



For Your Safety
Calendar Year 2022 • Issued October 2023

THE STUDENT RIGHT-TO-KNOW AND CAMPUS SECURITY ACT



KING'S COLLEGE
TRANSFORMATION. COMMUNITY. HOLY CROSS.

Introduction

Mission Statement of Campus Security and Safety

The goal of King's College is to educate the student for the present and the future. In keeping with this goal, the Campus Safety and Security Department endeavors to provide a safe campus environment. The Campus Safety and Security Department will assist students in becoming active participants in the security of their campus. This is done with a motivated staff of men and women dedicated to being a positive resource to the campus community. The staff strives to update training and work together with other departments within the College to meet the needs of a dynamic society.

Security Services

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Notices

Title IX-Sexual Misconduct Notice

King's College considers sexual misconduct, in all forms, to be a serious offense. This policy refers to all forms of sexual misconduct, including but not limited to: sexual harassment, sexual assault, and sexual violence by employees, students, or third parties.

Title IX Coordinator (employees):

Director of Human Resources:

Ms. Regina Corchado, office:

181 North Franklin Street,

telephone: (570) 208-5962, email: titleIX@kings.edu

Title IX Coordinator (students):

Associate Vice President for Student Affairs and Dean of Students:

Mrs. Megan Casey, office: John Lane C.S.C. House,

166 North Franklin Street, telephone: (570) 208-5875,

email: titleIX@kings.edu

The College may use the services of an external provider to serve as a Title IX Coordinator, Hearing Officer, Appeal Officer and/or consultant for Sexual Harassment Policy cases when deemed appropriate/necessary.

Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (known as the Clery Act) is a federal law requiring United States colleges and universities to disclose information about crime on and around their campuses. The Act is enforced by the United States Department of Education. The Clery Act requires colleges and universities to do the following with regards to sexual assault reports: 1) Publish an Annual Security Report; 2) Disclose crime statistics for incidents that occur on campus, in unobstructed public areas immediately adjacent to or running through the campus and at certain non-campus facilities; 3) Issue timely warnings about Clery Act crimes which pose a serious or ongoing threat to students and employees; and 4) Devise an emergency response, notification, and testing policy.

VAWA and Campus SaVe Requirements

On March 7th, 2013, President Obama signed the Violence Against Women Reauthorization Act of 2013 (VAWA) (Pub. L. 113-4), which, among other provisions, amended section 485(f) of the HEA, otherwise known as the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act). The Clery Act requires institutions of higher education to comply with certain campus safety- and security-related requirements as a condition of their participation in the title IV, HEA programs. Notably, VAWA amended the Clery Act to require institutions to compile statistics for incidents of dating violence, domestic violence, sexual assault, and stalking and to include certain policies, procedures, and programs pertaining to these incidents in their annual security reports.

Non-Discriminatory Policy

King's College is committed to equal opportunity in: the admission of students, the administration of educational programs and activities for employees and applicants for employment, without discrimination based on race, national, or ethnic origin, religion, gender, marital status, sexual orientation, gender identity, age or disability, in accordance with applicable laws.

The College supports the Ethnic Intimidation Act of 1982 of the Commonwealth of Pennsylvania, which provides additional penalties for the commission of illegal acts of intimidation when such actions are motivated by hatred of the victim's race, color, religious or national origin. Illegal acts of intimidation due to the victim's physical ability, ethnic, racial, gender, sexual orientation and creed are contrary to the Mission of King's College and our Catholic tradition. Such offenses are major offenses of the College Student Code of Conduct and will be dealt with severely. In accordance with the Higher Education Amendments of 1998, King's College reports all on-campus hate crime incidents in the annual Campus Crime Statistics Report.

It is the policy of King's College to enforce the provisions of Title VII of the Civil Rights Act of 1964 as amended by the Equal Opportunity Act of 1972; the

Equal Pay Act of 1963 as amended by the Education Amendments of 1972 (Higher Education Act); Title IX of the Education Amendments of 1972 (Higher Education Act) Americans With Disabilities Act and Section 504 of the Rehabilitation Act of 1973.^{40 41 42.}

The college reserves the right to alter and/or modify the contents of this publication, including but not limited to the College's rules, regulations, services, and policies.

The annual security report is prepared by the Executive Director of Campus Safety and Security with the assistance of the Safety and Security staff as well as members of the Student Affairs staff, Residence Life staff, Counseling and other appropriate members of the various Campus community. Crime statistics are developed from Campus records as well as the appropriate local law enforcement records.

The Annual Security Report is a guide and should be used in support and with the Student Handbook, Employee Handbook and Emergency Manual. Detailed explanation of any section of this report can be provided in person by the Executive Director of Campus Safety and Security, Room 107 Alumni Hall, 117 North Main Street, Wilkes-Barre, PA. 18711, (570) 208-8103

Security Services

The Campus Safety and Security Department is the administrative office responsible for security on campus. King's College employs full and part-time security officers. Annual and recertification training includes CPR/AED certification and knowledge of basic first aid. In addition, all of the officers are required to have current Act 235, the Lethal Weapons Training Certification, or Act 120 Municipal Police Academy. All security officers that are certified to carry a handgun are required to familiarize with the handgun twice a year.

The requirements for Act 235 are very stringent. The officer is required to take a physical examination, a psychological examination and be fingerprinted by the State Police, who then initiate a background investigation on the officer. All of the officers are certified in the Lethal Weapons Training. The course consists of 26 classroom hours and includes the following:

1. Legal Authority
2. Constitutional Restrictions
3. Pennsylvania Crimes Code
4. Limited Authority
5. Incident Investigation
6. Testifying in Court
7. Self-defense

Upon successful completion of a written exam the officer is certified to carry a baton, pepper spray, handcuffs, and firearm. Officer recertification is required every five years.

Additionally, certain officers have received training in firearms use and are authorized to carry a firearm while on duty. Those officers serve in either a supervisory capacity or are officers who have received police (Act 120 training or PA. State Police Academy) training and have their valid Act 235.

Campus Security Authorities

Campus Security Authorities are officials at King's College who have significant responsibility for student and campus activities, including but not limited to, student housing, student discipline and campus judicial proceedings. These officials are individuals who have the authority and the duty to act or respond to issues on behalf of the college.

Campus Security Authorities include:

1. Campus Safety and Security Officers
2. Campus Safety Staff who are responsible for monitoring campus property
3. Vice President for Student Affairs
4. Associate Vice President for Student Affairs and Dean of Students
5. Associate Dean of Students for Resident Life
6. Resident Life Staff including Resident Assistants and Resident Counselors
7. Director of Athletics and Team Coaches
8. Advisors to Student Groups

Special Events

Depending on the size and nature of special events or occurrences on campus, various special security personnel may be assigned to campus, including the Wilkes-Barre Police.

Executive Director

The day to day administration of campus security rests

with the Executive Director of Campus Safety and Security. The Campus Safety and Security Department cooperates with state and local police and maintains an excellent working relationship with the Wilkes-Barre Police Department. Incidents involving violence, property loss or damage are reported to the local police department.

Enforcement

The King's College security officer has citizen's arrest powers. Whenever assistance is needed, the Wilkes-Barre Police is dispatched via a 24-hour emergency service.

Relationship with Local Authorities

While there is no formal Memorandum of Understanding between the Wilkes-Barre Police Department, The Wilkes-Barre Twp. Police Department (Betzler Field Complex), Pittston Twp. Police Department (Revolutions Ice Hockey) and King's College, The Campus Safety and Security department keeps a close professional and personal relationship with each Police Department.

Whenever King's College itself is the target of criminal activity, the decision to report such incidents to the local police is based on the severity of the matter. When a person is the victim or injured party in a minor incident, the decision to report the matter to the local police is left to the individual.

When a serious incident involving a person occurs on campus, the decision to report to the local police is made by the survivor with counsel from college personnel. In all cases involving individuals, survivors are advised by security personnel that they have the right to file a report with the Wilkes-Barre police.

Criminal Records Policy

Employment at King's College is contingent on the successful completion of a comprehensive Criminal history and National Sex Offender background search. All Information Is collected in accordance with Pennsylvania's Criminal History Information Act contained in Chapter 91 of Title 18, Crimes Code.

Enrollment

As of September 2023, King's College enrolled 1,492 full-time students and 94 part-time undergraduate students and 259 graduate students.

Housing Population

As of September 2023, 693 students were living in student housing.

Employees

As of September 2023, 351 non-student full time employees worked on the King's College Campus.

Off Campus Student Organizations

King's College currently does not have any off-campus student organizations.

Communication Medium

The Campus community is informed about security matters annually through the publication of the Campus Security Act brochure. A weekly "Public Information Blotter" is posted in lobby area of the security department, located in room 108 of Alumni Hall. In the event of an emergency, safety notifications are communicated to students, staff and faculty. The notifications are posted on campus bulletin boards, conspicuously situated throughout the campus, and are also posted in each of the residence halls as well as through the 911 Cellular system via text and email when appropriate.

Security/Personnel/Residence Hall

King's College maintains its own uniform security force of full and part-time officers. The College also employs residence hall desk attendants at Esseff Hall, Holy Cross Hall and The Richard Abbas Alley Center for Health Sciences. They monitor the activities of the residence hall lobbies and report activities of a suspicious nature to security officers. Each residence hall is also staffed with adult resident counselors and student resident assistants. The resident counselors and resident assistants are responsible for monitoring the activities of each floor, for enforcing residence hall regulations, and for reporting activities of a suspicious nature to security officers.

Campus Security Programs

- 1. King's Escort Service (KES):** Security personnel will provide safe escort to students and staff from one point on campus to another when requested.
- 2. Holy Cross Experience (HCE 101):** An extended orientation for new students which provides a broad range

of issues related to college life, which includes safety and security issues.

3. Public Information Blotter: A listing of incidents occurring on campus which is available in the main Security Office at Alumni Hall room 108.

4. Emergency Call Boxes: Emergency call boxes are located throughout the campus. Pressing the button puts the caller in direct contact with security officers or the switchboard.

Call Box Locations:

1. Upper Court House
2. O'Conner Park @ Leo the Lion
3. Front of McGowen
4. Rear of McGowen
5. Administration-L/P entrance
6. Front entrance Hafey/Marian
7. Rear entrance Hafey/Marian
8. Front porch of 187 North Franklin Street
9. North Street near Flood Hall
10. Corner North Main Street and Jackson
11. Warehouse 19 East Bennett Street
12. Exit of Alumni Lot
13. North Street Lot
14. Rear of O'Hara Hall play yard
15. Rear of O'Hara Hall education doors
16. Jackson Street Library
17. Lane's Lane entrance to Library
18. North Washington Street Lot
19. Facilities lot: Operational
20. Rear of Recreation Center (near Electrical Room)
21. North Main Street Gym entrance
22. Recreation Center Jackson Street entrance main door
23. Recreation Center corner of Harrison & Lewis Lane
24. Richard Abbas Alley Center for Health Science sliding side door
25. Richard Abbas Alley Center for Health Science main entrance

Emergency Notifications and Response

In the event of a serious incident (natural or man-made) which the College administration deems significant, and which may pose an immediate threat to the King's college community, the College has various methods of

communicating information quickly and accurately to the college community. Included among these methods are a campus wide emergency alert system (911 cellular) which is a mass notification system that enables the College to broadcast alerts to students, faculty and staff via text messages to cell phones and e-mail alerts. This system requires voluntary (no fee involved) participation and the College encourages all students, staff and faculty members to subscribe to this service. This service is also used when conditions exist that may require delaying or canceling classes or administrative offices due to weather conditions.

Additionally, when conditions exist that pose potential threats to the college community, the college utilizes mass e-mail alerts to all students and staff, as well as posted notices throughout academic and / or residential buildings.

In addition to the emergency notification system, campus wide e-mails and printed notices, the college also has the capability of broadcasting emergency information to the college community by means of electronic message boards located throughout campus and by posting information directly to the Announcement section of the “My Kings” link to the College’s website.

Based on the emergency situation that may exist, College officials will, without delay, assess the situation to determine the severity of the situation, the threat (if any) to the college community, the appropriate response and the content of the emergency notification message. College officials involved in this process may include the Vice President for Business Affairs, The Vice President for Student Affairs, The Vice President for Academic Affairs, The Associate Vice President for Student Affairs and Dean of Students, The Associate Vice President for Academic Success, The Associate Dean of Students for Residence Life, The Director of Public Relations, The Director of Counseling, The Associate Vice President of Procurement & Chief Facilities Officer, The Executive Director of Campus Safety and Security, The Director of Campus Safety and Security and The Senior Investigator of Campus Safety and Security.

The response of the College to a particular emergency

will address all known factors regarding the current situation and will be in accordance with the College’s Emergency Procedures Manual which details responses to a variety of adverse conditions the college may encounter. These conditions may include weather emergencies, medical emergencies, criminal activity, environmental emergencies, psychological emergencies or any other activity that may pose a threat to the members of the King’s college community. Additionally, to ensure the effectiveness of the established Emergency Procedures, the college annually reviews and updates the manual disseminates information as it may become available.

Timely Warnings

Timely Warning Notices are specifically related to compliance with the federal Clery Act, which requires colleges and universities to notify students and employees whenever there is a threat that a serious crime is ongoing or may be repeated--so that campus community members can protect themselves from harm. Timely Warnings are sent to the campus community by employing the same methods as with Emergency Notifications.

Timely Warnings will be sent out to the campus community when the following crimes are reported to the King’s College Campus Safety and Security Department, when the perpetrator has not been apprehended and there is a safety risk to members of the campus community:

- Murder
- Negligent Manslaughter
- Rape
- Fondling (Indecent Assault)
- Statutory Rape
- Robbery
- Aggravated Assault
- Burglary
- Motor Vehicle Theft
- Arson
- Domestic Violence
- Dating Violence
- Stalking

Facilities

Members of the King's College Buildings and Grounds staff routinely care for the lawns and insure that the aesthetic quality of the campus is balanced with security needs. Input and suggestions are welcomed from students and staff, and a professional landscaping vendor is contracted to help insure attractive campus grooming which minimizes opportunity for criminal behavior. Outdoor lighting is a continuous priority. All authorized entrances to student housing facilities are sufficiently illuminated to permit observation of persons entering or loitering. Lights in disrepair are reported daily to the Facilities Office. Lighting is located throughout the rest of the campus to cover as completely as practical those building entrances, pathways to parking facilities, and other areas travelled by members of the campus Community. Outdoor lighting fixtures are monitored daily by security officers on their routine patrols.

The Sheehy-Farmer Campus Center* is open 7:00 a.m. to 12:00 a.m. (midnight) Sunday through Saturday. A computer lab is available to all students on a 24-hour basis from 10 a.m. on Sunday until midnight on Friday during the semester. The lab is on the main floor of the Campus Center. To access the lab after hours, a valid student identification card is required to open the handicap doors located on the main level of the Campus Center. The lower level (computer lab, game room, and lounge) is kept open until the building closes. The new convenience store, Monarch Mart (M-F, 10a.m.-12a.m, Sat-Sun, 4 p.m.-10p.m.), is on the lower level. A maintenance person is on duty in the building during all open periods. The second floor of the Campus Center is only open during dining hours.

The William S. Scandlon Physical Education Center* is open Monday through Friday 7:00 a.m. to 10:00 p.m., Saturday 10:00 a.m. to 9:00 p.m., Sunday 1:00 p.m. to 10:00 p.m.. During peak hours - afternoons, evenings and weekends, an attendant is stationed at the main entrance and requires all visitors to sign in. Security personnel check the facilities during the off-peak hours.



The D. Leonard Corgan Library* is staffed professionally and checked routinely by security personnel during hours of operation. Normal library hours are as follows: Monday through Thursday 8:00 a.m. to 11:00 p.m., Friday 8:00 a.m. to 7:00 p.m., Saturday 11:00 a.m. to 5:00 p.m., Sunday 11:00 a.m. to 11:00 p.m. 24 hour access to students.

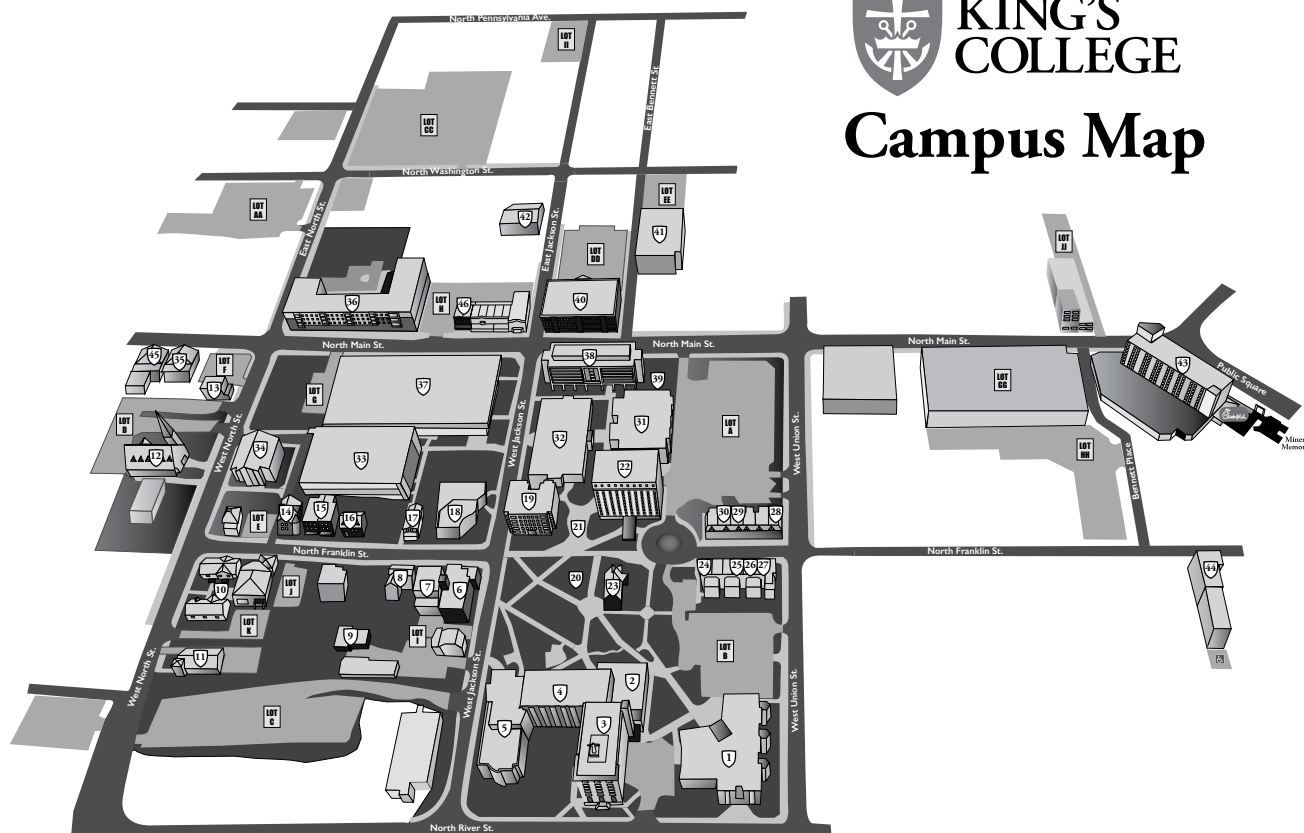
**The hours indicated above are observed when the College is in session. Hours are reduced during the breaks and summer.*

King's College Geography



KING'S COLLEGE

Campus Map



The William G. McGowan School of Business . . . 1	
• Burke Auditorium	
Theater 2	
Administration Building 3	
• Office of Financial Aid	
• Registrar	
• Bursar	
• Business Office	
• Counseling Center	
Mulligan Physical Science Center 4	
• Academic Advisement Office	
• Academic Skills Center	
• Post Office	
Charles E. & Mary Parente Life Sciences Center . . 5	
Marie Luksic Hall 6	
John J. Lane House 7	
Kilburn House 8	
Environmental Studies 9	
Moreau Court 10	
Andre Hall (Student Health Center) 11	
Chapel of Christ the King at the George and Giovita Maffei Family Commons 12	
• Office of Graduate Admission	
• Office of International Recruitment	
Housing 13	
Housing 14	
Housing 15	
Human Resources 16	
Shoval Center 17	
Campus Ministry 18	
Hafey-Marian Hall 19	

O'Connor Park 20	
• Leo's Den	
• Parent's Corner Fountain	
Monarch Court 21	
Holy Cross Hall 22	
Office of Admission- Hessel Hall 23	
Athletic Recruitment Center 24	
Study Abroad 25	
ROTC 26	
Alumni Office 27	
107 N. Franklin Street 28	
• KC Pathways Office	
• International Student Services Office	
Housing 29	
Housing 30	
Sheehy-Farmer Campus Center 31	
D. Leonard Corgan Library 32	
• Switchboard/Security (Open 24/7)	
Gym Annex 33	
Leo Flood Hall 34	
Housing 35	
Thomas J. O'Hara Hall 36	
• Early Learning Center	
Scandlon Physical Education Center 37	
Esseff Hall 38	
Regina Court 39	
Alumni Hall 40	
• Office of Campus Safety and Security	
• Facilities and Procurement Office	
Warehouse 41	
Grounds Garage 42	

Richard Abbas Alley Center for Health Sciences. . 43	
• Miner's Memorial	
• Chick fil A	
Mulligan Center for Engineering 44	
Housing 45	
Monarch Outfitters and Books 46	
Parking	
N. Main St./W. Union - Holy Cross Lot . . LOT-A	
Union St. - McGowan Lot LOT-B	
Jackson St. - Upper Court House Lot LOT-C	
W. North St. - Church Lot LOT-D	
N. Franklin St. - N. Franklin Lot LOT-E	
N. Main St./W. North St./N. Main St. -	
Flood Lot LOT-F	
N. Main St. - Scandlon Gym Lot LOT-G	
N. Main St. - O'Hara Hall Lot LOT-H	
W. Jackson St. - Staff Lot LOT-I	
N. Franklin St. - C.S.C. Lot LOT-J	
Rear N. Franklin St. - C.S.C. Lot LOT-K	
North St. Lot LOT-AA	
N. Washington St. Lot LOT-CC	
E. Jackson St. - Alumni Lot LOT-DD	
Washington St./Bennett St. -	
Warehouse Lot LOT-EE	
Alley Center Lot LOT-GG	
Alley Center Lot (behind parkade) LOT-HH	
Penn Ave Lot LOT-II	
Times Leader Lot LOT-JJ	

- **Robert L. Betzler Athletic Complex** is located approximately two miles off campus on Highland Park Boulevard.

- **Revolution Ice Center** is located in nearby Pittston, Pa.

Reporting Incidents

The King's College Campus Safety and Security Department is open 24 hours a day. The administrative office which handles parking information is open during normal business hours. The phone number is (570) 208-5900. In addition, officers are on foot patrols around the clock and can be contacted to respond to reports of criminal activity by calling the campus switchboard operator at (570) 208-5900. The operator will notify campus security personnel and/or Wilkes-Barre City Police when response is required. The institution's responses to reports of criminal actions are outlined in "Relationship with Local Authorities." All students, faculty, staff and visitors are encouraged to report any suspicious or criminal activity to the Campus Security and Safety Department in an accurate and timely fashion. A confidential reporting page can be found at http://www.kings.edu/life_at_kings/dean_of_students/confidential_reporting. It can be accessed from the Dean of Students page or from Parking, Security and Safety (bottom of the page under resources).

Alcoholic Beverage Policy

In keeping with King's College commitment to fostering an environment in which students can recognize their personal worth and develop a willingness to assume responsibility for their lives and decisions, the following alcohol beverage policy is approved by the Board of Directors:

A. Summary of the State Law: Anyone under 21 years of age who attempts to purchase, possess, consume, or transport any alcoholic beverages within the state is subject to a fine or imprisonment or both. Anyone who sells and/or furnishes alcoholic beverages to anyone under 21 years of age is subject to penalties of the law. It is also unlawful to misrepresent one's age to obtain alcoholic beverages.

B. The College will not serve as a sanctuary from the law. The College does not condone any violations of the criminal law, including underage drinking. Any

person who is not 21 years of age or older is underage in Pennsylvania. The College also prohibits purchase, possession, consumption and/or transport of alcohol by anyone under 21 years of age on college property and will enforce this provision through referral to the Office of Student Affairs.

C. Intoxication is prohibited and will result in mandatory referrals to counseling, and/or referral to the Associate Vice President of Student Affairs/Dean of Students Office or designee to determine disciplinary action. Dismissal in accordance with the Student Handbook may occur if there are subsequent instances of intoxication, or if violence, or other problems accompany the intoxication.

D. No open punch bowls, no communal alcoholic drink mixes, kegs, beer balls or pony kegs are permitted in the residence halls or social rooms.

Underage students are not permitted to have alcoholic beverages at social functions, concerts, entertainment or public affairs.

E. Students of Legal Age:

1. Seniors-only socials may have alcoholic beverages for those 21 years of age or older.
2. Moderate quantities of alcoholic beverages (no kegs, pony kegs, or beer balls) may be transported through campus solely for the purpose of being transported to a residence room by residents of legal age. All containers must be closed when outside the residence room. Grain alcohol is totally banned. Bars are not allowed in residence halls or college apartments.

F. No students are allowed to possess alcohol on the campus grounds or in the buildings on campus except as provided above. These directives shall be binding on all students: resident, off-campus, and commuters while on campus.

G. Any student violation of the criminal law as it pertains to alcohol is subject to disciplinary proceedings by the Associate Vice President of Student Affairs and Dean of Students Office whether these occur on or off campus.

H. Alcohol guidelines implementing this alcohol policy are published in the Student Handbook at the beginning, and during each academic year.

Alcohol abuse and the disease of alcoholism are taken seriously at King's College. Judgment is often impaired following the abuse of alcohol, and thus one is more likely to infringe upon the right of others. The Associate Vice President of Student Affairs and Dean of Students Office or designee, in response to unacceptable behavior, will take the necessary disciplinary action and make referrals for assessment and treatment. The Associate Vice President of Student Affairs and Dean of Students Office reserves the right to intervene directly in alcohol referrals to assure an effective response on the part of the College.

Alcohol Education and Treatment Policy

I. Educations and Prevention

Alcohol abuse and other drug addictions are serious, growing problems in our society. They claim survivors without regard to age, sex, race or occupation. Students can, and, do become victims. Alcoholism manifests itself as an impairment to the body, mind and spirit which, unless arrested, grows progressively worse and results in irreparable physical and psychological damage.



Education in drug and alcohol risk is required if attitudes are to be changed and if the obligation of student, faculty and administration intervention is to be discharged. To this purpose a comprehensive program to address drug and alcohol problems has been established and continues to be developed. In addition, all students receive detailed drug and alcohol information during freshmen orientation. Resident assistants have supervision through the College year on methods of detection and intervention with regard to drug and alcohol problem students.

II. Accountability

The King's College community recognizes the potential problem that drugs and alcohol can cause. This community has therefore established procedures to care for its students. Rehabilitation includes the embracing of a new value system and lifestyle which will enable the dependent student to live comfortably and productively without alcohol or other addicting drugs.

Drug Policy

It is the policy of King's College to support, enforce, and assist in the enforcement of all state and federal laws pertaining to the possession, use, or sale of illegal substances.

Weapons Policy

King's College students are prohibited from storing or possessing weapons on campus. Weapons include, but are not limited to, firearms, pellet guns, bows and arrows, and knives.

Programming

Resident students receive information concerning security procedures through meetings and printed materials. During the first meeting each semester students, with residents and their resident counselors, are informed of safety and security procedures. New Student Orientation includes information about security procedures as does the annually updated Student Handbook which is available on the King's College web page. Staff members receive information about security procedures via the Employee Handbook at the time of their hiring.

Missing Student Policy

In accordance with federal legislation the College follows this policy in cases when a student is reported missing to the King's College Campus Safety and Security Department.

When a person notifies the Department of Campus Safety and Security that a student is missing, a report and initial investigation will be completed by an officer. That report must include the last time the student was seen and the name of the person making the report.

The College is required by law to notify the parent or guardian of any student who is under the age of 18 years old and is not legally emancipated.

Students who are over the age of 18 or emancipated may file with the College a written notification of a confidential contact to be notified if the student is reported missing. The confidential contact information must be filed in writing at the Associate Vice President for Student Affairs/Dean of Students Office located in Rev. John Lane, C.S.C., House. Unless confidential contact information is filed in writing the parent or guardian listed on the student's records will be contacted. Student files are kept in the front secretary's office. If a confidential contact form has been filed, it will be in the student file.

When a report has been filed with Campus Safety and Security the Executive Director of Security and Safety will be notified.

Once Campus Safety and Security has determined that the student has been missing for twenty-four hours, the Director of Campus Safety and Security:

1. Appropriate campus official will be notified including but not limited to the student affairs person on call, the Associate Vice President for Student Affairs/Dean of Students and the Executive Vice President for Business and Administrative Affairs.
2. Notification of the parent/guardian or confidential contact (if filed by a student who is at least 18 years of age) that the student is reported missing for twenty-four hours, will be done by the Executive Director of Campus Safety and Security.

3. Notification of police authority if the student is missing more than twenty four hours will be done by the Director or his designee.

a. Note: If the initial investigation reveals information that indicates that the missing person may be in danger Wilkes-Barre Police or the police of jurisdiction will be notified by Campus Safety and Security immediately:

4. The Director or his designee will help facilitate contact between the parents/guardian/ confidential contact and the police.
5. If the student resides in a room on campus by themselves the Student Affairs staff on call should make sure the room is secured.
6. The Student Affairs person on call may consider de-activating the student's college identification card. The student will then need to contact the Office of Residence Life to re-activate their card for building access, meal plan and King's Cash.

Student Housing

King's College provides on-campus, Student housing in seven buildings: Luksic Hall, for upper-class men and women; Esseff Hall, for women; Leo F. Flood Hall, Alumni Hall, O'Hara Hall, The Richard Abbas Alley Center for Health Sciences, and Holy Cross Hall, a residence hall for men.

(A) Housing Assignments: Applications for college housing are distributed to new and returning students through the mail during the summer preceding their enrollment. Roommates for new students are selected by matching various preferences on applications. Some of these items considered are: name of specific roommate requested; smoking or non-smoking; with same major or not with same major. Students may not change their rooms during the first two weeks of the semester but may change room assignments during the third week with permission from the Associate Dean of Students for Residence Life, and may change after that time with permission and under certain circumstances. Contact the Office of Residence Life for more information.

(B) Off Campus Student Housing Safety: If you or any of your fellow students have concerns about housing safety, please contact the City. Your information will be

kept in confidence and you do not need your landlord's permission to request assistance or advice. You can call any of the following numbers to report your concerns about housing safety or ask questions of inspectors and fire or police department officials.

Fire Headquarters.....(570) 208-4261
Community Action Team(570) 208-4167
Police Department -
 Crime Prevention(570) 208-4235
ALL EMERGENCIES911

(C) Visitors in the Residence Halls:

Visitation Policy

Due to Covid 19 visitation policy subject to change.

Esseff Hall, Holy Cross Hall, and Luksic Hall

Coeducation allows men and women to contribute to one another's education and to form genuine friendships. In the proper context, visitation can facilitate personal and social development and enhance the quality of life on campus.

Some limitations, however, are placed on visitation in order to protect the privacy rights of all students and to foster an atmosphere that is safe, scholarly, and in harmony with traditional Catholic moral teaching. By matriculating at King's College, you have agreed to abide by the visitation policy established by the College community. Specifically, the following policies must be observed:

1. Visitation in the living areas of each hall (any point beyond the lobby) by persons of the opposite sex is permitted only during hours approved by the Office of the Vice President for Student Affairs.

The following hours of visitation have been approved:

*Sunday through Thursday 10 a.m. to midnight
Friday and Saturday 10 a.m. to 2 a.m.*

2. During visitation, opposite-gender guests are prohibited from using the bathroom facilities on residential floors since these are exclusively single-gender facilities. Public guest facilities are found adjacent to the lobbies in Holy Cross and Esseff Halls and in the basement of Luksic Hall.
3. A visitation violation that involves an overnight

stay is a serious offense. Overnight guests seriously infringe upon the privacy and security of students and seriously disturb the scholarly and moral atmosphere of our residence halls. Overnight stays are prohibited to all opposite-gender guests regardless of their relationship, including family.

4. Visitation that involves an overnight stay by a person of the same sex as the resident, must register and be approved by the Office of Residence Life and fill out the emergency contact information. The guest must comply with all college policies and remain with the resident they are visiting at all times.
5. Twenty-four hour visitation is permitted in the lobbies of Esseff and Holy Cross Halls and in the lounge of Luksic Hall.
6. The doors to the residence halls are locked at all times. You can gain entrance to Esseff and Holy Cross Halls via the card access reader on the front doors. No unescorted nonresidents of the hall may stay in the lobby.
7. Esseff Hall and Holy Cross Hall visitation policy: King's College students, faculty and staff must sign in at the desk and present their college ID to the desk attendant. Non-King's College guests visiting a student living in the hall must sign in and be escorted by their host. The guests are the responsibility of the resident and the resident should remain with their guest at all times. Desk attendant is on duty 24 hours a day.
8. Luksic Hall visitation policy: To gain access to the Luksic Hall residents' floors, visitors must enter the foyer through the front doors of Luksic Hall, and call the Luksic Hall resident whom they wish to visit. The resident must meet their guest(s) in the foyer and escort them at all times while in the building.
9. Non-student guests must be escorted by a student at all times in the residence hall. The student escort will be held strictly accountable for the guest's behavior. Students who refuse to identify themselves when asked to do so by an authorized college official (i.e., Resident Counselor, Resident

Assistant, etc.) will be considered non-student guests and must have an escort. Otherwise, they and any other unescorted non-student will be liable for criminal trespass and may be turned over to the proper law enforcement authorities may abuse the right by making unreasonable demands.

10. Each hall resident has a right to privacy, which outweighs their roommate's visitation privilege. If the presence of a guest is an inconvenience to a roommate, the guest must leave.

(D) Security Features: Standard metal-frame, safety-glass exterior doors with emergency "breaker bars" are employed to secure doorways and access to the first-floor windows is limited by two modifications. Ground level windows at Flood Hall and Alumni Hall are equipped with "Crime Shield" window barriers designed by Exeter. Additionally, the Campus is covered by approximately 400 cameras including Residence Halls. All Residence Halls and other buildings have access controlled electronically by the campus card proximity reader system. Access can be monitored, limited or denied through this system.

(E) Floor Information: The residence life staff informs students of security and safety procedures during the floor meetings, which are held during the first week of classes. Security programs may include showing safety films or inviting a security representative to speak to the students.

(F) Housing During Breaks: Residence halls are closed during vacation/break periods. During break periods only students who have the permission from the Office of Residence Life may be in the halls. Security officers patrol the residence halls that are closed during breaks.

(G) Guest Housing: Overnight guests may stay with their same sex host with the permission of the Office of Residence Life. Students are restricted to having overnight guests to one weekend per month.

(H) Staff Training: Each residence life staff member attends an orientation session each year which includes training on fire safety, security issues, crisis intervention and college rules and regulations.

**Pennsylvania Law, Act 73, and Public Law 101-542 (Title II) requires all colleges throughout the country to inform all full-time faculty, staff, students and applicants for admission of its safety and security policies. This booklet is being forwarded to you in compliance with the above laws.*

Protection of Children

Introduction

The purpose of this Policy is to fulfill King's College's moral and legal obligations to protect minor children as vulnerable members of society, and to reflect the rules and obligations set forth in Pennsylvania's Child Protective Services Law (23 Pa.C.S. §6301 et seq.) for reporting suspected child abuse. A child or minor child is defined as someone 17 years of age and under.

Child abuse is a violation of the law. While reprehensible in any context, child abuse is a matter of particular concern in an academic community in which students, faculty, and staff are connected by strong bonds of dependence and trust.

Under Pennsylvania law, all King's College employees have a mandatory obligation to report suspected child abuse to child protective services. In addition, under this Policy, all King's College students have a mandatory obligation to report suspected child abuse to child protective services.

The information provided in this Policy provides information about identifying child abuse, outlines who must report suspected child abuse, and details when and how such a report must be made. Any questions about this Policy should be referred to James Gilgallon, at 570-208-8103.

1. Who Must Report

King's College requires all employees and all students, as a condition of employment and enrollment, to report suspected child abuse. For purposes of this policy, the meanings of employees and students should be interpreted broadly to include: full-time and part-time employees of the College; adjunct faculty members; contracted employees of the College; and, full-time and part-time students enrolled at the College.

2. Duty to Report to Child Protective Services

All King's College employees and students are required as mandatory reporters to follow the procedures outlined in this document under the following circumstances: 1) the report received alleges that a child (17 years of age or under), either the person making the report itself or about whom the report is being made, is presently being or had been abused in the past regardless of the time that has elapsed since the alleged abuse; or 2) the report received from an adult (18 years of age and older), who reports having been abused as a child, indicates that other children (17 years of age and under) are presently in danger due to the same or similar circumstances of abuse. This indication may be grounded, for example, in the reporter's own alleged abuse in the same or similar circumstances.

It is not mandated by law that the report of an adult (18 years of age or older) of their own past child abuse be reported. However, all King's College employees and students, who receive reports from adults of past child abuse, are to encourage the adult to report the abuse themselves, to offer to assist the adult in reporting the past abuse, and to inform the adult about available counseling on campus.

If the child suspected of being abused is in immediate danger, call 911.

a. Employees

Under Pennsylvania state law, all College employees are required to immediately make a report to ChildLine if s/he has reasonable cause to suspect that a child is the victim of child abuse when:

1. the employee comes into contact with the child in the course of employment, occupation and practice of a profession, or through a regularly scheduled program, activity or service;
2. the employee is directly responsible for the care, supervision, guidance or training of the child, or is affiliated with a school or regularly established church or religious organization that is directly responsible for the care, supervision, guidance or training of the child;

3. a person makes a specific disclosure to the employee that an identifiable child is the victim of child abuse; or
4. an individual 14 years of age or older makes a specific disclosure to the employee that the individual has committed child abuse.

b. Students

Under College policy, all students are also required to immediately make a report to ChildLine if s/he has reasonable cause to suspect that a child is the victim of child abuse.

3. Duty to Report to the College

After making a report to ChildLine, both employees and students are also required to immediately thereafter report the suspected abuse to the King's College Executive Director of Campus Safety and Security. The Executive Director of Campus Safety and Security has the obligation to facilitate the cooperation of the College with the investigation of the report.

4. Reasonable Cause to Suspect

Reasonable cause may be based on the employee/student's own observations or knowledge, or on information shared with the employee/student by the child or any other individual.

Reasonable cause to suspect is a very low threshold. It does not require proof, nor actual evidence, and the employee/student should not seek to investigate the information.

Reasonable cause may exist regardless of whether the date of abuse, the specific nature of the act, or the identity of the perpetrator is known.

When in doubt about whether to make a report, the employee/student should err on the side of reporting the conduct of concern. The College's Child Safety Protection Coordinator may be consulted for support in discerning whether or not there is reasonable cause to suspect abuse. The Child Safety Protection Coordinator (see Section 12 below) will not discourage a person from reporting, but simply clarifies the grounds for reporting. The responsibility to report remains the responsibility of the individual employee or student.

5. Definition of Child Abuse

Pennsylvania law defines child abuse broadly to include intentionally, knowingly or recklessly, through action or inaction:

- causing or creating a likelihood of bodily injury (within the past two years);
- causing or substantially contributing to serious mental injury (regardless of how long ago the act occurred);
- causing or creating a likelihood of sexual abuse or exploitation (regardless of how long ago the act occurred);
- causing the death of a child (regardless of how long ago the act occurred);
- causing serious physical neglect (repeated, prolonged or egregious failure to supervise a child in a manner consistent with the child's age and abilities, or the failure to provide a child with adequate essentials, including food, shelter or medical care) (regardless of how long ago the act or inaction occurred); and,
- fabricating, feigning or intentionally exaggerating or inducing a medical symptom or disease which results in a potentially harmful medical evaluation or treatment to the child (within the past two years).

Child abuse also includes the following acts, if committed within two years of the date of the report, even if they do not result in injury:

- kicking, biting, throwing, burning, stabbing or cutting a child in a manner that endangers the child;
- unreasonably restraining or confining a child;
- forcefully shaking, slapping or striking a child under one year of age;
- interfering with the breathing of a child;
- leaving a child unsupervised with a registered sex offender or a sexually violent predator;
- causing a child to be present during the operation of a methamphetamine laboratory.



6. Responding to a Report

The employee/student should reassure the child and thank him/her for sharing. The employee/student should react as neutrally and empathetically as possible and reassure that the child that s/he has done the right thing by sharing. The employee/student should not panic or overreact to the information disclosed by the child, criticize the child, claim that the child misunderstood what happened, or reinforce a child's belief that s/he is to blame for what happened. As appropriate, remind the child that no one should ask him/her to keep a special secret and that it is okay to tell a trusted adult.

7. Reporting Procedure

The reporting procedures under College policy are the same for employees, who are mandatory reporters under state law, and for students, who are required to make a report under this Policy:

(1) **Contact ChildLine**

If an employee or student has reasonable cause to suspect that a child is a victim of child abuse, s/he must immediately make a report of the of suspected child abuse by calling Pennsylvania's ChildLine at 800-932-0313 or by filing a written report at www.compass.state.pa.us/cwis. Note that a report made initially by calling Pennsylvania's ChildLine must be followed by a written report at www.compass.state.pa.us/cwis within 48 hours of the call. Conversely, a report made initially by electronic submission does not need to be followed by a call to ChildLine.

(2) Contact King's College Executive Director of Campus Safety and Security or Designee

Anyone making a report of suspected child abuse must also immediately contact King's College Executive Director of Campus Safety and Security by calling 570-208-8103 or 570-208-5900. The Department of Campus Safety and Security is located on the first floor of Alumni Hall, located on North Main Street. The Executive Director of Campus Safety and Security will confirm with the reporter that the suspected abuse has been reported through ChildLine and/or www.compass.state.pa.us/cwis. While the Executive Director of Campus Safety and Security can assist an employee or student in making a report, there is no requirement that the report be disclosed to the College before making the report to ChildLine.

8. College Procedures Upon Receipt of a Report

The Executive Director of Campus Safety and Security or designee will immediately file a verbal report with the Department of Public Welfare's "Child Line" (1-800-932-0313) on behalf of the College. A written report (PA form CY-47) will also be filed with Luzerne County Children and Youth Services within 48 hours of the initial verbal report to DPW. This report should be sent to Luzerne County Children and Youth Services, 111 N. Pennsylvania Ave., Wilkes-Barre, PA, 18701, or faxed to 570-821-7355. PA Form CY-47 may be found online at: <http://keepkidssafe.pa.gov/resources/forms/index.htm>

The Executive Director of Campus Safety and Security or designee will also immediately notify the Wilkes-Barre Police of any suspected crimes.

The Executive Director of Campus Safety and Security will immediately notify the following personnel of all received reports of suspected child abuse, any available information, and any external notifications:

- President of the College, and
- Director of Human Resources (if the alleged abuser is a faculty or staff member) or
- Associate Vice President for Student Affairs and Dean of Students (if the alleged abuser and/or victim is a student)

If one of these positions is vacant, or the person holding the position has a conflict of interest, the President of the College will appoint another member of the administration to act in place of the member with the conflict of interest. If the President has a conflict of interest, the Executive Committee of the Board will act in place of the President.

A potential conflict of interest arises if one of these team members directly supervises the person suspected of abuse, the complainant/victim or person suspected of abuse is a family member, or if they have a personal bias towards or against the complainant/victim or person suspected of abuse.

If the person suspected of abuse is a member of the clergy or of a religious order, the President of the College will report the allegation to the respective religious superior or diocesan bishop under whose authority the individual was assigned to King's College.

The Executive Director of Campus Safety and Security or designee will notify the parents or guardians of the alleged victim, if the parents or guardians of the victim are known to the College, have not already been involved in the reporting and are not the alleged abusers.

Within 48 hours, the Executive Director of Campus Safety and Security or designee will contact the person(s) who filed the original report to confirm that College policy has been followed in reporting the alleged abuse, including the filing of any reports with the Department of Public Welfare.

9. Investigation and Discipline

The Department of Campus Safety and Security will be responsible for any investigative steps warranted by the nature of the report. The Department of Campus Safety and Security will coordinate any investigation with child protective services and/or local law enforcement to assure that the College's review does not interfere with the integrity of any external reviews.

If the allegation of child abuse involves suspected abuse by a current employee or student the College may:

- immediately issue an interim suspension of the employee or student. A decision to issue an interim suspension for an employee without pay is rendered by the Associate Vice President of Human Resources. A decision to issue an interim suspension to a student is rendered by the Associate Vice President for Student Affairs;
- terminate the employee or expel a student from the College pending the outcome of the investigation by the Office of Campus Safety and Security. A decision to terminate the employee is rendered by the Vice President of Human Resources. A decision to expel a student is rendered by the Associate Vice President for Student Affairs;
- issue a no trespass order for all College property and events, including off-campus College events. A no trespass order is issued by the Executive Director of Campus Safety and Security.

Upon review of all available information, including reports from the Department of Campus Safety and Security and any external investigations, the Director of Human Resources (for employee-related concerns) or Associate Vice President for Student Affairs and Dean of Students (for student-related concerns) will render a decision regarding any disciplinary action.

If a disciplinary action is appealed, the President of the College will make the final decision on all disciplinary action against employees and students. If the alleged abuser is the President of the College, the Executive Committee of the Board of Directors shall make the final decision as to any disciplinary action.

If the allegation of child abuse involves suspected abuse by an independent contractor, vendor, visitor, guest or other third party, and the alleged abuse happened on campus or on property owned or leased by the College or poses a threat to the safety of any College student or employee, the Executive Director of Campus Safety and Security will issue a no trespass order to the alleged abuser pending the outcome of any investigations.

If the alleged abuser is an independent contractor or employee of an entity with authorization to be on campus, the Executive Director of Campus Safety and

Security will also notify that entity of the allegations.

Based on a review of all available information, including any internal or external reviews, the Executive Director of Campus Safety and Security may issue a permanent no trespass order and notify the outside entity of the outcome of the College's review.

10. Good Faith Immunity

Persons filing reports of child abuse are guaranteed protection under the law. If a person who has filed an abuse report believes that his or her rights have been violated he or she may commence an action for appropriate relief, if all of the following apply:

- The person is required to report under §6311 or encouraged to report under §6312;
- The person acted in good faith in making or causing the report of suspected child abuse to be made; and
- The person is discharged from employment or is discriminated against with respect to compensation, hire, tenure, terms, conditions or privileges of employment as a result of making the report of suspected child abuse.

11. Compliance with this Policy

King's College reserves the right to impose sanctions, including and up to termination, for failure to follow this policy. All incidents will be reviewed on a case-by-case basis. Mandated reporters under Pennsylvania law can also face criminal penalties (imprisonment and fines) for willfully failing to report or refer suspected child abuse to ChildLine.

Additionally, anyone impeding or obstructing an investigation into suspected child abuse, or retaliating against anyone involved in the reporting or investigation of suspected child abuse may be in violation of Pennsylvania law or otherwise subject to disciplinary action.

12. Child Safety Protection Committee

The President of the College will appoint members to the Child Safety Protection Committee. Ex officio appointees include the Executive Director of Campus Safety and Security, the Associate Vice President of

Student Affairs, and the Vice President of Human Resources. The President may appoint additional members to the committee. He designates one of the committee members as the Child Safety Protection Officer. Committee members will participate in specialized training concerning issues of child safety, child abuse and mandatory reporting guidelines. Each member of the committee will comply with the College's clearance requirements for those with direct contact with minors.

Description of offered programs

- **Orientation speakers** The orientation speaker is a mandatory event during our orientation weekend that is held annually for all incoming first year students. We host speakers to discuss matters on sexual assault, sexual abuse, substance abuse, and dating violence.

The College hosted an event titled Zero Shades of Gray and students viewed a documentary titled, Breathe Nolan Breathe related to the dangers of alcohol.

- **HCE 101 bystander training and policy**
All new incoming students are enrolled in HCE 101 which is a seminar type class with group of 20 students. The instructors and student co-leaders cover bystander intervention in their course related to the topic of social responsibility. Instructors have a PowerPoint presentation as well as several videos to facilitate the class discussion on the importance of intervening when a fellow student needs assistance.

- **HCE 101 Sexual Violence Module, unitededucators.com**

All first year students are required to complete this online module on the topic of sexual violence. This is a standardized module and is hosted through the website www.unitededucators.com. Students must complete this module to pass their Holy Cross Experience Course that all first year students are required to take.

- **Victim Resource Center Presentations**

Trudy Enslin from the Victims Resource Center speaks with Residence Life Staff and student athletes about sexual violence, consent, and different ways to support the victim.

- **National Domestic Violence Awareness Month**

The campus offers one awareness event during this month annually.

- **"An Empty Place at the Table"** - An exhibit of dining place-settings in memory of those victims lost to domestic violence incidents. These place-settings are developed by the surviving family members and the exhibit is displayed throughout the county. With this exhibit we also hosted an open presentation on Dating Violence that was advertised across various formats and open to the campus community (all students, employees, etc)

- **Stalking / Dating Violence program** - This event will concern the evolving topic and dynamics of stalking and also focus on dating violence. The program will cover definitions and examples of stalking and inappropriate behaviors that would classify as dating violence. It will be offered on October and be part of an offering during. The program will also incorporate informing students of the changes to Pennsylvania law concerning the new protection from abuse orders that are now in place.

- **Annually** in the first week of October the campus hosts a campus-wide fair that includes an all-encompassing focus on matters related to overall wellness. Included at this fair are exhibits from Domestic Violence Service Center and Victim's Resource Center. The fair is advertised across campus in various formats and open to the campus community (all students, employees, etc.)

- **Take Back The Night**

Students from Wilkes University and King's College marched to Public Square and back to the Victim Resource Center (VRC) to advocate and support those who have been assaulted. At the VRC the students were able to hear the stories of a victim of sexual assault, a woman whose father was killed in a DUI crash, a SANE nurse and Vito Rinaldi, a King's student who has worked with the VRC for the last four years.

- **The Reality of Prosecuting a Sexual Assault:**

In April, the Victim Resource Center holds their annual Mock Rape Trial: Roommate or Rapist. This event educates students on sexual assault and consent in a trial setting.

- **Registered Sex Offenders (Megan's Law)**

Information on registered sex offenders on or in the campus area can be found at the Pennsylvania State Police website: <http://www.pameganslaw.state.pa.us/>

Fire Drills and Fire Alarm Testing

Fire Drills: are conducted once each semester (fall and spring) in conjunction with the Office of Residence Life, Campus Security and Safety Department and the Wilkes-Barre City Fire Department. Fire drills are conducted within the two weeks of the beginning of the semesters. The Executive Director of Campus Safety and Security arranges scheduled fire drills with the Wilkes-Barre City Fire Department and Director of Residence Life. In addition, the Wilkes-Barre City Fire Department conducts random fire drills and fire safety inspections of all campus residence halls through the academic year. Wilkes-Barre City Fire Department coordinates random fire drills and fire safety inspections with the Executive Director of Campus Safety and Security Department or Associate Vice President for Student Affairs and Dean of Students.

Fire Alarm Testing: is conducted no less than once a year by the Buildings and Grounds Staff or an outside company. Associate Vice President, Procurement & Chief Facilities Officer or his designee will notify the Director and the Assistant Director of Residence Life in advance of the testing. Alarm testing should not occur during the fall or spring semester.

Fire Safety Systems in Residence Halls

The following residence halls, Holy Cross Hall, Esseff Hall, O'Hara Hall, Luksic Hall, Flood Hall, Alumni Hall, and The Alley Center for Health Sciences are equipped with audible fire alarms, fire sprinklers in each room, smoke and heat fire alarms, and dry chemical fire extinguishers through the residence halls. All residence halls comply with all American Disability

Act, Labor and Industry, and municipal fire safety requirements or exceeds standards.

Fire

All fires should be reported immediately to the King's College Switchboard (570) 208-5900 or by dialing 0 from any on campus telephone. It is the switchboard operator's responsibility to notify the security officers on duty of the situation, who in turn will proceed to the fire location.

Evacuation of Residence Halls

Students are required to evacuate residence halls anytime the fire alarm sounds. Evacuation Notices with Evacuation Routes are posted on the inside door of all rooms of residence halls. The following steps should be taken to assure that an orderly and efficient evacuation takes place:

- Upon the sounding of a fire alarm, make sure all windows and doors are closed when leaving the room. This helps to eliminate the oxygen needed to support combustion and the wind currents to spread fire. Also, by closing the room door the fire will become compartmentalized and hopefully contained to its area or origin.
- Immediately move to the nearest exit and leave the building. (If your primary escape route is blocked by fire, know and use the secondary exit. When exiting by normal means if impossible you should return to your room and place something under the door to block smoke and go to the window where you can be seen and wait to be rescued.)
- Once outside the building, move to an area of safety where all supervisors, staff and security personnel can conduct a count to determine if everyone is out of the building. (This will greatly help to eliminate the possibility of anyone having to re-enter the building to conduct an unneeded search.)
- **If you should see smoke or smell smoke at any point during a fire alarm, exit the building immediately, then inform the Campus Security and Safety Department or the College Switchboard.**

- The building should not be re-entered until the danger has cleared and the building has been evacuated by the staff. Campus Security and Safety Department, in consultation with fire department (if called) and the residence life staff, will determine when the building is to be re-entered.
- Students are not permitted to return to the building until security personnel has cleared and checked the building and reset the fire alarm system.

The use of space heaters, large electrical appliance, hot plates, burning of candles and incense are prohibited and in violation of college policy.

Smoking in all residence hall rooms is prohibited and in violation of college policy.

Everyone is required to evacuate a building at the time of a fire alarm. Failure to evacuate when the fire alarm sounds is a violation of college regulations. Disciplinary action and a fine may be imposed for violations.

**Causing A False Fire Alarm Or Fire
Will Result In Suspension From The College.**

King's College - Calendar Year 2022 - Fire Safety Report									
College Residential Facility	Calendar Year	Number of Fires	Date(s)/ Cause (if known)	Number of Fire Drills	Number of Injuries	Number of Deaths	Value of Property Damage	False Alarms	Accidental Alarms
Holy Cross Hall	2022	0	n/a	0	0	0	n/a	0	6
	2021	1	n/a	0	0	0	\$1000	0	6
	2020	0	n/a	0	0	0	n/a	0	6
Flood Hall	2022	0	n/a	0	0	0	n/a	0	1
	2021	0	n/a	0	0	0	n/a	0	2
	2020	0	n/a	0	0	0	n/a	0	0
Esseff Hall	2022	0	n/a	0	0	0	n/a	0	0
	2021	0	n/a	0	0	0	n/a	0	1
	2020	0	n/a	0	0	0	n/a	0	0
Luksic Hall	2022	0	n/a	0	0	0	n/a	0	0
	2021	0	n/a	0	0	0	n/a	0	0
	2020	0	n/a	0	0	0	n/a	0	0
Alumni Hall	2022	0	n/a	0	0	0	n/a	0	9
	2021	0	n/a	0	0	0	n/a	0	2
	2020	0	n/a	0	0	0	n/a	0	4
O'Hara Hall	2022	0	n/a	0	0	0	n/a	0	8
	2021	0	n/a	0	0	0	n/a	0	10
	2020	0	n/a	0	0	0	n/a	0	4
Alley Center for Health Sciences	2022	0	n/a	0	0	0	0	0	4
	2021	0	n/a	0	0	0	0	0	3
	2020	0	n/a	0	0	0	n/a	0	4

Definitions (As per Section 668.49 of Code of Federal Regulations, Chapter 34):

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

Fire Drill: A supervised practice of a mandatory evacuation of a building for a fire.

False Alarm: A fire alarm system that is intentionally activated when no actual fire or danger of fire exists, or when the system malfunctions.

Accidental Alarm: A fire alarm system that is activated as it was designed to do, though the actual cause of the alarm was accidental or unintended through no malicious cause; for example, dust entering a smoke detector.

Annual Uniform Crime Report 2022

PART I	Offenses Reported	Unfounded	Actual Offenses	Offenses Cleared	Cleared Under 18
<i>Offenses</i>					
01 Murder	0	0	0	0	0
02 Rape	0	0	0	0	0
03 Robbery	0	0	0	0	0
04 Aggravated Assault	2	0	2	2	0
05 Burglary	0	0	0	0	0
06 Theft	15	2	13	4	0
07 Vehicular Theft	0	0	0	0	0
09 Arson	0	0	0	0	0
totals part I	17	2	15	6	0

PART II	Offenses Reported	Unfounded	Actual Offenses	Offenses Cleared	Cleared Under 18
<i>Offenses</i>					
04E Other	0	0	0	0	0
Assaults - not Aggravated	4	0	4	0	0
100 Forgery	0	0	0	0	0
110 Fraud	0	0	0	0	0
120 Embezzlement	0	0	0	0	0
130 Stolen Property	0	0	0	0	0
140 Vandalism	5	0	5	3	0
150 Weapons	0	0	0	0	0
160 Prostitution	0	0	0	0	0
170 Sex Offenses	0	0	0	0	0
180 Drugs	3	0	3	3	0
190 Gambling	0	0	0	0	0
200 Offenses/Family	0	0	0	0	0
210 DUI	0	0	0	0	0
220 Liquor Laws	11	0	11	11	0
230 Public Intoxication	0	0	0	0	0
240 Disorderly Conduct	8	0	8	1	0
260 All Other	2	0	2	1	0
totals part II	33	0	33	19	0
GRAND TOTAL	50	2	48	25	0

COLLEGE AND UNIVERSITY SECURITY ACT SECURITY SERVICES DEPARTMENT STATISTICAL REPORTS 2020-2022

PART I Offense

	Reported			Unfounded			Actual			Cleared		
	<u>20</u>	<u>21</u>	<u>22</u>	<u>20</u>	<u>21</u>	<u>22</u>	<u>20</u>	<u>21</u>	<u>22</u>	<u>20</u>	<u>21</u>	<u>22</u>
Criminal Homicide	0	0	0	0	0	0	0	0	0	0	0	0
Forcible Rape	1	0	0	1	0	0	1	0	0	1	0	0
Attempted Rape	0	0	0	0	0	0	0	0	0	0	0	0
Acquaintance Rape	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	1	2	2	0	0	0	1	2	2	1	2	2
Burglary	0	0	0	0	0	0	0	0	0	0	0	0
Larceny - Theft	11	16	15	0	0	2	11	16	13	0	2	4
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0
Arson	1	0	0	0	0	0	1	0	0	1	0	0
TOTALS PART I	14	18	17	1	0	2	14	18	15	3	4	6

COLLEGE AND UNIVERSITY SECURITY ACT SECURITY SERVICES DEPARTMENT STATISTICAL REPORTS 2020-2022

PART II Offense

	Reported			Unfounded			Actual			Cleared		
	<u>20</u>	<u>21</u>	<u>22</u>	<u>20</u>	<u>21</u>	<u>22</u>	<u>20</u>	<u>21</u>	<u>22</u>	<u>20</u>	<u>21</u>	<u>22</u>
Simple Assaults	1	2	4	0	0	0	1	2	4	1	2	0
Forgery	0	0	0	0	0	0	0	0	0	0	0	0
Fraud	0	0	0	0	0	0	0	0	0	0	0	0
Receiving Stolen Property	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offenses	1	1	0	0	0	0	1	1	0	1	1	0
Vandalism	7	9	5	0	5	0	7	9	5	1	7	3
Weapons	0	1	0	0	0	0	0	1	0	0	1	0
Drugs	8	8	3	0	0	0	8	8	3	8	8	3
DUI	0	0	0	0	0	0	0	0	0	0	0	0
Liquor Laws	14	5	11	0	0	0	14	5	11	14	5	11
Drunkenness	3	1	0	0	0	0	3	1	0	3	1	0
Disorderly Conduct	2	2	8	0	0	0	2	2	8	2	1	1
Other Offenses (except traffic)	0	0	2	0	0	0	0	0	2	0	0	1
TOTALS PART II	36	29	33	0	0	0	36	29	33	29	26	19

Criminal Offenses - On Campus			
	TOTAL OCCURRENCES ON CAMPUS		
CRIMINAL OFFENSE	2020	2021	2022
a. Murder/Non-negligent manslaughter	0	0	0
b. Negligent manslaughter	0	0	0
c. Sex offenses - Forcible	0	0	0
d. Rape	1	0	0
e. Fondling	1	1	0
f. Sex offenses - Non-forcible	0	0	0
g. Incest	0	0	0
h. Statutory rape	0	0	0
i. Robbery	0	0	0
j. Aggravated assault	1	2	2
k. Burglary	0	0	0
l. Motor vehicle theft	0	0	0
m. Arson	1	0	0

Criminal Offenses - On Campus Student Housing Facilities			
	TOTAL OCCURRENCES ON CAMPUS		
CRIMINAL OFFENSE	2020	2021	2022
a. Murder/Non-negligent manslaughter	0	0	0
b. Negligent manslaughter	0	0	0
c. Sex offenses - Forcible	0	0	0
d. Rape	1	0	0
e. Fondling	1	1	0
f. Sex offenses - Non-forcible	0	0	0
g. Incest	0	0	0
h. Statutory rape	0	0	0
i. Robbery	0	0	0
j. Aggravated assault	1	0	0
k. Burglary	0	0	0
l. Motor vehicle theft	0	0	0
m. Arson	1	0	0

Criminal Offenses - Noncampus			
	TOTAL OCCURRENCES ON CAMPUS		
CRIMINAL OFFENSE	2020	2021	2022
a. Murder/Non-negligent manslaughter	1	0	0
b. Negligent manslaughter	0	0	0
c. Sex offenses - Forcible	0	0	0
d. Rape	0	0	0
e. Fondling	0	0	0
f. Sex offenses - Non-forcible	0	0	0
g. Incest	0	0	0
h. Statutory rape	0	0	0
i. Robbery	0	0	0
j. Aggravated assault	0	0	0
k. Burglary	0	0	0
l. Motor vehicle theft	0	0	0
m. Arson	0	0	0

Criminal Offenses - Public Property			
	TOTAL OCCURRENCES ON CAMPUS		
CRIMINAL OFFENSE	2020	2021	2022
a. Murder/Non-negligent manslaughter	1	0	0
b. Negligent manslaughter	0	0	0
c. Sex offenses - Forcible	0	0	0
d. Rape	0	0	0
e. Fondling	0	0	0
f. Sex offenses - Non-forcible	0	0	0
g. Incest	0	0	0
h. Statutory rape	0	0	0
i. Robbery	0	0	0
j. Aggravated assault	0	2	2
k. Burglary	0	0	0
l. Motor vehicle theft	0	0	0
m. Arson	0	0	0

Hate Crimes - On Campus* 2022

Criminal Offense	Total	Category Of Bias For Crimes Reported in 2021					
		Race	Religion	Sexual Orientation	Gender	Disability	Ethnicity/ National Origin
A. Murder/ Non-Negligent Manslaughter	0	0	0	0	0	0	0
B. Negligent Manslaughter	0	0	0	0	0	0	0
C. Sex Offenses - Forcible	0	0	0	0	0	0	0
D. Sex Offenses - Non-Forcible	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0
E. Robbery	0	0	0	0	0	0	0
F. Aggravated Assault	0	0	0	0	0	0	0
G. Burglary	0	0	0	0	0	0	0
H. Motor Vehicle Theft	0	0	0	0	0	0	0
I. Arson	0	0	0	0	0	0	0
J. Simple Assault	0	0	0	0	0	0	0
K. Larceny-Theft	0	0	0	0	0	0	0
L. Intimidation	0	0	0	0	0	0	0
M. Destruction/Damage/Vandalism Of Property	0	0	0	0	0	0	0

Hate Crimes - On Campus* 2021

Criminal Offense	Total	Category Of Bias For Crimes Reported in 2020					
		Race	Religion	Sexual Orientation	Gender	Disability	Ethnicity/ National Origin
A. Murder/ Non-Negligent Manslaughter	0	0	0	0	0	0	0
B. Negligent Manslaughter	0	0	0	0	0	0	0
C. Sex Offenses - Forcible	0	0	0	0	0	0	0
D. Sex Offenses - Non-Forcible	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0
E. Robbery	0	0	0	0	0	0	0
F. Aggravated Assault	0	0	0	0	0	0	0
G. Burglary	0	0	0	0	0	0	0
H. Motor Vehicle Theft	0	0	0	0	0	0	0
I. Arson	0	0	0	0	0	0	0
J. Simple Assault	0	0	0	0	0	0	0
K. Larceny-Theft	0	0	0	0	0	0	0
L. Intimidation	0	0	0	0	0	0	0
M. Destruction/Damage/Vandalism Of Property	0	0	0	0	0	0	0

Hate Crimes - On Campus* 2020							
Criminal Offense	Total	Category Of Bias For Crimes Reported in 2019					
		Race	Religion	Sexual Orientation	Gender	Disability	Ethnicity/ National Origin
A. Murder/ Non-Negligent Manslaughter	0	0	0	0	0	0	0
B. Negligent Manslaughter	0	0	0	0	0	0	0
C. Sex Offenses - Forcible	0	0	0	0	0	0	0
D. Sex Offenses - Non-Forcible	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0
E. Robbery	0	0	0	0	0	0	0
F. Aggravated Assault	0	0	0	0	0	0	0
G. Burglary	0	0	0	0	0	0	0
H. Motor Vehicle Theft	0	0	0	0	0	0	0
I. Arson	0	0	0	0	0	0	0
J. Simple Assault	0	0	0	0	0	0	0
K. Larceny-Theft	0	0	0	0	0	0	0
L. Intimidation	0	0	0	0	0	0	0
M. Destruction/Damage/Vandalism Of Property	0	0	0	0	0	0	0

Hate Crimes - On-Campus Student Housing Facilities* 2022							
Criminal Offense	Total	Category Of Bias For Crimes Reported in 2021					
		Race	Religion	Sexual Orientation	Gender	Disability	Ethnicity/ National Origin
A. Murder/ Non-Negligent Manslaughter	0	0	0	0	0	0	0
B. Negligent Manslaughter	0	0	0	0	0	0	0
C. Sex Offenses - Forcible	0	0	0	0	0	0	0
D. Sex Offenses - Non-Forcible	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0
E. Robbery	0	0	0	0	0	0	0
F. Aggravated Assault	0	0	0	0	0	0	0
G. Burglary	0	0	0	0	0	0	0
H. Motor Vehicle Theft	0	0	0	0	0	0	0
I. Arson	0	0	0	0	0	0	0
J. Simple Assault	0	0	0	0	0	0	0
K. Larceny-Theft	0	0	0	0	0	0	0
L. Intimidation	0	0	0	0	0	0	0
M. Destruction/Damage/Vandalism Of Property	0	0	0	0	0	0	0

Hate Crimes - On-Campus Student Housing Facilities* 2021

Criminal Offense	Total	Category Of Bias For Crimes Reported in 2021					
		Race	Religion	Sexual Orientation	Gender	Disability	Ethnicity/ National Origin
A. Murder/ Non-Negligent Manslaughter	0	0	0	0	0	0	0
B. Negligent Manslaughter	0	0	0	0	0	0	0
C. Sex Offenses - Forcible	0	0	0	0	0	0	0
D. Sex Offenses - Non-Forcible	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0
E. Robbery	0	0	0	0	0	0	0
F. Aggravated Assault	0	0	0	0	0	0	0
G. Burglary	0	0	0	0	0	0	0
H. Motor Vehicle Theft	0	0	0	0	0	0	0
I. Arson	0	0	0	0	0	0	0
J. Simple Assault	0	0	0	0	0	0	0
K. Larceny-Theft	0	0	0	0	0	0	0
L. Intimidation	0	0	0	0	0	0	0
M. Destruction/Damage/Vandalism Of Property	0	0	0	0	0	0	0

Hate Crimes - On-Campus Student Housing Facilities* 2020

Criminal Offense	Total	Category Of Bias For Crimes Reported in 2020					
		Race	Religion	Sexual Orientation	Gender	Disability	Ethnicity/ National Origin
A. Murder/ Non-Negligent Manslaughter	0	0	0	0	0	0	0
B. Negligent Manslaughter	0	0	0	0	0	0	0
C. Sex Offenses - Forcible	0	0	0	0	0	0	0
D. Sex Offenses - Non-Forcible	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0
E. Robbery	0	0	0	0	0	0	0
F. Aggravated Assault	0	0	0	0	0	0	0
G. Burglary	0	0	0	0	0	0	0
H. Motor Vehicle Theft	0	0	0	0	0	0	0
I. Arson	0	0	0	0	0	0	0
J. Simple Assault	0	0	0	0	0	0	0
K. Larceny-Theft	0	0	0	0	0	0	0
L. Intimidation	0	0	0	0	0	0	0
M. Destruction/Damage/Vandalism Of Property	0	0	0	0	0	0	0

Hate Crimes - Noncampus*

Criminal Offense	Total by Year			Category Of Bias For Crimes Reported in 2022					
	2020	2021	2022	Race	Religion	Sexual Orientation	Gender	Disability	Ethnicity/ National Origin
A. Murder/ Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0
B. Negligent Manslaughter	0	0	0	0	0	0	0	0	0
C. Sex Offenses - Forcible	0	0	0	0	0	0	0	0	0
D. Sex Offenses - Non-Forcible	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
E. Robbery	0	0	0	0	0	0	0	0	0
F. Aggravated Assault	0	0	0	0	0	0	0	0	0
G. Burglary	0	0	0	0	0	0	0	0	0
H. Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
I. Arson	0	0	0	0	0	0	0	0	0
J. Simple Assault	0	0	0	0	0	0	0	0	0
K. Larceny-Theft	0	0	0	0	0	0	0	0	0
L. Intimidation	0	0	0	0	0	0	0	0	0
M. Destruction/Damage/Vandalism Of Property	0	0		0	0	0	0	0	0

Hate Crimes - Public Property* 2022

Criminal Offense	Total	Category Of Bias For Crimes Reported in 2022					
		Race	Religion	Sexual Orientation	Gender	Disability	Ethnicity/ National Origin
A. Murder/ Non-Negligent Manslaughter	0	0	0	0	0	0	0
B. Negligent Manslaughter	0	0	0	0	0	0	0
C. Sex Offenses - Forcible	0	0	0	0	0	0	0
D. Sex Offenses - Non-Forcible	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0
E. Robbery	0	0	0	0	0	0	0
F. Aggravated Assault	0	0	0	0	0	0	0
G. Burglary	0	0	0	0	0	0	0
H. Motor Vehicle Theft	0	0	0	0	0	0	0
I. Arson	0	0	0	0	0	0	0
J. Simple Assault	0	0	0	0	0	0	0
K. Larceny-Theft	0	0	0	0	0	0	0
L. Intimidation	0	0	0	0	0	0	0
M. Destruction/Damage/Vandalism Of Property	0	0	0	0	0	0	0

Hate Crimes - Public Property* 2021

Criminal Offense	Total	Category Of Bias For Crimes Reported in 2021					
		Race	Religion	Sexual Orientation	Gender	Disability	Ethnicity/ National Origin
A. Murder/ Non-Negligent Manslaughter	0	0	0	0	0	0	0
B. Negligent Manslaughter	0	0	0	0	0	0	0
C. Sex Offenses - Forcible	0	0	0	0	0	0	0
D. Sex Offenses - Non-Forcible	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0
E. Robbery	0	0	0	0	0	0	0
F. Aggravated Assault	0	0	0	0	0	0	0
G. Burglary	0	0	0	0	0	0	0
H. Motor Vehicle Theft	0	0	0	0	0	0	0
I. Arson	0	0	0	0	0	0	0
J. Simple Assault	0	0	0	0	0	0	0
K. Larceny-Theft	0	0	0	0	0	0	0
L. Intimidation	0	0	0	0	0	0	0
M. Destruction/Damage/Vandalism Of Property	0	0	0	0	0	0	0

Hate Crimes - Public Property* 2020							
Criminal Offense	Total	Category Of Bias For Crimes Reported in 2022					
		Race	Religion	Sexual Orientation	Gender	Disability	Ethnicity/ National Origin
A. Murder/ Non-Negligent Manslaughter	0	0	0	0	0	0	0
B. Negligent Manslaughter	0	0	0	0	0	0	0
C. Sex Offenses - Forcible	0	0	0	0	0	0	0
D. Sex Offenses - Non-Forcible	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0
E. Robbery	0	0	0	0	0	0	0
F. Aggravated Assault	0	0	0	0	0	0	0
G. Burglary	0	0	0	0	0	0	0
H. Motor Vehicle Theft	0	0	0	0	0	0	0
I. Arson	0	0	0	0	0	0	0
J. Simple Assault	0	0	0	0	0	0	0
K. Larceny-Theft	0	0	0	0	0	0	0
L. Intimidation	0	0	0	0	0	0	0
M. Destruction/Damage/Vandalism Of Property	0	0	0	0	0	0	0

Note:

1. The category "On Campus" includes all on-campus incidents, including those listed in the category "In residence halls or other residential facility". **Therefore, the two categories are not cumulative, but duplicative.**
2. Residence Halls include Holy Cross Hall, Esseff Hall and Luksic Hall. College Apartments include O'Hara Hall, Alumni Hall, The Alley Center for Health Sciences, and Flood Hall.
3. None of the incidents in this report, along with any other incident involving personal injury, simple assault, theft, intimidation or damage/destruction/ vandalism of property were reported or known to have been motivated with regards to race, gender, religion, sexual orientation, ethnicity or disability of the victim.*

Sexual Harassment Policy (Title IX)

King's College is committed to providing a learning, working, and living environment that promotes personal integrity, civility, and mutual respect in an environment free of discrimination based on sex, which includes all forms of sexual harassment/misconduct. Sexual harassment violates an individual's fundamental rights and personal dignity. King's College considers sexual harassment, in all its forms, to be a serious offense. This policy refers to all forms of sexual harassment, including but not limited to sexual harassment, sexual assault, and sexual violence by employees, students, or third parties.

Title IX Statement on Non-Discrimination:

King's College is committed to equal opportunity in the admission of students, the administration of educational programs and activities for employees and applicants for employment, without discrimination based on race, national or ethnic origin, religion, gender, gender identity, marital status, sexual orientation, age, or disability, in accordance with applicable laws.

Authority for the Policy

This policy of the King's College (Recipient) College is intended to provide for education, prevention, assessment, and grievance procedures to address sexual harassment in compliance with Title IX, 2020 Regulations (Title 34 of the Code of Federal Regulations, Part 106 Nondiscrimination on the Basis of Sex in Education), Dear Colleague Letters from 2003, 2015, Violence Against Women Amendments of the Jeanne Clery Act, the Commonwealth of Pennsylvania laws on Sexual Assault Education, Pennsylvania Act 16 of 2019 and Federal Educational Rights and Privacy Act (FERPA). The College changes the policy based on changes in federal and Commonwealth law and in accordance with regulations and guidance from an appropriate governmental agency, including revocation of guidance.

PART I: TERMS, SCOPE, SUPPORTIVE MEASURES

1. Glossary

- *Complainant* means an individual who is alleged to be the victim of conduct that could constitute harassment or discrimination based on a protected class; or retaliation for engaging in a protected activity.
- *Complaint (formal)* means a document filed/ signed by a Complainant or signed by the Title IX Coordinator alleging harassment or discrimination based on a protected class or retaliation for engaging in a protected activity against a Respondent and requesting that the King's College (Recipient) investigate the allegation.
- *Confidential Resource* means an employee who is not a Mandated Reporter of notice of the harassment, discrimination, and/or retaliation (irrespective of Clery Act Campus Security Authority status).
- *Day* means a business day when King's College (Recipient) is in normal office operations.
- *Education program or activity* means locations, events, or circumstances where King's College (Recipient) exercises substantial control over both the Respondent and the context in which the sexual harassment or discrimination occurs and also includes any building owned or controlled by a student organization that is officially recognized by the King's College (Recipient).
- *Final Determination*: A conclusion by a preponderance of the evidence, the standard of proof, that the alleged conduct did or did not violate policy.
- *Finding*: A conclusion by a preponderance of the evidence that the conduct did or did not occur as alleged. (106.45, vii)
- *Formal Grievance Process* is a method of formal resolution designated by the King's College (Recipient) to address conduct that falls within the policies included below and complies with the requirements of 34 CFR Part 106.45.
- *Grievance Process Pool* includes any investigators, hearing officers, appeal officers, and advisors who may perform any or all these roles (though not at the same time or with respect to the same case).
- *Hearing Officer* refers to those who have decision-making and sanctioning authority within the King's College (Recipient) Formal Grievance process.
- *Investigator* means the person or persons charged
- *Advisor* means a person chosen by a party or appointed by the institution to accompany the party to meetings related to the resolution process, advise the party on that process, and conduct cross-examinations at the hearing.



by King's College (Recipient) with gathering facts about an alleged violation of this Policy, assessing relevance and credibility, synthesizing the evidence, and compiling this information into an investigation report and file of directly related evidence.

- *Mandated Reporter* means an employee of the King's College (Recipient) who is obligated by policy to share knowledge, notice, and/or reports of harassment, discrimination, and/or retaliation with the Title IX Coordinator.
- *Notice* means that an employee, student, or third party informs the Title IX Coordinator or other Official with Authority of the alleged occurrence of harassing, discriminatory, and/or retaliatory conduct.
- *An Official with Authority (OWA)* means an employee of the King's College (Recipient) explicitly vested with the responsibility to implement corrective measures for harassment, discrimination, and/or retaliation on behalf of the King's College (Recipient).
- *Parties* include the Complainant(s) and Respondent(s), collectively.
- *Recipient- "King's College"* means a postsecondary education program that is a Recipient of federal funding. (106.44 and 106.45)
- *Relevant evidence* tends to prove or disprove an issue in the complaint.
- *Remedies* are post-finding actions directed to the Complainant and/or the community as

mechanisms to address safety, prevent a recurrence, and restore access to King's College (Recipient)'s educational program.

- *Respondent* means an individual who has been reported to be the perpetrator of conduct that could constitute harassment or discrimination based on a protected class; or retaliation for engaging in a protected activity.
- *Resolution* means the result of a Formal Grievance Process.
- *Sanction* means a consequence imposed by the King's College (Recipient) on a Respondent who is found to have violated this policy.
- *Sexual Harassment* is the umbrella category, including the offenses of sexual harassment, sexual assault, stalking, dating violence, and domestic violence.
- *Title IX Coordinator* is at least one official designated by King's College (Recipient) to ensure compliance with Title IX and the King's College (Recipient)'s Title IX program. Throughout this policy, references to the Coordinator may also encompass a designee of the Coordinator for specific tasks.
- *Title IX Team* refers to the Title IX Coordinator and any member of the Title IX Team.

2. Rationale for Policy

King's College (Recipient) is committed to providing a workplace and educational environment, as well as other benefits, programs, and activities that are free from discrimination, harassment, and retaliation. To ensure compliance with federal and state civil rights laws and regulations, and to affirm its commitment to promoting the goals of fairness and equity in all aspects of the educational program or activity, King's College (Recipient) has developed internal policies and procedures that provide a prompt, fair, and impartial process for those involved in an allegation of discrimination or harassment on the basis of protected class status, and for allegations of retaliation. King's College (Recipient) values and upholds the equal dignity of all members of its community and strives to balance the parties' rights in the grievance process during what is often a difficult time for all those involved.

3. Applicable Scope

The core purpose of this policy is the prohibition of all

forms of discrimination. Sometimes, discrimination involves exclusion or different treatment in activities like admission, athletics, or employment. Other times, discrimination takes the form of harassment or, in the case of sex-based discrimination, can encompass sexual harassment, sexual assault, stalking, sexual exploitation, dating violence, or domestic violence. When an alleged violation of this anti-discrimination policy is reported, the allegations are subject to resolution using the Title IX Grievance Process determined by the Title IX Coordinator and detailed below.

When the Respondent is a member of the King's College (Recipient) community, a grievance process may be available regardless of the status of the Complainant, who may or may not be a member of the King's College (Recipient) community. This community includes, but is not limited to, students, student organizations, faculty, administrators, staff, and third parties such as guests, visitors, volunteers, invitees, and campers. Additionally, the procedures below may be applied to incidents, patterns, and/or to the campus climate, all of which may be addressed and investigated in accordance with this policy.

4. Title IX Coordinators

Mrs. Megan Casey and Mrs. Corchado, Title IX Coordinator, ADA/504 Coordinator, oversee the implementation of the King's College (Recipient)'s Affirmative Action and Equal Opportunity plan and the King's College (Recipient)'s policy on an equal opportunity, harassment, and nondiscrimination. The Title IX Coordinator is primarily responsible for coordinating King's College (Recipient)'s efforts related to the intake, investigation, resolution, and implementation of supportive measures to stop, remediate, and prevent discrimination, harassment, and retaliation prohibited under this policy.

- Title IX Coordinator: Associate Vice President for Student Affairs and Dean of Students:
Mrs. Megan Casey, office: John Lane C.S.C. House, 166 North Franklin Street, telephone: (570) 208-5875, email: TitleIX@kings.edu
- Title IX Coordinator: Mrs. Regina Corchado, SHRM-SCP, Director of Human Resources, Office: 181 North Franklin Street, office telephone number: (570) 208-5968, mobile: 570-266-3060, email: TitleIX@kings.edu

5. Independence and Conflict-of-Interest

The Title IX Coordinator manages the Title IX Team and acts with independence and authority, free from bias and conflicts of interest. The Title IX Coordinator oversees all resolutions under this policy and these procedures. The members of the Title IX Team are vetted and trained to ensure they are not biased for or against any party in a specific case, or for or against Complainants and/or Respondents, generally. Any attempts to influence the outcome of a complaint or resolution made to an investigator or hearing officer are to be documented as part of the case file and reported to the Title IX Coordinator.

To raise any concern involving bias or conflict of interest by the Title IX Coordinator, contact the King's College (Recipient) President, Rev. Thomas Looney, C.S.C. Concerns of bias or potential conflict of interest by any other Title IX Team member should be raised with the Title IX Coordinator.

Reports of harassment/misconduct or discrimination committed by the Title IX Coordinator should be reported to the King's College (Recipient) President, Rev. Thomas Looney, C.S.C. In addition, reports of harassment/misconduct or discrimination committed by any other Title IX Team member should be reported to the Title IX Coordinator.

6. Administrative Contact Information

Complaints or notice of alleged policy violations or inquiries about or concerns regarding this policy and procedures may be made internally to:

- Title IX Coordinator: Associate Vice President for Student Affairs and Dean of Students:
Mrs. Megan Casey, office: John Lane C.S.C. House, 166 North Franklin Street, telephone: (570) 208-5875, email: TitleIX@kings.edu
- Title IX Coordinator: Mrs. Regina Corchado, SHRM-SCP, Director of Human Resources, Office: 181 North Franklin Street, office telephone number: (570) 208-5968, mobile: 570-266-3060, email: TitleIX@kings.edu

Title IX/ Sexual Harassment Web: https://www.kings.edu/life_at_kings/dean_of_students/title-ix

The Title IX Team, in addition to the Title IX Coordinators listed above, includes:

Investigators:

Mr. Stephen Kopenis
Mr. Nicholas Gushka

Hearing Officers:

Mr. Thomas Butchko (employee cases)
Mrs. Veronica Giamusso (employee cases)
Mr. Steven Matusiewicz (student cases)
Mr. Sean Cryan (student cases)

Appeal Officers:

Mrs. Holly Kulp (employee cases)
Ms. Cheryl Ish (student cases)
Dr. Anitra McShea (student cases)

While hearing officers and appeal officers are designated to properly hear cases of when a student or employee is accused, the Title IX Coordinator can assign them to any case.

The College has designated the following positions as Officials with Authority (OWA) to address and correct sexual harassment and retaliation:

- Title IX Coordinators and team as listed above.
- Campus Safety and Security Officers and Executive Director
- President of the College

King's College (Recipient) has also classified most employees as Mandated Reporters of any knowledge they have that a community member is experiencing harassment, discrimination, and/or retaliation. Employees who are mandated reporters must report an incident if they become aware of an incident to the Title IX Coordinator. That report, if the complainant requests, can be made anonymously. Mandated reporters will provide the complainant information on how to report a Title IX offense to the Title IX Coordinator or through the anonymous reporting site. Mandated reports are:

- Fulltime professional and administrative staff
- Coaches
- Advisors to student clubs and organizations
- Faculty members
- Residence life staff (resident counselors, resident assistants, and professional staff)

Inquiries may be made externally to:

Office for Civil Rights (OCR)
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202-1100
Customer Service Hotline #: (800) 421-3481
Facsimile: (202) 453-6012
TDD#: (877) 521-2172
Email: OCR@ed.gov
Web: <http://www.ed.gov/ocr>

U.S. Department of Education,
The Wanamaker Building,
100 Penn Square East, Suite 515, Philadelphia, PA
19107-3323.
Telephone: (215) 656-8541.
Facsimile: (215) 656-8605.
Email: OCR.Philadelphia@ed.gov

For complaints involving employees: Equal Employment Opportunity Commission (EEOC)

7. Notice/Complaints of Discrimination, Harassment, and/or Retaliation

Notice or complaints of discrimination, harassment, and/or retaliation may be made using any of the following options:

File a complaint with or give verbal notice to the Title IX Coordinator.

- Title IX Coordinator: Associate Vice President for Student Affairs and Dean of Students:
Mrs. Megan Casey, office: John Lane C.S.C. House,
166 North Franklin Street, telephone: (570) 208-5875,
email: TitleIX@kings.edu
- Title IX Coordinator: Mrs. Regina Corchado,
SHRM-SCP, Director of Human Resources, Office:
181 North Franklin Street, office telephone number:
(570) 208-5968, mobile: 570-266-3060,
email: TitleIX@kings.edu

Such a report may be made at any time (including during non-business hours) using the telephone number or email address or by mail to the office address listed for the Title IX Coordinator or any other official listed.

Report online, using the reporting form posted at <https://kings.guardianconduct.com/incident-reporting>
Anonymous reports are accepted but can give rise to a need to investigate. The King's College (Recipient) tries to

provide supportive measures to all Complainants, which is impossible with an anonymous report. Because reporting carries no obligation to initiate a formal response, and as the King's College (Recipient) respects Complainant requests to dismiss complaints unless there is a compelling threat to health and/or safety, the Complainant is largely in control and should not fear a loss of privacy by making a report that allows the King's College (Recipient) to discuss and/or provide supportive measures.

- Confidential reporters are professional counselors in the College Counseling Center, Student Health Center medical staff, and Campus Ministry professional staff, including priests and laypersons, acting in their capacities as counselors are confidential reporters. Those staff members are:

■ Counseling Center

- Ms. Tina Arendash, Director of the Counseling Center
- Ms. Julia Lettieri, Counselor
- Ms. Harli Haggerty, Counselor

■ Campus Ministry

- Fr. Brogan Ryan, C.S.C., Director of Campus Ministry
- Fr. Russell McDougall, C.S.C., Associate Director of Campus Ministry

■ Student Health Center

A Formal Complaint means a document filed/ signed by the Complainant or signed by the Title IX Coordinator alleging a policy violation by a Respondent and requesting that the King's College (Recipient) investigate the allegation(s). A complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail, by using the contact information in the section immediately above, or as described in this section. As used in this paragraph, the phrase "document filed by a Complainant" means a document or electronic submission such as by electronic mail or through an online portal provided for this purpose by the King's College (Recipient) that contains the Complainant's physical or digital signature, or otherwise indicates that the Complainant is the person filing the complaint and request the Recipient investigate the allegations.

If notice is submitted in a form that does not meet this standard, the Title IX Coordinator will contact the Complainant to ensure that it is filed correctly.

8. Supportive Measures

King's College (Recipient) will offer and implement appropriate and reasonable supportive measures to the parties upon notice of alleged harassment, discrimination, and/or retaliation.

Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the parties to restore or preserve access to the King's College (Recipient)'s education program or activity, including measures designed to protect the safety of all parties or the King's College (Recipient)'s educational environment, and/or deter harassment, discrimination, and/or retaliation.

The Title IX Coordinator promptly makes supportive measures available to the parties upon receiving notice of a complaint. At the time that supportive measures are offered, the King's College (Recipient) will inform the Complainant, in writing, that they may file a formal complaint with the King's College (Recipient) either at that time or in the future if they have not done so already. The Title IX Coordinator works with the Complainant to ensure that their wishes are considered with respect to the supportive measures that are planned and implemented.

The King's College (Recipient) will maintain the privacy of the supportive measures, provided that privacy does not impair the King's College (Recipient)'s ability to provide supportive measures. King's College (Recipient) will act to ensure as minimal an academic impact on the parties as possible. The King's College (Recipient) will implement measures in a way that does not unreasonably burden the other party.

These actions may include, but are not limited to:

- Referral to counseling, medical, and/or other healthcare services
- Referral to community-based service providers
- Visa and immigration assistance
- Student financial aid counseling
- Education to the community or community subgroup(s)
- Altering campus housing assignment(s)

- Altering work arrangements for employees or student-employees
- Safety planning
- Providing campus safety escorts
- Providing transportation accommodations
- Implementing contact limitations (no contact orders) between the parties
- Academic support, extensions of deadlines, or other course/program-related
- Adjustments
- No trespass directives
- Timely warnings
- Class schedule modifications, withdrawals, or leaves of absence.
- Increased security and monitoring of certain areas of the campus
- Any other actions deemed appropriate by the Title IX Coordinator

Violations of no contact orders will be referred to the appropriate student or employee conduct processes for enforcement.

9. Emergency Removal

The King's College (Recipient) can act to remove a Respondent entirely or partially from its education program or activities on an emergency basis when an individualized safety and risk analysis has determined that an immediate threat to the physical health or safety of any student or other individual justifies removal. This risk analysis is performed by the Title IX Coordinator in conjunction with the CARE Team Subgroup using its standard objective violence risk assessment procedures.

In all cases in which an emergency removal is imposed, the student or employee will be given notice of the action and the option to request to meet with the Title IX Coordinator before such action/removal is imposed or as soon after that as reasonably possible, to show cause why the action/removal should not be implemented or should be modified.

This meeting is not a hearing on the merits of the allegation(s) but rather is an administrative process

intended to determine solely whether the emergency removal is appropriate. When this meeting is not requested within two business days, objections to the emergency removal will be waived. A Complainant and their Advisor may be permitted to participate in this meeting if the Title IX Coordinator determines it is equitable to do so. This section also applies to any restrictions that a coach or athletic administrator may place on a student-athlete arising from allegations related to Title IX. There is no appeal process for emergency removal decisions.

A Respondent may be accompanied by an Advisor of their choice when meeting with the Title IX Coordinator for the show cause meeting. The Respondent will be given access to a written summary of the basis for the emergency removal before the meeting to allow for adequate preparation.

The Title IX Coordinator has sole discretion under this policy to implement or stay an emergency removal and to determine the conditions and duration. Violation of an emergency removal under this policy will be grounds for discipline, including expulsion.

Considering the circumstances and safety concerns, the King's College (Recipient) will implement the least restrictive emergency actions possible. As determined by the Title IX Coordinator, these actions could include, but are not limited to: removing a student from a residence hall, temporarily reassigning an employee, restricting a student's or employee's access to or use of facilities or equipment, allowing a student to withdraw or take grades of incomplete without financial penalty, authorizing an administrative leave, and suspending a student's participation in extracurricular activities, student employment, student organizational leadership, or intercollegiate/intramural athletics.

At the discretion of the Title IX Coordinator, alternative coursework options may be pursued to ensure as minimal an academic impact as possible on the parties.

Where the Respondent is an employee, existing provisions for interim action are applicable.

10. Promptness

All allegations are acted upon promptly by King's College (Recipient) once it has received the notice or a formal complaint. Complaints can take 60-120

business days to resolve, typically. There are always exceptions and extenuating circumstances that can cause a resolution to take longer, but the King's College (Recipient) will avoid all undue delays within its control.

Any time the general timeframes for resolution outlined in King's College (Recipient) procedures will be delayed, King's College (Recipient) will provide written notice to the parties of the delay, the cause of the delay, and an estimate of the anticipated additional time that will be needed as a result of the delay.

11. Privacy

Every effort is made by the King's College (Recipient) to preserve the privacy of reports. Accordingly, King's College (Recipient) will not share the identity of any individual who has made a report or complaint of harassment, discrimination, or retaliation; any Complainant, any individual who has been reported to be the perpetrator of sex discrimination, any Respondent, or any witness, except as permitted by the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. 1232g; FERPA regulations, 34 CFR part 99; or as required by law; or to carry out the purposes of 34 CFR Part 106, including the conducting of any investigation, hearing, or grievance proceeding arising under these policies and procedures.

The King's College (Recipient) reserves the right to determine which King's College (Recipient) officials have a legitimate educational interest in being informed about incidents that fall within this policy, pursuant to the Family Educational Rights and Privacy Act (FERPA).

Only a small group of officials who need to know will typically be told about the complaint, including but not limited to for cases where the respondent is a student- Campus Safety and Security, Title IX Coordinator, and other offices the complainant or respondent have used as resources or are contracted to provide supportive measures: in addition, for employees Human Resources, the employee's supervisor and vice president. Information will be shared as necessary with Investigators, Hearing officers, witnesses, and the parties. The circle of people with this knowledge will be kept as tight as possible to preserve the parties' rights and privacy.

The King's College (Recipient) may contact parents/guardians to inform them of situations in which there

is a significant and articulable health and/or safety risk but will usually consult with the student first before doing so.

12. Jurisdiction of the King's College (Recipient)

This policy applies to the education program and activities of the King's College (Recipient), to conduct that takes place on the campus or property owned or controlled by the King's College (Recipient), at King's College (Recipient)-sponsored events. The College campus is in the County of Luzerne in the City and Township of Wilkes-Barre and Pittston. The College may conduct events and programs at locations outside of this area on occasion. The Respondent must be a member of King's College (Recipient)'s community for its policies to apply.

This policy can also apply to the effects of off-campus misconduct that effectively deprive someone of access to King's College (Recipient)'s educational program. King's College (Recipient) may also extend jurisdiction to off-campus and/or to online conduct when the Title IX Coordinator determines that the conduct affects a substantial King's College (Recipient) interest.

Regardless of where the conduct occurred, King's College (Recipient) will address notice/complaints to determine whether the conduct occurred in the context of its employment or educational program or activity and/or has continuing effects on campus or in an off campus sponsored program or activity. A substantial King's College (Recipient) interest includes:

- a. Any action that constitutes a criminal offense as defined by law. This includes, but is not limited to, single or repeat violations of any local, state, or federal law.
- b. Any situation in which it is determined that the Respondent poses an immediate threat to the physical health or safety of any student or other individual.
- c. Any situation that significantly impinges upon the rights, property, or achievements of oneself or others or significantly breaches the peace and/or causes social disorder; and/or
- d. Any situation that is detrimental to the educational interests or mission of the King's College (Recipient).

If the Respondent is unknown or is not a member of the King's College (Recipient) community, the Title IX Coordinator will assist the Complainant in identifying appropriate campus and local resources and support options and/or, when criminal conduct is alleged, in contacting local or campus law enforcement if the individual would like to file a police report.

Further, even when the Respondent is not a member of the King's College (Recipient)'s community, supportive measures, remedies, and resources may be accessible to the Complainant by contacting the Title IX Coordinator or Victims Assistance Coordinator.

In addition, the King's College (Recipient) may take other actions as appropriate to protect the Complainant against third parties, such as barring individuals from King's College (Recipient) property and/or events.

All vendors serving the King's College (Recipient) through third-party contracts are subject to the policies and procedures of their employers.

When the Respondent is enrolled in or employed by another institution, the Title IX Coordinator can assist the Complainant in liaising with the appropriate individual at that institution, as it may be possible to allege violations through that institution's policies.

Similarly, the Title IX Coordinator may be able to advocate for a student or employee Complainant who experiences discrimination in an externship, study abroad program, or other environments external to the King's College (Recipient) where sexual harassment or nondiscrimination policies and procedures of the facilitating or host organization may give recourse to the Complainant.

13. Time Limits on Reporting

There is no time limitation on providing notice/complaints to the Title IX Coordinator. However, if the Respondent is no longer subject to the King's College (Recipient)'s jurisdiction and/or the significant time has passed, the ability to investigate, respond, and provide remedies may be more limited or impossible.

Acting on notice/complaints significantly impacted by the passage of time (including, but not limited to, the rescission or revision of policy) is at the discretion of the Title IX Coordinator, who may document allegations for future reference, offer supportive

measures, and/or remedies, and/or engage in informal or formal action, as appropriate.

When notice/complaint is affected by a significant time delay, the King's College (Recipient) will typically apply the policy in place at the time of the alleged misconduct and the procedures in place at the time of notice/complaint.

14. Online Harassment and Misconduct

The policies of King's College (Recipient) are written and interpreted broadly to include online manifestations of any of the behaviors prohibited below when those behaviors occur in or have an effect on the King's College (Recipient)'s education program and activities or use King's College (Recipient) networks, technology, or equipment.

Although King's College (Recipient) may not control websites, social media, and other venues in which harassing communications are made, when such communications are reported to King's College (Recipient), it will engage in a variety of means to address and mitigate the effects.

Members of the community are encouraged to be good digital citizens and to refrain from online misconduct, such as feeding anonymous gossip sites, sharing inappropriate content via social media, unwelcome sexual or sex-based messaging, distributing or threatening to distribute revenge pornography, breaches of privacy, or otherwise using the ease of transmission and/or anonymity of the Internet or other technology to harm another member of the King's College (Recipient) community.

Otherwise, such communications are considered speech protected by the First Amendment. Supportive measures for Complainants will be provided, but protected speech cannot legally be subjected to discipline.

15. Policy on Nondiscrimination

King's College (Recipient) adheres to all federal and state civil rights laws and regulations prohibiting discrimination in private institutions of higher education.

King's College (Recipient) does not discriminate against any employee, an applicant for employment, student, or applicant for admission on the basis of:

King's College is committed to equal opportunity in the admission of students, the administration of educational programs and activities for employees and applicants for employment, without discrimination based on race, national, or ethnic origin, religion, gender, gender identity, marital status, sexual orientation, age, or disability, in accordance with applicable laws.

In addition:

- Veteran or military status (including disabled veteran, recently separated veteran, active-duty wartime or campaign badge veteran, and Armed Forces Service Medal veteran),
- or any other protected category under applicable local, state, or federal law, including protections for those opposing discrimination or participating in any grievance process on campus, with the Equal Employment Opportunity Commission, or other human rights agencies.

This policy covers nondiscrimination in both employment and access to educational opportunities. Therefore, any member of the King's College (Recipient) community whose acts deny, deprive, or limit the educational or employment access, benefits, and/or opportunities of any member of the King's College (Recipient) community, guest, or visitor on the basis of that person's actual or perceived membership in the protected classes listed above violates the King's College (Recipient) policy on nondiscrimination.

When brought to the attention of the King's College (Recipient), any such discrimination will be promptly and fairly addressed and remedied by the King's College (Recipient) according to the appropriate grievance process described below.

16. Policy on Disability Discrimination and Accommodation

King's College (Recipient) is committed to full compliance with the Americans With Disabilities Act of 1990 (ADA), as amended, and Section 504 of the Rehabilitation Act of 1973, which prohibit discrimination against qualified persons with disabilities, as well as other federal and state laws and regulations pertaining to individuals with disabilities.

Under the ADA and its amendments, a person

has a disability if a physical or mental impairment substantially limits a major life activity.

The ADA also protects individuals who have a record of a substantially limiting impairment or who are regarded as disabled by the King's College (Recipient), regardless of whether they currently have a disability. A substantial impairment is one that significantly limits or restricts a major life activity such as hearing, seeing, speaking, breathing, performing manual tasks, walking, or caring for oneself.

Mrs. Sheri Yech, Director of Academic Skills and Disabilities Services Coordinator, (email: sheriyeach@kings.edu, telephone: 570-208-5800), and ADA/504 Coordinator responsible for overseeing efforts to comply with these disability laws, including responding to grievances and conducting investigations of any allegation of noncompliance or discrimination based on disability.

Grievances related to disability status and/or accommodations will be addressed using the procedures below. For details relating to disability accommodations in the King's College (Recipient)'s resolution process, see Student Handbook.

a. Students with Disabilities

King's College (Recipient) is committed to providing qualified students with disabilities with reasonable accommodations and support needed to ensure equal access to the academic programs, facilities, and activities of the King's College (Recipient).

All accommodations are made on an individualized basis. A student requesting any accommodation should first contact the Director of Academic Skills and Disabilities Services, who coordinates services for students with disabilities.

The Director of Academic Skills and Disabilities Services reviews documentation provided by the student and, in consultation with the student, determines which accommodations are appropriate for the student's needs and academic program(s).

b. Employees with Disabilities

Pursuant to the ADA, King's College (Recipient) will provide reasonable accommodation(s) to all qualified employees with known disabilities when their disability affects the performance of their essential job functions,



except when doing so would be unduly disruptive or would result in undue hardship to King's College (Recipient).

An employee with a disability is responsible for submitting a request for accommodation to Mrs. Regina Corchado, Director of Human Resources and ADA/504 Coordinator, email: reginacorchado@kings.edu, telephone: 570 208 5925, and providing necessary documentation. The ADA/504 Coordinator will work with the employee's supervisor to identify which essential functions of the position are affected by the employee's disability and what reasonable accommodations could enable the employee to perform those duties.

17. Policy on Discriminatory Harassment

Students, staff, administrators, and faculty are entitled to an employment and educational environment free of discriminatory harassment. King's College (Recipient)'s harassment policy is not meant to inhibit or prohibit educational content or discussions inside or outside of the classroom that includes germane, but controversial or sensitive subject matters protected by academic freedom.

The sections below describe the specific forms of legally prohibited harassment that are also prohibited under King's College (Recipient) policy. When speech or conduct is protected by academic freedom and/or the

First Amendment, it will not be considered a violation of King's College (Recipient) policy, though supportive measures will be offered to those impacted.

a. Discriminatory Harassment

Discriminatory harassment constitutes a form of discrimination prohibited by King's College (Recipient) policy. Discriminatory harassment is defined as unwelcome conduct by any member or group of the community on the basis of actual or perceived membership in a class protected by policy or law.

King's College (Recipient) does not tolerate discriminatory harassment of any employee, student, visitor, or guest. King's College (Recipient) will act to remedy all forms of harassment when reported, whether the harassment rises to the level of creating a "hostile environment."

A hostile environment is one that unreasonably interferes with, limits, or effectively denies an individual's educational or employment access, benefits, or opportunities. This discriminatory effect results from harassing verbal, written, graphic, or physical conduct that is severe or pervasive and objectively offensive.

When discriminatory harassment rises to the level of creating a hostile environment, King's College (Recipient) may also impose sanctions on the Respondent.

b. Sexual Harassment

The Department of Education's Office for Civil Rights (OCR), the Equal Employment Opportunity Commission (EEOC), and the Commonwealth of Pennsylvania regard Sexual Harassment, a specific form of discriminatory harassment, as an unlawful discriminatory practice.

King's College (Recipient) has adopted the following definition of Sexual Harassment to address the unique environment of an academic community.

Acts of sexual harassment may be committed by any person upon any other person, regardless of the sex, sexual orientation, and/or gender identity of those involved.

Sexual Harassment, as an umbrella category, includes the offenses of sexual harassment, sexual assault,

domestic violence, dating violence, and stalking and is defined as:

Conduct on the basis of sex that satisfies one or more of the following:

- 1) **Quid Pro Quo:** an employee of the King's College (Recipient), conditions the provision of aid, benefit, or service of the King's College (Recipient), on an individual's participation in unwelcome sexual conduct.
- 2) **Sexual Harassment:** unwelcome conduct, determined by a reasonable person, to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to King's College (Recipient) education program or activity.
- 3) **Sexual assault is defined as:**
 - a) **Sex Offenses, Forcible:** Any sexual act directed against another person without the consent of the Complainant, including instances in which the Complainant is incapable of giving consent.
 - b) **Forcible Rape:** 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 Complainant.
 - c) **Forcible Sodomy:** Oral or anal sexual intercourse with another person, forcibly, and/or against that person's will (non-consensually), or not forcibly or against the person's will in instances in which the Complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.
 - d) **Sexual Assault with an Object:** The use of an object or instrument to penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person's will (non-consensually), or not forcibly or against the person's will in instances in which the Complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.
 - e) **Forcible Fondling:** The touching of the private body parts of another person (buttocks, groin, breasts) for the purpose of sexual gratification, forcibly, and/or against that person's will

(non-consensually), or not forcibly or against the person's will in instances in which the Complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.

f) **Sex Offenses, Non-forcible:**

- i) **Incest:** Non-forcible sexual intercourse between persons related to each other within the degrees wherein marriage is prohibited by Pennsylvania law.
 - ii) **Statutory Rape:** Non-forcible sexual intercourse with a person under the statutory age of consent of Pennsylvania. In Pennsylvania: Children less than 13 years old cannot grant consent to sexual activity. Teens between the ages of 13 and 15 cannot consent to sexual activity with anyone who is four or more years older than them. People ages sixteen and older can legally consent to sexual activity with anyone they choose, as long as the other person does not have authority over them as defined in Pennsylvania's institutional sexual assault statute.
- 4) **Dating Violence** is defined as violence, on the basis of sex, committed by a person who is in or has been in a social relationship of a romantic or intimate nature with the Complainant.
- i. The existence of such a relationship shall be determined based on the Complainant's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition—
 - ii. Dating violence includes but is not limited to sexual or physical abuse or the threat of such abuse.
 - iii. Dating violence does not include acts covered under the definition of domestic violence.
- 5) **Domestic Violence**, defined as violence, on the basis of sex, committed by a current or former spouse or intimate partner of the Complainant, by a person with whom the Complainant shares a child

in common, or by a person who is cohabitating with, or has cohabitated with, the Complainant as a spouse or intimate partner, or by a person similarly situated to a spouse of the Complainant under the domestic or family violence laws of the Commonwealth of Pennsylvania 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 Commonwealth of Pennsylvania.

*To categorize an incident as Domestic Violence, the relationship between the Respondent and the Complainant must be more than just two people living together as roommates. The people cohabitating must be current or former spouses or have an intimate relationship.

6) Stalking defined as engaging in the course of conduct, on the basis of sex, directed at a specific person, that.

- i. would cause a reasonable person to fear for the person's safety, or
- ii. the safety of others; or
- iii. suffer substantial emotional distress.

For the purposes of this definition—

- (i) The course of conduct means two or more acts, including, but not limited to, acts in which the Respondent directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
- (ii) A reasonable person means a reasonable person under similar circumstances and with similar identities to the Complainant.
- (iii) Substantial emotional distress means significant mental suffering or the anguish that may but does not necessarily require medical or other professional treatment or counseling.

All employees are subject to the policies as published in the Employee Handbook, including but not limited to the Consensual Relationships Policy, Student Non-Fraternalization Policy, and Grievance Policy. The Employee Handbook is published on the College's

website under the Human Resources section.

King's College (Recipient) reserves the right to impose any level of sanction, ranging from a reprimand up to and including suspension or expulsion/termination, for any offense under this policy.

c. Force, Coercion, Consent, and Incapacitation

As used in the offenses above, the following definitions and understandings apply:

Force: Force uses physical violence and/or physical imposition to gain sexual access. Force also includes threats, intimidation (implied threats), and coercion that is intended to overcome resistance or produce consent (e.g., "Have sex with me or I'll hit you," "Okay, don't hit me, I'll do what you want.").

Sexual activity that is forced is, by definition, non-consensual, but non-consensual sexual activity is not necessarily forced. Silence or the absence of resistance alone is not consent. The absence of resistance does not demonstrate consent. While resistance is not required or necessary, it clearly demonstrates non-consent.

Coercion: Coercion is unreasonable pressure for sexual activity. Coercive conduct differs from seductive conduct based on factors such as the type and/or extent of the pressure used to obtain consent. When someone makes clear that they do not want to engage in certain sexual activity, that they want to stop, or that they do not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive.

Consent is knowing, voluntary, with explicit permission by word or action to engage in sexual activity.

Individuals may experience the same interaction in different ways; it is the responsibility of each party to determine that the other has consented before engaging in the activity.

If consent is not clearly provided before engaging in the activity, consent may be ratified by word or action at some point during the interaction or after that, but clear communication from the outset is strongly encouraged.

For consent to be valid, there must be a clear expression in words or actions that the other individual consented to that specific sexual conduct. Reasonable reciprocation can be implied. For example, if someone

kisses you, you can kiss them back (if you want to) without the need to explicitly obtain their consent to being kissed back.

Consent can also be withdrawn once given, as long as the withdrawal is reasonably and clearly communicated. If consent is withdrawn, that sexual activity should cease within a reasonable time.

Consent to some sexual contact (such as kissing or fondling) cannot be presumed to be consent for other sexual activity (such as intercourse). A current or previous intimate relationship is not sufficient to constitute consent.

Proof of consent or non-consent is not a burden placed on either party involved in an incident. Instead, the burden remains on the King's College (Recipient) to determine whether its policy has been violated. The existence of a consent is based on the totality of the circumstances evaluated from the perspective of a reasonable person in the same or similar circumstances, including the context in which the alleged incident occurred and any similar, previous patterns that may be evidenced.

Incapacitation: A person cannot consent if they are unable to understand what is happening or is disoriented, helpless, asleep, or unconscious, for any reason, including by alcohol or other drugs. As stated above, a Respondent violates this policy if they engage in sexual activity with someone who is incapable of giving consent.

It is a defense to a sexual assault policy violation that the Respondent neither knew nor should have known the Complainant to be physically or mentally incapacitated. "Should have known" is an objective, reasonable person standard assumes that a reasonable person is both sober and exercising sound judgment.

Incapacitation occurs when someone cannot make rational, reasonable decisions because they lack the capacity to give knowing/informed consent (e.g., to understand the "who, what, when, where, why, or how" of their sexual interaction).

Incapacitation is determined through consideration of all relevant indicators of an individual's state and is not synonymous with intoxication, impairment, blackout, and/or being drunk.

This policy also covers a person whose incapacity results from a temporary or permanent physical or mental health condition, involuntary physical restraint, and/or the consumption of incapacitating drugs.

d. Other Civil Rights Offenses

In addition to the forms of sexual harassment described above, Title IX, King's College (Recipient) additionally prohibits the following offenses as forms of discrimination outside of Title IX when the act is based upon the Complainant's actual or perceived membership in a protected class.

- Sexual Exploitation, defined as taking non-consensual or abusive sexual advantage of another for their benefit or the benefit of anyone other than the person being exploited, and that conduct does not otherwise constitute sexual harassment under this policy. Examples of Sexual Exploitation include, but are not limited to:
 - Sexual voyeurism (such as observing or allowing others to observe a person undressing or using the bathroom or engaging in sexual acts, without the consent of the person being observed)
 - Invasion of sexual privacy.
 - Taking pictures, video, or audio recording of another in a sexual act, or in any other sexually related activity when there is a reasonable expectation of privacy during the activity, without the consent of all involved in the activity, or exceeding the boundaries of consent (such as allowing another person to hide in a closet and observe sexual activity or disseminating sexual pictures without the photographed person's consent), including the making or posting of revenge pornography.
 - Prostituting another person
 - Engaging in sexual activity with another person while knowingly infected with human immunodeficiency virus (HIV) or a sexually transmitted disease (STD) or infection (STI) without informing the other person of the infection
 - Causing or attempting to cause the incapacitation of another person (through alcohol, drugs, or any other means) for the purpose of compromising that person's ability to give consent to sexual

activity or for the purpose of making that person vulnerable to non-consensual sexual activity.

- Misappropriation of another person's identity on apps, websites, or other venues designed for dating or sexual connections.
- Forcing a person to take an action against that person's will by threatening to show, post, or share information, video, audio, or an image that depicts the person's nudity or sexual activity.
- Knowingly soliciting a minor for sexual activity, please see the Child Protection Policy in the Student Handbook and Employee Handbook.
- Engaging in sex trafficking
- Creation, possession, or dissemination of child pornography
- Threatening or causing physical harm, extreme verbal, emotional, or psychological abuse, or other conduct which threatens or endangers the health or safety of any person.
- Discrimination, defined as actions that deprive, limit, or deny other members of the community of educational or employment access, benefits, or opportunities.
- Intimidation, defined as implied threats or acts that cause an unreasonable fear or harm to another.
- Hazing, defined as acts likely to cause physical or psychological harm or social ostracism to any person within the King's College (Recipient) community, when related to the admission, initiation, pledging, joining, or any other group-affiliation activity as defined further in the Anti-Hazing Policy.
- Bullying, defined as repeated and/or severe, aggressive behavior, likely to intimidate or intentionally hurt, control, or diminish another person, physically and/or mentally.

Violation of any other King's College (Recipient) policies may constitute a Civil Rights Offense when a violation is motivated by actual or perceived membership in a protected class, and the result is a discriminatory limitation or denial of employment or educational access, benefits, or opportunities.

Sanctions for the above-listed Civil Rights Offenses range from censure/reprimand through dismissal / termination.

18. Retaliation

Protected activity under this policy includes reporting an incident that may implicate this policy, participating in the grievance process, supporting a Complainant or Respondent, assisting in providing information relevant to an investigation, and/or acting in good faith to oppose conduct that constitutes a violation of this Policy.

Acts of alleged retaliation should be reported immediately to the Title IX Coordinator and will be promptly investigated. King's College (Recipient) is prepared to take appropriate steps to protect individuals who fear that they may be subjected to retaliation.

King's College (Recipient) or any member of King's College (Recipient)'s community are prohibited from taking or attempting to take materially adverse action by intimidating, threatening, coercing, harassing, or discriminating against any individual for the purpose of interfering with any right or privilege secured by law or policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy and procedure.

The exercise of rights protected under the First Amendment does not constitute retaliation.

Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding under this policy and procedure does not constitute retaliation, provided that a determination regarding responsibility, alone, is not sufficient to conclude that any party has made a materially false statement in bad faith.

19. Mandated Reporting

All King's College (Recipient) employees (faculty, staff, administrators) are expected to report actual or suspected discrimination or harassment to appropriate officials immediately, though there are some limited exceptions.

The following are mandated reporters:

- Fulltime professional and administrative staff

- Coaches
- Advisors to student clubs and organizations
- Faculty members
- Residence life staff (resident counselors, resident assistants, and professional staff)

To make informed choices, it is important to be aware of confidentiality and mandatory reporting requirements when consulting campus resources. On-campus, some resources may maintain confidentiality and are not required to report actual or suspected discrimination or harassment. They may offer options and resources without any obligation to inform an outside agency or campus official unless a Complainant has requested the information be shared.

If a Complainant expects formal action in response to their allegations, reporting to any Mandated Reporter can connect them with resources to report crimes and/or policy violations, and these employees will immediately pass reports to the Title IX Coordinator (and/or police, if desired by the Complainant), who will act when an incident is reported to them.

The following sections describe the reporting options at King's College (Recipient) for a Complainant or third-party (including parents/guardians when appropriate, (106.6, g)):

a. Confidential Resources

If a Complainant would like the details of an incident to be kept confidential, the Complainant may speak with:

Counseling Center: telephone: 570.208.5873, Administration Building, Sixth Floor

- Mrs. Tina Arendash, Director of the Counseling Center
- Ms. Julia Lettieri, Counselor
- Ms. Harli Haggerty, Counselor, Counselor

Campus Ministry, telephone: 570.208.5890, Campus Ministry Center

- Fr. Brogan Ryan, C.S.C., Director of Campus Ministry
- Fr. Russell McDougall, C.S.C., Associate Director of Campus Ministry

Student Health Center

- Mrs. JoAnn Kosik, Director of Student Health Center

- Victim Resource Center: telephone: 570.823.0765, 360 East End Shopping Center, Wilkes-Barre, PA 18702
- 24 Hour Complainants Hotline: telephone: 800.206.9050
- Domestic Violence Center, telephone: 570.829.1341, 13 East South Street, Wilkes-Barre, PA 18701; Domestic Violence Center Hotline 800.424.5600
- Victim Witness Assistant, telephone: telephone: 570.208.5900, x-5457; Sheehy-Farmer Campus Center, Residence Life Suite
- National Center for Victims of Crime: <https://victimsofcrime.org/>
- Stalking Resource Center, telephone: 202.467.8700 <https://victimsofcrime.org/>

The above-listed individuals will maintain confidentiality when acting under the scope of their licensure, professional ethics, and/or professional credentials, except in extreme cases of the immediacy of threat or danger or abuse of a minor with a disability, or when required to disclose by law or court order.

Campus counselors are available to help free of charge and may be consulted on an emergency basis during normal business hours.

King's College (Recipient) employees who are confidential will timely submit anonymous statistical information for Clery Act purposes unless they



believe it would be harmful to their client, patient, or parishioner.

b. Anonymous Notice to Mandated Reporters

At the request of a Complainant, notice may be given by a Mandated Reporter to the Title IX Coordinator anonymously, without identification of the Complainant. The Mandated Reporter cannot remain anonymous themselves.

If a Complainant has requested that a Mandated Reporter maintain the Complainant's anonymity, the Mandated Reporter may do so unless it is reasonable to believe that a compelling threat to health or safety could exist. The Mandated Reporter can consult with the Title IX Coordinator on that assessment without revealing personally identifiable information.

Anonymous notice will be investigated by the King's College (Recipient) to the extent possible, both to assess the underlying allegation(s) and to determine if supportive measures or remedies can be provided.

However, anonymous notice typically limits the King's College (Recipient)'s ability to investigate, respond, and provide remedies, depending on what information is shared.

When a Complainant has made a request for anonymity, the Complainant's personally identifiable information may be withheld by a Mandated Reporter, but all other details must be shared with the Title IX Coordinator. Mandated reporters may not be able to maintain requests for anonymity for Complainants who are minors. See the College's Child Protection Policy in the Student Handbook and Employee handbook, reports must be made through Childline.

c. Mandated Reporters and Formal Notice/ Complaints

All employees of King's College (Recipient) (including student employees), with the exception of those who are designated as Confidential Resources, are Mandated Reporters and must promptly share with the Title IX Coordinator all known details of a report made to them in the course of their employment.

Employees must also promptly share all details of behaviors under this policy that they observe or have knowledge of, even if not reported to them by a Complainant or third-party.

Complainants may want to carefully consider whether they share personally identifiable details with non-confidential Mandated Reporters, as those details must be shared with the Title IX Coordinator.

Generally, disclosures in climate surveys, classroom writing assignments or discussions, human subjects research, or at events such as "Take Back the Night" marches or speak-outs do not provide notice that must be reported to the Title IX Coordinator by employees unless the Complainant clearly indicates that they desire a report to be made or a seek a specific response from King's College (Recipient).

Supportive measures may be offered as the result of such disclosures without formal King's College (Recipient) action. (106.30)

Failure of a Mandated Reporter, as described above in this section, to report an incident of harassment or discrimination of which they become aware is a violation of King's College (Recipient) policy and can be subject to disciplinary action for failure to comply.

Though this may seem obvious, when a Mandated Reporter is engaged in harassment or other violations of this policy, they still have a duty to report their own misconduct, though King's College (Recipient) is technically not on notice when a harasser is also a Mandated Reporter unless the harasser does in fact report themselves.

Finally, it is important to clarify that a Mandated Reporter who is themselves a target of harassment or other misconduct under this policy is not required to report their own experience, though they are, of course, encouraged to do so.

20. When a Complainant Does Not Wish to Proceed

If a Complainant does not wish for their name to be shared, does not wish for an investigation to take place, or does not want a formal complaint to be pursued, they may make such a request to the Title IX Coordinator, who will evaluate that request in light of the duty to ensure the safety of the campus and to comply with state or federal law.

The Title IX Coordinator has ultimate discretion over whether the King's College (Recipient) proceeds when the Complainant does not wish to do so, and the Title

IX Coordinator may sign a formal complaint to initiate a grievance process upon completion of an appropriate violence risk assessment.

The Title IX Coordinator's decision should be based on the results of the violence risk assessment that show a compelling risk to health and/or safety that requires the King's College (Recipient) to pursue formal action to protect the community.

A compelling risk to health and/or safety may result from evidence of patterns of misconduct, predatory conduct, threats, abuse of minors, use of weapons, and/or violence. King's College (Recipient)s may be compelled to act on alleged employee misconduct irrespective of a Complainant's wishes.

The Title IX Coordinator must also consider the effect that non-participation by the Complainant may have on the availability of evidence and the King's College (Recipient)'s ability to pursue a Formal Grievance Process fairly and effectively.

When the Title IX Coordinator executes the written complaint, they do not become the Complainant. The Complainant is the individual who is alleged to be the victim of conduct that could constitute a violation of this policy.

When the King's College (Recipient) proceeds, the Complainant or their Advisor may have as much or as little involvement in the process as they wish. The Complainant retains all rights of a Complainant under this Policy irrespective of their level of participation. Typically, when the Complainant chooses not to participate, the Advisor may be appointed as proxy for the Complainant throughout the process, acting to ensure and protect the rights of the Complainant.

Note that the King's College (Recipient)'s ability to remedy and respond to notice may be limited if the Complainant does not want the King's College (Recipient) to proceed with an investigation and/or grievance process. The goal is to provide the Complainant with as much control over the process as possible while balancing the King's College (Recipient)'s obligation to protect its community.

In cases in which the Complainant requests confidentiality/no formal action and the circumstances allow the King's College (Recipient) to honor that request, the King's College (Recipient) will offer

supportive measures, and remedies to the Complainant and the community, but will not otherwise pursue formal action.

If the Complainant elects to take no action, they can change that decision if they decide to pursue a formal complaint at a later date. Upon making a formal complaint, a Complainant has the right and can expect, to have allegations taken seriously by King's College (Recipient), and to have the incidents investigated and properly resolved through these procedures.

21. Federal Timely Warning Obligations

Parties reporting sexual assault, domestic violence, dating violence, and/or stalking should be aware that under the Clery Act, King's College (Recipient) must issue timely warnings for incidents reported to them that pose a serious or continuing threat of bodily harm or danger to members of the campus community.

King's College (Recipient) will ensure that a Complainant's name and other identifying information is not disclosed, while still providing enough information for community members to make safety decisions considering the potential danger.

22. False Allegations and Evidence

Deliberately false and/or malicious accusations under this policy, as opposed to allegations which, even if erroneous, are made in good faith, are a serious offense and will be subject to appropriate disciplinary action.

Additionally, witnesses and parties knowingly providing false evidence, tampering with, or destroying evidence, or deliberately misleading an official investigating, can be subject to discipline under King's College (Recipient) policy.

23. Amnesty for Complainants and Witnesses

The King's College (Recipient) community encourages the reporting of misconduct and crimes by Complainants and witnesses. Sometimes, Complainants or witnesses are hesitant to report to King's College (Recipient) officials or participate in grievance processes because they fear that they may be in violation of certain policies, such as underage drinking or use of illicit drugs at the time of the incident. Respondents may hesitate to be forthcoming during the process for the same reasons.

It is in the best interests of the King's College (Recipient) community that Complainants choose to report misconduct to King's College (Recipient) officials, that witnesses come forward to share what they know, and that all parties be forthcoming during the process.

To encourage reporting and participation in the process, King's College (Recipient) maintains a policy of offering parties and witnesses amnesty from minor policy violations such as underage consumption of alcohol or the use of illicit drugs related to the incident.

Amnesty does not apply to more serious allegations, such as physical abuse of another or illicit drug distribution. The decision not to offer amnesty is based on neither sex nor gender, but on the fact that collateral misconduct is typically addressed for all students within a progressive discipline system, and the rationale for amnesty – the incentive to report serious misconduct – is rarely applicable to Respondent with respect to a Complainant.

Students: Sometimes, students are hesitant to assist others for fear that they may get in trouble themselves (for example, an underage student who has been drinking or using marijuana might hesitate to help take an individual who has experienced sexual assault to the campus authorities).

The King's College (Recipient) maintains a policy of amnesty for students who offer help to others in need. Although policy violations cannot be overlooked, King's College (Recipient) may provide purely educational options with no official disciplinary finding, rather than punitive sanctions, to those who offer their assistance to others in need.

Employees: Sometimes, employees are hesitant to report harassment or discrimination they have experienced for fear that they may get in trouble themselves. For example, an employee who has violated the consensual relationship policy and is then assaulted in the course of that relationship might hesitate to report the incident to King's College (Recipient) officials.

The King's College (Recipient) may, at its discretion, offer employee Complainants amnesty from such policy violations (typically more minor policy violations) related to the incident. Amnesty may also be granted to Respondents and witnesses on a case-by-case basis.

24. Federal Statistical Reporting Obligations

Certain campus officials – those deemed Campus Security Authorities – have a duty to report the following for federal statistical reporting purposes (Clery Act):

- a) All “primary crimes,” which include homicide, sexual assault, robbery, aggravated assault, burglary, motor vehicle theft, and arson.
- b) Hate crimes, which include any bias, motivated primary crime as well as any bias motivated larceny or theft, simple assault, intimidation, or destruction/damage/vandalism of property.
- c) VAWA -based crimes, which include sexual assault, domestic violence, dating violence, and stalking; and
- d) Arrests and referrals for disciplinary action for weapons-related law violations, liquor-related law violations, and drug abuse-related law violations.

All personally identifiable information is kept private, but statistical information must be passed along to campus law enforcement regarding the type of incident and its general location (on or off-campus or in the surrounding area, but no addresses are given) for publication in the Annual Security Report and daily campus crime log.

Campus Security Authorities include student affairs/student conduct staff, campus law enforcement/public safety/security, local police, coaches, athletic directors, residence life staff, student activities staff, human resources staff, advisors to student organizations, and any other official with significant responsibility for student and campus activities.

25. Preservation of Evidence

The preservation of evidence in incidents of sexual assault is critical to potential criminal prosecution and to obtaining restraining orders and particularly time sensitive. The Recipient will inform the Complainant of the importance of preserving evidence by taking the following actions:

1. Seek forensic medical assistance at the hospital, ideally within 120 hours of the incident.
2. Avoid showering, bathing, washing hands or face

or douching, if possible, but evidence may still be collected.

3. Try not to urinate.
4. If oral sexual contact took place, refrain from smoking, eating, drinking, or brushing teeth. (plastic destroys evidence) or secure evidence in a container.
5. Seeking medical treatment can be essential even if it is not to collect forensic evidence,

26. Statement of the Rights of the Parties

The right to an equitable investigation and resolution of all credible allegations of prohibited harassment or retaliation made in good faith to King's College (recipient) officials.

- The right to timely written notice of all alleged violations, including the identity of the parties involved (if known), the precise misconduct being alleged, the date and location of the alleged misconduct (if known), the implicated policies and procedures, and possible sanctions.
- The right to timely written notice of any material adjustments to the allegations (e.g., additional incidents or allegations, additional Complainants, unsubstantiated allegations) and any attendant adjustments needed to clarify potentially implicated policy violations.
- The right to be informed in advance of any public release of information regarding the allegation(s) or underlying incident(s) whenever possible.
- The right not to have any personally identifiable information released to the public without consent provided, except to the extent permitted by law.
- The right to be treated with respect by King's College (recipient) officials.
- The right to have King's College (recipient) policies and procedures followed without material deviation.
- The right not to be discouraged by King's College (recipient) officials from reporting sexual harassment or retaliation to both on-campus and off-campus authorities.
- The right to be informed by King's College (recipient) officials of options to notify proper law

enforcement authorities, including on-campus and local police, and the option(s) to be assisted by King's College (recipient) authorities in notifying such authorities, if the party so chooses. This also includes the right not to be pressured to report, as well.

- The right to have allegations of violations of this Policy responded to promptly and with sensitivity by King's College (recipient) officials.
- The right to be informed of available interim actions and supportive measures, such as counseling; advocacy; health care; student financial aid, visa, and immigration assistance; or other services, both on campus and in the community.
- The right to a King's College (recipient)-implemented no-contact order or a no-trespass order against a non-affiliated third party when a person has engaged in or threatens to engage in stalking, threatening, harassing, or other improper conduct.
- The right to be informed of available assistance in changing academic, living, and/or working situations after an alleged incident of sexual harassment and/or retaliation, if such changes are reasonably available. No formal report, or investigation, either campus or criminal, needs to occur before this option is available.
- The right to have the power to make decisions affecting their medical and emotional treatment.
- The right to have the King's College (recipient) maintain such actions for as long as necessary and for supportive measures to remain private, provided privacy does not impair the King's College (recipient)'s ability to provide the supportive measures.
- The right to receive sufficiently advanced, written notice of any meeting or interview involving the other party, when possible.
- The right to ask the Investigator(s) and Hearing Officer to identify and question relevant witnesses, including expert witnesses.
- The right to provide the Investigator(s)/Hearing Officer with a list of questions that, if deemed relevant by the Investigator(s)/Hearing Officer, may be asked of any party or witness.
- The right not to have irrelevant prior sexual

- history or character admitted as evidence.
- The right to know the relevant and directly related evidence obtained and to respond to that evidence.
- The right to fair opportunity to provide the Investigator(s) with their account of the alleged misconduct and have that account be on the record.
- The right to review a copy of the investigation report, including all factual, Policy, and/or credibility analyses performed, and all relevant and directly related evidence available and used to produce the investigation report, subject to the privacy limitations imposed by state and federal law, before the hearing, and the right to have at least ten (10) business days to review the report before the hearing.
- The right to respond to the investigation report, including comments providing any additional relevant evidence after the opportunity to review the investigation report, and to have that response on the record.
- The right to be informed of the names of all witnesses whose information will be used to make a finding, in advance of that finding, when relevant.
- The right to regular updates on the status of the investigation and/or resolution.
- The right to have reports of alleged Policy violations addressed by Investigators, Title IX Coordinators, Hearing Officer, and Appeal Officer who have received relevant annual training.
- The right to preservation of privacy, to the extent possible and permitted by law.
- The right to meetings, interviews, and/or hearings that are closed to the public.
- The right to petition that any King's College (recipient) representative in the process be recused based on disqualifying bias and/or conflict of interest.
- The right to have an Advisor of their choice to accompany and assist the party in all meetings and/or interviews associated with the resolution process.
- The right to the use of the appropriate standard of evidence, a preponderance of the evidence, to make a finding after an objective evaluation of all relevant evidence.
- The right to be present, including presence via remote technology, during all testimony given and evidence presented during any formal grievance hearing.
- The right to have an impact statement considered by the Hearing Officer following a determination of responsibility for any allegation, but before sanctioning.
- The right to be promptly informed in a written Notice of Outcome letter of the finding(s) and sanction(s) of the resolution process and a detailed rationale of the decision, delivered simultaneously without undue delay to the parties.
- The right to be informed in writing of when a decision by the King's College (recipient) is considered final and any changes to the sanction(s) that occur before the decision is finalized.
- The right to be informed of the opportunity to appeal the finding(s) and sanction(s) of the resolution process, and the procedures for doing so in accordance with the standards for appeal established by the King's College (recipient).
- The right to a fundamentally fair resolution as defined in these procedures.

PART II: GRIEVANCE PROCESS- NOTICE, INVESTIGATION, HEARING, DETERMINATION, AND APPEAL

1. Overview

King's College (Recipient) will act on any formal or informal notice/complaint of a violation of the policy on Equal Opportunity, Harassment, and Nondiscrimination ("the Policy") that is received by the Title IX Coordinator or any other Official with Authority by applying these procedures, formal hearing process.

The procedures below apply to all allegations of harassment or discrimination on the basis of protected class status involving students, staff, administrators, or faculty members. A set of technical dismissal requirements within the Title IX regulations may apply as described below, but when a technical dismissal under the Title IX allegations is required, any remaining allegations will proceed using these same grievance procedures, clarifying which policies above are applicable. While the effect of the Title

IX regulations can be confusing, these grievance procedures apply to all policies above.

The procedures below may be used to address collateral misconduct arising from the investigation of or occurring in conjunction with reported misconduct (e.g., vandalism, physical abuse of another). All other allegations of misconduct unrelated to incidents covered by the Policy will be addressed through procedures elaborated in the student, faculty, and employee handbooks.

2. Notice/Complaint

Upon receipt of a complaint or notice to the Title IX Coordinator of an alleged violation of the Policy, King's College (Recipient) initiates a prompt initial assessment to determine the next steps the King's College (Recipient) needs to take.

King's College (Recipient) will initiate at least one of two responses:

- 1) Offering supportive measures because the Complainant does not want to proceed formally; and/or
- 2) A Formal Grievance Process including an investigation and a hearing.

The investigation and grievance process will determine whether or not the policy has been violated. If so, the King's College (Recipient) will promptly implement effective remedies designed to ensure that it is not deliberately indifferent (106.44) to harassment or discrimination, their potential recurrence, or their effects.

3. Initial Assessment

Following receipt of notice or a complaint of an alleged violation of this Policy, the Title IX Coordinator engages in an initial assessment, which is typically one to five business days in duration. The steps in an initial assessment can include:

- If notice is given, the Title IX Coordinator seeks to determine if the person impacted wishes to make a formal complaint, and will assist them to do so, if desired.
 - o If they do not wish to do so, the Title IX Coordinator determines whether to initiate a complaint because a violence risk assessment indicates a compelling threat to health and/

or safety.

- If a formal complaint is received, the Title IX Coordinator assesses its sufficiency and works with the Complainant to make sure it is correctly completed.
- The Title IX Coordinator reaches out to the Complainant to offer supportive measures.
- The Title IX Coordinator works with the Complainant to ensure they are aware of the right to have an Advisor.
- The Title IX Coordinator works with the Complainant to determine whether the Complainant prefers a supportive and remedial response, or a formal investigation and grievance process.
 - o If a supportive and remedial response is preferred, the Title IX Coordinator works with the Complainant to identify their wishes, accesses the request, and implements accordingly. No Formal Grievance Process is initiated, though the Complainant can elect to initiate one later if desired.
 - o If a Grievance Process is preferred, the Title IX Coordinator determines if the misconduct alleged falls within the scope of Title IX:
 - If it does, the Title IX Coordinator will initiate the formal investigation and grievance process, directing the investigation to address:
 - an incident, and/or
 - a pattern of alleged misconduct, and/or
 - a culture/climate issue based on the nature of the complaint.
 - If it does not, the Title IX Coordinator determines that Title IX does not apply (and will "dismiss" that aspect of the complaint, if any), assesses which policies may apply, and will refer the matter accordingly. Please note that dismissing a complaint under Title IX is just procedural and does not limit King's College (Recipient)'s authority to address a complaint with an appropriate process and remedies.

a. Violence Risk Assessment

In many cases, the Title IX Coordinator may determine that a Violence Risk Assessment (VRA) should be conducted by a subgroup of the Care team consisting of the Director of the Counseling Center or counselor designee, the Executive Director of Campus Safety and Security, Associate Vice President for Academic Success, Director of the Student Health Center and Associate Dean for Residence Life or designee as part of the initial assessment. A VRA can aid in ten critical and/or required determinations, including:

- Emergency removal of a Respondent on the basis of the immediate threat to physical health/safety.
- Whether the Title IX Coordinator should pursue/sign a formal complaint absent a willing/able Complainant.
- Whether to put the investigation as an incident and/or pattern and/or climate.
- To help identify potential predatory conduct.
- To help assess/identify grooming behaviors.
- Whether to permit a voluntary withdrawal by the Respondent.
- Assessment of appropriate sanctions/remedies (to be applied post-hearing); and/or
- Whether a Clery Act Timely Warning or No Trespass is needed.

Threat assessment is the process of evaluating the actionability of violence by an individual against another person or group following the issuance of a direct or conditional threat. A VRA is a broader term used to assess any potential violence or danger, regardless of the presence of a vague, conditional, or direct threat.

VRAs require specific training and are typically conducted by psychologists, clinical counselors, social workers, case managers, law enforcement officers, student conduct officers, or other Care Team subgroup. A VRA authorized by the Title IX Coordinator should occur in collaboration with the Care team subgroup. Where a VRA is required by the Title IX Coordinator, a Respondent refusing to cooperate may result in charge of failure to comply with the appropriate student or employee conduct process.

A VRA is not an evaluation for an involuntary behavioral health hospitalization (e.g., 202, 302), nor is it a psychological or mental health assessment. A

VRA assesses the risk of actionable violence, often with a focus on targeted/predatory escalations, and is supported by research from the fields of law enforcement, criminology, human resources, and psychology.

b. Dismissal (Mandatory and Discretionary)

King's College (Recipient) must dismiss a formal complaint or any allegations therein if, at any time during the investigation or hearing, it is determined that:

- 1) The conduct alleged in the formal complaint would not constitute sexual harassment as defined in the Policy hereinabove, even if proved; and/or
- 2) The conduct did not occur in an educational program or activity controlled by King's College (Recipient) (including buildings or property controlled by recognized student organizations), and/or King's College (Recipient) does not have control of the Respondent; and/or
- 3) The conduct did not occur against a person in the United States; and/or
- 4) At the time of filing a formal complaint, a complainant is not participating in or attempting to participate in the education program or activity of King's College (Recipient).

King's College (Recipient) may dismiss a formal complaint or any allegations therein if, at any time during the investigation or hearing:

- 1) A Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the formal complaint or any allegations therein: or
- 2) The Respondent is no longer enrolled in or employed by King's College (Recipient); or
- 3) Specific circumstances prevent King's College (Recipient) from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein. This is not a request to dismiss because there is not sufficient information to find a party responsible for the alleged violation.

Upon any dismissal, King's College (Recipient) will promptly send written notice of the dismissal and the rationale for doing so simultaneously to the parties.

This dismissal decision is appealable by any party under the procedures for appeal below. The decision not to dismiss is also appealable by any party claiming that dismissal is required or appropriate. A Complainant who decides to withdraw a complaint may later request to reinstate it or refile it.

- The parties will be notified of the decision issued by the Title IX Coordinator on the request for dismissal.
- A party who disagrees with the decision issued nth dismissal will have three business days to file an appeal to the Title IX Coordinator.
- The appeal will be assigned for determination to the Title IX Appeal Officer for determination
- The Appeal Officer will provide a copy of the appeal, the original decision by the Title IX Hearing officer, to the parties.
- If the non-appealing party files a response, the Title IX hearing officer will review the appeal and the response and issue a final determination within three days of receiving the response.
- The Title IX Hearing Officer has the direction to hold or delay the investigation or hearing while the appeal is being determined.

4. Counterclaims

King's College (Recipient) is obligated to ensure that the grievance process is not abused for retaliatory purposes. Accordingly, King's College (Recipient) permits the filing of counterclaims but uses an initial assessment, described above, to assess whether the allegations in the counterclaim are made in good faith. Counterclaims by the Respondent may be made in good faith, but are, on occasion, also made for purposes of retaliation. Counterclaims made with retaliatory intent will not be permitted.

Counterclaims determined to have been reported in good faith will be processed using the grievance procedures below. Investigation of such claims may take place after the resolution of the underlying initial allegation, in which case a delay may occur.

Counterclaims may also be resolved through the same investigation as the underlying allegation, at the discretion of the Title IX Coordinator. When counterclaims are not made in good faith, they will be considered retaliatory and may constitute a violation of

this policy.

5.Regulation Providing False or Misleading Statements, Student Handbook, Regulation

It is prohibited for students to provide false or inaccurate information intentionally or records to College or local authorities and/or knowingly providing false statements, evidence, or testimony during an investigation or College proceeding. The intentional omission of information during an investigation, hearing, interview, or college proceeding is providing inaccurate information. (Student Code of Conduct, Regulation VI)

6. Right to an Advisor

The parties may each have an Advisor of their choice present with them for all meetings and interviews within the resolution process if they so choose. The parties may select whomever they wish to serve as their Advisor as long as the Advisor is eligible and available.

Advisors may not act in place of the party in submitting the complaint, responses to the investigative report, appeal or in any other matter. Communication in the case is between the party and the recipient. Parties may share information with their advisor as they choose. The recipient will not accept correspondence from the advisor and communication must come from the party.

Choosing an Advisor who is also a witness in the process creates the potential for bias and conflict-of-interest. A party who chooses an Advisor who is also a witness can anticipate that issues of potential bias will be explored by the hearing officer.

King's College (Recipient) will permit parties to have one Advisor and person for emotional support.

a. Who Can Serve as an Advisor

The Advisor may be a friend, mentor, family member, attorney, or any other individual a party chooses to advise, support, and/or consult with them throughout the resolution process. The parties may choose Advisors from inside or outside of King's College (Recipient) community.

The Title IX Coordinator will also offer to assign a trained Advisor for any party if the party so chooses. If the parties choose an Advisor from the pool available from King's College (Recipient), the Advisor will be trained by King's College (Recipient) and be familiar

with King's College (Recipient)'s resolution process.

If the parties choose an Advisor from outside the pool of those identified by King's College (Recipient), the Advisor may not have been trained by King's College (Recipient) and may not be familiar with King's College (Recipient) policies and procedures.

Parties also have the right to choose not to have an Advisor in the initial stages of the resolution process, prior to a hearing.

b. Advisors in Hearings/King's College (Recipient)-Appointed Advisor

Under the U.S. Department of Education regulations under Title IX, cross-examination (indirect questioning format) is required during the hearing but must be conducted by the parties' Advisors. The parties are not permitted to cross-examine each other or any witnesses directly. If a party does not have an Advisor for a hearing, King's College (Recipient) will appoint a trained Advisor for the limited purpose of conducting any cross-examination.

A party may reject this appointment and choose their own Advisor, but they may not proceed without an Advisor. If the party's Advisor will not conduct questioning, King's College (Recipient) will appoint an Advisor who will do so thoroughly, regardless of the participation or non-participation of the advised party in the hearing itself. Extensive questioning of the parties and witnesses will also be conducted by the Hearing Officer during the hearing.

The Recipient cannot guarantee equal Advisor's, meaning that if one party selects an Advisor who is an attorney, but that other party does not, or cannot afford an attorney, the Recipient is not obligated to provide an attorney.

c. Advisor's Role

The parties may be accompanied by their advisor in all meetings and interviews at which the party is entitled to be present, including intake and initial interviews. Advisors should help the parties prepare for each meeting and are expected to advise ethically, with integrity, and in good faith.

The primary role of the advisor is to conduct cross examination of the parties and witnesses during the hearing.

Advisors may not present opening or closing statements, make statements or arguments during the hearing,

The advisor does not present for the party in the process including interviews, meetings and hearing.

King's College (Recipient) cannot guarantee equal advisory rights, meaning that if one party selects an advisor who is an attorney, but the other party does not or cannot afford an attorney, King's College (Recipient) is not obligated to provide an attorney.

d. Pre-Interview Meetings

Advisors with their party may request to meet with the administrative officials conducting interviews/meetings in advance of these interviews or meetings. This pre-meeting allows Advisors to clarify and understand their role and King's College (Recipient)'s policies and procedures.

e. Advisor Violations of King's College (Recipient) Policy

All Advisors are subject to the same King's College (Recipient) policies and procedures, whether they are attorneys or not. Advisors are expected to advise their advisees without disrupting proceedings. Advisors will not address King's College (Recipient) officials in a meeting or interview unless invited to (e.g., asking procedural questions). The Advisor may not make a presentation during any meeting or proceeding and may not speak on behalf of the advisee to the Investigator(s) or other Hearing Officer except during a hearing proceeding, during cross-examination.

The parties are expected to ask and respond to questions on their own behalf throughout the investigation phase of the resolution process. Although the Advisor generally may not speak on behalf of their advisee, the Advisor may consult with their advisee, either privately as needed, or by conferring or passing notes during any resolution process meeting or interview. For longer or more involved discussions, the parties and their advisors should ask for breaks to allow for a private consultation.

Any Advisor who oversteps their role as defined by this policy will be warned only once. If the Advisor continues to disrupt or otherwise fails to respect the

limits of the Advisor role, the meeting will be ended, or other appropriate measures implemented. Subsequently, the Title IX Coordinator will determine how to address the Advisor's non-compliance and future role.

f. Sharing Information with the Advisor

King's College (Recipient) expects that the parties may wish to have King's College (Recipient) share documentation and evidence related to the allegations with their Advisors. Parties may share this information directly with their Advisor or other individuals if they wish. Doing so may help the parties participate more meaningfully in the resolution process.

King's College (Recipient) also provides a consent form that authorizes King's College (Recipient) to share such information directly with their Advisor. The parties must either complete and submit this form to the Title IX Coordinator or provide similar documentation demonstrating consent to a release of information to the Advisor before King's College (Recipient) can share records with an Advisor.

If a party requests that all communication be made through their attorney Advisor, King's College (Recipient) will not comply with that request.

g. Privacy of Records Shared with Advisor

Advisors are expected to maintain the privacy of the records shared with them. These records may not be shared with third parties, disclosed publicly, or used for purposes not explicitly authorized by King's College (Recipient). King's College (Recipient) will restrict the role of any advisor who does not respect the sensitive nature of the process or who fails to abide by King's College (Recipient)'s privacy expectations.

The parties, their advisor, the investigator, hearing officer, appeal officer, advisor to the hearing officer, and Title IX Coordinator will access the case records. The college usually uses a file-sharing system to which the parties and advisors will have access to view the information but may not print, download or copy the materials. In addition, the parties' emotional support person will not have access to the case records/ file-sharing site. Parties and advisors access the case records/files within three days of the appeal date or appeal decision being issued.

h. Expectations of an Advisor

King's College (Recipient) expects an Advisor to adjust their schedule to allow them to attend King's College (Recipient) meetings when planned but may change scheduled meetings to accommodate an Advisor's inability to attend if doing so does not cause an unreasonable delay.

King's College (Recipient) may also make reasonable provisions to allow an advisor who cannot attend in person to attend a meeting by telephone, video conferencing, or other similar technologies as may be convenient and available.

Advisors are to perform their responsibilities acting respectfully and appropriately with all of the parties, other advisors, and College staff. Attempts to intimidate or threaten any party, advisor, or College employee during this process may result in the removal of the advisor by the Title IX Coordinator.

RULES OF DECORUM FOR PARTIES, WITNESSES AND ADVISORS

The following Rules of Decorum are to be observed in the in all meeting, communications and hearing and applied equally to all parties (meaning the complainant and respondent) and advisors:

1. Questions must be conveyed in a neutral tone.
2. Parties and advisors will refer to other parties, witnesses, advisors, and College staff using the name and gender used by the person and shall not intentionally mis-name or mis-gender that person in communication or questioning.
3. No party may act abusively or disrespectfully during the any meeting, communication and hearing toward any other party or to witnesses, advisors, or decision-makers.
4. While an advisor may be an attorney, no duty of zealous advocacy should be inferred or enforced within this forum.
5. The advisor may not yell, scream, badger, or physically "lean in" to a party or witness's personal space. Advisors may not approach the other party or witnesses without obtaining permission from the decision-maker.

6. The advisor may not use profanity or make irrelevant ad hominem attacks upon a party or witness. Questions are meant to be interrogative statements used to test knowledge or understand a fact; they may not include accusations within the text of the question.
7. The advisor may not ask repetitive questions. This includes questions that have already been asked by the decision-maker, the advisor in cross-examination, or if this is the institutional process the party or advisor in direct testimony. When the decision-maker determines a question has been “asked and answered” or is otherwise not relevant, the advisor must move on.
8. Parties and advisors may take no action at the hearing that a reasonable person in the shoes of the affected party would see as intended to intimidate that person (whether party, witness, or official) into not participating in the process or meaningfully modifying their participation in the process.
9. Parties and advisors when communicating verbally or in writing must do so in a respectful manner and are not to use language to incite, intimidate or be abusive to any party, advisor, witness or College staff.

i. Expectations of the Parties with respect to Advisors

A party may elect to change advisors during the process and is not obligated to use the same Advisor throughout. However, the parties are expected to inform the Investigator(s) of the identity of their Advisor at least two (2) business days before the date of their first meeting with Investigators (or as soon as possible if a more expeditious meeting is necessary or desired).

The parties are expected to provide timely notice to the Title IX Coordinator if they change Advisors at any time. It is assumed that if a party changes Advisors, consent to share information with the previous Advisor is terminated, and a release for the new Advisor must be secured. Parties are expected to inform the Title IX Coordinator of the identity of their hearing Advisor at least two (2) business days before the hearing.

j. Assistance in Securing an Advisor

For representation, Respondents may wish to contact organizations such as:

- FACE (<http://www.facecampusequality.org>)
- SAVE (<http://www.saveservices.org>).

Complainants may wish to contact organizations such as:

- The Victim Rights Law Center (<http://www.victimrights.org>),
- The National Center for Victims of Crime (<http://www.victimsofcrime.org>), which is maintained by the Crime Victim's Bar Association.]
- The Time's Up Legal Defense Fund: <https://nwlc.org/times-up-legal-defense-fund/>]
- Victims Resource Center
- PCAR

7. Grievance Process Pool

The Formal Grievance Process relies on a pool of administrators (“the Pool”) to carry out the process. Members of the Pool are announced in an annual distribution of this policy to all students, parents/guardians of students, employees, prospective students, and prospective employees.

The list of Pool members and a description of the Pool can be found at www.mykings.edu/Pool.

a. Pool Member Roles

Members of the Pool are trained annually and can serve in the following roles, at the direction of the Title IX Coordinator:

- To provide an appropriate intake of and initial guidance pertaining to complaints
- To act as an Advisor to the parties
- To investigate complaints
- To serve as a Hearing Officer regarding the complaint
- To serve as an Appeal Hearing Officer

b. Pool Member Appointment

The Title IX Coordinator appoints pool members. The Title IX Coordinator may appoint a trained external hearing officer or appeal officer at their discretion. The parties will be notified when a hearing officer or appeal officer is assigned to their case.

Investigators:

Mr. Stephen Kopenis
Mr. Nicholas Gushka

Hearing Officers:

Mr. Thomas Butchko (employee cases)
Mrs. Veronica Giamusso (employee cases)
Mr. Steven Matusiewicz (student cases)
Mr. Sean Cryan (student cases)

Appeal Officers:

Mrs. Holly Kulp (employee cases)
Ms. Cheryl Ish (student cases)
Dr. Anitra McShea (student cases)

Advisors:

TBA

The Title IX Coordinator acts with independence and impartiality. Although members of the Pool are typically trained in a variety of skill sets and can rotate amongst the different roles listed above in different cases, King's College (Recipient) can also designate permanent roles for individuals in the Pool, using others as substitutes or to provide greater depth of experience when necessary. This process of role assignment may be the result of particular skills, aptitudes, or talents identified in members of the Pool that make them best suited to particular roles.

c. Pool Member Training

The Pool members receive annual training based on their respective roles. This training includes, but is not limited to:

- The scope of King's College (Recipient)'s Discrimination and Harassment Policy and Procedures
- How to conduct investigations and hearings that protect the safety of Complainants and Respondents and promote accountability
- Implicit bias
- Disparate treatment and impact
- Reporting, confidentiality, and privacy requirements
- Applicable laws, regulations, and federal regulatory guidance
- How to implement appropriate and situation-specific remedies

- How to investigate in a thorough, reliable, and impartial manner
- How to uphold fairness, equity, and due process
- How to weigh evidence
- How to conduct the questioning
- How to assess the credibility
- Impartiality and objectivity
- How to render findings and generate clear, concise, evidence-based rationales
- The definitions of all offenses
- How to apply definitions used by the King's College (Recipient) with respect to consent (or the absence or negation of consent) consistently, impartially, and in accordance with policy
- How to investigate and grievance process including hearings and appeals.
- How to serve impartially by avoiding prejudgment of the facts at issue, conflicts of interest, and bias
- Any technology to be used at a live hearing.
- Issues of the relevance of questions and evidence
- Issues of relevance to creating an investigation report that fairly summarizes relevant evidence.
- How to determine appropriate sanctions in reference to all forms of harassment, discrimination, and/or retaliation allegations

Specific training is also provided for Appeal Hearing Officers, Advisors (who are King's College (Recipient) employees) and Hearing Officers. All Pool members are required to attend these trainings annually. The materials used to train all members of the Pool are publicly posted on the web site.

8. Formal Grievance Process: Notice of Investigation and Allegations

The Title IX Coordinator will provide written notice of the investigation and allegations (the "NOIA") to the Respondent upon commencement of the Formal Grievance Process. This facilitates the Respondent's ability to prepare for the interview and to identify and choose an Advisor to accompany them. The NOIA is also copied to the Complainant, who is to be given advance notice of when the NOIA will be delivered to the Respondent.

The NOIA will include:

- A meaningful summary of all of the allegations,
- The identity of the involved parties (if known),

- The precise misconduct being alleged,
- The date and location of the alleged incident(s) (if known),
- The specific policies implicated,
- A description of the applicable procedures,
- A statement of the potential sanctions/responsive actions that could result,
- A statement that King's College (Recipient) presumes the Respondent is not responsible for the reported misconduct unless and until the evidence supports a different determination,
- A statement that determinations of responsibility are made at the conclusion of the process and that the parties will be allowed to inspect and review all directly related and/or relevant evidence obtained during the review and comment period,
- A statement about King's College (Recipient)'s policy on retaliation,
- Information about the privacy of the process,
- Information on the need for each party to have an Advisor of their choosing and suggestions for ways to identify an Advisor,
- A statement informing the parties that King's College (Recipient)'s Policy prohibits knowingly making false statements, including knowingly submitting false information during the resolution process,
- Detail on how the party may request disability accommodations during the interview process,
- A link to King's College (Recipient)'s VAWA Brochure,
- The name(s) of the Investigator(s), along with a process to identify, in advance of the interview process, to the Title IX Coordinator any conflict of interest that the Investigator(s) may have, and
- An instruction to preserve any evidence that is directly related to the allegations.

Amendments and updates to the NOIA may be made as the investigation progresses and more information becomes available regarding the addition or dismissal of various charges.

Notice will be made in writing and may be delivered by one or more of the following methods: in person, mailed to the local or permanent address(es) of the parties as indicated in official King's College (Recipient) records, or emailed to the parties' King's College (Recipient)-issued email or designated

accounts. Once mailed, emailed, and/or received in-person, notice will be presumptively delivered.

9. Resolution Timeline

King's College (Recipient) will make a good faith effort to complete the resolution process within a sixty-to-ninety (60-90) business daytime period, including appeal, which can be extended as necessary for appropriate cause by the Title IX Coordinator, who will provide notice and rationale for any extensions or delays to the parties as appropriate, as well as an estimate of how much additional time will be needed to complete the process.

10. Appointment of Investigators

Once the decision to commence a formal investigation is made, the Title IX Coordinator appoints Pool members to conduct the investigation, usually within two (2) business days of determining that an investigation should proceed.

11. Ensuring Impartiality

Any individual materially involved in the administration of the resolution process, including the Title IX Coordinator, Investigator(s), and Hearing Officer may neither have nor demonstrate a conflict of interest or bias for a party generally, or for a specific Complainant or Respondent.

The Title IX Coordinator will vet the assigned Investigator(s) to ensure impartiality by ensuring there are no actual or apparent conflicts of interest or disqualifying biases. The parties may, at any time during the resolution process, raise a concern regarding bias or conflict of interest, and the Title IX Coordinator will determine whether the concern is reasonable and supportable. If so, another Pool member will be assigned, and the impact of the bias or conflict, if any, will be remedied. If the source of the conflict of interest or bias is the Title IX Coordinator, concerns should be raised with the President of the College.

The Grievance Process involves an objective evaluation of all relevant evidence obtained, including evidence that supports that the Respondent engaged in a policy violation and evidence that supports that the Respondent did not engage in a policy violation. Credibility determinations may not be based solely on an individual's status or participation as a Complainant, Respondent, or witness.

King's College (Recipient) operates with the presumption that the Respondent is not responsible for the reported misconduct unless and until the Respondent is determined to be responsible for a policy violation by a preponderance of the evidence.

12. Investigation Timeline

Investigations are completed expeditiously, normally within thirty (30) business days, though some investigations may take weeks or even months, depending on the nature, extent, and complexity of the allegations, availability of witnesses, police involvement, etc.

King's College (Recipient) will make a good faith effort to complete investigations as promptly as circumstances permit and will communicate regularly with the parties to update them on the progress and timing of the investigation.

13. Delays in the Investigation Process and Interactions with Law Enforcement

King's College (Recipient) may undertake a short delay in its investigation (several days to two weeks) if circumstances require. Such circumstances include but are not limited to a request from law enforcement to temporarily delay the investigation, the need for language assistance, the absence of parties and/or witnesses, and/or accommodations for disabilities or health conditions.

King's College (Recipient) will communicate in writing the anticipated duration of the delay and reason to the parties and provide the parties with status updates if necessary. King's College (Recipient) will promptly resume its investigation and resolution process as soon as feasible. During such a delay, King's College (Recipient) will implement supportive measures as deemed appropriate.

King's College (Recipient) action(s) are not typically altered or precluded on the grounds that civil or criminal charges involving the underlying incident(s) have been filed or that criminal charges have been dismissed or reduced.

14. Steps in the Investigation Process

All investigations are thorough, reliable, impartial, prompt, and fair. Investigations involve interviews with all relevant parties and witnesses, obtaining available,

relevant evidence, and identifying sources of expert information, as necessary.

All parties have a full and fair opportunity, through the investigation process, to suggest witnesses and questions, to provide evidence and expert witnesses, and to fully review and respond to all evidence on the record.

The Investigator(s) typically take(s) the following steps, if not already completed (not necessarily in this order):

- Determine the identity and contact information of the Complainant.
- In coordination with campus partners (e.g., the Title IX Coordinator), initiate or assist with any necessary supportive measures.
- Identify all policies implicated by the alleged misconduct and notify the Complainant and Respondent of all of the specific policies implicated.
- Assist the Title IX Coordinator with conducting a prompt initial assessment to determine if the allegations indicate a potential policy violation.
- Commence a thorough, reliable, and impartial investigation by identifying issues and developing a strategic investigation plan, including a witness list, evidence list, intended investigation timeframe, and order of interviews for all witnesses and the parties.
- Meet with the Complainant to finalize their interview/statement, if necessary
- Prepare the initial Notice of Investigation and Allegation (NOIA). The NOIA may be amended with any additional or dismissed allegations.
 - The notice should inform the parties of their right to have the assistance of an Advisor, who could be a member of the Pool or an Advisor of their choosing present for all meetings attended by the party.
- Provide each interviewed party and witness an opportunity to review and verify the Investigator's summary notes (or transcript) of the relevant evidence/testimony from their respective interviews and meetings.
- Make good faith efforts to notify the parties of any meeting or interview involving the other party, in advance when possible.

- When participation of a party is expected, provide that party with written notice of the date, time, and location of the meeting, as well as the expected participants and purpose.
- Interview all available, relevant witnesses and conduct follow-up interviews as necessary.
- Allow each party the opportunity to suggest witnesses and questions they wish the Investigator(s) to ask of the other party and witnesses, and document in the report which questions were asked, with a rationale for any changes or omissions.
- Complete the investigation promptly and without unreasonable deviation from the intended timeline.
- Provide regular status updates to the parties throughout the investigation.
- Prior to the conclusion of the investigation, provide the parties and their respective Advisors (if so desired by the parties) with a list of witnesses whose information will be used to render a finding.
- Write a comprehensive investigation report fully summarizing the investigation, all witness interviews, and addressing all relevant evidence. Appendices including relevant physical, or documentary evidence will be included.
- The Investigator(s) gather, assess, and synthesize evidence, but make no conclusions, engage in no policy analysis, and render no recommendations as part of their report.
- Prior to the conclusion of the investigation, provide the parties and their respective Advisors (if so desired by the parties) a secured electronic or hard copy of the draft investigation report as well as an opportunity to inspect and review all of the evidence obtained as part of the investigation that is directly related to the reported misconduct, including the evidence upon which King's College (Recipient) does not intend to rely in reaching a determination, for a ten (10) business day review and comment period so that each party may meaningfully respond to the evidence. The parties may elect to waive the full ten days. Each copy of the materials shared will be watermarked on each page with the role of the person receiving it (e.g., Complainant, Respondent, Complainant's Advisor, Respondent's Advisor).
- The Investigator(s) may elect to respond in writing in the investigation report to the parties' submitted responses and/or to share the responses between the parties for additional responses.
- The Investigator(s) will incorporate relevant elements of the parties' written responses into the final investigation report, including any additional relevant evidence, make any necessary revisions, and finalize the report. The Investigator(s) should document all rationales for any changes made after the review and comment period.
- The Investigator(s) shares the report with the Title IX Coordinator for their review and feedback.
- The Investigator will incorporate any relevant feedback, and the final report is then shared with all parties and their Advisors through secure electronic transmission or hard copy at least ten (10) business days prior to a hearing. The parties are also provided with a file of any directly related evidence that was not included in the report.

15. Role and Participation of Witnesses in the Investigation

Witnesses (as distinguished from the parties) who are employees of King's College (Recipient) are expected to cooperate with and participate in King's College (Recipient)'s investigation and resolution process. Failure of such witnesses to cooperate with and/or participate in the investigation or resolution process constitutes a violation of policy and may warrant discipline.

Although in-person interviews for parties and all potential witnesses are ideal, circumstances (e.g., study abroad, summer break) may require individuals to be interviewed remotely. Zoom or similar technologies may be used for interviews if the Investigator(s) determine that timeliness or efficiency dictates a need for remote interviewing. King's College (Recipient) will take appropriate steps to reasonably ensure the security/privacy of remote interviews.

Witnesses may also provide written statements in lieu of interviews or choose to respond to written questions, if deemed appropriate by the Investigator(s), though not preferred. If a witness submits a written statement but does not intend to be and is not present for cross-examination at a hearing, their written statement may not be used as evidence.

16. Recording of Interviews

No unauthorized audio or video recording of any kind is permitted during investigation meetings. If Investigator(s) elect to audio and/or video record interviews, all involved parties must be made aware of and consent to audio and/or video recording.

17. Evidentiary Considerations in the Investigation

The investigation does not consider: 1) incidents not directly related to the possible violation, unless they evidence a pattern; 2) the character of the parties; or 3) questions and evidence about the Complainant's sexual predisposition or prior sexual behavior, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.

18. Referral for Hearing

Once the final investigation report is shared with the parties, the Title IX Coordinator will refer the matter for a hearing.

The hearing cannot be less than ten (10) business days from the conclusion of the investigation –when the final investigation report is transmitted to the parties and the Hearing Officer—unless all parties and the Hearing Officer agree to an expedited timeline.

The Title IX Coordinator will select an appropriate Hearing Officer depending on whether the Respondent is an employee or a student. Allegations involving student-employees in the context of their employment will be directed to the appropriate Hearing Officer, depending on the context and nature of the alleged misconduct.

19. Hearing Officer

King's College (Recipient) will designate a single Hearing Officer at the discretion of the Title IX Coordinator. The single Hearing Officer will conduct the hearing. The Hearing Officer may have an advisor of their choosing.

The Title IX Coordinator may appoint a trained external hearing officer or appeal officer at their

discretion. The parties will be notified when a hearing officer is assigned to their case

The Hearing Officer will not have had any previous involvement with the investigation. The Title IX Coordinator may elect to have an alternate from the Pool sit in throughout the resolution process in the event that a substitute is needed for any reason.

Those who have served as Investigators will be witnesses in the hearing and therefore may not serve as Hearing Officers. Those who are serving as Advisors for any party may not serve as Hearing Officer in that matter.

The Title IX Coordinator may not serve as a Hearing Officer in the matter but may serve as an administrative facilitator of the hearing if their previous role(s) in the matter do not create a conflict of interest. Otherwise, a designee may fulfill this role. The hearing will convene at a time determined by the Hearing Officer or designee.

20. Evidentiary Considerations in the Hearing

Any evidence that the Hearing Officer determine(s) is relevant and credible may be considered. The hearing does not consider: 1) incidents not directly related to the possible violation, unless they evidence a pattern; 2) the character of the parties; or 3) questions and evidence about the Complainant's sexual predisposition or prior sexual behavior, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.

Previous disciplinary action of any kind involving the Respondent may be considered in determining an appropriate sanction upon a determination of responsibility, assuming King's College (Recipient) uses a progressive discipline system. This information is only considered at the sanction stage of the process and is not shared until then.

The parties may each submit a written impact statement prior to the hearing for the consideration of the Hearing Officer at the sanction stage of the process when a determination of responsibility is reached.

After post-hearing deliberation, the Hearing Officer renders a determination based on the preponderance of the evidence, whether it is more likely than not that the Respondent violated the Policy as alleged.

21. Notice of Hearing

No less than ten (10) business days prior to the hearing, the Title IX Coordinator or the Hearing Officer will send notice of the hearing to the parties. Once mailed, emailed, and/or received in-person, notice will be presumptively delivered.

The notice will contain:

- A description of the alleged violation(s), a list of all policies allegedly violated, a description of the applicable procedures, and a statement of the potential sanctions/responsive actions that could result.
- The time, date, and location of the hearing and a reminder that attendance is mandatory, superseding all other campus activities.
- Any technology that will be used to facilitate the hearing.
- Information about the option for the live hearing to occur with the parties located in separate rooms using technology that enables the Hearing Officer and parties to see and hear a party or witness answering questions. Such a request must be raised with the Title IX Coordinator at least five (5) business days prior to the hearing.
- A list of all those who will attend the hearing, along with an invitation to object to any Hearing Officer on the basis of demonstrated bias. This must be raised with the Title IX Coordinator at least two (2) business days prior to the hearing.
- Information on how the hearing will be recorded and on access to the recording for the parties after the hearing.
- A statement that if any party or witness does not appear at the scheduled hearing, the hearing may be held in their absence, and the party's or witness's testimony and any statements given prior to the hearing will not be considered by the Hearing Officer. For compelling reasons, the Hearing Officer may reschedule the hearing.
- Notification that the parties may have the assistance of an Advisor of their choosing at the hearing and will be required to have one present

for any questions they may desire to ask. The party must notify the Title IX Coordinator if they do not have an Advisor, and King's College (Recipient) will appoint one. Each party must have an Advisor present. There are no exceptions.

- A copy of all the materials provided to the Hearing Officer about the matter unless they have been provided already. The materials will be available on a file-sharing site (One hub) to view but cannot be copied or printed.
- An invitation to each party to submit to the Hearing Officer an impact statement pre-hearing that the Hearing Officer will review during any sanction determination.
- An invitation to contact the Title IX Coordinator to arrange any disability accommodations, language assistance, and/or interpretation services that may be needed at the hearing, at least seven (7) business days prior to the hearing.
- Parties must provide to the Hearing Office a list of anticipated questions for cross-examination at least two business days prior to the hearing. The Hearing Officer will review the questions for relevance and avoid repetition in questions.
- Whether parties cannot bring mobile phones/ devices into the hearing.

Hearings for possible violations that occur near or after the end of an academic term (assuming the Respondent is still subject to this Policy) and are unable to be resolved prior to the end of the term will typically be held immediately after the end of the term or during the summer, as needed, to meet the resolution timeline followed by King's College (Recipient) and remain within the 60-90 business day goal for resolution.

In these cases, if the Respondent is a graduating student, a hold may be placed on graduation and/or official transcripts until the matter is fully resolved (including any appeal). A student facing charges under this Policy is not in good standing to graduate.

22. Alternative Hearing Participation Options (Zoom or other technology)

If a party or parties prefer not to attend or cannot attend the hearing in person, the party should request alternative arrangements from the Title IX Coordinator or the Hearing Officer at least five (5) business days prior to the hearing.

The Title IX Coordinator or the Hearing Officer can arrange to use technology to allow remote testimony without compromising the fairness of the hearing. Remote options may also be needed for witnesses who cannot appear in person. Any witness who cannot attend in person should let the Title IX Coordinator or the Hearing Officer know at least five (5) business days prior to the hearing so that appropriate arrangements can be made.

23. Pre-Hearing Preparation

The Hearing Officer, after any necessary consultation with the parties, Investigator(s) and/or Title IX Coordinator, will provide the names of persons who will be participating in the hearing, all pertinent documentary evidence, and the final investigation report to the parties at least ten (10) business days prior to the hearing.

Any witness scheduled to participate in the hearing must have been first interviewed by the Investigator(s) or have proffered a written statement or answered written questions unless all parties and the Hearing Officer assent to the witness's participation in the hearing. The same holds for any evidence that is first offered at the hearing. If the parties and Hearing Officer do not assent to the admission of evidence newly offered at the hearing, the Hearing Officer will delay the hearing and instruct that the investigation needs to be re-opened to consider that evidence.

The parties will be given a list of the names of the Hearing Officer at least five (5) business days in advance of the hearing. All objections to any Hearing Officer must be raised in writing, detailing the rationale for the objection, and must be submitted to the Title IX Coordinator as soon as possible and no later than two business days prior to the hearing. Hearing Officers will only be removed if the Title IX Coordinator concludes that their bias or conflict of interest precludes an impartial hearing of the allegation(s).

The Title IX Coordinator will give the Hearing Officer a list of the names of all parties, witnesses, and Advisors at least five business days in advance of the hearing. Any Hearing Officer who cannot make an objective determination must recuse themselves from the proceedings when notified of the identity of

the parties, witnesses, and Advisors in advance of the hearing. If a Hearing Officer is unsure of whether bias or conflict of interest exists, they must raise the concern to the Title IX Coordinator as soon as possible.

During the ten (10) business day period prior to the hearing, the parties have the opportunity for continued review and comment on the final investigation report and available evidence. That review and comment can be shared with the Hearing Officer at the pre-hearing meeting or at the hearing and will be exchanged between each party by the Hearing Officer.

Parties must provide to the Hearing Office a list of anticipated questions for cross-examination at least two business days prior to the hearing. The Hearing Officer will review the questions for relevance and avoid repetition in questions.

24. Pre-Hearing Meetings

The Hearing Officer may convene a pre-hearing meeting(s) with the parties and/or their Advisors to invite them to submit the questions or topics the parties and/or their Advisors wish to ask or discuss at the hearing so that the Hearing Officer can rule on their relevance ahead of time to avoid any improper evidentiary introduction in the hearing or provide recommendations for more appropriate phrasing. However, this advance review opportunity does not preclude the Advisors from asking a question for the first time at the hearing or from asking for reconsideration based on any new information or testimony offered at the hearing. The Hearing Officer must document and share with each party their rationale for any exclusion or inclusion at this pre-hearing meeting.

The Hearing Officer, only with the full agreement of the parties, may decide in advance of the hearing that certain witnesses do not need to be present if their testimony can be adequately summarized by the Investigator(s) in the investigation report or during the hearing.

At each pre-hearing meeting with a party and their Advisor, the Hearing Officer will consider arguments that evidence identified in the final investigation report as relevant is, in fact, not relevant. Similarly, evidence identified as directly related but not relevant by the Investigator(s) may be argued to be relevant.

The Hearing Officer may rule on these arguments pre-hearing and will exchange those rulings between the parties prior to the hearing to assist in preparation for the hearing. The Hearing Officer may consult with legal counsel and/or the Title IX Coordinator or ask either or both to attend pre-hearing meetings.

The pre-hearing meeting(s) will not be recorded.

25. Hearing Procedures

At the hearing, the Hearing Officer has the authority to hear and make determinations on all allegations of discrimination, harassment, and/or retaliation and may also hear and make determinations on any additional alleged policy violations that have occurred in concert with the discrimination, harassment, and/or retaliation, even though those collateral allegations may not specifically fall within the policy on Equal Opportunity, Harassment, and Nondiscrimination.

Participants at the hearing will include the Hearing Officer, the Investigator(s) who conducted the investigation, the parties, Advisors to the parties, any called witnesses, an advisor to the Hearing Officer and anyone providing authorized accommodations or assistive services. The Title IX Coordinator may be present at the hearing or will be available to the Hearing Officer for consultation on the hearing procedures.

The Hearing Officer will answer all questions of procedure. Anyone appearing at the hearing to provide information will respond to questions on their own behalf.

The Hearing Officer will allow witnesses who have relevant information to appear at a portion of the hearing in order to respond to specific questions from the Hearing Officer and the parties and will then be excused.

26. Joint Hearings

In hearings involving more than one Respondent or in which two (2) or more Complainants have accused the same individual of substantially similar conduct, the default procedure will be to hear the allegations jointly.

However, the Title IX Coordinator may permit the investigation and/or hearings pertinent to each Respondent to be conducted separately if there is a compelling reason to do so. In joint hearings, separate

determinations of responsibility will be made for each Respondent with respect to each alleged policy violation.

27. The Order of the Hearing – Introductions and Explanation of Procedure

The Hearing Officer explains the procedures and introduces the participants. This may include a final opportunity for challenge or recusal of the Hearing Officer on the basis of bias or conflict of interest. The Hearing Officer will rule on any such challenge unless the Hearing Officer is the individual who is the subject of the challenge, in which case the Title IX Coordinator will review and decide the challenge.

The Hearing Officer then conducts the hearing according to the hearing script. At the hearing, recording, witness logistics, party logistics, curation of documents, separation of the parties, and other administrative elements of the hearing process are managed by a non-voting hearing facilitator appointed by the Title IX Coordinator. The Hearing Officer may attend to logistics of rooms for various parties/witnesses as they wait; flow of parties/witnesses in and out of the hearing space; ensuring recording and/or virtual conferencing technology is working as intended; copying and distributing materials to participants, as appropriate, etc.

28. Investigator Presents the Final Investigation Report

The Investigator(s) will then present a summary of the final investigation report, including items that are contested and those that are not, and will be subject to questioning by the Hearing Officer and the parties (through their Advisors). The Investigator(s) will be present during the entire hearing process, but not during deliberations.

Neither the parties nor the Hearing Officer should ask the Investigator(s) their opinions on credibility, recommended findings, or determinations, and the Investigators, Advisors, and parties will refrain from discussion of or questions about these assessments. If such information is introduced, the Hearing Officer will direct that it be disregarded.

29. Testimony and Questioning

Once the Investigator(s) present their report and are

questioned, the parties and witnesses may provide relevant information in turn, beginning with the Complainant, and then in the order determined by the Hearing Officer. The parties/witnesses will submit to questioning by the Hearing Officer and then by the parties through their Advisors (“cross-examination”).

All questions are subject to a relevance determination by the Hearing Officer. The Advisor, who will remain seated during questioning, will pose the proposed question orally, electronically, or in writing (orally is the default, but other means of submission may be permitted by the Hearing Officer upon request or agreed to by the parties and the Hearing Officer), the proceeding will pause to allow the Hearing Officer to consider it, and the Hearing Officer will determine whether the question will be permitted, disallowed, or rephrased.

The Hearing Officer may explore arguments regarding relevance with the Advisors if the Hearing Officer so chooses. The Hearing Officer will then state their decision on the question for the record and advise the party/witness to whom the question was directed, accordingly. The Hearing Officer will explain any decision to exclude a question as not relevant or to reframe it for relevance.

The Hearing Officer will limit or disallow questions on the basis that they are irrelevant, unduly repetitious (and thus irrelevant), or abusive. The Hearing Officer has the final say on all questions and determinations of relevance, subject to any appeal. The Hearing Officer may consult with legal counsel on any questions of admissibility. The Hearing Officer may ask advisors to frame why a question is or is not relevant from their perspective but will not entertain argument from the advisors on relevance once the Hearing Officer has ruled on a question.

If the parties raise an issue of bias or conflict of interest of an Investigator or Hearing Officer at the hearing, the Hearing Officer may elect to address those issues, consult with legal counsel, and/or refer them to the Title IX Coordinator /or preserve them for appeal. If bias is not an issue at the hearing, the Hearing Officer should not permit irrelevant questions that probe for bias.

30. Refusal to Submit to Cross-Examination and Inferences

Any party or witness may choose not to offer evidence and/or answer questions at the hearing, either because they do not attend the hearing or because they attend but refuse to participate in some or all questioning. The Hearing Officer can only rely on whatever relevant evidence is available through the investigation and hearing in making the ultimate determination of responsibility. The Hearing Officer may not draw any inference solely from a party’s or witness’s absence from the hearing or refusal to submit to cross-examination or answer other questions.

Statements made by the parties or witnesses during the investigation, emails or texts exchanges between the parties leading up to the alleged sexual harassment, statements made in police reports, statements contained in Sexual Assault Nurse Examiner (SANE) reports, and statements in medical reports may be considered by the Hearing Officer in their decision making. (DOE letter August 24, 2021)

Police reports, reports from the police of the results of a rape kit, DNA or alcohol/drug substance, reports from SANE nurse or physician, medical records, are admissible without testimony from the author, police or medical authority. The Title IX Hearing Officer will determine relevance of the reports.

The Decision-maker uses text messages, email, or video even though only one party in the message or video presents testimony or witness statement. (Q and A page 27)

If charges of policy violations other than sexual harassment are considered at the same hearing, the Hearing Officer may consider all evidence it deems relevant, may rely on any relevant statement as long as the opportunity for cross-examination is afforded to all parties through their Advisors, and may draw reasonable inferences from any decision by any party or witness not to participate or respond to questions.

If a party’s Advisor of choice refuses to comply with King’s College (Recipient)’s established rules of decorum for the hearing, King’s College (Recipient) may require the party to use a different Advisor. If a King’s College (Recipient)-provided Advisor refuses to comply with

the rules of decorum, King's College (Recipient) may provide that party with a different Advisor to conduct cross-examination on behalf of that party.

31. Recording Hearings

Hearings (but not deliberations) are recorded by King's College (Recipient) for purposes of review in the event of an appeal. The parties may not record the proceedings, and no other unauthorized recordings are permitted. The College may but is not required to produce a transcript which the parties may review.

The Hearing Officer, the parties, their Advisors, and appropriate administrators of the King's College (Recipient) will be permitted to listen to the recording in a controlled environment determined by the Title IX Coordinator. No person will be given or be allowed to make a copy of the recording without permission of the Title IX Coordinator.

32. Deliberation, Decision-making, and Standard of Proof

The Hearing Officer will deliberate to determine whether the Respondent is responsible or not responsible for the policy violation(s) in question. The preponderance of the evidence standard of proof is used.

When there is a finding of responsibility on one or more of the allegations, the Hearing Officer may then consider the previously submitted party impact statements in determining the appropriate sanction(s).

The Hearing Officer will ensure that each of the parties has an opportunity to review any impact statement submitted by the other party. The Hearing Officer may – at their discretion – consider the statements, but they are not binding.

The Hearing Officer will review the statements and any pertinent conduct history provided by Title IX Coordinator and will determine the appropriate sanction(s) in consultation with other appropriate administrators.

The Hearing Officer will then prepare a written deliberation statement and deliver it to the Title IX Coordinator, detailing the determination, rationale, the evidence used in support of its determination, the evidence disregarded, credibility assessments, and any sanctions.

This report typically should not exceed three (3) to five (5) pages in length and must be submitted to the Title IX Coordinator within two (2) business days of the end of deliberations, unless the Title IX Coordinator grants an extension. If an extension is granted, the Title IX Coordinator will notify the parties.

33. Notice of Outcome

Using the deliberation statement, the Title IX Coordinator will work with the Hearing Officer to prepare a Notice of Outcome. The Title IX Coordinator will then share the letter, including the final determination, rationale, and any applicable sanction(s) with the parties and their Advisors within five business days of receiving the Hearing Officer's deliberation statement.

The Notice of Outcome will then be shared with the parties simultaneously. Notification will be made in writing and may be delivered by one or more of the following methods: in person, mailed to the local or permanent address of the parties as indicated in official King's College (Recipient) records, or emailed to the parties' King's College (Recipient)-issued email or otherwise approved account. Once mailed, emailed, and/or received in-person, notice will be presumptively delivered.

The Notice of Outcome will identify the specific policy reported to have been violated, including the relevant policy section, and will contain a description of the procedural steps taken by King's College (Recipient) from the receipt of the misconduct report to the determination, including any and all notifications to the parties, interviews with parties and witnesses, site visits, methods used to obtain evidence, and hearings held.

The Notice of Outcome will specify the finding on each alleged policy violation; the findings of fact that support the determination; conclusions regarding the application of the relevant policy to the facts at issue; a statement of, and rationale for, the result of each allegation to the extent King's College (Recipient) is permitted to share such information under state or federal law; any sanctions issued which King's College (Recipient) is permitted to share according to state or federal law; and any remedies provided to the Complainant designed to ensure access to King's

College (Recipient)'s educational or employment program or activity, to the extent King's College (Recipient) is permitted to share such information under state or federal law (this detail is not typically shared with the Respondent unless the remedy directly relates to the Respondent).

The Notice of Outcome will also include information on when the results are considered by King's College (Recipient) to be final, any changes that occur prior to finalization, and the relevant procedures and bases for any available appeal options.

34. Sanctions

Factors considered when determining a sanction/responsive action may include, but are not limited to:

- The nature, severity of, and circumstances surrounding the violation(s)
- The Respondent's disciplinary history
- Previous allegations or allegations involving similar conduct.
- The need for sanctions/responsive actions to bring an end to the discrimination,
- harassment, and/or retaliation
- The need for sanctions/responsive actions to prevent the future recurrence of
- discrimination, harassment, and/or retaliation
- The need to remedy the effects of discrimination, harassment, and/or
- retaliation on the Complainant and the community
- The impact on the parties
- Any other information deemed relevant by the Hearing Officer.

The sanctions will be implemented as soon as is feasible, either upon the outcome of any appeal or the expiration of the window to appeal without an appeal being requested.

The sanctions described in this policy are not exclusive of and may be in addition to, other actions are taken, or sanctions imposed by external authorities.

a. Student Sanctions

The following are the usual sanctions that may be imposed upon students or organizations individually or in combination :

- *Censure/Warning:* A formal statement that the

conduct was unacceptable and a warning that further violation of any King's College (Recipient) policy, procedure, or directive will result in more severe sanctions/responsive actions.

- *Monetary fines*
- *Restitution for damages*
- *Housing Suspension*
- *Restricted from living off-campus.*
- *Required Counseling:* A mandate to meet with and engage in either King's College (Recipient)-sponsored or external counseling to better comprehend the misconduct and its effects.
- *Probation:* A written reprimand for violation of institutional policy, providing for more severe disciplinary sanctions if the student is found in violation of any institutional policy, procedure, or directive within a specified period of time. Terms of the probation will be articulated and may include denial of specified social privileges, exclusion from co-curricular activities, exclusion from designated areas of campus, no-contact orders, and/or other measures deemed appropriate.
- *Parental Notification:* if the student is placed on probation, suspended, or dismissed.
- *Suspension:* Termination of student status for a definite period of time not to exceed two years and/or until specific criteria are met. Students who return from suspension are automatically placed on probation through the remainder of their tenure as a student at King's College (Recipient).
- *Dismissal:* Permanent termination of student status and revocation of rights to be on campus for any reason or to attend King's College (Recipient)-sponsored events.
- *Other Actions:* In addition to or in place of the above sanctions, the King's College (Recipient) may assign any other sanctions as deemed appropriate.

b. Employee Sanctions

Responsive actions for an employee who has engaged in harassment, discrimination, and/or retaliation include:

- *Warning – Verbal or Written*
- *Performance Improvement/Management Process*
- *Required Counseling*
- *Required Training or Education*

- *Probation*
- *Loss of Annual Pay Increase*
- *Loss of Oversight or Supervisory Responsibility*
- *Demotion*
- *Suspension with pay*
- *Suspension without pay.*
- *Termination*
- *Other Actions:* In addition to or in place of the above sanctions, the King's College (Recipient) may assign any other sanctions as deemed appropriate.

35. Withdrawal or Resignation While Charges Pending

Students: If a student has an allegation pending for violation of the Policy on Equal Opportunity, Harassment, and Nondiscrimination, King's College (Recipient) may place a hold on a student's ability to graduate and/or to receive an official transcript/diploma.

Should a student decide not to participate in the resolution process, the process proceeds absent their participation to a reasonable resolution. Should a student Respondent permanently withdraw from King's College (Recipient), the resolution process ends, as King's College (Recipient) no longer has disciplinary jurisdiction over the withdrawn student.

However, King's College (Recipient) will continue to address and remedy any systemic issues, variables that may have contributed to the alleged violation(s), and any ongoing effects of the alleged harassment, discrimination, and/or retaliation. The student who withdraws or leaves while the process is pending may not return to King's College (Recipient). Such exclusion applies to all campuses of King's College (Recipient). A hold will be placed on their ability to be readmitted. They may also be barred from King's College (Recipient) property and/or events.

If the student Respondent only withdraws or takes a leave for a specified period of time (e.g., one semester or term), the resolution process may continue remotely, and that student is not permitted to return to King's College (Recipient) unless and until all sanctions have been satisfied.

During the resolution process, King's College (Recipient) may put a hold on a responding student's transcript or place a notation on a responding student's

transcript or dean's disciplinary certification that a disciplinary matter is pending.

Employees: Should an employee Respondent resign with unresolved allegations pending, the resolution process ends, as the King's College (Recipient) no longer has disciplinary jurisdiction over the resigned employee.

However, King's College (Recipient) will continue to address and remedy any systemic issues, variables that contributed to the alleged violation(s), and any ongoing effects of the alleged harassment or discrimination.

The employee who resigns with unresolved allegations pending is not eligible for rehire with King's College (Recipient) or any campus of the King's College (Recipient), and the records retained by the Title IX Coordinator will reflect that status.

All King's College (Recipient) responses to future inquiries regarding employment references for that individual will include that the former employee resigned during a pending disciplinary matter.

36. Appeals

Any party may file a request for appeal ("Request for Appeal"), but it must be submitted in writing to the Title IX Coordinator within five days of the delivery of the Notice of Outcome.

The Appeal Officer will be appointed by the Title IX Coordinator from the Title IX staff pool, or an external appeal officer may be appointed who is trained in the Title IX process.

A single Appeal Hearing Officer will hear the appeal. No Hearing Officer will have been involved in the process previously, including any dismissal appeal that may have been heard earlier in the process.

The Request for Appeal will be forwarded to the Appeal Hearing Officer for consideration to determine if the request meets the grounds for appeal (a Review for Standing).

This review is not a review of the merits of the appeal, but solely a determination as to whether the request meets the grounds and is timely filed.

a. Grounds for Appeal

Appeals are limited to the following grounds:

- (A) Procedural irregularity affected the outcome of the matter. A procedural irregularity is an error in the process was not followed that impacted the outcome of the hearing.
- (B) New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made that could affect the outcome of the matter; and
- (C) The Title IX Coordinator, Investigator(s), or Hearing Officer had a conflict of interest or bias for or against Complainants or Respondents generally or the specific Complainant or Respondent that affected the outcome of the matter.

If any of the grounds in the Request for Appeal do not meet the grounds in this Policy, that request will be denied by the Appeal Officer and the parties, and their Advisors will be notified in writing of the denial and the rationale.

Appeals on the grounds that the party disagree with the decision of the Hearing Officer on determination of responsibility or sanction will not be considered.

If any of the grounds in the Request for Appeal meet the grounds in this Policy, then the Appeal Officer will notify the other party and their Advisors, the Title IX Coordinator, and, when appropriate, the Investigators and/or the original Hearing Officer.

The other party and their Advisors, the Title IX Coordinator, and, when appropriate, the Investigators and/or the original Hearing Officer will be mailed, emailed, and/or provided a hard copy of the request with the approved grounds and then be given five business days to submit a response to the portion of the appeal that was approved and involves them. All responses will be forwarded by the Appeal Officer to all parties for review and comment.

The non-appealing party (if any) may also choose to raise a new ground for appeal at this time. If so, that will be reviewed to determine if it meets the grounds in this Policy by the Appeal Officer and either denied or approved. If approved, it will be forwarded to the party who initially requested an appeal, the Investigator(s), and/or original Hearing Officer, as necessary, who will submit their responses in five business days, which will be circulated for review and comment by all parties.

Neither party may submit any new requests for appeal after this time period. The Appeal Officer will collect any additional information needed, and all documentation regarding the approved grounds and the subsequent responses and the Hearing Officer will render a decision in no more than five business days, barring exigent circumstances. All decisions apply the preponderance of the evidence standard.

A Notice of Appeal Outcome will be sent to all parties simultaneously including the decision on each approved ground and rationale for each decision. The Notice of Appeal Outcome will specify the finding on each ground for appeal, any specific instructions for remand or reconsideration, any sanctions that may result which King's College (Recipient) is permitted to share according to state or federal law, and the rationale supporting the essential findings to the extent the King's College (Recipient) is permitted to share under state or federal law.

Notification will be made in writing and may be delivered by one or more of the following methods: in person, mailed to the local or permanent address of the parties as indicated in official institutional records, or emailed to the parties' King's College (Recipient)-issued email or otherwise approved account. Once mailed, emailed, and/or received in-person, notice will be presumptively delivered.

b. Sanctions Status During the Appeal

Any sanctions imposed as a result of the hearing are stayed during the appeal process. Supportive measures may be reinstated, subject to the same supportive measure procedures above.

If any of the sanctions are to be implemented immediately post-hearing, then emergency removal procedures (detailed above) for a hearing on the justification for doing so must be permitted within 48 hours of implementation.

King's College (Recipient) may still place holds on official transcripts, diplomas, graduations, and course registration pending the outcome of an appeal when the original sanctions included separation.

c. Appeal Considerations

- Appeal decisions are to be deferential to the original decision, making changes to the

finding only when there is clear error and to the sanction(s)/responsive action(s) only if there is a compelling justification to do so.

- Appeals are not intended to provide for a full re-hearing (de novo) of the allegation(s). In most cases, appeals are confined to a review of the written documentation or record of the original hearing and pertinent documentation regarding the specific grounds for appeal.
- An appeal is not an opportunity for Appeal Officers to substitute their judgment for that of the original Hearing Officer merely because they disagree with the finding and/or sanction(s).
- The Appeal Officer may consult with the Title IX Coordinator on questions of procedure or rationale, for clarification, if needed. Documentation of all such consultation will be maintained.
- Appeals granted based on new evidence should normally be remanded to the original Investigator(s) and/or Hearing Officer for reconsideration. Other appeals may be remanded at the discretion of the Title IX Coordinator or, in limited circumstances, decided on appeal.
- Once an appeal is decided, the outcome is final: further appeals are not permitted, even if a decision or sanction is changed on remand (except in the case of a new hearing).
- In rare cases where a procedural error cannot be cured by the original Hearing Officer (as in cases of bias), the appeal may order a new hearing with a new Hearing Officer.
- The results of a remand to a Hearing Officer cannot be appealed. The results of a new hearing can be appealed, once, on any of the three available appeal grounds.
- In cases in which the appeal results in reinstatement to King's College (Recipient) or resumption of privileges, all reasonable attempts will be made to restore the Respondent to their prior status, recognizing that some opportunities lost may be irreparable in the short term.

37. Long-Term Remedies/Other Actions

Following the conclusion of the resolution process, and in addition to any sanctions implemented, the Title IX Coordinator may implement additional long-term remedies or actions with respect to the parties and/or

the campus community that are intended to stop the harassment, discrimination, and/or retaliation, remedy the effects, and prevent reoccurrence.

- These remedies/actions may include, but are not limited to:
- Referral to counseling and health services
- Referral to the Employee Assistance Program.
- Education to the individual and/or the community
- Permanent alteration of housing assignments
- Permanent alteration of work arrangements for employees
- Provision of campus safety escorts
- Climate surveys
- Policy modification and/or training
- Provision of transportation accommodations
- Implementation of long-term contact limitations between the parties
- Implementation of adjustments to academic deadlines, course schedules, etc.

At the discretion of the Title IX Coordinator, certain long-term support or measures may also be provided to the parties, even if no policy violation is found.

When no policy violation is found, the Title IX Coordinator will address any remedies owned by King's College (Recipient) to the Respondent to ensure no effective denial of educational access.

King's College (Recipient) will maintain the privacy of any long-term remedies/actions/measures, provided privacy does not impair King's College (Recipient)'s ability to provide these services.

38. Failure to Comply with Sanctions and/or Interim and Long-term Remedies and/or Responsive Actions

All Respondents are expected to comply with the assigned sanctions, responsive actions, and/or corrective actions within the timeframe specified by the final Hearing Officer, including the Appeal Hearing Officer.

Failure to abide by the sanction(s)/action(s) imposed by the date specified, whether by refusal, neglect, or any other reason, may result in additional sanction(s)/action(s), including suspension, expulsion, and/or termination from the King's College (Recipient) and may be noted on a student's official transcript.

A suspension will only be lifted when compliance is achieved to the satisfaction of the Title IX Coordinator.

39. Recordkeeping

King's College (Recipient) will maintain for a period of seven years records of:

1. Each sexual harassment investigation including any determination regarding responsibility and any audio or audiovisual recording or transcript required under federal regulation.
2. Any disciplinary sanctions imposed on the Respondent.
3. Any remedies provided to the Complainant designed to restore or preserve equal access to the King's College (Recipient)'s education program or activity.
4. Any appeal and the result therefrom.
5. All materials used to train Title IX Coordinators, Investigators, and Hearing Officers. King's College (Recipient) will make these training materials publicly available on King's College (Recipient)'s website.
6. Any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment, including:
 - a. The basis for all conclusions that the response was not deliberately indifferent.
 - b. Any measures designed to restore or preserve equal access to the King's College (Recipient)'s education program or activity; and
 - c. If no supportive measures were provided to the Complainant, document the reasons why such a response was not clearly unreasonable considering the known circumstances.

King's College (Recipient) will also maintain any and all records in accordance with state and federal laws.

40. Disabilities Accommodations in the Resolution Process

King's College (Recipient) is committed to providing reasonable accommodations and support to qualified students, employees, or others with disabilities to ensure equal access to King's College (Recipient)'s

resolution process.

Anyone needing such accommodations or support should contact the Director of Academic Skills and Disability Services or Human Resources if employee, who will review the request and, in consultation with the person requesting the accommodation and the Title IX Coordinator, determine which accommodations are appropriate and necessary for full participation in the process.

41. Revision of this Policy and Procedures

This Policy and procedures supersede any previous policy addressing harassment, sexual harassment/misconduct, discrimination, and/or retaliation under Title IX and will be reviewed and updated annually by the Title IX Coordinator. King's College (Recipient) reserves the right to make changes to this document as necessary, and once those changes are posted online, they are in effect.

During the resolution process, the Title IX Coordinator may make minor modifications to procedures that do not materially jeopardize the fairness owed to any party, such as to accommodate summer schedules. The Title IX Coordinator may also vary procedures materially with notice (on the institutional website, with the appropriate effective date identified) upon determining that changes to law or regulation require policy or procedural alterations not reflected in this Policy and procedures.

If government laws or regulations change – or court decisions alter – the requirements in a way that impacts this document, this document will be construed to comply with the most recent government regulations or holdings.

This document does not create legally enforceable protections beyond the protection of the background state and federal laws that frame such policies and codes, generally.

This Policy and procedures are effective August 14, 2020.

PART III: RESOURCES, EDUCATION, AND ASSESSMENT

Counseling, Medical, and Support Services

Victim Assistance Advocate- Sheehy-Farmer Campus Center, Room 100A, Main Level, Residence Life Suite 570-208-5856

The complainant's assistance staff member provides support to students who have been a complainant or witness of a violent incident on or near the College campus. The primary responsibility of the staff member is to inform complainants of the services available to them on and off-campus and provide support when interacting with College counselors, Campus Safety and Security staff, and the police. The complainant's assistance staff member provides follow up to the complainant after the initial incident and response. Follow up meetings/updates (through email/telephone) may continue after that for as long as the student and complainant's assistant feel it is necessary.

Counseling Center, Administration Building Room 620 (570) 208-5873

Students may contact a member of the King's College Counseling Center during regular office hours, Monday - Friday, 8:30 a.m. - 4:30 p.m., or by visiting the Counseling Center located on the sixth floor of the Administration building. After normal operating hours, call the switchboard (570) 208-5900 for assistance, who will then contact a College counselor. The Counseling Center at King's College can provide safe, confidential support during this difficult period. They can discuss coping methods that may be of assistance immediately following an assault or later. They can also provide pertinent referral resources and services where students can also seek further assistance and support.

Off-Campus Assistance

Luzerne County offers several resources to complainants of sexual assaults, rapes, domestic violence, stalking, etc. King's College works closely and cooperatively with these agencies to bring our students awareness, education, and supportive services. Below are offices that are available to students:

The Luzerne County Victim Resource Center (VRC) provides a wide range of services to adults and children

who are complainants of crime. These services include a 24-hour hotline, support groups, counseling, and advocacy for complainants. The Victim Resource Center provides medical and legal accompaniment and offers support groups for complainants of rape, incest, and other forms of sexual abuse. The agency also provides numerous educational programs for students of all ages, professionals, and community groups. The Victim Resource Center is private, confidential, and its services are free. Victim Resource Center can be reached by calling (570) 823-0765.

Domestic Violence Service Center (DVSC) is another local resource that may be reached by phone at 1-800-424-5600. DVSC offers a wide range of free and confidential services, including a 24-hour hotline for information and referral, crisis intervention, supportive counseling, or a sympathetic shoulder to cry on. Other free services include counseling, individual and group counseling for residents and non-residents, advocacy, court advocacy and accompaniment related to Protection from Abuse Orders, community outreach and education, life skills and parenting training, medical and mental health advocacy, and training for professionals.

Luzerne County also maintains a Protection from Abuse Office through which complainants can obtain protection in certain domestic violence situations. Information on this service is available from the Victim Resource Center, the College's Student Affairs Office, or the Executive Director of Campus Safety and Security.

Educational Programming and Prevention
Commonwealth of Pennsylvania law requires that educational programming in higher education includes (P.L.1383, No.180) the following: (1) A discussion of sexual violence. (2) A discussion of consent, including an explanation that the complainant is not at fault. (3) A discussion of drug and alcohol-facilitated sexual violence. (4) Information relating to risk education and personal protection. (5) Information on where and how to get assistance, including the importance of medical treatment and evidence collection, and how to report sexual violence to campus authorities and local law enforcement. (6) The possibility of pregnancy and transmission of sexual diseases. (7) Introduction of members of the educational

community from (i) Campus police or security and local law enforcement. (ii) The student health center, women's center, and rape crisis center. (iii) Campus counseling service or any service responsible for psychological counseling and student affairs. (8) A promise of discretion and dignity. (9) A promise of confidentiality for complainants of sexual assault.

Because King's College recognizes sexual harassment/misconduct as an important issue, the College offers educational programming in several ways to several groups on campus such as campus personnel (Campus Safety, Residence Life, faculty, and staff); incoming students; resident and off-campus students; and members of student organizations. Campus efforts are to tailor programming to address primary prevention, ongoing prevention, ongoing awareness, risk reduction, and bystander intervention. Each of these types of efforts is defined below:

Awareness Programs – community-wide or audience-specific programming, initiatives, and strategies that increase audience knowledge and share information and resources to prevent violence, promote safety, and reduce perpetration.

Bystander Intervention - safe and positive options that may 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.

Ongoing Prevention and Awareness Campaigns - programming, initiatives, and strategies that are sustained over time and focus on increasing understanding of topics relevant to and skills for addressing dating violence, domestic violence, sexual assault, and stalking, using a range of methods with audiences throughout the institution. (VAWA/Clery)

Primary Prevention – programming, initiatives, and strategies informed by research or assessed for value, effectiveness, or outcome that are intended to stop dating violence, domestic violence, sexual assault, and stalking before they occur through the promotion

of positive and healthy behaviors that foster healthy, mutually respectful relationships and sexuality, encourage safe bystander intervention, and seek to change behavior and social norms in healthy and safe directions.

Risk Reduction - Risk reduction means options designed to decrease perpetration and bystander inaction, and to increase empowerment for complainants to promote safety and to help individuals and communities address conditions that facilitate violence.

Annually, incoming students are required to attend a program during orientation weekend. The program includes a keynote speaker that discusses sexual assault, sexual harassment/misconduct, consent requirements, the impact of drug and alcohol on consent, bystander intervention, etc. Along with the speakers, the students are introduced to staff from King's College Counseling Center and community agencies Complainant's Resource Center, and other participants. The program works in conjunction with topics that are discussed in HCE 101: Holy Cross Experience, a one-credit course that all first-year students take. Also, the program bridges into a required part of HCE 101, where all incoming students take complete computer modules that include sections on drugs and alcohol and a dedicated section on sexual harassment/misconduct. Other ongoing programming offerings are presented to the campus-wide community on a regular and consistent basis. Programming is typically organized and coordinated by Student Affairs or by other pertinent on-campus departments.

Assessment and evaluation, the oversight committee

King's College, on a biannual basis, conducts a survey assessing the educational programs, the policy, and campus climate related to sexual harassment. The results of the assessment will be made available to members of the college community.

King's College maintains a Title IX Oversight Committee that will meet twice an academic year to review the policy, educational programming, assessment information, and make recommendations to the Title IX Coordinator(s). The committee will include the Title IX Coordinators, hearing officers, investigators, appeal officers, a member of the Counseling Center staff, a faculty member, and a

representative for the Student Government.

RESOURCES

Medical Treatment

- Student Health Center, Andre Hall, Monday through Friday: 8:30 a.m. - 4:30 p.m. 570.208.5852
- Wilkes-Barre General Hospital Emergency Department: 24-hours 570.829.8111, 575 North River Street, Wilkes-Barre, PA 18764
- Geisinger Wyoming Valley: 24-hours 570.808.7300, 1000 East Mountain Blvd., Wilkes-Barre, PA 18711

Police and College Security

- King's College Campus Safety and Security Department, Non-Emergency, Executive Director's Office: 570.208.8103 or 570.208.5900
- Wilkes-Barre Police, Phone 911, 15 North Washington Street, Wilkes-Barre, PA 18701

Emotional Support

- Counseling Center, telephone: 570.208.5873, Administration Building, Sixth Floor
- Residence Life Staff, telephone: 570.208.5856, Sheehy-Farmer Campus Center

- Campus Ministry, telephone: 570.208.5890, Campus Ministry Center / Chapel of Christ the King
- Victim Resource Center: telephone: 570.823.0765, 360 East End Shopping Center, Wilkes-Barre, PA 18702
- 24 Hour Complainants Hotline: telephone: 800.206.9050
- Domestic Violence Center, telephone: 570.829.1341, 13 East South Street, Wilkes-Barre, PA 18701; Domestic Violence Center Hotline 800.424.5600
- Victim Witness Assistant, telephone: telephone: 570.208.5900, x5294, Sheehy-Farmer Campus Center, Residence Life Suite
- National Center for Complainants of Crime: www.complainantsofcrime.org
- Stalking Resource Center, telephone: 202.467.8700 <http://www.complainantsofcrime.org/our-programs/stalking-resource-center>

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VAWA 2022					
	On Campus		On Campus (TOTAL)	Non Campus	Public Property
VAWA Crimes	Student Housing	Other			
Dating Violence	0	0	0	0	0
Domestic Violence	0	0	0	0	0
Stalking	0	0	0	0	0

VAWA 2021					
	On Campus		On Campus (TOTAL)	Non Campus	Public Property
VAWA Crimes	Student Housing	Other			
Dating Violence	0	0	0	0	0
Domestic Violence	0	0	0	0	0
Stalking	0	0	0	0	0

VAWA 2020					
	On Campus		On Campus (TOTAL)	Non Campus	Public Property
VAWA Crimes	Student Housing	Other			
Dating Violence	0	1	1	0	0
Domestic Violence	0	0	0	0	0
Stalking	0	3	3	0	0

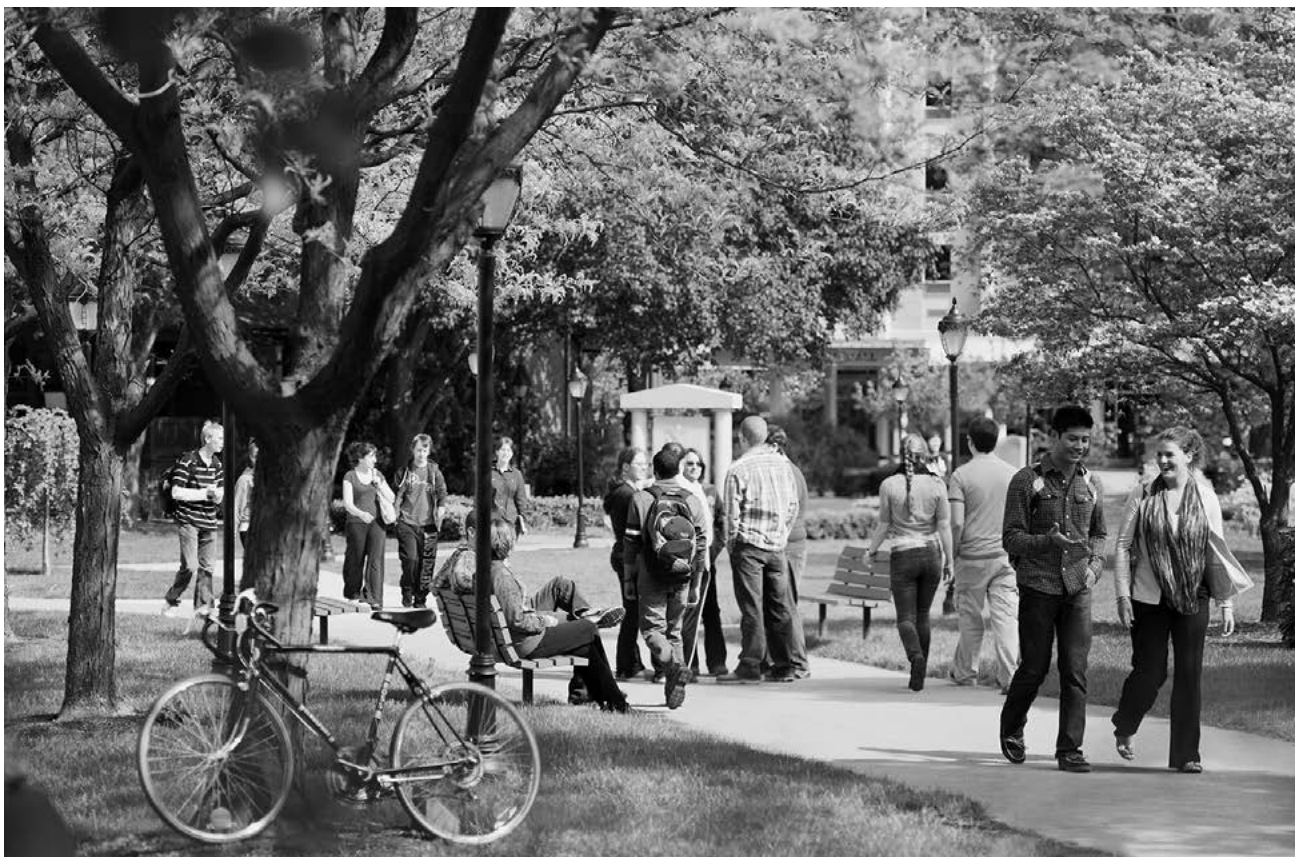
Smoking Policy: Smoking tobacco, vaping, or the use of e-cigarettes is prohibited on all King's College properties, and in all vehicles and facilities. Failure to comply with this policy may result in disciplinary action.

To Whom Does the Policy Apply: The policy applies to all members of the College community without exception including visitors, vendors, contractors, and subcontractors.

Benefits of the Policy: The policy limits the negative effects of smoking on the health and well-being of all the members of our community. Research indicates the negative impact of smoking and exposure to second-hand smoke. The policy provides a smoke-free work environment that improves air quality, the cleanliness of facilities, the comfort of all, especially members of our community with respiratory concerns.

Definitions: The policy prohibits all commonly understood forms of smoking and the use of smoking paraphernalia. Thus, cigarettes, cigars, pipes, e-cigarettes, and vaping are prohibited. The policy prohibits the use of tobacco products as commonly understood, as well as products intended to mimic tobacco products.

A Common Cause: It is the responsibility of all the members of the King's College community to support the health and well-being of all the members of our community by abiding by this policy. To do so is an act of caring for one another. Polite interventions and asking violators to conform to the policy are encouraged. When an intervention is rebuffed, the matter should be reported.



Telephone Numbers

Campus Security and Safety Department (570) 208-5900

Alumni Hall - Rooms 107-108

Wilkes-Barre, PA 18711

8:30 a.m. - 4:30 p.m.

Switchboard - Emergency (570) 208-5900

D. Leonard Corgan Library at Lane's Lane entrance

Director of Human Resources (570) 208-5923

181 N. Franklin Street

Wilkes-Barre, PA 18711

Wilkes-Barre Police Department

15 North Washington Street

Wilkes-Barre, PA 18702

Non-Emergency Information (570) 826-8106

Emergency 911

Wilkes-Barre Fire Department Headquarters

30 East Ross Street

Wilkes-Barre, PA 18702

Non-Emergency Information (570) 208-4261

Emergency 911



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TRANSFORMATION. COMMUNITY. HOLY CROSS.