ETOWN

ELIZABETHTOWN COLLEGE

Campus Security



2026 Annual Security and Fire Safety Report

Calendar Year 2025

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From the Director of Campus Safety

Safety and security at Elizabethtown College is a shared responsibility. Clearly the best protection against campus crime is an aware, informed and alert campus community; students, faculty and staff who use reason and caution; and a strong, visible Campus Safety presence.

Most of our students, faculty, staff and visitors never experience crime at Elizabethtown College. However, despite our best efforts, crimes do occur. The Elizabethtown Campus Safety Department is committed to maintaining a safe and secure campus by providing a contemporary and professional public safety service with a strong emphasis on customer service. The hallmark of our service is a commitment to the principles of honor, integrity, discipline, trust and dedication. Concerns, questions or comments about our Safety department, federal or state law or Elizabethtown's compliance with these laws, can be addressed to the Director of Campus Safety at 717.361.1439.

The information contained in this Annual Security and Fire Safety Report is available to new and prospective students and employees as well as their families, all current members of the campus community and to the general public. We are committed to campus safety and security in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Statistics Act (the Clery Act) and the Pennsylvania Uniform Crime Reporting Act (UCR).

Introduction

Elizabethtown College, located in historic Lancaster County, Pennsylvania, is a private coeducational institution offering more than 50 health, science, fine arts, engineering, business, communications, and education degrees. Through personal attention, creative inspiration and academic challenges, Elizabethtown College students are encouraged to expand their intellectual curiosity and are given the opportunity to become a bigger part of the world through experiential learning—research, internships and study abroad. Elizabethtown College's overall commitment to "Educate for Service" is fulfilled as students develop intellectually, socially, aesthetically and ethically for lives of service and leadership. Visit etown.edu for more information about Elizabethtown College.

Elizabethtown College does not discriminate on the basis of gender, race, color, religion, age, disability, marital status, veteran status, national or ethnic origin, ancestry, sexual orientation, gender identity and expression, genetic information, possession of a general education development certificate as compared to a high school diploma, or any other legally protected status. This commitment applies but is not limited to decisions made with respect to hiring and promotion, the administration of educational programs and policies, scholarship and loan programs, and athletic or other College administered programs. Discriminatory acts of any kind are strictly forbidden.

Enrollment: For the 2025-2026 academic year, Elizabethtown College enrollment was 1875 undergraduate students and 101 graduate students. The overall enrollment of the College including online students for 2025-2026 is 1935 undergraduates and 415 graduate students. The College employs 393 full-time staff and faculty members. The Campus is comprised of 53 buildings situated on 210 acres in the Borough of Elizabethtown and Mount Joy Township.

The Elizabethtown College 2025 Annual Security and Fire Safety Report was prepared by the Director of Campus Safety, Gerald Kelley (Ph 717-361-1439), kelleyg@etown.edu) Campus Safety and reviewed by the Elizabethtown College Clery Committee comprised of the Vice President of Student Life and the Dean of Students to be in compliance with the Pennsylvania College and University Security Information Act (May 26, 1988, P.L. 448, No. 73; PA Leos. Serv. Act 1994-87), the Jeanne Clery Disclosure of Campus Safety Policy and Campus Crime Statistics Act (Public Law 101-542), and the Violence Against Women Reauthorization Act of 2013 (Public Law 113-14).

Each institution of higher education in the Commonwealth of Pennsylvania is required to annually publish specific data relating to the per capita number rate of certain types of crime reported to have occurred at the institution, and the security measures that are in place to reduce the risk of criminal victimization for members of the community. Additionally, this report addresses requirements of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. Elizabethtown College's Clery Committee collaborates throughout the

summer and early fall to review appropriate resources from the Clery Center, develop an outline for the report, evaluate and revise report content as needed, and publish the report no later than October 1.[1]

In compliance with these requirements, Elizabethtown College offers the following information to all current and prospective students, employees and applicants. The annual report containing crime statistics and policy statements can be obtained by:

- MAIL: Send requests to Elizabethtown College, Campus Safety, One Alpha Drive, Elizabethtown, PA 17022
- PHONE: 717.361.1264
- E-MAIL: Direct inquires to security@etown.edu
- ONLINE: Visit the Campus Safety website, http://www.etown.edu/offices/security/reports.aspx or access the report directly by visiting https://www.etown.edu/offices/safety/reports-and-compliance.aspx#fire
- Access to and Security of Campus Facilities/Residence Halls
    - Elizabethtown College is a private institution, and the physical campus is considered private property. No buildings are considered public access.
    - While outdoor space is open for members of the public, the College reserves the right to restrict access to the public to campus for any reason at any time. This includes access to outdoor athletic fields, Lake Placida, all walking trails, sidewalks and green space. Communication about access restrictions will be placed on the College's website.
    - All residence halls are considered private buildings and are not open to the public. Only people who live in the building and approved staff have access. Members of the public may only gain access if escorted by a Campus official. Approved guests and visitors of students must abide by the guest and visitor policy outlined in the Elizabethtown College Student Handbook.
    - Academic (classroom) buildings are not open to the public. Access to these buildings is restricted to students, employees and invited guests or visitors. An event open to the public taking place in an Academic Building does not make the building a public access building.
    - Administrative buildings, including but not limited to Alpha Hall, Campus Safety, and Leffler Admissions House frequently welcome guests and visitors to campus. Access to these buildings is generally open access during business hours but secured after hours. The Brown Building is always secured, and only approved employees are permitted in the building without permission.
    - Some buildings, such as the Baugher Student Center, Bowers Center for Sports, Fitness and Well-being, Bowers Writers House, Leffler Chapel, Thompson Gymnasium and the Young Center frequently host events that are open to the public. The College reserves the right to restrict access to the public when there are no public events occurring in the building, and the right to remove any member of the public from the premises for any reason at any time.

The Campus Safety Department

The Elizabethtown College Campus Safety Department is comprised of employees that provide safety, security, fire prevention, crime prevention, and emergency management on the Elizabethtown College campus 24 hours per day, seven days per week. The Campus Safety Department reports to the Vice President for Student Life & Dean of Students. Campus Safety staff are non-sworn personnel holding the ranks of Campus Safety Director, Sergeant/shift supervisors, patrol officers and communication dispatchers. Campus Safety additionally performs functions including foot patrol, escorts, building checks, and special event security. The department works closely and cooperatively with federal, state and local agencies, as well as all on-campus offices, regarding problems of mutual concern. Campus Safety also serves a variety of other functions including responding to all medical emergencies, alarms, parking enforcement and providing information to college guests and visitors. The Campus Safety office is located at 605 South Mount Joy Street. For more information, please visit the Campus Safety website www.etown.edu/offices/security/.

Goals

Our commitment is to improve the quality of life for all those who come to our campus. Conflict resolution is our primary goal, accomplished through cooperation and understanding; or, when necessary, through the imposition of administrative or other sanctions. Inherent in the application of these sanctions is that such actions align with college mission and values, policies and established protocol.

Campus Safety Mission Statement

Elizabethtown College Campus Safety Department's mission is to foster a safe and secure environment, which supports the College's motto of "Educate for Service", while encouraging moral and intellectual growth. Campus Safety achieves this by promoting safety through educational programming and working with other departments and members of campus to maintain a safe environment which nurtures learning and intellectual growth.

Enforcement Authority and Jurisdiction

Campus Safety is responsible for providing security services for the Elizabethtown College campus. Campus Safety Officers are non-sworn security officers for Elizabethtown College and have no official powers of arrest. Campus Safety investigates reports of campus incidents for administrative purposes as it relates to campus student conduct processes and employee personnel matters. Campus Safety's patrol and enforcement jurisdiction is limited to the on-campus areas reflected in the Campus Map in Appendix A (page 91). Campus Safety does not routinely patrol areas off-campus or areas not under the ownership or control of Elizabethtown College. Crimes occurring on campus may be investigated for possible criminal prosecution by the Elizabethtown Police Department or the Northwest Regional Police Department.

Working Relationships with Other Law Enforcement Agencies

The Director of Campus Safety serves as Elizabethtown's liaison with local, state and federal law enforcement officials and emergency management agencies to include Elizabethtown Police Department, Northwest Regional Police Department, Pennsylvania State Police, and Elizabethtown Fire Department. Campus Safety has a Memorandum of Understanding (MOU) with the Elizabethtown Police Department concerning the response to an investigation of sexual assault reports. While there are no formal MOUs with other agencies, the Director of Campus Safety works with local law enforcement through formal and informal meetings, Borough-College meetings, and the like. Work with State police is much more limited and as such, is done on an as needed basis.

Off Campus Crime

There are no student organizations officially recognized by the institution, who own or control property off campus, and as such, the College does not monitor criminal activity by students off campus. If a law enforcement agency is contacted about criminal activity off-campus involving Elizabethtown College students, that agency may notify Campus Safety. Students in these cases may be subject to arrest by the local police and college disciplinary proceedings through the Student Conduct Office.

Reporting Crimes and Other Emergencies

Students, faculty, staff, and guests are encouraged to immediately report any suspicious activity, public safety concern, illegal activities or violations of college policy to Elizabethtown College Campus Safety. This department has primary responsibility for responding to and investigating safety and security concerns on campus. Criminal incidents or other issues occurring off campus may also be reported directly to the Elizabethtown Police

Department or Northwest Regional Police Department. The College encourages accurate and prompt reporting of all crimes to either Campus Safety or the local police agencies when the victim elects to, or is unable to, make such a report.

Campus Safety responds to all reports of crimes and/or emergencies that occur on campus or at an off-campus college-controlled (owned, operated or leased) location within Elizabethtown Borough or Mount Joy Township. Campus Safety Dispatch operates 24 hours per day, 365 days per year. Professional staff uses modern technology to keep abreast of crime reported directly to Campus Safety and to the Lancaster County 911 Center. The Campus Safety Dispatchers maintain communications with all area, local police departments, such as Elizabethtown Police and Northwest Regional Police, and area fire and emergency management agencies. All students, faculty and staff are encouraged to program the Campus Safety Emergency telephone number 717.361.1111 into their cell phones in case of an emergency.

To report a crime, emergency or other public safety concern:

- Call Campus Safety on 717.361.1111 or Ext. 1111 for any **on-campus emergency**.
- Report in person to Campus Safety located at 605 South Mount Joy Street, Elizabethtown, PA.
- Report in person to the Elizabethtown Police Department located at 600 South Hanover Street, Elizabethtown, PA, 717.367.6540.
- Submit a report using the Elizabethtown College EC Tip line. By phone at 855.696.1899, by website at https://secure.ethicspoint.com/domain/media/en/gui/68413/index.html or by sending a letter specifically addressed to ***The Network, Inc. c/o Elizabethtown College, 333 Research Court, Norcross GA. USA 30092***
- Use one of the **"Blue Light"** Campus Safety phones located throughout campus to make an immediate call to Campus Safety Dispatch for emergency assistance. After establishing the phone connection with Campus Safety, a Campus Safety Officer will be dispatched to the blue light location.
- Use the free mobile app **LiveSafe** to submit information for non-emergency concerns.
- **Off campus**, call 911 for immediate assistance.

Collection and Analysis of Crime Information

Campus incident reports are reviewed by the Director of Campus Safety who in turn makes the final determination regarding Clery and Uniform Crime Report crime classification. A record of the classification process is maintained in the Department of Campus Safety.

On a weekly basis, the Director of Campus Safety meet with an incident review team comprised of the Vice President for Student Life and Dean of Students, Student Conduct Coordinator Director of Residence Life, Area Coordinators, Associate Dean of Students for Counseling and Student Health Needs, and Associate Dean of Students for the Center for Student Success to review all disciplinary referrals related to drugs, alcohol, and/or weapons law violations, and other offenses that may be considered Clery reportable.

The College formally solicits crime report information from appropriate external agencies including the Elizabethtown Police Department and the Northwest Regional Police Department in August. The Director of Campus Safety contacts local law enforcement throughout the year to obtain timely updates that may assist in campus investigations and prevention programming.

Campus Security Authorities are required to immediately report any information related to potential criminal activity to Campus Safety. The Campus Safety department surveys Campus Security Authorities once a year to collect unreported data.

Campus Security Authorities Responsible for Reporting Criminal Activity

As required by the Clery Act, colleges and universities must annually compile and publish crime, fire and security information about their campuses. Under this law, "Campus Security Authorities" are mandated to report crimes brought to their attention for inclusion in Elizabethtown's Annual Security and Fire Safety Report. Campus Security Authorities include, but are not limited to, Elizabethtown College employees with **significant responsibility for students or campus activities.** Campus Security Authorities are required to notify the Campus Safety Department when they receive information about a crime that has occurred on campus.

LiveSafe Personal Safety Application

LiveSafe is a mobile application that empowers users to share safety concerns, suspicious activity, sexual assault, and other crime by turning their smartphones into powerful personal safety tools. LiveSafe facilitates discreet and risk-free bystander intervention by community members through information sharing with Campus Safety. Through iPhone and Android devices, users can report GPS-tagged information with added pictures, video, and audio clips. Campus Safety Officers can respond to users using real-time two-way chat, and or investigate further using the information submitted by the users. Using the Go Safe feature of the LiveSafe app, individuals can "virtually escort" each other and monitor each other's location on a real-time map. Simultaneously, Safe Walkers can chat with one another or call 911 in-app if needed. Additionally, users can conveniently access essential safety resources and info, including a map with crime data and safety locations. LiveSafe is free and available to use for all faculty, staff, students, and parents.

Voluntary Confidential Reporting

The College does not provide a confidential reporting option for Campus Security Authorities. For violations of the College Sexual Harassment Policy, the Civil Rights and Title IX Coordinator may evaluate requests for confidentiality.

Students may make confidential reports to Pastoral Staff (Chaplin) and staff counselors working within Counseling Services. Employees may make a confidential report to Pastoral Staff (Chaplin) or the Employee Assistance Program.

- **College Counselor** is available to students 24/7 - Call 717.361.1405 to request a confidential counseling appointment or call Campus Safety after hours at 717.361.1111 to request confidential support.
- **Employee Assistance Program Counselor** is available to employees 24/7. Call 1.800.386.7055 to request a confidential counseling appointment. Employees are eligible to receive three individual counseling sessions with a local provider at no charge to the employee.
- **College Chaplain (clergy)** are available to both students and employees during regular college business hours for confidential consultation. Call 717.361.1260.

When they deem appropriate, Counselors and the Chaplin are encouraged to inform the persons they are counseling of procedures to report crimes on a voluntary, confidential basis; including using the options described below.

The College provides an anonymous, confidential reporting option through the EC Tipline. Community members can submit a report by phone at 855.696.1899, by website at https://secure.ethicspoint.com/domain/media/en/gui/68413/index.html or by sending a letter specifically addressed to ***The Network, Inc. c/o Elizabethtown***

College, 333 Research Court, Norcross GA. USA 30092. The tipline offers several different language selections with interpretation back to the reporter. In addition, with each complaint submitted by telephone or web intake, a reporter is given a code number. Reporters can use this code to retrieve status reports concerning on-going investigations into their complaint. While anonymous reporting is available through this service, the College's ability to investigate and appropriately address allegations of misconduct will be significantly limited.

The EC Tipline is a confidential toll-free and web-assisted reporting method for students and employees to report known or suspected misconduct or violations outside of current normal reporting procedures.

Anonymous reporting is optional for students and employees who do not want to provide personal information when filing a report through the EC Tipline. To ensure anonymity, the College has contracted with The Network, an outside service provider, to manage its compliance tipline. Upon receipt of a call, The Network forwards the information to the respective college staff members who will determine an appropriate response. Individuals may also choose to send a letter, anonymously if desired, specifically addressed to The Network as an alternative reporting option. At no time will the College or The Network agency try to determine who submitted information through the tipline.

The EC Tipline is another Elizabethtown College campus-wide commitment to proactively responding and addressing incidents of bias, discrimination, crime, misconduct, or violation of policy that impact our campus. Creating and maintaining an inclusive and ethical campus community requires the efforts of everyone on our campus. Regardless of when, where, and how such instances occur, students and employees have the EC Tipline available as a safe and secure process for reporting.

Students, faculty, and staff also have the option of submitting an anonymous report of a crime through the LiveSafe app.

When anonymous reports are received, either through a confidential reporting employee, through the EC Tipline, or through LiveSafe, that information, as necessary, will still be used in disclosure of crime statistics and in notifications to the campus community. In both situations, information that may identify the victim or reporting person will not be disclosed.

Timely Warning

Scope of a Timely Warning notification: A timely warning, via an email message titled "Timely Warning", is triggered when certain crimes have occurred (murder, rape, robbery, burglary, arson, aggravated assault, motor vehicle theft, hate crimes) and the circumstances particular to that incident represent a serious and continuing ongoing threat to the campus community. The timely warning is issued to aid in the prevention of similar crimes. As a timely warning is meant to increase awareness of criminal activity, the names of victims will not be disclosed in a Timely Warning notification.

The Clery Act specifies that "an institution that issues an emergency notification **(EC Alert)** is NOT required to issue a timely warning based on the same circumstance; however, the institution must provide adequate follow-up information to the campus community as needed."

Examples of a Timely Warning:

- Murder, rape, robbery, burglary, hate crimes, arson, motor vehicle theft, aggravated assaults and other violent crimes that impact people or assets (buildings, cars, personal possessions) where the perpetrator no longer remains at large and for which an immediate dangerous condition no longer exists for students or employees. (For example, the College notifies the community about a rash of motor vehicle thefts which occurred in the Brown Lot on the previous day.)

When will a Timely Warning be issued? A timely warning will be issued as soon as pertinent information is available.

How will a Timely Warning be issued? Timely Warnings will be sent via campus email.

Who will issue a Timely Warning? The Director of Campus Safety (in consultation with local law enforcement), Vice President and Dean of Students, and the Office of Marketing & Communications are responsible for determining if a timely warning is to be issued. **The College's Marketing and Communication office will issue all "Timely Warning" announcements to students, faculty, and staff**.

Tracking the Communication Process

The incident will be tracked, from initial reporting to full conclusion, inclusive of time-stamped phone calls and electronic communications to assess the timeliness of decision-making and communication for post-event evaluation.

Closing the Communication Loop

In both the EC Alert and Timely Warning scenarios outlined above, the College will issue a "wrap-up" communication which will serve to close the communication loop for each incident. The campus community deserves the reassurance that law enforcement, Campus Safety and/or community living have investigated and brought the incident to a satisfactory conclusion.

Emergency Notifications

EC Alert is Elizabethtown College's communications system for sharing important information about situations that affect the safety of our campus community. Typically, EC Alert messages will be delivered to campus community members as emails from the College's EC Alert mailbox.

EC Alert messages may be sent to campus e-mail addresses, external e-mail addresses, on- and off-campus telephones, and text-enabled devices. The phone calls will appear from 717.361.1988, which is the College's emergency hotline. Emails will come from either EC Alert or ecalert@etown.edu. Text messages will appear with a short code that is dependent on the last digit of the recipient's phone number. For more information on the short codes used by the EC Alert system, please visit https://www.etown.edu/offices/security/alert.aspx.

If you have any concerns about the validity of an EC Alert message, please call the College's emergency hotline at 717.361.1988 or visit this website, as the Emergency Management Group also will post emergency notices at these locations.

This contact information-students' mobile phone numbers and the contact information for their emergency contacts-will be collected through Jay Web during Preliminary Check-in, which is held in August and January of each year. Students are responsible for updating this contact information, through Jay Web, as necessary throughout the semester. The EC Alert system is tested once per semester. The date of the test will be announced in **Campus News.**

Scope of an ECALERT notification: An emergency notification will be issued in the event of a significant emergency or dangerous situation currently occurring on campus which poses an immediate threat to the health or safety of students or employees. The College is required to immediately notify the campus community in the event of such emergencies.

Examples:

- Outbreak of infectious diseases such as meningitis, norovirus or other serious illness
- Approaching tornadoes, hurricanes or other extreme weather conditions
- Earthquake
- Gas leak or chemical spill
- Terrorist incident
- Armed intruder/Active shooter
- Bomb threat
- Civil unrest, rioting or campus protest
- Explosion or campus-wide/residential fire
- Homicide/Rape/Sexual Assault/Assault-**when perpetrator is not apprehended**

When will an ECALERT be issued? All students, faculty, and staff of Elizabethtown College and their emergency contacts (parents and guardians) receive an emergency notification message without delay and immediately upon confirmation by Campus Safety, Elizabethtown Police, Elizabethtown Fire Department or other first responder agency that a dangerous situation or emergency exists or threatens. Upon confirmation, the agency making the confirmation will communicate their findings back to the Campus Safety Dispatch Center who will then initiate the emergency notification system.

When sending out an emergency notification, the College will do so without delay, and take into account the safety of the community, determine the content of the notification, and initiate the notification system, unless issuing a notification will, in the professional judgment of the responsible authorities, compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency.

How will an EC ALERT be issued?

- **EC Alert System**—use of message templates which are populated with incident-specific information. Email, text messages and voice mail messages (where appropriate) are automatically generated.
- Website Updates—information will be posted to the College's website
- Emergency Hotline Updates- information will be updated on the information hotline (717.361.1988)
- In addition to posting information on the College website, the Office of Marketing and Communications will get information out to the larger community, if necessary, by issuing press releases.

Who is responsible for sending an EC ALERT? The Emergency Management Group (EMG) of Elizabethtown College is responsible for developing the content of emergency notifications, and for determining the deployment of the EC Alert system for use in disseminating emergency notification/information to the appropriate segment of the population. Generally, the entire campus community will be alerted to an emergency on campus, whether it disrupts the entire college operation or a single building. EC Alerts are sent by either the Office of Marketing and Communications or Campus Safety at the direction of the President of the College, the Emergency Management Group Chair, or the Director of Campus Safety.

Emergency Management Group

The Emergency Management Group (EMG) is a committee comprised of several key stakeholders within the College and is responsible for overseeing the implementation of the Emergency Operations Plan (EOP). Wide-scale activation of the College plan is authorized to all members of the College Senior Leadership Team (SLT), but the Vice President for Student Life and Dean of Students will likely be the SLT member activating the plan. Once the EOP is activated, members of the Emergency Management Group, for the duration of the emergency, are temporarily relieved of normal, non-emergency related duties, to concentrate more fully on the emergency at hand.

The President of the College maintains executive control of the Emergency Action Plan, and authorizes the Chair of the EMG to be the Incident Commander (IC) for the Emergency Operations Center (EOC). The Chair of the EMG is the VPSL. In the absence of the VPSL, the VPO will Chair EMG and serve as IC of the EOC. Ground level operational implementation and direction of the plan is responsibility of the Vice President of Student Life and Dean of Students or designee and the other members of the Emergency Management Group. College personnel and equipment will be utilized to provide priority protection for life, preservation of property, and restoration of the academic and other programs of the College.

In conjunction with the EMG, the Incident Commander and additional governmental agencies having jurisdiction ensure that emergencies are dealt with within a proper, proportional and efficient manner. The EMG will make every effort to involve any outside agencies having jurisdiction to ensure that the interest of the authorities, the surrounding community and the college are addressed and in proper balance.

In general, the EMG directs all emergency related activities. The Incident Commander and governmental groups oversee the technical aspects of the response.

Responsibilities of the EMG include:

- Direct activities relating to the Emergency
- Communication
- Life Safety Issues
- Property Conservation Issues
- Community Outreach
- Recovery and Restoration Activities
- Administration and Logistics

Emergency Action Plan

Purpose of the Plan

The mission of Elizabethtown College relating to emergencies/disasters is to:

• Prevent emergencies and disasters
• Protect lives and property
• Mitigate the effects of a disaster
• Respond to emergencies promptly and properly
• Aid in recovery from disasters
• Plan for the continuity of operations after disasters

The purpose of the Elizabethtown College Emergency Operations Plan (EOP) is to provide information on how the College will respond to emergency incidents by outlining the responsibilities and duties of the College and its employees. Developing, maintaining, and exercising the plan empowers users of this plan to act quickly and knowledgeably. The plan educates members of the Emergency Management Group and other key stakeholders of their roles and responsibilities before, during, and after an incident. This plan provides the community with assurances that the College has established guidelines and procedures to effectively respond to incidents/hazards.

This plan partners with the Elizabethtown College Emergency Procedures Guide, a document published by the Emergency Management Group and available to all employees and students. The Emergency Procedures Guide educates community members how to respond in emergency situations based on presently available information and current Federal and State recommended protective actions.

Scope of Applicability (campus, facilities, departments, etc.)

This plan guides how the College will work in partnership with federal, regional, and local first responders in compliance with the National Incident Management System (NIMS). To this aim, this plan has been designed to ensure the College has fully incorporated NIMS compliance into its daily and event management processes.

The College EOP provides guidelines and procedures for dealing with existing and potential College incidents. The basic plan and the functional and hazard-specific annexes outline an organized, systematic method to mitigate, prevent, prepare for, respond to, and recover from incidents. The plan discusses the expectations of community members; roles and responsibilities; direction and control systems; internal and external communications; training and sustainability; authority and references as defined by local, state, and federal government mandates; common and specialized procedures; and specific hazard vulnerabilities and responses/recovery.

Guiding Principles

- The College has developed this plan striving to comply with FEMA, "Developing and Maintaining Emergency Operations Plans: Comprehensive Preparedness Guide (CPG) 101."
- The College has likewise developed this plan striving to be consistent with the Readiness and Emergency Management for Colleges (REMS) Technical Assistance Center: "Guide for Developing High-Quality Emergency Operations Plans for K-12 Colleges."
- Per Commonwealth law, the College has developed this plan striving to comply with the Pennsylvania Emergency Management Agency "Multi-Hazard Planning Toolkit."
- The College emergency operations program will follow the National Incident Management System (NIMS) guidelines.

It is the understanding of the College that no guarantee is implied by this plan of an ideal emergency response and incident management system. As personnel and resources may be overwhelmed, the College can only endeavor to make every reasonable effort to manage the situation with available resources and information.

National Incident Management System (NIMS)

NIMS is a set of principles that provides a systematic, proactive approach guiding government agencies, nongovernmental organizations, and the private sector to work seamlessly to prevent, protect against, respond to, recover from, and mitigate the effects of incidents, regardless of cause, size, location, or complexity, to reduce the loss of life or property and harm to the environment. This system ensures that those involved in incidents understand their roles and have the tools they need to be effective.

As part of its NIMS implementation, the College participates in the local government's NIMS preparedness program to remain NIMS compliant. The College also believes NIMS preparedness is essential to ensure that response/recovery services are delivered to Colleges in a timely and effective manner. NIMS compliance for College includes completing the following:

- The College adopts the use of the Incident Command System (ICS).
- All employees anticipated to assume ICS command and emergency response team roles will complete ICS-100 Introduction to Incident Command System: An Introduction" at the convenience of the College. The Chair of EMG will track completion.
- Student support employees will receive ICS overview training at the convenience of the College.
- Participate in local government's NIMS preparedness program and incorporate the College EOP into the Lancaster County and municipal EOPs.
- All employees and students are expected to participate in training and exercising the College's emergency operations plan and its annexes. The College is charged with ensuring that the training and equipment necessary for an appropriate response/recovery operation are in place.

The College considers the following as high-priority hazards (alphabetical):

- Armed intruder
- Bomb Threat or Suspicious Package
- Building System Failure
- Civil Disturbance
- Criminal Activity
- Cyber Attack
- Dam Failure
- Fire/Explosion
- Hazardous Materials
- Infectious Disease/Pandemic
- Severe Weather
- Student or Employee Death
- Transportation Accident
- Utility Failure

The plan is consistent with established practices relating to emergency response actions, incorporating the National Incident Management System (NIMS) to facilitate interagency coordination among the responding agencies. The College will cooperate with federal, state and local emergency management agencies and other responders in the development, implementation and execution of its emergency action plan.

In conjunction with this plan, students and employees have access to a copy of the Elizabethtown College Campus Emergency Procedures Guide to follow during an emergency. The guide is available for viewing online at http://www.etown.edu/offices/security/EMG-Campus-Emergency-Procedures-Guide.pdf or by viewing the Emergency Procedures section of the LiveSafe App. On an annual basis, these emergency procedures are publicized via broadcast email to students and employees.

Incident Preparedness Drills and Table-Top Exercises

Emergency Management Group members undergo training plus two tests (one table-top, one functional exercise) on an annual basis to ensure the plan is properly followed. Tests may include drills and exercises related to the activation of the EC Alert system, coordination with other first responders, and addressing evacuation of the campus. Tests are usually held once a semester and developed by the Director of Campus Safety and the Chair of the Emergency Management Group. Members of the Emergency Management Group participate in these bi-annual tests. The Chair of the EMG, or the Director of Campus Safety, is responsible for documenting details of the test, including a brief description, the date and time of the exercise, and whether it was announced or unannounced. The tests are then evaluated and assessed to address appropriate follow- through activities during the next regular EMG meeting, which occurs monthly. In conjunction with the test, the campus community is given annual notice, via email, of information related to emergency procedures to include evacuation procedures.

Security Awareness and Crime Prevention Programs

Elizabethtown College sponsors a variety of educational programs that seek to raise awareness of personal safety and crime prevention strategies.

- **Blue Jay Community Talks** Designed to introduce students to community standards, with a focus on responsible alcohol decisions and bystander intervention. The Blue Jay Community Talks program is offered to all first-year students during Orientation.

- **Bystander Intervention Programming** Designed to introduce students to reporting procedures, discussions on consent, bystander intervention techniques and risk reduction strategies that is offered to all first-year students during Orientation.
- **Drug & Alcohol Abuse Awareness** These programs address risks associated with the use of alcohol and other drugs. All first-year students are required to complete Alcohol EDU, an online educational module offered by Vector Solutions. This module contains two parts. The first module must be completed prior to the student's arrival on-campus, and the second occurs within six weeks of arrival. The program utilizes self-reported data to provide feedback about safe and healthy habits related to alcohol and other drug use. BASICS (substance abuse screening tools) is offered as needed. Students also have access to an AOD counselor in Counseling Services. Students may engage with this individual independently or may be sanctioned for an AOD assessment through the student conduct process.
- **Sexual Assault Prevention (Vector)** All new students are required to complete "Sexual Assault Prevention for New Students", an online educational module offered by Vector, prior to their arrival as part of the student onboarding process. All returning students are required to complete "Sexual Assault Prevention-Ongoing" within the first two months of the fall or spring semester, depending on the student's enrollment.
- **Hazing Awareness –** As of fall 2024, all students are offered hazing awareness training through Vector solutions. Participation is tracked. The College also offers campaign and awareness programming, such as Jays Don't Haze, a campaign targeting all students occurring in the fall semester.
- **First Aid/CPR/AED Classes** CPR Training is sponsored at the Bowers Center by the Assistant Director of Health Promotion.
- **Campus Security Authority Training –** Campus Security Authority Training is provided online via Canvas to student leaders and all employees identified as Campus Security Authorities.

Safety Tips

There are several simple and effective actions that everyone can take to minimize their risk of becoming a victim. These include:

- Keep doors locked, even if leaving for only a short period of time.
- Do not leave property unattended.
- Don't leave valuables in plain sight in your vehicle. Store them in the trunk or other compartment.
- Avoid walking in dark or poorly lit areas.
- Have keys ready when approaching residence or vehicle.
- If you believe you are being followed, call Campus Safety on 717.361.1111, use a Blue Light emergency phone, or contact Campus Safety through the LiveSafe App.
- Have a plan with friends before going out to parties and events.
- Use the Safe Walk feature of LiveSafe to virtually escort friends and roommates.
- Always be aware of your surroundings and follow your instincts.

Members of the Elizabethtown College campus community are encouraged to be responsible for their own personal safety and security, and to be mindful and attentive to the safety and security of other members of the community. At new student orientation, students are provided with information related to personal safety, sexual misconduct, and fire safety. Members of Campus Safety conduct crime prevention and general security and safety awareness presentations when requested.

Prevention Of Sexual Assault, Dating Violence, Domestic Violence, And Stalking

Prevention of the conduct prohibited by the Elizabethtown College Sexual Misconduct Policy requires commitment from all members of the campus community to foster and maintain an optimal environment for learning and development.

Elizabethtown College, the Division of Student Life and the Office of Human Resources promote a campus climate in which individuals will use their best judgment to assist with situations if it is safe to do so. It is our goal to create a caring and responsible community. To assist in supporting this type of community, the following suggestions are provided.

- Educate yourself about the definition of Consent. Be *certain* you have consent before engaging in any sexual behavior with another individual, every act, every time.
- Active bystanders are those who address biased and/or sexist attitudes and beliefs to challenge behaviors that support sexual violence. The College supports active bystanders.
- Avoid being a passive bystander in situations which could potentially evolve into sexual misconduct. Pay attention to the verbal and non-verbal signals of those around you and intervene in situations where a friend or acquaintance may be at risk for assault.
- Simply checking in with someone can interrupt the potential for something bad happening. Ask yourself, "If I were in this situation, would I want someone to help me?"
- Encourage your friends to show respect for others by respecting their boundaries, physical and otherwise. This includes a personal decision to be alcohol-or drug-free.
- Know that if a person is drunk to the point of incapacitation, the individual cannot consent to sex.
- Keep campus emergency numbers in your cell phone, tablet, or other device and call for help.
- Make a report of the incident by contacting Campus Safety or using the online incident report form, the EC Tipline, available on the Campus Safety homepage.

Sexual Misconduct Training and Prevention Programming

In an effort to reduce the risk of gender-based discrimination and sexual misconduct occurring among its students, Elizabethtown College utilizes a range of campaigns, strategies and initiatives to provide awareness, educational, risk reduction and prevention programming.

It is the policy of the College to offer programming to prevent domestic violence, dating violence, sexual assault (including stranger and known offender assaults) and stalking each year. The specific prohibited conduct includes:

Dating Violence – (as defined in the Violence Against Women Act (VAWA) amendments to the Clery Act) includes any violence committed by a person: (A) who is or has been in a social relationship of a romantic or intimate nature with the Complainant; and (B) where the existence of such a relationship shall be determined based on a consideration of the following factors: (i) the length of the relationship; (ii) the type of relationship; and (iii) the frequency of interaction between the persons involved in the relationship. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of Domestic Violence. Dating Violence is categorized as Regulatory when it occurs in the United States, within an Education Program or Activity and when the Complainant is participating or seeking to participate in an Education Program or Activity at the time of the filing of the complaint. Otherwise, Dating Violence will be categorized as Non-Regulatory.

Domestic Violence – (as defined in the VAWA amendments to the Clery Act), includes any violence 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, by a person who is cohabitating with or has cohabitated with the Complainant as a spouse or intimate partner, by a person similarly situated to a spouse of the Complainant under Pennsylvania's domestic or family violence laws 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 Pennsylvania.

Domestic Violence is categorized as Regulatory when it occurs in the United States, within an Education Program or Activity and when the Complainant is participating or seeking to participate in an Education Program or Activity at the time of the filing of the complaint. Otherwise, Domestic Violence will be categorized as Non-Regulatory.

Retaliation – Any action, directly or through others, which is aimed to deter a reasonable person from reporting sexual misconduct or participating in an investigation or hearing or action that is done in response to such activities. This includes but is not limited to intimidation, threats, coercion, or discrimination against any individual (A) for the purpose of interfering with any right or privilege secured by Title IX of the Education Amendments of 1972 or its implementing regulations; or (B) 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. A finding of retaliation under this Policy is not dependent on a finding that the underlying sexual misconduct occurred.

Sexual Assault: Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent. Sexual assault can occur between individuals of the same or different sexes and/or genders. This includes the following:
Sexual Assault (Sex Offenses): Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent. Sexual assault can occur between individuals of the same or different sexes and/or genders. This includes the following:

- **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, or by a sex-related object. This definition also includes instances in which the victim is incapable of giving consent because of temporary or permanent mental or physical incapacity (including due to the influence of drugs or alcohol) or because of age. Physical resistance is not required on the part of the victim to demonstrate lack of consent;
- **Criminal Sexual Contact:** The intentional touching of the clothed or unclothed body parts without consent of the victim for the purpose of sexual degradation, sexual gratification, or sexual humiliation. Includes forced touching of the victim by the actor, as well as instances where the victim is incapable of giving consent because of age or incapacity. Includes over or under clothing contact when done for sexual purposes;
- **Incest:** Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law; or
- **Statutory Rape:** Sexual intercourse with a person who is under the statutory age of consent.

Sexual Assault is categorized as **Regulatory** when it occurs in the United States, within an Education Program or Activity and when the Complainant is participating or seeking to participate in an Education Program or Activity at the time of the filing of the complaint. Otherwise, Sexual Assault will be categorized as **Non-Regulatory**.

Sexual Exploitation – Engaging in sexual behaviors directed toward or involving another person or use of another person's sexuality for purposes of sexual gratification, financial gain, personal gain or personal advantage when Consent is not present. This includes, but is not limited to, the following actions, including when they are done via electronic means, methods or devices:

- Sexual voyeurism or permitting others to witness or observe the sexual or intimate activity of another person without that person's Consent;
- Indecent exposure or inducing others to expose private or intimate parts of the body when Consent is not present;
- Recording or distributing information, images or recordings of any person engaged in sexual or intimate activity in a private space without that person's Consent;
- Prostituting another individual; or
- Knowingly exposing another individual to a sexually transmitted disease or virus without that individual's knowledge. Knowingly exposing another individual to a sexually transmitted disease, sexually transmitted infection, or any other communicable disease or virus, without that

individual's knowledge and consent, is prohibited. Such conduct may also be considered the deliberate use of a communicable disease as a weapon; and

- Inducing incapacitation for the purpose of making another person vulnerable to non-consensual sexual activity.

Regulatory Prohibited Conduct – For purposes of this Policy, the term includes the defined violations of Regulatory Quid Pro Quo, Regulatory Hostile Environment Sexual Harassment, Regulatory Dating Violence, Regulatory Domestic Violence, Regulatory Sexual Assault and Regulatory Stalking.

Regulatory Quid Pro Quo Sexual Harassment - An Employee conditioning the provision of aid, benefit or service of the College on an individual's participation in unwelcome sexual conduct.

Non-Regulatory Quid Pro Quo Sexual Harassment - An Official, Volunteer or Student conditioning the provision of aid, benefit or service of the College on the individual's participation in unwelcome sexual conduct.

Regulatory Hostile Environment Sexual Harassment - Unwelcome conduct, on the basis of sex, that a reasonable person would determine is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the College's Education Program or Activity.

Non-Regulatory Hostile Environment Sexual Harassment - Unwelcome conduct, based on sex, that a reasonable person would determine is sufficiently severe, pervasive, and objectively offensive that it unreasonably interferes with, limits, or deprives an individual from participating in or benefitting from any educational, employment, social or residential program offered in connection with the College.

Stalking – (as defined in the VAWA amendments to the Clery Act) means engaging in a course of conduct directed at a specific person that would cause a reasonable person to—

a. fear for their safety or the safety of others; or
b. suffers substantial emotional distress.

A course of conduct is when a person engages in two or more acts that include, but are not limited to, acts in which the person directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveys, threatens, or communicates to or about a person in a prohibited way, or interferes with a person's property.
Stalking includes the concept of cyberstalking, in which electronic media such as the Internet, social networks, blogs, cell phones, texts, email or other similar devices or forms of contact are used to pursue, harass, or to make unwelcome contact with another person in an unsolicited fashion.
Stalking is categorized as Regulatory when it occurs in the United States, within an Education Program or Activity and when the Complainant is participating or seeking to participate in an Education Program or Activity at the time of the filing of the complaint. Otherwise, Stalking will be categorized as Non-Regulatory.

Consent
Affirmative Consent is a knowing, voluntary, and mutual decision among all participants to engage in sexual activity. Consent can be given by words or actions, as long as those words or actions create clear permission regarding willingness to engage in the sexual activity. Silence or lack of resistance, in and of itself, does not demonstrate Consent. The definition of Consent does not vary based upon a participant's sex, sexual orientation, gender identity, or gender expression.

1. Consent to any sexual act or prior consensual sexual activity between or with any Party does not necessarily constitute Consent to any other sexual act.
2. Consent may be initially given but withdrawn at any time.
3. Consent is not present when an individual is incapacitated due to alcohol, drugs, or sleep, or otherwise without capacity to provide Consent due to intellectual or other disability or other condition. When alcohol is involved, incapacitation is a state beyond drunkenness or intoxication. When drug use is involved, incapacitation is a state beyond

being under the influence of or impaired by the use of the drug. Alcohol and other drugs impact each individual differently. Determining whether an individual is incapacitated requires an individualized determination. When determining whether a person has the capacity to provide Consent, the College will consider whether a sober, reasonable person in the same position knew or should have known that the other party could or could not consent to the sexual activity. Consent is required regardless of whether the person initiating the act is under the influence of drugs and/or alcohol.

- Consent cannot be given when it is the result of any coercion, intimidation, force, or threat of harm.
- When Consent is withdrawn or can no longer be given, Consent is not present and sexual activity must stop.

Educational programs are offered to raise awareness for all students and employees and are often conducted during new student and new employee orientation and throughout an incoming student's first semester.

Employees are required to complete online training once per year through United Educators entitle "Preventing Sexual Violence Together". First year students are required to complete "Sexual Assault Prevention" course for new students offered through Vector and returning and graduate students complete "Sexual Assault Prevention – Ongoing" offered through Vector. Student Athletes complete additional training in sexual misconduct prevention in accordance with NCAA compliance.

These programs and others offered throughout the year include strong messages regarding not just awareness, but also primary prevention (including normative messaging, environmental management and bystander intervention), and discuss institutional policies on gender-based discrimination and sexual misconduct as well as the definitions of domestic violence, dating violence, sexual assault, stalking and consent in reference to sexual activity. Bystander engagement is encouraged through safe and positive intervention techniques and by empowering third-party intervention and prevention such as calling for help, using intervention-based apps, identifying allies and/or creating distractions. Information on procedures Etown follows when a crime is reported and rights throughout the process is included in prevention programming.

Programs also offer information on risk reduction that strives to empower victims, how to recognize warning signals and how to avoid potential attacks, doing so without victim-blaming approaches. Throughout the year, ongoing awareness and prevention campaigns are directed to students, faculty and staff, often taking the form of campaigns, guest speakers, events, and programs sponsored by student clubs and organizations.

Some examples of our programming efforts include:

- Pre-Orientation Prevention modules: Prior to arriving for orientation, all first-year students and transfer students must complete online modules offered by Vector related to alcohol use and sexual misconduct.
- Silent Witness display (http://www.silentwitness.net/) held during Domestic Violence Awareness Month in October, encourages members of the campus community to honor lives lost due to domestic violence, promote awareness, provide education about healthy versus unhealthy relationships and share both campus and local resources for individuals seeking assistance.
- **"It's On Us"** pledge promotion: Encourages students and employees to take the "It's on Us" pledge to be an active bystander and end violence against women. In addition, "It's On Us" is an active student club on campus advocating for consent, and an end of domestic/sexual violence by providing awareness/education with regular events on campus. The club's advisors are part of the Title IX Office.
- Active Bystander workshops, which teach students and employees techniques and strategies to safely and effectively intervene in situations related to interpersonal violence, harassment, or bullying.
- Examples of prevention items posted in residence halls and around campus are included in appendix A of this document.

These programs are available for students, faculty, and staff members of Elizabethtown College. This is not an exhaustive list, but a sample of educational program topics. For more information about educational programming, please contact the Civil Rights and Title IX Coordinator.

Violence Prevention

Elizabethtown College provides a variety of ways for students, faculty and staff to pass on information about a person who they are concerned, may be on a path toward violence so that a prompt safety assessment and response will occur. Below is a list of support resources available to assist students at Elizabethtown College who are experiencing behavioral and/or personal concerns in either a crisis or a non-crisis situation. Assisting students in non-crisis situations can help prevent the potential for violence from developing.

Resources

Campus Safety

Call the 717.361.1111 crisis number (24/7) or the 717.361.1264 non-crisis number, or use the LiveSafe app, to pass on concerns and elicit an immediate safety response from Campus Safety. As indicated, Campus Safety will collaborate with Student Life offices such as Community Living and Counseling Services to facilitate a safety assessment and response. When indicated, Campus Safety will collaborate with community organizations such as the Elizabethtown Police.

Counseling Services

If a student is in an **EMERGENCY** state where they might harm themselves or others, then you need to talk to someone NOW. Call one of these numbers:

1. **Counseling Services**: 717.361.1405, BSC 216 (Monday through Friday 8:30 am to 5:00 pm, we will respond as needed to a crisis)
2. **Campus Safety**: 717.361.1111 (24/7 number) (You can reach the On-Call Counselor after hours)
3. National Suicide Prevention Lifeline – 1.800.273.TALK (1.800.273.8255) (24/7 number)
4. National Crisis Text Line by texting HOME to 741-741 (24/7 number)

All mental health issues are important, and students deserve help and support no matter the urgency. If the student is having trouble but it is **not an immediate emergency**:

- A student can call **Counseling Services** at 717.361.1405, or stop by our office in BSC 216, to make an appointment with one of our licensed Counselors or access our urgent walk-in services. Feel free to visit the Counseling Services web site for additional information about our services and programs: https://www.etown.edu/offices/counseling/index.aspx

- Faculty and staff members can pass on information about a student they are concerned about, or request consultation about how to assist a student, by contacting Counseling Services staff at 717.361.1405, or stopping by our office in BSC 216.

Campus Wellness Network

If a student is not in immediate danger, faculty, staff and fellow students can pass on the name of a student they are concerned about to a member of the Campus Wellness Network. A faculty or staff committee member from the Campus Wellness Network will discreetly check in with the student. Visit the Campus Wellness web site for additional information: https://www.etown.edu/offices/counseling/campus-wellness-network.aspx

Emergency Procedures Guide

In addition to the crisis response resources described above, the **Emergency Procedures Guide** describes a variety of Emergency Response Protocols for students, faculty, and staff at Elizabethtown College. This can be found on the Campus Safety Website.

Student Health Services

Penn Medicine
530 East Cedar Street
Elizabethtown, PA 17022
(Building across from Ober Residence Hall)

https://www.etown.edu/offices/health/index.aspx

Title IX

The Title IX office is responsible for providing resources and assistance to students who have experienced sexual assault or discrimination, as well as investigating reports of bias, assault, and harassment. Please contact:

Gabrielle Reed
Civil Rights and Civil Rights and Title IX Coordinator
BSC Room 210
Elizabethtown College
Phone: 717.361.3727
Email: reedg@etown.edu
Web site: https://www.etown.edu/offices/titleix/index.aspx

Student Life Offices

The offices within the Division of Student Life Offices at Elizabethtown College provide a variety of services and programs to assist students https://www.etown.edu/offices/student-life/

WellSpan Employee Assistance Program

For faculty and staff members who are interested in assistance regarding personal concerns, please contact the Well*Span* Employee Assistance Program. Click here to access the portal. Here is a list of providers. When you contact WellSpan you just need to let them know you are an employee at Elizabethtown College. The first three visits are at no cost to you. Future visits will be coordinated with your insurance.

Daily Crime and Fire Log

Campus Safety maintains a combined Daily Crime Log and Fire Log of all incidents reported to Campus Safety. The logs include all crimes that occur on campus, including non-campus buildings or properties, on public property or within the college's jurisdiction of crimes reported to Campus Safety by area police. The Daily Crime and Fire Log includes the date and time the report was received, the date and time the incident occurred, the nature of the offense, the location of the offense and the disposition. In order to protect the confidentiality of victims, the Daily Crime and Fire Log will not contain any information that may disclose the identity of a crime victim. The Daily Crime and Fire Log, in accordance with Pennsylvania state law, will disclose the name and address of anyone who is arrested as a result of the reported offense. The Daily Crime and Fire Log also discloses information related to any fire that occurs in an on-campus student housing facility and includes the date the fire was reported, the nature of the fire, the date and time of the fire, and the general location of the fire. The log can be viewed by visiting the Campus Safety Office during regular business hours (8AM – 5PM Monday through Friday, except Holidays) at 605 South Mount Joy Street.

Alcohol And Drug Policy

College regulations governing the use of alcohol and other drugs are designed to support the personal health and safety of each member of the Elizabethtown College community. In addition, College policies and procedures are intended to foster an environment that promotes sound judgment, respect for the rights of others, and acceptance of personal responsibility for one's behavior. College policy is aligned with the laws of the Commonwealth of Pennsylvania regarding alcohol and other drugs and includes regulations above and beyond the law to promote a healthy College community. It is the duty of all students to conduct themselves in a manner consistent with College regulations and to help others do the

same. In all instances, students are considered fully responsible for their own actions and personal well-being. Students also are encouraged to be mindful of the well-being of others. Any behavior which puts health or safety at risk, is complicit in such behavior, or which infringes on the rights of others will be referred for resolution through the Student Conduct Process.

The College recognizes that the decision to consume or not consume alcohol or other drugs is made by the individual in accordance with the individual's personal beliefs. Further, the College encourages all students to carefully consider the potential dangers of alcohol or other drug use and reminds students they are responsible for abiding by all state laws and institutional polices.

Alleged violations of the AOD Policy are enforced by Campus Safety and the Office of Residence Life, resolved through the student conduct process and may be referred to local law enforcement.

The following regulations apply:

1. No one under the age of 21 is permitted to possess or consume alcohol anywhere on or off the Elizabethtown College campus.
2. Individuals 21 years of age or older may possess alcohol for their personal use. The maximum quantity allowed per occupant of legal drinking age is not more than:
    - One six-pack (of 12oz containers) of beer
    - OR 750 ml of wine
    - OR 1 pint of distilled alcohol or other alcohol (this includes pre-mixed cocktails)
3. Students assigned to an independent living unit (College owned houses, Quad Apartments, Hackman Apartment or Brinser suites) who are all 21 years old or older may possess a maximum of thirty (30) 12 oz containers of beer as opposed to the standard limit of twenty-four (maximum limit applies to the living unit as a whole). This amount only applies to residents of a unit and not their guests.
4. Under no circumstance is a person of legal age permitted to provide alcohol to a person under the age of 21.
5. Any student, regardless of age, who is present where an alcohol and/or drug violation occurs, may be considered equally responsible or complicit to policy violations.
6. Kegs of any size, beer balls, or other containers of large quantity, whether empty, partially or filled, are strictly prohibited on campus, or off campus when representing the College at any event, either as a participant or as a spectator.
7. Containers (mugs, glasses, shot glasses) that are considered decorative should be free of alcohol, clean and dry. The following items are permitted for decorative use in any student room:
    - Decorative beer glasses/mugs/growlers
    - Decorative shot glasses

   Paraphernalia that is **not** permitted includes but is not limited to, the following:

    - Partially filled alcohol containers or empty alcohol containers (for those under 21 years of age)
    - Funnels
    - Keg taps
    - Kegerators
    - Beer/water pong tables
    - Any items that are, in the college's estimation, associated with drinking games
    - Any items related to abuse/misuse of other substances

9. Participation in any behavior designed for the rapid consumption of alcohol (funnels, keg stands, drinking games, etc.)
10. Sale of alcoholic beverages (including door cover charge and sale of cups) is prohibited.
11. Use or possession of distilling, winemaking or brew kits is prohibited.
12. Public drunkenness is prohibited (See Alcohol Emergencies).
13. Driving under the influence of alcohol or other drugs is prohibited.
14. The abuse of alcohol, drugs or other substances by individuals of any age will not be tolerated.
15. Emergency medical response to any alcohol or other drug related emergency will be at the student's expense.
16. No alcohol may be consumed or distributed in any common area on Campus unless permitted by the College via written permission from the Vice President for Student Life and Dean of Students or their designee. Common areas are defined as indoor or outdoor spaces used by the residential community. These include but are not limited to lounges, hallways, parking lots and athletic facilities. In some instances, private spaces such as residence hall rooms may become common or public by action of occupants, e.g., when a social gathering expands into a hallway or lounge, etc.
17. Any student who is a resident of an independent living unit and has a social gathering at which alcohol is present is considered a host. Hosts are expected to register non-student guests, monitor activities within the living unit to ensure that no violations of college policy are occurring, and ensure that individuals under the legal drinking age are not present. Hosts of private social gatherings held off campus are responsible for insuring adherence to alcohol and drug laws and Standards of Conduct.

Drug-related Prohibited Behavior

18. Actual or intended use, purchase, possession, cultivation, manufacture, sale, or distribution of marijuana, synthetic marijuana such as K-2 or Spice, THC concentrates, bath salts, cocaine, heroin and other narcotics, or other controlled substances except as expressly permitted by law is prohibited. This includes designer drugs and edibles containing marijuana, synthetic marijuana, or other drugs. This prohibition pertains to any of the abovementioned substances which may be made legal by Commonwealth Law but remain as a Schedule I or II controlled substance. While a student may retain a medical marijuana card, they are still restricted from possessing or consuming marijuana on campus.
19. Students may not be present where drugs are being used or distributed.
20. Distribution, sale or sharing of prescription medication is prohibited. Students should keep prescription medication in its original, labeled container and store it in a secure location. Report any stolen prescription medication to Campus Safety immediately. Students should keep over-the-counter medication in original packaging to guard against misuse.
21. All non-student guests are subject to this AOD Policy and other college policies and regulations. Student hosts will be held responsible for the behavior of their guests (see Guest and Visitor Policy).
22. No student, regardless of age, may possess or consume alcohol or other drugs while representing the College on a College-sponsored trip, event, or other activity, including athletic events, whether on or off-campus, unless expressly permitted by the Vice President for Student Life and Dean of Students or designee or Dean of the Faculty.

AMENSTY PROVISION

Elizabethtown College is concerned about the health and safety of its students. This provision is designed to encourage responsible engagement on the part of any student involved in or aware of any health or safety emergency including, but not limited to, alcohol or other drugs, physical violence, sexual assault or mental health. The College recognizes student reluctance to report such emergencies in light of consequences specified in the Student Code of Conduct. However, Elizabethtown College is committed to reducing perceived barriers to effective reporting and response to life-threatening emergencies.

Take immediate action if you are aware of any health or safety emergency. You (and the person needing assistance) will not be subject to the student conduct process if you call on behalf of another student, friend or guest, and follow the guidelines of the Amnesty Provision listed below. The critical concern for you and others involved is to seek immediate help from a qualified professional.

In the event of any health or safety emergency, students should activate the Amnesty response by:

1. Calling Campus Safety 717.361.1111 or 911.
2. Remaining with the individual(s) experiencing the emergency.
3. Participating in the emergency response by providing medical team or Campus Safety with all information essential for effective and timely intervention.



Amnesty may not apply to other violations of college policy associated with the incident. For example, if the College has evidence of related physical or sexual violence, possession of "date-rape" drugs that induce incapacitation, hazing, or drug offenses beyond mere possession, Amnesty may not apply. The College reserves the right to review the incident if the student has activated Amnesty more than once.

Students who experience a personal health or safety emergency that results in being transported to the hospital are required to meet with the Associate Dean of Students for Counseling and Health Needs for assistance in connecting with support resources. In some situations, other student(s) involved may be contacted by the Vice President for Student Life and Dean of Students or designee.

Any individuals who believe they have been sexually assaulted after consuming alcohol or other drugs and those who are witness to this type of assault are strongly encouraged to come forward without fear of college disciplinary action.

In all cases, the Vice President for Student Life and Dean of Students or designee will determine the applicability of Amnesty and may refer the incident to Student Rights and Responsibilities.

Relevant Alcohol and Other Drug Laws

Elizabethtown College and all members of its community are subject to the laws of the Commonwealth of Pennsylvania. With specific regard to alcohol, the following Commonwealth of Pennsylvania regulations apply:

1. The minimum legal age for purchase, attempted purchase, possession, consumption, or knowing or intentional transport of alcohol is 21 years.
2. It is illegal to misrepresent one's own age or the age of another person in order to purchase or otherwise obtain alcohol (e.g., possession or use of false ID, driver's license, verbal misrepresentation, etc.).

3. It is illegal to operate a vehicle while under the influence of alcohol. The blood alcohol content maximum in the Commonwealth is .08% for those 21 years of age or older, and .02% for those under 21 years of age.
4. It is illegal to sell, furnish or purchase with intent to sell or furnish any alcoholic beverages to a person who is under 21 years of age.
5. It is illegal to charge admission to an event to cover the cost of alcohol being served or to otherwise sell alcohol to others, regardless of age, without a state license. (Examples include selling cups, accepting donations upon entry, and so on.)
6. Public Drunkenness- It is illegal to appear in any public place manifestly under the influence of alcohol, to the degree that self, others or property may be endangered, or that the intoxicated person may annoy those within the vicinity.
7. The above list is representative, not exhaustive, of the relevant laws that currently exist. Penalties for violating these laws may include fines, loss of driving privileges, and incarceration. For more information on local, state and Federal laws, see the **Pennsylvania Liquor Control Board website.**

It is illegal in the Borough of Elizabethtown to consume, use or possess any open bottles, flasks, cups, or other containers of alcoholic beverages on any public street, sidewalk or parking lot. It is illegal for any person under the age of 21 to have alcohol in their system anyplace in the Borough. The Elizabethtown Police have the authority to use a breath test device to determine whether a person under the age of 21 has alcohol in their system, and refusal to agree to take the breath test may result in a citation. Any violation of these borough ordinances may result in fines of no less than $25 and no more than $600 plus costs, and failure to pay the given fines and costs may result in imprisonment for up to 30 days.

Ordinances may be updated and amended by Borough officials at any time. A copy of the current Borough Ordinances may be obtained upon request at the Borough Offices at 600 South Hanover Street, Elizabethtown, PA; or online by visiting www.etownonline.com.

It is a violation of federal law to possess, manufacture (this includes growing marijuana plants), or distribute a controlled substance. Defined by federal statute, controlled substances include, but are not limited to, marijuana (both natural and synthetic), cocaine, PCP, LSD, and other narcotics.

A student found guilty of possessing a controlled substance may be subject to some or all of the following sanctions under federal law:

- First conviction: Up to one year imprisonment and a fine of at least $1,000, or both.
- With one prior state or federal drug conviction: At least 15 days in prison, not to exceed two years and fined at least $2,500, or both.
- After two or more prior drug convictions: At least 90 days in prison, not to exceed three years, and/or a fine of at least $5,000 (21 U.S.C. § 844(a)).

Federal law may require the forfeiture of property used to possess or to facilitate possession of a controlled substance (21 U.S.C. § 881(a)), and the forfeiture of vehicles, boats, aircraft or any other conveyances used to transport or conceal a controlled substance (21 U.S.C. § 881(a)(4)). In addition, any individual who knowingly possesses a controlled substance may be assessed a civil fine of up to $10,000 (21 U.S.C. § 844a).

Penalties for the manufacture or sale of drugs are even more severe if the violation occurs within 500 feet of an educational institution, such as the College or other area schools.

Legal defense against drug charges, even without conviction, may cost many thousands of dollars.

Upon a drug conviction, the federal government may also deny or revoke federal benefits, such as student loans, grants, and contracts. Felony and (in some states) misdemeanor convictions on drug charges will make you ineligible for commercial and professional licenses, such as those required to practice medicine, law, psychology,

nursing, etc., for up to one year for first offense, and up to five years for second and subsequent offenses, (21 U.S.C. § 862(b)).

Intoxication from illicit drugs may impair your judgment and put you at greater risk of performing a negligent act (e.g., an automobile accident in which someone is injured) for which you could be sued. You may also risk being included in a lawsuit if you sell or provide drugs to another person who, after using them, goes on to perform a negligent action. The cost of legal defense, either for the actual drug charge or as a result of a lawsuit, along with possible fines or civil judgments, could cause considerable financial hardship for you and your family.

Complete text of Federal drug laws is available at the **Title 21 United States Code Controlled Substances Act**. The text of local ordinances is available at the Elizabethtown Borough Office, 600 South Hanover Street, Elizabethtown, PA.

Alcohol And Other Drug Education

The College takes seriously its responsibility to educate students regarding the effects, uses, and abuses of alcohol or other drugs. The College offers programs and services intended to help students and employees make healthy decisions. In addition, as part of the Drug Free Schools and Communities Act (DFSCA), the College regularly monitors the patterns of alcohol and other drug use to provide the community with accurate information. The Committee on Alcohol Regulations and Education is responsible for reviewing college AOD policy and statistics and utilizes the DFSCR checklist to complete a biennial report (even years). A copy of the Drug Free Schools and Communities Act Report can be obtained from the Office of Student Life. Students are encouraged to participate in educational programs facilitated by Student Wellness and the Office of Residence Life.

Educational programs include but are not limited to:

- Alcohol EDU by Vector - All first-year students are required to complete Alcohol EDU, an online educational module offered by Vector. This module contains two parts. The first module must be completed prior to the student's arrival on-campus, and the second occurs within six weeks of arrival. The program utilizes self-reported data to provide feedback about safe and healthy habits related to alcohol and other drug use.
- Student Wellness – Alcohol and other drug activities are provided throughout the year: National Collegiate Alcohol Awareness Week; Alcohol Awareness Month programming, Social Norming programs, Great American Smoke out, Blue Jays Flock Together, etc.
- BASICS – (Brief Alcohol Screening & Intervention of College Students) Students may choose to meet with a staff counselor to examine alcohol or other drug use in a judgment-free two-session process. Fee is waived if student voluntarily elects to participate.
- Alcohol/Drug Assessment with a college staff counselor which requires two sessions. The fee is waived if not a sanction.

Dispositions Of Disciplinary Proceedings

The Department of Campus Safety works collaboratively with the Student Conduct Office to uphold the Student Code of Conduct. College jurisdiction relative to the enforcement of the Student Code of Conduct includes behavior (1) that occurs on college premises, in online learning communities or other activities via college-owned networks/ servers, (2) that occurs at college-sponsored or college-supervised programs and events regardless of location, (3) that occurs off college premises when the behavior may adversely affect the Elizabethtown community or its reputation, including but not limited to violations of the Elizabethtown College Alcohol and other Drug Policy, or (4) which relates to any facet of the relationship between Elizabethtown College and the student.

The College may pursue disciplinary action against a student at the same time as the student is facing criminal charges even if the criminal prosecution is pending, has been dismissed, or the charges have been reduced. The Student Code of Conduct shall apply where conduct occurs before classes begin, during breaks and when student conduct is discovered after the degree is awarded.

The College may publicly release the name, nature of the violation and the sanction for any student who is found in violation of a college policy that is a "crime of violence," including: arson, burglary, robbery, criminal homicide, sex offenses (including rape, fondling, statutory rape, and incest), assault, destruction/damage/vandalism of property and kidnapping/abduction. Upon request, the College will release this information to the alleged victim, or next of kin if the victim is deceased, in any of these offenses regardless of the outcome.

Maintenance and Security of Campus Facilities

Facilities and landscaping are maintained in a manner that minimizes hazardous conditions. Campus Safety regularly patrols the campus and reports malfunctioning lights and other unsafe physical conditions to Facilities Management for correction. Members of the campus community are encouraged to report equipment problems to Campus Safety or Facilities Management by calling 717.361.1408 during normal business hours, 717.361.1264 after hours, submitting a workorder online, or submitting a tip using the LiveSafe app. Campus Safety regularly partners with the College's Safety Committee in conducting lighting and security audits of campus.

College Guests And Visitors

Students may request an overnight guest using Jayweb. The request must go through an approval process from Residence Life before their guest is approved to stay on Campus. This request must be submitted and approved in advance according to the Guest policy. All weekend requests must be submitted by COB on Thursday for the upcoming weekend.

Only faculty and staff are permitted to host visitors. Visitors to campus are permitted on campus from 7:00am to 7:00pm Monday through Friday.

Weapons, Explosive Devices, and Hazardous Materials

Elizabethtown College prohibits the use, possession or storage of weapons, firearms, and other dangerous articles or substances including any weapon prohibited by local, state or federal law. This restriction includes but is not limited to: use, possession, or storage of weapons, firearms, and other dangerous articles or substances including any weapon prohibited by local, state or federal law. This may include but is not limited to nerf/water guns, air rifles, BB or pellet guns, firearms, or items resembling a firearm regardless of color or type, and weapons including switchblade, spring action and/or other knives longer than 3" with the exception of kitchen knives, and swords (including ceremonial or decorative swords), ammunition and shell casings, gunpowder, fireworks, explosives, or other flammable substances. Any such articles or substances will be confiscated by Campus Safety.

Bias-Related Incident Policy

Information in this section is excerpted from the College's Civil Rights and Sexual Misconduct Policies and Procedures Handbook. The information listed below is not a complete restatement of those policies and procedures. Anyone requiring further information, especially about the resolution process, should consult the handbook found here: Civil Rights and Title IX Website.

Definitions of Bias Incident and Hate Crime

While many, if not most, bias incidents rise to the level of a violation of the Discrimination Policy or the Bias-Related Harassment Policy, the presence of a violation is not necessary for an occurrence to be

considered a Bias-Related Incident. An offender may not be a student, may not be identified, may not be found responsible, etc. It is no less important to recognize, report, investigate and reconcile such incidents.

Incidents motivated by bias generally fall into two categories; Bias Incidents and Hate Crimes.
Bias Incident*:* any deliberate act committed against a person or property, not rising to the level of a crime, motivated by the offender's conscious or unconscious bias against a person or group's perceived race, color, religion, national or ethnic origin, ancestry, age, disability, gender identity or expression, sexual orientation, veteran or military status, pregnancy or pregnancy-related conditions, or any other legally protected status.

Hate Crime*:* In Pennsylvania, hate crime is defined as a criminal act motivated by ill will or hatred towards a victim's race, color, religion or national origin. In Pennsylvania, hate crimes are termed **Ethnic Intimidation** and the offense is set forth in the crimes code, Title 18, Section 2710. When certain criminal offenses are committed with the motive of hate, the crime of ethnic intimidation can also be charged. Generally, the types of offenses to which ethnic intimidation can be added are called underlying offenses. These underlying offenses involve danger or harm to you and/or your property.

- In Pennsylvania, a person commits ethnic intimidation if he or she is motivated by hatred toward the race, color, religion or national origin of another individual or group of individuals while committing certain crimes.
- If the suspect is in the process of committing another crime, and calls the victim by a derogatory name, it does not automatically mean that ethnic intimidation has taken place.
- If the suspect uses insulting or derogatory words but does not place another person in a reasonable fear of harm to their person or property, this is not ethnic intimidation.

If the incident is not found to be a crime – ethnic intimidation or any other type of crime - there is often not much enforcement action police can take. PHRC (Pennsylvania Human Relations Commission) does keep statistics on bias incidents and encourages the reporting of every incident of this type.

Information provided above in the Hate Crime Section is taken from:
https://www.phrc.pa.gov/Resources/Pages/HateCrime.aspx
https://www.attorneygeneral.gov/protect-yourself/civil-rights/hate-crime/

Elizabethtown College will report any known incidents categorized as a Hate Crime to the appropriate law enforcement agency in accordance with the Clery Act and will follow standard College procedures outlined in the Code of Conduct whenever possible.

Prohibited Conduct – Definitions

This policy prohibits the following forms of misconduct, and considers them violations of the Code of Conduct:
Discrimination*:* Treating a person differently, excluding a person, and/or denying a person benefit based on their actual or perceived race, color, religion, national or ethnic origin, ancestry, age, disability, gender identity or expression, sexual orientation, veteran or military status, pregnancy or pregnancy-related conditions, or any other legally protected status.

Disparate Treatment Discrimination*:* Intentional differential treatment based on their actual or perceived race, color, religion, national or ethnic origin, ancestry, age, disability, gender identity or expression, sexual orientation, veteran or military status, pregnancy or pregnancy-related conditions, or any other legally protected status.

Bias-Related Harassment*:* Any unwelcome verbal or physical conduct directed against a person that occurs as a result of their actual or perceived race, color, religion, national or ethnic origin, ancestry, age, disability, gender identity or expression, sexual orientation, veteran or military status, pregnancy or pregnancy-related conditions, or any other legally protected status. The behavior must be sufficiently severe, persistent, or pervasive that it unreasonably interferes with, denies, or limits someone's ability to participate in or benefit from the College's education program, employment, and/or activities, and/or results in the creation of a hostile educational or work environment. Bias-related retaliation would also be considered a form of Bias-Related Harassment.

> Harassment may include but is not limited to: to hazing, bullying, verbal abuse, assault epithets, slurs, stereotyping, threatening, intimidating, hostile acts (even if claimed to be "jokes" or "pranks"). These acts may be written, graphic, electronic, verbal, physical, etc.

Other Policy Violations Aggravated by Bias*:* Any violation outlined in the Code of Conduct committed against a person or property that is aggravated by the offender's bias against perceived or actual race, color, religion, national or ethnic origin, ancestry, age, disability, gender identity or expression, sexual orientation, veteran or military status, pregnancy or pregnancy-related conditions, or any other legally protected status.

Allegations involving sex discrimination will be evaluated by the Civil Rights and Title IX Coordinator and/or Human Resources to determine the appropriate resolution policy applications (Title IX or Bias).

REPORT A BIAS RELATED INCIDENT

Reports of bias-related discrimination or harassment can be submitted through:

- The Public Reporting Form: linked here
- ECTipline (anonymous option available): linked here or 855-696-1899
- Direct contact with the Civil Rights and Title IX Coordinator or Deputy Coordinator for Civil Rights and Title IX
- Campus Safety, Residence Life staff, or other designated Responsible Employee

Upon receipt of a report, the Civil Rights and Title IX Coordinator will conduct an initial assessment to determine appropriate next steps. Depending on the circumstances, the College may proceed with:

- Formal investigation and hearing process outlined in this Policy (see below: Formal Resolution Process for Bias-Related Matters)
- Refer for resolution through processes outlined in the Student Code of Conduct
- Informal resolution (e.g., mediation, educational interventions)
- Employee or Faculty grievance resolution processes

Confidentiality In Reporting A Bias-Related Incident

The College will retain records of complaints, investigations, hearings, outcomes, and remedies for seven years. All processes will comply with applicable privacy laws, including FERPA. The College will protect identifying information to the extent possible and ensure confidentiality during and after the resolution process.

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College Reporting Requirements

The College is required by law to issue a timely warning about hate crimes that present a continuing danger to the campus community and to disclose annual statistics about these crimes in the Annual Security and Fire Safety Report. Only general information, as opposed to personal or identifying details, will be disclosed in accordance with the *Jeanne Clery Disclosure of Campus Safety Policy and Campus Crimes Statistics Act.*

Documentation of the Incident

It is essential that individuals who have experienced bias, and witnesses, or other individuals reporting a bias-related incident or hate crime provide as much information as possible about the incident. A detailed account including date, time, exact location, names of persons involved, including any witnesses, is considered necessary for an investigation by Campus Safety and/or the local police. Impacted individuals and witnesses are encouraged to preserve evidence. For example, do not erase or remove graffiti, vandalism or public postings; take a photo if possible. Make a written record of any verbal assault; maintain any email record (do not alter, delete or forward the message). If the incident occurred by phone, preserve your call log or make note of the time and length of the call along with the phone number, if possible, but do not engage with the caller. If the incident occurs via electronic messaging, either through text messages or other messaging applications, preserve the original messages with time stamps if possible, or screen shot messages that may disappear after a certain period. Photo or video evidence of physical evidence should be secured and preserved.

Missing Student Emergency

The College will conduct a collaborative response if a student living in college-owned or leased housing who based on the facts and circumstances known to the College is determined to be missing. A student will be deemed missing when he or she is absent from the College for more than 24 hours without any known reason.

Anyone who believes a residential student to be missing for more than 24 hours should report their concern to Campus Safety by calling 717.361.1111 which will investigate each report and make a determination whether the student is missing. Should anyone other than Campus Safety receive a missing student report, they should immediately notify Campus Safety by calling 717.361.1111.

In accordance with the Higher Education Act of 2008, each residential student, regardless of age, will have the opportunity to identify an individual to be contacted by the College within 24 hours of determining that the student is missing. This registered, confidential, emergency information will only be available to Campus Safety and the Vice President of Student Life and will only be disclosed to law enforcement personnel in furtherance of a missing person investigation. This individual does not have to be a parent or guardian. Students have an opportunity to update this contact information on an annual basis by completing the check-in process through Jayweb. More information about how to update the emergency contact information can be found here.

If a missing student is under the age of 18 and not emancipated, the College is required to notify the parent or guardian of the missing student no later than 24 hours after the determination by Campus Safety that the student is missing. Campus Safety will also notify the Elizabethtown Police Department no later than 24 hours after it determines a student, regardless of age, is missing.

Dating Violence, Domestic Violence, Sexual Assault, And Stalking: Policy and Response Procedures

All required policy statements and procedures are contained within the Elizabethtown College Sexual Misconduct Policies and Procedures, enclosed below. A Written Notification of Resources of this document, is provided to all reporting parties. The written notification provides information including but not limited to the following:

- Importance of preserving evidence
- How and to whom the offense should be reported
- Options about involvement of law enforcement and campus authorities
- Information about how the institution will protect the confidentiality of victims and other necessary parties
- Options for available assistance in and how to request changes to academic situations, living situations, transportation situations, employment situations, other protective measures
- Explanation of procedures for institutional disciplinary action

Elizabethtown College Sexual Misconduct Policy and Procedures

IF YOU BELIEVE YOU OR ANYONE ELSE IS IMMEDIATE DANGER,
CALL 911 or Campus Safety at 717-361-1111

CONFIDENTIAL ASSISTANCE

The resources below are confidential services available to any Elizabethtown College community member who is a victim of sexual assault, domestic violence, dating violence or stalking. They can be accessed without reporting an incident to anyone at Elizabethtown College.

- **Sexual Assault Forensic Examination (SAFE) - Lancaster General Hospital – Emergency Room –** 555 N. Duke Street, Lancaster, PA 17602, 717.544.5122
- **YWCA Lancaster Sexual Assault Prevention & Counseling Center 24/7 Hotline – 717.392.7273**
- **Sexual Assault Forensic Examination (SAFE) - Penn State Hershey Medical Center – Emergency Room –** 500 University Dr., Hershey, PA 17033, 717.531.8333
- **Sexual Assault Forensic Examination (SAFE) - UPMC Pinnacle Harrisburg Campus -** 111 South Front Street, Harrisburg PA 17101 Phone: 717.782.3131
- **Penn Medicine Lancaster General Health -** LG Health Physicians Family Medicine Sycamore Square
  99 Masonic Drive, Suite 101, Elizabethtown, PA 17022. Phone: 717-689-4243 (Etown College students call 717-588-1059 to be connected during business hours)
- **Domestic Violence Services 24-Hour Hotline – Community Action Program of Lancaster County –** 717.299.1249 (collect calls accepted)

Purpose of Policy

Title IX

Title IX of the Education Amendments of 1972 prohibits any person in the United States from being discriminated against on the basis of sex in seeking access to any educational program or activity receiving federal financial assistance. The U.S. Department of Education, which enforces Title IX, has long defined the meaning of Title IX's prohibition on sex discrimination broadly to include various forms of sexual harassment and sexual violence that interfere with a student's ability to equally access educational programs and opportunities.

On May 19, 2020, the U.S. Department of Education issued a Final Rule under Title IX of the Education Amendments of 1972[1] that:

- Defines the meaning of "sexual harassment" (including forms of sex-based violence) that are reflected in the definitions of Regulatory Quid Pro Quo, Regulatory Hostile Environment Sexual Harassment, Regulatory

Dating Violence, Regulatory Domestic Violence, Regulatory Sexual Assault and Regulatory Stalking included as Regulatory Prohibited Conduct under this Policy

- Addresses how the Institution must respond to reports of misconduct falling within the definitions of Regulatory Prohibited Conduct under this Policy, and
- Mandates a grievance (or resolution) process the Institution must follow before issuing disciplinary sanctions against a person accused of Regulatory Prohibited Conduct under this Policy.

In addition to federal legislative requirements, Act 16 of 2019[2] of the General Assembly of Pennsylvania requires all postsecondary institutions in the Commonwealth of Pennsylvania to adopt a clear, understandable written policy on sexual harassment and sexual violence that informs victims of their rights under federal and state law, including the crime victims bill of rights.

Prohibited Behaviors

Elizabethtown College (henceforth "The College") prohibits all Sexual Misconduct Violations as defined in this Policy. This prohibited conduct can affect all genders, gender identities and sexual orientations. Some of these prohibited forms of conduct may also be crimes under Pennsylvania or federal law. The College will promptly and equitably respond to all reports of sexual misconduct to eliminate the misconduct, prevent its recurrence, and redress its effects on any individual or the community.

Scope of the Policy and Jurisdiction

Elizabethtown College Sexual Misconduct Policy and Procedures applies to all employees (faculty, staff, all other non-student employees), and all students. Elizabethtown College may take action outside of the procedures outlined in this Policy against third Parties who engage in conduct prohibited by this Policy in connection with Elizabethtown College's Education Program or Activity. This policy applies to all on-campus and off-campus conduct that is likely to have a substantial adverse effect on any member of the College community. Methods of resolution of violations of this Policy vary. All allegations of Regulatory Prohibited Conduct will be addressed according to this Policy and Procedures. **Allegations of Non-Regulatory Prohibited Conduct defined in this policy, or discrimination based upon other protected classes, will be addressed under other Elizabethtown College policies and procedures, including other applicable discrimination policies and procedures, such as the Student Code of Conduct, Faculty Handbook, and Employee Handbook. Notwithstanding any other provision of this Sexual Misconduct Policy and Procedures, the rights and procedures set forth herein shall not apply to allegations of Non-Regulatory Prohibited Conduct that are addressed under other policies and procedures.**

There is no time limit for reporting allegations of sexual misconduct, however, the College strongly encourages the prompt reporting of sexual misconduct to allow the Institution to respond promptly and effectively. If the reported Respondent is not a member of the College community or is no longer associated with the College at the time of the report or at the time a resolution process is initiated, the College may be unable to investigate or take disciplinary action and may be required to dismiss the Formal Complaint for a lack of jurisdiction. The Civil Rights and Title IX Coordinator will determine whether to apply this Policy and Procedures or refer for resolution through another policy. See "Dismissals" section.

The College's Education Program or Activity is defined as:

> *locations, events, or circumstances over which Elizabethtown College exercises* **substantial control** *over the Respondent and the context in which the conduct allegedly constituting Title IX Sexual Harassment occurred. Education program or Activity includes any building owned or controlled by Elizabethtown College, and/or by a student organization that is officially recognized by Elizabethtown College.*

This Policy applies when any Employee of the College is alleged to have engaged in Regulatory Prohibited Conduct as defined by this Policy. To the extent this Policy is inconsistent with any provisions of any faculty or Employee

handbook, policy, or procedure, because this Policy on Title IX Sexual Harassment is mandated by federal law, this Policy shall prevail.

Title IX, VAWA and Non-discrimination

Elizabethtown College does not discriminate, and prohibits harassment and discrimination, on the basis of race, color, religion, national or ethnic origin, ancestry, age, disability, sex, gender identity or expression, sexual orientation, veteran or military status, pregnancy or pregnancy-related conditions, or any other legally protected status. This commitment applies to, but is not limited to, admissions, hiring and promotion, educational programs and policies, scholarship and loan programs, and/or other College policies, practices, programs and activities, in accordance with federal, state, and local non-discrimination and equal opportunity laws, including:

- Titles VI and VII of the Civil Rights Act of 1964
- Title IX of the Education Amendments of 1972
- Age Discrimination in Employment Act
- Americans with Disabilities Act and ADA Amendments Act
- Equal Pay Act
- Pennsylvania Human Relations Act.

The College also complies with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crimes Statistics Act, as amended by the Violence Against Women Act (VAWA). Title IX prohibits retaliation for asserting or otherwise participating in claims of sex discrimination. VAWA imposes additional duties on universities and colleges to investigate and respond to reports of sexual assault, stalking, and dating or domestic violence, and to publish policies and procedures related to the way these reports are handled. The College has designated the Civil Rights and Title IX Coordinator, with assistance of Deputy Civil Rights and Title IX Coordinator(s), to coordinate the College's compliance with Title IX and VAWA and to respond to reports of violations. The College has designated the following person to coordinate the College's compliance with the VAWA-related Clery reporting requirements.

Civil Rights and Title IX Coordinator:

Gabrielle Reed-Civil Rights and Title IX Coordinator

Office Address: BSC 210 (Baugher Student Center)

Email: reedg@etown.edu

Telephone Number: 717-361-3727 or at any hour by contacting Campus Safety, 717-361-1111

Title IX Web page: https://www.etown.edu/offices/diversity/titleix/index.aspx

Standard of Evidence

Elizabethtown College uses the Preponderance of the Evidence standard in resolving all matters alleging Title IX Sexual Harassment. Consistent with requirements set forth in the Pennsylvania Code pertaining to student disciplinary due process requirements, the College will use the preponderance of the evidence standard in investigations of formal complaints alleging sexual misconduct violations under this Policy. This means that the individual(s) charged with making a finding must determine whether it is more likely than not that a violation of the Policy occurred. Federal law requires the College to use the same Standard of Evidence in all matters alleging Title IX Sexual Harassment, which, therefore, fall within this Policy. The College has no discretion to do otherwise.

Burden of Proof

The burden of proof refers to who has the responsibility of showing a violation has occurred. It is always the responsibility of the Institution to satisfy the burden of proof. The Respondent does not have the burden to prove that a violation did not occur. Respondents may decide not to share their side of the story or may decide not to participate in an investigation or hearing. This does not shift the burden of proof away from the Institution and does not indicate responsibility. Additionally, Decision-maker(s) shall not make an adverse inference against a Respondent for the Respondent's refusal to participate in an investigation or hearing, nor will Respondent's refusal to participate result in increased sanctions if the Respondent is found responsible for the violation(s).

Definition of Title IX Sexual Harassment (Regulatory Prohibited Conduct)

Title IX Sexual Harassment is defined as conduct:

1. On the basis of sex,

2. That occurs within Elizabethtown College's Education Program or Activity,

3. Within the United States, and

4. Involves

    (a) a College Employee conditioning the provision of an aid, benefit, or service on an individual's participation in unwelcome sexual conduct; or

    (b) unwelcome conduct that is determined by a reasonable person to be so severe, pervasive and objectively offensive that it effectively denies a person equal access to the College's Education Program or Activity; or

(c) **Sexual Assault**; or

(d) **Dating Violence**; or

(e) **Domestic Violence**; or

(f) **Stalking**.

The definitions for Sexual Assault, Dating Violence, Domestic Violence, and Stalking can also be found in the Glossary at the end of this document.

Dating Violence – (as defined in the Violence Against Women Act (VAWA) amendments to the Clery Act) includes any violence committed by a person: (A) who is or has been in a social relationship of a romantic or intimate nature with the Complainant; and (B) where the existence of such a relationship shall be determined based on a consideration of the following factors: (i) the length of the relationship; (ii) the type of relationship; and (iii) the frequency of interaction between the persons involved in the relationship. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of Domestic Violence.

Dating Violence is categorized as Regulatory when it occurs in the United States, within an Education Program or Activity and when the Complainant is participating or seeking to participate in an Education Program or Activity at the time of the filing of the complaint. Otherwise, Dating Violence will be categorized as Non-Regulatory.

Domestic Violence – (as defined in the VAWA amendments to the Clery Act), includes any violence 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, by a person who is cohabitating with or has cohabitated with the Complainant as a spouse or intimate partner, by a person similarly situated to a spouse of the Complainant under Pennsylvania's domestic or family violence

laws 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 Pennsylvania.

Domestic Violence is categorized as Regulatory when it occurs in the United States, within an Education Program or Activity and when the Complainant is participating or seeking to participate in an Education Program or Activity at the time of the filing of the complaint. Otherwise, Domestic Violence will be categorized as non-regulatory.

Retaliation – Any action, directly or through others, which is aimed to deter a reasonable person from reporting sexual misconduct or participating in an investigation or hearing or action that is done in response to such activities. This includes but is not limited to intimidation, threats, coercion, or discrimination against any individual (A) for the purpose of interfering with any right or privilege secured by Title IX of the Education Amendments of 1972 or its implementing regulations; or (B) 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. A finding of retaliation under this Policy is not dependent on a finding that the underlying sexual misconduct occurred.

Sexual Assault (Sex Offenses): Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent. Sexual assault can occur between individuals of the same or different sexes and/or genders. This includes the following:

- **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, or by a sex-related object. This definition also includes instances in which the victim is incapable of giving consent because of temporary or permanent mental or physical incapacity (including due to the influence of drugs or alcohol) or because of age. Physical resistance is not required on the part of the victim to demonstrate lack of consent;
- **Criminal Sexual Contact:** The intentional touching of the clothed or unclothed body parts without consent of the victim for the purpose of sexual degradation, sexual gratification, or sexual humiliation. Includes forced touching of the victim by the actor, as well as instances where the victim is incapable of giving consent because of age or incapacity. Includes over or under clothing contact when done for sexual purposes;
- **Incest:** Sexual intercourse between person's who are related to each other within the degrees wherein marriage is prohibited by law; or
- **Statutory Rape:** Sexual intercourse with a person who is under the statutory age of consent.

Sexual Assault is categorized as **Regulatory** when it occurs in the United States, within an Education Program or Activity and when the Complainant is participating or seeking to participate in an Education Program or Activity at the time of the filing of the complaint. Otherwise, Sexual Assault will be categorized as **non-regulatory**.

Sexual Exploitation – Engaging in sexual behaviors directed toward or involving another person or use of another person's sexuality for purposes of sexual gratification, financial gain, personal gain or personal advantage when Consent is not present. This includes, but is not limited to, the following actions, including when they are done via electronic means, methods or devices:

A. Sexual voyeurism or permitting others to witness or observe the sexual or intimate activity of another person without that person's Consent;

B. Indecent exposure or inducing others to expose private or intimate parts of the body when Consent is not present;

C. Recording, creating, generating, or distributing information, images, or recordings – including nude, sexually explicit, or intimate images or recordings, whether real, digitally altered, or AI-generated – of any person, or depicting a person's likeness in such contexts, without their Consent; or

D. Prostituting another individual; or

E. Knowingly exposing another individual to a sexually transmitted disease or virus without that individual's knowledge. Knowingly exposing another individual to a sexually transmitted disease, sexually transmitted infection, or any other communicable disease or virus, without that individual's knowledge and consent, is prohibited. Such conduct may also be considered the deliberate use of a communicable disease as a weapon; and

F. Inducing incapacitation for the purpose of making another person vulnerable to non-consensual sexual activity.

Regulatory Prohibited Conduct – For purposes of this Policy, the term includes the defined violations of Regulatory Quid Pro Quo Sexual Harassment, Regulatory Hostile Environment Sexual Harassment, Regulatory Dating Violence, Regulatory Domestic Violence, Regulatory Sexual Assault and Regulatory Stalking.

Regulatory Quid Pro Quo Sexual Harassment - An Employee conditioning the provision of aid, benefit or service of the College on an individual's participation in unwelcome sexual conduct.

Non-Regulatory Quid Pro Quo Sexual Harassment - An Official, Volunteer or Student conditioning the provision of aid, benefit or service of the College on the individual's participation in unwelcome sexual conduct.

Regulatory Hostile Environment Sexual Harassment - Unwelcome conduct, on the basis of sex, that a reasonable person would determine is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the College's Education Program or Activity.

Non-Regulatory Hostile Environment Sexual Harassment - Unwelcome conduct, on the basis of sex, that a reasonable person would determine is sufficiently severe, pervasive, and objectively offensive that it unreasonably interferes with, limits, or deprives an individual from participating in or benefitting from any educational, employment, social or residential program offered in connection with the College.

Stalking – (as defined in the VAWA amendments to the Clery Act) means engaging in a course of conduct directed at a specific person that would cause a reasonable person to—

a. fear for their safety or the safety of others; or

b. suffers substantial emotional distress.

A course of conduct is when a person engages in two or more acts that include, but are not limited to, acts in which the person directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveys, threatens, or communicates to or about a person in a prohibited way, or interferes with a person's property.

Stalking includes the concept of cyberstalking, in which electronic media such as the Internet, social networks, blogs, cell phones, texts, email or other similar devices or forms of contact are used to pursue, harass, or to make unwelcome contact with another person in an unsolicited fashion.

Stalking is categorized as Regulatory when it occurs in the United States, within an Education Program or Activity and when the Complainant is participating or seeking to participate in an Education Program or Activity at the time of the filing of the complaint. Otherwise, Stalking will be categorized as non-regulatory.

Consent - Affirmative Consent is a knowing, voluntary, and mutual decision among all participants to engage in sexual activity. Consent can be given by words or actions, as long as those words or actions create clear permission regarding

willingness to engage in the sexual activity. Silence or lack of resistance, in and of itself, does not demonstrate Consent. The definition of Consent does not vary based upon a participant's sex, sexual orientation, gender identity, or gender expression.

- Consent to any sexual act or prior consensual sexual activity between or with any Party does not necessarily constitute Consent to any other sexual act.
- Consent may be initially given but withdrawn at any time.
- Consent is not present when an individual is incapacitated due to alcohol, drugs, or sleep, or otherwise without capacity to provide Consent due to intellectual or other disability or other condition. When alcohol is involved, incapacitation is a state beyond drunkenness or intoxication. When drug use is involved, incapacitation is a state beyond being under the influence of or impaired by the use of the drug. Alcohol and other drugs impact each individual differently. Determining whether an individual is incapacitated requires individualized determination. When determining whether a person has the capacity to provide Consent, the College will consider whether a sober, reasonable person in the same position knew or should have known that the other party could or could not consent to the sexual activity. Consent is required regardless of whether the person initiating the act is under the influence of drugs and/or alcohol.
- Consent cannot be given when it is the result of any coercion, intimidation, force, or threat of harm.
- When Consent is withdrawn or can no longer be given, Consent is not present and sexual activity must stop.

Other Defined Terms

This Policy uses many defined terms, indicated by the capitalization of the first letter(s) in the term. All defined terms are included in a Glossary at the end of the Policy. The definitions in the Glossary are important to a complete understanding of this Policy.

Confidential Resources

The resources below are confidential services available to any Elizabethtown College community member who is a victim of sexual assault, domestic violence, dating violence or stalking. They can be accessed without officially reporting an incident to the College. (see "Statement on Privacy and Confidentiality" below)

For reporting an incident to a campus official, please see the section below entitled "How to Report an Incident" as different College employees have various levels of confidentiality and reporting requirements.

- **Sexual Assault Forensic Examination (SAFE) - Lancaster General Hospital – Emergency Room –** 555 N. Duke Street, Lancaster, PA 17602, 717.544.5122
- **YWCA Lancaster Sexual Assault Prevention & Counseling Center 24/7 Hotline – 717.392.7273**
- **Sexual Assault Forensic Examination (SAFE) - Penn State Hershey Medical Center – Emergency Room –** 500 University Dr., Hershey, PA 17033, 717.531.8333
- **Sexual Assault Forensic Examination (SAFE) - UPMC Pinnacle Harrisburg Campus -** 111 South Front Street, Harrisburg PA 17101 Phone: 717.782.3131
- **Penn Medicine Lancaster General Health -** LG Health Physicians Family Medicine Sycamore Square 99 Masonic Drive, Suite 101, Elizabethtown, PA 17022. Phone: 717-689-4243 (Etown College students call 717-588-1059 to be connected during business hours)

- **Domestic Violence Services 24-Hour Hotline – Community Action Program of Lancaster County –** 717.299.1249 (collect calls accepted)

If a student is seeking completely confidential assistance on campus, the best option is to consult first with a College Counselor or Chaplain. The Counselor or Chaplain can provide confidential advice, share resources, and inform the student about the process for making an official report to the College without any requirement to disclose personally identifiable information to the Civil Rights and Title IX Coordinator.

- **College Counselor** is available 24/7 -Call 717.361.1405 to request a confidential counseling appointment or call Campus Safety after hours at 717.361.1111 to request confidential support.
- **College Chaplain and Assistant Chaplain (clergy)** are available during regular college business hours for confidential consultation. Call 717.361.1260.

In cases of sexual assault, dating violence, domestic violence or stalking, complainants are encouraged to preserve physical evidence that may assist in proving the alleged criminal offense occurred or that may be helpful in obtaining a protection order. The decision to make a formal complaint or criminal report does not have to be made at this time. However, following these procedures will help preserve this option for the future.

To properly preserve evidence, ensure the incident area is not disturbed. The individual should not bathe, urinate, douche, brush teeth, or drink liquids. Clothes should not be changed. If clothes have been removed, place original clothing in a paper bag. (Plastic bags may damage evidence.) For crimes of stalking, the individual should preserve all instances of unwanted communications (texts, e-mails, social media posts) and keep a log of unwanted phone calls. For crimes of dating violence or domestic violence, pictures of injuries should be taken.

If you have been assaulted, you are encouraged to seek immediate medical attention at an area hospital and take a full change of clothing, including shoes, for use after a medical examination. It is recommended that a physical exam be conducted within 72 hours of the assault. Participating in a sexual assault forensic exam does not require the individual to press charges. This action keeps the option open. (Individuals under the age of eighteen should be aware that, as a minor (child), their parent(s) or legal guardian may have the right to obtain information from their medical records.) Lancaster General Hospital and Penn State Hershey Medical Center provide a Sexual Assault Forensic Exam (SAFE). The hospital staff can assist with treatment for sexually transmitted diseases and other health services.

Contact either of the following for immediate law enforcement assistance for any crime of sexual assault, dating violence, domestic violence, or stalking:

- **Elizabethtown Police Department - Dial 911**
- **Campus Safety – 717.361.1111 (24/7 Emergency Hotline)**

Campus Safety can arrange transportation to a local hospital or local police department if requested. **You have the right to report, and the right to not report, to law enforcement a crime of sexual assault, dating violence, domestic violence or stalking that you have experienced. You also have the right to decline to notify law enforcement of a crime of sexual assault, dating violence, domestic violence, or stalking if offered the option.**

Civil Rights and Title IX Coordinator

You may speak with the Civil Rights and Title IX Coordinator at any time. If you would like to speak to the Civil Rights and Title IX Coordinator after hours, contact Campus Safety at 717-361-1111 and request to speak with the Civil Rights and Title IX Coordinator.

Civil Rights and Title IX Coordinator:

Gabrielle Reed –Civil Rights and Title IX Coordinator

Office Address: BSC 210

Email: reedg@etown.edu

Telephone Number: 717-361-3727

Title IX Web page: https://www.etown.edu/offices/diversity/titleix/index.aspx

Online formal complaint or anonymous reporting form:

https://forms.office.com/r/bS39fbZQWp



The Civil Rights and Title IX Coordinator coordinates Elizabethtown College's efforts to comply with Title IX, including overseeing this Policy and the publication and dissemination of information required by Title IX. The Civil Rights and Title IX Coordinator's responsibilities include: (1) receiving and responding to Reports of conduct that may constitute a violation of this Policy; (2) coordinating the effective implementation of Supportive Measures; (3) designating Investigators, Facilitators, and Decision-makers to act pursuant to the Formal Complaint Process; (4) ensuring that the technology needed to conduct and record hearings is available; (5) implementing effectively any Remedies or discipline imposed by a Decision-maker upon a finding of a violation of this Policy; and, (6) complying with the record-keeping requirements of this Policy.

The Civil Rights and Title IX Coordinator may, in some instances, be an Investigator, but can never be a decisionmaker as a Hearing Board Member or Appeal officer.

The Deputy Civil Rights and Title IX Coordinator supports the Civil Rights and Title IX Coordinator in fulfilling their role and responsibilities and may serve as the Civil Rights and Title IX Coordinator's designee to carry out any response, action, initiative, project, or other responsibilities outlined in this Policy. The Deputy Civil Rights and Title IX Coordinator may be a Decision Maker provided they are not serving in the role of Civil Rights and Title IX Coordinator for a case.

Timely Warning

If a report of misconduct discloses a serious or immediate threat to the campus community, the College will issue a timely warning to the community to protect the health or safety of the community. The timely warning will not include any identifying information about the Complainant.

Title IX Administrator Pool

Title IX Administrators are investigators, Hearing Board Members, Appeals decision makers, and other decision makers and facilitators involved throughout the Formal Complaint and Informal Processes associated with Regulatory Prohibited Conduct. The Title IX Administrator pool, along with the Civil Rights and Title IX Coordinator and Deputy Coordinator, shall be trained on the definition of Title IX Sexual Harassment (Regulatory Prohibited Conduct), the scope of the College's program or activity, the Formal Complaint Process, Relevance, technology to be used at a hearing, how to conduct hearings and Appeals, and how to serve impartially.

Designation of Authority and College Counsel

Any College administrator or official whom this Policy empowers to act may request that the Civil Rights and Title IX Coordinator delegate that authority to another appropriate College official, or the Civil Rights and Title IX Coordinator in their own discretion may delegate that administrator's or official's authority to act to another appropriate person. Delegation of authority may be necessary to avoid conflicts of interest or where time constraints or obligations prevent the College official names in this Policy from fulfilling their designated role. The Civil Rights and Title IX Coordinator may delegate their own responsibilities and/or authorities under this policy to any Deputy Civil Rights and Title IX Coordinator or other appropriate official. Any College administrator or official involved in implementing this policy may seek the advice of the College's legal counsel, as approved by the College's legal liaison, and coordinated through the Civil Rights and Title IX Coordinator.

Statement on Privacy and Confidentiality

Elizabethtown College is committed to protecting the privacy of all individuals involved in a report of sexual misconduct. Every effort will be made to protect the privacy interests of all individuals involved. Privacy, confidentiality and privilege have distinct meanings under this Policy.

Privacy generally means that information related to a report of sexual misconduct will only be shared with a limited circle of individuals, including individuals who "need to know" to assist in the review, investigation, or resolution of the report or to deliver resources or support services. While not bound by confidentiality or privilege, these individuals will be discreet and respect the privacy of all individuals involved in the process. All participants in an investigation of sexual misconduct under this Policy, including Advisors and Witnesses, will be informed that privacy helps enhance the integrity of the investigation and protect the privacy interests of the parties, however, nothing in this Policy is intended to impose restraints on a Party's ability to discuss the allegations under investigation or to gather and present evidence as part of the resolution process.

Certain individuals are designated as having **confidentiality**. For reports made to employees designated with having confidentiality, the College will respect the reporting party's expectations of privacy to the extent permissible by law while still ensuring compliance with other reporting obligations. For example, reports involving minors are subject to mandatory reporting requirements. Individuals designated as having confidentiality are required to report the nature, date, time and general location of an incident to the Title IX coordinator. Individuals designated as having confidentiality will not share other information with the Civil Rights and Title IX Coordinator or any other employee of the Institution without the permission of the disclosing party. Individuals designated as having confidentiality can provide information about the College and off-campus resources, support services and other options. As noted above, because of the confidential nature of these resources, disclosing information to or seeking advice from a confidential resource does not constitute a report or Formal Complaint to the College and will not result in a response or intervention by the College. A person consulting with a confidential resource may decide to make a report to the College and/or law enforcement. Confidential Resources are outlined in this Policy, and in the Written Notification of Resources provided to all Reporting Parties.

Communication with certain individuals may be **privileged** by operation of law and reports made to these individuals will not be shared with the Civil Rights and Title IX Coordinator or law enforcement except in very limited situations, such as when failure to disclose the information would result in imminent danger to the individual or to others or as otherwise required by law.

All College proceedings are conducted in compliance with the requirements of the Family Educational Rights and Privacy Act (FERPA), the Clery Act, Title IX of the Education Amendments of 1972 ("Title IX"), Violence Against Women Act (VAWA), state and local law, and College policy. No information will be released from such proceedings, except as required or permitted by law and College policy.

The College may share non-identifying information about reports received in aggregate form, including data about outcomes and Disciplinary Sanctions.

Resources and Supportive Measures

Supportive Measures are available with or without the filing of a Formal Complaint. Promptly after receipt of a Report, the Civil Rights and Title IX Coordinator will contact the Complainant to discuss the availability of Supportive Measures. The Civil Rights and Title IX Coordinator will also contact a Respondent to offer Supportive Measures promptly after a Formal Complaint is filed, whether or not a Formal Complaint Process proceeds. In determining the Supportive Measures to be provided, the Civil Rights and Title IX Coordinator will make an individualized determination, considering the Complainant's wishes and other relevant factors, of the non-disciplinary, non-punitive measures that will be provided to the Complainant and Respondent to restore or preserve equal access to the College's Education programs or Activities, to protect the safety of the Parties, and/or to deter Sexual Misconduct.

All Supportive Measures will be provided without fee or charge and without unreasonably burdening the other Party. Supportive Measures will be maintained as confidential by the College to the extent that confidentiality will not impair the ability to provide the Supportive Measures.

Examples of Supportive Measures that may be implemented by the College include:

- Academic extensions or adjustments
- Campus escort services
- Changes in housing
- Changes in on campus work schedules or locations
- Counseling
- Increased security or monitoring of certain areas of the campus
- Modifications of class or activity schedules
- Mutual restrictions on contact between the Parties
- Provide information on how to access legal assistance, victim advocacy and immigration/visa assistance

All Employees who have experienced Sexual Harassment, who have provided a Report alleging Sexual Harassment, or have been alleged to have engaged in Sexual Harassment can seek confidential assistance through the Employee Assistance Program:

https://www.etown.edu/offices/human-resources/Wellspan%20Brochure%20July%202017.pdf

Reports of Potential Violations of this Policy

Elizabethtown College strongly encourages anyone who has information about a potential violation of this Policy to provide a Report to the Civil Rights and Title IX Coordinator or Deputy Coordinator. A Report is defined as a disclosure and does not constitute a Formal Complaint. The procedure for filing a Formal Complaint is described later in this Policy. Any person may provide a Report of a potential violation to the Civil Rights and Title IX Coordinator in person, by mail, by telephone or by electronic mail. Reports by mail, telephone or electronic mail may be made at any time, including outside of regular business hours.

A person may also file an anonymous report, which will be routed directly to the Civil Rights and Title IX Coordinator. Anonymous reports may be submitted here: https://forms.office.com/r/bS39fbZQWp



An anonymous report is defined as a disclosure and does not constitute a Formal Complaint. The procedure for filing a Formal Complaint is described in this Policy.

Civil Rights and Title IX Coordinator:

Gabrielle Reed –Civil Rights and Title IX Coordinator
Office Address: BSC 210
Email: reedg@etown.edu
Telephone Number: 717-361-3727

Reporting to Law Enforcement

A victim of a crime is encouraged to, but not required to, report the incident to local law enforcement. The criminal process and the College's disciplinary process are mutually exclusive and are not dependent upon one another. A person can pursue both, neither, or either. Victims have the option of notifying local law enforcement directly or receiving assistance from the College in doing so. If an individual requires assistance contacting local law enforcement and scheduling a meeting time with a Police Officer or Detective, please contact one of the following:

Gerald Kelley, Campus Safety Director or ask for the supervisor on duty. 24/7 access: 717.361.1264 or visit the Campus Safety Office at 605 S. Mt. Joy Street

Gabrielle Reed –Civil Rights and Title IX Coordinator
Office Address: BSC 210
Email: reedg@etown.edu
Telephone Number: 717-361-3727

To make a direct report to local law enforcement without assistance from the College, individuals should contact **911 or Lancaster County Wide Communications** at 717.367.1835. The dispatcher will ask for preliminary information, such as the name of the reporting person, phone number, address, and whether immediate assistance is needed. Lancaster County Wide Communications will then contact the appropriate local law enforcement agency, most likely the Elizabethtown Police Department. Some areas of Elizabethtown are under the jurisdiction of Northwest Regional Police Department. Crimes that occur within the Northwest Regional jurisdiction will be referred to that department. Once the local law enforcement agency is contacted by the Lancaster County Wide Communications, a police officer will contact the reporting person to gather more information and provide resources, like obtaining a restraining order (known locally as a Protection from Abuse order or a Sexual Violence Protection Order) or locations for a sexual assault forensic exam (SAFE).

Once local law enforcement has gathered information, they may refer the reporting person to a police detective to conduct a more thorough investigation. Local law enforcement officials are willing to meet with individuals making a report in a location that is comfortable, either on-campus or at the local police department office.

Orders of Protection

In Pennsylvania, there are different types of Civil Protection Orders that are available to individuals who have experienced domestic violence, dating violence, stalking, or sexual violence. Pennsylvania Coalition Against Rape (PCAR) provides information about Sexual Violence Protections Orders: https://pcar.org/sexual-violence-protection-orders

Protection from Intimidation Order (PFI) is appropriate in cases of stalking and harassment where the complainant is under 18 and the respondent is over 18. PFIs cannot be granted if both the complainant and respondent are over 18.

A Sexual Violence Protection Order (SVPO) is appropriate in cases of dating violence or sexual assault where the complainant and respondent do not have and have never had a family, household, or intimate partner relationship. An SVPO may be granted when the complainant and respondent are strangers, friends, acquaintances, co-workers, or neighbors.

If you have experienced domestic violence, dating violence, stalking, or sexual violence by a current or former intimate partner, spouse or former spouse, someone you have a child in common with, or a family member related to you by blood or marriage, you have the right to go to court and receive a Protection from Abuse Order (PFA), commonly referred to as a restraining order. A Protection from Abuse Order can include, Restrain the abuser from further acts of abuse; keep the abuser from entering your home, school or work; require the abuser to give up all weapons while the order is in effect; tell the abuser to stop stalking or harassing you or other persons in your family.

The Civil Protection Order process usually starts by filling out a form called a "petition" at the local county courthouse. For Elizabethtown College students the petition should be filed at the Lancaster Courthouse, 50 North Duke Street, Lancaster, PA 17602. Students or employees may contact the following individuals for more information about how to obtain a PFA:

Gerald Kelley, Campus Safety Director or ask for the supervisor on duty. 24/7 access: 717.361.1264 or visit the Campus Safety Office at 605 S. Mt. Joy Street

Gabrielle Reed –Civil Rights and Title IX Coordinator
Office Address: BSC 210
Email: reedg@etown.edu
Telephone Number: 717-361-3727

Lancaster Domestic Violence Legal Clinic
35 E. Orange Street, Suite 201, Lancaster, PA 17602
717.291.5826

If you have obtained a Civil Protection Order or other protective order, you are encouraged to share a copy with Campus Safety. While Campus Safety officers do not have arrest powers, they will enforce the CPO to the extent possible by contacting local police when they are made aware of any violations of the CPO that occur on campus.

Responsible Employees

The College has designated Responsible Employees to whom a person may report an incident and expect the information will be acted upon. A Responsible Employee is required to share all reported information, including personally identifiable information, with Civil Rights and Title IX Coordinator. Responsible Employees receive annual training about Title IX requirements, how to report incidents, and the benefits of consistent reporting of incidents.

If a report is made to anyone other than the Civil Rights and Title IX Coordinator, or anyone **not** *on the list of Responsible Employees, the reporting party assumes the College has not received actual knowledge, and the information may not be acted upon.*

Responsible Employees by Title and/or Department/Area Include:

Academic Personnel

- All faculty
- All Academic Deans
- Provost & Vice President for Academic Affairs and Faculty Development
- Dean of Faculty and Associate Provost for Academic Affairs
- Associate Provost for Institutional Effectiveness and Innovation

Staff

- All employees and administrators are considered responsible employees except those identified as Confidential Resources

Student Employees

- Resident Assistants and Community Assistants
- Peer Mentors
- Kinesis Peer Academic Advisors
- Ubuntu Mentors
- Mindset Mentors
- Some student employees may be required to report information to their supervisors when functioning as a student employee (including but not limited to Center for Student Success student employees, Bower's Center student employees, Admissions Overnight Hosts)

The above information regarding Responsible Employees does not, in any way, relieve a supervisor of their requirements to report, investigate and/or remediate any reported workplace discrimination or harassment under federal or state employment law. The College reserves the right to modify this list as needed. Modifications occurring after publication of this document for the academic year will be announced via Campus News.

Other Campus Resources

Some campus employees, other than those listed on the Responsible Employee list above, can talk to a student Complainant, Alleged Victim or Reporter without being required to disclose personally identifiable information about the Alleged Victim to the Civil Rights and Title IX Coordinator, but are still required to report non-personally identifiable information for statistical purposes only. Students can seek assistance and support from the employees listed below without triggering an investigation that would reveal the identity of the Alleged Victim. These employees

are only required to share a limited report to inform the Civil Rights and Title IX Coordinator of the date, time, general location and nature of the incident but, again, *not* information that would identify the Alleged Victim. This general information is necessary for the College to appropriately track patterns, evaluate the scope of the problem and formulate appropriate campus-wide responses. Before sharing the general report with the Civil Rights and Title IX Coordinator, these employees will work to consult with the Complainant to ensure that no personally identifiable details about the Complainant are shared. These types of employees include but are not limited to the list below, and the College reserves the right to add employees to this list as deemed necessary by the Civil Rights and Title IX Coordinator.

- **Counseling Services' front desk staff,** available at 717.361.1405 (daytime)
- **Assistant Director of Health Promotion** is available for consultation during regular college business hours. Call 717.361.1123.
- **Athletic Trainer** is available at 717.361.1591 or 717.361.1564 during regular college business hours.

Amnesty

The health and safety of every student at Elizabethtown College is of utmost importance. The College recognizes that students who have been drinking and/or using drugs (whether such use is voluntary or involuntary) at the time sexual misconduct occurs may be hesitant to report such incidents due to fear of potential consequences for their own conduct. The College strongly encourages students to report incidents of sexual misconduct. A witness to or individual who experience sexual misconduct, acting in good faith, who discloses any incident of sexual misconduct to college officials or law enforcement will not be sanctioned under the Code of Conduct for violations of alcohol and/or drug use policies occurring at or near the time of the incident(s) of sexual misconduct. The College may require the individual attend an approved alcohol or drug education program without assessing any charges for such program. Amnesty does not preclude or prevent action by police or other legal authorities pursuant to relevant state or federal criminal statutes.

The Formal Complaint Process begins with the filing of a Formal Complaint which alleges that a Respondent has engaged in Title IX Sexual Harassment, is signed by the Complainant or the Civil Rights and Title IX Coordinator, and requests that Elizabethtown College investigate the allegation of Title IX Sexual Harassment. A Formal Complaint must be filed in electronic format by following this link: https://forms.office.com/r/bS39fbZQWp

Response to Potential Violations of this Policy

When the Civil Rights and Title IX Coordinator receives a Report, the College will respond by: (A) equitably offering Supportive Measures to the Complainant and Respondent (as outlined under "Supportive Measures" above), whether or not a Formal Complaint is filed; and (B) imposing disciplinary sanctions or other actions that are not Supportive Measures upon the Respondent *only* when the Respondent is found responsible for a violation of this Policy through a completed Formal Complaint Process. However, the College may impose an, emergency removal or administrative leave as provided in this Policy. The Civil Rights and Title IX Coordinator will provide each Complainant or reporting individual a Written Notification of Resources.

Assessment of Risk

When the Civil Rights and Title IX Coordinator receives a Report of alleged Sexual Misconduct or a Formal Complaint alleging Sexual Misconduct, the Civil Rights and Title IX Coordinator will seek to gather information to undertake an initial assessment of any risk of harm to individuals or to the campus community and the description of the alleged misconduct in order to evaluate the appropriate response.

The first step of the assessment is a discussion between the Civil Rights and Title IX Coordinator and the Complainant. The purposes of the discussion are to:

- assess the nature and circumstances of the allegations;
- address the immediate physical safety and emotional well-being of the Complainant;
- notify the Complainant of the right to contact law enforcement (or not) and seek medical treatment;
- provide the Complainant with information about on- and off-campus resources;
- discuss the range and implementation of Supportive Measures;
- ensure Director of Campus Safety has information necessary to enter the Report into the College's daily crime log and/or initiate a timely warning; and

- explain the College's policy prohibiting retaliation.

The Civil Rights and Title IX Coordinator will take any action necessary to address any risk of harm identified by the Civil Rights and Title IX Coordinator, including implementation of Supportive Measures, initiation of actions designed to protect the larger campus community, or Emergency Removal of a Respondent. A decision to remove a Respondent from campus pending the Formal Complaint Process will follow the Emergency Removal of a Respondent process described in this Policy. At the Civil Rights and Title IX Coordinator's discretion, one or more other Campus Officials may be included in the initial assessment or in evaluating information gathered in the initial assessment.

Formal Complaint Process

After the initial assessment of the information gathered, the Civil Rights and Title IX Coordinator will take one of the following steps regarding the Formal Complaint Process:

1. Initiate Formal Complaint Process

If the Civil Rights and Title IX Coordinator determines that the alleged misconduct falls within the definitions of Regulatory Prohibited Conduct defined in this Policy, and a Formal Complaint has already been submitted, the Civil Rights and Title IX Coordinator will proceed to initiate the Formal Complaint Process, unless the Formal Complaint proceeds to Informal Resolution.

If a Formal Complaint has not yet been submitted, the Civil Rights and Title IX Coordinator will advise the Complainant that a Formal Complaint is required to initiate an investigation. The Civil Rights and Title IX Coordinator will provide the Complainant with a Formal Complaint form link for the Complainant's completion and signature. The Formal Complaint for can be found here: https://elizabethtown-advocate.symplicity.com/public_report

The electronic signature on the submission is considered the complainant's signature. Once a signed Formal Complaint is submitted, the Civil Rights and Title IX Coordinator will proceed to initiate the Formal Complaint Process, unless the Formal Complaint proceeds to Informal Resolution.

If the Complainant determines not to file a Formal Complaint, and the Civil Rights and Title IX Coordinator determines, in their discretion, that the allegations must be investigated, the Civil Rights and Title IX Coordinator may initiate the Formal Complaint Process by completing and signing a Formal Complaint.

2. Refer for Action Pursuant to Different Resolution Methods

With or without a Formal Complaint, when the initial assessment concludes with a determination that the alleged misconduct does not fall within the definitions of Regulatory Prohibited Conduct defined within this Policy but involves Non-Regulatory Prohibited Conduct, or other conduct that if found to have occurred violates another College policy, the matter will be referred for further action under the applicable policy under the Student Code of Conduct, the Faculty Handbook, or the Employee Handbook. The determination regarding next steps will be communicated to the Parties in writing. If a Formal Complaint has been filed, the Civil Rights and Title IX Coordinator shall follow the procedures for Dismissal of a Formal Complaint set forth in Formal Complaint Process.

3. Emergency Removal of a Respondent

Elizabethtown College may implement emergency removal of a Respondent, whether or not a Formal Complaint has been submitted, if the Respondent poses an immediate threat to the physical health or physical safety of any student or other individual directly resulting from allegations of this Policy. Prior to implementing an emergency removal, the Civil Rights and Title IX Coordinator will first gather information to conduct an individualized safety and risk analysis. The analysis will be conducted by the Civil Rights and Title IX Coordinator and/or designees requested to conduct the initial assessment. Should the Civil Rights and Title IX Coordinator, on their own or in consultation with others, determine an emergency removal is necessary, they shall make the recommendation to the Vice President for Student Life and Dean of Students if the respondent is a student, or the Director for Human Resources if the respondent is an employee. The Civil Rights and Title IX Coordinator shall submit the request in writing, and provide all relevant information and evidence utilized to determine this recommendation.

The formal removal action shall be carried out by the Vice President for Student Life and Dean of Students or Director of Human Resources. If the Vice President for Student Life or the Director of Human Resources disagrees with the recommendation for removal, and chooses not to remove the party from campus, they must respond in writing within 24 hours of the request providing the rationale for the decision. Said written document will become part of the case file.

A. Factors to be Considered

The analysis of whether an immediate threat to the physical health and physical safety risk exists will focus on the specific Respondent and consider the specific circumstances arising from the allegations of violations of this Policy that potentially pose an immediate threat to a person's physical health or physical safety. If a person expresses a subjective fear, the College will consider it and will also apply an objective reasonable person standard. The College will consider the Respondent's propensity, opportunity, and ability to carry out a stated or potential threat. The analysis will evaluate whether Supportive Measures or other less restrictive means can negate or sufficiently minimize the threat. As part of its analysis, the College may rely on objective evidence and current medical knowledge and may consult with licensed professionals (including non-employees) to analyze the information gathered. The College shall also consider Respondent's rights, if any, under applicable federal and/or state disability laws.

The relationship between a threat and the physical health or physical safety of any student or other individual will also be carefully evaluated. In some but not all cases, threatening speech or virtual interactions without an associated action may rise to the level of a threat to physical health or physical safety. If the threat posed is in the nature of potential emotional impact only, the College will instead focus on identifying appropriate Supportive Measures.

The College will also closely examine whether the threat arises from allegations of conduct that could

constitute a violation under this Policy. As an example, an immediate threat to physical safety is likely present when a Respondent threatens physical violence against the Complainant in response to the Complainant's allegations of verbal harassment by the Respondent. Threats of self-harm will be addressed under other applicable policies. If the individualized safety and risk analysis results in a determination that a Respondent's actions pose an immediate and identified threat, but do not arise from allegations of violations of this Policy, the College will respond pursuant to other applicable policies and/or procedures.

The College's assessment of the appropriateness of emergency removal will account for its multiple potential impacts, including whether providing Supportive Measures will be sufficient to ensure equal educational access; the adverse impacts of separating a Respondent from educational opportunities and benefits; the protection of the health and safety of the College community; the anticipated timeline of an investigation and hearing. Because these evaluations are necessarily fact specific, in some cases the College may determine that restricting a Respondent's participation in specific programs or activities will adequately address the situation.

B. Emergency Removal is Not Discipline nor a Determination of Responsibility

At all stages of the process, Elizabethtown College will ensure that the emergency removal will not impose a premature sanction on the Respondent or circumvent the Formal Complaint Process. An emergency removal does not equate to a determination that a Respondent has engaged in a violation of this Policy and will not result in a presumption of responsibility in any subsequent Formal Complaint Process.

C. Notice of Emergency Removal and Appeal

In the event the College determines that emergency removal of a Respondent is appropriate, the Respondent will be notified immediately in writing. The written notice will include details about the specifically identified emergency threat of physical safety or harm underlying the decision, as well as information about the Respondent's immediate opportunity to challenge the removal decision by filing an Appeal.

Placement of Employee on Administrative Leave

In the event a Formal Complaint alleges conduct that could constitute a violation of this Policy and identifies an Employee as Respondent, the College may decide to place the Respondent on administrative leave, in emergency and non-emergency situations. The purpose of such, an administrative leave is to allow a temporary separation of the Employee while the Formal Complaint Process is ongoing. The Director of Human Resources, in consultation with the Civil Rights and Title IX Coordinator, will determine the terms and conditions of the leave on a case-by-case basis. The decision process for placing an Employee-Respondent on leave will respect their rights under Title VII, Americans with Disabilities Act, and all other applicable employment laws.

All entitlements established in this section apply equally to the Parties. The Formal Complaint Process applies when a Formal Complaint is signed and submitted, whether by a Complainant or by the Civil Rights and Title IX Coordinator on behalf of the College. This process is grounded in a presumption that a Respondent is not responsible unless and until a Determination of Responsibility at the conclusion of a resolution process.

Filing of Formal Complaint

The Formal Complaint Process begins with the filing of a Formal Complaint which alleges that a Respondent has engaged in a violation of this Policy, is signed by the Complainant or the Civil Rights and Title IX Coordinator, and requests that Elizabethtown College investigate the allegation of Sexual Misconduct. A Formal Complaint must be filed in electronic format. A link to the complaint form will be provided to the Complainant by the Civil Rights and Title IX Coordinator and can be found here: https://forms.office.com/r/bS39fbZQWp

Dismissal or Withdrawal of Formal Complaint

If at any time during the Formal Complaint Process the Civil Rights and Title IX Coordinator determines that the alleged misconduct does not fall within the definitions of Regulatory Prohibited Conduct defined within this Policy, the

Civil Rights and Title IX Coordinator will dismiss the Formal Complaint from the Title IX Investigation process by issuing a Notice of Dismissal.

If at any time during the Formal Complaint Process the respondent is no longer enrolled or employed by the College or the Civil Rights and Title IX Coordinator determines that specific circumstances prevent the College from gathering evidence sufficient to reach a determination of the allegations of the Formal Complaint, the Civil Rights and Title IX Coordinator may dismiss the Formal Complaint by issuing a Notice of Dismissal.

The Notice of Dismissal, which will be issued to the Complainant within five (5) Business Days of the Civil Rights and Title IX Coordinator's determination, will include the reasons for the dismissal. A dismissal of a Formal Complaint from the Formal Complaint Process shall not prevent the College from addressing the allegations in the Formal Complaint under another applicable policy of Elizabethtown College. Any Party has the right to submit an Appeal from dismissal of a Formal Complaint.

If, at any time during the Formal Complaint Process, the Complainant notifies the Civil Rights and Title IX Coordinator in writing that they wish to withdraw the Formal Complaint or any allegations in the Formal Complaint, the Civil Rights and Title IX Coordinator may dismiss the Formal Complaint. Alternatively, the Civil Rights and Title IX Coordinator may decide that proceeding with the Formal Complaint Process is necessary. In making that determination, the Civil Rights and Title IX Coordinator must weigh the Complainant's wishes and the College's obligations to eliminate Sexual Misconduct, prevent its recurrence, and remedy its effects.

Timeframe

Elizabethtown College is committed to resolving all matters promptly and thoroughly. The College strives to complete investigations and resolution processes as efficiently as possible while ensuring fairness, appropriate due process, and a comprehensive review of the facts. The timeframes which the College strives to meet are set forth in this Policy. The Civil Rights and Title IX Coordinator will inform the Parties regularly of the status of the Formal Complaint Process, including the status of investigation and other steps in the process. Circumstances may arise that require the extension of anticipated time frames. Such circumstances may include the complexity of the allegations, the number of Witnesses involved, the availability of the Parties, Witnesses, or others involved, the effect of a concurrent criminal investigation, breaks or other closures of campus, concurrent law enforcement activity, the need for language assistance or accommodation of disabilities, or unforeseen circumstances. In the event timelines are modified, the Civil Rights and Title IX Coordinator will provide written notification to the Parties.

Voluntary Participation

Parties and Witnesses are not required to participate in the Formal Complaint Process, but without their live testimony at the hearing, the Hearing Board cannot rely upon their Statements. The College may not threaten, coerce, or intimidate a Party or Witness into participating, nor may the College retaliate against a Party or Witness for declining to participate in any part of the Formal Complaint Process.

Right to Advisor of Choice

Each Party has the right to choose an Advisor to assist and advise them (at the Party's own expense, if the Advisor is paid). Each Party has the right to be accompanied by their Advisor throughout the Formal Complaint Process, including during all related meetings and hearings. Parties are encouraged to identify an Advisor as soon as practical, as Advisors play an important role in supporting Parties. Each Party must notify the Civil Rights and Title IX Coordinator promptly of the name, title, and contact information for their Advisor and any change in their Advisor. If a Party does not select an Advisor and the matter proceeds to a Live Hearing, an Advisor will be appointed by the College for the hearing, at no fee to the Party, to ask Cross-examination Questions on that Party's behalf. There is no requirement that the Advisor appointed by the College be of equal legal knowledge or skill to the Advisor obtained by another party. For example, if one party obtains an attorney, the College is under no obligation to provide the other party with an attorney.

Advisor availability shall not place undue burden on process timeline. While reasonable requests may be made, requests for pauses in process to accommodate advisor schedules will not be entertained if said pauses jeopardize the process timeline. The Civil Rights and Title IX Coordinator will make this determination.

Advisors are not permitted to speak on behalf of the party with the exception of cross-examination in a Live Hearing process. In all other aspects of the process, the role of the Advisor is to be a support person.

The roles and obligations for advisors are outlined in the Formal Complaint Process under "Roles and Obligations for Advisors".

Request to Remove an Investigator, Hearing Board Member, or Civil Rights and Title IX Coordinator

Parties have the right to request that the Civil Rights and Title IX Coordinator remove an Investigator or member of the Hearing Board based on reasonable and articulated grounds of bias, conflict of interest or an inability to be fair and impartial.

Challenge to an Investigator

A challenge to an Investigator must be raised in writing within five (5) Business Days of receipt of the Notice of Investigation. Parties have the right to request that the Civil Rights and Title IX Coordinator remove an investigator based on reasonable and articulated grounds of bias, conflict of interest, or an inability to be fair and impartial. The Civil Rights and Title IX Coordinator will determine whether to remove the Investigator. If the Investigator is not removed, the Civil Rights and Title IX Coordinator will notify the requesting Party of the decision. If an Investigator is removed and replaced, the Civil Rights and Title IX Coordinator will send written notification to the Parties of the name of the new Investigator.

Request to Remove a Hearing Board Member

Following receipt of the Notice of Live Hearing, Parties have the right to request that the Civil Rights and Title IX Coordinator remove a member of the Hearing Board based on reasonable and articulated grounds of bias, conflict of interest, or an inability to be fair and impartial. This request must be raised in writing within two (2) Business Days of receipt of the Notice of Live Hearing. The Civil Rights and Title IX Coordinator will determine whether to remove the Hearing Board member. If the Hearing Board member is not removed, the Civil Rights and Title IX Coordinator will notify the requesting Party of the decision. If a Hearing Board member is removed and replaced, the Civil Rights and Title IX Coordinator will send written notification to the Parties of the name of the new Hearing Board member.

Request to Remove the Civil Rights and Title IX Coordinator

A Party may request that someone other than the Civil Rights and Title IX Coordinator oversee the Formal Complaint Process based on reasonable and articulated grounds of bias, conflict of interest, or an inability to be fair and impartial. Any such request must be submitted in writing to the Director of Human Resources as soon as a Party becomes aware of any such grounds for removal. The Director of Human Resources will determine whether to designate another person perform the Civil Rights and Title IX Coordinator's duties for the specific matter, and if necessary, will identify the person to undertake those duties. In the event the Director of Human Resources has a conflict of interest, they shall forward the request to the Senior Vice President for Administration and Finance, who will identify the person to perform those duties.

Investigation, Informal Resolution, Concurrent Law Enforcement Activity

1. Initiate an Investigation

The Civil Rights and Title IX Coordinator will initiate an investigation, unless the Formal Complaint is proceeding through the Informal Resolution Process. The Civil Rights and Title IX Coordinator will issue a Notice of Investigation to known Parties sufficiently in advance of any request to meet with the Investigator. This Notice of Investigation will include:

- Notice of these grievance procedures, including the Informal Resolution process, and a copy of this Policy.
- The conduct alleged to violate this Policy, and the date and location of the alleged incident, if known.
- Known Parties involved in the alleged incident
- A statement that the Respondent is presumed not responsible for the alleged misconduct and that a Determination of Responsibility will be made at the conclusion of the process.

- Notice of the Parties' right to an Advisor of choice, who will be permitted to accompany them to investigation meetings, interviews, and any hearing and to review materials provided to their advisee throughout the process.
- Notice of and citation to the College's prohibition on knowingly making false Statements or submitting false information during this process.

If during the course of an investigation, new or additional allegations arise that require investigation, the Civil Rights and Title IX Coordinator will send the Parties an updated Notice of Investigation revising the scope of the investigation.

2. Option of Informal Resolution

If the Parties voluntarily agree to proceed with the Informal Resolution Process, the Civil Rights and Title IX Coordinator may refrain from initiating the Formal Complaint Process or may pause an ongoing Formal Complaint Process.

3. **Concurrent Law Enforcement Activity**

When the Civil Rights and Title IX Coordinator receives a Report of Title IX Sexual Harassment to which it has determined the College must respond through its Formal Complaint Process, the process continues regardless of whether a Complainant has made or decides to make a report to law enforcement. The filing of a report with law enforcement, or an ongoing law enforcement investigation or proceeding does not relieve the College of its obligation to address the Complaint through its Formal Complaint Process. At the Civil Rights and Title IX Coordinator's discretion, the College may temporarily pause its investigation at the request of law enforcement. In that circumstance, the Civil Rights and Title IX Coordinator will send written notice to the Parties explaining the reason for pausing the investigation.

Consolidation of Certain Formal Complaints

If there are multiple Complainants and one Respondent, the Civil Rights and Title IX Coordinator may consolidate Formal Complaints where the allegations of Title IX Sexual Harassment arise out of the same facts or circumstances. All Parties will be notified in writing of a decision to consolidate Formal Complaints. The Civil Rights and Title IX Coordinator is not obligated to consolidate the allegations.

Assignment of Investigator

The Civil Rights and Title IX Coordinator will supervise the investigation, starting with determining who will serve as Investigator(s). The Investigator(s) may be a College Employee(s), an external Investigator(s), or a team of Investigators that pairs an external Investigator with a College Employee. All Investigators will conduct the investigation with a presumption that the Respondent is not responsible and will act without bias or conflict of interest.

Process Overview

The Investigator will conduct the investigation in a manner appropriate in light of the circumstances of the case, which will typically include interviews with the Complainant, the Respondent, and any Witnesses. The Investigator will provide advance written notice to Parties of the date, time, location, participants, and purpose of any requested meeting(s). Investigation interviews will be conducted in a thorough, impartial, and fair manner; all involved individuals will be treated with appropriate sensitivity and respect.

Interviews will be supplemented by the gathering of any physical, documentary, and other evidence, as appropriate and available. The burden of gathering relevant, admissible information sufficient for the College to reach a determination of whether a violation of this Policy has occurred rests on the College. The Parties will have an equal opportunity to submit evidence and suggest Witnesses (including fact and expert Witnesses). The Investigator will decide which individuals to interview based on the information the Investigator gathers as part of the investigation and, with respect to Witnesses offered by a Party, the Investigator may ask the Witnesses to describe the information the Party expects the Witness to provide. The Civil Rights and Title IX Coordinator may direct additional interviews be conducted.

The Investigator will not ask questions or gather information or documents protected by a legally recognized privilege, including treatment records of a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in a professional capacity, without written consent to use such documents in the Process from

the person protected by the privilege. The Investigator will not seek information about a Complainant's sexual predisposition and will only allow submission of or pursue information about a Complainant's prior sexual behavior if such questions and evidence: (1) are offered to prove that someone other than the Respondent committed the alleged misconduct; or, (2) concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to establish Consent.

The investigation will be conducted in a manner that is respectful of individual privacy concerns. To be clear, however, confidentiality cannot be promised during an investigation because, for example, the Investigator may need to speak with Witnesses and others to gather evidence. The Parties are not restricted from discussing the allegations under investigation or from gathering and presenting relevant evidence. However, where the investigation reveals intentional efforts by a Party to fabricate or alter information they submit or to influence the information a Witness provides to the Investigator, disciplinary action may be taken.

Parties' Review of/Response to Information

At the conclusion of the investigation, the Investigator will assemble all inculpatory and exculpatory information gathered during the investigation that is directly related to the allegations of the Formal Complaint, including information upon which the College does not intend to rely in reaching a determination regarding responsibility. The Investigator will redact information that is unrelated to the allegations of the Formal Complaint or otherwise not admissible in the Formal Complaint Process (i.e., because it is subject to an unwaived legally recognized privilege or constitutes prior sexual history not offered to establish Consent or that Respondent did not engage in the alleged misconduct). The Investigator will create a list describing information it has redacted or removed as irrelevant, inadmissible, or not directly related to the allegations of the Formal Complaint, which it may allow the Parties to inspect.

The assembled information will then be shared with the Parties and their Advisors in a shared electronic format. Elizabethtown College will require Parties and their Advisors to agree to restrictions and/or sign a non-disclosure agreement prohibiting dissemination of any of the information provided for inspection and review or use of such evidence for any purpose unrelated to this Formal Complaint Process. The Parties will have at least ten (10) Business Days to review the assembled information and submit a written response to it.

The Investigator will review the Parties' responses to evaluate whether further investigation may be required to ensure the investigation is thorough and complete. In consultation with the Civil Rights and Title IX Coordinator, the Investigator will determine any further action indicated by the Parties' responses and develop a plan to complete the investigation.

Investigation Report

After considering the Parties' responses and conducting any additional investigation indicated by those responses, the Investigator will prepare a report summarizing all of the relevant, admissible information obtained during the investigation, including Inculpatory Evidence and Exculpatory Evidence. The Investigator will incorporate the Parties' responses to the report, as well as an explanation of any additional steps taken after receipt of Party responses and include any related materials. All of these written submissions and all information gathered during the investigation will collectively be considered the investigation report.

To the extent that the investigation report includes an assessment of Party and Witness Credibility, Credibility determinations may not be based upon a person's status as a Complainant, Respondent or Witness.

Parties' Review of/Response to Investigation Report

When the investigation report is complete, the Civil Rights and Title IX Coordinator will provide a copy of it to the Parties and their Advisors in electronic format for their review and written response. Elizabethtown College will require Parties and their Advisors to agree to restrictions and/or sign a non-disclosure agreement prohibiting dissemination of any of the information provided for inspection and review or use of such evidence for any purpose unrelated to this Formal Complaint Process. The Parties shall have five (5) Business Days to review and respond to the investigation report. The investigation report and all evidence will be available at any hearing to give each party equal opportunity to refer to the evidence. Any hearing on the allegations investigated will not be held sooner than ten (10) Business Days after the investigation report is *provided* to the Parties and their Advisors.

Determination After Investigation

At the conclusion of the investigation, the Civil Rights and Title IX Coordinator will review the investigation report to determine whether the conduct, if proved, falls within the definition of regulatory prohibited conduct defined in this Policy. When the alleged conduct, if proved, falls within the definition of regulatory prohibited conduct defined in this Policy, the Civil Rights and Title IX Coordinator will prepare a Notice of Charge based on information contained in the investigation report.

If the conduct, even if proven, does not fall within the definition of regulatory prohibited conduct defined in this Policy, the College must dismiss the Formal Complaint. The College may dismiss a Formal Complaint if the Civil Rights and Title IX Coordinator determines that there is not sufficient cause to believe the alleged conduct may have occurred; the Respondent is no longer enrolled or employed by the College; or specific circumstances prevent the College from gathering sufficient evidence to reach a Determination of Responsibility or No Responsibility.

In such instances where Dismissal is appropriate, the Civil Rights and Title IX Coordinator will issue a Notice of Dismissal, including the reasons for the dismissal, to the Parties simultaneously within five (5) Business Days of the Civil Rights and Title IX Coordinator's determination. If the alleged conduct would potentially violate a different College Policy, the Notice of Dismissal will direct the Parties to that policy. The Parties have a right to submit an Appeal from a dismissal of a Formal Complaint.

Notice of Charge

If the Formal Complaint is not dismissed, the Civil Rights and Title IX Coordinator will issue a Notice of Charge simultaneously to the Parties. The Notice of Charge shall not be issued before the Parties have had five (5) Business Days to review and respond to the investigation report and will be sent to the Parties within ten (10) Business Days of the conclusion of the investigation. The hearing shall not be scheduled sooner than ten (10) Business Days after the Notice of Charge is issued. The Notice of Charge will include the following information:

- a brief factual summary of the conduct alleged to have violated the Policy, including date, time, and location;
- the specific Policy provision(s) at issue; and
- possible sanctions associated with a finding of responsibility for the alleged Policy violation(s).

The Notice of Charge will attach a copy of this Policy or include the website where this Policy is available.

Following the issuance of the Notice of Charge, if Informal Resolution is not being conducted, the Formal Complaint Process proceeds to a Live Hearing.

Notice of Live Hearing

The Notice of Live Hearing will be sent to the Parties simultaneously within ten (10) Business Days of the delivery of the Notice of Charge and at least five (5) Business Days before the scheduled hearing date. The Notice of Live Hearing may be, but need not be, sent with the Notice of Charge. The Notice of Live Hearing will include the following information:

- the date, time, and location of the Live Hearing;
- the Live Hearing will be recorded via an audio recording, or audiovisual recording when possible;
- the composition of the Hearing Board designated by the Civil Rights and Title IX Coordinator; and,
- a statement that there is a presumption of No Responsibility on the part of the Respondent until a determination regarding responsibility is made at the conclusion of the Formal Complaint Process.

In addition, the Notice of Hearing will attach a copy of this Policy or include a reference to the website where this Policy is published.

Hearing Board Chair

Hearings are convened by the Civil Rights and Title IX Coordinator. The Civil Rights and Title IX Coordinator oversees all hearings. In rare circumstances when the Civil Rights and Title IX Coordinator is unavailable or ineligible to do so, the Civil Rights and Title IX Coordinator will designate the person to convene and oversee the Hearing Board process. The Civil Rights and Title IX Coordinator will be the non-voting chair of the Hearing Board during Live Hearings, serving as a process and policy advisor to the Hearing Board. In this role, the Civil Rights and Title IX

Coordinator may be referred to as the Hearing Officer. The Civil Rights and Title IX Coordinator is never a Decisionmaker, whether in connection with a Live Hearing or an Appeal.

Hearing Board Members

Prior to the Live Hearing, the Hearing Board will have read all of the information in the investigation report. The Parties will have the same information as the Hearing Board. Hearing Board members are drawn from the pool of Title IX Administrators. There will be three Hearing Board Members in addition to the non-voting chair (Civil Rights and Title IX Coordinator).

Gathering Information

The Hearing Board will focus its questions on those areas where it needs clarification or more information. The Hearing Board will not necessarily need the Parties or Witnesses to repeat everything they shared during the investigation, but as the Decision-maker(s), the Hearing Board is obligated to come to its own Findings of Fact.

The Hearing Board has the right and responsibility to ask questions and elicit information from Parties and Witnesses on the Hearing Board's own initiative to aid the Hearing Board in obtaining relevant information, both inculpatory and exculpatory.

Only members of the Hearing Board may ask questions of any person testifying, except in connection with Cross-examination Questions asked by Advisors. The Hearing Board is responsible for ensuring that it has sought and probed all information necessary to make an informed decision. At times, the Hearing Board will need to ask difficult or sensitive questions in order to understand the allegations and related information and to gain a full understanding of the context. If at any time a Party does not understand a question or why the Hearing Board is asking a question, the Party should let the Hearing Board know. The Hearing Board will explain and modify its question at its discretion.

The Parties have equal rights to present information in front of the Hearing Board, which ensures that the Hearing Board has the benefit of each Party's perspectives about the evidence. This right includes calling Witnesses. Parties have no right to self-representation and may not ask questions directly of the other Party or Witnesses.

General Considerations for Evaluating Testimony and Evidence

1. While the opportunity for cross-examination is required in all hearings under this Policy, determinations regarding responsibility may be based in part, or entirely, on documentary, audiovisual, and digital evidence, as warranted in the reasoned judgment of the Decision Maker(s).
2. Decision Maker(s) shall not draw inferences regarding a Party or Witness' credibility based on the Party or Witness' status as a Complainant, Respondent, or Witness, nor shall it base its judgments in stereotypes about how a Party or Witness would or should act under the circumstances.
3. Generally, credibility judgments should rest on the demeanor of the Party or Witness, the plausibility of their testimony, the consistency of their testimony, and its reliability in light of corroborating or conflicting testimony or evidence.
4. Credibility judgments should not rest on whether a Party or Witness' testimony is non-linear or incomplete, or if the Party or Witness is displaying stress or anxiety.
5. Where a Party or Witness' conduct or statements demonstrate that the Party or Witness is engaging in retaliatory conduct, including but not limited to witness tampering and intimidation, the Decision Maker(s) may draw an adverse inference as to that Party or Witness' credibility.
6. Decision Maker(s) will afford the highest weight relative to other testimony to first-hand testimony by Parties and Witnesses regarding their own memory of specific facts that occurred. Both inculpatory and exculpatory (i.e., tending to prove and disprove the allegations) evidence will be weighed in equal fashion.
7. The Final Rule requires the College to admit and allow testimony regarding polygraph tests ("lie detector tests") and other procedures that are outside of standard use in academic and non-academic conduct processes. While the processes and testimony about them will be allowed to testify and be crossed as required

by the Final Rule, the Decision Maker(s) will be instructed to afford lower weight to such processes relative to the testimony of fact witnesses.

8. The Final Rule requires the College allow parties to call character witnesses to testify. The College does not provide for character witnesses in other proceedings. While the character witnesses will be allowed to testify and be crossed as required by the Final Rule, the Decision Maker(s) will be instructed to afford very low weight to any non-factual character testimony of any Witness.

Role and Obligations of Advisors

1. The Advisor is present to provide support to the Party and not to serve as a proxy voice for the Party.
2. Advisors may not speak during the hearing process, except where permitted to present Cross-examination Questions. Therefore, in all instances other than Cross-examination Questions, Advisors may not speak to the Hearing Board, make statements or arguments, or answer questions.
3. Advisors conducting Cross-examination must be capable of understanding the purpose or scope of Cross-examination. Equal competency between the Parties' Advisors is not required.
4. When conducting Cross-examination, Advisors need not be advocates for Parties but simply may be individuals who ask questions.
5. Advisors can confer quietly with their advisee as needed, but if there is a need for an extended discussion, the Party should ask for a break in the Live Hearing.
6. Advisors cannot direct the Party, how to answer a question.
7. Advisors should conduct themselves quietly and professionally, must not disrupt the proceedings and must comply with any rules of decorum imposed by the College. An Advisor who does not do so may be removed from the Live Hearing. In that instance, the Party may select another Advisor, or the College will appoint a substitute Advisor.

Hearing Location

Live Hearings may be conducted with all Parties physically present in the same geographic location or, at the Civil Rights and Title IX Coordinator's discretion, any or all Parties, Witnesses, and other participants may appear at the Live Hearing virtually, with the Parties being able to see and hear each other and Witnesses live.

At the request of either Party, the Civil Rights and Title IX Coordinator will provide for the entire Live Hearing (including Cross-examination) to occur with the Parties located in separate rooms with technology enabling the Parties to see and hear each other. Unlike Parties, Witnesses do not have the right to demand to testify in a separate room, but Civil Rights and Title IX Coordinator, in its discretion, may permit any participant to appear remotely.

Recording of Live Hearing

Hearings are closed to the public and are recorded. Please note that the hearing is being recorded for the purpose of transcribing notes and/or appeal officer review only, but the recording will not be available to any party for review. A summary of the transcript will be made available to all involved parties for review upon request. The recordings are not a part of the student record, are the property of the College and will not be released to any party or advisor.

Scope of the Live Hearing

The Live Hearing will relate solely to charges set forth in the Notice of Charges issued to the Parties. If the Parties or any Witnesses share information that goes beyond these charges, the Hearing Board will redirect the speaker to the charges at hand.

Parties may be accountable for additional violations discovered through the Formal Complaint Process even if they do not appear in the Notice of Charge/Notice of Live Hearing. In this instance, a separate Complaint Process under this Policy, or under other applicable policies, may be commenced.

Attendance at the Hearing

The Live Hearing is closed, meaning it is not open to the public. Witnesses may be present only for their individual meeting with the Hearing Board. Advisors and Parties may be present throughout the proceeding. If a Party, after having been given notice, does not appear at the Live Hearing, the Live Hearing will be conducted in their absence, and the Party's Advisor may appear and conduct Cross-examination. In the event neither a Party nor their Advisor appears

at the hearing, the College will provide an Advisor to appear on behalf of the non-appearing Party. The College may have Counsel present to monitor the process.

Honesty

Parties and other individuals who offer information at a Live Hearing are expected to respond honestly and to the best of their knowledge. The Hearing Board may recall any Party or Witness for further questions and, to seek additional information as it deems necessary. A Party or Witness who intentionally provides false or misleading information may be subject to discipline under this Policy or other applicable policies.

Cross-examination Questions

1. Advisors Conduct Cross examination

Advisors are allowed, on behalf of the Party they are advising, to cross-examine the other Party and Witnesses by asking relevant questions and follow-up questions, including questions challenging Credibility.

2. Relevance Determination Before Answering

Before a Party or Witness answers a Cross-examination Question, the Hearing Board will determine if the question is relevant. If a question is deemed irrelevant, the Hearing Board will explain why. The requirement of Relevance applies throughout the hearing, including during Cross-examination, and will be determined by the Hearing Board. Parties should understand that the process of Cross-examination may be difficult and may feel uncomfortable because its purpose is to promote the perspective of the other Party. Cross-examination Questions may not be submitted in writing in advance of the Live Hearing or during the Live Hearing for purposes of seeking an evaluation of Relevance.

Breaks

The Hearing Board may need to take breaks during testimony to ensure that it can confer regarding the information that has been offered and can determine whether further questions are necessary. At any time, a Party may request a break to talk with their Advisor or for another reason. In almost all instances, a break will be allowed.

Rape Shield Protections

All questions and evidence about Complainant's sexual predisposition or prior sexual behavior are irrelevant unless offered to prove that someone other than the Respondent committed the alleged misconduct or offered to prove Consent.

Order of Live Hearing

1. The Chair will call the Live Hearing to order and will explain the hearing process, which will include a reading of the charge(s) at issue and will provide an opportunity for all Parties to ask procedural questions prior to opening statements.
2. The Parties shall be informed that the hearing is being recorded. The recording is the sole official verbatim record of the Live Hearing and is the property of the College.
3. The Complainant may present an opening statement related to the charges.
4. The Respondent may present an opening statement related to the charges.
5. The Hearing Board will ask the Complainant questions relevant to the charges.
6. The Respondent's Advisor may ask Complainant relevant questions and follow-up questions, including those challenging Credibility (Cross-examination Questions)
7. The Hearing Board will ask the Respondent questions relevant to the charges.
8. The Complainant's Advisor may ask Respondent relevant questions and follow up questions, including those challenging Credibility (Cross-examination Questions).
9. The Hearing Board may call Witnesses to provide relevant information to the Hearing Board.
10. At the conclusion of each Witness, Complainant and Respondent's Advisors may ask each Witness relevant questions and follow up questions, including those challenging Credibility (Cross-examination Questions).
11. At the conclusion of the testimony of the Parties and the Witnesses, the Parties will be able to make a closing statement, with the Complainant going first and the Respondent going next.
12. The Chair will announce that the Live Hearing is concluded.

Hearing Board Deliberations and Written Determination

When the Live hearing concludes, the Hearing Board will deliberate and make its decision in accordance with the preponderance of the evidence Standard of Evidence. The Hearing Board will issue a Written Determination, which will be sent to the Parties simultaneously within fifteen (15) Business Days of the conclusion of the Live Hearing. The Written Determination will include:

- Procedural History
- Summary of allegations in Notice of Charge/Notice of Live Hearing
- Policy provisions at issue
- Findings of Fact related to each allegation potentially constituting Title IX Sexual Harassment, made by the applicable standard of evidence
- Rationale (or evidentiary basis) for the Findings of Fact related to each allegation, which should include an evaluation of the weight or Credibility of admissible, relevant evidence
- A determination of whether the conduct found to have occurred violates this Policy (Determination of Responsibility) or not (Determination of No Responsibility)
- Rationale (or evidentiary basis) for the Determination of Responsibility or No Responsibility
- A statement of any disciplinary sanctions imposed on the Respondent and the rationale for the sanctions
- A statement of whether Remedies will be provided to the Complainant, using the phrase: "Remedies designed to restore or preserve equal access to Elizabethtown College's Education Program or Activity will be provided by the College to the Complainant. "The nature of such Remedies will not appear in the Written Determination. Remedies that do not directly affect the Respondent will not be disclosed to the Respondent.
- Information about how to file an Appeal and how to access the transcript or recording before the time to file an Appeal lapse's.

Possible Sanctions

The Civil Rights and Title IX Coordinator is responsible for the effective implementation of any Sanctions or Remedies.

The following sanctions and/or conditions may be imposed following a Determination of Responsibility for a violation of this Policy. The described range of sanctions is required by Federal law under Title IX and that the published range is purely for purposes of notice as to the possibility of a range of Remedies and disciplinary sanctions and does not reflect the probability that any particular outcome will occur.

Students

Sanctions

If a student is found responsible for a violation of college policy, sanctions are assigned for the purpose of:

- educating students.
- guiding future decision-making and preventing repeat of similar violations
- repairing harm to individuals, groups of individuals, or the College community.

Appropriate and reasonable sanctions will be based on current and prior violations of the Code of Conduct and the model outlined below. Definitions of common sanctions are detailed below. However, Student Conduct Administrators (SCA) may assign alternative sanctions. More than one sanction may be imposed for a single violation. Students are required to complete sanctions. Failure to comply may result in additional disciplinary action or the activation of a Hold on the student's account. Sanctions may be imposed upon groups or organizations as well as individual students.

In situations where Disciplinary Suspension or Disciplinary Expulsion is a possible sanction if a student is found responsible for a violation, the College reserves the right to assign the case to a Hearing Panel.

Sanction Options and Definitions

- **Alcohol/Drug Education and/or Assessment** requires the student to complete an alcohol or other drug (AOD) educational program or assessment. If a cost is associated with any program or assessment, that cost will be passed on to the student. These sanctions may include but are not limited to:

    - **Alcohol EDU for Sanctions – educational module completed through Vector Solutions. Free.**

    - **BASICS (Brief Alcohol Screening & Intervention of College Students) –**Student will meet with a staff counselor to examine alcohol or other drug use in a judgment-free two-session process. Fee is $80.

    - **AOD Assessment -** requires the student to complete an alcohol or other drug (AOD) assessment with a college staff counselor. The fee of an on-campus AOD assessment is $100 and requires two sessions. The student is responsible for providing evidence of successful completion.

- **Community Service -** requires the student to complete a service project in the College community or the surrounding community. The service will be assigned by, or must be pre-approved by, the SCA.

- **Disciplinary Fine and/or Restitution -** may be imposed in conjunction with any sanction at the discretion of the SCA. A Disciplinary Fine is different from restitution. Restitution is defined as compensation for loss or damage to College property.

- **Disciplinary Notice -** a written notice to the student that rises above a warning and carries additional educational sanctions and/or notifications. A student on Disciplinary Notice should be aware that subsequent violations of the Student Code of Conduct may jeopardize the student's good standing with the College.

- **Disciplinary Probation** - Disciplinary Probation - a period of time during which a student is, under warning that any violation of college policy may result in suspension. Disciplinary probation may also prohibit a student from participating in certain college activities or programs, as it is considered notice that the student is not in good standing due to their behavior. Disciplinary Notice is not a required precursor to Disciplinary Probations. This sanction is not reflected on the academic transcript but may be accompanied by notice to the Financial Aid Office or Business Office that the student is not in good standing.

- **Educational Program or Project -** requires the student to engage in an educational activity of the SCA's choosing that provides the student with an opportunity to learn new information related to the violation, reflect upon the violation, or reflect upon ways in which the student intends to prevent similar violations from happening again in the future. These activities may include but are not limited to:

    - review an article or video

    - write a reflective or educational paper

    - complete an educational project such as a bulletin board

    - attend a program or activity – may be virtual or in-person, on- or off-campus (student is responsible for the cost of the educational program and must provide evidence of successful completion)

- **Formal Warning – a written notice to the student that they have violated College policy and continued behavior may lead to more significant disciplinary action**

- **Loss of Privileges** restricts participation in particular activities/programs or campus events. Loss of privileges may include, but is not limited to, ability to represent the College in any way (including but not limited to study abroad), use of facilities, participation in co-curricular activities, holding a leadership position, housing lottery privileges, and housing privileges including break housing. Loss of privileges may also apply to groups, athletic

teams, clubs and organizations and may include club or organization deactivation. Some loss of privileges may impact financial aid.

- **No Contact Order** – description of No Contact Order found in Student Handbook

- **Notifications and/or Conferences – the College reserves the right to notify other College personnel and/or student's parent(s) or guardian regarding student conduct. Student Conduct Administrators may also require a conference with those notified. Notifications include but are not limited to:**

    - **Academic Advisor or other program advisor (academic department, study abroad, international student, honors program, etc.)**
    - **Athletic Director and/or Coach**
    - **Academic Standing Committee Chair**
    - **Campus Employment Supervisor**
    - **Vice President for Student Life and Dean of Students or other Student Life Administrator**

- **Other –** Any applicable sanction that does not fall within the scope of the items listed here.

- **Residential Restrictions –** the following restrictions and/or changes to the student's residential location are possible sanctions:

    - **Residential Expulsion -** student is immediately and permanently restricted from living in college housing
    - **Residential Relocation –** student is administratively moved to a different on-campus housing location
    - **Residential Restriction -** results in restricted access to certain on-campus residence halls, or being able select a room in certain residence halls during room selection
    - **Residential Suspension -** requires the student to terminate occupancy of on-campus residence for a specified period of time. Restricted access to residence halls during the period of suspension may also be involved. The Vice President for Student Life and Dean of Students or the Director of Residence Life may require a personal meeting to determine eligibility; return following a residential suspension is not automatic. Approval for re-entry into residential housing must be secured three weeks prior to the start of the new semester.

- **Disciplinary Suspension** - a defined period of time during which a student is not permitted to engage in any of the privileges, courses, organizations, events, or activities associated with being a student at Elizabethtown College. Disciplinary Suspension may be enacted for one semester, two semesters, three semesters, four semesters, five semesters, six semesters or longer than six semesters. Suspension beyond six semesters would be a special circumstance and defined by specific dates. Parameters of Disciplinary Suspension are outlined below in the section entitled Disciplinary Suspension and Expulsion.

- **Disciplinary Expulsion -** the student is immediately and permanently separated from the College for disciplinary reasons. See section entitled "Disciplinary Suspension and Expulsion" below for more details about expulsion.

Disciplinary Suspension and Expulsion

Disciplinary Suspension

During the period of suspension, a Student Conduct hold designating such will be placed on the student's account and transcript prohibiting registration, enrollment, attendance, or ability to earn credit for any credit or noncredit courses offered by Elizabethtown College. This also prohibits receipt of a degree or certificate from Elizabethtown College during this time. This suspension may not prevent a student from attending another college or university. Once the period of suspension has been completed, the hold will be lifted from the student account, provided the student has completed any other requirements required prior to return. In some cases, in order to allow the student to complete the current semester, disciplinary suspension *may* be deferred to begin the following semester. Special conditions may apply during a deferred suspension.

Additional Disciplinary Suspension Parameters:

- **Restriction from Entering Campus**: the student is restricted from college property and grounds unless otherwise stated, and is restricted from participating in or attending any College-sponsored events or activities.

- **Transcript Notation**: The suspended student will receive a "WF" in all current courses; the "WF" notation will appear on the student's permanent transcript. Disciplinary Suspension will be noted on the student's transcript through the length of the suspension period.

- **Credit Transfers**: The College will not accept transfer credits earned at another institution during a period of disciplinary suspension.

- **Return following a Disciplinary Suspension:** Return after suspension is not automatic as special conditions or considerations imposed by the Student Conduct Administrator may apply. The student must petition the Vice President for Student Life in writing via email for permission to return to the College in advance of reapplying to the institution. The VP for Student Life may require a personal meeting to determine eligibility. Approval for re-entry must be secured three weeks prior to the start of the new semester.

- **Forfeiture of Scholarships:** Students who receive a sanction of Disciplinary Suspension will permanently forfeit their merit scholarship (if applicable). The merit scholarship will not be reinstated, even if the student is eligible to return after the suspension period has ended.

- **Record of Suspension and Suspension Notification -** The record of disciplinary suspension is maintained in the student's confidential file for seven years. Parents/guardians, coaches, academic advisors, some academic programs and co-curricular program advisors may be notified of the student's status.

- **Length of Suspension:**

    - **Disciplinary Suspension for One Semester –** Unless a deferral has been issued, the length of suspension will be for one semester in addition to the remainder of the semester in which the sanction is implemented. A Semester is defined as the traditional fall or traditional spring term. Unless a deferral has been issued, a student under suspension is unable to enroll in courses between the date the suspension is issued and the end of the next traditional fall or spring term.

    - **Disciplinary Suspension for Two Semesters –** Unless a deferral has been issued, the length of suspension will be for two semesters in addition to the remainder of the semester in which the sanction is implemented. A Semester is defined as the traditional fall or traditional spring term. Unless a deferral has been issued, a student under suspension is unable to enroll in courses between the date the suspension is issued and the end of two full traditional semesters.

    - **Disciplinary Suspension for Three Semesters –** Unless a deferral has been issued, the length of suspension will be for three semesters in addition to the remainder of the semester in which the sanction is implemented. A Semester is defined as the traditional fall or traditional spring term. Unless a deferral has been issued, a student under suspension is unable to enroll in courses between the date the suspension is issued and the end of three full traditional semesters.

- **Disciplinary Suspension for Four Semesters –** Unless a deferral has been issued, the length of suspension will be for four semesters in addition to the remainder of the semester in which the sanction is implemented. A Semester is defined as the traditional fall or traditional spring term. Unless a deferral has been issued, a student under suspension is unable to enroll in courses between the date the suspension is issued and the end of four full traditional semesters.

- **Disciplinary Suspension for Five Semesters –** Unless a deferral has been issued, the length of suspension will be for five semesters in addition to the remainder of the semester in which the sanction is implemented. A Semester is defined as the traditional fall or traditional spring term. Unless a deferral has been issued, a student under suspension is unable to enroll in courses between the date the suspension is issued and the end of five full traditional semesters.

- **Disciplinary Suspension for Six Semesters –** Unless a deferral has been issued, the length of suspension will be for six semesters in addition to the remainder of the semester in which the sanction is implemented. A Semester is defined as the traditional fall or traditional spring term. Unless a deferral has been issued, a student under suspension is unable to enroll in courses between the date the suspension is issued and the end of six full traditional semesters.

- **Disciplinary Suspension for Longer Than Six Semesters –** A Disciplinary Suspension for longer than six semesters should be a special circumstance and will be defined by specific dates.

Disciplinary Expulsion

- **Restriction from Entering Campus**: An individual who has been expelled from the College is not permitted on campus property and is restricted from participating in any College-sponsored event or activity.

- **Transcript Notation**: Disciplinary Expulsion is recorded on the student's permanent transcript. The student will receive a "WF" in all current courses as noted on the student's permanent transcript.

- **Record of Expulsion:** Documents supporting the student conduct decision are maintained in the student's confidential file indefinitely. Parents/guardians, coaches, academic advisors, some academic programs and co-curricular program advisors may be notified of the student's status.

- **Ineligible for Return:** The student is never permitted to apply for re-enrollment or enroll in any courses at the College for any reason at any time in perpetuity.

Employees

- Termination of employment
- Revocation or denial of tenure
- Suspension
- Demotion
- Progressive discipline
- Warning
- Loss of pay or other pay adjustments
- Job transfer
- Change or restrictions in work location and/or job responsibilities
- Sexual Harassment/Misconduct education
- Restrictions on the Employee's communications
- Limitations on the Employee's movement in or on campus, programs, and activities

Factors in Determining Sanctions

In considering the appropriate sanction within the recommended outcomes, the Hearing Board may consider the following factors:

- Respondent's prior discipline history;
- how the College has sanctioned similar incidents in the past;
- the nature of the conduct at issue, including whether there was violence;
- the impact of the conduct on the Complainant;
- the impact of the conduct on the College's community, its members or property;
- whether the Respondent accepted responsibility;
- whether the Respondent is reasonably likely to engage in the conduct in the future;
- any other mitigating or aggravating circumstances, including the College's values and the College's obligation to eliminate Sexual Misconduct prevent its recurrence, remedy its effects, and to maintain an environment free from Sexual Misconduct.

Respondent's lack of comprehension that conduct constituting Sexual Misconduct violates the bodily or emotional autonomy and dignity of a victim does not excuse the misconduct, though genuine lack of understanding may, in the Hearing Board's discretion, factor into the sanction decision.

Remedial Action

The Hearing Board may consider other remedial actions that may be taken to address and resolve any incident of Sexual Misconduct and to prevent its recurrence, including: strategies to protect the Complainant and any Witnesses from retaliation; provide counseling for the Complainant; other steps to address any impact on the Complainant, any Witnesses, and the broader campus community, and any other necessary steps reasonably calculated to prevent future occurrences of harassment.

Failure to Comply with Sanctions

Failure to comply with the sanctions or conditions imposed by the Hearing Board will result in action under Elizabethtown College's student Code of Conduct, Faculty Handbook or Employee Handbook.

Effective Date of the Written Determination

The Written Determination becomes final only after the time period to file an Appeal has expired or after the Appeal decision has been sent to the Parties. The Written Determination will identify to whom any Appeal must be addressed.

Possible Notice to Parents

The College reserves the right to notify parents of dependent students when student conduct has resulted in serious disciplinary sanctions. The College will observe all FERPA Laws and other applicable privacy laws when releasing information to parents. Thus, personally identifiable information and incident details may not be shared.

Appeal

Filing an Appeal

The Parties have equal rights to file an Appeal. Appeals will be submitted to the Civil Rights and Title IX Coordinator in writing electronically. Appeals must be submitted within five (5) Business Days of the issuance of the Notice of Dismissal or Written Determination that the Party seeks to appeal.

Grounds for Appeal

An Appeal is not intended to be a rehearing of the information presented at the Live Hearing. An Appeal may only be based upon one or more of the following grounds:

1. Procedural Irregularity that affected the outcome of the matter;
1. 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;

1. Conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that affected the outcome of the matter; and/or,
1. The sanction imposed is substantially disproportionate to policy violation.

Actions upon Receipt of Appeal

1. The Title Coordinator shall designate a Decision-maker (the "Appeal Decision maker") to consider and decide any Appeal, chosen from the pool of Title IX Administrators.

2. Within five (5) Business Days of the receipt of the Appeal by the Civil Rights and Title IX Coordinator, the Civil Rights and Title IX Coordinator will give notice to the Parties of the appeal and of the identity of the Appeal Decision maker.

3. The Parties will have two (2) Business Days after notice of receipt of the Appeal to request that the Civil Rights and Title IX Coordinator remove the Appeal Decision-maker based on reasonable and articulated grounds of bias, conflict of interest or an inability to be fair and impartial. The Civil Rights and Title IX Coordinator will determine whether to remove the Appeal Decision-maker. If the Appeal Decision maker is not removed, the Civil Rights and Title IX Coordinator will notify the requesting Party of the decision. If the Appeal Decision-maker is removed and replaced, the Parties will be sent simultaneous written notification of the name of the new Appeal Decision-maker.

4. When the time to request removal of the Appeal Decision-maker has run, the Appeal Decision maker will be provided with the entire file provided to the Hearing Board, together with the Written Determination.

5. The Appeal Decision-maker will first determine whether the Appeal will be accepted, based upon whether one or more of the Appeal Grounds set forth above has been properly alleged by the Appellant. Within five (5) Business Days of the receipt of the Appeal, the Appeal-Decision maker will send written notice to the Parties simultaneously that either (a) the Appeal has been rejected due to insufficient grounds, with the Appeal Decision-maker's rationale, or (b) the Appeal has been accepted.

6. The non-appealing Party/ies will be entitled to submit a response to the Appeal, which must be sent to the Civil Rights and Title IX Coordinator within five (5) Business Days of receipt that the Appeal was accepted.

7. The Appeal Decision maker will then analyze all, of the materials related to the Appeal and will take one of the following actions:

a.Uphold the original decision

b. Send the matter back to the Hearing Board for further consideration

c. Refer the matter to the Civil Rights and Title IX Coordinator for further investigation or a new hearing with a new Hearing Board

8. The Appeal Decision-maker will issue their written decision on Appeal within ten (10) Business Days after the receipt of the non-appealing Party/ies response. If no response is submitted by the non-appealing Party/ies, then the written decision shall be issued within ten (10) Business Days after the date the response was due to be submitted.

9. The written Appeal decision, which will include the Appeal Decision-maker's rationale, will be sent to the Parties simultaneously.

Appeal Decisions are Final

A decision denying the entitlement to an Appeal and all decisions made by the Appeal Decision-maker are final.

When an Appeal is not Filed

The Parties will be notified if the time to file an Appeal has expired without any Appeal having been submitted.

Formal Complaint Process Timeframes

Measured from the conclusion of the investigation, Elizabethtown College strives to meet the following timeframes for the Formal Complaint Process. All days are measured in Business Days.

- A Notice of Charge or Notice of Dismissal: The Notice of Charge or Notice of Dismissal will be sent to the Parties simultaneously within ten (10) Business Days of the conclusion of the investigation.
- Notice of Live Hearing: As applicable, a Notice of Live Hearing will be sent the Parties simultaneously within ten (10) Business Days of the delivery of the Notice of Charge.
- Challenge to Hearing Board Member: Within two (2) Business Days of receipt of the Notice of Live Hearing, Parties have the right to make a written request that the Civil Rights and Title IX Coordinator remove a member of the Hearing Board based on reasonable and articulated grounds of bias, conflict of interest or an inability to be fair and impartial.
- Live Hearing: The Live Hearing will begin no sooner than ten (10) Business Days after the Notice of Charge is issued, no sooner than five (5) Business Days after the Notice of Live Hearing, and no later than twenty (20) Business Days after the Notice of Live Hearing is issued.
- Written Determination following a Live Hearing: Following a Live Hearing, the Written Determination will be sent to the Parties simultaneously within fifteen (15) Business Days of the conclusion of the Live Hearing.

Appeals:

- Parties must file an Appeal within five (5) Business Days of receipt of the Written Determination.
- Within five (5) Business Days of the receipt of the Appeal by the Civil Rights and Title IX Coordinator, the Appellant and non-appealing Party/ies will receive written notice that an Appeal has been submitted and the identity of the Appeal Decision maker.
- The Parties will have two (2) Business Days after notice of receipt of the Appeal to request that the Civil Rights and Title IX Coordinator remove a member of the Appeal Decision maker based on reasonable and articulated grounds of bias, conflict of interest or an inability to be fair and impartial.
- Within five (5) Business Days of the receipt of the Appeal, the Appeal Decision maker will send written notice to the Parties either accepting or rejecting the Appeal.
- The Appeal Decision maker will issue its written decision on Appeal within ten (10) Business Days after the receipt of the non-appealing Party/ies response to the Appeal.

Option for Voluntary Informal Resolution

Elizabethtown College offers a voluntary process for Formal Complaints to be addressed through Informal Resolution. During the Informal Resolution process, a Facilitator will attempt to help the Parties come to an agreement about how to resolve a Formal Complaint. The Informal Resolution process is available to the Parties only after a Formal Complaint is filed and before a Determination of Responsibility or No Responsibility is issued. The Informal Resolution process is never available where a Formal Complaint alleges that a College Employee engaged in Title IX Sexual Harassment toward a student.

All Parties' participation in the Informal Resolution process must be voluntary. In order to initiate the Informal Resolution process, each Party must sign the "Consent to Informal Resolution Process" form and submit it to the Civil Rights and Title IX Coordinator. When all Parties to a Formal Complaint have submitted the consent forms, the College will pause the Formal Complaint Process, including any ongoing investigation or hearing, for a period of fifteen (15) Business Days (unless a shorter or longer time is set by the Civil Rights and Title IX Coordinator), to allow the Parties to proceed with the Informal Resolution Process. The time period during which the Formal Complaint Process is paused for the Informal Resolution Process shall not count toward the time periods set forth to conclude the Formal Complaint Process.

Notice Prior to Informal Resolution

Prior to the beginning the Informal Resolution process, the Civil Rights and Title IX Coordinator will provide notice of the allegations of the Formal Complaint and will direct the Parties' attention to the Informal Resolution provisions of this Policy.

Role of the Facilitator

The Facilitator will decide the process and procedures to be used in the Informal Resolution process but shall not take actions inconsistent with this Policy. The Facilitator will treat the Parties fairly and equitably. Each Party may be accompanied by their Advisor during any portion of the Informal Resolution process. The Facilitator may meet with the Parties separately, may share information obtained during the course of any investigation with the Parties, may make suggestions about the terms of an Informal Resolution, and may take other reasonable steps to assist the Parties in determining if they can reach an Informal Resolution. The Facilitator shall not require the Parties to meet together, in-person, unless the Parties agree to do so.

If the Parties reach an agreement to resolve a Formal Complaint informally, the Facilitator shall create a written agreement that lists the terms of the Informal Resolution for the Parties to sign. A Party may withdraw from the Informal Resolution process at any time before they sign a written document agreeing to an Informal Resolution and within 48 hours after the Party signs the written agreement. If a Party timely withdraws from the information resolution process, then the College shall resume the Formal Complaint Process.

Under no circumstances may the Facilitator be called as a Witness in the Formal Complaint Process.

Approval of Informal Resolution by Civil Rights and Title IX Coordinator

If no Party withdraws from the written agreement within 48 hours, the agreement shall be presented to the Civil Rights and Title IX Coordinator for final approval and implementation. The Civil Rights and Title IX Coordinator shall give deference to the Parties' agreement but shall not approve an agreement that the Civil Rights and Title IX Coordinator determines to be impractical, unduly burdensome, or inconsistent with the College's obligations under this Policy, Title IX, or another applicable law or policy. If the Civil Rights and Title IX Coordinator disapproves the Parties' written agreement, the Facilitator and the Parties may agree to modify and resubmit the agreement. If they do not agree to do so and/or do not submit a modified written agreement, then the Civil Rights and Title IX Coordinator shall resume the Formal Complaint Process.

Neither the College nor any other person may retaliate against an individual who has participated or refused to participate in any matter addressed under this Policy. Retaliation includes any action to intimidate, threaten, coerce, or discriminate against an individual (a) for the propose of interfering with any right or privilege secured by Title IX or its implementing regulations; or (b) because the individual has made a Report or Formal Complaint, testified, assisted, or participated or refused to participate in any manner in any investigation, proceeding, or hearing under this Policy. Retaliation is also prohibited against individuals involved in matters that do not arise under this policy but arise out of the same facts or circumstances as a Report or Formal Complaint of sex discrimination or sexual harassment. Retaliation is a violation of College Policy. Any allegations of retaliation related to a Report or Formal Complaint Process will be referred to the appropriate process of resolution, even if such process runs concurrent with a Formal Complaint Process outlined in this Policy. The outcome of any proceedings called to resolve retaliation in relationship to a Report or Formal Complaint Process must be reported back to the Civil Rights and Title IX Coordinator.

Training and Prevention Programming

In an effort to reduce the risk of gender-based discrimination and sexual misconduct occurring among its students, Elizabethtown College utilizes a range of campaigns, strategies and initiatives to provide awareness, educational, risk reduction and prevention programming.

It is the policy of the College to offer educational programming to prevent domestic violence, dating violence, sexual assault (including stranger and known offender assaults) and stalking each year. Educational programs are offered to raise awareness for all incoming students and employees and are often conducted during new student and new employee orientation and throughout an incoming student's first semester. These programs and others offered throughout the year include messages regarding awareness, primary prevention (including normative messaging, environmental management and bystander intervention), and discuss College Sexual Misconduct policies. Bystander engagement is encouraged through safe and positive intervention techniques and by empowering third-party intervention and prevention such as calling for help, using intervention-based apps, identifying allies and/or creating distractions.

Programs also offer information on risk reduction that strives to empower victims, how to recognize warning signals and how to avoid potential attacks, doing so without victim-blaming approaches. Throughout the year, ongoing

awareness and prevention campaigns are directed to students, faculty and staff, often taking the form of campaigns, guest speakers, events, and programs sponsored by student clubs and organizations. The College requires all first- year students to complete Sexual Assault Prevention for First Year Students, and Sexual Assault Prevention: Ongoing, for returning students. Both are online educational platforms offered by Vector Solutions. The College also provides mandatory training in addition to Vector Solutions for student athletes focusing on bystander intervention and environmental and cultural factors that relate specifically to student athletes.

Written Notification of Available Resources

The College will provide a Written Notification of Resources to students and employees, which includes information about support and assistance granted to victims of sexual assault, stalking, dating violence or domestic violence. The support and assistance the College can provide includes accessing advocacy resources; academic support; counseling, disability, health or mental health services; legal assistance; visa/immigration assistance (both within the College and in the community); transportation and will provide other security and support measures as appropriate, including by issuing a no-contact order, arranging a change of living or work assignment or class schedules (including for the Respondent pending the outcome of an investigation), or making adjustments for assignments or tests, etc. and assisting with reporting crimes to local law enforcement if the victim chooses. This information is also available on the Elizabethtown College Title IX webpage.

Recordkeeping

Elizabethtown College will maintain the records identified in this section of this Policy for a period of seven (7) years. The records maintained shall be kept confidential and not disclosed, except as permitted or required by law. The records may be maintained in paper or digital files.

In connection with each Report and each Formal Complaint, the College will maintain the following records, to the extent they exist:

- documentation of any Report of alleged Title IX Sexual Harassment;
- documentation of any Supportive Measures or if no Supportive Measures are provided, the reasons why and an explanation of how the College's response was not clearly unreasonable;
- the Formal Complaint;
- documentary evidence gathered in the course of an investigation and photographs or descriptions of nondocumentary evidence gathered in the course of an investigation;
- written responses of the parties provided prior the finalization of the investigation report;
- the Investigation Report;
- the audio recording, audiovisual recording, or transcript of any Live Hearing;
- the Written Determination;
- any Appeal and Written Appeal Decision;
- records of the sanctions and/or remedies;
- records of any other steps taken to restore or preserve equal access to the College's Education Program or Activity,
- any written agreement of an informal resolution; and
- a statement documenting the basis for the College's conclusion that its response to a report or formal complaint was not deliberately indifferent.

The College shall also maintain all materials used to train its Civil Rights and Title IX Coordinators, Investigators, Decision-makers, and Facilitators and a copy of each version of its Title IX Policy on Sex Discrimination.

Modifications to this Policy

This Policy may be modified from time-to-time, during an academic year or otherwise, in the College's discretion and as may be required by law. College Employees and Students will be notified whenever this Policy is modified. The policy and procedures posted on the website are the most current.

Disclosure of Results of Disciplinary Proceedings to Next of Kin

Upon request, the College will disclose the results of any disciplinary proceeding conducted by the institution against a student who is the alleged perpetrator of any crime of violence or non-forcible sex offense (incest or statutory rape) to the alleged victim's next of kin if the victim is deceased as a result of the offense.

Federal Timely Warning Reporting Obligations

Victims of sexual assault, dating or domestic violence or stalking should be aware that the College must issue timely warnings for reported incidents that represent a serious or continuing threat to members of the campus community. In such circumstances, no personally identifiable information of the Complainant will be disclosed.

Related College Policies

It is possible that an alleged occurrence or series of occurrences giving rise to a report of sexual harassment (or other conduct prohibited under this Policy) may relate to conduct prohibited under other College policies. For example, alleged sexual harassment that is motivated in part by racial or ethnic discrimination would, if proven by a preponderance of the evidence, violate both this Policy and the College's Policy Against Discrimination, Harassment, and Bullying. In situations like this example where alleged prohibited conduct falls under both (a) this Policy and (b) any other policy of the College, the procedures outlined in this Policy control.

However, the Civil Rights and Title IX Coordinator has the discretion to sever from the proceedings under this Policy the fact finding, adjudication, or sanctioning related to the alleged violation of a different College policy. If the Civil Rights and Title IX Coordinator so exercises this discretion, this Policy will govern the processes and procedures related to the resolution of the alleged sex discrimination (in whatever form that falls under this Policy), while the policies and procedures of any other relevant College policy will govern the resolution of the other alleged misconduct.

Policy On Prohibited Relationships Between College Employees And Students

Dating, romantic, or sexual relations between College employees (faculty, staff and administrators) and students, even if consensual, can negatively affect the educational environment for students. Members of the faculty and staff are expected to maintain professional relations with all students, act in accordance with standards of professional conduct and avoid conflicts of interest, favoritism, bias or creation of a hostile environment for students.

Moreover, a consensual romantic relationship or sexual relationship between an employee and a student enrolled at the College can compromise professional standards and expose both the employee and the College to claims of harassment or unlawful discrimination—for example, from the student involved or from other students who allege they were disadvantaged because of the employee's unprofessional relationship with one of their peers.

Accordingly, the College prohibits consensual romantic or sexual relationships between employees (faculty, staff, and administrators) and students. An employee found to be engaged in a romantic or sexual relationship with a student will be subject to disciplinary action up to and including dismissal or release.

Employees who are married to or are a domestic partner of a student (as defined under Domestic Partner Benefits) are exempt. In situations where such a pre-existing relationship exists, the individual with the supervisory, teaching, advisory, or evaluative position over the student must immediately inform the relevant supervisor, Chair, Dean, or the Director of Human Resources of the conflict of interest. Necessary steps will be taken to resolve the conflict and eliminate any appearance of favoritism or advantage and/or inconsistencies in other College policies.

Policy Regarding Protection of Minors on Campus

Any member of the Elizabethtown College community, employee or student employee, who encounters a minor (child under the age of 18) on campus or at an off campus sponsored event, and suspects that the minor has been the victim of child abuse, must report the incident, irrespective of the seriousness of the incident. In such cases,

the suspected abuse should be reported immediately to Campus Safety, the College EC Tipline (toll free 855.696.1899 or web-assisted on the EC Tipline Webpage), a Human Resources official, the Department of Public Welfare Childline (800.932.0313), or local law enforcement by calling 911.
Please refer to the Policy Regarding Minors on Campus for more information.

Megan's Law: Information on Registered Sex Offenders

Pennsylvania's Megan's Law, 42 Pa. C.S. 9799.1, requires the State Police to create and maintain a registry of persons who reside, work, carry on a vocation, or attend school in the Commonwealth of Pennsylvania and who have either been convicted of, entered a plea of guilty to, or adjudicated delinquent of certain sexual offenses in Pennsylvania or another jurisdiction. Additionally, the Pennsylvania State Police is required to make certain information on registered sex offenders available to the public. This information can be obtaining by visiting the Megan's Law Website.

Hazing

As of 2025, the College reports all incidents of Hazing in this ASR related to reported incidents of hazing, defined as:

> Any intentional, knowing, or reckless act committed by a person (whether individually or in concert with other persons) against another person or persons regardless of the willingness of such other person or persons to participate, that –
>
> (I) Is committed in the course of an initiation into, an affiliation with, or the maintenance of membership in, a student organization; and
>
> (II) Causes or creates a risk, above the reasonable risk encountered in the course of participation in the institution of higher education or the organization (such as the physical preparation necessary for participation in an athletic team), of physical or psychological injury including-
>
> (aa) whipping, beating, striking, electronic shocking, placing of a harmful substance on someone's body, or similar activity;
>
> (bb) causing, coercing, or otherwise inducing sleep deprivation, exposure to the elements, confinement in a small space, extreme calisthenics, or other similar activity;
>
> (cc) causing, coercing, or otherwise inducing another person to consume food, liquid, alcohol, drugs, or other substances;
>
> (dd) causing, coercing, or otherwise inducing another person to perform sexual acts;
>
> (ee) any activity that places another person in reasonable fear of bodily harm through the use of threatening words or conduct;
>
> (ff) any activity against another person that includes a criminal violation of local, State, Tribal, or Federal law; and
>
> (gg) any activity that induces, causes, or requires another person to perform a duty or task that involves a criminal violation of local, State, Tribal, or Federal law."

Elizabethtown College Policy Regarding Hazing

Elizabethtown College does not tolerate any form of hazing. Any student, student group, team, or other persons associated with a student organization found responsible for hazing, aggravated hazing, or organizational hazing under this policy, whether occurring on or off campus, will face disciplinary action from the College. Hazing is not only a violation of College policy but is also a criminal act under The Timothy J. Piazza Antihazing Law, 18 Pa. C.S. § 2801, *et seq.* (the "Antihazing Law"). Hazing negatively impacts student development and well-being and contributes to an environment of disrespect and erodes institutional core values of peace, non-violence, human dignity, and social justice.

Elizabethtown College defines hazing, as set forth below, consistent with the Antihazing Law. Under both the Antihazing Law and College policy, the express or implied consent of any participant or witness is not a legitimate defense to hazing.

Members of the Elizabethtown College community have a responsibility not only to refrain from participation in hazing activities, but they have an affirmative duty to report such activities to a College official. Acquiescence to the conduct prohibited by this policy is not acceptable and may lead to discipline.

For more information about hazing, or preventing hazing, visit StopHazing.org.

Prohibited Behavior

Elizabethtown College prohibits hazing, aggravated hazing, and organizational hazing—all of which are prohibited under the Antihazing Law. These prohibited acts are defined below.

Hazing. A person commits the offense of hazing if the person intentionally, knowingly, or recklessly, for the purpose of initiating, admitting, or affiliating a minor or student into or with an organization, or for the purpose of continuing or enhancing a minor or student's membership or status in an organization, causes, coerces, or forces a minor (*i.e.* an individual under the age of 18) or a College student to do any of the following:

1. Violate federal or state criminal law;

2. Consume any food, liquid, alcoholic liquid, drug, or other substance which subjects the minor or student to a risk of emotional or physical harm;

3. Endure brutality of a physical nature, including whipping, beating, branding, calisthenics, or exposure to the elements;

4. Endure brutality of a mental nature, including activity adversely affecting the mental health or dignity of the individual, sleep deprivation, exclusion from social contact, or conduct that could result in extreme embarrassment;

5. Endure brutality of a sexual nature;

6. Endure any other activity that creates a reasonable likelihood of bodily injury to the minor or student; or

7. Violate any policy, rule, or regulation of the College, including, for example, the Student Code of Conduct.

Hazing does not include reasonable and customary athletic, law enforcement, or military training, contests, competitions or events. In its discretion, the College has the right to determine what is "reasonable and customary" in the relevant context.

Aggravated Hazing. A person commits aggravated hazing if the person commits a violation of hazing that results in serious bodily injury or death to the minor or student; and:

1. The person acts with reckless indifference to the health and safety of the minor or student; or

2. The person causes, coerces, or forces the consumption of an alcoholic liquid or drug by the minor or student.

Organizational Hazing. An organization commits organizational hazing if the organization intentionally, knowingly, or recklessly promotes or facilitates a violation of hazing or aggravated hazing.

Under the Antihazing Law, any person or group who causes or participates in hazing commits a summary offense unless the hazing results in or creates a reasonable likelihood of bodily injury to the minor or student. When the hazing results in or creates a reasonable likelihood of bodily injury to the minor or student, hazing is a misdemeanor of the third degree. Additionally, any act that would violate the Antihazing Law also violates this policy.

Definitions

Consistent with the Antihazing Law, the following definitions apply to this policy:

Alcoholic liquid: A substance containing liquor, spirit, wine, beer, malt or brewed beverage, or any combination thereof.

Bodily injury: The term has the same meaning as defined in 18 Pa.C.S. § 2301.

Drug: A controlled substance or drug as defined in the act of April 14, 1972 (P.L. 233, No. 64) known as The Controlled Substance, Drug, Device and Cosmetic Act.

Minor: An individual under the age of eighteen (18) years.

Organization: (1) A club, society, association, or other group of individuals that are recognized by the College, with all appurtenant operational privileges, whose members are primarily students, minors, or alumni of the College; (2) any group of students, minors, or alumni of the College that, regardless of recognition by the College, exists, based on the totality of the circumstances (including, for example, the relevant history, structure, formalities, etc.), as an identifiable association based on a shared characteristic, belief, status, or other commonality among individual members, associates, or participants of the group.

Serious bodily injury: The term has the same meaning as defined in 18 Pa.C.S. § 2301.

Student: An individual who attends or has applied to attend or has been admitted to the College.

How to report an incident of hazing

In the case of an emergency, dial 911.

Elizabethtown College encourages all members of the community who believe that they have witnessed, experienced, or are aware of conduct that may constitute hazing, aggravated hazing, or organizational hazing in violation of this policy to utilize any of the College's reporting methods, including but not limited to:

- Campus Safety at 717.361.1111
- Public Reporting Form
- ECTipline
- Residence Life Staff
- Vice President for Student Life and Dean of Students, studentlife@etown.edu - 717.361.1196

The College's Response to a Report of Hazing

Upon receipt of a report of hazing, aggravated hazing, or organizational hazing, the College will take the action deemed necessary by the College to protect the College's students, properties, and interests. Campus Security or a qualified external investigator will conduct an investigation, into the

alleged prohibited conduct. As discussed below, the College will sanction any individual or organization that violates this policy. Any sanctions issued by the College are independent of the issuance or resolution of any criminal charges, and the College reserves the right to complete its investigation and implement sanctions, as appropriate, regardless of any past, ongoing, or future criminal investigation.

If the alleged prohibited conduct was committed by a college student or student organization (recognized or otherwise), the College will initiate the disciplinary process set forth in the College's Student Code of Conduct against individuals and/or clubs, organizations or teams. Potential sanctions include, but are not limited to, loss of privileges, fines, suspension/expulsion of individual students or the responsible organization.

If the alleged prohibited conduct was committed by a varsity athletic team, the Vice President for Student Life and Dean of Students, in consultation with the Director of Athletics, and any other appropriate College personnel, will implement sanctions, up to and including removal from the team and forfeiture of one or more games, competitions, meets, or other contests.

If the alleged prohibited conduct was committed by a faculty member or a staff member, the College will process the allegation consistent with the Faculty Handbook or Staff Handbook, respectively. Potential sanctions include, but are not limited to, reassignment, suspension, or termination of employment.

If a non-recognized group or organization commits hazing as defined by this policy, or by the Stop Campus Hazing Act Policy, the College will still utilize the Student Conduct Process and this policy to resolve situations where students are alleged to committed Hazing behavior and will report said incidents consistent with guidelines outlined in “Institutional Reports” below.

Institutional Reports

Elizabethtown College will maintain a report of alleged violations of this policy or of federal or state laws related to hazing that are reported to the College, namely the Timothy J. Piazza Anti-Hazing Law (Commonwealth of Pennsylvania) and the Stop Hazing Act (Federal). The College will publish updated reports on January 1 and July 1 of each year and will publish each updated report on the Student Life website. When reporting statistics about Hazing in the Clery Act, and in compliance with the Stop Hazing Act, the College will determine if the incident meets the definition of Hazing as outlined in the Stop Hazing Act, which may vary from the definition of Hazing contained within this policy due to Pennsylvania Commonwealth Law.

Institutional Policy Statement about Hazing Prevention Education

The College requires all students to complete annual hazing prevention training through Vector Solutions, providing the Hazing Prevention educational module. The College also offers at minimum one in-person and one campaign-style Hazing Prevention program throughout the academic year. All Hazing Prevention programs shall be, at minimum, research-informed. Each year, Hazing Prevention efforts will include, at minimum, skill building for bystander intervention, information about ethical leadership, and promotion of strategies for building group cohesion without hazing.

Disclosure Of Crime Statistics

The Pennsylvania Uniform Crime Reporting Act Statistics

The Pennsylvania Uniform Crime Reporting Act mandates the release of crime statistics and rates to matriculated students and employees, and upon request, to new employees and applicants for admission**. The index rates are calculated by multiplying the actual number of reported offenses by 100,000 (a theoretical population for comparison purposes), and dividing that product by the number of the College's Full Time Equivalent (FTE) students and employees.** The statistics this table reflect the number of incidents reported to the College's Department of Campus Safety (but do not include reports from other Campus Safety authorities, referrals from campus disciplinary authorities, or reports from local law enforcement; as required for Clery reporting). They do not indicate actual crime prosecution or student disciplinary action, or the outcome of either. **Please note that the State crime classifications vary from the crime classifications under federal law, as reported in accordance with the Clery Act statistics reflected in this report.**

THE PENNSYLVANIA UNIFORM CRIME REPORTING ACT STATISTICS						
	2023		2024		2025	
A = Actual Offenses IR = Index Rate (per 100,000)	**A**	**IR**	**A**	**IR**	**A**	**IR**
Homicide	0	0	0	0	0	0
Rape	2	86	5	207	2	84
Robbery	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0
Simple Assault	1	43	1	41	0	0
Burglary	0	0	0	0	0	0
Theft	9	387	3	124	2	84
Vehicle Theft	0	0	0	0	0	0
Arson	0	0	0	0	0	0
Forgery/Counterfeiting	0	0	0	0	0	0
Fraud	0	0	0	0	0	0
Receiving Stolen Property	0	0	0	0	0	0
Vandalism	4	172	5	207	2	84
Weapons Offenses	0	0	0	0	0	0
Prostitution/Vice	0	0	0	0	0	0
Sex Offenses	5	215	10	415	1	42
Drug Abuse Violations	3	129	6	249	1	42
Gambling	0	0	0	0	0	0
Family Offenses	0	0	0	0	0	0
D.U.I.	0	0	0	0	0	0
Liquor Laws	10	430	34	1410	1	42
Drunkenness	0	0	0	0	1	42
Disorderly Conduct	2	86	3	124	0	0
Vagrancy	0	0	0	0	0	0
All Other Offenses	10	430	8	332	7	295

CLERY ACT CRIME STATS FOR 2023, 2024, and 2025

The Jeanne Clery Disclosure of Campus Safety Policy and Campus Crime Statistics Act require the release of statistics for certain criminal incidents, arrests and disciplinary referrals on campus to all students and employees. The law requires that these statistics be shown in specific geographic categories. The following statistics are provided in compliance with the specific time periods, crime classifications, geographic categories and arrest data mandated by federal law. Please note that these statistics use federal crime classifications which vary from the crime classifications under state law, which are also published in this brochure. The statistics reported in the tables below reflect the number of incidents reported to the Department of Campus Safety, local law enforcement, and/or Campus Safety authorities. They do not indicate actual criminal prosecution or student disciplinary action, or the outcome of either.

Under the Clery Act, the **number of victims involved** in a particular incident is indicated in the statistics column for the following crime classifications: Murder/Non-Negligent Manslaughter, Manslaughter by Negligence, Forcible Sex Offenses (Rape, Fondling), Non-Forcible Sex Offenses (Incest, Statutory Rape), and Aggravated Assault. For example, if an aggravated assault occurs and there are three victims, this would be counted as three aggravated assaults in the crime statistics chart. The number reflected in the statistics for the following crime categories includes **one offense per distinct operation**: Robbery, Burglary, Larceny, Vandalism, and Arson. For example, if five students are walking across campus together and they are robbed, this would count as one instance of robbery in the crime statistics chart. In cases of Motor Vehicle Theft, each vehicle stolen is counted as a statistic.

In cases involving Liquor Law, Drug Law, and Illegal Weapons violations, the statistics indicate the number of people referred to the Office of Community Living (if the person referred was a student) or the Department of Human Resources (if the person referred was an employee) for possible disciplinary action for violations of those specific laws.

Clery Statistics as of Posting on October 1, 2026

Errors Highlighted

CLERY STATISTICS 2023, 2024, 2025- ELIZABETHTOWN COLLEGE															
	On Campus (Including Residential)			On Campus Residential Facilities			Non-Campus			Public Property			Totals		
	'23	'24	'25	'23	'24	'25	'23	24	'25	'23	'24	'25	'23	'24	'25
Murder & Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Rape	5	7	4	5	7	4	0	0	0	0	0	0	5	7	4
Fondling	1	2	2	1	2	2	0	0	0	0	0	0	1	2	2
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Incest	0	0	0	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	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Liquor Violations-Arrests	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Drug Violations-Arrests	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Weapons Possession-Arrests	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Liquor Violations-Referrals	20	35	5	20	35	5	0	0	0	0	0	0	20	35	5
Drug Violations-Referrals	12	12	2	0	12	2	0	0	0	0	0	0	12	12	2
Weapons Possession-Referrals	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Stalking	1	5	3	0	2	0	0	0	0	0	0	0	1	5	3
Dating Violence	3	3	2	3	3	0	0	0	0	0	0	0	3	3	2
Domestic Violence	1	0	0	0	0	0	0	0	0	0	0	0	1	0	0

Corrected Clery Statistics as of October 21, 2026

A clerical error was made at the time of posting of the original book. A correction has been made in the statistics listed in the Dating Violence and Stalking categories in "On Campus Residential Facilities". The number listed in these categories for "On Campus" and "Residential Facilities" should have been identical. The total number of incidents of Dating Violence and Stalking On-Campus and overall remains unchanged.

CLERY STATISTICS 2023, 2024, 2025- ELIZABETHTOWN COLLEGE															
	On Campus (Including Residential)			On Campus Residential Facilities			Non-Campus			Public Property			Totals		
	'23	'24	'25	'23	'24	'25	'23	24	'25	'23	'24	'25	'23	'24	'25
Murder & Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Rape	5	7	4	5	7	4	0	0	0	0	0	0	5	7	4
Fondling	1	2	2	1	2	2	0	0	0	0	0	0	1	2	2
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Incest	0	0	0	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	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Liquor Violations-Arrests	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Drug Violations-Arrests	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Weapons Possession-Arrests	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Liquor Violations-Referrals	20	35	5	20	35	5	0	0	0	0	0	0	20	35	5
Drug Violations-Referrals	12	12	2	0	12	2	0	0	0	0	0	0	12	12	2
Weapons Possession-Referrals	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Stalking	1	5	3	0	2	3	0	0	0	0	0	0	1	5	3
Dating Violence	3	3	2	3	3	2	0	0	0	0	0	0	3	3	2
Domestic Violence	1	0	0	0	0	0	0	0	0	0	0	0	1	0	0

Geography Definitions from The Clery Act

All crimes disclosed above, including hate crimes, are categorized based on the geographic locations of where the crimes took place as On Campus, Non-Campus, and Public Property. The definitions are described as such:

On-Campus-Defined as: (1) Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of or in a manner related to the institution's educational purposes, including residence halls; and (2) Any building or property that is within or reasonably contiguous to the area identified in paragraph (1), that is owned by the institution but controlled by another person, is frequently used by students and supports institutional purposes (such as a food or retail vendor).

On-Campus Residential: Any student housing facility that is owned or controlled by the institution or is located on property that is owned or controlled by the institution and is within the reasonably continuous geographic area that makes up the campus. An institution that has on-campus student housing facilities must separate disclose two sets of on campus statistics – the total number of crimes that occurred on campus, **including** crimes that occurred in student housing, and the number of crimes that occurred in on campus student housing as a subset of the total.

Non-Campus Building Or Property-Defined as: (1) Any building or property owned or controlled by a student organization that is officially recognized by the institution (i.e. privately owned fraternity); **or** (2) Any building or property owned or controlled by an institution that is used in direct support of or in relation to the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

Public Property-Defined as: All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus or immediately adjacent to and accessible from the campus. The Elizabethtown College crime statistics do not include crimes that occur in privately owned homes or businesses within or adjacent to the campus boundaries.

(See CAMPUS MAP-Appendix A)

Crime Definitions from The Clery Act

Murder/Non-Negligent Manslaughter: the willful (non-negligent) killing of one human being by another. NOTE: Deaths caused by negligence, attempts to kill, assaults to kill, suicides, accidental deaths, and justifiable homicides are excluded.

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

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

Aggravated Assault: an unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. It is not necessary that injury result from an aggravated assault when a gun, knife or other weapon is used which could cause serious potential injury is used.

Burglary: The unlawful entry of a structure to commit a felony or a theft. This definition includes unlawful entry with intent to commit a larceny or a felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts at these offenses.

Motor Vehicle Theft: The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by person's not having lawful access, even though the vehicles are later abandoned - including joy riding)

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

Domestic Violence: The term ‘‘domestic violence’’ means a felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

Dating Violence: The term ‘‘dating violence’’ means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party’s statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the person’s involved in the relationship. Dating violence includes, but is not limited to, sexual or physical abuse of the threat of such abuse.

Stalking: The term ‘‘stalking’’ means engaging in a course of conduct directed at a specific person that would cause a reasonable person to (A) fear for the person’s safety or the safety of others; or (B) suffer substantial emotional distress. Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person’s property.

Weapon Law Violations: The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; all attempts to commit any of the aforementioned.

Drug Law Violations: Violations of state and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, methadone’s); and dangerous non-narcotic drugs (barbiturates, Benzedrine).

Liquor Law Violations: The violation of laws or ordinance prohibiting manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; all attempts to commit any of the aforementioned. (Drunkenness and driving under the influence are not included in this definition.)

Rape: the penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This offense includes the rape of both males and females.

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

Incest: Sexual intercourse between people who are related to each other within the degrees wherein marriage is prohibited by law.

Statutory Rape: Sexual intercourse with a person who is under the statutory age of consent.

Hate Crime Statistics

Elizabethtown College is also required to report statistics for hate (bias) related crimes by the type of bias for the following classifications: Homicide, Sex Offenses (Rape, Fondling, Incest, Statutory Rape), Robbery, Aggravated Assault, Burglary, Motor Vehicle Theft, Arson (see definitions above) and Larceny, Vandalism, Intimidation, and

Simple Assault (see definitions below). A hate crime occurs when the actor commits one of these crimes and the facts of the case indicate that the offender was motivated to commit the offense because of their bias against the victim's race, religion, sexual orientation, gender, gender identity, ethnicity, national origin, or disability.

Larceny: The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another.

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

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

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

If a hate crime occurs where there is an incident involving intimidation, vandalism, larceny, simple assault or other bodily injury, the law requires that the statistic be reported as a hate crime.

A hate or bias related crime is not a separate, distinct crime, but is the commission of a criminal offense which was motivated by the offender's bias. For example, a subject assault's a victim, which is a crime. If the facts of the case indicate that the offender was motivated to commit the offense because of their bias against the victim's race, religion, sexual orientation, gender, gender identity, ethnicity, national origin, or disability, the assault is then also classified as a hate/bias crime.

The institution must disclose reports of hate crimes that occurred on each of the four geographic areas: On Campus, On Campus-Residential, Non-Campus Buildings or Property, and Public Property (see definitions on page 78).

Hate crimes are reported in narrative form and are separated by category of prejudice.

Hate Crime Statistics	
2023	No hate crimes reported
2024	No hate crimes reported
2025	No hate crimes reported

Unfounded Crime Statistics

Starting with reports due in the year 2015, higher education institutions have been required to disclose the number of unfounded crimes reported and therefore withheld from crime statistics. An unfounded crime is defined as a report that has been deemed to be false or baseless through a full investigation by a sworn law enforcement agency. Statistics on those crimes are presented in narrative form. A false report means there is available evidence to establish that the crime reported was not completed nor attempted. A baseless report means the allegations reported did not meet the elements of the crime or were improperly classified as crimes in the first place. Unfounded crime statistics are reported in narrative form.

Unfounded Crime Statistics	
2023	No crimes reported were later determined to be unfounded
2024	No crimes reported were later determined to be unfounded
2025	No crimes reported were later determined to be unfounded

Hazing

Unfounded Crime Statistics	
2023	There were no known incidents of hazing
2024	There were no known incidents of hazing
2025	There were no known incidents of hazing

Annual Fire Safety Report

The Higher Education Opportunity Act became law in August 2008 and requires all United States academic institutions to produce an annual fire safety report outlining fire safety practices, standards and all fire related on-campus statistics. It is the policy of Elizabethtown College to provide faculty, students, staff and visitors with the safest possible environment, free from potential fire hazards. The primary goal of the college's fire safety programs is to recognize hazardous conditions and take appropriate action before such conditions result in a fire emergency. This goal is accomplished by (1) conducting periodic fire safety inspections of all campus buildings and (2) increasing the fire safety awareness of employees and students by conducting periodic training on basic fire safety and reviewing procedures to follow in case of a fire. The residential halls are covered with fire alarm systems which are monitored 24 hours per day, seven days a week by Campus Safety. Hackman Apartments are additionally equipped with a sprinkler system. The following public disclosure report details all information required by this law.

Improvements In Fire Safety

The College conducts annual inspections of all fire systems in residences halls. The College is planning to install a full sprinkler system in Ober Hall during the next major renovation of that building.

Fire Safety Policies

To improve fire safety at Elizabethtown College, the following policies are in effect:

- Electrical Appliances: Electrical outlets must not be overloaded. Students may use electrical devices in their rooms so long as the voltage demand does not exceed 115 volts, such as: radio, TV, CD, DVD, lamps, fans, and computers. Large amp speakers and sub-woofers are prohibited. Microwave ovens are permitted, however heating and cooking appliances with exposed elements (including hot plates and space heaters) may not be used because of potential fire hazards. Hot tubs are prohibited.

- Grills: George Foreman grills are permitted on campus and college-owned grills may be used with permission from Community Living. Other grills are strictly prohibited.

- Halogen Lamps: Due to safety hazards associated with halogen lamps, their use is prohibited in student housing

- Portable Heaters: Due to the safety hazards associated with space heaters, all portable heaters are prohibited. If, for documented medical reasons, you require room temperatures higher than 70 degrees, please call Facilities Management for an approved supplemental heater

- Potential Fire Hazards: Flammable materials are strictly prohibited in college housing. Candles are not permitted. Open flames of any kind, including incense, are not permitted. No materials or items (including tapestries) may be placed over exit signs, fire doors, or any electrical/HVAC fixture. Live Christmas trees are prohibited except those provided by the College and placed in designated locations in the residential facilities. Any decorations used must be made of flameproof or fire-resistant materials. Hoverboards are not permitted in college buildings or on college property. The College reserves the right to require students to alter, change or remove any items deemed unsafe and hazardous

- Smoking: Smoking is prohibited in all campus buildings including college housing.

FIRE DETECTION/SUPPRESION SYSTEMS

Residence Hall	Fire Detection Systems (smoke, heat)	Partial Sprinkler System	Full Sprinkler System	Fire Extinguishers Present	Fire Drills conducted in 2025
Hackman South Apartments	Yes	No	Yes	Yes	1
Hackman North Apartments	Yes	No	Yes	Yes	1
Founders Hall	Yes	No	No	Yes	1
Brinser Hall	Yes	No	No	Yes	1
Ober Hall	Yes	Yes	No	Yes	1
Myer Hall	Yes	No	No	Yes	1
Royer Hall	Yes	No	No	Yes	1
Schlosser Hall	Yes	No	No	Yes	1
Sauder House 520 S. Mount Joy Street	Yes	No	No	Yes	n/a
Hackman House 530 S. Mount Joy Street	Yes	No	No	Yes	n/a
White House 540 S. Mount Joy Street	Yes	No	No	Yes	n/a
International House 604 S. Mount Joy Street	Yes	No	No	Yes	n/a
Cedar House 625 S. Mount Joy Street	Yes	No	No	Yes	n/a
Stambaugh House 831 E. College Avenue	Yes	No	No	Yes	n/a
ILU 905 E. College Avenue	Yes	No	No	Yes	n/a

Myers House 999 E. College Avenue	Yes	No	No	Yes	n/a
Schreiber Quad A	Yes	No	No	Yes	1
Schreiber Quad B	Yes	No	No	Yes	1
Schreiber Quad C	Yes	No	No	Yes	1
Schreiber Quad D	Yes	No	No	Yes	1
Schreiber Quad E	Yes	No	No	Yes	1

All Elizabethtown College residential facilities have Fire Detection systems and Fire extinguishers within the buildings. Hackman North Apartments and Hackman South Apartments feature a full sprinkler fire suppression system. Ober Hall features a partial sprinkler system. The Fire Detection system will alarm when products of combustion are sensed or when one of the pull stations is activated. Pull stations are generally located close to the exits. All residence buildings are equipped with smoke detectors. Yearly inspections are conducted by Facilities Management, Community Living, and local service providers. Batteries needing replacement should be reported to Facilities Management by calling 717.361.1408 or by submitting an online work order. Additional components of the Fire Detection and Suppression Systems include:

- Emergency Lighting: Emergency lighting is installed in all buildings on campus. Some are battery powered, and some are powered by a generator. They are to provide lighting in stairwells and hallways during times of emergency and/or when there is a loss in electrical power.
- Exit Signs: Exit signs are installed to direct students to exits during times of emergency. It is important that they be always illuminated. If they are not illuminated, contact Facilities Management at 717.361.1408.
- Fire Extinguishers: Fire extinguishers are strategically located throughout all residence halls, townhouses, apartments, and SDLC's. Students are encouraged to take the time to know where extinguishers are located, particularly those closest to their rooms. Resident assistants will familiarize students with the location of fire extinguishers. Extinguishers should be used on small fires only. If there is a large fire (working fire) leave the building immediately.
- Smoke Detectors: Each residence hall- room has a smoke detector that is monitored and supervised by Campus Safety. It is important that the detectors remain in working order. If a problem is noted, it should be reported to Campus Safety at 717.361.1264.

A student who knowingly tampers with a life safety system at Elizabethtown College may be fined up to $1,000. Should this same individual repeat such behavior, the individual will face disciplinary action which can result in separation from the College. The College may refer life safety violations to the local law enforcement.

Fire Log

Campus Safety maintains a combined Daily Crime Log and Fire Log of all incidents reported to Campus Safety. The Daily Crime and Fire Log discloses information related to any fire that occurs in an on-campus student housing facility and includes the date the fire was reported, the nature of the fire, the date and time of the fire, and the general location of the fire. The log also includes all crimes that occur on campus, including non-campus buildings or properties, on public property or within the college's jurisdiction of crimes reported to Campus Safety by area police. The Daily Crime and Fire Log includes the date and time the report was received, the date and time the incident occurred, the nature of the offense, the location of the offense and the disposition. The log can be viewed online at the Campus Safety Office during regular business hours (8AM – 5PM Monday through Friday, except Holidays) at 605 South Mount Joy Street.

How to Report a Fire

Students, faculty and staff should report the occurrence of a fire to Campus Safety at 717.361.1111. For fire emergencies and immediate fire service response, call 911.

Fire Evacuation Procedures

In the event of fire, immediately move to the closest exit alerting others to exit the building. If the fire alarm system has not been activated, activate a pull station along the way. Proceed to the designated assembly point and remain until dismissed by the officer in charge. Under no circumstances should students reenter the building until they are told that it is safe. Students should call ext. 1111 on campus or 717.361.1111 off campus and report the fire when they are out of harm's way. Notify your resident assistant or the area coordinator immediately.

- Remain calm
- Turn off equipment and appliances
- Check if your door is hot or has smoke around it. If so, stay in your room and wait for firefighters to evacuate you
- Close, but do not lock doors and windows
- Proceed to the nearest exit. Use the stairs only, DO NOT use the elevators

Building	Assembly Point
Brinser	Lawn between Ober & Brinser
Founders	Tennis Courts
Hackman Apartments	North - Bleachers by Wolf South - Sidewalk near Baseball Field
Myer	Lawn between Myer and Cedar Street
Ober	Lawn between Myer and Cedar St.
Quads	A, B, C - practice field D,E - Sidewalk near track
Royer	Dell
Schlosser	Dell
***ILU Houses**	Sidewalk in front of house to the left

Fire Safety Education and Training

All students living in residence halls receive fire safety education at the start of each academic year. Students living in the Student Directed Learning Communities (SDLCs) receive fire safety education and training related to cooking fires and smoke detectors. On an annual basis, Resident Assistants receive training on the proper operation of fire extinguishers and evacuation procedures.

The Safety Committee provides general safety training, including fire safety, to all employees during New Employee Orientation. Specific fire safety training is coordinated with each department based on job responsibilities.

Fire Drills

At least one fire drill will be held each semester. Designated assembly points exist for each residential facility (see table above). At the time of the drill each student will move to the closest exit and proceed to the assigned assembly point where a student accountability check will be conducted. Remain at your assigned place outside the

building until you are told you may return to your room. Failure to vacate during fire drills will result in judicial action.

Disclosure Of Fire Statistics

Elizabethtown College is required to disclose statistics on fires that have occurred on campus and student housing facilities for the past three years. Statistics include the name and address of the housing facility, the number of fires reported and the cause of each fire, the number of fire-related injuries that resulted in treatment at a medical facility and deaths related to each fire, and the value of property damage caused by the fire.

*ILU: Independent Living Unit

The following table sets forth information about all fires that occurred in on-campus residence facilities during calendar year 2023

Residential Facility	Street Address	Fires	Injuries	Deaths	Cause	Value/ Damage
Hackman South	910 E Cedar St	0	0	0	0	0
Hackman North	903 E Cedar St	0	0	0	0	0
Founders Hall	800 E Cedar St	0	0	0	0	0
Brinser Hall	601 E Cedar St	0	0	0	0	0
Ober Hall	501 E Cedar St	0	0	0	0	0
Myer Hall	401 E Cedar St	0	0	0	0	0
Royer Hall	531 S Mount Joy St	0	0	0	0	0
Schlosser Hall	400 E College Ave	1	0	0	Electrical	$100.00
Maple House	435 E College Ave	0	0	0	0	0
Maple House	437 E College Ave	0	0	0	0	0
Sauder House	520 S Mount Joy St	0	0	0	0	0
Hackman House	530 S Mount Joy St	0	0	0	0	0
White House	540 S Mount Joy St	0	0	0	0	0
International House	604 S Mount Joy St	0	0	0	0	0

Myers House	999 E College Ave	0	0	0	0	0
ILU	573 E College Ave	0	0	0	0	0
ILU	630 S Mount Joy St	0	0	0	0	0
Schreiber Quad A	600 Campus Rd A	0	0	0	0	0
Schreiber Quad B	600 Campus Rd B	0	0	0	0	0
Schreiber Quad C	600 Campus Rd C	0	0	0	0	0
Schreiber Quad D	600 Campus Rd D	0	0	0	0	0
Schreiber Quad E	600 Campus Rd E	0	0	0	0	0

ILU: Independent Living Unit

The following table sets forth information about all fires that occurred in on-campus residence facilities during calendar year 2024

Residential Facility	Street Address	Fires	Injuries	Deaths	Cause	Value/ Damage
Hackman South	910 E Cedar St	0	0	0	0	0
Hackman North	903 E Cedar St	0	0	0	0	0
Founders Hall	800 E Cedar St	0	0	0	0	0
Brinser Hall	601 E Cedar St	0	0	0	0	0
Ober Hall	501 E Cedar St	0	0	0	0	0
Myer Hall	401 E Cedar St	0	0	0	0	0
Royer Hall	531 S Mount Joy St	0	0	0	0	0
Schlosser Hall	400 E College Ave	0	0	0	0	0
Maple House	435 E College Ave	0	0	0	0	0
Maple House	437 E College Ave	0	0	0	0	0
Sauder House	520 S Mount Joy St	0	0	0	0	0
Hackman House	530 S Mount Joy St	0	0	0	0	0
White House	540 S Mount Joy St	0	0	0	0	0
International House	604 S Mount Joy St	0	0	0	0	0
Cedar House	625 S Mount Joy St	0	0	0	0	0
Myers House	999 E College Ave	0	0	0	0	0
ILU	573 E College Ave	0	0	0	0	0

ILU	831 E College Ave	0	0	0	0	0
ILU	630 S Mount Joy St	0	0	0	0	0
Schreiber Quad A	600 Campus Rd A	0	0	0	0	0
Schreiber Quad B	600 Campus Rd B	0	0	0	0	0
Schreiber Quad C	600 Campus Rd C	0	0	0	0	0
Schreiber Quad D	600 Campus Rd D	0	0	0	0	0
Schreiber Quad E	600 Campus Rd E	0	0	0	0	0

ILU: Independent Living Unit

The following table sets forth information about all fires that occurred in on-campus residence facilities during calendar year 2025

Residential Facility	Street Address	Fires	Injuries	Deaths	Cause	Value/ Damage
Hackman South	910 E Cedar St	0	0	0	0	0
Hackman North	903 E Cedar St	0	0	0	0	0
Founders Hall	800 E Cedar St	0	0	0	0	0
Brinser Hall	601 E Cedar St	0	0	0	0	0
Ober Hall	501 E Cedar St	0	0	0	0	0
Myer Hall	401 E Cedar St	0	0	0	0	0
Royer Hall	531 S Mount Joy St	1	0	0	Candle	$4000.00
Schlosser Hall	400 E College Ave	1	0	0	Electrical	$100.00
Sauder House/ILU	520 S Mount Joy St	0	0	0	0	0
Hackman House/ILU	530 S Mount Joy St	0	0	0	0	0
White House/ILU	540 S Mount Joy St	0	0	0	0	0
International House/ILU	604 S Mount Joy St	0	0	0	0	0
Cedar House/ILU	625 S Mount Joy St	0	0	0	0	0
House/ILU	905 E. College Ave	0	0	0	0	0
Stambaugh House/ILU	831 E College Ave	0	0	0	0	0
Myers House/ILU	999 E College Ave	0	0	0	0	0
Schreiber Quad A	600 Campus Rd A	0	0	0	0	0

Schreiber Quad B	600 Campus Rd B	0	0	0	0	0
Schreiber Quad C	600 Campus Rd C	0	0	0	0	0
Schreiber Quad D	600 Campus Rd D	0	0	0	0	0
Schreiber Quad E	600 Campus Rd E	0	0	0	0	0

APPENDIX A – Campus Map


Bear Creek Road
Clover Lane
Spring Road
Ridge Road
Hampden Road
Groff Avenue
Brielle Drive
Woodland A
st Lemon Street

Appendix C – Sample of Residence Hall Posters

STALKING

WHAT IS STALKING?

(as defined in the VAWA amendments to the Clery Act) means engaging in a **course of conduct** directed at a specific person that would cause a reasonable person to—
A. fear for their safety or the safety of others; or
B. suffer substantial emotional distress.

WHAT IS A COURSE OF CONDUCT?

A course of conduct is when a person engages in two or more acts that include, but are not limited to, acts in which the person directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveys, threatens, or communicates to or about a person in a prohibited way, or interferes with a person's property.



WHAT IS CYBERSTALKING?

Stalking includes the concept of cyberstalking, in which electronic media such as the Internet, social networks, blogs, cell phones, texts, email or other similar devices or forms of contact are used to pursue, harass, or to make unwelcome contact with another person in an unsolicited fashion.

IF YOU OR SOMEONE YOU KNOW IS BEING STALKED:

For crimes of stalking, the individual should preserve all instances of unwanted communications (texts, e-mails, social media posts) and keep a log of unwanted phone calls.
If you are being stalked please report this to The Office of Title IX. You can also speak to any confidential resource such as Counseling Services or the Chaplain. If you are in immediate danger call Campus Safety at 717-361-1111 or 911.



Message from Elizabethtown College
It's On Us and the Title IX Office
https://www.etown.edu/offices/diversity/titleix/


RETALIATION
STALKING
ETOWN'S GUIDE TO TITLE IX SEXUAL HARASSMENT
Do you have consent?
How can you help someone in an abusive relationship?
HOW TO REPORT A TITLE IX INCIDENT
It's easy... don't retaliate!
INCAPACITATION
ETOWN'S GUIDE TO TITLE IX SEXUAL HARASSMENT
CONSENT
DATING & DOMESTIC VIOLENCE
BIAS HURTS
ETOWN
WELCOME TO
SCHLOSSER

Appendix D – Jays Don't Haze Event Photos






LiveSafe
SAFETY AT YOUR FINGERTIPS
• Report Tips and chat live with Campus Security
• Make Emergency Calls
• Virtual Escorts
• Safety Check-Ins
• Emergency Procedures
GET THE APP
1 Download "LiveSafe" for free from iTunes or Google Play
2 Register with your mobile phone number and fill out your profile. Verify your account.
3 Select "Elizabethtown College"
ETOWN
ELIZABETHTOWN COLLEGE
Campus Security
1433-1020