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2016 ANNUAL FIRE SAFETY AND SECURITY REPORT |
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INTRODUCTION

The Pennsylvania's State System of Higher Education @ Center City, Philadelphia is located in the Mellon Independence Center, 701 Market St., Concourse Level, Philadelphia, PA 19106; phone 267-386-3001. The PASSHE Center City campus is one multi-university center. Bloomsburg University, Cheyney University, East Stroudsburg University, Millersville University and West Chester University currently participate in the State System Center City campus. The State System @ Center City campus is one of several tenants located in the Mellon Industrial Center. Admissions, Financial Aid, Tuition and Fees questions should be directed to the individual universities.

- Bloomsburg University: www.bloomu.edu/
- Cheyney University: www.cheyney.edu/
- East Stroudsburg University: www4.esu.edu/
- Millersville University: www.millersville.edu/
- West Chester University: www.wcupa.edu/

Safety on all campuses of higher education is a natural source of concern for parents, students, and employees. No campus is entirely isolated from crime. The State System @ Center City campus is no exception. However, the State System Center City campus has developed policies and implemented procedures, in conjunction with the Mellon Independence Center, to increase safety and security awareness and to provide precautionary measures for all campus community members. This publication is designed to provide an overview of those safety and security measures.

Participating universities of the State System @ Center City campus, as recipients of federal Title IV student financial aid, are required to adhere to the provisions of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, commonly referred to as the Clery Act. One provision of the Clery Act is that all postsecondary institutions receiving federal Title IV financial aid must publish an annual security report disclosing campus security policies and the most recent three years crime statistics. In compliance, this report is prepared by the participating universities and made available to the State System @ Center City campus community and others, with the cooperation of local law enforcement agencies and various University offices. This publication is distributed in accordance with the Pennsylvania College and University Security Information Act (24 P. S. §§ 2502-1—2502-5) and the following federal statues: Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, Section 486(e) of Public Law: 105-244 and The Accuracy in Campus Crime Reporting Act of 1997.
UNIVERSITY STUDENT/EMPLOYEE POPULATION - FALL SEMESTER 2015
Student enrollment and employee figures are based on actual student head count. All figures are calculated at the beginning of the fall semester each year.

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<th>UNIVERSITY</th>
<th>UNDERGRADUATE</th>
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<tr>
<td>Bloomsburg University*</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Cheyney University</td>
<td>166</td>
<td>43</td>
</tr>
<tr>
<td>East Stroudsburg University</td>
<td>19</td>
<td>0</td>
</tr>
<tr>
<td>Millersville University</td>
<td>5</td>
<td>0</td>
</tr>
<tr>
<td>West Chester University</td>
<td>78</td>
<td>90</td>
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Pennsylvania's State System of Higher Education @ Center City, Philadelphia

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<tr>
<td>Undergraduate</td>
<td>268</td>
</tr>
<tr>
<td>Graduate</td>
<td>133</td>
</tr>
<tr>
<td>Total</td>
<td>401</td>
</tr>
<tr>
<td>Non-Student Employees</td>
<td>13</td>
</tr>
<tr>
<td>Total Center City Campus</td>
<td>414</td>
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* Prior to the 2016 fall semester, Bloomsburg University was not affiliated with the State System @ Center City campus. Therefore, for Clery reporting purposes, Bloomsburg University was not required to collect and report crime statistics for 2015 at this location.
GEOGRAPHIC LOCATIONS
The State System @ Center City campus is required to report crime statistics for Clery-designated crimes and to issue timely warnings for those crimes that represent a severe and continuing threat in the following geographic locations: on campus, public property and non-campus buildings and property.

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

Any building or property that is within or reasonably contiguous to paragraph (1) of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as food or other retail vendor).

PUBLIC PROPERTY
The term “public property” means all public property that is within the same reasonably contiguous geographic area of the institution, such as a sidewalk, a street, other thoroughfare, or parking facility, and is adjacent to a facility owned or controlled by the institution if the facility is used by the institution in direct support of, or in a manner related to the institution’s educational purposes.

For the State System @ Center City campus, streets, alleys, sidewalks, and parks that are adjacent to campus or that bisect campus, would be included as public property.

NON-CAMPUS BUILDINGS OR PROPERTY
Any building or property owned or controlled by a student organization recognized by the institution; and any building or property (other than a branch campus) owned or controlled by an institution of higher education that is used in direct support of, or in relation to, the institution’s educational purposes, is used by students, and is not within the same reasonably contiguous geographic area of the institution.

Clery crime and arrest statistics and uniform crime reporting statistics are located in Appendix A.

REPORTING CRIMES

WHO IS RESPONSIBLE FOR CAMPUS SECURITY?
The Philadelphia Police Department is responsible for campus law enforcement. The Mellon Independence Center is responsible for building security, including the State System @ Center City campus.

Philadelphia Police Headquarters
750 Race Street, Philadelphia, PA 19160
Tips call: 215-686-TIPS or text PPDTIP
Emergencies call: 911
Non-emergencies call: 311

WHAT IS THE PASSHE CENTER CITY CAMPUS POLICY ON ENCOURAGING THE REPORTING OF CRIMES?
The State System @ Center City campus strongly encourages all faculty, staff, students and guests to report any illegal or suspicious activity in a timely manner to the Philadelphia Police Department. Requests are submitted to the Philadelphia Police Department to provide crime statistics for inclusion in to the State System @ Center City campus Annual Security Report. Additionally, any situation or incident that involves a significant emergency or dangerous situation, should be reported to the Director of the State System @ Center City campus (call: 267-386-3003) for an assessment of whether a timely warning or emergency notification should be sent out to the State System @ Center City campus community.

WHAT IS A CAMPUS SECURITY AUTHORITY (CSA)?
A campus security authority, commonly referred to as a CSA is a person referred to by the Clery Act. CSA's are a vital part of data collection for the annual safety and security report. The Clery Act requires the State System @ Center City to provide an annual safety and security report. In addition to input from law enforcement, certain
staff positions are designated as Campus Security Authorities (CSA) for the purpose of providing information for this report. CSAs are usually found in departments responsible for, but not limited to, student and campus activities, safety/security, discipline, housing, athletics, human resources or judicial proceedings. This designation also includes any individual who has been specified by the reporting institution to receive and report offenses. PASSHE Center City has identified all PASSHE Center City personnel and faculty working at the campus as CSAs.

CSA’s are responsible for reporting the number of crimes and incidents as described in the Clery Act that are reported to them. CSAs are then required to report the reports they received to the Director of the State System @ Center City. These numbers are then included in the federally mandated annual Clery Report, which is distributed every year by October 1.

Those incidents reported to pastoral and professional counselors are not included in campus crime statistics.

VOLUNTARY CONFIDENTIAL REPORTING OF CRIMES

For those wishing to report a criminal incident, whether a victim, witness, or third party, reports may be made in confidence to the following offices where further options will be discussed with the reporting party.

Pennsylvania’s State System of Higher Education @ Center City, Philadelphia – Mellon Independence Center, 701 Market St., Concourse Level, Philadelphia, PA 19106, Phone: 267-386-3003

WHAT IS THEENFORCEMENT AUTHORITY OF PUBLIC SAFETY PERSONNEL?

State System @ Center City campus does not provide campus police or security personnel for the campus. Philadelphia Police provide police services for the campus and a private building security contractor provides general security for the Mellon Independence Center, which includes the State System @ Center City campus.

The Philadelphia Police Department is the nation’s fourth largest police department, with over 6600 sworn members and 800 civilian personnel. The department is the primary law enforcement agency responsible for serving Philadelphia County, extending over 140 square miles in which approximately 1.5 million reside.

WHAT IS THE STATE SYSTEM @ CENTER CITY CAMPUS POLICY ON REPORTING CRIMINAL INCIDENTS TO STATE AND LOCAL POLICE?

All crimes should be reported to the Philadelphia Police Department 750 Race St, Philadelphia, PA (215) 686-3053 (emergencies call: 911).

Crime statistics and arrest information for offenses occurring on the State System @ Center City campus should be reported directly to the Philadelphia Police department. The Philadelphia Police Department is the local enforcement agency. The Philadelphia Police Department reports crime statistics to the State via the Uniform Crime Reporting (UCR) system.

WHAT ARE THE PROCEDURES FOR STUDENTS AND OTHERS TO REPORT CRIMINAL ACTIVITY OR OTHER EMERGENCIES OCCURRING ON CAMPUS AND HOW DOES THE STATE SYSTEM @ CENTER CITY CAMPUS RESPOND TO SUCH REPORTS?

The campus community should report criminal activity, fires or medical emergencies to the Philadelphia 911 center, by dialing 911. The Philadelphia 911 Center maintains a 24-hour dispatch center to answer all calls for assistance. Upon receiving a request for assistance, an officer and any other appropriate personnel will be immediately dispatched to the location. Non-emergencies may also be reported to the following:

Director, Pennsylvania’s State System of Higher Education @ Center City, Philadelphia: Christina Dennis Mellon Independence Center 701 Market Street, Concourse Level Philadelphia, PA. 19106 267-386-3003
Philadelphia Police Headquarters:
750 Race Street, Philadelphia, PA 19160
Tips call: 215-686-TIPS or text PPDTIP
Emergencies call: 911
Non-emergencies call: 311

Mellon Independence Center Building Security:
Allied Barton Security Department
701 Market Street West lobby entrance
Philadelphia, PA 19106
215-238-9777 or 215-238-9306

DAILY CRIME LOG
PASSHE Center City campus does not have a campus police or security department; as a result no Daily Crime Log is created.

HOW DOES STATE SYSTEM @ CENTER CITY CAMPUS INFORM THE CAMPUS ABOUT AN IMMEDIATE THREAT AND WHAT IS THE STATE SYSTEM @ CENTER CITY CAMPUS POLICY ABOUT NOTIFYING THE CAMPUS COMMUNITY OF AN EMERGENCY?
The State System @ Center City Emergency Notification and Timely Warning policy dictates that upon receipt of a report of a crime or emergency, the director will determine if the report represents an immediate threat or continuing danger to the campus. In addition to having crimes and other emergencies being reported to the Philadelphia Police Department, reports should be made to the State System @ Center City director. Should it be determined, by the Director or their designee that an immediate threat or continuing danger is present the Director or their designee will notify the campus community through an emergency text and/or posted notices throughout the campus. The campus community is encouraged to sign up to receive the emergency texts by registering at: www.e2campus.com/ or through PASSHE Center City campus at: www.centercity.passhe.edu/emergency.php

Post Emergency Communication:
The State System @ Center City campus Director will issue an “all clear” message to convey the campus’s return to normal operations to the campus via the text message system and postings placed throughout the campus. Details regarding the incident will be communicated on the State System @ Center City campus’s homepage.

Everyone is encouraged to become familiar with the evacuation plans that are posted in Mellon Independence Center building.

If you are advised to evacuate the building by the activation of the fire alarm or verbally by emergency personnel or another building administrator, please vacate immediately. Evacuate from below level and upper floors by using designated stairways and do not use elevators. If you have special assistance needs, become familiar with the closest “Area of Rescue Assistance” and someone will help you to evacuate. If possible to do so safely, take your belongings with you and do not return to the building once you have left for any reason.

Fire and evacuation drills are conducted by the property owner or agent of Mellon Independence Center. The purpose of evacuation drills is to prepare building occupants for an organized evacuation in case of a fire or other emergency. During the drill, occupants practice drill procedures and familiarize themselves with the location of exits and the sound of the fire alarm. In addition to educating the occupants of each building about the evacuation procedures during the drills, the process also provides emergency personnel an opportunity to test the operation of fire alarm system components.

All fire, response and evacuation drills and test are the responsibility of the property owner or agent of Mellon Independence Center.

WHAT IS THE STATE SYSTEM @ CENTER CITY CAMPUS POLICY FOR THE PREPARATION OF THE ANNUAL SECURITY REPORT?
The State System @ Center City campus prepares this report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. The full text of this report is located on the campus’s web site at www.centercity.passhe.edu . This report is prepared in cooperation with the Philadelphia
Police Department, Mellon Independence Center and participating universities.

**WHAT IS THE STATE SYSTEM @ CENTER CITY CAMPUS POLICY ABOUT ACCESS TO THE CAMPUS FACILITIES AND PROGRAMS BY STUDENTS, FACULTY, STAFF AND OTHER INDIVIDUALS?**
Mellon Independence Center building security requires identification and purpose of visit prior to entering the elevator or stairwell to gain access to the PASSHE Center City campus.

**WHAT TYPE OF STUDENT HOUSING IS AVAILABLE AT THE STATE SYSTEM @ CENTER CITY?**
No residential facilities are provided at the campus.

**WHAT SECURITY CONSIDERATIONS DOES THE STATE SYSTEM @ CENTER CITY CAMPUS USE IN THE MAINTENANCE OF CAMPUS FACILITIES, INCLUDING LANDSCAPING, GROUNDS-KEEPING AND OUTDOOR LIGHTING?**
These areas are the responsibility of the Mellon Independence Center. The Mellon Independence Center contracts unarmed security personnel to provide general building security. Maintenance is also handled through contract services by the building owners.

**WHAT IS THE STATE SYSTEM @ CENTER CITY CAMPUS POLICY ON POSSESSION, USE OR SALE OF ALCOHOL AND ILLEGAL DRUGS?**
The campus complies with the federal, state, and local laws including those that regulate the possession, use, and sale of alcoholic beverages and other controlled substances. Those who use, sell, exchange, consume, or possess alcoholic beverages, illegal drugs, or drug paraphernalia on the State System @ Center City campus will be dealt with in accordance with the Commonwealth, federal, and local laws as well as the individual participating Universities Student Code of Conduct.

**WHAT TYPES OF DRUG AND ALCOHOL ABUSE EDUCATIONAL PROGRAMS ARE OFFERED AT THE STATE SYSTEM @ CENTER CITY?**
No drug or alcohol programing is offered at the State System @ Center City campus. Students may choose to contact their University’s main campus for the availability of services.

**WHAT ARE THE PENALTIES FOR THOSE CRIMINALLY CHARGED WITH THE ABUSE OF DRUGS AND ALCOHOL?**
Anyone in possession of illegal drugs or paraphernalia can be charged with a misdemeanor or felony offense, depending on the illegal substances found. Penalties for a first offense upon conviction can include fines of no less than $500 and possible imprisonment up to 15 years.

Anyone who purchases, consumes, possesses or transports alcoholic beverages while being under the age of 21 can be charged with a summary offense. Penalties upon conviction of a first offense can include fines up to $300 and will involve the suspension of driving privileges for 90 days. Anyone found to be furnishing alcohol to minors can be charged with a misdemeanor offense. Penalties upon conviction can include fines of no less than $1,000.

**WHAT IS THE STATE SYSTEM @ CENTER CITY CAMPUS POLICY ON POSSESSION AND USE OF WEAPONS BY SECURITY PERSONNEL OR OTHERS?**
Philadelphia Police officers and other law enforcement officials are authorized to carry firearms and are certified in their use on an annual basis. Mellon Independence Center security officers do not carry firearms.

Unauthorized persons are prohibited from possessing weapons of any kind on the State System @ Center City campus property; violators will be subject to criminal prosecution.

**WHAT IS THE STATE SYSTEM @ CENTER CITY CAMPUS POLICY ABOUT EMPLOYEES OR STUDENTS WITH CRIMINAL RECORDS?**
As part of the pre-employment process, Human
Resources at participating universities, conduct background checks in the form of specific criminal and consumer reporting verifications for all employee recruitments except for work-study students. Conviction of a criminal offense does not bar one from employment in all cases. Each case is considered individually on its merits. If the University administration discovers that a current employee has been convicted of a criminal offense, the University reserves the right to review the conviction in relation to the employee's current position and, if warranted, take action to either reassign or dismiss the employee.

Student criminal records are reviewed by each host University based on their policy. At West Chester University, a student with a criminal record will not in all cases be barred from admission to the University. When an applicant indicates that he or she has a felony conviction, the application is reviewed by the Criminal Convictions Committee and a case-by-case decision is made. Students who are convicted of a criminal offense after admission are subject to the University's student conduct process. Penalties can range from probation to expulsion, depending on the severity of the offense and whether the student has prior offenses.

**WHAT TYPES OF PROGRAMS ARE OFFERED TO EDUCATE AND PREVENT SEX OFFENSES AND WHAT IS THE STATE SYSTEM @ CENTER CITY CAMPUS POLICY FOR REPORTING THESE OFFENSES AND ASSISTING THE VICTIMS OF REPORTED SEX CRIMES?**

No educational or preventive programs are provided at the System @ Center City campus. Participating universities provide these programs at their main campuses.

All sex offense crimes should be reported to the Philadelphia Police department (dial 911). For the purposes of Title IX reporting, confidential reports should be made to the System @ Center City campus Director/Title IX Coordinator (call: 267-386-3003). The Director will provide the information to the participating universities’ Title IX coordinators. Participating universities’ Title IX coordinators are required under law to complete an investigation for each reported incident. The Director will provide contact information for participating universities victim services, upon request.

**WHAT IS THE STATE SYSTEM @ CENTER CITY CAMPUS POLICY ON INVESTIGATING MISSING STUDENTS WHO RESIDE IN ON-CAMPUS HOUSING?**

No residential facilities are provided at the State System @ Center City campus. A missing student policy is not required. Reports of missing students received by the Philadelphia Police department will result in a police investigation as outlined by the Pennsylvania Title 18 Section 2908(a) Missing Children and 42 U.S.C. . 5779(a) Section 3701(a) Suzanne’s Law.

**WHAT IS THE STATE SYSTEM @ CENTER CITY CAMPUS POLICY CONCERNING MONITORING OFF-CAMPUS CRIME?**

Crime statistics are requested from the Philadelphia Police department for geographic areas identified as non-campus or public property for inclusion into the State System @ Center City campus Annual Security Report.

**HOW DOES THE STATE SYSTEM @ CENTER CITY CAMPUS REPORT INCIDENTS FOR CAMPUS RESIDENTIAL FACILITIES?**

No residential facilities are provided at the State System @ Center City campus.

**HOW DOES THE STATE SYSTEM @ CENTER CITY CAMPUS REPORT INCIDENTS FOR NON-CAMPUS PROPERTY?**

Statistics for non-campus areas are requested from the Philadelphia Police Department and Mellon Independence Center.

**HOW DOES THE STATE SYSTEM @ CENTER CITY CAMPUS REPORT INCIDENTS FOR PUBLIC PROPERTY?**

Statistics for public property areas are

Information regarding registered sex offenders can be found at: www.pameganslaw.state.pa.us/
HOW DOES THE STATE SYSTEM @ CENTER CITY CAMPUS RESPOND TO CRIMES INVOLVING BIAS?
All crimes involving bias should be reported to the Philadelphia Police department (dial 911). For the purposes of participating universities reporting, reports should also be made to the PASSHE Center City campus Director (call: 267-386-3003). The Director will provide the information to the participating universities. The Director will provide contact information for participating universities victim services, upon request.

THE STATE SYSTEM @ CENTER CITY CAMPUS JEANNE CLERY DISCLOSURE OF CAMPUS SECURITY POLICY AND CAMPUS CRIME STATISTICS ACT, AS AMENDED BY THE VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2013

Student, employees, prospective students and prospective employees are encouraged to review the State System @ Center City Campus Annual Security Report in addition to their host University’s Annual Security Report for additional policy, procedure and training information as required under the Violence Against Women Reauthorization Act.

www.centercity.passhe.edu

www.bloomu.edu/documents/police/securityreport.pdf


www4.esu.edu/about/offices/police/documents/pdf/annual_publication.pdf

www.millersville.edu/police/police/stats.php

www.wcupa.edu/dps/Clery.pdf

The State System @ Center City campus does not discriminate on the basis of gender in its educational programs and sexual harassment and sexual violence are types of gender discrimination. Other acts can also be forms of gender-based discrimination and are also prohibited, whether sexually based or not, and include dating violence, domestic violence, and stalking. As a result, the State System @ Center City campus issues this statement of policy to inform the community of the State System @ Center City campus comprehensive plan addressing sexual misconduct, educational programs, and procedures that address sexual assault, domestic violence, dating violence, and stalking, whether the incident occurs on or off campus and when it is reported to a State System @ Center City campus official. In this context, the State System @ Center City campus prohibits the offenses of domestic violence, dating violence, sexual assault and stalking and reaffirms its commitment to maintain a campus environment emphasizing the dignity and worth of all members of the State System @ Center City Campus community.

For a complete copy of State System @ Center City campus Sexual Assault and Relationship Violence what everyone needs to know, visit: www.centercity.passhe.edu

DEFINITIONS

Below are the terms and definitions as provided by the Department of Education and from the State of Pennsylvania criminal statutes.

DEPARTMENT OF EDUCATION DEFINITIONS
Sexual Assault: “Sexual assault” means an offense that meets the definition of rape, fondling, incest, or statutory rape as used in the National Incident-Based Reporting System (NIBRS). A sex offense is any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

Rape is defined as 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.

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

**Incest** is defined as non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

**Statutory Rape** is defined a non-forcible sexual intercourse with a person who is under the statutory age of consent.

**Domestic Violence:** The term “domestic violence” means:
1) Felony or misdemeanor crimes of violence committed -
   (i) By a current or former spouse or intimate partner of the victim;
   (ii) By a person with whom the victim shares a child in common;
   (iii) By a person who is cohabiting with or has cohabited with the victim as a spouse or intimate partner;
   (iv) 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
   (v) 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.

2) For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

**Dating Violence:** The term “dating violence” means violence committed by a person
1) Who is or has been in a social relationship or a romantic or intimate nature with the victim and

2) The existence of such a relationship shall be 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 persons involved in the relationship.

For the purposes of this definition-
(i) **Dating Violence** includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
(ii) Dating violence does not include acts covered under the definition of domestic violence.

For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

**Stalking:** The term “stalking” means:
1) Engaging in a course of conduct directed at a specific person that would cause a reasonable person to -
   (i) Fear for the person’s safety or the safety of others; or
   (ii) Suffer substantial emotional distress.

2) For the purposes of this definition -
   (i) Course of conduct means two or more acts, including, but not limited to, acts 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.
   (ii) Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.
   (iii) Reasonable persons means a reasonable person under similar circumstances and with similar identities to the victim.

3) For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

**Consent**
Within the context of sexual activity, consent is defined as an informed decision made freely and
actively by all parties. Conduct will be considered "without consent" if no clear consent, verbal or nonverbal, is given. Because sexual misconduct is defined as sexual activity that is undertaken without consent, each participant must obtain and give consent to each sexual act.

Consent is an affirmative decision to engage in mutually acceptable sexual activity, and consent is given by clear actions or words. People are strongly encouraged to talk with each other before and during any sexual interaction. Relying solely upon non-verbal communication can lead to miscommunication.

It should be noted that in some situations an individual's ability to freely consent is taken away by another person or circumstance. Examples include when an individual is significantly impaired due to alcohol or other drugs, scared, physically forced, passed out, intimidated, coerced, mentally or physically impaired, beaten, threatened, isolated, or confined.

People with mental disabilities cannot give consent to sexual activity if they cannot appreciate the fact, nature, or extent of the sexual situation in which they find themselves. The mental disability of the victim must be known (or reasonably knowable) to the non-disabled sexual partner, in order to hold them responsible for the violation.

The following are clarifying points:
- Consent is required each and every time there is sexual activity;
- At any and all times when consent is withdrawn or not verbally agreed upon, the sexual activity must stop immediately;
- Consent to some levels of sexual activity does not imply consent to all levels of sexual activity. Each new level of sexual activity requires consent;
- The person(s) who initiate(s) a new level of sexual activity is responsible for asking for consent;
- A current or previous dating or sexual relationship with the initiator (or anyone else) does not constitute consent;
- Being intoxicated does not diminish one's responsibility to obtain consent;
- Bodily movements and non-verbal responses such as moans are not consent;
- Silence, passivity, or lack of active resistance is not consent

Definition of terms as defined by Pennsylvania State criminal statutes are found in Appendix C

EDUCATION AND PREVENTION PROGRAMS

The State System @ Center City campus does not currently have any education and prevention programs available. For education and prevention programs students should see their host university's for information.

PROCEDURES FOR REPORTING A COMPLAINT

The State System @ Center City campus has procedures in place that are sensitive to those who report sexual assault, domestic violence, dating violence, and stalking. This includes informing individuals about their right to file criminal charges, as well as the availability of counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, and other services on and/or off campus. In addition, remedies to prevent contact between a complainant and an accused party, such as academic, transportation and working accommodations, may be provided if reasonably available. The The State System @ Center City campus will make such accommodations, if the victim requests them and if they are reasonably available, regardless of whether the victim chooses to report the crime to the Philadelphia Police Department. Students, employees, and third parties should contact the Title IX Coordinator, Christina Dennis, Director of the The State System @ Center City campus, 267-386-3003, cdennis@passhe.edu

Students and employees should know that reporting to the Title IX Coordinator means that The State System @ Center City campus has a
duty to assess the information provided and may have to investigate the complaint or otherwise determine what happened. The The State System @ Center City campus would like the consent of the complainant to be able to move forward with investigating and resolving the complaint, but there are times when the safety of the greater community outweighs the victim's request for confidentiality. Hence, when an employee or student reports to the Title IX Coordinator or any other responsible employee, the information will be kept as private as possible but cannot be guaranteed to be confidential.

In Pennsylvania, forensic evidence may be collected from your body even if you chose not to make a report to law enforcement. A forensic exam is conducted by a sensitive and highly trained SANE nurse (Sexual Assault Nurse Examiner) and students and employees may contact the Philadelphia Sexual Assault Response Center (PSARC). The forensic medical exams are conducted at PSARC. Call 911 or Special Victims unit at 215-685-3251 and they will take you to the medical center for an examination. Even if you do not want to file a police report or are not sure the police will still need to escort you to the center for the forensic medical exam. It is important that a victim of sexual assault not bathe, douche, smoke, change clothing or clean the bed/linen/area where they were assaulted if the offense occurred within the past 96 hours so that evidence may be preserved that may assist in proving that the alleged criminal offense occurred/or is occurring or may be helpful in obtaining a protection order. In circumstances of sexual assault, if victims do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted disease. Victims of sexual assault, domestic violence, stalking, and dating violence are encouraged to also preserve evidence by saving text messages, instant messages, social networking pages, other communications, and keeping pictures, logs or other copies of documents, if they have any, that would be useful to the host University hearing boards/investigators or police. Although the The State System @ Center City campus strongly encourages all members of its community to report violations of this policy to law enforcement, it is the victim’s choice whether or not to make such a report and victims have the right to decline involvement with the police. The State System @ Center City campus will assist any victim with notifying local police if they so desire. To report an incident that occurred on campus, employees and students should contact the Philadelphia Police Department 6th District at (215-686-3060), dial 911, or contact the police in the area where the assault took place. Criminal charges can be filed against any type of perpetrator, including non-University members. Criminal charges of sexual assault are entirely separate from violations of the Student Code of Conduct, which only applies to The State System @ Center City campus students. Filing a formal report with the police is necessary when a victim would like to initiate a criminal investigation by the police. Perpetrators can receive punishment up to and including jail time. Anyone who has been sexually assaulted may choose to pursue both criminal prosecution and University disciplinary processes.

LOCAL POLICE AGENCIES ARE AS FOLLOWS:

If you have been the victim of domestic violence, dating violence, sexual assault, or stalking, you should report the incident promptly to the Title IX Coordinator, by calling, writing or coming into the office to report in person and to campus police (if the victim so desires.) The State System @ Center City campus will provide resources (on campus, off campus or both), to include medical, health, counseling, legal assistance, victim advocacy and visa and immigration assistance. If applicable to persons who have been victims of sexual assault, domestic violence, dating violence, or stalking, the State System @ Center City campus will apply appropriate disciplinary procedures to those who violate this policy. The procedures set forth below are intended to afford a prompt response to charges of sexual assault, domestic or dating violence, and stalking, to
maintain confidentiality and fairness consistent with applicable legal requirements, and to impose appropriate sanctions on violators of this policy.

As time passes, evidence may dissipate or become lost or unavailable, thereby making investigation, possible prosecution, disciplinary proceedings, or obtaining protection from abuse orders related to the incident more difficult. If a victim chooses not to make a complaint regarding an incident, he or she nevertheless should consider speaking with Philadelphia Police Department or other law enforcement to preserve evidence in the event that the victim changes her/his mind at a later date.

If a report of domestic violence, dating violence, sexual assault or stalking is reported to the State System @ Center City campus, below are the procedures that the State System @ Center City Campus will follow as well as a statement of the standard of evidence that will be used during any judicial hearing on campus arising from such a report:

Incident Being Reported:
Procedure the State System @ Center City campus (SS@CC) Will Follow:
• Evidentiary Standard

SEXUAL ASSAULT
• Depending on when reported SS@CC will provide complainant with access to medical care
• SS@CC will assess immediate safety needs of complainant
• SS@CC will assist the complainant to report a SEXUAL ASSAULT/RAPE to the Philadelphia Police Department, Title IX Coordinator, and/or local police for adjudication in both or either jurisdiction if requested
• SS@CC will provide complainant with information regarding on and off campus services/providers
• SS@CC will assess the need to implement interim or long-term protective measures, such as housing changes, change in class schedule, “No Contact/Stay Away” directives between both parties if reasonably available
• SS@CC will provide “No Trespass” directives or an “Interim Suspension” to the respondent, if deemed appropriate
• SS@CC will provide a copy of the Sexual Misconduct Policy to the complainant regarding the policy for reporting and addressing complaints
• SS@CC will receive input from the complainant on their desire to move forward with Student Code of Conduct charges and/or participate in a hearing
• SS@CC will inform the complainant and respondent of the outcome of the student conduct process
• SS@CC will enforce the retaliation policy of the Sexual Misconduct Policy and take immediate and separate action against parties that retaliate against a person for complaining of sex-based discrimination
• SS@CC will provide simultaneous notice to both parties regarding both the submission and outcome of an appeal. The standard of evidence used is preponderance of the evidence, therefore, a decision of responsibility will be based upon presented evidence sufficient to make a reasonable person believe that it was more likely than not a student is in violation of SS@CC policy

STALKING
• SS@CC will assess immediate safety needs of complainant
• SS@CC will assist the complainant to report STALKING to the Philadelphia Police Department, Title IX Coordinator, and/or local police for adjudication in both or either jurisdiction if requested
• SS@CC will provide complainant with information regarding on and off campus services/providers
• SS@CC will assess the need to implement interim or long-term protective measures, such as housing changes, change in class schedule, “No Contact/Stay Away” directives between both parties if reasonably available
• SS@CC will provide “No Trespass” directives or an “Interim Suspension” to the respondent, if deemed appropriate
• SS@CC will provide a copy of the Sexual Misconduct Policy to the complainant regarding the policy for reporting and addressing
complaints
- SS@CC will receive input from the complainant on their desire to move forward with Student Code of Conduct charges and/or participate in a hearing
- SS@CC will provide both the respondent and complainant an opportunity to review the investigation report prior to a hearing.
- SS@CC will inform the complainant and respondent of the outcome of the student conduct process.
- SS@CC will enforce the retaliation policy of the Sexual Misconduct Policy and take immediate and separate action against parties that retaliate against a person for complaining of sex-based discrimination
- SS@CC will provide simultaneous notice to both parties regarding both the submission and outcome of an appeal Preponderance of the evidence

DATING VIOLENCE
- SS@CC will assess immediate safety needs of complainant
- SS@CC will assist the complainant to report DATING VIOLENCE to the Philadelphia Police Department, Title IX Coordinator, and/or local police for adjudication in both or either jurisdiction if requested
- SS@CC will provide complainant with information regarding on and off campus services/providers
- SS@CC will assess the need to implement interim or long-term protective measures, such as housing changes, change in class schedule, “No Contact/Stay Away” directives between both parties if reasonably available
- SS@CC will provide “No Trespass” directives or an “Interim Suspension” to the respondent, if deemed appropriate
- SS@CC will provide a copy of the Sexual Misconduct Policy to the complainant regarding the policy for reporting and addressing complaints
- SS@CC will receive input from the complainant on their desire to move forward with Student Code of Conduct charges and/or participate in a hearing
- SS@CC will inform the complainant and respondent of the outcome of the student conduct process
- SS@CC will enforce the retaliation policy of the Sexual Misconduct Policy and take immediate and separate action against parties that retaliate against a person for complaining of sex-based discrimination

The State System @ Center City campus will provide simultaneous notice to both parties regarding both the submission and outcome of an appeal Preponderance of the evidence.

ASSISTANCE FOR VICTIMS: RIGHTS & OPTIONS

Regardless of whether a victim elects to pursue a criminal complaint or whether the offense is alleged to have occurred on or off campus, the University will assist victims of sexual assault, domestic violence, dating violence, and stalking and will provide each victim with a written explanation of their rights and options.

The State System @ Center City campus complies with Pennsylvania law in recognizing orders of protection by advising any person who obtains an order of protection from any state within the U.S. to provide a copy to Philadelphia Police Department and the Office of the Title IX Coordinator. A complainant may then meet with the Title IX Coordinator to develop a Safety Action Plan, which is a plan for campus police and the victim to reduce risk of harm while on campus or coming and going from campus. This plan may include, but is not limited to: escorts, special parking arrangements, changing classroom locations or allowing a student to complete assignments from home. Other options may be available for a student on a case-by-case basis as the State System @ Center City campus determines what other measures must be taken.

The State System @ Center City campus cannot apply for a legal order of protection/protection from abuse (PFA) from the applicable jurisdiction(s). The victim is required to apply directly for these services. To obtain a Protection from Abuse (PFA) Order, Monday through Friday between 8:30 a.m. and 5:00 p.m., the victim must go to Family Court located 34 South 11th Street Room B-15 Philadelphia, PA. (215) 686-3511. To
obtain a PFA Monday through Friday between 5:00 p.m. and 8:30 a.m., the victim must go to the Criminal Justice Center, 1301 Filbert St., Room B-03, Philadelphia PA 19107. To obtain a PFA on the weekend, or on a day in which Family Court is closed, the victim must go to the on-call District Justice for an Emergency PFA. The victim should call his or her local police department to find out who is the district justice on-call. The Emergency PFA is only valid through the close of the next business day. For example, if a victim obtains an Emergency PFA on a Friday evening, that PFA is only valid through Monday at 4:30 p.m.

Frequently asked questions regarding PFAs

1. WHAT IS ABUSE?
Under the Protection From Abuse Act, abuse is defined as any of the following:
- Attempting to, intentionally or recklessly causing bodily injury, rape, spousal sexual assault or nonconsensual intercourse with or without a deadly weapon.
- Placing another, by physical threat, in fear of imminent serious bodily injury.
- False imprisonment.
- Physically or sexually abusing minor children.
- Stalking a person and placing that person in reasonable fear of bodily injury.
* The Act does not cover *emotional, verbal or mental abuse.*

2. WHO CAN FILE FOR PROTECTION UNDER THE ACT?
You can file for protection if the person who has or is trying to harm you is or was your spouse, is or was living with you in a common-law marriage, is the parent of your child, is your child, is your parent, is your sexual intimate partner, is directly related to you by blood. If the abused person is a minor, then a parent, adult household member or guardian can file on behalf of the child.

3. IS THERE A COST FOR FILING A PROTECTION FROM ABUSE ORDER?
Yes. There are costs that must be eventually paid when you file a protection from abuse order with the court. You will not have to pay any fees at the time of filing. However, at the time of the hearing the court will order either the alleged assailant to pay the costs, you pay the costs, the costs to be split by both parties. If you are successful and the court grants you the protection from abuse order, the costs are usually placed upon the alleged assailant. The court costs must be paid even if you choose to withdraw your petition and decide not to proceed with the case. If you do not appear at your scheduled hearing your case will be dismissed and the court will hold you responsible for all costs.

4. HOW AND WHERE DO I FILE FOR A PROTECTION FROM ABUSE ORDER?
If you are represented by counsel in any domestic relations matter (i.e. divorce, custody, support), you should contact your attorney for legal advice. However, if you do not have a lawyer, you must appear in person at the Family Court located 34 South 11th Street Room B-15 Philadelphia, PA. (215) 686-3511. There are no attorneys on staff to provide legal advice for you; the PFA Coordinator will assist you in filing the paperwork that is needed. The PFA Coordinator may not give you legal advice.

You must be abused (read definition above) in order to qualify for the PFA. The coordinator will assist you in completing the necessary paperwork and will explain the remedies to you under the PFA Act. After completing the paperwork, the coordinator will present your petition to the judge on your behalf.

You may visit Family Court to file for a Protection from Abuse Order. Protection orders can be filed Monday through Friday 8:30 a.m. – 5:00 p.m. Or visit the Criminal Justice Center Monday through Friday from 5:00 p.m. to 8:30 a.m.

Please take into consideration that the filing procedure for the protection from abuse order is a lengthy process lasting anywhere between 2-3 hrs.

5. WHAT SHOULD I BRING WITH ME WHEN I GO TO FILE FOR A PROTECTION FROM ABUSE ORDER?
Please come prepared with the following
8. HOW IS THE ALLEGED ASSAILANT NOTIFIED OF THE TEMPORARY PROTECTION FROM ABUSE ORDER?
The alleged assailant must be served with notice of the temporary protection order and the hearing date. The sheriff’s department or a local law enforcement agency will serve the court order on the alleged assailant. Once the alleged assailant is served, he/she can be arrested if there is another assault in violation of the terms of the court order.

9. HOW DO I GET A FINAL PROTECTION FROM ABUSE ORDER?
A hearing will be held in front of a judge within ten days of filing your petition with the court, and the judge will listen to the facts of your case. If the judge finds that abuse has occurred, a final protection from abuse order will be issued. The length of the order can be from one (1) to eighteen (18) months.

10. WHAT PROTECTION WILL I RECEIVE?
A Protection from Abuse Order may contain the following relief:

- Direct the alleged assailant not to abuse, threaten, harass or stalk you.
- Direct the alleged assailant to stay away from the house or apartment where you live, even if that is also the alleged assailant’s home.
- Direct the alleged assailant to stay away from your school or where you work.
- Direct the alleged assailant to refrain from harassing you or your relatives.
- Prohibit the alleged assailant from having any guns or gun permits.
- Direct the alleged assailant to pay you for losses resulting from the abuse. These could include medical bills and lost wages.
- Direct the alleged assailant to attend a batterer’s counseling program (depending on jurisdiction).
- Award you temporary custody of your children and may grant you temporary support for yourself and/or the children of the alleged assailant (THIS MAY NOT APPLY IN ALL CASES).

Terms of order may vary depending on each
specific circumstance.

If you are awarded custody/support you must follow up by filing the appropriate custody/support actions in a timely manner. Do not wait until your order expires. Speak to an attorney prior to taking these actions for legal advice.

11. WILL MY PROTECTION ORDER BE ENFORCED IN ANOTHER COUNTY OR STATE?
In most cases, yes. The Pennsylvania State Police maintains a registry of all protection from abuse orders issued throughout the Commonwealth of Pennsylvania. Most out-of-state courts will enforce a valid protection order that is issued and properly filed in another state.

12. WHAT IF THE ALLEGED ASSAILANT VIOLATES THE ORDER?
You should immediately call the police and report the violation. A police officer may arrest the alleged assailant, even if he/she does not witness the abuse. An alleged assailant charged with the contempt of a protection order can face criminal charges for the acts committed that were in violation of the order. After a hearing, the court may find the alleged assailant in contempt and sentence him/her to prison for up to six months and/or fined up to $1,000 under Pennsylvania law.

13. HOW CAN I GET A COPY OF MY PFA ORDER?
All civil matters, including your PFA, get filed in the Family Court located 34 South 11th Street Domestic Relations Unit Room B-15 Philadelphia, PA. 19107 (215) 686-3511. You may go in person and request your copies.

14. WHAT DOMESTIC VIOLENCE PROGRAMS EXIST IN PHILADELPHIA?
These services include crisis hotlines, safe homes or shelters, legal advocacy, community education, counseling, systems intervention, transportation, as well as information and referral. A domestic violence counselor may be available to help an abused person seek a protection order. Your local domestic violence hotline is available 24 hours a day, and all services are confidential.

For more information look in the blue pages of your local phone book or contact:

The Crime Victims’ Center of Center City:
(215) 665-9680

Women’s Organization Against Rape:
(215) 985-3315

The Domestic Violence Center of Center City
24-Hour Hotline: 1-866-723-3014

15. HOW CAN I FIND A LAWYER?
Legal Philly 24/7 (267)265-4553
2 Penn Center Plaza
1500 John F. Kennedy Blvd, Suite 220
Philadelphia, PA. 19102

More information on obtaining a Protection from Abuse Order in the State of Pennsylvania can be found here: www.philegal.org/PFA

PASSHE Center City campus offices may issue an institutional “no contact” order if deemed appropriate or at the request of the victim or accused. To the extent of the victim’s cooperation and consent, PASSHE Center City offices will work cooperatively to ensure that the complainant’s health, physical safety, work and academic status are protected, pending the outcome of a formal PASSHE Center City offices investigation of the complaint. For example, if reasonably available, a complainant may be offered changes to academic, living, or working situations in addition to counseling, health services, visa and immigration assistance and assistance in notifying appropriate local law enforcement. Additionally, personal identifiable information about the victim will be treated as confidential and only shared with persons with a specific need to know who are investigating/ adjudicating the complaint or delivering resources or support services to the complainant. For example, publicly available record-keeping for purposes of Clery Act reporting and disclosures.
will be made without inclusion of identifying information about the victim, as defined in 42 USC 1395 (a) (20) Further, the institution will maintain as confidential, any accommodations or protective measures provided to the victim to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.

RESOURCES FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT & STALKING

ON-CAMPUS RESOURCE
Director/Title IX Coordinator: Christina Dennis
701 Market Street
Concourse Level
Philadelphia, PA. 19106
267-386-3003

OFF-CAMPUS RESOURCE
Pennsylvania Coalition Against Domestic Violence: www.pcadv.org
1-800-799-7233
National Sexual Assault Hotline: www.rainn.org
1-800-656-4673

Pennsylvania Coalition Against Rape: www.pcar.org
1-800-692-7445

Department of Justice, Office on Violence Against Women:
www.justice.gov/ovw

Department of Education, Office of Civil Rights:
www2.ed.gov/about/offices/list/ocr/index.html

HOW TO BE AN ACTIVE Bystander
Bystanders play a critical role in the prevention of sexual and relationship violence. They are “individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it.” We want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. We may not always know what to do even if we want to help. Below is a list of some ways to be an active bystander. Further information regarding bystander intervention may be found. If you or someone else is in immediate danger, dial 911. This could be when a person is yelling at or being physically abusive towards another and it is not safe for you to interrupt.

1. Watch out for your friends and fellow students/employees. If you see someone who looks like they could be in trouble or need help, ask if they are ok.

2. Confront people who seclude, hit on, try to make out with, or have sex with people who are incapacitated.

3. Speak up when someone discusses plans to take sexual advantage of another person.

4. Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.

5. Refer people to on or off campus resources listed in this document for support in health, counseling, or with legal assistance.

RISK REDUCTION
With no intention to blame the complainant, and with recognition that only those who commit sexual harassment and violence are responsible for those actions, these suggestions may nevertheless help you to reduce your risk of experiencing a non-consensual sexual act. (Taken from Rape, Abuse, & Incest National Network, www.rainn.org):

1. Be aware of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.

2. Try to avoid isolated areas. It is more difficult to get help if no one is around.

3. Walk with purpose. Even if you don’t know where you are going, act like you do.

4. Trust your instincts. If a situation or location feels unsafe or uncomfortable, it probably isn’t