

the best place to be.

5. Try not to load yourself down with packages or bags as this can make you appear more vulnerable.

6. Make sure your cell phone is with you and charged and that you have cab money.

7. Don't allow yourself to be isolated with someone you don't trust or someone you don't know.

8. Avoid putting music headphones in both ears so that you can be more aware of your surroundings, especially if you are walking alone.

9. When you go to a social gathering, go with a group of friends. Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.

10. Trust your instincts. If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).

11. Don't leave your drink unattended while talking, dancing, using the restroom, or making a phone call. If you've left your drink alone, just get a new one.

12. Don't accept drinks from people you don't know or trust. If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don't drink from the punch bowls or other large, common open containers.

13. Watch out for your friends, and vice versa. If a friend seems out of it, is way too intoxicated for the amount of alcohol they've had, or is acting out of character, get him or her to a safe place immediately.

14. If you suspect you or a friend has been drugged, contact law enforcement immediately

(local authorities can be reached by calling 911 in most areas of the U.S.). Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).

15. If you need to get out of an uncomfortable or scary situation here are some things that you can try:

a. Remember that being in this situation is not your fault. You did not do anything wrong, it is the person who is making you uncomfortable that is to blame.

b. Be true to yourself. Don't feel obligated to do anything you don't want to do. "I don't want to" is always a good enough reason. Do what feels right to you and what you are comfortable with.

c. Have a code word with your friends or family so that if you don't feel comfortable you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come to get you or make up an excuse for you to leave.

d. Lie. If you don't want to hurt the person's feelings it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use are: needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.

16. Try to think of an escape route. How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby?

17. If you and/or the other person have been drinking, you can say that you would rather wait until you both have your full judgment before doing anything you may regret later.

## **ADJUDICATION OF VIOLATIONS**

Whether or not criminal charges are filed, the host University or a person may file a complaint under the sexual misconduct policy alleging that

a student violated the hosting university's Sexual Misconduct Policy or alleging an employee violated the Sexual Harassment policy. The following are the overviews of the policy and procedures in place as they relate to employees or students as the accused.

Reports of all domestic violence, dating violence, sexual assault and stalking made to the State System @ Center City campus will automatically be referred to the Title IX Coordinator for investigation regardless of if the complainant chooses to pursue criminal charges.

### **EMPLOYEE SEXUAL HARASSMENT POLICY AND PROCEDURES OVERVIEW**

The procedures described in the host University's Sexual Harassment Policy represent such university's method for responding to complaints of sexual harassment whether those complaints are formal or informal, and involving employees as the accused party. The procedure for informal complaints calls for prompt review and mediation if desired, followed by action intended to prevent any harassment. The procedure for formal complaints also results in prompt review which may result in disciplinary action against someone who has sexually harassed another. To the extent possible, the University expects to complete the investigation within 50 business days of receiving a written complaint unless there are extenuating circumstances which may prevent the University from complying with this timeframe.

The complainant has the right, consistent with this policy's time frame, to file a formal complaint at any time during the informal process or if satisfactory results are not achieved through the informal process. The complainant also has the option of pursuing formal complaints through the following public agencies responsible for enforcing the laws against sexual harassment within the time frames listed.

PA Human Relations Commission

(215) 560-2496 (180 days);

U.S. Dept. of Education, Office for Civil Rights

(215) 656-8541 (180 days);

Equal Employment Opportunity Commission

(800) 669-4000 (300 days.)

Employees accused of sexual harassment have the right to be assisted by their collective bargaining unit representative at any meeting held to discuss the complaint with the accused. If an employee elects to be represented by his or her union, the union will receive copies of all written notifications sent to the accused. Employees equally have the right not to be represented by their union. The decision regarding union representation rests solely with the accused employee. When a formal investigation is to be conducted against a faculty member, Article 43 of the APSCUF collective bargaining agreement will also govern. The complainant also has the right to be assisted in all aspects of the complaint procedure by an advocate should they desire to do so. Trained faculty and staff are available to serve to: clarify procedural issues, assist with the preparation of the complaint, make inquiries as to the status of the complaint, and provide other support-related functions.

The Social Equity Director will provide the name and contact information of an available advocate to the complainant. The role of the Collective Bargaining Unit representatives and complainant advocates is limited to the advice and counsel of their principals only. If a complaint alleges sexual harassment by an employee of the Office of Social Equity or the Office of the President, the complaint will be investigated by a party external to the host University.

Sexual harassment is a serious matter which can have far-reaching effects; therefore, knowingly false or malicious accusations may result in disciplinary action.

In order to process either an informal or formal complaint of sexual harassment, the individual, accompanied by an advocate if she or he wishes, must process the complaint through the University's Social Equity Director. The complainant will provide a written statement to the Social Equity Director with sufficient factual information to permit the director to make an initial determination if the University policy on sexual harassment may have been violated.

Complaints should be filed up to 180 days after the alleged act or behavior. However, it is in the best interest of all to conduct a timely review of the circumstances of the alleged harassing behavior; accordingly, complainants are urged to file complaints as soon as possible. In recognition of the dignity and reputations of all parties, it is the intent of the host University's employees officially involved in the proceedings or investigation to preserve the confidentiality of the complaints and all proceedings. Disclosure of the complaint will be limited to individuals who, in the interest of fairness and problem resolution, have a need to know. The complainant and the accused are expected to maintain confidentiality consistent with the intent of the host University.

The facts will be evaluated using a preponderance of the evidence standard to determine if a violation of this policy has occurred. At the conclusion of the process, written outcomes and resolutions will be provided to the complainant and the accused.

### **THE COMPLAINT PROCESS**

The sexual harassment complaint process includes different types of procedures for resolving complaints from individuals who believe they may have been the subject of a specific act or a pattern of behavior falling within the definition of sexual harassment. The individual can, if he or she chooses, inform the offender orally or in writing that those actions are offensive and to ask firmly that they cease. However, should the oral or written request not stop the harassment or if such a request is too difficult to make, then the individual may discuss the issue with the offender's supervisor, department chairperson or dean, or contact any of the below listed University offices to seek assistance.

### **Title IX Coordinator**

Pennsylvania's State System of Higher Education  
@ Center City, Philadelphia Title IX Coordinator:  
Christina Dennis  
Mellon Independence Center  
701 Market Street, Concourse Level  
Philadelphia, PA. 19106

267-386-3003

Bloomsburg University: 570-389-4529

Cheyney University: Dr. Victoria Sanders  
(717) 720-4061

East Stroudsburg University: Doreen Tobin  
(570) 422-3463

Millersville University: Robert Wood  
(717) 871-4100

West Chester University: Lynn Klingensmith  
(610) 436-2433

### **Director of Women's Center**

Bloomsburg University: 570-389-5283

Cheyney University:

East Stroudsburg University: Sharon A. Brown  
(570) 422-3957

Millersville University: Katherine Kealey  
(717) 871-7057

West Chester University: Alicia Hahn-Muphy  
(610) 436-2122

### **Director of Judicial Affairs & Student Assistance**

Bloomsburg University: 570-389-4734

Cheyney University: Thomas Nixon  
(610) 399-2250

East Stroudsburg University:  
Nancy L. Weaver, Ph.D.  
(570) 422-3461

Millersville University: Lori B. Austin  
(717) 871-5841

West Chester University: Christina Brenner  
(610) 436-3511

### **Assistant V.P. for Student Affairs**

Bloomsburg University: 570-389-4748

Cheyney University: Sharon Thorn  
(610) 399-2251

East Stroudsburg University: Michael C. Sachs  
(570)422-3798

Millersville University: Michelle Perez  
(717) 871-5714

West Chester University: Dr. Zebulun Davenport  
(610) 436-3301

**Associate V.P. for Human Resource Services**

Bloomsburg University: 570-389-4040

Cheyney University: Marcia Robinson  
(610) 399-2410

East Stroudsburg University: Tim Kresge  
(570) 422-3146

Millersville University: Charmayne Brubaker  
(717) 871-4246

West Chester University: Mike Maloy  
(610) 436-3309

See host University Annual Security Report for more information on the above process. The above noted offices serve as an initial point of contact and provide information regarding sexual harassment and the University's procedures in handling complaints. The Social Equity Director will be responsible for initially determining if the complaint may represent a violation of the University's sexual harassment policy. If the Social Equity Director determines that the complaint does not violate the University's Sexual Harassment Policy, the individual filing the complaint will be so advised and the on campus case will be closed. If there is a disagreement with this decision, the individual filing the complaint may ask that the decision be reviewed by the Review Panel. The Social Equity Director does maintain the right to refer the case to other appropriate officials if it appears there may be other misconduct not construed to be sexual harassment. If the Social Equity Director determines that the allegation may represent a violation of the University's sexual harassment policy, the complainant may choose to process

the complaint through either the informal or formal procedures.

**INFORMAL COMPLAINT PROCEDURE**

Informal procedures (wherein no formal finding or discipline of an employee will be involved) include efforts to mediate a resolution upon which both the complainant and the individual accused of sexual harassment behavior can agree. It is not appropriate to use this informal complaint procedure in cases of sexual assault.

The complainant initiates the informal procedure by filing a written complaint. Upon review of the informal complaint, the Social Equity Director will contact the accused to arrange a meeting to inform the individual of the complaint. If the person making the accusation is a student enrolled at the time in the class of the accused, upon request of the student, the Social Equity Director may delay the notification until after the completion of the semester. The Social Equity Director will advise the accused of the informal complaint procedures and describe the alleged behaviors which are considered to be offensive by the complainant.

After accepting the informal complaint, informing the accused of the allegations and the complainant's desire for mediation, and with the concurrence of the accused, the Social Equity Director will facilitate a resolution or appoint a mediator. The Social Equity Director will notify the parties of the mediator's identity. Mediation occurs by mutual consent; therefore, at any stage of the mediation process either party has the opportunity to withdraw from the process. The mediator will serve as the facilitator to seek resolution. Information regarding the circumstances and perceptions of the complainant will be shared by the mediator with the accused and the accused will have an opportunity to respond.

The Social Equity Director will send a written summary of the outcome to the parties. If the complainant is not satisfied with the outcome, the complainant may choose to file a formal complaint utilizing the University's sexual harassment policy or through external agencies. If the Social Equity Director makes a determination that there is a need for a formal

investigation, the formal process may be initiated on behalf of the University.

All written summaries of the Informal Complaint Procedure will be maintained by the Social Equity Office for a period of five (5) years. No written record will be forwarded to the official personnel file.

### **Director of Social Equity**

Blommsburg University: 570-389-4529

Cheyney University:

East Stroudsburg University: Lonnie Allbaugh  
(570) 422-3656

Millersville University: Hiram Martinez  
(717) 872-3787

West Chester University: Lynn Klingensmith  
(610) 436-2433

### **FORMAL COMPLAINT PROCEDURE**

Formal procedure (wherein a formal finding will be made and discipline of an employee may be imposed if appropriate) includes an investigatory and review process. This investigatory procedure is not intended to interfere with any legal rights an employee or student has under the statutes and other laws of the Commonwealth of Pennsylvania or the government of the United States of America. In addition, it is not intended to interfere with any rights an employee may have under the appropriate collective bargaining agreement.

The complainant initiates the formal complaint procedure by filing a written formal complaint. The Social Equity Director will inform the accused of the allegation and provide the accused with a copy of the written complaint and a copy of the host University's sexual harassment policy. No investigation will be commenced until a copy of the complaint and sexual harassment policy has been mailed to the accused by certified mail. The accused employee will be advised of the rights to

the union representation if appropriate. The Social Equity Director will provide an opportunity to meet with the accused in a timely manner to review the formal complaint and the host University's sexual harassment investigatory procedures. The employee may choose to be accompanied by a union representative at this meeting.

After accepting a written formal complaint, the Social Equity Director will appoint a fact finder. When appropriate, as determined by the Social Equity Director, two fact finders may be assigned to a case. The Social Equity Director will notify the parties of the fact finder's identity. In addition, the appropriate manager, supervisor and/or chairperson will be advised. Fact finders are specifically trained and impartial faculty or staff. The fact finder's role is to investigate complaints and make findings of fact pertaining to the complaint. Investigating complaints includes but is not limited to access to records and interviewing the complainant, accused and others who may have relevant information. The fact finder has sole discretion to determine the scope and format of the investigation.

The fact finder will submit a report of his or her findings to the Social Equity Director. The Social Equity Office will then convene the Review Panel. This Panel, consisting of three individuals selected by the Social Equity Director from the pool of specifically trained and impartial faculty or staff, will serve as consultants to the Social Equity Director in formulating an opinion as to whether reasonable cause exists to believe that a violation of the University's Sexual Harassment Policy has occurred. In consultation with the Review Panel, the Social Equity Director will formulate an opinion on whether there has been a violation of the University's policy on sexual harassment. The facts will be evaluated using a preponderance of the evidence standard to determine if a violation of this policy has occurred.

If it is determined that there is not enough evidence to warrant a finding of sexual harassment, the complainant and accused will so be notified by the Social Equity Director and the

sexual harassment complaint will be closed. The Social Equity Director, however, does maintain the right to refer the case to other appropriate University officials if it appears there may be violations of the host University's Misconduct Policy or other University policies, not construed to be sexual harassment.

If it is the opinion of the Social Equity Director that there is reasonable cause to believe that the University's policy on sexual harassment has been violated, the Social Equity Director will forward the fact finder's report, the Review Panel's recommendations and the Social Equity Director's opinion to the appropriate manager. Copies of these documents also will be provided to the accused.

The manager will utilize the existing host University pre-disciplinary conference procedures, ensuring that the accused employee has the opportunity to be represented, if so desired, by his or her union representative during the pre-disciplinary conference proceedings. At the pre-disciplinary conference the accused will have an opportunity to rebut the findings of the fact finders' report, the recommendations of the review panel, and the opinion of the Social Equity Director. After completing the pre-disciplinary conference, the manager in consultation with the Associate Vice President for Human Resource Services and other University officials as needed, will determine if discipline is appropriate, and if appropriate, what level of discipline should be imposed.

Possible disciplinary actions for violation of the host University's sexual harassment policy include oral or written reprimand, suspension, or termination of employment. The manager is not bound by the opinion of the Social Equity Director and reserves the right to make his or her own final determination.

Disciplined employees will have the right to appeal and/or grieve management's decision to the extent provided in the appropriate policy and/or collective bargaining agreement. The complainant will receive written notification of the

final disposition of the complaint. If the complainant finds the resolution or disciplinary action unsatisfactory he or she may pursue the complaint with the appropriate external agencies.

## **STUDENT SEXUAL MISCONDUCT POLICY AND PROCEDURES OVERVIEW**

Sexual harassment, which includes acts of sexual violence, is a form of sex discrimination prohibited by Title IX of the Education Amendments of 1972. A Title IX investigation is separate from a criminal investigation by the police and courts. Victims of any form of sex discrimination, sexual violence, sexual misconduct or gender-based harassment are encouraged to report the incident to the Title IX Coordinator:

Christina Dennis  
Director & Title IX Coordinator  
267-386-3003  
[cdennis@passhe.edu](mailto:cdennis@passhe.edu)

Additionally, University employees are required to report any incident of sexual misconduct that they witness or that is reported to them and provide the name of the victim to the Title IX Coordinator. The Title IX Coordinator will speak with the victim to: ensure that she or he is aware of available resources, services, and interim safety measures to assist with the physical and emotional aftermath of the incident; advise the victim of the complaint filing options; and take any necessary steps to ensure the safety of the PASSHE Center City Campus community.

To file a State System @ Center City campus judicial report: The State System @ Center City campus does not have a Judicial office. All judicials will be handled by the students host university. Sexual misconduct is a violation of the Student Code of Conduct, and as such a victim may make a judicial complaint against a student(s). A judicial investigation and hearing is separate from a criminal investigation by the police. A perpetrator can receive punishment up to and including expulsion from the State System @ Center City campus and the host University. Formal judicial complaints can be made by contacting: Host University's Office of Judicial

Affairs and Student Assistance.

To file an anonymous report the State System @ Center City campus strongly encourages those who want to file a report on behalf of themselves or someone else to identify themselves by name, but anonymous reports will be accepted by anyone with knowledge of a sexual misconduct violation.

Anonymous reports are used to collect information on instances of sexual misconduct. The information is useful for assessing the danger the incident represents to the community at large. In addition, information is also used for assessment purposes to ensure that the State System @ Center City campus is maintaining a campus climate that is safe and supportive and providing adequate resources for students.

The State System @ Center City campus has a legal obligation to investigate anonymous reports of sexual misconduct to the extent feasible. It is not usually possible to conduct a formal investigation of anonymous reports of sexual misconduct, or in situations where a complainant requests confidentiality, or when a person making a report asks that the complaint not be pursued; however, the University has a responsibility to take action to prevent misconduct.

In the event of anonymous reports of sexual misconduct, or if the person making the report asks that the complaint not be pursued, the Office of Social Equity will take all reasonable steps to investigate and respond to the complaint consistent with the request for confidentiality, which may include meeting with the alleged harasser to provide notification of the allegations and the possible repercussions if a formal complaint is brought forward. The office of the State System @ Center City campus may recommend voluntary sexual misconduct training for an individual or a work unit.

Under Title IX, the State System @ Center City campus has an obligation to investigate all incidents of sexual misconduct, and make victims aware of the resources available to them, while striving to respect the privacy and confidentiality

of the victim. Consistent with this and related obligations under Title IX, the confidentiality of all parties to the complaint of sexual misconduct will be observed by the State System @ Center City campus personnel to the extent possible. The State System @ Center City campus' obligation to protect the safety of its students and to record statistics may not permit complete confidentiality, but the State System @ Center City campus shall take the necessary measures to ensure that the information shared is limited to those individuals required to know pursuant to law, regulation or University policy. In life-threatening situations, confidentiality is not legally possible and the State System @ Center City campus employees will contact emergency personnel immediately.

All reported instances of sexual misconduct will be investigated promptly, thoroughly, and equitably with appropriate response taken to ensure a safe and nondiscriminatory environment for all students, faculty, and staff. The State System @ Center City campus will inform the victim before conducting an investigation and determining appropriate action to remedy a situation. A victim may request that no investigation take place or that his or her name not be disclosed to the perpetrator during an investigation. These requests will be evaluated according to the severity of the situation and the threat that the perpetrator(s) poses to the overall safety of the campus community. The State System @ Center City campus will notify the victim if and when confidentiality and/or compliance with their wishes cannot be guaranteed.

### **PASSHE CENTER CITY CAMPUS DISCIPLINARY PROCEDURE**

Any student or employee of The State System @ Center City campus can file a charge against a student or student organization for violations of their host University's Student Code of Conduct on the basis of sexual misconduct. Student Code of Conduct charges are entirely separate from a criminal investigation by the police, and any complainant may file a criminal complaint with police in addition to a Student Code of Conduct violation. The intentional filing of a false report will not be tolerated. It is a violation of the Student

Code of Conduct to make an intentionally false report of any policy violation, and it may also violate state criminal laws and civil defamation laws.

### RETALIATION

The State System @ Center City campus prohibits retaliation against any person for using this reporting procedure, or for filing, testifying, assisting or participating in any investigation or proceeding involving allegations of sexual harassment or misconduct. Any retaliatory behavior should be reported immediately to the Director of the State System @ Center City campus. Any person, including third parties, who violates this retaliation policy, will be subject to discipline, up to and including termination if they are an employee, and/or expulsion if they are a student.

### INVESTIGATION

Once a complainant files a sexual misconduct complaint and is informed that an investigation will be conducted.

The Title IX Coordinator, Christina Dennis (office number 267-386-3003) conducts a fact-finding investigation which will include all involved parties, including any witnesses. The investigation of a complaint will be conducted in a timely manner, and will be completed within fifty days unless there are extenuating circumstances. At the conclusion of the investigation, the Title IX Coordinator prepares a report detailing the incident and their findings. During the investigation phase, the victim may seek out remedies or protections until a formal remedy is imposed. Victims may request:

- Limitations on contact between parties (referred to as a “No Contact Directive”);
- An escort to ensure the victim’s safety;
- Reassignment of classes to ensure that the victim and accused are not attending the same class,
- Counseling services;
- Medical services;

- Academic support such as tutoring;
- To withdraw from a class without penalty.

### OVERVIEW OF DISCIPLINARY PROCESS

The Director of Judicial Affairs and Student Assistance at the host University will contact the complainant within two business days upon receipt of the investigator’s report to discuss options available for resolution of the complaint. The complainant may choose to resolve the complaint informally or through a formal process (Judicial Board Hearing). Informal resolution options include, but are not limited to, “no contact directives,” residence hall reassignments, and/or adjustment of class schedules. Mediation between the parties will never be used in the case of sexual misconduct. Once the informal resolution procedure is complete, all parties will receive written notification. The Title IX Coordinator will also be given notification. If the complainant is not satisfied with informal resolution, a Judicial Board Hearing will be scheduled within seven business days of the request for a hearing. Prior to a hearing, both the complainant and the accused will be granted similar and timely access to any information that will be used at the hearing. They will have the opportunity to review any statements that will be used during the hearing.

### JUDICIAL HEARING

The State System @ Center City campus does not have a Judicial office. All judicials will be handled by the students host university.

The purpose of a hearing is to hear the facts and circumstances of the alleged incident and to accept all evidence offered by the complainant and the accused. In determining whether a sexual misconduct violation has occurred, the judicial board applies a “preponderance of the evidence” standard. That is, the judicial board must determine if the testimony and evidence presented suggests that it is “more likely than not” that sexual misconduct has occurred.

All hearings are closed proceedings, meaning that they are not open to the public. However, the complainant and the accused have the right

to have a support person accompany him or her. Support persons are not permitted to participate in the hearing process.

In addition to a support person, both the complainant and accused have the right to be assisted at the hearing by one adviser, who may be an attorney. The adviser is not permitted to actively participate in the proceedings, and may only consult and interact privately with the student.

## **SANCTIONS**

In addition to testimony and evidence presented at a conference or hearing, a Judicial Board may consider the following elements before rendering a sanction:

- Severity of the violation;
- Academic records and class year;
- Previous discipline record including that which is public record;
- Attitude of the accused during the conference and/or hearing.

Sanctions may range from:

- Written warning
- Expulsion from the University.

## **APPEALS**

Upon receiving a sanction from the Judicial Board, the complainant or the accused may appeal for the following reasons:

- Violations of judicial procedures;
- Severity of sanction is not supported by the evidence;
- Lack of substantial evidence upon which a determination of guilt can be based; and/or
- New evidence that was not previously available, and that might substantially change the nature of the case.

All appeals must be made in writing to the host University's Director of Judicial Affairs and Student Assistance within five business days from the exit date listed on the Sanction Assessment Form.

## **CONFIDENTIALITY**

The State System @ Center City campus will protect the identity of persons who report having been victims of sexual assault, domestic

violence, dating violence, or stalking to the fullest extent of the law and as previously mentioned in this document.

## **SANCTIONS AND PROTECTIVE MEASURES**

In all cases, investigations that result in a finding of more likely than not that a violation of the sexual misconduct policy occurred will lead to the initiation of disciplinary procedures against the accused individual.

The Title IX Coordinator or their designee will determine whether interim interventions and interim and permanent protective measures should be implemented, and, if so, take steps to implement those protective measures as soon as possible. Examples of interim protective measures include, but are not limited to: a University order of no contact, residence hall relocation, adjustment of course schedules, a leave of absence, or reassignment to a different supervisor or position. These remedies may be applied to one, both, or multiple parties involved. Violations of the Title IX Coordinator's directives and/or protective measures will constitute related violations that may lead to additional disciplinary action. Protective measures imposed may be temporary pending the results of an investigation or may become permanent as determined by the State System @ Center City campus.

## **FEDERAL TIMELY WARNING NOTICE**

Victims of sexual misconduct should be aware that the State System @ Center City campus and the partner University's Police administrators must issue timely warnings for incidents reported that pose a substantial threat of bodily harm or danger to members of the campus community. The State System @ Center City campus and partner University's will ensure that a victim's name and other identifying information is not disclosed, while still providing enough information for community members to make safety decisions for themselves.

## **SEX OFFENDER REGISTRATION**

The federal Campus Sex Crimes Prevention Act, enacted on October 28, 2000, requires institutions of higher education to issue a statement advising the campus community where

law enforcement agency information provided by a State concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a State to provide notice, as required under State law, of each institution of higher education in that State at which the person is employed, carries on a vocation, volunteers services or is a student. A list of all registered sex offenders in Pennsylvania is available at: [www.pameganslaw.state.pa.us/](http://www.pameganslaw.state.pa.us/)

## APPENDIX A

### PENNSYLVANIA'S STATE SYSTEM OF HIGHER EDUCATION @ CENTER CITY, PHILADELPHIA Clery Act Statistics

ARRESTS & DISCIPLINARY REFERRALS	YEAR	ON CAMPUS <sup>1</sup>	RESIDENTIAL FACILITIES <sup>2</sup> <small>(SUBSET OF ON CAMPUS)</small>	NON CAMPUS <sup>3</sup>	PUBLIC PROPERTY <sup>4</sup>
LIQUOR LAW VIOLATIONS (ARREST)	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
LIQUOR LAW VIOLATIONS (REFERRALS FOR CAMPUS DISCIPLINARY ACTION)	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
DRUG LAW VIOLATIONS (ARREST)	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
DRUG LAW VIOLATIONS (REFERRALS FOR CAMPUS DISCIPLINARY ACTION)	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
WEAPONS VIOLATIONS (ARRESTS)	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
WEAPONS VIOLATIONS (REFERRALS FOR CAMPUS DISCIPLINARY ACTION)	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0

1. On Campus - Any Building or property owned or controlled by the University within the same reasonably contiguous geographic area and used by the University in direct support of, or in a manner related to, the University's educational purposes. University residence halls are included with this definition. Any building or property that is within or reasonably contiguous to the areas described above that supports University purposes and that is: owned by the University, but controlled by another person or entity; or is frequently used by students.

2. Residential Facilities - Dormitories or other residential facilities for students on campus is a subset of the On Campus Category. Statistics from this category are repeated in the On Campus column.

3. 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.

4. Public Property - All public property, including thoroughfares, streets and sidewalks that is within the campus or immediately adjacent to and accessible from the campus. Data collected and reported by the City of Philadelphia Police Department.

*\*There are no residential facilities at the State System @ Center City Campus.*

**DEFINITIONS & TERMS FOR ALL CATEGORIES – PLEASE SEE APPENDIX C**

## STATE SYSTEM @ CENTER CITY CAMPUS – CLERY ACT STATISTICS

REPORTABLE CRIME CATEGORIES	YEAR	ON CAMPUS	RESIDENTIAL FACILITES	NON CAMPUS	PUBLIC PROPERTY
CRIMINAL HOMICIDE: NON-NEGLIGENT MANSLAUGHTER	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
CRIMINAL HOMICIDE: NEGLIGENT MANSLAUGHTER	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
SEX OFFENSES RAPE	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
SEX OFFENSES FONDLING	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
SEX OFFENSES INCEST	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
SEX OFFENSES STATUTORY RAPE	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
ROBBERY	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
AGGRAVATED ASSAULT	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
BURGLARY	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
MOTOR VEHICLE THEFT	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
ARSON	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0

This table contains crimes reported to the City of Philadelphia Police Department and campus officials. These reports of crime are compiled in accordance with the provisions of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, commonly known as the “Clery Act.” The Clery Act is a federal law that requires all post-secondary educational institutions participating in federal student financial aid programs to publicly disclose crime statistics and crime prevention/security policies for their campuses every year.

**STATE SYSTEM @ CENTER CITY CAMPUS – CLERY ACT STATISTICS  
VAWA OFFENSES**

REPORTABLE CRIME CATEGORIES	YEAR	ON CAMPUS	RESIDENTIAL FACILITES	NON CAMPUS	PUBLIC PROPERTY
DOMESTIC VIOLENCE	2013	0	0	0	0
DATING VIOLENCE	2013	0	0	0	0
STALKING	2013	0	0	0	0
DOMESTIC VIOLENCE	2014	0	0	0	0
DATING VIOLENCE	2014	0	0	0	0
STALKING	2014	0	0	0	0
DOMESTIC VIOLENCE	2015	0	0	0	0
DATING VIOLENCE	2015	0	0	0	0
STALKING	2015	0	0	0	0

## STATE SYSTEM @ CENTER CITY CAMPUS – HATE CRIME REPORTING

No Hate Crimes have been reported for the PASHEE Philadelphia Campus during this reporting period.

## UNIFORM CRIME REPORTS – PART I OFFENSES – STATE SYSTEM @ CENTER CITY CAMPUS

The PASSHE Philadelphia Campus is required to report crimes under the Uniform Crime Reporting System in addition to the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. Due to differences in crime classifications and their definitions, reported statistics in the two reports are generally not comparable.

REPORTABLE CRIME CATEGORIES	YEAR	REPORTED OFFENSES	FULL TIME EQUIVALENT (FTE)*	OFFENSE RATIO
HOMICIDE: MURDER & NON-NEGLIGENT MANSLAUGHTER	2013	0	330	0
	2014	0	361	0
	2015	0	414	0
HOMICIDE: NEGLIGENT MANSLAUGHTER	2013	0	330	0
	2014	0	361	0
	2015	0	414	0
RAPE	2013	0	330	0
	2014	0	361	0
	2015	0	414	0
ROBBERY	2013	0	330	0
	2014	0	361	0
	2015	0	414	0
AGGRAVATED ASSAULT	2013	0	330	0
	2014	0	361	0
	2015	0	414	0
BURGLARY	2013	0	330	0
	2014	0	361	0
	2015	0	414	0
LARCENY	2013	0	330	0
	2014	0	361	0
	2015	0	414	0
MOTOR VEHICLE THEFT	2013	0	330	0
	2014	0	361	0
	2015	0	414	0
ARSON	2013	0	330	0
	2014	0	361	0
	2015	0	414	0

\* Full Time Equivalent is based on fall semester student and employee population.

## UNIFORM CRIME REPORTS – PART II OFFENSES – STATE SYSTEM @ CENTER CITY CAMPUS

REPORTABLE CRIME CATEGORIES	YEAR	REPORTED OFFENSES	FULL TIME EQUIVALENT (FTE)	OFFENSE RATIO
OTHER ASSAULTS	2013	0	330	0
	2014	0	361	0
	2015	0	414	0
FORGERY	2013	0	330	0
	2014	0	361	0
	2015	0	414	0
FRAUD	2013	0	330	0
	2014	0	361	0
	2015	0	414	0
EMBEZZLEMENT	2013	0	330	0
	2014	0	361	0
	2015	0	414	0
RECEIVING STOLEN PROPERTY	2013	0	330	0
	2014	0	361	0
	2015	0	414	0
VANDALISM	2013	0	330	0
	2014	0	361	0
	2015	0	414	0
WEAPONS OFFENSES	2013	0	330	0
	2014	0	361	0
	2015	0	414	0
PROSTITUTION	2013	0	330	0
	2014	0	361	0
	2015	0	414	0
SEX OFFENSES	2013	0	330	0
	2014	0	361	0
	2015	0	414	0
DRUG OFFENSES	2013	0	330	0
	2014	0	361	0
	2015	0	414	0
GAMBLING	2013	0	330	0
	2014	0	361	0
	2015	0	414	0
OFFENSES AGAINST FAMILY	2013	0	330	0
	2014	0	361	0
	2015	0	414	0
DRIVING UNDER THE INFLUENCE	2013	0	330	0
	2014	0	361	0
	2015	0	414	0
LIQUOR LAW VIOLATIONS	2013	0	330	0
	2014	0	361	0
	2015	0	414	0
PUBLIC DRUNKENNESS	2013	0	330	0
	2014	0	361	0
	2015	0	414	0
DISORDERLY CONDUCT	2013	0	330	0
	2014	0	361	0
	2015	0	414	0
VAGRANCY	2013	0	330	0
	2014	0	361	0
	2015	0	414	0
ALL OTHER OFFENSES	2013	0	330	0
	2014	0	361	0
	2015	0	414	0

## APPENDIX B CLERY DESIGNATED DEFINITIONS

### CLERY - DESIGNATED CRIME DEFINITIONS

West Chester University is required to report crime statistics as defined by the Clery Act for the following crimes if the crimes are reported and occur in geographic locations as defined above.

1. **Homicide: Murder/Non-Negligent Manslaughter** – The willful (non-negligent) killing of one human being by another.

2. **Homicide: Negligent Manslaughter** – The killing of another person through gross negligence.

3. **Sex Offenses** – Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

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

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

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

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

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

5. **Aggravated Assault** – An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use

of a weapon or by means likely to produce death or great bodily harm. *(It is not necessary that the injury result from an aggravated assault when a gun, knife, or other weapon is used which would and probably would result in serious personal injury if the crime were successfully completed).*

6. **Burglary** – The unlawful entry of a structure to commit a felony or a theft.

7. **Motor Vehicle Theft** – The theft or attempted theft of a motor vehicle.

8. **Arson** – Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.

### CLERY - DESIGNATED HATE CRIME DEFINITIONS

1. **Hate Crime** – A crime reported to local police agencies or to a campus security authority that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. For the purposes of Clery, the categories of bias include the victim's actual or perceived race, religion, gender, gender identity, sexual orientation, ethnicity, national origin, and disability.

2. **Bias** – A preformed negative opinion or attitude toward a group of persons based on their race, gender, gender identity, religion, disability, sexual orientation, ethnicity or national origin.

3. **Race (Bias)** – A preformed negative attitude toward a group of persons who possess common physical characteristics (e.g. color of skin, eyes, and/or hair; facial features, etc.) genetically transmitted by descent and heredity, which distinguish them as a distinct division of humankind (e.g. Asians, blacks, whites).

4. **Gender (Bias)** – A preformed negative opinion or attitudes toward a group of persons because those persons are male or female.

5. **Gender Identity (Bias)** – A preformed negative opinion or attitude toward an individual or group because of actual or perceived

gender-related characteristics.

6. **Religion (Bias)** – A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being (e.g. Catholics, Jews, Protestants, atheists).

7. **Sexual Orientation (Bias)** – A preformed negative opinion or attitude toward a group of persons based on their sexual attraction toward, and responsiveness to, members of their own sex or members of the opposite sex.

8. **Ethnicity (Bias)** – A preformed negative opinion or attitude toward a group of persons who share common or similar traits, languages, customs, and traditions (e.g. Arabs, Hispanics).

9. **National Origin (Bias)** – A preformed negative opinion or attitude toward a group of persons who are from a particular country or part of the world.

10. **Disability (Bias)** – A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments/ challenges, whether such disability is temporary or permanent, congenital or acquired by heredity, injury, advanced age or illness.

11. **Larceny-theft** – The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession (position to exercise control over a thing regardless of possession) of another.

12. **Simple assault** – The attack by one person upon another without a weapon, no obvious severe or aggravated bodily injury involving broken bones, loss of teeth, internal injury, severe laceration or loss of consciousness.

13. **Intimidation** – To place a person in reasonable fear of bodily harm through use of threatening words and/or other conduct without displaying a weapon or subjecting the victim to actual physical attack.

14. **Destruction/damage/vandalism of property** – To willfully and maliciously destroy, damage, deface, or otherwise injure real or personal property without owner's consent or the person who has control or custody of it.

## CLERY DESIGNATED DEFINITIONS & TERMS: ARRESTS & DISCIPLINARY REFERRALS

1. **Drug Law Violations** – The violation of laws prohibiting the production, distribution, and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs.

2. **Liquor Law Violations** – The violation of State or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages, not including driving under the influence and drunkenness.

3. **Weapons Law Violations (Carrying, Possession, Etc.)** – The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons.

4. **Referral for Campus Disciplinary Action** – The referral of any person to a campus official who initiates a disciplinary action of which a record is kept and which may result in the imposition of a sanction.

## UNIFORM CRIME REPORTING DEFINITIONS

*Under the Pennsylvania College and University Security Information Act*, West Chester University is required to report crime statistics as defined by the Uniform Crime Reporting Program for the following crimes if the crimes are reported and occur on the property owned by the University. The Uniform Crime Reporting (UCR) program

divides offenses into two groups, Part I and Part II crimes. Each month the West Chester University Department of Public Safety (DPS) submits information on the number of Part I offenses known to law enforcement; those offenses cleared by arrest or exceptional means; and the age, sex, and race of persons arrested for each of the offenses. The Department of Public Safety (DPS) provides only arrest data for Part II offenses.

**The Part I Offenses are:**

**Murder and non-negligent manslaughter** —

The willful (non-negligent) killing of one human being by another. Deaths caused by negligence, attempts to kill, assaults to kill, suicides, and accidental deaths are excluded. The program classifies justifiable homicides separately and limits the definition to: (1) the killing of a felon by a law enforcement officer in the line of duty; or (2) the killing of a felon, during the commission of a felony, by a private citizen. b.) Manslaughter by negligence: the killing of another person through gross negligence. Traffic fatalities are excluded.

**Rape** —The carnal knowledge of a person, 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 or physical incapacity.

**Robbery** —The taking or attempted taking of anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

**Aggravated assault** —An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. Simple assaults are excluded.

**Burglary (breaking or entering)** —The unlawful entry of a structure to commit a felony or a theft. Attempted forcible entry is included.

**Larceny-theft (except motor vehicle theft)** —

The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Examples are thefts of bicycles or automobile accessories, shoplifting, pocket-picking, or the stealing of any property or article that is not taken by force and violence or by fraud. Attempted larcenies are included. Embezzlement, confidence games, forgery, worthless checks, etc., are excluded.

**Motor vehicle theft** —The theft or attempted theft of a motor vehicle. A motor vehicle is self-propelled and runs on land surface and not on rails. Motorboats, construction equipment, airplanes, and farming equipment are specifically excluded from this category.

**Arson** —Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.

**The Part II offenses are:**

**Other assaults (simple)** —Assaults and attempted assaults which are not of an aggravated nature and do not result in serious injury to the victim.

**Forgery and counterfeiting** —The altering, copying, or imitating of something, without authority or right, with the intent to deceive or defraud by passing the copy or thing altered or imitated as that which is original or genuine; or the selling, buying, or possession of an altered, copied, or imitated thing with the intent to deceive or defraud. Attempts are included.

**Fraud** —The intentional perversion of the truth for the purpose of inducing another person or other entity in reliance upon it to part with something of value or to surrender a legal right. Fraudulent conversion and obtaining of money or property by false pretenses, confidence games and bad checks, except forgeries and counterfeiting, are included.

**Embezzlement** —The unlawful misappropriation or misapplication by an offender to his/her own use or purpose of money, property, or some other

thing of value entrusted to his/her care, custody, or control.

**Stolen property; buying, receiving, possessing** —Buying, receiving, possessing, selling, concealing, or transporting any property with the knowledge that it has been unlawfully taken, as by burglary, embezzlement, fraud, larceny, robbery, etc. Attempts are included.

**Vandalism** —To willfully or maliciously destroy, injure, disfigure, or deface any public or private property, real or personal, without the consent of the owner or person having custody or control by cutting, tearing, breaking, marking, painting, drawing, covering with filth, or any other such means as may be specified by local law. Attempts are included.

**Weapons; carrying, possessing, etc.** —The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons. Attempts are included.

**Prostitution and commercialized vice** —The unlawful promotion of or participation in sexual activities for profit, including attempts.

**Sex offenses (except forcible rape, prostitution, and commercialized vice)** —Statutory rape, offenses against chastity, common decency, morals, and the like. Attempts are included.

**Drug abuse violations** —The violation of laws prohibiting the production, distribution, and/or use of certain controlled substances. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The following drug categories are specified: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics - manufactured

narcotics that can cause true addiction (Demerol, Methadone); and dangerous non-narcotic drugs (Barbiturates, Benzedrine).

**Gambling** —To unlawfully bet or wager money or something else of value; assist, promote, or operate a game of chance for money or some other stake; possess or transmit wagering information; manufacture, sell, purchase, possess, or transport gambling equipment, devices, or goods; or tamper with the outcome of a sporting event or contest to gain a gambling advantage.

**Offenses against the family and children** —Unlawful nonviolent acts by a family member (or legal guardian) that threaten the physical, mental, or economic well-being or morals of another family member and that are not classifiable as other offenses, such as Assault or Sex Offenses. Attempts are included.

**Driving under the influence** —Driving or operating a motor vehicle or common carrier while mentally or physically impaired as the result of consuming an alcoholic beverage or using a drug or narcotic.

**Liquor laws** —The violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages, not including driving under the influence and drunkenness. Federal violations are excluded.

**Drunkenness** —To drink alcoholic beverages to the extent that one's mental faculties and physical coordination are substantially impaired. Excludes driving under the influence.

**Disorderly conduct** —Any behavior that tends to disturb the public peace or decorum, scandalizes the community, or shocks the public sense of morality.

**Vagrancy** —The violation of a court order, regulation, ordinance, or law requiring the withdrawal of persons from the streets or other specified areas; prohibiting persons from remaining in an area or place in an idle or