

2021 Annual Security Report

Community College *of* Philadelphia



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The Path to Possibilities

2021 Annual Security Report
Community College of Philadelphia
1700 Spring Garden Street
Philadelphia, PA 19130

Regional Centers:

Northeast Regional Center
Northwest Regional Center
West Regional Center

12901 Townsend Rd, Philadelphia, PA 19154
1300 W Godfrey Ave, Philadelphia, PA 19141
4725 Chestnut St, Philadelphia, PA 19139

This information is provided for the calendar year 2020 in compliance with State and Federal Law, including the Clery Act.

Table of Contents

COMMUNITY COLLEGE OF PHILADELPHIA MISSION STATEMENT AND OVERVIEW3

A MESSAGE FROM THE DIRECTOR OF PUBLIC SAFETY4

PREPARATION OF THIS ANNUAL SECURITY REPORT5

OVERVIEW OF COMMUNITY OF COLLEGE OF PHILADELPHIA PUBLIC SAFETY.....5

CAMPUS LAW ENFORCEMENT.....7

GENERAL PROCEDURES FOR REPORTING A CRIME OR AN EMERGENCY.....8

POLICY REGARDING STUDENTS AND EMPLOYEES WITH CRIMINAL RECORDS10

TIMELY WARNINGS.....11

DAILY CRIME LOG12

EMERGENCY RESPONSE AND EVACUATION PROCEDURE12

ALCOHOL AND ILLEGAL DRUGS AND SUBSTANCE ABUSE15

CAMPUS SECURITY, CRIME PREVENTION AND SAFETY AWARENESS PROGRAMS.....16

POLICY AGAINST SEXUAL MISCONDUCT, RELATIONSHIP VIOLENCE, AND STALKING.....16.

**EDUCATIONAL PREVENTION AND AWARENESS PROGRAMS TO PREVENT SEXUAL MISCONDUCT,
RELATIONSHIP VIOLENCE AND STALKING.....17**

INFORMATION REGARDING REGISTERED SEX OFFENDERS17

PREPARATION OF THE ANNUAL DISCLOSURE OF CRIME STATISTICS17

STUDENT RIGHT TO KNOW.....18

SPECIFIC INFORMATION ABOUT CLASSIFYING CRIME STATISTICS18

THREE YEAR CRIME STATISTICS.....36

COMMUNITY COLLEGE OF PHILADELPHIA MISSION STATEMENT AND OVERVIEW

Community College of Philadelphia is an open-admission, associate-degree-granting institution which provides access to higher education for all who may benefit. Its programs of study in the liberal arts and sciences, career technologies, and basic academic skills provide a coherent foundation for college transfer, employment, and life-long learning. The College serves Philadelphia by preparing its students to be informed and concerned citizens, active participants in the cultural life of the city, and enabled to meet the changing needs of business, industry and professions. To help address broad economic, cultural and political concerns in the city and beyond, the College draws together students from a wide range of ages and backgrounds and seeks to provide the programs and support they need to achieve their goals. Community College of Philadelphia seeks to create a caring environment which is intellectually and culturally dynamic and encourages all students to achieve:

- Greater insight into their strengths, needs, and aspirations, and greater appreciation of their own cultural background and experience;
- Increased awareness and appreciation of a diverse world where all are interdependent;
- Heightened curiosity and active interest in intellectual questions and social issues;
- Improved ability to pursue paths of inquiry, to interpret and evaluate what is discovered, and to express reactions effectively;
- Self-fulfillment based on service to others, preparation for future work and study, and enjoyment of present challenges and accomplishments.

During the 2020-2021 academic year, the College served approximately 12,890 students. The College employed approximately 1,847 individuals.

A MESSAGE FROM THE DIRECTOR OF PUBLIC SAFETY

Dear Community:

On behalf of Community College of Philadelphia's Department of Public Safety, I thank you for taking the time to read the 2021 Annual Security Report.

I encourage you to read this report in its entirety. In this report, Community College of Philadelphia may be abbreviated as "CCP" or "the College" and the Philadelphia Police Department as "PPD." This Annual Security Report has been produced in accordance with the requirements of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (the Clery Act) and provides information you can use to keep you and your property safe.

All campus crime statistics required under the Clery Act are provided, including the number of persons referred for campus disciplinary action for certain offenses. Information about campus crime prevention and safety awareness programs is also provided.

Maintaining a safe and secure campus is a **community** effort. I encourage you to become familiar with this guide. Read it and learn how you can be more aware of your surroundings, prevent crime and report suspicious incidents to police. When on campus, please help us maintain a safe environment for the entire campus community: report criminal activity immediately, exercise crime prevention techniques, remain vigilant with your personal safety and please use our Security Escort Program.

It is my hope that you will find this report informative and useful and that your time at the College will be enjoyable and safe.

Sincerely,

Randy Merced
Director of Public Safety

PREPARATION OF THIS ANNUAL SECURITY REPORT

The Department of Public Safety prepares this report in compliance with applicable federal and state laws including the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act (Clery Act) and the Pennsylvania Uniform Crime Reporting Act. This report includes statistics for the previous three years concerning reported crimes that occurred on campus; in certain off-campus buildings or property owned or controlled by Community College of Philadelphia; and on public property within, or immediately adjacent to and accessible from, the campus. For more information see the *Annual Disclosure of Crime Statistics* section of this Annual Security Report.

This report also includes institutional policies related to campus security, such as policies concerning alcohol and drug use, crime prevention, the reporting of crimes, sexual assault, and other matters. The full text of this report is available online at <https://www.myccp.online/safety-and-security/annual-security-report>.

This report is prepared in cooperation with the Philadelphia Police Department, and the College's Division of Academic and Student Success, Athletics and Student Activities Offices. Each of these departments provide updated information on their educational efforts and programs to comply with the Clery Act and other applicable laws. Campus crime, arrest and referral statistics include those reported to the Department of Public Safety, Campus Security Authorities, and local law enforcement agencies.

Campus crime information is disseminated using several communications channels including the College web site, campus email, and hard copy distribution. The College distributes a notice of the availability of this Annual Security Report by October 1 every year to every member of the College community. You can get copies of this report at the Department of Public Safety by calling the Department of Public Safety at (215) 751-8111.

OVERVIEW OF COMMUNITY OF COLLEGE OF PHILADELPHIA PUBLIC SAFETY

Security of Campus and Campus Facilities

The Department of Public Safety operates on a 24 hours a day, seven days a week schedule. The Director of Public Safety, Managers of Public Safety, Coordinator of Public Safety Operations, Shift Supervisors, Site Supervisors and Specialists oversee the day-to-day operations. The Main Campus and the Regional Centers are staffed with public safety shift supervisors, plus stationary and roving patrol public safety officers. Public safety officers patrol the interior and exterior of these sites. The roving patrols include the parking lots and other parking areas located on campus.

In addition to roving patrols, the College utilizes surveillance cameras located throughout our sites. The surveillance cameras are monitored by public safety supervisors 24 hours a day. As an added security measure, seven emergency phones (Blue Lights) are located at strategic points in the CBI parking garage. Twenty (21) emergency phones are in the College's primary stacked Parking Garage on 17th and 18th streets. When the emergency button is pushed, the caller is in immediate contact with the Department of Public Safety. In addition to providing voice contact with the Department of Public Safety, blue light phones also enable a dispatcher to pinpoint the caller's location. Additionally, red phones, which are located in the hallways of buildings at the Main Campus and the Regional Centers, can be used by anyone to report an emergency (Dial **5555** for direct access to the Main Campus Department of Public Safety). An escort service provided by Public Safety Officers is also available.

Additional resources and technology added to enhance the Department of Public Safety include

alert emergency notification boxes (Alertus) strategically deployed throughout the campuses, Voice over IP telephone address systems, Computer terminal pop up emergency messages (Duress alarm), and social media monitoring services (through the Division of Enrollment Management & Strategic Communications).

Security Considerations Used in the Maintenance of Campus Facilities

Security at the College is the responsibility of the Office of the Vice President of Business and Finance. The Director of Public Safety directly oversees all staff and is responsible for ensuring that all policies and procedures are followed. Because the College is situated in an urban environment, a primary consideration in any new construction or renovation planning is the use of higher intensity lighting levels combined with low-lying shrubbery and a minimum of trees to afford safe walkways. The Department of Public Safety advises the Facilities Management Department via a work order system when lighting levels are inadequate. Safety hazards are noted for action and eliminated or corrected via Public Safety. Electronic condition reports are submitted to the appropriate managers.

Access to Facilities¹

Most campus buildings and facilities are accessible to members of the campus community, guests, and visitors during normal hours of business, Monday through Friday (Monday through Thursday in the summer), and for limited designated hours on Saturday, Sunday, and holidays. Facilities are maintained, and their security monitored, in the interest of students, staff, and faculty. Many cultural and athletic events held in College facilities, such as the Athletic Center and the Auditorium, are open to the public. Other facilities such as the bookstore, library, and cafe are also open to the public. Access to academic and administrative facilities on campus is limited to students, employees, and visitors for the purpose of study, work, teaching, and to conduct other College business. After-hours access may be obtained by using the intercom located by the entry door on Sixteenth Street by the Visitor's lot. Advanced notice of the need for after-hours access is appreciated when possible. The College currently does not have any student housing facilities.

ID Cards and Access Control

The College community includes all visitors, vendors, guests, students, faculty, and staff, at all Main Campus buildings and all Regional Centers. Everyone entering any College building MUST swipe a College ID card, or follow the posted "Visitor Sign-In" procedure if an individual does not have a College ID card.

During peak times, lines may develop. We ask for your patience during this time. This procedure fortifies our safety and security measures and offers additional peace of mind.

If you invite a guest to campus, you must meet that individual at a public safety desk or provide his or her name to the public safety desk in advance. Guests must bring their ID with them to present to public safety officers.

When a department or club hosts an external event, it should sign in visitors and help manage access to the event.

Any student or employee who does not have an ID card must obtain one from Public Safety.

¹ As necessary throughout the coronavirus pandemic, campus access has been limited to essential personnel and services only.

Students may go to Public Safety at:

- Main Campus: MG-12, Monday-Friday, 7:00 a.m.-10:00 p.m.; Saturday 8:00 a.m.-5:00 p.m.
- Each Regional Center: Main Public Safety Station, Monday-Friday, 7:00 a.m.-3:00 p.m.

ID cards are also required to enter certain offices and services such as the Library, Learning Labs, Student Academic Computing Centers, Athletics Center, and Career Services.

CAMPUS LAW ENFORCEMENT

Location

The Department of Public Safety, which includes the Operations Center and staff offices, is located in room MG-12 in the Mint Building, 1700 Spring Garden Street. Serving as the radio-dispatching center and monitoring point for alarms and CCTV (Closed Circuit Television) systems, this facility can be reached at any time by dialing 215-751-8111 from any phone or 5555 from campus phones only.

Personnel

The College currently has a public safety staff of forty-one (41). Sixteen (16) of the officers are College employees, and twenty-five (25) are provided through a private contract security firm. There is always a public safety officer at each of the College sites to oversee all public safety-related matters. Important contact information for the Department of Public Safety is listed below:

Randolph Merced Director of Public Safety Room MG-12F Phone: (215) 751-8188 email: rmerced@ccp.edu	Julian Fields Manager of Public Safety Room MG-12E Phone: (215) 751-8369 email: jfields@ccp.edu
Rasheed Williams Coordinator, Public Safety Operations Room MG-12B Phone: (215) 751-8940 rawilliams@ccp.edu	
Public Safety Desk Northwest Regional Center Phone: (215) 496-6012	Public Safety Desk West Philadelphia Regional Center Phone: (267) 299-5863
Account Manager Allied Universal Security Room MG-12C Phone: (267) 299-5939	Public Safety Desk Northeast Regional Center Phone: (215) 972-6219

Authority and Jurisdiction

The College’s Public Safety Officers receive in-service training in such areas as proper handling

of incidents, investigation, and reporting of incidents, fire safety procedures, first aid, CPR and customer relations. Public Safety Officers do not have arrest power, are not authorized to carry or discharge weapons on campus, and do not receive training for certification under Pennsylvania Act 120. Should incidents arise which are beyond the capability of College's Public Safety Officers, Philadelphia's Police Department will respond and assist in the proper handling of an incident. In addition, when circumstances warrant their use, the College will employ closed circuit TV, bulletin boards, voice mail and printed flyers to provide timely notice of criminal activity on and around the campus. [For additional information see the "Timely Warning" and "Emergency Notification System" Sections of this Annual Security Report.]

State and Local Law Enforcement Agencies

Although there is no written memorandum of understanding between the College and the state or local law enforcement agencies, the Department of Public Safety recognizes that accurate reporting is essential in determining time frames and locations of occurrences on campus which, in turn, affects the assignments of officers' patrol areas. The College's Public Safety Officers follow and enforce the policies and procedures set by the College, as well as appropriate local, state and federal laws. All serious incidents commonly referred to as Part I crimes, including murder, rape, robbery, assault, burglary, auto theft, and arson are reported to the Philadelphia Police Department. Additionally, the Philadelphia Police Department supplies the College's Department of Public Safety with a report of incidents that have been reported to them for the neighborhood surrounding the College's Main Campus and Regional Centers.

Philadelphia Police Department Partnership

The College relies on its close working relationships with the Philadelphia Police Department to receive information about incidents involving College students and recognized student organizations off campus. (Currently, however, there are no officially recognized College student organizations with noncampus locations or housing facilities.) If a student is charged with an off-campus violation of federal, state, or local laws, the College reserves the right to take disciplinary action and impose sanctions against the student. Proceedings under the Student Code of Conduct may be carried out before, simultaneously with, or following civil or criminal proceedings off-campus.

GENERAL PROCEDURES FOR REPORTING A CRIME OR AN EMERGENCY

Community members, students, faculty, staff, and guests are encouraged to report all crimes, emergencies, and public safety related incidents to the College's Department of Public Safety and/or local law enforcement in an accurate and prompt manner, particularly when the victim of crime elects to, or is unable to, make such a report. Such accurate and prompt reporting will assist the Department of Public Safety in determining if follow-up actions are required, including issuing a Timely Warning or emergency notification. For detailed information regarding reporting sexual misconduct, relationship violence, and stalking, refer to the Policy Against Non-Title IX Sexual Misconduct, Relationship Violence, and Stalking and Policy Against Title IX Sexual Harassment which are set forth in Exhibit A of this Annual Security Report.

Reporting to the Department of Public Safety

All crimes, emergencies, or public safety related incidents occurring on campus should be reported to the Department of Public Safety. To report a crime, emergency, or public safety related incident

to the Department of Public Safety dial 5555 from an **on-campus** phone or (215) 751-8111 from an **outside phone**. The College’s Public Safety Officers respond to all requests for service. The Philadelphia Police Department, upon notification to respond, is the investigating authority for all crimes on campus.

When calling the College’s Public Safety Officers for either emergency or non-emergency service, be prepared to:

- Clearly identify yourself;
- State where you are calling from; and
- State briefly the nature of your call.

If possible, stay on the line unless otherwise advised by the officer. If assistance is required from off campus, the officer will summon the appropriate police, fire and/or medical service.

Reporting to the Local Law Enforcement

To report a crime that occurs at an off-campus location, contact the appropriate local police department by calling 911. In the case of an emergency that occurs off the campus property, it is always best to dial 911 and follow the procedures outlined above.

Reporting to Other Campus Security Authorities (CSA)

While the College encourages all campus community members to promptly report all crimes and other emergencies directly to the Department of Public Safety, the College recognizes that some may prefer to report to other individuals or College offices. The Clery Act recognizes certain College officials and offices as “Campus Security Authorities” (CSA) to whom the campus community may report crimes. All CSA’s must share crime reports they receive with the Department of Public Safety. While the College has a number of CSA’s, the College prefers that crimes be reported to the following offices designated as CSA’s:

Office	Location	Phone Number
Department of Public Safety	Mint Building, MG-12	Campus Phone: 5555 Other: 215.751.8111
Office of the Dean of Students	Winnet Student Life Bldg., S1-10	215.751.8161
Division of Academic and Student Success	Mint Building, M2-37	215.751.8160
Office of Diversity and Equity	Mint Building, M2-7	215.751.8876
Department of Human Resources	Annex, A7-142	215.751.8035

Voluntary Confidential Reporting

Anyone who is the victim of or witness to a crime on campus is encouraged to promptly report the incident to the Department of Public Safety. Anyone can make an anonymous report of safety violations or other misconduct as provided in the College's Whistleblower Policy, Memorandum No. 314, <http://path.ccp.edu/vpfin-pl/policies/314.html>, via telephone at 1-888-261-1669 or at www.ethicspoint.com.

Pastoral and Professional Mental Health Counselors

Under the Clery Act, Pastoral or Professional Counselors (as defined below) are not considered Campus Security Authorities when they are acting in that counseling role.

- Pastoral counselor: A person who is associated with a religious order or denomination, is recognized by that religious order or denomination as someone who provides confidential counseling, and is functioning within the scope of that recognition as a pastoral counselor.
- Professional counselor: A person whose official responsibilities include providing mental health counseling to members of the institution's community and who is functioning within the scope of the counselor's license or certification. This definition applies even to professional counselors who are not employees of the institution, but are under contract to provide counseling at the institution.

When acting within their official capacity, professional and pastoral counselors are not required to report crimes for inclusion in the annual disclosure of crime statistics. The College does not currently employ any pastoral or professional counselors in a counseling capacity. Counselors in the Counseling Center performing Counseling Center duties do not fall into this category.

POLICY REGARDING STUDENTS AND EMPLOYEES WITH CRIMINAL RECORDS

The College is an open-admissions institution and does not ask students about their criminal background as part of the general admissions process. Entrance into some specific programs in the College requires students to submit to criminal background checks and/or child abuse clearances. Certain results on these background checks may prevent a student from entering one of these programs, depending upon the nature of the result and program requirements. Decisions are made on a case-by-case basis. Students who commit crimes while enrolled at the College may be subject to disciplinary action, up to and including expulsion, depending upon the nature of the crime.

Employees may be required to submit to background checks which are appropriate to their position. Certain results on these background checks may prevent an employee from being employed with the College, depending upon the position and the nature of the crime. Decisions are made on a case-by-case basis. Employees who commit crimes while enrolled at the College may be subject to disciplinary action, up to and including termination of employment.

The College also complies with the Pennsylvania Child Protective Services Law and requires all employees, volunteers, and contractors who will have direct contact with children to submit to Pennsylvania State Police criminal background checks, Pennsylvania child abuse history clearances, and fingerprint-based Federal Bureau of Investigation criminal history reports. Certain results on any of these background checks may prevent an employee, volunteer, or contractor from

engaging in activities at the College that involve direct contact with children. Employees, volunteers, and contractors having direct contact with children are also required to provide written notification to the College within seventy-two (72) hours of being arrested or convicted of an offense which would disqualify them from having direct contact with children under the Pennsylvania Child Protective Services Law, or of receiving notice that they have been named as a perpetrator of child abuse in the Pennsylvania Child Abuse database.

TIMELY WARNINGS

The College will issue a Timely Warning to the campus community for Clery-reportable crimes occurring on the College's Clery Act geography that are reported to Campus Security Authorities or local police agencies, and that are considered by the College to represent a serious or continuing threat to students and employees. Whether an incident constitutes a serious or continuing threat to students and employees is a case-by-case determination.

Decision Criteria for a Timely Warning

The Director of the Department of Public Safety, or their designee, reviews all reports to determine if whether a timely warning will be issued. The decision whether to issue a timely warning is decided on a case-by-case basis in light of all the facts surrounding a crime, including, but not limited to, the possible risk of compromising law enforcement efforts.

Typically, timely warnings will be issued for major incidents of arson, murder/nonnegligent manslaughter, and robbery. Cases of aggravated assault and sex offenses are considered on a case-by-case basis, depending on the facts of the case and the information known by the Department of Public Safety. For example, if an assault occurs between two students who have a disagreement, there may be no ongoing threat to other College community members and a timely warning would not be distributed. As another example, sexual misconduct cases are often reported long after the incident occurred. Consequently, in those situations, the College may be unable to distribute a "timely" warning to the College community. Sex offenses will be considered on a case-by-case basis depending on when and where the incident occurred, when it was reported, and the amount of information known by the Department of Public Safety. Cases involving property crimes will be assessed on a case-by-case basis and a timely warning will be issued if there is a discernible pattern of crime.

Content for a Timely Warning

The amount and type of information presented in a timely warning will vary depending on the circumstances of the crime. If there is certain information that could compromise law enforcement efforts, it may be withheld from the timely warning notice. Generally, the warning will specify the type of crime reported, the time and location at which the reported crime occurred, and specific advice to the campus community regarding steps to take to avoid becoming a victim. The Director of the Department of Public Safety, or their designee, will determine the content for each timely warning.

Timing for a Timely Warning

Although the Clery Act does not define "timely," the intent of a warning is to enable our College community to protect itself. This means that a warning is issued as soon as pertinent information is available so that it can be used as a preventive tool, and not solely constitute a description of the incident.

How Timely Warning Notices are Issued/Disseminated

Timely warning notices will be made to the entire campus community through the use of the

campus-wide e-mail system. The Department of Public Safety (or designee) also has the discretion to issue the warning, via others tools, as necessary (including the emergency text messaging system if practical). When issuing a timely warning, some specific information may be withheld if there is a possible risk of compromising law enforcement efforts to investigate and/or solve the crime.

In certain circumstances, an incident may not meet the criteria of a Clery-reportable crime occurring in a Clery-reportable location but may constitute a potential threat to the College community. For instances in which a timely warning is not required, the Director of the Department of Public Safety, or their designee, may choose to issue a “community alert” notifying the College community of the threat. The content of a community alert may vary depending on the type of incident reported and the location in which it occurred.

DAILY CRIME LOG

The Department of Public Safety also maintains a daily crime log which is normally updated each business day and contains all crimes/incidents reported to the Department of Public Safety. This log identifies the type, location, date and time reported, date and time occurred, and current disposition of each incident reported to the Department of Public Safety. The Daily Crime Log for the most current sixty days is available for viewing during regular business hours at the office for the Department of Public Safety located in the Mint Building in MG-12. Any portion of the Daily Crime Log that is older than 60 days will be made available within two business days of a request for public inspection.

EMERGENCY RESPONSE AND EVACUATION PROCEDURE

Department of Public Safety Officers are trained as campus first responders and are prepared to take action in any emergency situation that may arise on campus. An Emergency Management Team (EMT) is in place to allow the immediate response by individuals performing specific roles and functions already predefined. An Emergency Operations Plan has been developed by the Emergency Management Team as part of the College’s ongoing effort to protect Community College of Philadelphia students, faculty, and staff. The development of this plan is based on a realistic assessment of potential incidents that could affect our community and the capabilities to react to those situations. It is a comprehensive approach following the Incident Command and National Incident Management System and may effectively be applied to any critical incident.

The College’s emergency notification system permits the near simultaneous distribution of broadcast e-mails, voice and text messages. Upon confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus, the system is used to distribute emergency notifications. The emergency notification system is tested twice a year at the beginning of each semester. The tests may be announced or unannounced and will be documented. **All members of the College community are reminded to update their contact information on a regular basis.** Additionally, the College may send emergency messages via voice over internet phones which are located in all classrooms and office suites. Messages may also appear on monitors in public areas throughout College sites.

Emergency Notification System

Emergency notifications are issued to the campus community upon the confirmation of a significant emergency or dangerous situation that involves an immediate (imminent or impending) threat to the health or safety of students or employees. The Director of Public Safety, along with other appropriate individuals determines whether circumstances warrant the issuance of an emergency

notification. Upon such confirmation, the College will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgement of responsible College authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency. The decision to issue an emergency notification is made by the Director of Public Safety or his/her designee on a case-by-case basis. The content of the emergency notification will be determined by the Director of Public Safety or his/her designee, who will determine how much information is appropriate to disseminate at different points in time, and to whom such information should be disseminated.

Emergency notifications are disseminated with the goal of notifying as many people as possible, as rapidly as possible. (*i.e.*, active threats, bomb threats, a dangerous chemical spill, etc.) These alerts are sent via email, and also by text messages from the campus emergency notification system. All students, faculty, and staff are automatically enrolled into the College's emergency notification system based on the contact information available for that employee or student in Banner. Individuals who wish not to be enrolled in emergency notifications can send a request to publicsafety@ccp.edu. Individuals with disabilities are encouraged to contact either the Center on Disability at (215) 751-8307 or the IT Help Desk at (215) 751-6000 for assistance in accessing the Campus Alert system. Additionally, a broadcast message may be made utilizing voice over internet phones that are located in all classrooms and office suites. For situations that may require notice to the surrounding community, such as situations that may require the College to be closed, see the notifications procedures in the *Evacuation* section of this Annual Security Report.

Evacuations

Evacuations are rare events and occur most typically in the circumstance of a fire or bomb threat situation. While an evacuation order requires a timely exit from the area, it is still important, if possible, to secure personal property, lock offices and take any other measures that are possible in quick order to ensure the safety of personal and College property. If an evacuation of an area is ordered, it is essential that all employees, students, and staff participate in the evacuation. Critical minutes and essential security resources can be wasted if there is not complete cooperation with the evacuation process. All faculty and staff should view themselves as assisting agents in an emergency circumstance. All faculty and staff should be familiar with the required emergency procedures and coach students and visitors through the required steps necessary to ensure the safety of property and people during the emergency.

During an emergency, the College's public safety staff, floor wardens, building captains and the EMT are empowered to take immediate action to ensure the safety of all students, staff and visitors. It is essential that individuals follow the directions issued by public safety staff, floor wardens, building captains and the EMT staff and not countermand their orders or fail to follow their requested actions. It is particularly important in an evacuation situation that students, faculty, and staff not attempt to reenter an area which has been evacuated until an all-clear signal has been provided. **Keep in mind that an evacuation may only involve one floor or one building and not the entire site.**

It is essential that fire and safety hazards not be created during a College closing or evacuation situation. In each work or instructional area, clear responsibilities must be established to turn off all heating devices in laboratories and offices, and shut down all devices involving gas or other potentially hazardous emissions. In the process of evacuating an office, files that are open on computer systems should be saved and office systems powered down if time permits. Many emergencies are accompanied by a temporary loss of power, which means that electronic files can be lost if not saved at the onset of an emergency.

Instructions to evacuate will be issued by Public Safety, police or College officials. Faculty, students and staff are to evacuate quickly, but in a calm and orderly fashion to a safe area-either an Area of Refuge (fire tower) or an assembly area away from the buildings. If necessary, First Responders will direct individuals to an on-campus evacuation/relocation site as determined by the nature of the emergency. Remain calm and, if able, assist disabled persons or those in need. If you observe something unusual or suspicious, handle it and notify first responders. Remain in a safe area until receiving notification to return to the facility.

For situations that require the College to be closed, Public Safety Officers will not allow individuals to enter the facilities. Announcements of closing will be announced via the College's emergency notification system. Other methods of notification are as follows:

Campus website:

www.CCP.edu

Department of Public Safety website:

<https://www.myccp.online/department-public-safety>

A message will be placed on the College's internal voicemail system. To access the message from your home, employees should call (215) 751-8999. You will then be prompted to enter your voicemail number and your voicemail identification number.

An e-mail communication will be sent to each employee and student with a Community College of Philadelphia e-mail account.

A message will be placed on Cable Channel 53. This channel is only available to Philadelphia residents.

The College will provide closing information to radio and television stations. The KYW College weather closing numbers are 238 for day classes and 2238 for evening classes.

The establishment of phone chains within work groups is encouraged to facilitate information sharing during an emergency situation.

The College, through its Division of Enrollment Management & Strategic Communications, uses social media channels to communicate campus closings or any other emergency notification to the College and the surrounding community. (Twitter: <https://twitter.com/CCPedu>; Facebook: <https://www.facebook.com/CCP.edu>)

If the emergency occurs on a day and time before the start of classes, notification of all members of the College community will occur according to normal weather closing policies and procedures. Also, notification of all department heads will be made. Additional Public Safety personnel will be called in and assigned as needed to maintain order.

It is important to remember that closings can affect one building or the entire campus. For example, a campus-wide closing may affect all sites and all buildings (i.e., city-wide emergency). A building closing may only affect that particular building (i.e., building fire). A regional site closing may affect one site but would have no effect on the other sites or Main Campus operations.

Persons with Disabilities Evacuation Procedure

At the sound of the evacuation alarm (a constant ringing of the bells and strobe lights), a faculty or staff member should take the following steps:

Assign two (2) individuals (faculty, staff or students) to accompany anyone who needs help due to a disability to the nearest fire tower landing. Upon entering the tower:

- One assistant will remain with the disabled individual.
- One assistant will note the landing location (this information and these instructions have been placed at the landing) and proceed down the tower, exiting the building.
- If officials are on-site, report the location needing assistance to them.
- If officials are not on-site, report to a Public Safety Officer or Reception Desk the location needing assistance.
- Individuals with impairment, but who are otherwise ambulatory, will wait at the landing and descend after the foot traffic clears.

ALCOHOL AND ILLEGAL DRUGS AND SUBSTANCE ABUSE

The use, possession or sale of alcoholic beverages and/or illegal drugs by any student, staff member, faculty member, visitor or vendor is forbidden in any of the facilities of the College. These policies are further addressed in the Student Handbook (<https://www.myccp.online/student-handbook>), the Employee Handbook and/or Collective Bargaining Agreements (<https://www.myccp.online/human-resources/employee-handbook-cbas>), and in the College's Policy, Drug and Alcohol Free Workplace and other Substance Abuse Prevention Programs (Policy #310) (<https://www.myccp.online/college-policies-and-procedures/drug-free-workplace-alcohol-and-other-drug-abuse-prevention-programs>).

In addition to College disciplinary actions and applicable sanctions, any student who violates these alcohol and drug policies may be subject to criminal prosecution and penalties under applicable local, state, and federal laws. Where appropriate or necessary, College officials will cooperate with local, state, and federal authorities to ensure compliance with laws for unlawful use, possession manufacture, distribution or sale of illicit drugs or alcohol and will advise employees and students that convictions or violations of these laws can lead to fines and/or imprisonment. For a brief review of the legal sanctions under local, state, and federal law for the unlawful possession or distribution of illicit drugs and alcohol see: <https://www.myccp.online/college-policies-and-procedures/drug-free-workplace-alcohol-and-other-drug-abuse-prevention-programs>.

Health risks associated with alcohol and other drug consumption include impaired judgment, vision, speech, coordination, memory, sensation, and perception. Long-term use of alcohol and other drugs can negatively impact many of the body's systems and cause physical and psychological dependence. In accordance with the Drug-Free Schools and Communities Act, Amendments of 1989 (PL101- 226 20 U.S.C. sec. 1145g), College regulations, state laws pertaining to alcoholic beverages (including state laws pertaining to underage drinking), and state and federal laws prohibiting the possession, use, distribution and sale of illicit drugs shall be strictly and consistently enforced. Any violation of the College's Student Code of Conduct, the Employee Handbook and/or applicable collective bargaining agreement or violation of federal, state or local laws shall subject the offender to the College disciplinary process and/or criminal prosecution. It is the policy of the Community College of Philadelphia to maintain a drug-free workplace, in compliance with the Drug-Free Workplace Act of 1988.

An Employee Assistance Program (EAP) has been established to provide professional counseling and rehabilitation programs for employees in need of these services due to alcohol and/or substance abuse. For more information regarding the EAP, employees can call 1(800) 437-0911. Counselors are available for students at the College's campuses to respond to student needs and concerns related to drug and alcohol use. Information about counseling services is available by contacting the Counseling Center at (215) 751-8169 (Main Campus), (267) 299-5980 (Northeast Regional Center), (267) 299-5982 (Northwest Regional Center), or (267) 299-5981 (West Regional Center).

CAMPUS SECURITY, CRIME PREVENTION AND SAFETY AWARENESS PROGRAMS

In an effort to provide our students, faculty, staff and community with information about the campus security procedures and practices, crime prevention, and safety awareness tips to keep themselves and others safe, the College provides a variety of educational programs. All programs are offered to faculty and staff as requested. Some of the available programs available are outlined below. If you or your organization would like to request a specific program, please contact, the Director of Public Safety, Randy Merced at (215) 751-8188.

- **Active Shooter Response Training (AKA Hostile Intruder Response Training).** The Department of Public Safety aims to enhance preparedness through a "whole community" approach by providing tools and resources to help you prepare for and respond to an active shooter incident. Active Shooter Response Training is offered to staff and faculty on a regular basis and upon request.
- **Emergency Communications Awareness and Response Training (E-CART).** The Department of Public Safety provides training for campus emergency communications and response. The training is offered to staff and faculty on a regular basis and upon request.
- **Personal Safety Awareness:** The Department of Public Safety offers orientation training to the College and provides useful tips on how to best be prepared for personal safety awareness while on campus. The training is offered to staff and faculty on a regular basis and upon request.
- **Campus Security Authority:** The Department of Public Safety also conducts student, staff and faculty safety orientations regarding Campus Security Authority (CSA) training.

POLICIES AGAINST SEXUAL MISCONDUCT, RELATIONSHIP VIOLENCE, AND STALKING

Community College of Philadelphia is committed to maintaining an academic and working environment free of unlawful discrimination and harassment, including Sexual Misconduct, Relationship Violence and Stalking. The College has in place policies prohibiting sexual misconduct (which includes sexual assault), relationship violence (which includes dating violence and domestic violence), and stalking, whether such conduct arises under Title IX, the Violence Against Women Act (VAWA), under state law or regulations, or otherwise. These policies set forth relevant procedures which are available to employees and students and which the College will follow with regard to allegations of sexual misconduct, relationship violence, and stalking involving the College's students or employees. These policies are set forth in full in Exhibit A to this report.

EDUCATIONAL PREVENTION AND AWARENESS PROGRAMS TO PREVENT SEXUAL MISCONDUCT, RELATIONSHIP VIOLENCE AND STALKING

The College engages in comprehensive educational programming to prevent domestic violence, dating violence, sexual assault and stalking. Educational programming consists of primary prevention and awareness programs for all incoming students and new employees and ongoing awareness and prevention campaigns for the campus community that:

- Identify domestic violence, dating violence, sexual assault, and stalking as prohibited conduct
- Define what behavior constitutes domestic violence, dating violence, sexual assault, and stalking including how those terms are defined
- Define what behavior and actions constitute consent to sexual activity
- Provide safe and positive options for bystander intervention
- Provide information on risk reduction so that students and employees may recognize warning signs of abusive behavior and how to minimize the risk of potential attacks
- Provide support for survivors of dating violence, domestic violence, sexual assault, and stalking

Sexual Violence and Awareness and Prevention programs are overseen by the Director of the College's Women's Outreach and Advocacy Center (Winnet Building Room S1-19) and the Title IX Coordinator (Mint Building Room M2-7). Such programs include but are not limited to:

- "Know Your IX" student orientation presentation and online video
- Preventing Harassment in the Workplace and on campus online training for employees and students
- Preventing Discrimination and Sexual Violence: Title IX, VAWA, Clery Act online training for employees and students
- Various training workshops during the College's Professional Development Week
- Various film screenings and conferences regarding issues of sexual misconduct including human trafficking and rape crimes

INFORMATION REGARDING REGISTERED SEX OFFENDERS

Pennsylvania's Megan's Law requires the Pennsylvania State Police to create and maintain a registry of persons who reside in, are employed in, or are a student in the Commonwealth, or are a transient, and who have either been convicted of, entered a plea of guilty to, or have been adjudicated delinquent of certain sexual offenses in Pennsylvania or another jurisdiction. Members of the public, including members of the College community, may search for registered Sex Offenders or Sexually Violent Predators living, working, or studying in their community through the web site maintained by the Pennsylvania State Police, Megan's Law Section at <http://www.pameganslaw.state.pa.us>.

PREPARATION OF THE ANNUAL DISCLOSURE OF CRIME STATISTICS

As required by federal law, Community College of Philadelphia's yearly crime statistics for this report are compiled on a calendar-year basis in accordance with the definitions of crimes provided by the FBI for use in the Uniform Crime Reporting (UCR) system. The report includes statistics for the previous three years concerning crimes that occurred on campus reported to the Office of Public Safety, or to Campus Security Authorities. In addition, these statistics also include persons referred

for campus disciplinary action for categories required under the Clery Act, including liquor law and drug abuse violations, and illegal weapons possession. Statistical information for certain off-campus locations or property owned or controlled by the College as well as public property within or immediately adjacent to and accessible from the campus are collected or requested from the Philadelphia Police Department. For statistical purposes, crime statistics reported to any of these sources are recorded in the calendar year during which the crime was reported. All Public Safety Officers both in-house and contract are trained on the Clery Act and its requirements.

The crime statistics tables located at the end of this report are reflective of the requirements mandated by Federal law. The statistics reported also include those required by the Pennsylvania Uniform Crime Reporting Act.

STUDENT RIGHT TO KNOW

In accordance with the Federal Campus Safety and Security Act of 1990 and the Pennsylvania College and University Security Act of 1988, all incidents are tabulated and recorded in the College's Annual Security Report. The document is available at the College's Consumer Information website: <http://www.ccp.edu/consumer-information>. Copies are also available in the Office of Public Safety. The statistics which appear under the heading "2019 Crime Reporting Statistics" show the number, and types of incidents reported for the most recent calendar years at each campus. Calendar years extend from January 1st through December 31st.

Community College of Philadelphia reports its statistics annually to the Pennsylvania State Police and U.S. Department of Education. The Office of Student Life and the Office of Public Safety work closely regarding any situation involving students that might require emergency response or law enforcement intervention. Reports are shared between the offices regarding any student arrested or accused of a serious violation of the *Student Code of Conduct*, which could have an impact on the College Community. Additionally, the College will, upon written request, disclose to the alleged victim of a crime of violence (as defined by section 16 of title 18 of the United States Code) or non-forcible sex offense, the results of any disciplinary proceeding against a student who is the alleged perpetrator, or if the alleged victim is deceased as a result of the crime or offense, to the next of kin of the alleged victim.

SPECIFIC INFORMATION ABOUT CLASSIFYING CRIME STATISTICS

The following statistics are published in accordance with the standards and guidelines used by the Federal Bureau of Investigation Uniform Crime Reporting Handbook and the Clery Act.

The **number of victims** involved in a particular incident is indicated for the following crime classifications: Murder/Non-Negligent Manslaughter, Negligent Manslaughter, Rape, Fondling, Incest, Statutory Rape, Aggravated Assault. For example, if an aggravated assault occurs and there are three victims, this would be counted as three aggravated assaults in the crime statistics chart.

The **number of incidents** involving a particular offense is indicated for the following crime categories (includes one offense per distinct operation): Robbery, Burglary, and Arson. For example, if five students are walking across campus together and they are robbed, this would count as one instance of robbery in the crime statistics chart. In cases of motor vehicle theft, each vehicle stolen is counted.

In cases involving Liquor Law, Drug Abuse, and Weapons violations, each person who was arrested is indicated in the arrest statistics. If an arrest includes offenses for multiple liquor or drug abuse violations, it is only counted as a Drug Abuse Violation as that is the more egregious offense. The statistics captured under the "Referred for Disciplinary Action" section for Liquor

Law, Drug Abuse, and Weapons violations indicate the number of students referred to the Dean of Students Office for disciplinary action for violations of the law. Incidents involving employees are reported to the Office of Human Resources. If an individual is both arrested and referred for disciplinary action for an offense, the statistics include the arrest only.

Hate Crime statistics include any of the following offenses that are motivated by the perpetrator's bias against the victim: murder and non-negligent manslaughter, sexual assault (rape, fondling, incest, or statutory rape), robbery, aggravated assault, burglary, motor vehicle theft, arson, larceny theft, simple assault, intimidation, and destruction/damage/vandalism of property. Hate crimes must be recorded by the category of bias that motivated the crime: race, gender, gender identity, religion, sexual orientation, ethnicity, national origin, or disability.

Geography Definitions as Defined by the Clery Act

On-Campus-Defined as:

1. Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls (Note: The College currently does not have any residence halls); and
2. Any building or property that is within or reasonably contiguous to the area identified in 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 a food or retail vendor).

Non-Campus Building or Property-Defined as:

1. Any building or property owned or controlled by a student organization that is officially recognized by the institution; or
2. Any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

Public Property-Defined as:

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

Clery Reportable Offense Crime definitions as Set Forth in the Uniform Crime Reporting Handbook

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.

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.

Burglary: The unlawful entry of a structure to commit a felony or a theft. For reporting purposes

this definition includes: unlawful entry with intent to commit a larceny or a felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.

Motor Vehicle Theft: The theft or attempted theft of a motor vehicle.

Murder and Non-Negligent Manslaughter: The willful (non-negligent) killing of one human being by another.

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

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.

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.

Drug Abuse 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.

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.

Sex Offenses Defined per the National Incident-Based Reporting System Edition of the Uniform Crime Reporting Program

Sex Assault (Sex Offenses): Any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent (includes Rape, Fondling, Incest, and Statutory Rape as defined below).

- A. **Rape:** The penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This offense includes the rape of both males and females.
- B. **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 or physical incapacity
- C. **Incest:** Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- D. **Statutory Rape:** Sexual intercourse with a person who is under the statutory age of consent.

VAWA Offenses as Defined by the Clery Act

Stalking²:Engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

- Fear for the person’s safety or the safety of others; or
- Suffer substantial emotional distress.

Dating Violence³: Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party’s statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

Domestic Violence⁴: A felony or misdemeanor crime of violence committed:

- By a current or former spouse or intimate partner of the victim;
- By a person with whom the victim shares a child in common;
- By a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner;
- By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or
- By any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

Offenses Reportable Only if they are Hate Crimes

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

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

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

² Under Pennsylvania law, stalking occurs when a person either: (1) engages in a course of conduct or repeatedly commits acts toward another person, including following the person without proper authority, under circumstances which demonstrate either an intent to place such other person in reasonable fear of bodily injury or to cause substantial emotional distress to such other person; or (2) engages in a course of conduct or repeatedly communicates to another person under circumstances which demonstrate or communicate either an intent to place such other person in reasonable fear of bodily injury or to cause substantial emotional distress to such other person. **For purposes of the annual crime statistics, however, the VAWA definitions above control.**

³ “Dating Violence” is not defined under Pennsylvania law.

⁴ “Domestic Violence” is not defined under Pennsylvania law.

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

CAMPUS CRIME REPORT:
January 1-December 31 for the years 2018, 2019, 2020

Main Campus – Clery Crimes

	On Campus			Noncampus			Public Property		
	2018	2019	2020	2018	2019	2020	2018	2019	2020
CLERY CRIMES									
Murder / Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0
Sex Offenses: Rape	0	1	0	0	0	0	0	1	0
Sex Offenses: Fondling	0	3	0	0	0	0	0	0	0
Sex Offenses: Incest	0	0	0	0	0	0	0	0	0
Sex Offenses: Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	2	0
Aggravated Assault	1	0	0	0	0	0	1	2	0
Burglary	0	0	0	0	0	0	0	0	1
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
TOTAL	1	4	0	0	0	0	1	5	1
HATE CRIMES									
Murder / Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0
Sex Offenses: Rape	0	0	0	0	0	0	0	0	0
Sex Offenses: Fondling	0	0	0	0	0	0	0	0	0
Sex Offenses: Incest	0	0	0	0	0	0	0	0	0
Sex Offenses: Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	4	0	0
Arson	0	0	0	0	0	0	0	0	0
Larceny-Theft	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0
Destruction / Damage / Vandalism of property	0	0	0	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0	0	0	0
HATE CRIMES By Category									
Race	1	0	0	0	0	0	0	0	0
Gender	0	0	0	0	0	0	0	0	0
Gender Identity	0	0	0	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0	0
Sexual Orientation	0	0	0	0	0	0	0	0	0
Ethnicity	0	0	0	0	0	0	0	0	0
National Origin	0	0	0	0	0	0	0	0	0
Disability	0	0	0	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0	0	0	0
Relationship Violence									
Domestic Violence	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0	0	0	0

Main Campus – Clery Crimes

	On Campus			Noncampus			Public Property		
	2018	2019	2020	2018	2019	2020	2018	2019	2020
Alcohol, Drugs, Weapons									
Liquor Law Violations/Arrests	0	0	0	0	0	0	0	0	0
Liquor Law Violations/Referrals	0	0	0	0	0	0	0	0	0
Drug Abuse Violations/Arrests	0	0	0	0	0	0	0	0	0
Drug Abuse Violations Referrals	0	0	0	0	0	0	0	0	0
Weapons Possession/Arrests	0	0	0	0	0	0	0	0	0
Weapons Possession/Referrals	0	0	0	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0	0	0	0

Main Campus – Non-Clery Crimes

Non-Clery Crimes									
	On Campus			Noncampus			Public Property		
	2018	2019	2020	2018	2019	2020	2018	2019	2020
Simple Assault	3	3	0	0	0	0	0	0	0
Forgery	0	0	0	0	0	0	0	0	0
Fraud	28	0	30	0	0	0	0	0	0
Theft	35	33	14	0	0	0	11	18	13
Vandalism	30	0	16	0	0	0	0	0	0
Disorderly Conduct	46	0	0	0	0	0	0	0	0
Embezzlement	0	0	0	0	0	0	0	0	0
Receiving Stolen Property	0	0	0	0	0	0	0	0	0
Prostitution	0	0	0	0	0	0	0	0	0
Sex Assault (Other)	0	0	0	0	0	0	0	0	0
Gambling	0	0	0	0	0	0	0	0	0
Offenses Against Family	0	0	0	0	0	0	0	0	0
Driving Under Influence	0	0	0	0	0	0	0	0	0
Drunkenness	0	0	0	0	0	0	0	0	0
Vagrancy	0	0	0	0	0	0	0	0	0
All Other Offenses	0	0	0	0	0	0	0	0	0
TOTAL	142	33	60	0	0	0	11	18	13

CAMPUS CRIME REPORT
JANUARY 1-DECEMBER 31 for the years 2018, 2019, 2020

Northeast Regional Center – Clery Crimes

	On Campus			Noncampus			Public Property		
	2018	2019	2020	2018	2019	2020	2018	2019	2020
CLERY CRIMES									
Murder / Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0
Sex Offenses: Rape	0	0	0	0	0	0	0	0	0
Sex Offenses: Fondling	0	0	0	0	0	0	0	0	0
Sex Offenses: Incest	0	0	0	0	0	0	0	0	0
Sex Offenses: Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0	0	0	0
HATE CRIMES									
Murder / Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0
Sex Offenses: Rape	0	0	0	0	0	0	0	0	0
Sex Offenses: Fondling	0	0	0	0	0	0	0	0	0
Sex Offenses: Incest	0	0	0	0	0	0	0	0	0
Sex Offenses: Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Larceny-Theft	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0
Destruction / Damage / Vandalism of property	0	0	0	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0	0	0	0
HATE CRIMES By Category									
Race	0	0	0	0	0	0	0	0	0
Gender	0	0	0	0	0	0	0	0	0
Gender Identity	0	0	0	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0	0
Sexual Orientation	0	0	0	0	0	0	0	0	0
Ethnicity	0	0	0	0	0	0	0	0	0
National Origin	0	0	0	0	0	0	0	0	0
Disability	0	0	0	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0	0	0	0
Relationship Violence									
Domestic Violence	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0	0	0	0

Northeast Regional Center – Clery Crimes

	On Campus			Noncampus			Public Property		
	2018	2019	2020	2018	2019	2020	2018	2019	2020
Alcohol, Drugs, Weapons									
Liquor Law Violations/Arrests	0	0	0	0	0	0	0	0	0
Liquor Law Violations/Referrals	0	0	0	0	0	0	0	0	0
Drug Abuse Violations/Arrests	0	0	0	0	0	0	0	0	0
Drug Abuse Violations/Referrals	0	0	0	0	0	0	0	0	0
Weapons Possession/Arrests	1	0	0	0	0	0	0	0	0
Weapons Possession/Referrals	1	0	0	0	0	0	0	0	0
TOTAL	2	0	0	0	0	0	0	0	0

Northeast Regional Center – Non-Clery Crimes

Non-Clery Crimes									
	On Campus			Noncampus			Public Property		
	2018	2019	2020	2018	2019	2020	2018	2019	2020
Simple Assault	0	0	0	0	0	0	0	0	0
Forgery	0	0	0	0	0	0	0	0	0
Fraud	0	0	0	0	0	0	0	0	0
Theft	2	1	0	0	0	0	0	3	1
Vandalism	0	0	0	0	0	0	0	0	0
Disorderly Conduct	6	0	0	0	0	0	0	0	0
Embezzlement	0	0	0	0	0	0	0	0	0
Receiving Stolen Property	0	0	0	0	0	0	0	0	0
Prostitution	0	0	0	0	0	0	0	0	0
Sex Assault (Other)	0	0	0	0	0	0	0	0	0
Gambling	0	0	0	0	0	0	0	0	0
Offenses Against Family	0	0	0	0	0	0	0	0	0
Driving Under Influence	0	0	0	0	0	0	0	0	0
Drunkenness	0	0	0	0	0	0	0	0	0
Vagrancy	0	0	0	0	0	0	0	0	0
All Other Offenses	0	0	0	0	0	0	0	0	0
TOTAL	8	1	0	0	0	0	0	3	1

CAMPUS CRIME REPORT – NORTHWEST REGIONAL CENTER
January 1 – December 31 for the years 2018, 2019, 2020

Northwest Regional Center - Clery Crimes

	On Campus			Noncampus			Public Property		
	2018	2019	2020	2018	2019	2020	2018	2019	2020
CLERY CRIMES									
Murder / Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0
Sex Offenses: Rape	0	0	0	0	0	0	0	0	0
Sex Offenses: Fondling	0	0	0	0	0	0	0	0	0
Sex Offenses: Incest	0	0	0	0	0	0	0	0	0
Sex Offenses: Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	1
Aggravated Assault	0	0	0	0	0	0	1	1	0
Burglary	0	0	0	0	0	0	0	0	1
Motor Vehicle Theft	0	0	0	0	0	0	0	1	0
Arson	0	0	0	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0	1	2	2
HATE CRIMES									
Murder / Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0
Sex Offenses: Rape	0	0	0	0	0	0	0	0	0
Sex Offenses: Fondling	0	0	0	0	0	0	0	0	0
Sex Offenses: Incest	0	0	0	0	0	0	0	0	0
Sex Offenses: Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Larceny-Theft	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0
Destruction / Damage / Vandalism of property	0	0	0	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0	0	0	0
HATE CRIMES By Category									
Race	0	0	0	0	0	0	0	0	0
Gender	0	0	0	0	0	0	0	0	0
Gender Identity	0	0	0	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0	0
Sexual Orientation	0	0	0	0	0	0	0	0	0
Ethnicity	0	0	0	0	0	0	0	0	0
National Origin	0	0	0	0	0	0	0	0	0
Disability	0	0	0	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0	0	0	0
Relationship Violence									
Domestic Violence	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0	0	0	0

Northwest Regional Center – Clery Crimes

	On Campus			Noncampus			Public Property		
	<u>2018</u>	<u>2019</u>	<u>2020</u>	<u>2018</u>	<u>2019</u>	<u>2020</u>	<u>2018</u>	<u>2019</u>	<u>2020</u>
Alcohol, Drugs, Weapons									
Liquor Law Violations/Arrests	0	0	0	0	0	0	0	0	0
Liquor Law Violations/Referrals	0	0	0	0	0	0	0	0	0
Drug Abuse Violations/Arrests	0	0	0	0	0	0	0	0	0
Drug Abuse Violations/Referrals	0	0	0	0	0	0	0	0	0
Weapons Possession/Arrests	0	0	0	0	0	0	0	0	0
Weapons Possession/Referrals	0	0	0	0	0	0	0	0	0
TOTAL	0	0	0						

Northwest Regional Center – Non-Clery Crimes

Non-Clery Crimes									
	On Campus			Noncampus			Public Property		
	2018	2019	2020	2018	2019	2020	2018	2019	2020
Simple Assault	1	0	0	0	0	0	0	0	0
Forgery	0	0	0	0	0	0	0	0	0
Fraud	0	0	0	0	0	0	0	0	0
Theft	0	1	0	0	0	0	0	0	4
Vandalism	0	0	0	0	0	0	0	0	0
Disorderly Conduct	3	0	0	0	0	0	0	0	0
Embezzlement	0	0	0	0	0	0	0	0	0
Receiving Stolen Property	0	0	0	0	0	0	0	0	0
Prostitution	0	0	0	0	0	0	0	0	0
Sex Assault (Other)	0	0	0	0	0	0	0	0	0
Gambling	0	0	0	0	0	0	0	0	0
Offenses Against Family	0	0	0	0	0	0	0	0	0
Driving Under Influence	0	0	0	0	0	0	0	0	0
Drunkenness	0	0	0	0	0	0	0	0	0
Vagrancy	0	0	0	0	0	0	0	0	0
All Other Offenses	0	0	0	0	0	0	0	0	0
TOTAL	4	1	0	0	0	0	0	0	4

CAMPUS CRIME REPORT:
January 1 – December 31 for the years 2018, 2019, 2020

West Regional Center – Clery Crimes

	On Campus			Noncampus			Public Property		
	2018	2019	2020	2018	2019	2020	2018	2019	2020
CLERY CRIMES									
Murder / Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0
Sex Offenses: Rape	0	0	0	0	0	0	0	0	0
Sex Offenses: Fondling	0	0	0	0	0	0	0	0	0
Sex Offenses: Incest	0	0	0	0	0	0	0	0	0
Sex Offenses: Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	1	0
Burglary	0	0	0	0	0	0	0	1	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0	0	2	0
HATE CRIMES									
Murder / Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0
Sex Offenses: Rape	0	0	0	0	0	0	0	0	0
Sex Offenses: Fondling	0	0	0	0	0	0	0	0	0
Sex Offenses: Incest	0	0	0	0	0	0	0	0	0
Sex Offenses: Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Larceny-Theft	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0
Destruction / Damage / Vandalism of property	0	0	0	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0	0	0	0
HATE CRIMES By Category									
Race	0	0	0	0	0	0	0	0	0
Gender	0	0	0	0	0	0	0	0	0
Gender Identity	0	0	0	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0	0
Sexual Orientation	0	0	0	0	0	0	0	0	0
Ethnicity	0	0	0	0	0	0	0	0	0
National Origin	0	0	0	0	0	0	0	0	0
Disability	0	0	0	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0	0	0	0
Relationship Violence									
Domestic Violence	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0	0	0	0

West Regional Center- Clery Crimes

	On Campus			Noncampus			Public Property		
	<u>2018</u>	<u>2019</u>	<u>2020</u>	<u>2018</u>	<u>2019</u>	<u>2020</u>	<u>2018</u>	<u>2019</u>	<u>2020</u>
Alcohol, Drugs, Weapons									
Liquor Law Violations/Arrests	0	0	0	0	0	0	0	0	0
Liquor Law Violations/Referrals	0	0	0	0	0	0	0	0	0
Drug Abuse Violations/Arrests	0	0	0	0	0	0	0	0	0
Drug Abuse Violations/Referrals	0	0	0	0	0	0	0	0	0
Weapons Possession/Arrests	0	0	0	0	0	0	0	0	0
Weapons Possession/Referrals	0	0	0	0	0	0	0	0	0
TOTAL	0	0	0						

West Regional Center – Non-Clery Crimes

Non-Clery Crimes									
	On Campus			Noncampus			Public Property		
	2018	2019	2020	2018	2019	2020	2018	2019	2020
Simple Assault	0	0	0	0	0	0	0	0	0
Forgery	0	0	0	0	0	0	0	0	0
Fraud	0	0	0	0	0	0	0	0	0
Theft	0	1	0	0	0	0	0	19	3
Vandalism	1	0	0	0	0	0	0	5	0
Disorderly Conduct	0	0	0	0	0	0	0	32	0
Embezzlement	0	0	0	0	0	0	0	0	0
Receiving Stolen Property	0	0	0	0	0	0	0	0	0
Prostitution	0	0	0	0	0	0	0	0	0
Sex Assault (Other)	0	0	0	0	0	0	0	0	0
Gambling	0	0	0	0	0	0	0	0	0
Offenses Against Family	0	0	0	0	0	0	0	0	0
Driving Under Influence	0	0	0	0	0	0	0	0	0
Drunkenness	0	0	0	0	0	0	0	0	0
Vagrancy	0	0	0	0	0	0	0	0	0
All Other Offenses	0	0	0	0	0	0	0	0	0
TOTAL	1	1	0	0	0	0	0	56	3

The Pennsylvania Uniform Crime Reporting Act

Crime Statistics: State Mandated Calculations

The Pennsylvania Uniform Crime Reporting Act requires the release of crime statistics and rates to students and employees, and it requires that those statistics be available to applicants and new employees upon request. The rate is based on the actual number of Full Time Equivalent (FTE) students and employees, calculated according to a state- mandated formula. The index in the table below is based on incidents per 100,000 FTEs.

Crime Rate Calculation for State Compliance and Statistical Reference

Crime rates are indicators of reported crime activity and are standardized by population. An offense rate, defined as the number of offenses per 100,000 population, is derived by first dividing the College's population by 100,000 and then dividing the number of offenses by the resulting figure.

For example: On the Main Campus in 2020 there were a total of 11,611 FTE faculty, staff and students and there were 13 "Theft" incidents.

- 11611 divided by 100,000 = 0.11611
- Divide 13 ("Thefts") by .11611 = 111.96
- The rate for "Theft" offenses in 2020 was 111.96 per 100,000 people.

Police Reporting (Off Property Statistics)

The Philadelphia Police have reported the following crimes on public property on the streets adjacent to the campus or regional center indicated. Adjacent public property is defined as the property extending from the school property line to the edge of the sidewalk on the opposite side of the street. The crime stats below have been added to the above data and are not in addition to the above data.

Main Campus- The police report that there were 13 thefts and 1 burglary on public property adjacent to the Main Campus (9th District Report)

Note: All incidents occurred off campus on adjacent public property.

Northeast Regional Center Campus- The police report that there were no calls for police service on campus and 1 calls for service within 100 feet of the College campus. There were no incidents of any violent or "part one crimes." The Police reported there were 1 theft from auto incidents (8th District Report).

Note: All incidents occurred off campus on adjacent public property.

Northwest Regional Center Campus- The police report that there were 29 calls for service within the Godfrey area. No Part I calls for service within the college geographic boundaries. Of the 29 calls for serviced, the calls included 4 thefts, 1 robbery, 1 burglary (no weapons).

Note: All incidents occurred off campus on adjacent public property.

West Philadelphia Regional Center- 18th district police reported 3 theft from vehicle calls.

Note: All incidents occurred off campus on adjacent public property.

Pennsylvania Uniform Crime Statistics

MAIN CAMPUS

	Murder & Non-Negligent Manslaughter	Manslaughter by Negligence	Rape	Fondling	Incest	Statutory Rape	Robbery	Aggravated Assault	Burglary	Theft	Motor Vehicle Theft	Arson	FULL TIME EQUIVALENT
2018 Total	0	0	0	0	0	0	0	1	0	35	0	0	12975
2018 Crime Index	0.00	0.00	0.00	0.00	0.00	0.00	0.00	7.71	0.00	269.75	0.00	0.00	12126
2019 Total	0	0	1	2	0	0	0	0	0	33	0	0	12126
2019 Crime Index	0.00	0.00	8.25	16.49	0.00	0.00	0.00	0.00	0.00	272.14	0.00	0.00	
2020 Total	0	0	0	0	0	0	0	0	1	13	0	0	11611
2020 Crime Index	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	8.61	111.96	0.00	0.00	

Main Campus Demographics Data	2018	2019	2020	Rate per/100000	
Student Population (FTE)	12091	11206	10133	2018	0.12975
Faculty and Staff (FTE)	884	920	1478	2019	0.12126
Total	12975	12126	11611	2020	0.11611

Northeast Regional Center

NERC														
	Murder & Non-Negligent Manslaughter		Rape	Fondling	Incest	Statutory Rape	Robbery	Aggravated Assault		Burglary	Motor Vehicle Theft		Arson	FULL TIME EQUIVALENT
	Manslaughter	by Negligence												
2018 Total	0	0	0	0	0	0	0	0	0	0	2	0	0	2149
2018 Crime Index	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	93.07	0.00	0.00	
2019 Total	0	0	0	0	0	0	0	0	0	0	1	0	0	2459
2019 Crime Index	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	40.67	0.00	0.00	
2020 Total	0	0	0	0	0	0	0	0	0	0	1	0	0	1999
2020 Crime Index	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	44.29	0.00	0.00	

NERC Campus Demographics Data		2018	2019	2020	Rate per/100000	
Student Population (FTE)		2041	2296	1999	2018	0.02149
Faculty and Staff (FTE)		108	163	259	2019	0.02459
Total		2149	2459	2258	2020	0.02258

Northwest Regional Center

NWRC													
	Murder & Non-Negligent Manslaughter	Manslaughter by Negligence	Rape	Fondling	Incest	Statutory Rape	Robbery	Aggravated Assault	Burglary	Theft	Motor Vehicle Theft	Arson	FULL TIME EQUIVALENT
2018 Total	0	0	0	0	0	0	0	0	0	0	0	0	1032
2018 Crime Index	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
2019 Total	0	0	0	0	0	0	0	0	0	1	0	0	1087
2019 Crime Index	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	92.00	0.00	0.00	
2020 Total	0	0	0	0	0	0	1	0	1	4	0	0	830
2020 Crime Index	0.00	0.00	0.00	0.00	0.00	0.00	120.48	0.00	120.48	481.93	0.00	0.00	

NWRC Campus Demographics Data				Rate per/100000	
	2018	2019	2020	2018	2019
Student Population (FTE)	980	1029	738	0.01032	
Faculty and Staff (FTE)	52	58	92		0.01087
Total	1032	1087	830	0.0083	

West Regional Center

WPRC													
	Murder & Non-Negligent Manslaughter	Manslaughter by Negligence	Rape	Fondling	Incest	Statutory Rape	Robbery	Aggravated Assault	Burglary	Theft	Motor Vehicle Theft	Arson	FULL TIME EQUIVALENT
2018 Total	0	0	0	0	0	0	0	0	0	0	0	0	419
2018 Crime Index	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
2019 Total	0	0	0	0	0	0	0	0	0	1	0	0	412
2019 Crime Index	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	242.72	0.00	0.00	
2020 Total	0	0	0	0	0	0	0	0	0	3	0	0	38
2020 Crime Index	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	7894.74	0.00	0.00	

WPRC Campus Demographics Data	2018	2019	2020	Rate per/100000
Student Polulation (FTE)	399	389	20	2018 0.00419
Faculty and Staff (FTE)	20	23	18	2019 0.00412
Total	419	412	38	2020 0.00038

Policy Against Title IX Sexual Harassment

Memorandum #359 - Policy Against Title IX Sexual Harassment

Effective Date: This policy is effective as of August 14, 2020.

Related Policies - Memorandum #357 Anti-Discrimination and Harassment Complaint Policy; Memorandum #358 Policy Against Non-Title IX Sexual Misconduct, Relationship Violence, and Stalking, and the Student Code of Conduct

I. INTRODUCTION

Community College of Philadelphia is committed to maintaining an academic and working environment free of unlawful discrimination and harassment. Under this policy, forms of discrimination or harassment based on sex will not be tolerated. This policy prohibits Title IX Sexual Harassment by or against any student, faculty, administrator, staff, employee, vendor, contractor, volunteer, or visitor to the College. Title IX Sexual Harassment includes Sexual Harassment, Sexual Assault, Dating Violence, Domestic Violence or Stalking. As set forth in this policy, the College will take all appropriate steps to prevent and respond to incidents of sexual harassment in a prompt and equitable manner. The Investigation and Hearing procedures, set forth below, apply only to allegations covered by this policy.

Reports of Sexual Harassment in the form of unwelcome verbal or physical conduct based on sex or of a sexual nature that do not rise to the level of sexual harassment under this policy may be covered by the College's Memorandum #358 Policy Against Non-Title IX Sexual Misconduct, Relationship Violence and Stalking ([link](#)), the College's Memorandum #357 Anti-Discrimination and Harassment Complaint Policy ([link](#)) and/or the Student Code of Conduct.

This policy will:

- Define Title IX Sexual Harassment.
- Explain how to make a report of Title IX Sexual Harassment.
- Identify interim measures and support services available for Complainants or Respondents under this policy.
- Provide information on the Title IX process, including how reports made under this policy are equitably investigated and the hearing process.

II. POLICY

A. Scope of Policy

This policy applies to all students, faculty, administrators, staff, employees, vendors, contractors, volunteers, and visitors to the College, regardless of sexual orientation, gender, gender identity, gender expression, or any other characteristic, and regardless of the sex or sexes of the parties involved, including when the parties involved are all of the same sex. Under this policy, the College has jurisdiction over reports of sexual harassment, sexual misconduct, relationship violence or stalking that take place on all College property and at any location, event or circumstance over which the *College has substantial control over both the Respondent (i.e. alleged perpetrator) and the context in which the conduct occurs*, to include any building owned or controlled by a student organization that is officially recognized by the College.

In order to file a report of sexual harassment, sexual misconduct, relationship violence or stalking under this policy, the Complainant must be participating in or attempting to participate in the College's educational programming or activity, at the time of the filing of a formal complaint. Students, employees, and third parties may file reports of sexual harassment, under this policy. The Title IX Coordinator is responsible for determining whether a report of sexual harassment, sexual misconduct, relationship violence or stalking is covered by this policy, the College's Memorandum #357 Anti-Discrimination and Harassment Complaint Policy or the College's Memorandum #358 Policy Against Non-Title IX Sexual Misconduct, Relationship Violence and Stalking.

B. Title IX Coordinator

The College's Title IX Coordinator is responsible for overseeing the administration of this policy and the College's response to reports made pursuant to this policy. The contact information for the Title IX Coordinator is:

Leila E. Lawrence
Diversity Compliance Officer & Title IX Coordinator
Office of Diversity and Equity
Mint Building, Room M2-7
1700 Spring Garden Street
Philadelphia, PA 19130
Phone: (215) 751-8039
E-mail: titleix@ccp.edu

C. Conduct Prohibited by this Policy

Exhibit A

The following conduct is prohibited by this policy:

1. Sexual Harassment, defined as follows:

- a. **Sexual Assault:** Sexual assault includes any forcible or non-forcible sexual act directed against another person without the consent of said person, including instances where the person is incapable of giving consent. Sexual assault includes the offenses of rape, fondling, incest, statutory rape, forcible sodomy (oral or anal sexual intercourse), and sexual assault with an object. These terms and other forms of sexual assault are further defined by the Code of Federal Regulations and the Pennsylvania Crimes Code, as set forth in Appendix A of this policy. The conduct defined in Appendix A is also prohibited by this policy.
- b. **Sexual Harassment:** Sexual harassment is unwelcome** verbal or physical conduct based on sex or gender or unwelcome verbal or physical conduct of a sexual nature (including sexual advances or requests for sexual favors) when:
 - I. Submission to or rejection of such conduct is made implicitly or explicitly a term or condition of an individual's employment, study, or participation in College-sponsored activities;
 - II. Submission to or rejection of such conduct is used as the basis for decisions affecting a person's study, employment, or participation in College-sponsored activities; or
 - III. The conduct is determined by a reasonable person to be so severe, pervasive and objectively offensive it effectively denies a person's equal access to the College's education program or activity, work or academic performance or ability to participate in or receive the benefits, services, or opportunities in academic or work programs, or it creates an intimidating, hostile, offensive, or demeaning academic or working environment;

**Conduct is "unwelcome" if it was not requested or invited by the Complainant, and the Complainant considered the conduct to be undesirable or offensive. Participation in the conduct or the failure to complain does not always mean that the conduct was welcome. The fact that a person may have welcomed some conduct does not necessarily mean that a person welcomed other conduct. The fact that a person requested or invited conduct on one occasion does not mean that the conduct is welcome on a subsequent occasion.

Exhibit A

Examples of behavior which may be considered sexual harassment include, but are not limited to:

- Direct or implied threats that submission to sexual advances will be a condition of employment, work status, promotion, grades or any other aide, benefit or service of the College;
 - Direct propositions of a sexual nature;
 - Sexually explicit statements, questions, jokes or teasing;
 - Unnecessarily touching, panting, hugging or brushing against a person's body;
 - Remarks of a sexual nature regarding a person's clothing, body, sexual activity, previous sexual experience, or sexual orientation;
 - Repeated requests for dates or social interaction made through verbal requests, social media, texts, notes telephone calls, facsimiles, e-mails, or other electronic communication;
 - Visual displays of inappropriate sexual images; and
 - Attempted or actual incidents of Sexual Assault, Sexual Violence, or any of the other conduct prohibited by this policy.
- c. **Sexual Violence:** Sexual violence is physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent. A number of different acts fall into the category of sexual violence, including Sexual Assault.

2. **Relationship Violence** is a broad term that includes the following behavior:

- a. **Dating Violence:** Dating violence is violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.

The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of Domestic Violence.

Note: Dating Violence is not defined under Pennsylvania law.

- b. **Domestic Violence:** Domestic Violence is a felony or misdemeanor crime of violence committed by:

Exhibit A

- A current or former spouse or intimate partner of the victim;
- By a person with whom the victim shares a child in common;
- By a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner;
- By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the Commonwealth of Pennsylvania; or
- By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the Commonwealth of Pennsylvania.

Note: Domestic Violence is not defined under Pennsylvania law.

3. Stalking:

Engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

- Fear for the person's safety or the safety of others; or
- Suffer substantial emotional distress.

"Course of conduct" means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.

"Reasonable person" means a reasonable person under similar circumstances and with similar identities to the victim.

"Substantial emotional distress" means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

Stalking as defined by the Pennsylvania Crimes Code is also prohibited conduct under this policy. See Appendix A.

4. Retaliation:

Any adverse treatment that is reasonably likely to deter someone from filing a report or participating in an investigation or disciplinary process under this policy. Retaliation can be verbal, written, graphic, electronic or physical, and can include but is not limited to intimidation, threats, coercion or unfavorable employment or educational actions directed toward an individual to deter them from filing a report or participating in the investigation or disciplinary

Exhibit A

process. Retaliation also includes acts taken with the intent of seeking retribution against an individual who filed a report or who otherwise participated in the investigation or disciplinary process.

D. Important Information Regarding Prohibited Conduct

1. Consent

As used in this policy, the term “**Consent**” means words or actions that show a knowing and voluntary agreement to engage in mutually agreed sexual activity. Consent must be ongoing throughout sexual activity and can be revoked at any time. Silence or absence of resistance will not necessarily imply consent. Assent (an affirmative statement or action) shall not constitute consent if it is given by a person who is unable to make a reasonable judgment concerning the nature or harmfulness of the activity because of their intoxication, unconsciousness, youth, mental deficiency or incapacity (also known as “**Incapacitation**”), or if the assent is the product of threat, force, or coercion. Consent to prior sexual activities does not constitute consent to future acts. Consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another person.

2. Prohibited Conduct Through Different Communication Mediums

Violations of this policy may occur through various communication mediums, including but not limited to, face-to-face contact, telephone, written notes, Wiki contributions, instant messages, text messaging, file sharing, voice chat, video chat, social networking, or blogging that occurs on College property or at any location, event or circumstance over which the College has substantial control over both the Respondent and the context in which the conduct occurs.**

**Misconduct that occurs through the use of the above mediums and does not fall within the jurisdiction of this policy may still be investigated under the College’s Anti-Discrimination and Harassment Complaint Policy and Non-Title IX Policy Against Sexual Misconduct, Relationship Violence, and Stalking.

3. Attempting, Assisting, or Encouraging Prohibited Conduct

An attempt to commit any of the prohibited conduct identified in this policy, or assisting or willfully or knowingly encouraging such prohibited conduct, may also be considered a violation of this policy.

Exhibit A

4. Retaliation

The College prohibits retaliation against any individual who makes or intends to make a report of sexual misconduct or Title IX sexual harassment under this policy or participates or intends to participate in the investigatory or disciplinary process under this policy. Retaliation in violation of this policy will be subject to disciplinary action.

5. Consensual Sexual or Romantic Relationships

Consensual relationships occurring between supervisors and subordinates or faculty and students can lead to circumstances which may be interpreted as sexual harassment. Consensual relationships may also be viewed as causing a hostile or offensive work or academic environment when other staff or students believe that the person(s) involved in the relationship(s) is/are receiving favorable treatment in employment or educational decisions and actions.

The College strongly discourages any sexual or romantic relationship between a faculty member and a student where the faculty member has authority or influence over, or responsibility for, that student. Similarly, the College discourages any sexual or romantic relationship between a supervisor and a staff employee, where the supervisor has authority or influence over, or responsibility for, that employee. Consensual relationships among faculty and students or supervisors and staff where such authority, influence or responsibility exists are strongly discouraged. **Any consensual relationships which create severe, pervasive and objectively offensive work or academic environments for other students or staff are prohibited.**

E. Confidentiality

The College is committed to protecting the privacy of all parties involved in a report made under this policy, to the extent permitted by applicable law and subject to the College's reporting obligations as described below. The College will treat all reports with sensitivity, and reports, investigations and findings of hearing proceedings will only be shared in compliance with this policy. Any interim or supportive measures will be kept as confidential as possible, and shared only on a

Exhibit A

need-to-know basis. Information pertaining to reports made under this policy will be kept in a secure manner.

III. REPORTING VIOLATIONS OF THIS POLICY

Students, employees and third parties may file reports of violations of this policy with the Title IX Coordinator in person, by mail, telephone, or by email. They may also report violations of this policy to the Department of Public Safety or any other Person with Authority. The contact information for both offices is:

Office of Diversity and Equity
Mint Building, Room M2-7
1700 Spring Garden Street
Philadelphia, PA 19130
Phone: (215) 751-8039
E-mail: titleix@ccp.edu

Department of Public Safety
Mint Building, Room MG-12
1700 Spring Garden Street
Philadelphia, PA 19130
(215) 751-8111 or X5555

Students, *only*, may file reports of violations of this policy with the Dean of Students. The contact information for the Dean of Students is:

Office of the Dean of Students
Winnet Student Life Building
Room S1-10
1700 Spring Garden Street
Philadelphia, PA 19130
Phone: (215) 751-8161
E-mail: judicial@ccp.edu

Complaints may also be filed with employees designated as “*Persons With Authority.*” *Persons With Authority* include the following College employees: President, Vice-Presidents, Associate and Assistant Vice-Presidents; Deans, Associate and Assistant Deans; Directors; Department Heads and Associate Department Heads; and Managers.

Exhibit A

****Allegations of Sexual Assault, Relationship Violence, and Stalking will also be reported to the Director of Public Safety.***

A. Reporting to Other College Employees

The College understands that not every individual will be comfortable making a report to the offices or departments outlined above, and some individuals will prefer to report allegations of potential violations of this policy to an employee of the College that he, she or they trust. For example, a student may choose to make a report to their instructor or counselor, or an employee may choose to make a report to their supervisor.

Persons With Authority have a heightened responsibility of ensuring compliance with this policy and are mandated to report any and all allegations of sexual harassment and sexual misconduct to the Title IX Coordinator. Persons With Authority must report to the Title IX Coordinator all relevant details about the alleged violation that the individual has shared, and that the College will need to determine what occurred and to resolve the situation. All other employees are “**Responsible Employees**” and are required to report to the Title IX Coordinator complaints of sexual harassment and/or misconduct, of which they become aware. The Title IX Coordinator will then address the report in accordance with this policy.

B. Contents of a Report

An individual will be asked to provide as much detail as possible in making a report, including the name and contact information of the Complainant, the Respondent, and any witnesses (if known); the date, time, and location of the incident; a description of the prohibited conduct; supporting documentation or other evidence (pictures, texts, emails, etc.), if any; and any other information which would assist the College in appropriately investigating and responding to the report. (Link to complaint form)

C. Anonymous Reporting

In order to maximize the College’s ability to effectively investigate and respond to reports under this policy, the College encourages individuals to provide identifying information when filing a report under this policy. However, the College will accept anonymous reports. Individuals who wish to make an anonymous report of violations of this policy may do so via the College’s EthicsPoint confidential reporting system at www.ethicspoint.com, or via the Department of Public

Exhibit A

Safety's online reporting system at <https://www.myccp.online/safety-and-security/report-crime-or-suspicious-activity>.

The College will make all reasonable efforts to investigate and respond to reports filed anonymously, however, the College may be limited in its ability to fully investigate and resolve the report depending upon the level of information available in the report.

D. Who May Report

Note that in addition to the filing of a report by a Complainant, anyone can file a report of an alleged violation of this policy, including a witness or a third party. While there is no required time frame for submitting reports under this policy, the College strongly encourages reporters to submit a report as soon as possible to maximize the College's opportunity to effectively investigate and respond to the report. Individuals who make a report pursuant to this policy will receive a copy of this policy or be provided with the link to this policy on the College's website.

E. Criminal Report

A Complainant who alleges to have been the victim of Sexual Assault, Relationship Violence, or Stalking also has the right to pursue criminal action against the Respondent, including seeking a protective order. Whether or not the Complainant chooses to seek criminal action is within the discretion of the Complainant. If requested by the Complainant, the College will provide reasonable assistance or other support in notifying law enforcement of the report. The College will cooperate with a criminal investigation to the extent permitted by law. **The College reserves the right to notify law enforcement of reports made pursuant to this policy if the College determines that such notification is necessary to protect the health and safety of the College community or the public.**

An individual may choose to pursue criminal action at any time. The College encourages individuals contemplating pursuing criminal action to consult with law enforcement as soon as possible after the alleged incident in order to ensure that any physical and other forms of evidence are preserved in as timely a fashion as possible.

Reports made pursuant to this policy are completely separate from a criminal investigation. Even if a criminal investigation is ongoing, the College will still conduct its own investigation in accordance with this policy. While the criminal investigation is pending, law enforcement may require the College to delay or otherwise temporarily limit its own investigation, which may delay the College's resolution of the report. The College will comply with any such request by law

Exhibit A

enforcement to the extent permitted by law, and continue with its investigation as soon as reasonably practicable.

F. False Reports

A report made under this policy which is later found to be knowingly or intentionally false or made maliciously without regard for truth may be subject to disciplinary action. Reports made in good faith, even if the allegations are not substantiated, will not be subject to discipline.

G. College's Reporting Obligations

The College's Department of Public Safety must keep a daily crime log to record all criminal incidents and alleged criminal incidents reported to the Department of Public Safety. Reports made pursuant to this policy may trigger the Department of Public Safety's responsibility to update the daily crime log. The daily crime log includes the date and time the crime was reported; the date and time the crime occurred; the nature of the crime; the general location of the crime; and the disposition of the report, if known. The daily crime log does not include personally identifiable information, and includes only enough information about the incident to identify the type of crime alleged or committed. The daily crime log for the most current 60 days is made available for public inspection during regular business hours, and daily crime logs older than 60 days are made available upon request.

The Department of Public Safety will also issue timely warnings regarding certain crimes which the College considers to represent a serious or continuing threat to students or employees. Certain reports made under this policy may result in the issuance of a timely warning. The Department of Public Safety will decide whether a timely warning is appropriate on a case-by-case basis depending upon various factors including but not limited to the nature of the crime, the continuing danger to the campus community, and the potential risk of compromising law enforcement efforts. The College will not release personally identifiable information regarding the alleged victim in a timely warning. The College may, in appropriate circumstances, include personally identifiable information regarding an alleged perpetrator in a timely warning.

Reports made pursuant to this policy which involve Dating Violence, Domestic Violence, Sexual Assault, and Stalking will be included in the College's annual report of crime statistics in the College's Annual Security Report, which is made available to the public, and to the U.S. Department of Education, as required by law. Reports of crime statistics do not include any personally identifiable information.

Exhibit A

Finally, the College reserves the right to notify law enforcement of reports made pursuant to this policy if the College determines that such notification is necessary to protect the health and safety of the College community or the public.

When the Report Involves a Victim Under 18 Years Old

In the event that a report made under this policy involves reasonably suspected or actual child abuse or neglect, all College employees who are mandated reporters pursuant to Policy #162, Community College of Philadelphia Child Abuse Reporting Policy, must report child abuse or neglect that they know about, see, or have reasonable cause to suspect first to the Pennsylvania Department of Public Welfare Child Line at (800) 932-0313, and then to the Director of Public Safety or his designee at (215) 751-8188 or childabusereport@ccp.edu, or, if the employee is unable or prefers not to contact the Director of Public Safety, to the Vice President for Business and Finance at (215) 751-8029.

IV. INVESTIGATION AND HEARING PROCEDURES

The College will ensure that it takes steps to investigate and remedy reports of violations of this policy in a prompt and equitable manner. These steps include prompt contact with the Complainant by the Title IX Coordinator to explain the process for filing a formal complaint. If a formal complaint is filed, it will be promptly handled in accordance with the following procedures. In all cases, the Title IX Coordinator will maintain oversight over the investigation and disciplinary process. The parties will be promptly notified in writing of which office is responsible for conducting the investigation and disciplinary process, and will be provided with more detailed information regarding the applicable investigation and disciplinary procedures. If a complainant chooses not to file a formal complaint, the Title IX Coordinator will still advise the complainant of any available supportive measures.

A. Student Respondents

If the Respondent is a student, the Judicial Affairs Officer, within the Office of the Dean of Students, will be responsible for investigating the report. The investigation and disciplinary process will be in accordance with this policy's Investigation and Hearing Procedures and Protocols.

B. Employee Respondents

If the Respondent is an employee, the Title IX Coordinator will investigate the report. The investigation and disciplinary process will be in accordance with this

Exhibit A

policy's Investigation and Hearing Procedures and Protocols, the Employee Handbook, and any applicable Collective Bargaining Agreement(s).

C. Third Party Respondents

If the Respondent is a third party, the Title IX Coordinator will determine if the College has jurisdiction to investigate the report under this policy, and if so, the College will investigate the report in accordance with the procedures set forth in this policy. Although the College will not be able to pursue disciplinary action against a third party Respondent, the College will make reasonable efforts to assist the Complainant in other ways, including providing interim measures (to include barring the third party from campus), and other support services to the Complainant.

D. Investigation Procedures:

1. Title IX Coordinator will promptly contact and explain the College's supportive measures to the Complainant.
2. Title IX Coordinator will explain the process for filing a formal complaint.
3. A review of the allegations by the Title IX Coordinator to determine whether they constitute prohibited conduct under this policy.
4. Should the review reveal the following, the report of sexual harassment will not be investigated pursuant to this policy**:
 - a. The allegations, if proven, do not constitute a violation of the conduct prohibited by the policy.
 - b. The conduct did not occur on College property or at a location over which the College had substantial control of both the Respondent and the context in which the conduct occurred.
 - c. The Complainant is not participating or attempting to participate in the College's educational programming or activity.
 - d. The conduct occurred outside of the United States.

**Allegations not investigated under this policy may still be investigated as sexual harassment and/or sexual misconduct pursuant to the College's Anti-

Exhibit A

Discrimination and Harassment Complaint Policy and/or the Non-Title IX Policy Against Sexual Misconduct, Relationship Violence, and Stalking.

5. Should the review reveal the following, the report of sexual harassment *may not* be investigated pursuant to this policy:
 - a. The Complainant withdraws the complaint in writing.
 - b. The Respondent is no longer enrolled or employed at the College.
 - c. Specific circumstances exist that prevent the College from investigating the complaint.
6. The College will take appropriate supportive measures as necessary.
7. Informal resolution procedures may be available to resolve reports of potential violations of this policy however:
 - a. It is only available when a formal complaint is filed;
 - b. The College cannot require the parties to participate in informal resolution;
 - c. Both parties must agree in writing to participate;
 - d. Either party may withdraw from the informal resolution process at any time prior to resolution; and
 - e. ***Informal resolution will never be appropriate for reports of violations of this policy when the Respondent is an employee of the College and the complainant is a student.***
8. Written notice of the process and/or informal resolution will be provided to the parties that a complaint pursuant to this policy has been filed. The notice will be sent simultaneously to both the Complainant and Respondent. The notice will include an explanation of the investigation process and information regarding the parties' right to an Advisor of their choice.** Complainants and Respondents may elect to obtain an Advisor or have one provided to them by the College. The parties may or may not elect to have an attorney serve as the Advisor.

*****A list of Advisors provided by the College will be available in the Dean of Students Office, in the Title IX Coordinator's Office, in Human Resources, and as an attachment to this policy. Such list will be updated periodically by the College.***
9. Interviews with the Complainant, the Respondent and any witnesses.
10. Review of student and/or personnel files.

Exhibit A

11. The collection and examination of other relevant documents. The burden of proof and responsibility for gathering evidence for investigations rests with the College and not the parties. Medical records for a party cannot be collected, accessed, considered, disclosed or otherwise used, unless the College obtains the voluntary, written consent of the party.
12. The College will conduct a prompt, thorough, equitable and impartial investigation and issue a comprehensive investigation report which fairly summarizes relevant evidence. Both parties will have an equal opportunity to review the gathered evidence at least 10-days before the investigation report is finalized, and an equal opportunity to submit written responses to the evidence. Both parties will also have an equal opportunity to review the finalized investigation report at least 10-days prior to the hearing and submit additional written responses to the investigation report.

E. Hearing Procedures:

1. The College will conduct a live hearing (either in-person or via video-conference) at which both parties will have an Advisor of their choice present the relevant evidence and conduct cross-examination of the parties and witnesses.
2. The College will seek to resolve all reports of violations of this policy within 90 calendar days, whenever practicable. The parties will be advised in writing when resolution is expected to take longer.
3. Both parties will receive simultaneous written notice of the outcome of the hearing and any disciplinary sanctions in the form of a written decision from the Hearing Officer conducting the hearing.
4. The written decision will include the following information:
 - a. The standard of evidence (preponderance of the evidence) used to review and analyze the evidence presented;
 - b. The facts that potentially constitute sexual harassment;
 - c. The procedural history of the process, to include all dates for notices to the parties, interviews and site visits, and methods for gathering evidence;
 - d. The findings of facts supporting the determination;
 - e. A separate written analysis of each allegation and the determination;

Exhibit A

- f. Disciplinary sanctions, if appropriate;
 - g. Whether the remedies to restore/preserve the Complainant's equal access to educational programming and/or activities will be provided to the Complainant by the College; and
 - h. Notice that both parties have the right to appeal the decision.
5. For hearings involving a Student as the Respondent the Hearing Officers shall be appointed in accordance with the Student Code of Conduct.
 6. For hearings involving a Faculty or Staff member as the Respondent the Hearing Officer shall be appointed by the College's President.

F. Appeals:

1. Both parties have an equal right to a prompt appeal of the determination of the hearing or from a dismissal of a formal complaint of sexual harassment under this policy or any of the allegations therein.
2. Grounds for appeal include the following:
 - a. A procedural irregularity that affected the outcome of the investigation/hearing.
 - b. The discovery of new evidence that was not reasonably available at the time of determination by the Hearing Officer or dismissal by the Title IX Coordinator.
 - c. A conflict of interest or bias with the Title IX Coordinator, Investigator or Hearing Officer, either generally or specifically that affected the outcome of the investigation or hearing.
3. Appeals involving a Student Respondent must be filed in accordance with the Student Code of Conduct in writing with the Dean of Students within five (5) school weekdays of the notice of the outcome of the investigation.
4. Appeals involving an Employee Respondent must be filed with the College President in writing within five (5) working days of the notice of the outcome of the investigation.
5. Both parties will have a reasonable, equal opportunity to submit a written statement in support of or challenging the outcome.
6. The appeal officer will issue a written decision describing the result of the appeal and the rationale for the result.
7. Both parties will receive simultaneous written notice regarding the

Exhibit A

outcome of any appeal.

V. SANCTIONS FOR VIOLATING THIS POLICY AND SAFE HARBOR

A. Sanctions

Violations of this policy may result in disciplinary action, up to and including termination of an employee or expulsion of a student, subject to the relevant policies and procedures governing the disciplinary process applicable to the Respondent.

B. Safe Harbor

Notwithstanding the foregoing, a student witness or student victim of an incident of a violation of this policy who reports such incident in good faith will not be sanctioned by the College for admitting in the report to a violation of the College's Student Code of Conduct related to the use of drugs or alcohol.

VI. SUPPORTIVE MEASURES

Supportive measures are those non-disciplinary, non-punitive services, accommodations, or other assistance that the College puts in place for individuals after receiving notice of alleged violations of this policy, pending the final outcome of any investigation/hearing process, or when no formal complaint is filed. Supportive measures may be imposed for various reasons, including ensuring the safety of the parties or the College community at large; eliminating a hostile work environment; or protecting the integrity of the investigation and/or disciplinary process.

Supportive measures are meant to ensure that both parties involved in a report under this policy continues to have adequate access to educational and/or work opportunities at the College, without unreasonably burdening the other party. A party may request these measures from the office responsible for investigating the report, or the College may offer them on its own initiative when it deems them appropriate. The College will determine which supportive measures are appropriate on a case-by-case basis. Potential supportive measures include a "no contact" directive pending the outcome of the investigation, provision of a security escort, modifications of class schedules or deadlines, emergency

Exhibit A

removal** from the College's education program and activity or other supportive measures the College deems reasonable and appropriate.

The College may make certain supportive measures permanent measures to be applied even after the investigation and/or disciplinary process is complete, when appropriate under the circumstances.

**Should the College determine that an emergency removal of the Respondent from the College's education program or activity is appropriate (i.e., the Respondent poses an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment), the College will provide the Respondent with notice and an opportunity to challenge the decision immediately following the removal.

Individuals who have been victims of violations of this policy may also seek other supportive measures both on- and off-campus. Upon becoming aware of a report of a potential violation of this policy, the Title IX Coordinator must promptly contact the potential Complainant to discuss the availability of supportive measures, services, consider the Complainant's wishes with respect to supportive measures, services, and inform the Complainant of the availability of supportive measures, services, with or without the filing of a formal complaint.

These supportive measures are available to both the potential Complainant and potential Respondent.

Individuals seeking on-campus support services should be aware that employees designated as Persons With Authority must report allegations of violations of this policy to the Title IX Coordinator. Therefore, they cannot guarantee confidentiality.

A. On-Campus Resources

1. Counseling Center:

Main Campus, Bonnell Building, BG-07, (215) 751-8169

Northeast Regional Center, Room 102, (267) 299-5980

Northwest Regional Center, Room 102, (267) 299-5982

West Regional Center, Room 132, (267) 299-5981

2. Women's Outreach and Advocacy Center

Winnet Student Life Building, Room S1-19, (215) 751-8808

3. Center for Male Engagement

Winnet Student Life Building, S1-05, (215) 751-8817

B. Off-Campus Community Resources**

1. Lutheran Settlement House Bilingual Domestic Violence Program

Exhibit A

1340 Frankford Avenue, Philadelphia, PA 19125 - For Counseling Services:
(215) 426-8610, ext. 1236

2. Pennsylvania Coalition Against Rape

2101 North Front Street Governor's Plaza North, Building #2
Harrisburg, PA 17110 Hotline: 1-888-772-7227 Office: 1-800-692-7445

3. Women Organized Against Rape

One Penn Center, 1617 John F. Kennedy Blvd., Suite 800, Philadelphia, PA 19103
Hotline: (215) 985-3333 Office: (215) 985-3315

4. Women Against Abuse

100 South Broad Street, Suite 134, Philadelphia, PA 19110
Hotline: 1-866-723-3014 Office: (215) 386-1280

5. Philadelphia Domestic Violence Hotline

Dial: 1-866-723-3014

6. Counseling services via the Employee Assistant Program (Employees Only)

Dial: 1-800-437-0911

****The College is not affiliated with these community resources. This list may be subject to change. Contact the Title IX Coordinator or the Dean of Students for the most current information regarding available off-campus resources.**

VIII. EMERGENCY ASSISTANCE FOR VICTIMS OF SEXUAL ASSAULT, RELATIONSHIP VIOLENCE OR STALKING

An individual who is in imminent danger of Sexual Assault, Relationship Violence, or Stalking should contact law enforcement or, if on campus, the Department of Public Safety.

A. Department of Public Safety

On-campus emergencies should be reported to the Department of Public Safety. The Department of Public Safety is available 24 hours per day, seven days per week.

Main Campus - Mint Building, Room MG-12, (215) 751-8111, or Extension 5555 from a campus phone

West Philadelphia Regional Center - Public Safety Desk, (267) 299-5863

Northwest Regional Center - Public Safety Desk, (215) 496-6012

Northeast Regional Center - Public Safety Desk, (215) 972-6219

Exhibit A

Additionally, red emergency phones are located throughout Main Campus and the Regional Centers. Dial 5555 for direct access to the Department of Public Safety.

B. Police Department

An individual can also report emergencies occurring on- or off-campus by dialing 911 to reach the local police department.

C. Medical Attention

In the event of an emergency that requires medical attention, individuals should go to the nearest hospital. Below is contact information for hospitals located in the vicinity of Main Campus and the Regional Centers.

Main Campus

Hospital of the University of Pennsylvania
3400 Spruce Street
Philadelphia, PA 19104
(215) 662-4000

Pennsylvania Hospital
800 Spruce Street
Philadelphia, PA 19107
(215) 829-3000

Penn Presbyterian Medical Center
51 North 39th Street
Philadelphia, PA 19104
(215) 662-8215

Jefferson University Hospital
132 South 10th Street
Philadelphia, PA 19107
(215) 952-9130

West Regional Center

Penn Presbyterian Medical Center
51 North 39th Street
Philadelphia, PA 19104

Exhibit A

(215) 662-8000

Mercy Philadelphia Hospital

501 South 54th Street

Philadelphia, PA 19143

(215) 748-9000

Northwest Regional Center

Einstein Medical Center - Philadelphia

5501 Old York Road

Philadelphia, PA 19141

(215) 456-7890

Northeast Regional Center

Aria - Jefferson Health Torresdale

Red Lion and Knights Road

Philadelphia, PA 19114

(215) 612-4000

IX. ENFORCEMENT AND TRAINING

The Title IX Coordinator is responsible for ensuring the enforcement of this policy, and for administering training regarding this policy, with the ultimate goal of raising awareness and preventing Sexual Harassment, Relationship Violence, and Stalking within the College community. The Title IX Coordinator, in conjunction with the Office of the Dean of Students, the Department of Public Safety, and other departments as applicable, will conduct trainings for faculty, administrators, staff, and students and otherwise serve as a resource for the College community regarding individual rights and responsibilities under this policy. All materials for training pursuant to this policy can be found here ([link to training materials](#)).

Exhibit A

Appendix A

Relevant Definitions from 34 C.F.R. Part 668, Appendix A

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.

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.

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.

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

Relevant Definitions from the Pennsylvania Crimes Code

18 Pa. Cons. Stat. Ann. § 2709.1 - Stalking

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

. . .

- (f) **Definitions.** - As used in this section, the following words and phrases shall have the meanings given to them in this subsection:

Exhibit A

“Communicates.” To convey a message without intent of legitimate communication or address by oral, nonverbal, written or electronic means, including telephone, electronic mail, Internet, facsimile, telex, wireless communication or similar transmission.

“Course of conduct.” A pattern of actions composed of more than one act over a period of time, however short, evidencing a continuity of conduct. The term includes lewd, lascivious, threatening or obscene words, language, drawings, caricatures or actions, either in person or anonymously. Acts indicating a course of conduct which occur in more than one jurisdiction may be used by any other jurisdiction in which an act occurred as evidence of a continuing pattern of conduct or a course of conduct.

“Emotional distress.” A temporary or permanent state of mental anguish.

“Family or household member.” Spouses or persons who have been spouses, persons living as spouses or who lived as spouses, parents and children, other person related by consanguinity or affinity, current or former sexual or intimate partners or persons who share biological parenthood.

18 Pa. Cons. Stat. Ann. § 3121 - Rape

- (a) **Offense defined.** - A person commits a felony of the first degree when the person engages in sexual intercourse with a complainant:
- (1) By forcible compulsion.
 - (2) By threat of forcible compulsion that would prevent resistance by a person of reasonable resolution.
 - (3) Who is unconscious or where the person knows that the complainant is unaware that the sexual intercourse is occurring.
 - (4) Where the person has substantially impaired the complainant’s power to appraise or control his or her conduct by administering or employing, without the knowledge of the complainant, drugs, intoxicants or other means for the purpose of preventing resistance.
 - (5) Who suffers from a mental disability which renders the complainant incapable of consent.
- . . .
- (c) **Rape of a child.** - A person commits the offense of rape of a child, a felony of the first degree, when the person engages in sexual intercourse with a complainant who is less than 13 years of age.
- (d) **Rape of a child with serious bodily injury.** - A person commits the offense of a rape of a child resulting in serious bodily injury, a felony of the first degree, when the person violates this section and the complainant is under 13 years of age and suffers serious bodily injury in the course of the offense.

Exhibit A

18 Pa. Cons. Stat. Ann. § 3122.1 - Statutory Sexual Assault

- (a) **Felony of the second degree.** - Except as provided in section 3121 (relating to rape), a person commits a felony of the second degree when that person engages in sexual intercourse with a complainant to whom the person is not married who is under the age of 16 years and that person is either:
 - a. Four years older but less than eight years older than the complainant; or
 - b. Eight years older but less than 11 years older than the complainant.
- (b) **Felony of the first degree.** - A person commits a felony of the first degree when that person engages in sexual intercourse with a complainant under the age of 16 years and that person is 11 or more years older than the complainant and the complainant and the person are not married to each other.

18 Pa. Cons. Stat. Ann. § 3123 - Involuntary Deviate Sexual Intercourse

- (a) **Offense defined.** - A person commits a felony of the first degree when the person engaged in deviate sexual intercourse with a complainant:
 - (1) By forcible compulsion;
 - (2) By threat of forcible compulsion that would prevent resistance by a person of reasonable resolution;
 - (3) Who is unconscious or where the person knows that the complainant is unaware that the sexual intercourse is occurring;
 - (4) Where the person has substantially impaired the complainant's power to appraise or control his or her conduct by administering or employing, without the knowledge of the complainant, drugs, intoxicants or other means for the purpose of preventing resistance;
 - (5) Who suffers from a mental disability which renders him or her incapable of consent; or
 - (6) Deleted.
 - (7) Who is less than 16 years of age and the person is four or more years older than the complainant and the complainant and person are not married to each other.
- (b) **Involuntary deviate sexual intercourse with a child.** - A person commits involuntary deviate sexual intercourse with a child, a felony of the first degree, when the person engages in deviate sexual intercourse with a complainant who is less than 13 years of age.
- (c) **Involuntary deviate sexual intercourse with a child with serious bodily injury.** - A person commits an offense under this section with a child resulting in serious bodily injury, a felony of the first degree, when the person violates this section and the complainant is less than 13 years of age and the complainant suffers serious bodily injury in the course of the offense.

• • •

Exhibit A

- (e) **Definition.** - As used in this section, the term “forcible compulsion” includes but is not limited to, compulsion resulting in another person’s death, whether the death occurred before, during or after the sexual intercourse.

18 Pa. Cons. Stat. Ann. § 3124.1 - Sexual Assault

Except as provided in section 3121 (rape) or 3123 (relating to involuntary deviate sexual intercourse), a person commits a felony of the second degree when that person engages in sexual intercourse or deviate sexual intercourse with a complainant without the complainant’s consent.

18 Pa. Cons. Stat. Ann. § 3125 - Aggravated Indecent Assault

- (a) **Offenses defined.** - Except as provided in section 3121 (relating to rape), 3122.1 (relating to statutory sexual assault), 3123 (relating to involuntary deviate sexual intercourse) and 3124.1 (relating to sexual assault), a person who engages in penetration, however slight, of the genitals or anus of a complainant with a part of the person’s body for any purpose other than good faith medical, hygienic or law enforcement procedures commits aggravated indecent assault if:
- (1) The person does so without the complainant’s consent;
 - (2) The person does so by forcible compulsion;
 - (3) The person does so by threat of forcible compulsion that would prevent resistance by a person of reasonable resolution;
 - (4) The complainant is unconscious or the person knows that the complainant is unaware that the penetration is occurring;
 - (5) The person has substantially impaired the complainant’s power to appraise or control his or her conduct by administering or employing, without the knowledge of the complainant, drugs, intoxicants or other means for the purpose of preventing resistance;
 - (6) The complainant suffers from a mental disability which renders him or her incapable of consent;
 - (7) The complainant is less than 13 years of age; or
 - (8) The complainant is less than 16 years of age and the person is four or more years older than the complainant and the complainant and the person are not married to each other.
- (b) **Aggravated indecent assault of a child.** - A person commits aggravated indecent assault of a child when the person violates subsection (a)(1), (2), (3), (4), (5) or (6) and the complainant is less than 13 years of age.

18 Pa. Cons. Stat. Ann. § 3126 - Indecent Assault

- (a) **Offense defined.** - A person is guilty of indecent assault if the person has indecent contact with the complainant, causes the complainant to have indecent contact with the person or intentionally causes the complainant to come into contact with

Exhibit A

seminal fluid, urine or feces for the purpose of arousing sexual desire in the person or the complainant and:

- (1) The person does so without the complainant's consent;
- (2) The person does so by forcible compulsion;
- (3) The person does so by threat of forcible compulsion that would prevent resistance by a person of reasonable resolution;
- (4) The complainant is unconscious or the person knows that the complainant is unaware that the indecent contact is occurring;
- (5) The person has substantially impaired the complainant's power to appraise or control his or her conduct by administering or employing, without the knowledge of the complainant, drugs, intoxicants or other means for the purpose of preventing resistance;
- (6) The complainant suffers from a mental disability, which renders the complainant incapable of consent;
- (7) The complainant is less than 13 years of age; or
- (8) The complainant is less than 16 years of age and the person is four or more years older than the complainant and the complainant and the person are not married to each other.

18 Pa. Cons. Stat. Ann. § 3127 - Indecent Exposure

- (a) **Offense defined.** - A person commits indecent exposure if that person exposes his or her genitals in any public place or in any place where there are present other persons under circumstances in which he or she knows or should know that this conduct is likely to offend, affront or alarm.

Exhibit A

Community College of Philadelphia

Policy Against Non-Title IX Sexual Misconduct, Relationship Violence, and Stalking

Table of Contents

I. Introduction1

II. Scope of Policy1

III. Title IX Coordinator2

IV. Conduct Prohibited by this Policy2

 1. Sexual Misconduct2

 a. Sexual Assault2

 b. Sexual Harassment2

 c. Sexual Exploitation.....3

 d. Sexual Violence4

 2. Relationship Violence4

 a. Dating Violence4

 b. Domestic Violence4

 3. Stalking.....4

 4. Retaliation.....5

V. Important Information Regarding Prohibited Conduct5

VI. Emergency Assistance for Victims of Sexual Misconduct, Relationship Violence or Stalking.....6

VII. Reporting Violations of this Policy7

VIII. Confidentiality.....9

IX. Investigation Procedures and Protocols10

X. Retaliation.....12

XI. False Reports12

XII. Sanctions for Violating this Policy12

XIII. Interim Measures13

XIV. Counseling, Advocacy, and Support13

XV. Enforcement and Training14

Appendix A.....15

Policy Against Non-Title IX Sexual Misconduct, Relationship Violence, and Stalking

I. Introduction

The Community College of Philadelphia is committed to maintaining an academic and working environment free of unlawful discrimination and harassment, including Sexual Misconduct, Relationship Violence, and Stalking. This policy prohibits Sexual Misconduct, Relationship Violence, or Stalking by or against any student, faculty, administrator, staff, employee, vendor, contractor, volunteer, or visitor to the College. This policy and its investigation and hearing procedures only apply to acts of sexual misconduct that do not rise to the level of Title IX sexual harassment and misconduct. The specific conduct covered by this policy is detailed in the “*Scope of Policy*” section of this policy. Sexual misconduct that rises to the level of Title IX sexual harassment and misconduct is covered by the College’s Memorandum #359 Policy Against Title IX Sexual Harassment. As set forth in this policy, the College will take all appropriate steps to prevent and respond to incidents of Sexual Misconduct, Relationship Violence, and Stalking effectively and equitably.

This policy will:

- Define prohibited conduct
- Explain how to make a report of Sexual Misconduct, Relationship Violence, Stalking, or Retaliation
- Identify interim measures and support services available for victims of conduct prohibited by this policy
- Provide information regarding how reports made under this policy are investigated and disciplined

II. Scope of Policy

This policy applies to all students, faculty, administrators, staff, employees, vendors, contractors, volunteers, and visitors to the College, regardless of sexual orientation, gender, gender identity, gender expression, or any other characteristic, and regardless of the sex or sexes of the parties involved, including when the parties involved are all of the same sex.

This policy applies to the following types of sexual misconduct: reports of severe or pervasive sexual harassment that take place on College property or at any College-sponsored program or activity whether occurring on or off campus; and reports of severe or pervasive sexual harassment, sexual misconduct, relationship violence or stalking that take place off-campus, even if not related to a College-sponsored program or activity, if the conduct is likely to have a substantial effect on an individual College community member, on College life or activities, or if the conduct poses a threat of danger to any member of the College community. The Title IX Coordinator is responsible for determining whether a report of sexual harassment, sexual misconduct, relationship violence or stalking is covered by this policy, the College’s Memorandum #359 Policy Against Title IX Sexual Harassment or the College’s Memorandum #357 Anti-Discrimination and Harassment Complaint Policy.

III. Title IX Coordinator

The College's Title IX Coordinator is responsible for overseeing the administration of this policy and the College's response to reports made pursuant to this policy. The contact information for the Title IX Coordinator is:

Diversity Compliance Officer & Title IX Coordinator
Office of Diversity and Equity
Mint Building, Room M2-7
1700 Spring Garden Street
Philadelphia, PA 19130
Phone: (215) 751-8039
E-mail: titleix@ccp.edu

IV. Conduct Prohibited by this Policy

The following conduct is prohibited by this policy:

1. **Sexual Misconduct** is a broad term that refers to a range of behavior including:
 - a. **Sexual Assault:** Sexual assault includes any sexual act directed against another person without the consent of the victim, including instances where the victim is incapable of giving consent. Sexual assault includes the offenses of rape, fondling, incest, statutory rape, forcible sodomy (oral or anal sexual intercourse), and sexual assault with an object. These terms and other forms of sexual assault are further defined by the Code of Federal Regulations and the Pennsylvania Crimes Code, as set forth in Appendix A of this policy. The conduct defined in Appendix A is also prohibited by this policy.
 - b. **Sexual Harassment:** Sexual harassment is unwelcome verbal or physical conduct based on sex or gender or unwelcome verbal or physical conduct of a sexual nature (including sexual advances or requests for sexual favors) when:
 - i. Submission to or rejection of such conduct is made implicitly or explicitly a term or condition of an individual's employment, study, or participation in College-sponsored activities;
 - ii. Submission to or rejection of such conduct is used as the basis for decisions affecting a person's study, employment, or participation in College-sponsored activities; or
 - iii. The conduct is **severe or pervasive** enough that it would substantially interfere with a reasonable person's work or academic performance or ability to participate in or receive the benefits, services, or opportunities

in academic or work programs, or it creates an intimidating, hostile, offensive, or demeaning academic or working environment.

Conduct is “unwelcome” if it was not requested or invited by the victim, and the victim considered the conduct to be undesirable or offensive. Participation in the conduct or the failure to complain does not always mean that the conduct was welcome. The fact that a person may have welcomed some conduct does not necessarily mean that a person welcomed other conduct. The fact that a person requested or invited conduct on one occasion does not mean that the conduct is welcome on a subsequent occasion.

Examples of behavior which may be considered sexual harassment include, but are not limited to:

- Direct or implied threats that submission to sexual advances will be a condition of employment, work status, promotion or grades;
 - Direct propositions of a sexual nature;
 - Sexually explicit statements, questions, jokes or teasing;
 - Unnecessarily touching, panting, hugging or brushing against a person’s body;
 - Remarks of a sexual nature regarding a person’s clothing, body, sexual activity, previous sexual experience, or sexual orientation;
 - Repeated requests for dates or social interaction made through verbal requests, notes, telephone calls, facsimiles, or e-mails;
 - Visual displays of inappropriate sexual images; and
 - Attempted or actual incidents of Sexual Assault, Sexual Violence, Sexual Exploitation, or any of the other conduct prohibited by this policy.
- c. **Sexual Exploitation:** Sexual exploitation occurs when a person takes sexual advantage of another person for the benefit of anyone other than that person without that person’s consent. Examples of behavior that could rise to the level of sexual exploitation include but are not limited to:
- Prostituting another person;
 - Recording images (*e.g.*, video, photograph) or audio of another person’s sexual activity, intimate body parts, or nakedness without that person’s consent;
 - Distributing images (*e.g.*, video, photograph) or audio of another person’s sexual activity, intimate body parts, or nakedness, if the individual distributing the images or audio knows or should have known that the person depicted in the images or audio did not consent to such disclosure and objects to such disclosure; and
 - Viewing another person’s sexual activity, intimate body parts, or nakedness in a place where that person would have a reasonable

expectation of privacy, without that person's consent, and for the purpose of arousing or gratifying sexual desire.

- d. **Sexual Violence:** Sexual violence is physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent. A number of different acts fall into the category of sexual violence, including Sexual Assault.

2. **Relationship Violence** is a broad term that includes the following behavior:

- a. **Dating Violence:** Dating violence is violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.

The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of Domestic Violence.

Note: Dating Violence is not defined under Pennsylvania law.

- b. **Domestic Violence:** Domestic Violence is a felony or misdemeanor crime of violence committed by:

- A. A current or former spouse or intimate partner of the victim;
- B. By a person with whom the victim shares a child in common;
- C. By a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner;
- D. By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the Commonwealth of Pennsylvania; or
- E. 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 Commonwealth of Pennsylvania.

Note: Domestic Violence is not defined under Pennsylvania law.

3. **Stalking:**

Engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

- A. fear for the person's safety or the safety of others; or
- B. suffer substantial emotional distress.

“Course of conduct” means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person’s property.

“Reasonable person” means a reasonable person under similar circumstances and with similar identities to the victim.

“Substantial emotional distress” means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling. Stalking as defined by the Pennsylvania Crimes Code is also prohibited conduct under this policy. See Appendix A.

4. Retaliation:

Any adverse treatment that is reasonably likely to deter someone from filing a report or participating in an investigation or disciplinary process under this policy. Retaliation can be verbal, written, graphic, electronic or physical, and can include but is not limited to intimidation, threats, coercion or unfavorable employment or educational actions directed toward an individual to deter them from filing a report or participating in the investigation or disciplinary process. Retaliation also includes acts taken with the intent of seeking retribution against an individual who filed a report or who otherwise participated in the investigation or disciplinary process.

V. Important Information Regarding Prohibited Conduct

a. Consent

As used in this policy, the term “**Consent**” means words or actions that show a knowing and voluntary agreement to engage in mutually agreed sexual activity. Consent must be ongoing throughout sexual activity and can be revoked at any time. Silence or absence of resistance will not necessarily imply consent. Assent (an affirmative statement or action) shall not constitute consent if it is given by a person who is unable to make a reasonable judgment concerning the nature or harmfulness of the activity because of their intoxication, unconsciousness, youth, mental deficiency or incapacity (also known as “**Incapacitation**”), or if the assent is the product of threat, force, or coercion. Consent to prior sexual activities does not constitute consent to future acts. Consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another person.

b. Prohibited Conduct Through Different Communication Mediums

Violations of this policy may occur through various communication mediums, including but not limited to, face-to-face contact, telephone, written notes, Wiki contributions, instant messages, text messaging, file sharing, voice chat, video chat, social networking, or blogging, regardless of whether such communication occurs on College premises.

c. Attempting, Assisting, or Encouraging Prohibited Conduct

An attempt to commit any of the prohibited conduct identified in this policy, or assisting or willfully or knowingly encouraging such prohibited conduct, may also be considered a violation of this policy.

d. Consensual Sexual or Romantic Relationships

Consensual relationships occurring between supervisors and subordinates or faculty and students can lead to circumstances which may be interpreted as sexual harassment. Consensual relationships may also be viewed as causing a hostile or offensive work or academic environment when other staff or students believe that the person(s) involved in the relationship(s) is/are receiving favorable treatment in employment or educational decisions and actions.

The College strongly discourages any sexual or romantic relationship between a faculty member and a student where the faculty member has authority or influence over, or responsibility for, that student. Similarly, the College discourages any sexual or romantic relationship between a supervisor and a staff employee, where the supervisor has authority or influence over, or responsibility for, that employee. Consensual relationships among faculty and students or supervisors and staff where such authority, influence or responsibility exists are strongly discouraged. **Any consensual relationships which create severe, pervasive and objectively offensive work or academic environments for other students or staff are prohibited.**

VI. Emergency Assistance for Victims of Sexual Misconduct, Relationship Violence or Stalking

An individual who is in imminent danger of Sexual Misconduct, Relationship Violence, or Stalking should contact law enforcement or, if on campus, the Department of Public Safety.

Department of Public Safety

On-campus emergencies should be reported to the Department of Public Safety. The Department of Public Safety is available 24 hours per day, seven days per week.

- Main Campus – Mint Building, Room MG-12, (215) 751-8111, or Extension 5555 from a campus phone
- West Philadelphia Regional Center – Public Safety Desk, (267) 299-5863
- Northwest Regional Center – Public Safety Desk, (215) 496-6012
- Northeast Regional Center – Public Safety Desk, (215) 972-6219

Additionally, red emergency phones are located throughout Main Campus and the Regional Centers. Dial 5555 for direct access to the Department of Public Safety.

Police Department

An individual can also report emergencies occurring on- or off-campus by dialing 911 to reach the local police department.

Medical Attention

In the event of an emergency that requires medical attention, individuals should go to the nearest hospital. Below is contact information for hospitals located in the vicinity of Main Campus and the Regional Centers.¹

<p>Main Campus Penn Presbyterian Medical Center 51 North 39th Street Philadelphia, PA 19104 (215) 662-8215</p> <p>Jefferson University Hospital 132 South 10th Street Philadelphia, PA 19107 (215) 952-9130</p>	<p>West Regional Center Penn Presbyterian Medical Center 51 North 39th Street Philadelphia, PA 19104 (215) 662-8000</p> <p>Hospital of the University of Pennsylvania 3400 Spruce Street Philadelphia, PA 19104 (215) 662-4000</p> <p>Mercy Philadelphia Hospital 501 South 54th Street Philadelphia, PA 19143 (215) 748-9000</p>	<p>Northwest Regional Center Einstein Medical Center – Philadelphia 5501 Old York Road Philadelphia, PA 19141 (215) 456-7890</p> <p>Northeast Regional Center Aria – Jefferson Health Torresdale Red Lion and Knights Road Philadelphia, PA 19114 (215) 612-4000</p>
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VII. Reporting Violations of this Policy

Note that although the victim of alleged Sexual Misconduct, Relationship Violence, or Stalking may be the most common person to file a report, anyone can file a report of an alleged violation of this policy, including a witness or a third party. While there is no required time frame for submitting reports under this policy, the College encourages reporters to submit a report as soon as possible to maximize the College’s opportunity to effectively investigate and respond to the report. Individuals who make a report pursuant to this policy will receive a copy of this policy or be provided with the link to this policy on the College’s website.

Offices or Departments Designated to Receive Reports Under this Policy

An individual may file a report of Sexual Misconduct, Relationship Violence, or Stalking with the following offices or departments:

<p>Students, Employees, and Third Parties</p> <p><i>Diversity Compliance Officer & Title IX Coordinator</i> Office of Diversity and Equity Mint Building, Room M2-7 1700 Spring Garden Street</p>	<p>Students Only</p> <p><i>Office of the Dean of Students</i> Winnet Student Life Building, Room S1-10 1700 Spring Garden Street Philadelphia, PA 19130 (215) 751-8161</p>
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¹ The College is not affiliated with these hospitals. The hospitals listed and/or contact information may change. Contact the Department of Public Safety for the most current information regarding nearby hospitals.

Philadelphia, PA 19130
(215) 751-8039
titleix@ccp.edu

judicial@ccp.edu

OR

Department of Public Safety
Mint Building, Room MG-12
1700 Spring Garden Street
Philadelphia, PA 19130
(215) 751-8111 or X5555

The Title IX Coordinator must always be notified when a report of a violation of this policy has been filed with any office, department or employee at the College. Allegations of Sexual Misconduct, Relationship Violence, and Stalking will also be reported to the Director of Public Safety when required.

Reporting to Other College Employees

The College understands that not every individual will be comfortable making a report to the offices or departments outlined above, and some individuals will prefer to report allegations of Sexual Misconduct, Relationship Violence, or Stalking to an employee of the College that he or she trusts. For example, a student may choose to make a report to their instructor or counselor, or an employee may choose to make a report to their supervisor.

If a person chooses to make a report to a College employee, he or she must be aware that all College employees (faculty, administrators, and staff) are designated as “**Responsible Employees**,” which means they are required to report to the Title IX Coordinator when they become aware of any alleged violation of this policy affecting the College community. Responsible Employees must report to the Title IX Coordinator all relevant details about the alleged violation that the individual has shared, and that the College will need to determine what occurred and to resolve the situation. The Title IX Coordinator will then address the report in accordance with this policy.

A College employee who receives a report of Sexual Misconduct, Relationship Violence, or Stalking cannot guarantee confidentiality, and is obligated to pass that information along to the Title IX Coordinator.

Contents of a Report

An individual will be asked to provide as much detail as possible in making a report, including the name and contact information of the victim, the alleged perpetrator, and any witnesses (if known); the date, time, and location of the incident; a description of the prohibited conduct; supporting documentation or other evidence (pictures, texts, emails, etc.), if any; and any other information which would assist the College in appropriately investigating and responding to the report.

Anonymous Reporting

In order to maximize the College's ability to effectively investigate and respond to reports under this policy, the College encourages individuals to provide identifying information when filing a report under this policy. However, the College will accept anonymous reports. Individuals who wish to make an anonymous report of violations of this policy may do so via the College's EthicsPoint confidential reporting system at www.ethicspoint.com, or via the Department of Public Safety's online reporting system at <https://www.myccp.online/safety-and-security/report-crime-or-suspicious-activity>.

The College will make all reasonable efforts to investigate and respond to reports filed anonymously, however, the College may be limited in its ability to fully investigate and resolve the report depending upon the level of information available in the report.

Criminal Report

A person who has been the victim of Sexual Misconduct, Relationship Violence, or Stalking also has the right to pursue criminal action against the alleged perpetrator, including seeking a protective order. Whether or not the victim chooses to seek criminal action is within the discretion of the victim. If requested by the victim, the College will provide reasonable assistance or other support in notifying law enforcement of the report. The College will cooperate with a criminal investigation to the extent permitted by law.

An individual may choose to pursue criminal action at any time. The College encourages individuals contemplating pursuing criminal action to consult with law enforcement as soon as possible after the alleged incident in order to ensure that any physical and other forms of evidence are preserved in as timely a fashion as possible.

Reports made pursuant to this policy are completely separate from a criminal investigation. Even if a criminal investigation is ongoing, the College will still conduct its own investigation in accordance with this policy. While the criminal investigation is pending, law enforcement may require the College to delay or otherwise temporarily limit its own investigation, which may delay the College's resolution of the report. The College will comply with any such request by law enforcement to the extent permitted by law, and continue with its investigation as soon as reasonably practicable.

VIII. Confidentiality

The College is committed to protecting the privacy of all parties involved in a report made under this policy, to the extent permitted by applicable law and subject to the College's reporting obligations as described below. The College will treat all reports with sensitivity, and reports, investigations, disciplinary proceedings, and any interim or supportive measures will be kept as confidential as possible, and shared only on a need-to-know basis. Information pertaining to reports made under this policy will be kept in a secure manner.

College's Reporting Obligations

The College's Department of Public Safety must keep a daily crime log to record all criminal incidents and alleged criminal incidents reported to the Department of Public Safety. Reports made

pursuant to this policy may trigger the Department of Public Safety's responsibility to update the daily crime log. The daily crime log includes the date and time the crime was reported; the date and time the crime occurred; the nature of the crime; the general location of the crime; and the disposition of the report, if known. The daily crime log does not include personally identifiable information, and includes only enough information about the incident to identify the type of crime alleged or committed. The daily crime log for the most current 60 days is made available for public inspection during regular business hours, and daily crime logs older than 60 days are made available upon request.

The Department of Public Safety will also issue timely warnings regarding certain crimes which the College considers to represent a serious or continuing threat to students or employees. Certain reports made under this policy may result in the issuance of a timely warning. The Department of Public Safety will decide whether a timely warning is appropriate on a case-by-case basis depending upon various factors including but not limited to the nature of the crime, the continuing danger to the campus community, and the potential risk of compromising law enforcement efforts. The College will not release personally identifiable information regarding the victim in a timely warning. The College may, in appropriate circumstances, include personally identifiable information regarding an alleged perpetrator in a timely warning.

Reports made pursuant to this policy which involve Dating Violence, Domestic Violence, Sexual Assault, and Stalking will be included in the College's annual report of crime statistics in the College's Annual Security Report, which is made available to the public, and to the U.S. Department of Education, as required by law. Reports of crime statistics do not include any personally identifiable information.

Finally, the College reserves the right to notify law enforcement of reports made pursuant to this policy if the College determines that such notification is necessary to protect the health and safety of the College community or the public.

When the Report Involves a Victim Under 18 Years Old

In the event that a report made under this policy involves reasonably suspected or actual child abuse or neglect, all College employees who are mandated reporters pursuant to Policy #162, Community College of Philadelphia Child Abuse Reporting Policy, must report child abuse or neglect that they know about, see, or have reasonable cause to suspect first to the Pennsylvania Department of Public Welfare Child Line at (800) 932-0313, and then to the Director of Public Safety or his designee at (215) 751-8188 or childabuserreport@ccp.edu, or, if the employee is unable or prefers not to contact the Director of Public Safety, to the Vice President for Business and Finance at (215) 751-8029.

IX. Investigation Procedures and Protocols

The College will take prompt and appropriate steps to investigate and remedy reports of violations of this policy. All reports will be investigated according to the following procedures and

protocols. In all cases, the Title IX Coordinator will maintain oversight over the investigation/disciplinary process. The parties will be promptly notified in writing of which office is responsible for conducting the investigation/disciplinary process, and provided with more detailed information regarding the applicable investigation/disciplinary procedures.

Student Perpetrators

If the alleged perpetrator is a student, the Judicial Affairs Officer, within the Office of the Dean of Students, will be responsible for investigating the report. The investigation and disciplinary process will be in compliance with the Student Code of Conduct.

Employee Perpetrators

If the alleged perpetrator is an employee, the Title IX Coordinator will investigate the report. The investigation and disciplinary process will be in accordance with the procedures set forth in the Anti-Discrimination and Harassment Policy, the Employee Handbook, and any applicable Collective Bargaining Agreement.

Third Party Perpetrators

If the alleged perpetrator is a third party, the Title IX Coordinator will investigate the report according to the procedures set forth in the Anti-Discrimination and Harassment Complaint Policy. Although the College will not be able to pursue disciplinary action against a third party perpetrator, the College will make reasonable efforts to assist the victim in other ways, including providing interim measures (including barring the third party from campus), and other support services to the victim.

Investigations may include:

- Conducting interviews with the victim, the alleged perpetrator, and any witnesses
- Reviewing student and/or personnel files
- Gathering and examining other relevant documents

In all cases:

- The College will conduct a prompt, thorough, equitable, and impartial investigation
- The College will determine:
 - whether or not the conduct occurred, using a preponderance of the evidence (more likely than not) standard; and
 - if the conduct occurred, what actions the College will take to remedy the conduct and prevent future conduct, which may include imposing sanctions on the alleged perpetrator and/or providing remedies for the victim.
- Both parties will have an equal opportunity to present relevant witnesses and other evidence.
- The College will seek to resolve all reports made pursuant to this policy within sixty calendar days whenever practicable. The parties will be advised when resolution is expected to take longer.
- To the extent permitted by law, both parties will receive simultaneous written notice of the outcome of the investigation and disciplinary process.

- The alleged perpetrator will be notified of the outcome and any sanctions imposed against him or her.
- The content of the victim notification may differ depending upon the report:
 - Sexual Assault, Dating Violence, Domestic Violence, Stalking: Victims will receive notice of the outcome of the report and any sanctions imposed upon the alleged perpetrator.
 - Sexual Misconduct that does not meet the definition of Sexual Assault: Victims will receive notice of the outcome of the report and notice of any sanctions imposed upon the alleged perpetrator to the extent those sanctions relate to the victim.
- Both parties will have equal opportunity to have an advisor of their choice present during any hearing regarding the report.
- Both parties will have equal rights to a prompt appeal, and receive simultaneous written notice regarding the outcome of any appeal.
- The College will take appropriate interim and remedial measures as necessary, including discipline for the alleged perpetrator.
- Although informal resolution procedures may be available to resolve certain reports, informal resolution procedures will never be appropriate for reports alleging Sexual Assault.

X. Retaliation

The College prohibits retaliation against any individual who makes or intends to make a report under this policy or participates or intends to participate in the investigatory or disciplinary process under this policy. Retaliation in violation of this policy will be subject to disciplinary action.

XI. False Reports

A report made under this policy which is later found to be knowingly or intentionally false or made maliciously without regard for truth may be subject to disciplinary action. Reports made in good faith, even if the allegations are not substantiated, will not be subject to discipline.

XII. Sanctions for Violating this Policy and Safe Harbor

Sanctions

Violations of this policy may result in disciplinary action, up to and including termination of an employee or expulsion of a student, subject to the relevant policies and procedures governing the disciplinary process applicable to the alleged perpetrator.

Safe Harbor

Notwithstanding the foregoing, a witness or victim of an incident of sexual misconduct who reports such incident in good faith will not be sanctioned by the College for admitting in the report to a violation of the College's Student Code of Conduct related to the use of drugs or alcohol.

XIII. Interim Measures

Interim measures are those services, accommodations, or other assistance that the College puts in place for victims after receiving notice of alleged Sexual Misconduct, Relationship Violence, or Stalking, pending the final outcome of any investigation/disciplinary process. Interim measures may be imposed for various reasons, including ensuring the safety of the parties or the College community at large; eliminating a hostile work environment; or protecting the integrity of the investigation and/or disciplinary process.

Interim measures are meant to ensure that the victim in a report under this policy continues to have adequate access to educational and/or work opportunities at the College, while also balancing the rights of the alleged perpetrator. The victim may request these measures from the office responsible for investigating the report, or the College may offer them on its own initiative when it deems them appropriate. The College will determine which interim measures are appropriate for a victim on a case-by-case basis. Potential interim measures include a "no contact" directive pending the outcome of the investigation, provision of a security escort to ensure the safety of the victim, or other interim measures the College deems reasonable and appropriate.

The College may make certain interim measures permanent measures to be applied even after the investigation and/or disciplinary process is complete, when appropriate under the circumstances.

XIV. Counseling, Advocacy, and Support

Individuals who have been victims of Sexual Misconduct, Relationship Violence, or Stalking may also seek other support services both on- and off-campus. Individuals seeking on-campus support services should be aware that all College employees are designated as Responsible Employees who must report allegations of violations of this policy to the Title IX Coordinator, therefore, they cannot guarantee confidentiality.

On-Campus Resources

<p>Counseling Center</p> <ul style="list-style-type: none"> - Main Campus, Bonnell Building, BG-07, (215) 751-8169 - Northeast Regional Center, Room 102, (267) 299-5980 - Northwest Regional Center, Room 102, (267) 299-5982 - West Regional Center, Room 132, (267) 299-5981 	<p>Women’s Outreach and Advocacy Center</p> <p>Winnet Student Life Building, Room S1-19, (215) 751-8808</p>	<p>Center for Male Engagement</p> <p>Winnet Student Life Building, S1-05, (215) 751-8817</p>
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Off-Campus Community Resources²

<p><i>Women Organized Against Rape</i> One Penn Center 1617 John F. Kennedy Blvd., Suite 800 Philadelphia, PA 19103 Hotline: (215) 985-3333 Office: (215) 985-3315</p>	<p><i>Lutheran Settlement House Bilingual Domestic Violence Program</i> 1340 Frankford Avenue Philadelphia, PA 19125 For Counseling Services: (215) 426-8610, ext. 1236</p>	<p><i>Pennsylvania Coalition Against Rape</i> 2101 North Front Street Governor’s Plaza North, Building #2 Harrisburg, PA 17110 Hotline: 1-888-772-7227 Office: 1-800-692-7445</p>
<p><i>Women Against Abuse</i> 100 South Broad Street, Suite 1341 Philadelphia, PA 19110 Hotline: 1-866-723-3014 Office: (215) 386-1280</p>	<p><i>Philadelphia Domestic Violence Hotline</i> Dial: 1-866-723-3014</p>	<p><i>Counseling services via the Employee Assistant Program (Employees Only)</i> Dial: 1-800-437-0911</p>

XV. Enforcement and Training

The Title IX Coordinator is responsible for ensuring the enforcement of this policy, and for administering training regarding this policy, with the ultimate goal of raising awareness and preventing Sexual Misconduct, Relationship Violence, and Stalking within the College community. The Title IX Coordinator, in conjunction with the Office of the Dean of Students, the Department of Public Safety, and other departments as applicable, will conduct trainings for faculty, administrators, staff, and students and otherwise serve as a resource for the College community regarding individual rights and responsibilities under this policy.

² The College is not affiliated with these community resources. This list may be subject to change. Contact the Title IX Coordinator or the Dean of Students for the most current information regarding available off-campus resources.

Appendix A

Relevant Definitions from 34 C.F.R. Part 668, Appendix A

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.

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.

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.

Statutory Rape – sexual intercourse with a person who is under the statutory age of consent.

Relevant Definitions from the Pennsylvania Crimes Code

18 Pa. Cons. Stat. Ann. § 2709.1 – Stalking

- (a) **Offense defined.** – A person commits the crime of stalking when the person either:
- (1) Engages in a course of conduct or repeatedly commits acts toward another person, including following the person without proper authority, under circumstances which demonstrate either an intent to place such other person in reasonable fear of bodily injury or to cause substantial emotional distress to such other person; or
 - (2) Engages in a course of conduct or repeatedly communicates to another person under circumstances which demonstrate or communicate either an intent to place such other person in reasonable fear of bodily injury or to cause substantial emotional distress to such other person.

...

- (f) **Definitions.** – As used in this section, the following words and phrases shall have the meanings given to them in this subsection:

“Communicates.” To convey a message without intent of legitimate communication or address by oral, nonverbal, written or electronic means, including telephone, electronic mail, Internet, facsimile, telex, wireless communication or similar transmission.

“Course of conduct.” A pattern of actions composed of more than one act over a period of time, however short, evidencing a continuity of conduct. The term includes lewd, lascivious, threatening or obscene words, language, drawings, caricatures or actions, either in person or anonymously. Acts indicating a course of conduct which occur in more than one jurisdiction may be used by any other jurisdiction in which an act occurred as evidence of a continuing pattern of conduct or a course of conduct.

“Emotional distress.” A temporary or permanent state of mental anguish.

“Family or household member.” Spouses or persons who have been spouses, persons living as spouses or who lived as spouses, parents and children, other person related by consanguinity or affinity, current or former sexual or intimate partners or persons who share biological parenthood.

18 Pa. Cons. Stat. Ann. § 3121 – Rape

- (a) **Offense defined.** – A person commits a felony of the first degree when the person engages in sexual intercourse with a complainant:
 - (1) By forcible compulsion.
 - (2) By threat of forcible compulsion that would prevent resistance by a person of reasonable resolution.
 - (3) Who is unconscious or where the person knows that the complainant is unaware that the sexual intercourse is occurring.
 - (4) Where the person has substantially impaired the complainant’s power to appraise or control his or her conduct by administering or employing, without the knowledge of the complainant, drugs, intoxicants or other means for the purpose of preventing resistance.
 - (5) Who suffers from a mental disability which renders the complainant incapable of consent.
- ...
- (c) **Rape of a child.** – A person commits the offense of rape of a child, a felony of the first degree, when the person engages in sexual intercourse with a complainant who is less than 13 years of age.
- (d) **Rape of a child with serious bodily injury.** – A person commits the offense of a rape of a child resulting in serious bodily injury, a felony of the first degree, when the person violates this section and the complainant is under 13 years of age and suffers serious bodily injury in the course of the offense.

18 Pa. Cons. Stat. Ann. § 3122.1 – Statutory Sexual Assault

- (a) **Felony of the second degree.** – Except as provided in section 3121 (relating to rape), a person commits a felony of the second degree when that person engages in sexual intercourse with a complainant to whom the person is not married who is under the age of 16 years and that person is either:
 - a. Four years older but less than eight years older than the complainant; or
 - b. Eight years older but less than 11 years older than the complainant.
- (b) **Felony of the first degree.** – A person commits a felony of the first degree when that person engages in sexual intercourse with a complainant under the age of 16 years and that person is 11 or more years older than the complainant and the complainant and the person are not married to each other.

18 Pa. Cons. Stat. Ann. § 3123 – Involuntary Deviate Sexual Intercourse

- (a) **Offense defined.** – A person commits a felony of the first degree when the person engaged in deviate sexual intercourse with a complainant:

- (1) By forcible compulsion;
 - (2) By threat of forcible compulsion that would prevent resistance by a person of reasonable resolution;
 - (3) Who is unconscious or where the person knows that the complainant is unaware that the sexual intercourse is occurring;
 - (4) Where the person has substantially impaired the complainant's power to appraise or control his or her conduct by administering or employing, without the knowledge of the complainant, drugs, intoxicants or other means for the purpose of preventing resistance;
 - (5) Who suffers from a mental disability which renders him or her incapable of consent; or
 - (6) Deleted.
 - (7) Who is less than 16 years of age and the person is four or more years older than the complainant and the complainant and person are not married to each other.
- (b) **Involuntary deviate sexual intercourse with a child.** – A person commits involuntary deviate sexual intercourse with a child, a felony of the first degree, when the person engages in deviate sexual intercourse with a complainant who is less than 13 years of age.
- (c) **Involuntary deviate sexual intercourse with a child with serious bodily injury.** – A person commits an offense under this section with a child resulting in serious bodily injury, a felony of the first degree, when the person violates this section and the complainant is less than 13 years of age and the complainant suffers serious bodily injury in the course of the offense.
- ...
- (e) **Definition.** – As used in this section, the term “forcible compulsion” includes but is not limited to, compulsion resulting in another person's death, whether the death occurred before, during or after the sexual intercourse.

18 Pa. Cons. Stat. Ann. § 3124.1 – Sexual Assault

Except as provided in section 3121 (rape) or 3123 (relating to involuntary deviate sexual intercourse), a person commits a felony of the second degree when that person engages in sexual intercourse or deviate sexual intercourse with a complainant without the complainant's consent.

18 Pa. Cons. Stat. Ann. § 3125 – Aggravated Indecent Assault

- (a) **Offenses defined.** – Except as provided in section 3121 (relating to rape), 3122.1 (relating to statutory sexual assault), 3123 (relating to involuntary deviate sexual intercourse) and 3124.1 (relating to sexual assault), a person who engages in penetration, however slight, of the genitals or anus of a complainant with a part of the person's body for any purpose other than good faith medical, hygienic or law enforcement procedures commits aggravated indecent assault if:
- (1) The person does so without the complainant's consent;
 - (2) The person does so by forcible compulsion;
 - (3) The person does so by threat of forcible compulsion that would prevent resistance by a person of reasonable resolution;
 - (4) The complainant is unconscious or the person knows that the complainant is unaware that the penetration is occurring;
 - (5) The person has substantially impaired the complainant's power to appraise or control his or her conduct by administering or employing, without the knowledge of the

complainant, drugs, intoxicants or other means for the purpose of preventing resistance;

- (6) The complainant suffers from a mental disability which renders him or her incapable of consent;
- (7) The complainant is less than 13 years of age; or
- (8) The complainant is less than 16 years of age and the person is four or more years older than the complainant and the complainant and the person are not married to each other.

(b) Aggravated indecent assault of a child. – A person commits aggravated indecent assault of a child when the person violates subsection (a)(1), (2), (3), (4), (5) or (6) and the complainant is less than 13 years of age.

18 Pa. Cons. Stat. Ann. § 3126 – Indecent Assault

(a) **Offense defined.** – A person is guilty of indecent assault if the person has indecent contact with the complainant, causes the complainant to have indecent contact with the person or intentionally causes the complainant to come into contact with seminal fluid, urine or feces for the purpose of arousing sexual desire in the person or the complainant and:

- (1) The person does so without the complainant's consent;
- (2) The person does so by forcible compulsion;
- (3) The person does so by threat of forcible compulsion that would prevent resistance by a person of reasonable resolution;
- (4) The complainant is unconscious or the person knows that the complainant is unaware that the indecent contact is occurring;
- (5) The person has substantially impaired the complainant's power to appraise or control his or her conduct by administering or employing, without the knowledge of the complainant, drugs, intoxicants or other means for the purpose of preventing resistance;
- (6) The complainant suffers from a mental disability, which renders the complainant incapable of consent;
- (7) The complainant is less than 13 years of age; or
- (8) The complainant is less than 16 years of age and the person is four or more years older than the complainant and the complainant and the person are not married to each other.

18 Pa. Cons. Stat. Ann. § 3127 – Indecent Exposure

(a) **Offense defined.** – A person commits indecent exposure if that person exposes his or her genitals in any public place or in any place where there are present other persons under circumstances in which he or she knows or should know that this conduct is likely to offend, affront or alarm.