

CAMPUS SAFETY HANDBOOK 2022 – 2023

Annual Security Report

Sexual Misconduct Response

Crime Prevention

Special Security Programs and Services



MISERICORDIA
UNIVERSITY

NURSING
PITTSBURGH

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Coraopolis, PA 15108



A Message from the Campus Safety Department

*It is an understatement that world events related to the **COVID-19** pandemic has changed the way we function in everyday life. New meaning has been given to the term “Safety on Campus”, which not only continues to be based on security from violence or crime, but is now closely identified with the health and wellness of our campus community.*

Methods to slow the spread of COVID-19 - with which we are all familiar -have been published and repeated numerous times. But what is the reason we should employ these techniques, and how do we effectively follow these guidelines? In complex situations, it is often best to take a common sense approach and look at things with a less complicated view.

The Campus Safety Department is dedicated to maintaining a safe and secure environment for all who work, attend classes, teach, and live at Misericordia University. It is essential that you do your part as well.

*Know the **symptoms** of COVID-19 and complete an honest and informed daily assessment of your current condition. Learn how to operate and read a thermometer correctly. Don't deny or disregard what your body is trying to tell you. Avoid close interaction with people who are sick; and, avoid close interaction with people if you are sick.*

*Take extra care in **personal hygiene** by regularly and effectively washing your hands. Most surfaces you touch are with unprotected hands - and you frequently, and nearly unconsciously, touch your face, nose and mouth area many times throughout the day. Washing with soap and water is effective in removing virus germs from your hands. Simply rinsing your hands with water does not have the same result. Alcohol-based sanitizers are also effective and are recommended when hand washing is not available.*

*Additionally, keep **frequently touched areas** clean and sanitized – doorknobs and handles, tables and desk surfaces - of course. Less obvious items that may inadvertently be shared with others include, computer keyboard and mouse, toilet handles, keys, identification cards, sports and entertainment equipment, phones and touchscreen devices, drink containers, food storage containers, and backpacks.*

*Make **facial coverings** part of your daily routine, wear them inside and outside. Facial coverings show that you are concerned for the health and wellness of those around you. Additionally cover your face if you cough or sneeze. The COVID-19 virus can spread through airborne droplets which can reach another person from the force of a cough or sneeze.*

*Maintaining **safe distances** from other people can be difficult on a college campus. Safe distancing is generally and minimally a measurement of about two arms lengths' away from another person. Become familiar with this distance and follow the guidelines especially in social settings. Remember, wearing a mask is not a substitute for safe distancing practices.*

*Most importantly – **care for each other**. Tactfully reminding others of proper safety guidelines is an exercise in bystander intervention. Reporting unsafe observations is not informing on your friends, it is an effort to keep the campus community healthy.*

We face this academic year with many challenges, but what we can be certain about is that the Misericordia University family will be there for each other.

Ruth Anderika – Director of Campus Safety and Security

*Adapted from CDC guidelines “How to Protect Yourself and Others”

For more information visit www.misericordia.edu/coronavirus

CAMPUS SAFETY PROGRAMS, INFORMATION AND PROCEDURES APPLY TO ALL MEMBERS OF THE CAMPUS COMMUNITY.

This publication is produced in accordance with the standards set forth in the following:

- The Federal Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1998
- The Higher Education Amendments of 1992
- The Drug-Free Schools and Communities Act (PA Law 101-226)
- Uniform Crime Reporting Act (Act 180 of 2004)
- Jacob Wetterling Crimes Against Children and Sexual Violent Offender Registration Act
- The Campus Sex Crimes Prevention Act of 2000
- The Violence Against Women Act (VAWA) of 1994
- United States Office of Civil Rights – Title IX

Misericordia University was founded in the Catholic tradition in 1924 by the Sisters of Mercy of Dallas, Pennsylvania. The University offers undergraduate, graduate and doctorate programs. Additional information can be found in the Misericordia University Student Handbook, Human Resources Policy Manuals for Employees or through the Campus Safety Department.

This publication is available to all students and employees, and to any applicant for enrollment or employment, on the Misericordia University public website (www.misericordia.edu). Printed copies are available at the Misericordia University Nursing Pittsburgh administrative office or by request from the Campus Safety Department (Main campus, Dallas, Pa)

Phone: (570) 674-6300

Email: campussafety@misericordia.edu

Misericordia University is dedicated to a cooperative environment in which students, faculty and staff demonstrate personal concern for each individual as a valued member of the campus community. Student populations are comprised of full-time resident, commuter, part-time, non-traditional, and expressway groups.

Campus Safety Department Mission Statement

To support the educational objectives of the institution, the Misericordia University Campus Safety Department provides and maintains a safe and secure environment for all members of the campus community and visitors. Goals are achieved through a full-time professional presence on campus, efficient response to calls for service, security of all persons and buildings, and effective management of vehicles and external areas.

Preparation of the Annual Security Report

This report is prepared and reviewed on an annual basis by the Campus Safety Department in conjunction with other University sources including local law enforcement, staff and students designated as Campus Security Authorities, the Departments of Student Life, Residence Life, Athletics, Human Resources, Academic Affairs, Planning and Development, Marketing and Public Relations; Health and Wellness Center, Counseling and Psychological Services, and other entities. These contributors work together to insure that accurate and relevant information is available to students and other members of the campus community. Many statements and sections included in this document are associated to the policies and procedures of contributing departments and more detailed information may be found within the publications of the listed related divisions.

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TABLE OF CONTENTS

ANNUAL SECURITY REPORT	6
General Information	6
Reporting Crimes and Other Emergencies	6
Campus Security Authorities	6
Missing Persons	7
Id Cards/Access Authorization	7
CRIME STATISTICS.....	7
SEXUAL OFFENSES AND MISCONDUCT RESPONSE	9
Prevention Programs	9
Legal Definition of Sexual Assault and Other Sexual Offenses.....	9
Sexual Offense Survivors.....	11
Confidentiality	11
Confidential Resources.....	12
Off Campus Confidential Resources.....	12
Reporting	12
Resources	12
Options.....	12
Initial Inquiry.....	13
University Disciplinary Process.....	13
Reporting to Law Enforcement	14
Protective Orders.....	14
Protection of Minors and Mandatory Reporting of Child Abuse.....	14
Sexual Offender Registration.....	14
CRIME PREVENTION, SPECIAL SECURITY PROGRAMS AND SERVICES	15
Surveillance Cameras	15
MU ALERT	15
Timely Warnings And Emergency Notification.....	15
Crisis Management Plan	16
Lockdown Conditions	16

TIPS FOR PERSONAL SAFETY	17
Helping Others.....	17
Bystander Intervention.....	17
SPECIFIC CRIMINAL OFFENSES.....	18
Firearms, Fireworks And Weapons.....	18
Drugs and Alcohol	18
Hazing	20
Act 80 Of 2018 Report.....	21
ANNUAL FIRE SAFETY REPORT.....	21
Building Evacuation Procedures and Fire Safety Awareness.....	21
Campus Evacuation Site.....	21
EMERGENCY RESPONSE SAFETY REFERENCE GUIDE	23
In The Event of a Fire	23
Evacuation Procedures	23
If Trapped in a Burning Building	23
If You Catch On Fire	23
If Someone Catches on Fire	23
Bomb Threat	23
Hostile Intruder– Active Shooter– Mass Casualty Event.....	24
Lockdown Procedures	24
Lockdown Guidelines	25
Crime Reporting.....	25
Injuries/Illness—Non-Life Threatening (Students, Visitors, Staff).....	25
Elevator Failure	25
Plumbing Failure/Flooding/Sewer Back-Up.....	25
Gas Leak.....	26
Ventilation Problems.....	26
Chemical or Radiation Spill.....	26
Emergency Alert System	26

ANNUAL SECURITY REPORT

GENERAL INFORMATION

The Campus Safety Department cooperates fully with all federal, state and local law enforcement agencies. Misericordia University Nursing Pittsburgh is located in Moon Township, Pennsylvania, and law enforcement coverage is provided by the Moon Township Police Department located at 1000 Beaver Grade Road, Moon Township, PA 15108. Although a formal memorandum of understanding is not present, the Campus Safety Department works closely with, and maintains a positive relationship with this municipality. Investigations regarding criminal incidents occurring at the Pittsburgh location are a collaborative effort between the Campus Safety Department and police agencies, however, criminal charges resulting from on-campus incidents is within the scope of the appropriate law enforcement investigating agency.

REPORTING CRIMES AND OTHER EMERGENCIES

Call 911 to directly contact the police, fire department or ambulance. Misericordia University is dedicated to maintaining a safe environment for all, free from threat and victimization. Likewise, the campus community is expected to comply with all federal, state and local laws.

Reports involving criminal activity should be reported to the Moon Township Police Department by calling 911 for emergency response, or 412-262-5000 (non-emergency).

The Misericordia Campus Safety Department (570-674-6300) should also be notified as soon as feasible regarding any crime reported at the MU Pittsburgh campus. Violations for criminal offenses can be referred to the appropriate law enforcement agency for further investigation and prosecution at the request of the victim.

Remember: Most cellular phones do not have an automatic tracking feature when calling 911. Know your location and be aware of your surroundings. Call takers at the 911 center are dependent on information provided by the caller. Make an effort to know your surroundings and provide an accurate description of the events in order to obtain a timely and effective response.

Timely Warnings and Emergency Notifications will be issued to inform the campus community of specific criminal activity, emergencies, and procedures to reduce risk. When a criminal incident occurs on campus, or at a location in close proximity to campus, which severely affects or is an immediate threat to welfare of the campus community, timely warnings or emergency notifications will be sent through various methods by the Campus Safety Department to alert the community. (See Crime Prevention, Special Security Programs and Services section for more information)

VOLUNTARY, CONFIDENTIAL REPORTING

Voluntary, Confidential Reporting of criminal activity is an available option under most circumstances. If you are the victim of a crime or want to report a crime you are aware of, but do wish further action by the University or criminal justice system, an available option is to file a voluntary, confidential report. Depending upon the circumstances of the criminal activity, you may be able report an incident while remaining anonymous. In these cases, your personal information will remain confidential, while the University can take steps to ensure your safety and the safety of others. These reports allow the University to maintain accurate statistical records and are included in the Annual Security Report. In limited circumstances, your confidentiality may not be guaranteed. You will be informed in these situations. Online reporting is available through this link: https://cm.maxient.com/reportingform.php?MisericordiaUniv&layout_id=3



CAMPUS SECURITY AUTHORITIES

University employees and students known as Campus Security Authorities are mandated reporters regarding criminal activity.

In addition to the Campus Safety staff, many members of the campus community are considered Campus Security Authorities (CSAs). CSAs are required by University policy to immediately notify the Campus Safety Department of any crime reported to them or that they may have knowledge of.

These individuals include but are not limited to the following:

1. University President and senior Administration Staff and their Administrative Assistants
2. Dean of Students
3. Assistant Dean of Students
4. Advisors for Student Clubs/Organizations
5. All staff of the Student Success Center
6. Manager for Multicultural and Inclusion Initiatives
7. Faculty Members
8. Students in leadership roles
9. Library personnel
10. Any University official with significant responsibilities for student and campus activities.
11. Administrative and Admissions Staff

MISSING PERSONS

A suspected missing person can be reported to staff members in the following departments:

- Misericordia University Nursing Pittsburgh Administrative Staff
- Student Life - (570) 674-6238
Vice President, Dean of Students, Assistant Dean of Students, Administrative Assistant
- Human Resources - (570) 674-6310
- Campus Safety Department - (570) 674-6300

The Campus Safety Department will coordinate with local law enforcement as necessary and investigate all reports of missing persons.

Students have the option of providing a confidential contact, which can be someone other than an emergency contact, to be used in a missing person situation.

- Certain circumstances may exist, such as possibility of abduction, emotional concerns, and threat of violence, which will result in notification to law enforcement prior to the 24 hour time period mentioned above.

ID CARDS/ACCESS AUTHORIZATION

Students are required to carry their ID card and present identification to Misericordia University Nursing Pittsburgh administrative staff on request. ID cards are to be used for access to Misericordia University educational facilities by registered students only and are not to be transferred to any other person.

CRIME STATISTICS

A daily Crime Log is posted for public inspection review at the administrative reception desk. The Campus Safety Department maintains a daily log of crimes reported at all University campuses. Information on the daily log includes the nature of the offense, time and date of occurrence, location and disposition. The daily log is updated as necessary, to list the name, address, date of birth, and charges related to any person arrested or charged with a crime which occurred on campus.

Crime statistics are submitted on a monthly and annual basis to the Pa. State Police and the US Department of Education. The Campus Safety Department submits information on a monthly basis related to crimes committed on campus in accordance with the standards set forth in the Pennsylvania State Police Uniform Crime Report. Crime statistics gathered by the Campus Safety

Department are also submitted annually in compliance with federal guidelines to the United States Department of Education.

Statistical crime numbers are obtained from various sources including those reported directly to the Campus Safety Department, reported to a Campus Security Authority, and from local law enforcement agencies relative to public property in close proximity to campus. The following statistical chart* contains total offense numbers for the most recent three years; and specific crimes in accordance with the The Federal Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1998, and the Uniform Crime Reporting Act (Act 180 of 2004).

Misericordia University Nursing Pittsburgh* Crime Statistics (*Campus established in 2019)

Clery Act Data	2019				2020				2021			
	On Campus		Public Property	*Non-Campus	On Campus		Public Property	*Non-Campus	On Campus		Public Property	*Non-Campus
	Residence Hall	Total On-Campus			Residence Hall	Total On-Campus			Residence Hall	Total On-Campus		
OFFENSES (*Indicates UCR reportable crime)												
Murder/Non-Negligent Manslaughter*	N/A	0	0	0	N/A	0	0	0	N/A	0	0	0
Negligent Manslaughter*	N/A	0	0	0	N/A	0	0	0	N/A	0	0	0
Rape*	N/A	0	0	0	N/A	0	0	0	N/A	0	0	0
Sexual Fondling	N/A	0	0	0	N/A	0	0	0	N/A	0	0	0
Statutory Rape*	N/A	0	0	0	N/A	0	0	0	N/A	0	0	0
Incest*	N/A	0	0	0	N/A	0	0	0	N/A	0	0	0
Robbery *	N/A	0	0	0	N/A	0	0	0	N/A	0	0	0
Aggravated Assault*	N/A	0	0	0	N/A	0	0	0	N/A	0	0	0
Burglary*	N/A	0	0	0	N/A	0	0	0	N/A	0	0	0
Motor Vehicle Theft*	N/A	0	0	0	N/A	0	0	0	N/A	0	0	0
Arson*	N/A	0	0	0	N/A	0	0	0	N/A	0	0	0
VAWA OFFENSES												
Domestic Violence	N/A	0	0	0	N/A	0	0	0	N/A	0	0	0
Dating Violence	N/A	0	0	0	N/A	0	0	0	N/A	0	0	0
Stalking*	N/A	0	0	0	N/A	0	0	0	N/A	0	0	0
ARRESTS												
Alcohol	N/A	0	0	0	N/A	0	0	0	N/A	0	0	0
Drugs	N/A	0	0	0	N/A	0	0	0	N/A	0	0	0
Weapons	N/A	0	0	0	N/A	0	0	0	N/A	0	0	0
REFERRALS												
Alcohol	N/A	0	0	0	N/A	0	0	0	N/A	0	0	0
Drugs	N/A	0	0	0	N/A	0	0	0	N/A	0	0	0
Weapons	N/A	0	0	0	N/A	0	0	0	N/A	0	0	0
HATE CRIMES												
Murder/Non-Negligent Manslaughter	N/A	0	0	0	N/A	0	0	0	N/A	0	0	0
Negligent Manslaughter	N/A	0	0	0	N/A	0	0	0	N/A	0	0	0
Rape	N/A	0	0	0	N/A	0	0	0	N/A	0	0	0
Sexual Fondling	N/A	0	0	0	N/A	0	0	0	N/A	0	0	0
Statutory Rape	N/A	0	0	0	N/A	0	0	0	N/A	0	0	0
Incest	N/A	0	0	0	N/A	0	0	0	N/A	0	0	0
Robbery	N/A	0	0	0	N/A	0	0	0	N/A	0	0	0
Aggravated Assault	N/A	0	0	0	N/A	0	0	0	N/A	0	0	0
Burglary	N/A	0	0	0	N/A	0	0	0	N/A	0	0	0
Motor Vehicle Theft	N/A	0	0	0	N/A	0	0	0	N/A	0	0	0
Arson	N/A	0	0	0	N/A	0	0	0	N/A	0	0	0
Larceny/Theft	N/A	0	0	0	N/A	0	0	0	N/A	0	0	0
Simple Assault	N/A	0	0	0	N/A	0	0	0	N/A	0	0	0
Intimidation	N/A	0	0	0	N/A	0	0	0	N/A	0	0	0
Vandalism	N/A	0	0	0	N/A	0	0	0	N/A	0	0	0
Other UCR Crimes Reported												
Disorderly Conduct		0				0				0		
Theft/Larceny		0				0				0		
Simple Assault		0				0				0		
Vandalism		0				0				0		
DUI		0				0				0		
Drunkenness		0				0				0		
All Other Offenses		1				0				0		

Campus Community	2019	2020	2021
Full Time equivalent Undergraduate Students	17	70	65
Full Time equivalent Graduate Students	0	0	0
Full Time Employees	7	4	4

On-Campus – 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 is frequently used by students, and supports institutional purposes.

Residence Halls* – 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 contiguous geographic area that makes up the campus is considered an on-campus student housing facility. Also includes parking lots directly accessible from a residence hall. (*There are no residence halls or on-campus housing at Misericordia Nursing Pittsburgh)

Public Property – All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.

Non-Campus – Any building or property owned or controlled by a student organization that is officially recognized by the institution; or any building or property owned or controlled by 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.

Hate Crimes - Categories of Bias: Race (R), Gender Identity (GI), Religion (Re), Sexual Orientation (S), Ethnicity (E), Disability (D), Gender (G), National Origin (NO)

UCR - Pennsylvania Uniform Crime Report Act

Grey boxes indicate on-campus crimes reported in accordance with the Pennsylvania Uniform Crime Report Act

SEXUAL OFFENSES AND MISCONDUCT RESPONSE

Misericordia University will make all efforts to comply with current federal guidelines concerning Title IX response on college campuses. This fluid and rapidly changing situation may result in additional procedural policy and modifications to the text of this section. Students and the entire campus community will be informed as appropriate throughout this process.

Misericordia University is a Catholic institution of higher education committed to excellence in teaching, learning, scholarship, and service. As such, the University acknowledges specific core values that guide and govern the actions of its community. Sexual harassment, sexual violence, stalking and intimate partner violence (including dating and domestic violence) of any form are an affront to human dignity and fundamentally at odds with the values and mission of Misericordia University. Ultimately, each member of the Misericordia University community is expected to assume responsibility for his/her conduct, to report behaviors that may violate this policy, and to take reasonable and prudent actions to prevent or stop acts of sexual harassment, sexual violence, stalking or intimate partner violence.

The crimes and acts associated with sexual violence, including dating violence, domestic violence, sexual assault, and stalking, are strictly prohibited by the University, and all available efforts will be made, with the cooperation of survivors, to find resolution to these issues, whether occurring on or off campus.

PREVENTION PROGRAMS

New first year students

Consent and Respect – Online program for all first year incoming students that must be completed prior to the first day of classes. This program provides general knowledge and awareness of consent, bystander strategies, and sexual violence. Information about how to support survivors and how to report an incident is also included. PACT Program (Promoting Awareness of the College Transition) – program for all first year incoming students conducted during the first three weeks of the semester. The PACT program facilitates conversations about the following:

- Transitions to college life
- Meaningful communication
- Differences about healthy and unhealthy relationships
- The necessity and legality of agreement and consent
- Definitions of sexual assault and misconduct
- Implications of alcohol and other drugs
- University and community resources

Ongoing Prevention Programs

It's on US campaign – The Misericordia University community has joined the national and state It's On US campaign. On campus programming includes education in addition to defining expectations in that everyone plays a role in stopping sexual assaults and sexual violence.

Bystander Intervention Training – As part of the campus' It's On US campaign, this programming focuses on strategies for active bystanders, tools to utilize when acting in a bystander role and helping students to understand that active bystanders can assist others with a serious situation and prevent others from occurring.

Employees Misericordia University is committed to the prevention of sexual harassment, sexual violence, stalking, sexual assaults and intimate partner violence through education and awareness programs. All faculty and staff have access to online training modules in order to increase their knowledge and understanding of these issues. In addition, throughout the year, the University offers educational programs to promote awareness on a variety of topics such as sexual harassment and sexual assaults.

LEGAL DEFINITION OF SEXUAL ASSAULT AND OTHER SEXUAL OFFENSES

Definitions – as defined by Pennsylvania law:

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 consent of the victim. Rape also occurs when a person engages in sexual intercourse with a person by forcible compulsion or the threat of forcible compulsion that would prevent resistance by a person of reasonable resolution, or when a person is unconscious or where the person knows that the victim is unaware that the act is occurring. This definition includes any gender of victim or perpetrator.

A felony of the first degree, rape is defined as sexual intercourse with another person:

1. By forcible compulsion or threat of forcible compulsion.
2. While the person is unconscious.
3. While the person's power to appraise or control his/her conduct is substantially impaired by administering or employing drugs, intoxicants, or other means for the purpose of preventing resistance

Sexual Assault

A felony of the second degree. An offense classified as a forcible or non-forcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation. In Pennsylvania, sexual assault is defined by Title 18 as a person engaging in sexual intercourse or deviate sexual intercourse with a complainant without the complainant's consent.

Indecent Assault

A misdemeanor of the second degree is defined as indecent contact with a person:

1. Without the person's consent.
2. By forcible compulsion or threat of forcible compulsion.
3. While the person is unconscious.

4. While the person's power to appraise his or her conduct is substantially impaired by administering or employing drugs, intoxicants or other means for the purpose of preventing resistance.

Dating Violence

Violence by a person who is or has been in a social relationship of a romantic or intimate nature with the victim; and where the existence of such a relationship shall be determined based on a consideration of the length and type of relationship; and the frequency of interaction between the persons involved in the relationship. Dating violence is currently not specifically defined by Pennsylvania State statute.

Domestic Violence

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 receiving grant monies (under VAWA), 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. Domestic Violence is currently not specifically defined by Pennsylvania state statute, however family abuse is. Abuse is defined as the occurrence of one or more of the following acts between family or household members, sexual or intimate partners or persons who share biological parenthood:

1. Attempting to cause or intentionally, knowingly or recklessly causing bodily injury, serious bodily injury, rape, involuntary deviate sexual intercourse, sexual assault, statutory sexual assault, aggravated indecent assault, indecent assault or incest with or without a deadly weapon.
2. Placing another in reasonable fear of imminent serious bodily injury.
3. The infliction of false imprisonment pursuant to 18 Pa.C.S. §2903 (relating to false imprisonment).
4. Physically or sexually abusing minor children, including such terms as defined in Chapter 63 (relating to child protective services).
5. Knowingly engaging in a course of conduct or repeatedly committing acts toward another person, including following the person, without proper authority, under circumstances which place the person in reasonable fear of bodily injury. The definition of this paragraph applies only to proceedings commenced under this title and is inapplicable to any criminal prosecutions commenced under Title 18 (relating to crimes and offenses).

Stalking

Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the

safety of others; or to suffer substantial emotional distress. A person commits the crime of stalking when the person either:

1. Engages in a course of conduct or repeatedly commits acts toward another person, including following the person without proper authority, under circumstances which demonstrate either an intent to place such other person in reasonable fear of bodily injury or to cause substantial emotional distress to such other person; or
2. Engages in a course of conduct or repeatedly communicates to another person under circumstances which demonstrate or communicate either an intent to place such other person in reasonable fear of bodily injury or to cause substantial emotional distress to such other person.

Annoying or harassing phone calls, text messages, instant messaging, use of social media and emails are a prevalent problem on college campuses and can be related to stalking activity.

Harassment

Harassment (by Communication) is defined as a series of acts in which a perpetrator:

- Communicates repeatedly in an anonymous manner.
- Communicates repeatedly at extremely inconvenient hours.
- Communicates to or about such person any lewd, lascivious, threatening, or obscene words, language, drawings, or caricatures.

"Communicates" is defined as conveying, without intent of legitimate communication or address by written or electronic means, including telephone, electronic mail, Internet, facsimile, telex and similar transmissions.

Harassment (by communication) is punishable by imprisonment of up to one year and a fine of up to \$2,500.

If you have been subjected to harassing communications, this should be reported as a criminal offense. You will be asked to keep a log of your calls, and a description of the caller's voice, background noises, etc. The Campus Safety Department, with the assistance of the law enforcement and the appropriate telephone or cellular company, may be able to determine the origin of the telephone calls.

Consent

- The term "consent" means a willingness to participate in a mutually agreed upon sexual activity indicated by words and/or actions which are informed, freely and actively given, and mutually understood.
- The term "effective consent" means that the individual(s) involved in the sexual act were able to actively engage in the decision making process regarding the behaviors. Under this expectation the decision to engage in the acts was informed, freely and actively given, and mutually agreed upon by words or actions that indicate a willingness to participate.
- The term "ineffective consent" means if one or more of the

individuals participating in the sexual activity are unable to provide consent due to incapacitation, the use of physical force, threats, intimidation, or coercion.

- Incapacitation can apply to someone who has been drinking; consuming legal or illegal drugs, has been drugged, or is mentally or physically impaired. To have sexual contact with an individual who you can reasonably see or understand to be incapable of making rational and reasonable decisions regarding a sexual situation is defined as “incapacitated sexual behavior.”
- Coercion exists when a sexual initiator engages in sexually pressuring and/or oppressive behavior that causes the victim of the behavior to engage in unwanted sexual behavior.

It is important to note that engaging in sexual relations with a person who is intoxicated can meet the definition of rape because a person who is intoxicated on alcohol or drugs is considered unable to give informed consent.

SEXUAL OFFENSE SURVIVORS

Victims of a sexual offense may be in a state of shock or disbelief. You may be angry, confused, feel ashamed, or responsible for what happened.

You are in control of your choices at all times— Help is available.

If you have been raped, sexually assaulted, subjected to dating violence, domestic violence, or stalking, the University encourages you to:

- Get to a safe place as soon as possible and contact a friend or someone you trust for support.
- Make contact with a resource and support agency
- Be aware of the presence of physical evidence, which is more effective if collected within 24 hours of the occurrence. This can be important to an investigation if you choose to pursue legal charges and/or a Protection from Abuse, Protection from Intimidation, or Protection from Sexual Violence Order. Do not wash, use the toilet, or change clothes. If clothing or bedding is changed, place the items in separate paper bags, not plastic.
- Seek medical attention to assess and treat any physical injuries, determine the risk of sexually transmitted disease or pregnancy, and collect evidence.

Forensic Exams

The medical exam obtained from a hospital or sexual assault response center has two goals: first, to diagnose and treat the full extent of any injury or physical effect (sexually transmitted infection or possibility of pregnancy) and, second, to properly collect and preserve evidence. The exam may include testing and prophylactic treatment for HIV/AIDS, STIs, and pregnancy, a vaginal/anal examination, collecting fingernail scrapings and/or clippings, examining for injuries, and a blood draw. There is a limited window of time (typically 72 to 96 hours) following an

incident of sexual assault to preserve physical and other forms of evidence. Taking the step to gather evidence immediately does not commit an individual to any course of action. The decision to seek medical attention and gather any evidence will preserve the full range of options to seek resolution through the University’s complaint processes or criminal action.

Hospital personnel will notify the police and the Victim’s Resource Center whenever they provide treatment related to a sexual offense. Notification of these agencies does not mean you must provide a statement or proceed with criminal charges. Medical providers can also facilitate a forensic exam to gather further evidence. This exam, commonly known as a Rape Kit can be performed confidentially, not subject to health insurance disclosure. The completion of a forensic exam does not require a victim to submit to a police investigation. You have the right to decline notification to authorities. However, evidence collected at this stage may be important at a later time if a decision is made to proceed with a legal investigation. considered unable to give informed consent.

Where to Obtain Forensic Exams – Pittsburgh area

- Heritage Valley Sewickley Hospital
720 Blackburn Road
Sewickley, PA 15143
(412) 741-6600

CONFIDENTIALITY

The University is committed to protecting the privacy of all individuals involved in a report of sexual harassment, sexual violence, and stalking and intimate partner violence. In any report under this policy, every effort will be made to protect the privacy interests of all individuals involved in a manner consistent with the need for a careful assessment of the allegation and any necessary steps to eliminate the harassment, prevent its recurrence, and address its effects.

The privacy of the parties will be respected and safeguarded at all times. All University employees who are involved in the University’s Title IX response receive specific training and guidance about safeguarding private information. Privacy and confidentiality have distinct meanings under this policy.

Privacy: Privacy generally means that information related to a report of misconduct will only be shared with a limited circle of individuals. The use of this information is limited to those University employees who “need to know” in order to assist in the active review, investigation, or resolution of the report. While not bound by confidentiality, these individuals will be discreet and respect the privacy of all individuals involved in the process. Misericordia University will designate which University employees have a legitimate need to know about individual conduct complaints pursuant to the FERPA and will share information accordingly.

Confidentiality: Confidentiality means that information shared by an individual with designated campus or community professionals

cannot be revealed to any other individual without express permission of the individual. Those campus and community professionals include medical providers, mental health providers, ordained clergy, and rape crisis counselors, all of whom have privileged confidentiality recognized by the law. These individuals are prohibited from breaking confidentiality unless there is an imminent threat of harm to self or others, or the conduct involves suspected abuse of a minor under the age of 18.

If a report of misconduct discloses a serious and ongoing threat to the campus community, the University will issue a timely notification to the community to protect the health or safety of the community. The University may also share non-identifying information about reports received in aggregate form, including data about outcomes and sanctions. At no time will the University release the name of the complainant to the general public without the express consent of the complainant or as otherwise permitted or required by law.

Pursuant to the Clery Act, anonymous statistical information must be shared with Campus Safety where required by the Clery Act. Annual Clery reporting to the U.S. Department of Education is required by educational institutions for certain offenses that have been reported at campus locations. The information contained in the Clery report tracks the number of Clery reportable offenses occurring at campus locations and does not include the names or any other identifying information about the persons involved in the incident.

CONFIDENTIAL RESOURCES

All individuals are encouraged to make a prompt report to law enforcement and to the University. An individual may seek confidential support and resources as designated below. Confidential resources will not share information with the University nor will speaking with a confidential resource trigger action by the University under most circumstances. We encourage all individuals to make a prompt report to the University using the reporting options below, but we recognize that individuals may choose to not make a report of sexual harassment, misconduct or violence to any University employee. With the exception of confidential resources, all other University employees, including student employees (RA's) who have a responsibility for student welfare, are trained to share information from the report with the Title IX Coordinator or the Title IX Deputy Coordinator. The daily public crime log does not contain any personally identifying information of a reporting person.

OFF CAMPUS CONFIDENTIAL RESOURCES

Students and Employees

- Pittsburgh Action Against Rape (PAAR) **866-END-RAPE (866-363-7273)**
- Center for Victims **(866) 644-2882**
- National Domestic Violence Hotline (NDV) **(800) 799-7233** The NDV Hotline can provide advocacy, resources, referral, and legal

assistance to victims of relationship violence. The Hotline is under no obligation to notify the University when providing services to students. www.thehotline.org

- Rape, Abuse and Incest National Network (RAINN) **(800) 656-4673** A confidential, anonymous national sexual assault hotline. www.rainn.org

REPORTING

Any student, employee, or member of the University community who has experience sexual assault, dating violence, domestic violence or stalking is encouraged to contact the following offices by calling or emailing the resource person directly. For purposes of this process, once a report is made, the reporting party is therefore known as the complainant, and the alleged party is the respondent.

- Ruth Anderika, Director of Campus Safety and Security
Dallas Campus **(570) 674-8018** rzavada@misericordia.edu
- Pamela Parsnik, Director of Human Resources
Misericordia University Title IX Coordinator/Director of Human Resources Dallas Campus **(570) 674-6310**
pparsnik@misericordia.edu
- Callie Rimpfel, Dean of Students
Dallas Campus **(570) 674-8318** crimpfel@misericordia.edu
- Rebecca S. Zukowski, Ph.D., RN, ABSN Program Director
Misericordia University Nursing Pittsburgh **(412) 503-7723**
- Aaron Lenk, Assistant Director of Admissions
Misericordia University Nursing Pittsburgh **(412) 275-2114**
- Online Reporting https://cm.maxient.com/reportingform.php?MisericordiaUniv&layout_id=3



RESOURCES

In addition the student, employee, or member of the University community may utilize the following resources:

Local Law Enforcement

- Moon Township Police Department
1000 Beaver Grade Road, Moon Township, PA 15108
(412) 262-5000
- ChildLine **1(800) 932-0313**
Child abuse hotline available 24 hours a day Medical Treatment
- Heritage Valley Sewickley Hospital
720 Blackburn Road, Sewickley, PA 15143
(412) 741-6600 Emotional Support
- Pittsburgh Action Against Rape (PAAR) **866-END-RAPE (866-363-7273)**
- Center for Victims **(866) 644-2882**

OPTIONS

The following options are available to those reporting a sexual assault, dating violence, domestic violence or stalking:

- Report the assault but choose to not pursue charges
- Pursue University procedures for remedies based on a formal resolution
- Pursue criminal charges with off campus law enforcement
- Pursue both criminal charges and University procedures for a formal resolution

INITIAL INQUIRY

Interim Measures

In cases of sexual assault, dating violence, domestic violence or stalking, a no contact order may be issued to both parties and can be issued without a formal complaint. *Interim measures include, but are not limited to, academic, living, transportation, employment, and protective measures

Resources

The University will provide, to any student or employee, information about resources regarding counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, and financial aid. This information will be given in writing and is accessible on the University portal. The document will also include off campus resources.

UNIVERSITY DISCIPLINARY PROCESS

Both the complainant and the respondent will have input regarding the investigation and will be informed of findings, recommendations and sanctions. Proceedings in these cases will be prompt, fair and impartial. Both parties will have the opportunity to be accompanied through the process by an advisor of their choice.

Investigation

Where the Title IX assessment concludes that disciplinary action may be appropriate, the University will initiate an investigation. The University will designate an investigative team who has yearly training and experience investigating allegations of sexual harassment, sexual violence, stalking, and intimate partner violence (dating and/or domestic violence). The investigative team may be an employee of the University or an external investigator engaged to assist the University in its fact gathering. The University will typically use a team of two investigators.

The University will seek to complete this process (investigation and resolution) within sixty (60) business days of receiving the complaint, but may extend this time for good cause and with notice.

If the investigative team, in consultation with the Title IX Coordinator or the Title IX Deputy Coordinator, determines based on a preponderance of evidence, that there is insufficient information alleged to suggest that a policy violation may have occurred, the decision of the Title IX Team is final. The Title IX Team will render a decision, in writing, to both parties.

If the investigative team, in consultation with the Title IX Coordinator or the Title IX Deputy Coordinator, determines that there is sufficient information alleged to suggest that a policy violation may have occurred, the investigative team will issue a decision based on a preponderance of the evidence as to whether the respondent is responsible for conduct in violation of this policy. The investigative team will notify the complainant and the respondent in writing and refer the report for disciplinary action to the sanction officer. The sanction officer will assign sanctions after reviewing the investigative report, impact statements, and any other relevant information.

Sanctions

After reviewing the investigative report, impact statements and other relevant information, the sanction officer may impose the following sanctions:

▪ Students

For students, they may be placed on a status sanction that ranges from written warning up to and including dismissal from the University. Educational and Residential sanctions may be used as deemed appropriate. To see a full list, please refer to the student handbook at

www.misericordia.edu/studenthandbook.



▪ Employees

For employees, the sanction may include any form of responsive action or progressive discipline as set forth in the Personnel Policies for Staff Handbook, including, training, referral to counseling and/or disciplinary action such as warning, reprimand, withholding of a promotion or pay increase, reassignment, and temporary suspension without pay or termination.

Outcome

A notice of outcome, regarding a finding of responsibility for sexual assault, dating violence, domestic violence, or stalking, including the rationale for the decision and procedures to appeal, including appeal rights, will be provided simultaneously to the complainant and the respondent. University email is the primary means of communication of the notice of outcome but alternative methods may include:

- In person by the Title IX Coordinator, Deputy Title IX Coordinator or designated University administrator;
- Mailed to a local or permanent address of the individual as indicated in official University records.

Appeal

Either party may appeal the outcome of the matter. A review of the matter will be prompt and narrowly tailored to stated appeal grounds.

All appeals must be submitted within five (5) business days of the date of the outcome letter to the Vice President of Student Life.

Notices

Appeals which will be granted will result in a notice of change to both parties. Both parties will also be notified when a result is final.

The University will disclose the result of any disciplinary proceeding conducted by the University against a student who is the alleged respondent of any crime of violence or non-forcible sex offense to the alleged victim or next of kin if the victim is deceased.

REPORTING TO LAW ENFORCEMENT

If you choose to report any of these incidents to law enforcement, the Campus Safety Department can arrange for a joint interview with the police department and Campus Safety. It is also your choice to continue with this process. You may have a support person with you during this difficult process. If the police investigation can establish enough evidence in the case, the suspect may be arrested. The suspect may be jailed or released on bail to await a preliminary hearing. An attorney from the District Attorney's Office will handle the case throughout the proceedings at no financial cost to you. You also have the option of consulting your personal or family attorney for legal advice.

Direct reports to a police agency will likely involve an in-person interview and a written statement providing details of the incident. A police officer may respond to your location or may ask that you go to police headquarters in order to document information. Police investigations can be a detailed process and may also involve subsequent interviews with a representative from the District Attorney's office before a final decision is made on criminal prosecution. Personnel in the Campus Safety Department can assist you to navigate through a police investigation and the criminal justice system.

Local Police Contact Information

- **Moon Township Police Department**
1000 Beaver Grade Road
Moon Township, Pa 15108
412-262-5000

PROTECTIVE ORDERS

A Protection from Abuse Order is a separate legal process available in civil court that provides protection from harm by family or household members, sexual or intimate partners or persons who you have a child in common with. This order permits the court to order certain remedies to a survivor of abuse (physical, mental or sexual).

Protection from Intimidation and Protection from Sexual Violence Orders, have been established to provide relief in situations involving sexual violence where the parties have had no prior relationship. Note that Protection of Intimidation Orders generally apply to juvenile victims under the age of 18.

A survivor of abuse may contact the Center for Victims at

(866) 644-2882 for further information. Emergency Protection from Abuse (PFA), Protection from Intimidation (PFI), and Protection from Sexual Violence (PFSV) Orders are granted by a District Judge upon evaluation of evidence and immediate threat. The Campus Safety Department can assist survivors of abuse in the PFA, PFI, and/or PFSV process, but this will also require involvement by law enforcement. To obtain a relief order, survivors should be prepared to be interviewed by a police officer and possibly a district judge at a law enforcement agency headquarters and/or district court.

Survivors will be required to submit details in writing regarding the type of violence, threats or intimidation that was experienced. The Campus Safety Department will maintain a copy of the protective order along with the applicable law enforcement jurisdiction. Service of protective orders to defendants, documentation and prosecution for violations of said orders will be a coordinated effort between the police and Campus Safety.

PROTECTION OF MINORS AND MANDATORY REPORTING OF CHILD ABUSE

Under Pennsylvania law, any persons employed by a private institution of higher education who, in their professional capacity, have reason to suspect that a child is an abused or neglected child, are required to report the matter immediately to child protective services. The University also requires that the information be immediately shared with the Title IX coordinator, the Title IX Deputy Coordinator, and the Director of Campus Safety and Security, so that the University can ensure timely compliance with this law and enhance the protection of children. The University will report all suspected child abuse and neglect, including sexual assault, to law enforcement and/or to Childline, a toll-free child abuse and neglect hotline at 1-800-932-0313. It is the University's intent to act quickly regarding all suspected child abuse and neglect. For the purposes of this reporting obligation, a child is any individual under the age of 18, and the suspected abuse may involve physical, sexual, or other forms of abuse or neglect, regardless of the identity of the suspected perpetrator.

SEXUAL OFFENDER REGISTRATION

The Jacob Wetterling Crimes against Children and Sexually Violent Offender Registration Act, identifies the requirements for sexual offender registration and community notification. The Campus Sex Crimes Prevention Act of 2000, provides for the tracking of convicted sex offenders enrolled at, or employed by, institutions of higher education. Information related to sex offender registration in the Moon Township, PA area, can be obtained by contacting the Moon Township Police Department or at the Pennsylvania State Police Sexually Violent Predator website www.pameganslaw.state.pa.us/

CRIME PREVENTION, SPECIAL SECURITY PROGRAMS AND SERVICES

The Campus Safety Department is dedicated to crime prevention and welcomes the assistance of every member of the campus community in making Misericordia Nursing Pittsburgh a safer campus.

SURVEILLANCE CAMERAS

Surveillance cameras are recording activity at the Misericordia University Nursing Pittsburgh location. A system of video cameras which record activity are present in multiple locations on University property. Video monitoring and recording is limited to locations in which a person does not have a reasonable expectation of privacy, and conducted in a professional and ethical manner consistent with all University policies. Audio recording is not authorized. The University camera surveillance system has been established for the following purpose:

1. To provide a safe and secure campus;
2. For University investigations;
3. To ensure compliance with University procedures;
4. To assist with investigations by law enforcement
5. In conjunction with special events

Camera locations are generally indicated by informational signs, however, the University may utilize the system without signage at other areas in conjunction with an investigation into the following: illegal activity, violations of University policy, or situations which are threatening to the safety of the campus community. Information obtained through video monitoring and/or recording is considered Confidential Information subject to the University's Confidential Information Policy.

MU ALERT

All members of the campus community are encouraged to subscribe to MU ALERT.

MU ALERT provides immediate information and is the most effective emergency notification system available to notify the campus community of an emergency or dangerous situation involving an immediate threat to the safety of employees or students. MU ALERT is also used to make notifications regarding significant weather events and school closings or delays.

To subscribe to MU ALERT, students and employees are required to create an account and provide information such as a cell phone number and email address. The campus community is notified annually regarding registration procedures and access to the MU ALERT system.

Registration for MU ALERT is available on the main page of the myMU portal. The MU ALERT messaging system is tested annually with scheduled, but unannounced drills. Prior to transmitting a message through MUALERT, the Campus Safety Department will consider various forms of information to confirm the situation, including but not limited to, direct witness observation, information gathered by Campus Safety Officers and law enforcement investigation.

Campus Safety management personnel including the Director and Supervisors, will determine the content of the emergency message and initiate the notification without unreasonable delay. Notification messages will be sent to the entire campus, unless it has been determined that issuing a notification will jeopardize efforts to assist a victim, or may otherwise compromise the effective control of the emergency.

TIMELY WARNINGS AND EMERGENCY NOTIFICATION

In the event of an incident or emergency which poses an immediate threat to members of the campus community, the University will use MU ALERT to communicate information. The University also posts updates during a critical incidents on our public website - www.misericordia.edu and the University's general Twitter account - www.twitter.com/misericordia.edu.

Timely Warnings and/or Emergency Notifications will be issued to help prevent crimes and/or notify the campus community of serious incidents on campus, or in the vicinity of campus which can affect the safety and security of the community. The Campus Safety Department, in conjunction with other University departments such as Student Life and law enforcement sources, will formulate the content of a Timely Warning/Emergency Notification. Timely Warnings generally apply to crimes occurring on campus which are classified as Clery Act crimes and are designed to reach the entire campus as soon as pertinent information is available. Emergency Notifications are broader in focus and may include affected areas on campus or in the vicinity of campus. Emergency Notifications are designed to be communicated immediately upon confirmation of an event or situation.

CRISIS MANAGEMENT PLAN

Misericordia University's Emergency Response Guide is a broad and comprehensive document and is updated on an annual basis in order to retain accurate data and personnel contact information. University staff from a wide variety of departments and areas have participated in a series of emergency management drills and scenarios related to effective crisis response.

The University's Emergency Response Safety Reference Guide is included as part of this document and contains procedural information and suggested guidelines to follow during concerning and hazardous situations.

MEDIA RELATIONS

Release of information during crisis situations Procedures related to the emergency response plan are followed by the University regarding the release of information during and following serious events which affect the campus community, including but not limited to, bomb threats, fires, accidents, and other incidents of violence. Information will be release according to the following guidelines:

- Misericordia University will release accurate, consistent information to members of interested or affected public groups and to representatives of recognized news gathering organizations, when such releases will not endanger or impair the welfare of individuals or the conducting of official investigation or inquiry in connection with the incident or occurrence.
- When management or investigation of crisis events involves officials or other authorities, agencies or, organizations, all information released will be coordinated with appropriate individuals representing those organizations.
- In general during crisis situations, the campus spokesperson regarding the distribution of information to the media and other off-campus publications will be the President or the Manager of Public Relations, or their designee. University personnel not designated as such shall direct all queries to the appropriate spokesperson.

LOCKDOWN CONDITIONS

Lockdown procedures can be found in the Emergency Response Safety Reference Guide included in this document.



TIPS FOR PERSONAL SAFETY

Please be aware of your surroundings, report suspicious observations and consider these safety tips to reduce security risks

On Foot

- Walk with a group or use a common route traveled by numerous people.
- Plan your route. Walk with a purpose and keep moving.
- Avoid dark or isolated areas
- Only carry a small amounts of cash and keep other valuables out of sight.

If You Sense a Potential Threat

- Make clear observations and react appropriately to the situation.
- Join with a group of nearby people.
- Make noise by yelling to attract attention.

While Driving

- Keep doors and windows locked.
- If you are threatened by another motorist, drive away from the area, go to a public location and report the incident.
- Avoid hitchhikers and be aware of stranded motorists soliciting assistance.
- If your vehicle becomes disabled in a remote area, raise the hood, remain seated in your locked vehicle. If someone offers to help, ask that they call for assistance.
- Park in an areas which will be well lit and not deserted when you return to the vehicle.
- Have your keys ready, but not visible, as you approach your car. Check inside before opening the door.

In Buildings

- Keep doors locked.
- Ask persons to identify themselves before opening a door.
- Do not loan your room key or access card to any other person.
- Keep your valuables locked up and out of view.
- Be alert while using elevators and riding with strangers.

What would you do if attacked or criminal activity was imminent?

It can be of some value to think about how you would react if faced with someone trying to harm you. Some criminal incidents can be aggravated by the reaction of the victim. Many times the safest strategy may be to comply with the offender. Sometimes the risk of injury can be reduced if you cooperate. Your best defense is to think clearly and accurately remember the details. Report the crime as soon as possible to authorities. However, if your life is in immediate danger, use any method of resistance you can to fight back. Make noise, run away or use whatever object is available as a weapon to protect your life.

HELPING OTHERS

Crimes on college campuses often occur in clusters. An offender who has not been apprehended is a potential threat to others in the campus community. By reporting a crime or unusual activity, you may prevent a future crime from occurring. Activity which you feel is suspicious may be a sign of criminal activity. Help your friends and colleagues by being alert to and reporting the following conditions:

- Screaming and cries for help
- Strange vehicles driving repeatedly in the same area
- Broken windows and doors
- Strangers loitering in parking lots, near residences, work areas, and entering areas without authorization.
- Persons trying to open the doors of multiple vehicles or using tools to gain entry.

Reporting Suspicious Activity

- Call 911 to report all details of the incident.
- Describe the suspect's appearance, clothing, height, weight, scars, tattoos, or other distinguishing features.
- Know your surroundings and accurately describe the location of the incident.
- Take note of vehicle information—make, model, color, license plate number, and direction of travel.

BYSTANDER INTERVENTION

Bystander Intervention is an essential component in preventing violence. Have you ever had the opportunity to help someone who was being harassed or disrespected?

These situations could result in a potentially hazardous condition or a criminal offense. Bystander intervention can address and prevent harmful behaviors before they escalate. Being aware of the warning signs and simply interjecting yourself into a conversation could be enough to avert a dangerous situation for a friend. Bystander Intervention techniques are not intended to be confrontational and those who decide to intercede are advised to do so subtly, safely and with caution.

SPECIFIC CRIMINAL OFFENSES

FIREARMS, FIREWORKS AND WEAPONS

The possession or use of firearms, ammunition, fireworks, major and minor explosives, or any prohibited or lethal weapon is strictly forbidden on University properties, facilities and grounds, except as specifically indicated in accordance with University policies regarding Campus Safety Department personnel, law enforcement officials, and other noted exceptions.

DRUGS AND ALCOHOL

The use of controlled substances is prohibited by federal and state law. Individuals who do not abide by these laws risk action by Misericordia University and law enforcement authorities.

Misericordia University is not a sanctuary from the law and will cooperate fully with enforcement agencies in support of regulations related to controlled substances. The University cannot shield you from your responsibility to obey the law or from a police investigation.

Misericordia University does not encourage the use or abuse of alcoholic beverages. The University does not prohibit such activity, but does strictly follow the laws of the Commonwealth of Pennsylvania related to alcohol use.

Students

The Misericordia University Student Handbook outlines the University's policies regarding the use of drugs and alcohol on campus. All students are required to know these policies and adhere to them. www.misericordia.edu/studenthandbook



Misconduct Involving Alcohol

Misericordia University supports the health and well-being of each individual, therefore, it does not encourage consumption of alcoholic beverages nor does it promote the use or abuse of them. The University adheres to the laws of the Commonwealth of Pennsylvania and does not permit students under the age of 21 to possess or consume alcohol. The University does not permit students under 21 to be in the presence of alcoholic beverages on campus unless it is a university-sponsored event. However, the University recognizes the right of individuals 21 years of age or older to possess and consume moderate amounts of alcoholic beverages. With these rights come responsibilities.

This rule prohibits, but is not limited to:

1. Use and/or possession of alcohol by persons not of legal drinking age.
2. Providing alcohol to a person less than the legal drinking age.
3. Serving alcohol to intoxicated individuals.
4. Impairment attributable to the consumption of alcohol that substantially interferes with student judgment and decision-making causes a disturbance, and/or requires the intervention of University personnel.

Misconduct Involving Illegal Drugs, Controlled Substances, or Other Intoxicants

Misericordia University is a drug-free school zone. The possession, use, or sale of drugs and other controlled substances is a federal and state offense subject to fines and imprisonment. It is the policy of the University to uphold these laws. In any instance where a violation of the law concerning drugs occurs on campus or in connection with the activities of Misericordia University students, the disciplinary policy of the University will permit taking action beyond or separate from any which may be taken by civil authorities. This action may range from educational service hours to a dismissal. The University does not condone the possession of drug paraphernalia and will respond in a disciplinary manner. If drug paraphernalia and/or controlled substances are found on campus, the local police will be contacted to take possession of the contraband. The student may face charges by the police in addition to university disciplinary action.

This rule prohibits, but is not limited to:

1. Use of any controlled substance, or illegal drug.
2. Possession of any controlled substance or illegal drug.
3. Possession/Use of drug paraphernalia.
4. Unauthorized distribution or possession for purpose of distributing any controlled substance or illegal drug(s).
5. Impairment attributable to the use of illegal drugs, controlled substances, or abuse of other intoxicants that substantially interferes with student judgment and decision-making, causes a disturbance, and/or requires the intervention of University personnel.
6. Being present where a controlled substance or illegal drug is being consumed and/or present.

Employees

The Misericordia University Employee Handbook outlines the University's policies regarding employee use of drugs and alcohol on campus. All employees are required to know these policies and adhere to them.

Educational Programming

A detailed description of the University's educational efforts and preventive measures in the area of drugs and alcohol abuse can be found in the Misericordia University Student Handbook.

Important Federal, State and Local Laws

Alcohol Offenses

It is illegal for a person under the age of 21 to purchase, consume, possess, or transport alcoholic beverages.

Please note that charges related to the possession of alcohol may extend to those individuals in the vicinity of alcoholic beverages.

- *First offense* Fine up to \$300 and 90 day suspension of your driver's license.
- *Second offense* Fine up to \$500, plus costs and one year suspension of your driver's license.
- *Third and subsequent offenses* Fine up to \$500, plus costs and two year suspension of your driver's license.

In addition to fines, costs, and driver's license suspension, the state may require the offenders to successfully complete a prescribed program of education, intervention, or counseling completely independent of any program or sanction developed by the University. It is also illegal to sell or furnish alcoholic beverage to persons under 21 years of age.

- *First offense* \$1000 fine
- *Second and subsequent offenses* \$2500 fine and costs

In addition to criminal charges, civil liability can extend to the person who furnished the alcohol to the minor.

It is illegal to possess an identification card falsely identifying a person by name, age, date of birth or photograph as being 21 years of age or older. It is also illegal to attempt to obtain alcoholic beverage by using a false identification card or the identification card of another person.

- *First offense* Fine up to \$300, plus costs and 90-day suspension of your driver's license
- *Second offense* Fine up to \$500, plus costs and one-year suspension of your driver's license
- *Third and subsequent offenses* Fine up to \$500 and 2-year suspension of your driver's license

The arresting police department will notify the parents or guardian of the minor charged.

Misrepresentation of age to secure liquor or malt or brewed beverages:

- *First offense* Summary
- *Second offense* Misdemeanor 3rd degree

Manufacture or sale of false identification card:

- *First offense* Misdemeanor 2nd degree
- *Identity theft (value less than \$2000)* Misdemeanor 1st degree

Public intoxication is illegal and clearly contrary to Misericordia University's policy on alcohol. Persons convicted of public intoxication can be fined up to \$300, plus costs, and/or 90 days in jail.

Related Offenses

- Disorderly Conduct – Summary to misdemeanor 3rd degree
- Failure of disorderly persons to disperse upon official order –Misdemeanor 2nd degree
- Driving under the influence of alcohol, a controlled substance or a combination of both is illegal and carries a maximum of a two year jail term and/or a \$500 fine and a suspension of your driver's license. It is a privilege, not a right, to operate a motor vehicle in Pennsylvania.
- Anyone who operates a motor vehicle is deemed to have given consent to one or more tests of his or her blood, breath or urine to determine the blood alcohol content. If you are arrested for suspicion of driving under the influence and refuse to take one of the previously mentioned tests, your driver's license will be suspended for a year, regardless of the court's decision regarding your guilt or innocence.

Controlled Substances

The Controlled Substance, Drug, Device and Cosmetic Act, 35 Pa. C.S.A. 780-101 et seq., establishes five schedules of controlled substances based on legitimate medical usage and degree of potential abuse. The Act prohibits the possession, manufacture, distribution, sale or acquisition of controlled substances as well as acquisition of a controlled substance by misrepresentation or forgery (false prescriptions).

Penalties for first-time violators of the Act range from 30 days imprisonment, a \$500 fine-or both, for the possession or distribution of a small amount of marijuana or possession of drug paraphernalia; to 15 years imprisonment and/or a \$250,000 fine-or both, for the possession, manufacture or delivery of a Schedule I or II narcotic such as heroin, cocaine (or crack), LSD methamphetamine, anabolic steroids and synthetic "date rape" drugs.

A person over eighteen years of age, who is convicted of violating the Act regarding the delivery or possession with intent to deliver of a controlled to a minor, is subject to a mandatory minimum of at least one year total imprisonment.

Misericordia University and the surrounding areas of campus are considered a Drug-Free School Zone. Violations related to the delivery, or possession with intent to deliver a controlled substance within this designated area, are subject to a minimum sentence of two years imprisonment.

HAZING

Misericordia University has no tolerance for hazing. Hazing is defined by Pennsylvania law, and for purposes of this Policy, as follows: When a person intentionally, knowingly or recklessly, for the purpose of initiating, admitting, or affiliating a student into or with a club, organization, or athletic team, or for the purpose of continuing or enhancing a student's membership or status in a club, organization, or an athletic team, causes, coerces, or forces a student to do any of the following:

- Violate federal or state criminal law
- Consume any food, liquid, alcoholic liquid, drug or other substance which subjects the student to a risk of emotional or physical harm
- Endure brutality of a physical nature, including whipping, beating, branding, calisthenics, or exposure to the elements
- 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
- Endure brutality of a sexual nature
- Endure any other activity that creates a reasonable likelihood of bodily injury to the student.

The above types of behavior will be considered hazing even if the student consents to the activity or if the conduct was sanctioned by the club, organization, or athletic team.

Aggravated Hazing

Aggravated Hazing is defined by Pennsylvania law, and for purposes of this Policy, as follows:

A person, club, organization or athletic team commits aggravated hazing when the hazing results in serious bodily injury or death to a student and:

- the person, club, organization, or athletic team acts with reckless indifference to the health and safety of a student; or
- the person, club, organization, or athletic team causes, coerces or forces the consumption of an alcoholic liquid or drug by the student.

(Note: Aggravated hazing is a felony of the third degree and will automatically result in the University contacting local law enforcement as well as utilizing the University Conduct System. The University retains the right to contact law enforcement in all hazing incidents.)

Organizational Hazing

An organization, club, or athletic team that intentionally, knowingly or recklessly promotes or facilitates hazing or aggravated hazing commits the offense of organizational hazing and will be held accountable by the University.

Organizational hazing is also violative of Pennsylvania law, and subject to penalties as set forth in the law.

Sanctions

Individuals and/or clubs, organizations or athletic teams can be found responsible for hazing or aggravated hazing. The following is a list of sanctions that can be applied by the University if a violation of this policy occurs:

- Educational Sanctions
- Status Sanctions
- Club, Organization or Athletic Team Probation
- Club, Organization or Athletic Team Suspension
- Revocation of the club or organization charter

This listing does not include those sanctions that an individual, club, organization, or athletic team could also be subject to pursuant to law, including, but not limited to, the Pennsylvania Antihazing Law, 18 Pa.C.S. § 2801, et seq.

Safe Harbor

Under certain specific conditions, and consistent with PA state law, when a student seeks medical assistance for another student who is believed to be in need of immediate medical attention to prevent death or serious bodily injury due to hazing, neither the student who is in need of medical attention nor the student who has reported it will be charged with violations of the Anti-Hazing policy.

Additional Resources:

- Amnesty Policy for Medical Emergencies involving Drugs/Alcohol/Hazing (found in the MU Student Handbook).
- PA State Law Regarding Alcohol Amnesty - 18Pa.C.S. § 6308.1.
- PA State Law Regarding Drug Amnesty – PA Act 139 Section 13.7.

Reporting

Anyone can report concerns related to hazing by submitting a form online. This Incident Reporting form can be found here.

[https://cm.maxient.com/reportingform.](https://cm.maxient.com/reportingform.php?MisericordiaUniv&layout_id=3)

[php?MisericordiaUniv&layout_id=3](https://cm.maxient.com/reportingform.php?MisericordiaUniv&layout_id=3) There have been no incidents classified as Hazing reported at Misericordia University from January 2008.



ACT 80 OF 2018 REPORT

Misericordia University Report Update 2021-2022 Academic Year

This report is published in accordance with the act of 2018, the Timothy J. Piazza Law, 18 Pa.C.S. § 2809 et Seq.

A copy of the Misericordia University policy prohibiting hazing, as required under 18 Pa.C.S. § 2809 can be found at misericordia.edu/studenthandbook



Report No.	Subject of Report	Date of Report	Investigation Description	Sanctions	Date of Resolution
2015 through 2020 Academic Years					
No reports have been filed during this time frame.					
2020-2021 Academic Year					
No reports have been filed during this time frame					
2021-2022 Academic Year (through August of 2022)					
No reports have been filed during this time frame					

ANNUAL FIRE SAFETY REPORT

The Misericordia University Nursing Pittsburgh location is equipped with an automatic sprinkler and fire alarm system. There are no student residential facilities at this campus location.

Fire emergency response is provided by the Moon Township Volunteer Fire Department located at 1000 Beaver Grade Road, Moon Township, PA 15108. Phone: (412) 262-5005

BUILDING EVACUATION PROCEDURES AND FIRE SAFETY AWARENESS

- Sounding the fire alarm by activating a pull station will facilitate building evacuations.
- All occupants are to leave in a calm and orderly manner by the nearest marked exit.
- Do not use the elevators. Elevators do not function as customary when a fire alarm is sounding.
- Proceed to your respective evacuation site. Do not return to a building until authorized.
- Assist persons with a disability to exit the building. This may mean carrying a person down steps.
- Faculty members and staff supervisors should be the last persons to leave a room.
- If the source of the fire prevents safe exit, find an alternative route.
- Before you open the door, feel for excessive heat.

- If the door temperature feels normal, exit the building. Do not use the elevator.
- If the door feels hot, do not open it.
- Seal the cracks and openings with towels, sheets, etc.
- To attract attention, hang clothes or bedding out of the window and shut the window promptly.
- Don't break the window or leave it open unless the room is filling up with smoke.

All fires, regardless of the size or intensity, must be reported to the Campus Safety Department.

CAMPUS EVACUATION SITE

Employees and students who have evacuated a building are urged to avoid parking areas and roadways near building entrances in order to provide clear passage for emergency responders.

The designated staging area during an activated fire alarm at the Misericordia University Nursing Pittsburgh location is the front entrance to Homewood Suites, 2000 GSK Drive, Moon, PA 15108. Evacuation drills, monitored by the Misericordia University Nursing Pittsburgh administrative staff are conducted on an annual basis.

MISERICORDIA UNIVERSITY NURSING PITTSBURGH

EMERGENCY RESPONSE

SAFETY REFERENCE GUIDE

POLICE • FIRE • AMBULANCE: CALL 911

EVACUATION STAGING AREA: FRONT ENTRANCE HOMEWOOD SUITES HOTEL

IN THE EVENT OF A FIRE

- Sound fire alarm by activating a wall mounted pull station.
- Promptly, but safely exit the building. Follow evacuation procedures.
- Once evacuated from the building, notify 911.
- Stay clear of the building.

EVACUATION PROCEDURES

- Leave by the nearest exit unless the hazardous situation is present at that location.
- Do not use the elevators.
- Proceed to the evacuation staging site.
- Do not return to a building until authorized.
- Assist disabled persons to exit buildings.
- Report location and disabled person's name if possible.
- Faculty members, staff supervisors and management personnel should be the last persons to leave a room.
- Close doors when leaving.

IF TRAPPED IN A BURNING BUILDING

- Remain calm—do not panic—stay low to the ground.
- Do not open a closed door if it feels hot—use another exit if possible.
- If safe exit is not possible, seal the cracks around the doors and vents with anything available.
- Contact 911. Provide your exact location.
- If breathing is difficult, carefully ventilate the room.
- If on an upper floor, signal emergency responders by hanging something from a window.
- If faced with a window that cannot be opened, draw attention to yourself by waving and yelling.

IF YOU CATCH ON FIRE

- STOP where you are. DROP to the floor. ROLL around on the floor.

IF SOMEONE CATCHES ON FIRE

- Attempt to smother the flames by wrapping the person in a blanket, rug or similar item.

BOMB THREAT

- Follow building evacuation procedures.
- Most bomb threats are received by phone.
- The call taker may be the only contact with the subject—focus on details.
- Obtain as much information as possible from the caller.

- Keep talking to the caller and ask:
 - When will the bomb explode? Where is the bomb?
 - What kind of bomb is it? What does it look like? Why did you place the bomb?
 - Note the line the subject is calling on (extension number).
 - Note the day and exact time.
 - To identify blocked or unknown numbers, additional law enforcement and phone company involvement will be necessary.
 - Provide all information to the Police and Campus Safety.

HOSTILE INTRUDER– ACTIVE SHOOTER– MASS CASUALTY EVENT

During an active situation in which an individual is causing, or threatening to cause, death or serious injury to persons on University property – follow these guidelines and suggested steps to reduce

- Immediately contact 911.
- Remain calm and make reasonable decisions.
- Stay away from windows and doors.
- Resist temptation to peak outside. n Lock doors and windows
- Close blinds and curtains.
- Turn off lights and audio equipment.
- Keep everyone together.
- Stay quiet and silence cell phones.
- Be alert to emergency communications in all forms
- Stay out of open areas.
- Follow all instructions by Law Enforcement and emergency notifications.
- Do not confront or try to apprehend the intruder.
- Conform to commands – avoid eye contact.
- If a lockdown is ordered, go to the nearest office or classroom, lock, and barricade the door. n Do not sound the fire alarm– occupants may exit a building exposing them to greater risk. n Do not leave a secure area until notified by Police.
- In an open area – choose effective concealment locations.
- Keep physical objects (desks, trees, vehicles) between you and the threat.
- If you must flee – run away in an inconsistent pattern – running in a straight line increases risk.
- When a safe area is reached, warn others of the danger zone.
- If contact can safely be made with Law Enforcement, consider the following:
 - Provide the location and physical description of the hostile person and their name if know.
 - Provide the description of weapon(s) the person is using.
 - Provide injury information (number of injured, severity and their location).
- Final survival considerations: Remain motionless among victims. Fight back against the threat.

LOCKDOWN PROCEDURES

- A. Level One Lockdown: Stay indoors due to dangerous or hazardous conditions in exterior Outdoor travel is not advised. Applies to extreme weather related incidents and environmental emergencies
- B. Level Two Lockdown: All entrances to a structure are to be locked, propped, barricaded and/or blocked by any means available in order to stop a potential threat from entering a given area.

LOCKDOWN GUIDELINES

- Stay alert to all emergency notifications
- Seek shelter in the nearest classroom or office area available.
- Assist others to safety away from open areas
- Lock doors to classrooms, offices and housing units. Remain inside until further notice is given or instructed that other procedures, such as evacuation, is most appropriate.
- If unable to lock doors – prop or barricade entrances with whatever is available.
- Move to interior areas.
- Cover windows and other openings.
- Stay away from windows and glass.
- Stay behind solid walls, cabinets, desks or bookcases.
- Remain low to the ground and minimize movement.
- Do not make noise or draw attention to yourself.
- Place cell phones and/or mobile device on silent or vibrate.
- Remain calm and alert to your surrounding and developing threats.
- Do not activate fire alarms or evacuate due to a fire alarm unless instructed to do so by campus safety, law enforcement, or other University personnel.
- Do not flee buildings or attempt to sneak away from the situation unless actual conditions confirm that a threat has entered your area of refuge and your survival depends on exiting an area.

CRIME REPORTING

- Law Enforcement for local jurisdictions can be contacted at 911.
- Notification to the Campus Safety Department at **(570) 674-6300** is required even if direct reports are made to law enforcement agencies.
- Campus Safety will investigate complaints and issue timely warnings to the campus community as necessary.

INJURIES/ILLNESS—NON-LIFE THREATENING (STUDENTS, VISITORS, STAFF)

- **SERIOUS INJURIES – contact 911 directly in order to summon emergency medical responders.**
- Employees and students must immediately report all injuries and illnesses sustained on the property of Misericordia University to a faculty member, a member of the administrative staff and/or a supervisor.
- Student or employee injuries and illnesses must also be reported to Campus Safety at **(570) 674-6300**.

ELEVATOR FAILURE

- If you are trapped in the elevator, contact **(412) 335-1472**.
- Remain calm; do not attempt to exit the elevator without instructions.

PLUMBING FAILURE/FLOODING/SEWER BACK-UP

- Cease using all electrical equipment, vacate the area and call **(412) 335-1472**.

GAS LEAK

- Cease all operations. Do not strike matches or generate any open flame.
- Do not activate light switches, electrical equipment, or phones.
- Follow evacuation procedures—report incident location to emergency responders and call 412-335-1472.

VENTILATION PROBLEMS

- If smoke or odors are generated from ventilation systems, vacate the area. Call 412-335-1472.
- Cease all operations, Activate fire alarm and follow evacuation procedures.

CHEMICAL OR RADIATION SPILL

- Any hazardous chemical or radioactive material spills are to be reported immediately to 412-335-1472.
- Communicate the nature of the involved material and exact location.
- Persons nearest the spill, should seal off the area to prevent further contamination and follow evacuation procedures.
- Persons who are potentially contaminated are to avoid contact with others and remain in the vicinity for proper relay of information to emergency responders.

EMERGENCY ALERT SYSTEM

In the event of an incident which poses an immediate threat to the safety and welfare of the Misericordia campus community, the University has various emergency notification systems in place to communicate information. Some or all of these methods of communication may be utilized dependent on the circumstances of the event. Methods of communication include e-mail, text messaging, MU web site at www.misericordia.edu and www.twitter.com/misericordia.edu.

MU Alert is the emergency mass communication system used to notify the campus community of a significant emergency or dangerous situation involving an immediate threat to the health or safety of employees or students. MU Alert messages will contain information and instructions to follow during a crisis situation.

Sign up and activate your MU Alert account through the University's web portal my-MU. A cellular phone number and/or email address is required. MU Alert messages are transmitted via text message and email. MU Alert messages will only be sent after careful consideration by the Campus Safety Department and with input from local law enforcement and other emergency response agencies when necessary.

This guide is a procedural outline to follow in the event of an emergency. More detailed and specific procedures are contained in the Misericordia University Emergency Response Guide. For more information, contact Ruth Anderika, Director of Campus Safety and Security at (570) 674-8018.

SUICIDE AND CRISIS LIFELINE - DIAL 988

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