighter, etc.) shall be placed in a paper bag labeled with the prisoner’s name and the complaint or case number.
d. The paper bag shall be returned to the prisoner at the time of his release from custody, or when he/she is turned over to another law enforcement officer or an employee of the Lancaster County Prison/Sheriff’s Office.

12. Pimped Vehicles
a. MUPD officers are authorized to tow vehicles as per Directive #49 Towing Procedures.
b. When impounding a vehicle for offenses other than parking or traffic, the impounding officer shall, before the towing company removes the vehicle from the scene, carefully inspect the interior and exterior of the vehicle for any missing or damaged parts or equipment.
c. All damage or missing parts shall be described in the incident report (e.g., missing hubcap L/R wheel, large dent on passenger side R/R quarter panel). Such notations are important in terms of protecting the department from fraudulent claims by owners of impounded vehicles that additional damage was done to their vehicle while in police custody.
d. As per Directive #49, Part V, T, A, a complete inventory search of all vehicles that are returned to their vehicle while in police custody.

13. Safekeeping
a. There are numerous occasions when an arrest would be inappropriate but the circumstances suggest that officers seize personal property temporarily from the (e.g., a weapon or potentially dangerous instrument). This is usually done to prevent the subject from obtaining the same in an unlawful manner to subsequently injure someone.
b. This category of property shall be handled in the same manner as any other property.
c. It is vitally important whenever you seize property for safekeeping to obtain enough information on when, where, how and to whom the property should be returned.
d. The incident report and property record must include information sufficient to allow the evidence custodian to return the property to the rightful owner, destroy it or dispose of it by auction.

14. Estates of Deceased Persons
a. Employees of the department, upon determining that the property of a deceased person is without adequate safeguards, and a search has failed to find a rightful or responsible person to accept custody of the property, shall notify the shift supervisor. The shift supervisor will determine if the property is without adequate safeguards.
b. In all cases where a member of the immediate family is not present, cannot be located to respond in a timely manner, or other responsible person cannot be located, a search of the premises shall be made for money and other items of value that could be easily converted. These items shall be taken by the courts, an entry shall be processed as property. The premises shall be left secured.
c. A deceased person’s vehicle(s) shall not be impounded if a relative or responsible person can assume custody. Employees shall not, however, permit such vehicles to be left at locations where they might be exposed to damage for extended periods of time.
d. Relatives wishing to claim the property of a deceased person shall be instructed to contact the evidence custodian by mail or telephone.

15. Property of Alleged Mentally Ill
a. Insofar as the provisions are applicable, officers who find it necessary to safeguard the property of an alleged mentally ill person shall do so in the same manner as described for "Deceased Persons".
b. Employees shall bear in mind that when such property is taken into custody by the department, an expense is incurred by the department. Therefore, every effort shall be made to locate a relative, another responsible person, or transport the property with the person so as to transfer custody of the property.

16. Blood and DNA: Blood and DNA evidence not seized/recovered as per Section 1.1c above shall, after being processed according to Part VI, A-E of this directive, be submitted to the (PSP Greensburg) Forensic Laboratory Division of the Medical Examiner.

K. Releasing Property
1. The release of property/evidence in the department’s possession/contingent to the rightful owners, victims, claimants, courts or other agencies shall normally be accomplished by the evidence custodian, in accordance with the policies of this agency.
2. Evidence Needed for Court Appearances: In the case of the release of property/evidence for court purposes, the requesting officer shall notify the evidence custodian 24 hours prior to the scheduled court date, if possible.
3. Property/evidence shall only be released from the evidence room by the evidence custodian. The custodian or shift supervisor must advise the evidence custodian if the property/evidence is cleared for release. The chain of evidence for the item shall be properly maintained until the final release of that item.
4. Returning nonevidentiary property to the owner or the victim of a crime if it has been determined that the property does not have any evidentiary value by the Butler County District Attorney or is no longer necessary for further prosecution may be returned to the victim (PLEAC 45.1(b)).
5. The owner/claimant shall be required to produce at least one valid piece of photo identification.
6. The dispatcher or other MUPD employee conducting the transaction shall secure the identification and attach the copy to the pink property receipt card.
7. The owner/claimant must sign a printed copy of the ALERT property record for receipt of the property as well as the property receipt card.
8. The completed/signed property receipt card shall be deposited in the temporary evidence locker.
9. If property is released by the courts, an entry shall be made in the ALERT property record detailing the retention order. A report shall also be completed to reflect the disposition of the property.
10. Whenever evidence is transferred between the MUPD and other agencies and/or organizations, the receiving and/or releasing MUPD employee/official shall obtain a copy of
the other agency’s custody form and update the property record to reflect the transfer or disposition of each item of property.

L. Evidence Storage Facilities (PLEAC 3.6.4)
   1. A room has been designated as the evidence room. The basement storage area will serve as a secondary evidence storage location.
   2. The evidence room and the basement storage area are controlled by limited key access. There will only be two keys for these rooms. The evidence custodian and the backup custodian will be the only MUPD personnel in possession of keys to the evidence room or evidence storage area.
   3. Access to this area is limited to those persons authorized by the chief of police. In the event that items taken into department control cannot be stored in the evidence room due to size, condition or hazard, the evidence custodian shall make arrangements for secure storage in another area of such items.
   4. Anytime a separate storage area is designated for such storage, it shall be documented in the evidence/supplemental report and the property record by the receiving and securing officer(s).
   5. Secure storage within the evidence room is available for items which may require added security. Valuable items will be kept in a locked metal safe or cabinet.

M. Temporary Storage (PLEAC 3.6.3)
   1. Chain of Custody and Control
      a. All property/evidence will be logged in by completing an ALERT Property Record. The receiving officer will complete the receipt and transfer in an incident report.
      b. The property/evidence will be placed into an appropriate type of storage bag or marked with a property tag if necessary.
      c. Any items which are to be submitted to the State Police Laboratory, the FBI Laboratory or any other certified laboratory shall be placed in individual packages to prevent cross-contamination and will be packaged according to the instructions from the laboratory.
      d. Once properly prepared for temporary storage, the item(s) shall be placed into one of the temporary storage locker compartments.
         (1) A copy of the property record shall be placed with the item inside an available locker.
         (2) The officer opens the locker door and turns the handle counterclockwise one-quarter turn to the “locked” position. Once a locker is locked, only the evidence custodian can get to the locker from the back side. No key is needed to secure a property tag.
      e. The evidence custodian will transfer the property from the temporary evidence locker to the evidence room as soon as possible.
      f. Large items/objects: Certain property/evidence may have to be stored somewhere other than the temporary evidence locker. This includes bicycles and other objects which are too large for the temporary evidence locker.

   (1) The designated storage area for these items is the basement of the University Police Building.
   (2) In this circumstance, a hardcopy of the property report shall be forwarded to the evidence custodian.
   (3) The storage location of any property/evidence shall be noted in the incident report and entered in the ALERT Property File.
   (4) No evidence shall be left unsecured. Any question of storage should be directed to the evidence custodian or a superior officer.

   2. Duties of Evidence Custodian
      a. The control of and accountability for all property and evidence that has been entered into the department’s property and evidence control system shall be the duty and responsibility of the evidence custodian.
      b. Once evidence has been placed in the temporary evidence locker, it will be the responsibility of the evidence custodian to:
         (1) Remove it from the temporary evidence locker.
         (2) Ensure that the ALERT Property Record was properly completed.
         (3) Account for the items listed on the ALERT Property Record.
         (4) Transfer the property from the back of the locker into the evidence room.
   c. Once property/evidence has been placed into the evidence room, the evidence custodian shall make a log entry to reflect the date and time of transfer of evidence room as well as the location of the property evidence within the evidence room.
   d. The evidence custodian shall examine the ALERT Property Record for each item for completeness. The record should contain:
      (1) Complete description of the item(s)
      (2) Number of items in sequence
      (3) Signatures of recovering/seizing officer and approving shift supervisor for purposes of chain of custody
      (4) Owner’s information, if known
      (5) Date, time and location the item was found or seized
      (6) Status and location of item
   e. When evidence is to be transferred for an extended period of time (i.e., 30 days or more) or permanently to the custody of another criminal justice entity, as in subsections E.4.a (3) and (4), the evidence custodian shall document the transaction in a supplemental report.

   N. Reports and Inspections
   1. Two annual inspections of the evidence room shall be conducted:
      a. One annual inspection shall be conducted by the captain to determine adherence to departmental regulations. A written report of the inspection will be submitted to the chief of police, with a copy placed in the accreditation files. (PLEAC 3.6.6)(a)
      b. A second annual inspection will be conducted by a shift supervisor or patrol specialist who is not responsible for the evidence control function. A written report of the inspection will be submitted to the chief of police or designee, with a copy placed in the accreditation files. (PLEAC 3.6.6)(b)
   2. When a change of evidence custodians occurs due to reassignment, promotion or separation from the department; or when there is reason to believe that evidence has been tampered with or otherwise compromised; or when the evidence custodian has been removed due to any confirmed irregularities; an audit shall be conducted to ensure that records are correct and properly documented, and that all property/evidence inventory is accounted for. (PLEAC 3.6.6)(b)(c)
      a. This audit shall be made by the newly designated custodian and the incumbent custodian, unless the incumbent has been removed.
      b. A report shall be prepared by the newly appointed evidence custodian describing the results of the audit and submitted through the chain of command to the chief of police, with a copy placed in the accreditation file.
      c. An audit of property/evidence stored in the evidence room will be conducted by the captain with the evidence custodian present.
      d. A report shall be completed by the lieutenant describing the results of the audit and forwarded to the chief of police for review.
      e. A copy of the report signed by the chief of police will be placed in the department accreditation files.

   O. Disposition of Property
   1. The evidence room will be purged of selected items on at least an annual basis. Items of little value which are unclaimed will be purged on, at minimum, a quarterly basis. Items no longer needed as evidence may be purged at any time on a case-by-case basis.
   2. Such a purge shall be conducted after review of agency records for status of prosecution and/or appeals. If necessary, the DA’s office may be contacted for verification of the need to retain evidence for prosecution.
   3. Inquiry shall be made of the MUPD employee who originally took control of the property to assist in determination of its status.
   4. Property/evidence that may be returned to victims shall be done at this time.

   5. The evidence custodian will oversee the destruction of purged property/evidence, and a second officer will witness the destruction of the property/evidence.
   6. The ALERT Property Record shall include a notation which indicates the date and time the property/evidence was destroyed. The evidence custodian and witnessing officer shall sign the ALERT Property Record for the final disposition in the chain of custody.

   7. Unclaimed property/evidence will be disposed of in the most practical means consistent with the current standards of the Pennsylvania Treasury Department.
   8. Bicycles which are in good condition and unclaimed will be stored for no more than one month. (1) If the bicycle is not claimed within that time, it may be donated to a charitable organization or destroyed. (2) Bicycles which are deemed to be valueless by the supervisor of the bike patrol will be disposed of.

Sources:
Anders
M. Simmons
R. F. Downey
BPD G.O. #48
Upper Dublin PD Manual, 3.6.1
Horsham PD G.O. #3.5
CMUPD
IACP Managing the Property & Evidence Function Manual.
Emergency Procedures
Lockdown and Shelter In Place

EMERGENCY LOCKDOWN – Go to the nearest building or office, secure all interior and exterior doors, lock or barricade doors, keep quiet, turn off lights, do not bunch together in the area and do not open door or leave the secure area until instructed to do so by the police or Environmental Health and Safety (EHS) Director. All events, including classes, are cancelled. Wait for further instructions by means of MU | Alert text message or the web.

PREVENTIVE LOCKDOWN – Go to the nearest building or office; secure all EXTERIOR doors. You may conduct normal business or class, but may not be outdoors. Do not leave the secure area until instructed to do so by the police or the EHS Director. Wait for further instructions by means of MU | Alert text messaging or the web.

SHELTER IN PLACE – Go to the nearest building, move to the center of the building away from doors and windows, close windows and turn off air-circulating equipment if possible. All events, including classes, are cancelled. Do not leave the secure area until instructed to do so by the police or EHS Director. Wait for further instructions by means of MU | Alert text messaging or the web.

EVACUATION – If police officers, firefighters or other emergency staff request that you evacuate a building for public-safety reasons, do NOT take backpacks or other items with you. Keep your hands open and clearly visible as you exit the building. Do not use cell phones while exiting the building.

NOTE: All problems or concerns related to the contents of this report should be reported immediately and directly to University Police at (717) 871-4357 or to Peter.Anders@millersville.edu.

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