2026 ANNUAL

CAMPUS SECURITY AND FIRE SAFETY REPORT

PHILADELPHIA CENTER

WCU
WEST CHESTER UNIVERSITY

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THE PHILADELPHIA CENTER

The Philadelphia location[1] of West Chester University consists of a suite of offices and classrooms on the Concourse Level of the Lits Building located at 701 Market St. Philadelphia, PA 19106.

Safety on all campuses of higher education is a source of concern for parents, students, and employees. No campus is entirely isolated from crime. The Philadelphia location of West Chester University is no exception. Staff at this location in conjunction with the Department of Public Safety develop policies and implements procedures, with Lits Building management, to increase safety and security awareness as well as precautionary measures for all campus community members. This publication is intended to provide an overview of those safety and security measures.

As a recipient of federal Title IV Student Financial Aid, West Chester University and, by extension, the Philadelphia location of West Chester University adhere to the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, commonly referred to as the Clery Act. A critical provision of the Clery Act requires postsecondary institutions receiving federal Title IV financial aid to publish an Annual Security Report (ASR) disclosing campus security policies and the most recent three years' crime statistics. This report is prepared by West Chester University and made available to the Philadelphia Center location community of West Chester University community and others.

This publication is distributed under the Pennsylvania College and University Security Information Act (24 P. S. § § 2502-1-2502-5) and the following federal statutes: Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, Section 486(e) of Public Law: 105-244 (with amendments) and The Accuracy in Campus Crime Reporting Act of 1997.

PREPARATION OF THE ANNUAL SECURITY AND FIRE SAFETY REPORT

West Chester University prepares this report in compliance with the Jeanne Clery Campus Safety Act. The Department of Public Safety writes this report with help from many offices across campus. Those offices are: Center for Women and Gender Equity, Department of Counseling and Psychological Services, Department of Public Safety, Department of Environmental Health and Safety, Department of Athletics, Office of Student Conduct, Office of Fraternity and Sorority Life, Office of Student Leadership and Involvement, Office of Human Resource Services, Office of the Title IX Coordinator, and Office of Institutional Research. The full text of this report is located on the University's website on the WCU Public Safety Website.

Each campus partner collaborating on the Annual Security and Fire Safety Report provides updated information on its educational efforts and programs to comply with the Act. Statistics for campus crime, arrests, and referrals include those reported to the West Chester University Police, the Philadelphia Police Department, Philadelphia Police, and Campus Security Authorities.

Through this report, the Department communicates the statistics it gathers, compiles, and reports to Campus Security Authorities and local law enforcement. The Department of Public Safety submits the annual crime statistics published in this report to the Department of Education (ED) each October after the publication of the Annual Security and Fire Safety Report.

The university community is notified of the availability of the Annual Security and Fire Safety Report (ASFSR) by an e-mail providing a statement that the ASFSR is available, a brief description of the report, the direct website link to access this report, and a notification of where to obtain hard copies of the report is sent to all enrolled students and current employees. Copies of the report are available at the West Chester University Police Department, located in the Peoples Building at 690 South Church Street, or by calling (610) 436-3311. Prospective students and employees receive notification of the report's availability and how to obtain it during the application process.

Where practical and applicable, information is presented in a question-and-answer format.

1 As part of the Middle States Accreditation, it was determined West Chester has only have one campus located in West Chester, PA. Exton, Philadelphia, and the Graduate Center are referred to as "locations" instead of alternate campuses. Throughout this report reference will be made to the 'Philadelphia location of West Chester University.'

THE POLICIES AND POLICY STATEMENTS CONTAINED WITHIN THE ANNUAL SECURITY REPORT FOR THE PHILADELPHIA LOCATION ARE CURRENT AS OF THE PUBLICATION OF THIS ASR.

Each year, an e-mail notification that provides the direct website link to access this report is sent to all enrolled students and all current employees by October 1st. Copies of the report may also be obtained at the West Chester University Police Department located within the Peoples Building at 690 South Church Street or by calling (610) 436-3311. All prospective students and employees receive notification of the availability of the report and how to obtain them during the application process.

POLICY ON POSSESSION OF WEAPONS AT THE PHILADELPHIA LOCATION.

The use, possession, or transportation of fireworks, knives, a paintball, Airsoft or BB gun, explosives, and any other weapon are prohibited on the campus and in any building of West Chester University including the Philadelphia location. Also prohibited is the use, possession, or transportation of any item designed or used in such a way as to inflict bodily harm or physical damage.

The University prohibits the *unlawful* use, possession, or transportation of a firearm or firearm ammunition.

POLICE ENFORCEMENT AUTHORITY AND JURISDICTION AT THE PHILADELPHIA CENTER.

The West Chester University Department of Public Safety does **not** provide campus security for its Philadelphia location. Security of the Lits Building, in which the Philadelphia Center location is located, is provided by Allied Universal, a private building security firm. The Philadelphia location of West Chester University within ther jurisdiction of the Philadelphia Police Department, 6th Police District. Emergencies are reported to 911 first and security second.

The Philadelphia location maintains a strong working relationship with state and local police agencies, including the Philadelphia Police Department, Homeland Security, U.S. Marshals, and SEPTA Police. There are no written agreements or memorandums of understanding regarding any topics, including the investigation of criminal incidents, between WCU and the local police department. The Phil adelphia Police Department has law enforcement and investigative jurisdiction over crimes committed in and around the Lits Building. This includes the space occupied by the Philadelphia location of West Chester University.

SECURITY AGENCY AUTHORITY

Security officers are not police officers but are responsible for providing security for the Philadelphia Center. Security Officers are contracted to operate on university-owned or controlled property and document violations of Philadelphia Center policy as well as contact local law enforcement agencies to report observed violations of federal laws and state laws.

POLICY ON REPORTING OF CRIME

The Department of Public Safety strongly encourages all faculty, staff, students, and guests of the Philadelphia location to promptly report any illegal or suspicious activity to building security or the Philadelphia Police Department. Requests for statistics are submitted to the Philadelphia Police Department to provide crime statistics for inclusion in the Annual Security Report for the Philadelphia location. ***Any criminal situation or incident involving a significant emergency or dangerous situation, should be reported to the Philadelphia Police Department (911 or 215-686-TIPS)*** and reported to Joseph Santivasci, Sr. Associate Vice President of Financial Aid and Campuses **(610-436-3376)** for an assessment of whether a timely warning or emergency notification should be sent out to the Philadelphia location community as well as for purposes of including them in the annual statistical disclosure.

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

The Philadelphia Police Department will investigate a report when it is deemed appropriate. Additional information obtained from the investigation may be forwarded to the Executive Director. If assistance is required from the Philadelphia Police Department or the Philadelphia Fire Department the appropriate investigative unit will be contacted. If a sexual assault or rape should occur, staff on the scene, including crime victim organizations in Philadelphia will be contacted and offer the victim a wide variety of services.

SOME EMERGENCY NUMBERS & AGENCIES TO REMEMBER WHEN REPORTING CRIME

PHILADELPHIA POLICE HEADQUARTERS:

400 N Broad St, Philadelphia, PA
Tips call: 215-686-TIPS or text PPDTIP Emergencies call: 911 Non-emergencies call: 311

PHILADELPHIA 6TH POLICE DISTRICT

6th District 400 N Broad St, Philadelphia, PA
215-686-3080 Emergencies call: 911

LITS BUILDING SECURITY (REPORTS CRIMES TO PHILADELPHIA POLICE):

Allied Universal Security Department 701 Market Street West lobby entrance Philadelphia, PA 19106
215-238-9777 • 215-238-9306

REPORTING TO CAMPUS SECURITY AUTHORITIES

The University encourages community members to promptly report all crimes and other emergencies directly to WCU Police at 610-436-3311 or by calling 911. Yet there is a recognition by the Clery Act that some may prefer to report to other individuals or University offices. The Jeanne Clery Campus Safety Act sees this as well and gives universities the ability to classify University officials as Campus Security Authorities (CSAs) based upon the four-part definition under the Act. Universities categorize CSAs depending upon the function of their position: Those four categories are:

A member of the campus police/security department. Example: University Police and Police Safety

Individuals responsible for campus security in some capacity but not members of a campus police/security department. Example: an individual who is responsible for monitoring the entrance to university property.

People or offices that are not members of a campus police/security department but are identified in policy as places where students and employees can report criminal offenses. Examples of such places at WCU are: The Office of Equal Opportunity and Compliance, the Title IX Coordinator, Residence Life and Housing, and the Office of Student Conduct. These offices and individuals are considered preferred recipients of reports.

An official of an institution with significant responsibility for student and campus activities, including but not limited to, student housing, student discipline, and campus judicial proceedings. Other examples of Campus Security Authorities at WCU are Athletic administrators, coaches, athletic Trainers, summer sports camp staff, Faculty advisors to student organizations, Resident Assistants, and Directors of Fraternity and Sorority Life

Individuals in positions whose functions meet the definitions above are identified, notified, and trained as CSAs throughout the year.

CAMPUS SECURITY AUTHORITIES AT THE PHILADELPHIA LOCATION

Campus Security Authorities (CSAs) are an integral part of the safety and security of the Philadelphia Center as well as West Chester University's continued compliance with the Clery Act. The CSA definition in the Clery Act is extensive consisting of multiple parts. CSAs at Philadelphia Center fit the fourth definition of CSAs under the act, specifically, "*an official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, and campus judicial proceedings.*" These individuals are identified within the reporting structure of the institution person to whom crimes and be reported in addition to the agencies listed above. Based upon the function of their position and their interaction with students at the Philadelphia Center the following individuals are designated as Campus Security Authorities: Joseph Santivasci, Benjamin Morgan, and Dionne Easton.

When these individuals become aware of a crime that occurred on or around campus, they have an obligation under federal law to report the information to the Philadelphia Police Department, the Office of Equal Opportunity and Compliance , or the Clery Compliance Manager. CSAs play a key role in ensuring the safety of the Philadelphia Center community by delivering information to the necessary offices, which in turn helps to ensure that the campus remains informed and that individuals have access to the support and resources they deserve.

CSAs **do not** need to investigate a crime but simply need to report information in an accurate and timely manner. West Chester University has a responsibility to notify the campus community about crimes that pose a serious or ongoing threat to the community.

REPORTS MADE TO PASTORAL PROFESSIONAL COUNSELORS

The Clery Act exempts individuals working at West Chester University as pastoral or professional counselors to be exempt from reporting crimes to law enforcement. When acting in either of these positions, Pastoral and Professional Counselors are not considered a campus security authority for Clery Act purposes and are not required to report crimes for inclusion in the annual disclosure of crime statistics. As a matter of policy, the professional counselors at West Chester University are encouraged, when they deem it appropriate, to inform persons being counseled of the procedures to report crimes on a voluntary confidential basis to the Department of Public Safety for inclusion in the annual disclosure of crime statistics.

The definitions of pastoral counselor and professional counselor are below:

Pastoral Counselor – An employee of an institution who is associated with a religious order or denomination recognized by that religious order or denomination as someone who provides confidential counseling and who is functioning within the scope of that recognition as a pastoral counselor.

Professional Counselor – An employee of an institution whose official responsibilities include providing psychological counseling to members of the institution's community and who is functioning within the scope of his or her license or certification.

Reports of criminal activity reported to the campus security authorities and local law enforcement are required to be reported annually and, as such, are brought to the attention of the Department of Public Safety either by the victims or by the person receiving the report.

CONFIDENTIAL REPORTING

Q. Can my report be confidential?

A. If you are the victim of a crime yet do not want to pursue action within the University system or the criminal justice system, you may still want to consider making a confidential report. You can call the campus crime tip line at 610-436-3100. The City of Philadelphia offers a confidential reporting form at Tip Form. You can also contact 215.686.TIPS (8477) or email at tips@phillypolice.com.

As a student at West Chester University, a Department of Public Safety officer can file a report of the details of the incident without revealing your identity (except to the Title IX Coordinator in the event of reported sexual violence and other violations that may be sex- or gender-based). The purpose of a confidential report is to comply with your wish to keep the matter confidential while taking steps to enhance the future safety of yourself and others. With such information, West Chester University can keep an accurate record of the number of incidents involving students, employees, and visitors to determine where there is a pattern of crime regarding a particular location, method, or assailant and to alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crime statistics for the institution.

Even if a student is a victim of a crime but does not wish to pursue criminal or student conduct violations, they are still encouraged to contact the Department of Public Safety to file a confidential report. For sexual misconduct incidents, the Title IX office can be contacted to submit a report without notifying law enforcement.

However, the Department of Public Safety encourages accurate and prompt reporting of all crimes to the Philadelphia Police Department, including when the victim elects to or is unable to, make such a report. Doing so helps the Department accurately report crime statistics, determine whether crime patterns are present, and better protect the campus community from future criminal acts.

DAILY CRIME LOG

WCU's Philadelphia Center does not have a campus police or security department; as a result, the Philadelphia location is not required to maintain a Daily Crime Log. Security for the Philadelphia Center is provided through a contract between the owners of the Lits Building and a private security company, Allied Universal Security

TIMELY WARNING NOTIFICATIONS AT THE PHILADELPHIA LOCATION OF WEST CHESTER UNIVERSITY.

Certain crimes under the Clery Act may call for the issuing of a Timely Warning distributed to the campus community. An institution must alert the campus community to certain crimes in a timely manner the goal of which is the prevention of similar crimes.

Although the Clery Act does not define "timely", the intent of a warning regarding the criminal incident(s) is to enable people to protect themselves. This means a warning should be issued as soon as pertinent information is available... Timely Warnings are sent out by the Clery Compliance Officer, or, in their absence a person authorized to send such warnings.

A campus-wide "Timely Warning" will be issued for the Philadelphia Location WHEN:

- A Clery Act crime is reported to any Campus Security Authority (CSA) or local police agency
- occurs on or within the University's Clery geography. *Clery geography is defined as the core campus boundaries including university-owned or controlled property on campus, public property that is within or immediately adjacent to the campus, and in Clery defined non-campus properties;* AND
- represents a serious or continuing threat to students and employees

Timely Warnings are typically issued for the following Uniform Crime Reporting Program (UCR) / National Incident-Based Reporting System (NIBRS) crime classifications:

- Murder/Non-Negligent Manslaughter
- Aggravated Assault (cases involving assaults among known parties, such as two roommates fighting which results in an aggravated injury, will be evaluated on a case-by-case basis to determine in the individual is believed to be an ongoing threat to the larger West Chester University Community).
- A string of Burglaries or Motor Vehicle Thefts that occur in reasonably close proximity to one another;
- Robbery involving force or violence (cases including pick-pocketing and purse snatching will typically not result in the issuance of a Timely Warning Notice but will be assessed on a case-by-case basis).
- Sexual Assault *(considered on a case-by-case basis depending on the facts of the case, when and where the incident occurred, when it was reported, and the amount of information known by the Director of Public Safety/ Chief of Police or their designee).* In cases involving sexual assault, they are often reported long after the incident occurred, thus there is no ability to distribute a Time Warning Notice to the community. All cases of sexual assault, including stranger and non-stranger/acquaintance cases, will be assessed for potential issuance of a Timely Warning Notice). *The name or names of victims of Sexual Assault are not published in a Timely Warning Notice.*
- Major incidents of Arson
- Other Clery crimes as determined necessary by the Chief of Police or their designee in their absence.

Q: How is the Clery Compliance Officer notified of an event at may require a Timely Warning at the Philadelphia Center?

There are several ways to assess whether a Timely Warning Notice should be issued. One way is after the security officer assigned to the Philadelphia Center suite at the Lits Building receives information regarding a potential emergency the officer will contact the CCO. Another way is for the on-site administrator (the Associate Vice President for Financial Aid and Campuses) or the Operations Man-

ager to contact the CCO with information regarding an emergency. Once pertinent information is received a decision will be made whether to issue or not issue a Timely Warning.

Q. How is the decision made to issue a Timely Warning?

A. The responsibility for Timely Warning notices is shared between the Clery Compliance Officer (CCO) and the Senior Associate Vice President for Financial Aid and Campuses (who is the on-site administrator at the Philadelphia Location) in consultation with staff Public Safety administration. The CCO will determine the need for a Timely Warning after consultation with the Director of Public Safety and the on-site administrator of the Philadelphia Location.

If a crime occurs outside of the campus Clery geography but is close to the campus, Philadelphia Police may contact Allied Universal or Philadelphia Location staff informing them of the occurrence of the crime.

Given the Philadelphia Location's location in a large city, both Department of Public Safety staff and Philadelphia Location staff may hear about incidents near campus from news sources and not from the police. In that instance, staff from Public Safety and staff from the Philadelphia Location will work together to determine if a Timely Warning would need to be sent using the same timely warning analysis set out above.

UNIVERSITY OBLIGATIONS REGARDING TIMELY WARNINGS AND SEXUAL ASSAULTS

Parties reporting Sexual Assault, Domestic Violence, Dating Violence, and/or Stalking should be aware that under the Clery Act, the University must issue timely warnings for reported incidents that pose a serious or continuing threat of bodily harm or danger to members of the campus community. If a report of sexual misconduct discloses a serious or immediate threat to the campus community, the University will issue a timely notification to the community to protect the health or safety of the community. The timely notification will not include any identifying information about the Complainant. West Chester University will ensure that a victim's name and other identifying information are not disclosed when such warnings are issued, while still providing enough information for community members to make safety decisions for themselves.

Timely Warning Notices will be distributed as soon as pertinent information is available, in a manner that withholds the names of victims as confidential, and to aid in the prevention of similar occurrences. Timely Warning Notices will be issued to the campus community via email blast to all WCU-assigned email accounts. Timely Warnings relating only to Philadelphia Location will be sent only to those students enrolled at the Philadelphia Location.

Institutions are not required to issue a Timely Warning concerning crimes reported to a pastoral or professional counselor.

EMERGENCY RESPONSE COMMUNICATIONS

West Chester University automatically enrolls all students in a text messaging subscription (WCU ALERT) whereby all students, regardless of campus receive notification of major emergencies and timely warnings/ Employees are automatically enrolled. Students and employees (faculty and staff) are able to opt out of receiving messages by logging into Omnilert (the platform powering WCUALERT) and changing their preferences (add/remove phone or email).

WCU ALERT sends direct text messages of WCU announcements including on-campus emergencies, inclement weather cancellations, delayed openings, university closings and periodic test messages. It is a free service to students, faculty, and staff (standard text messaging rates may apply). Parents and guardians may receive WCU Alert messages after being added to an existing student WCU Alert account.

WCU ALERT is one of many emergency communication components at West Chester University. In an emergency, West Chester University will communicate key information as quickly and to as many people as possible. Emergency communication components include the WCU Homepage (primary source), mass emails, digital signage, text messages via WCU Alert, and the external notification system.

www.wcupa.edu/wcualert.]

Within the Omnilert system notifications can be sent to specific groups. So, for notifications meant only for the Philadelphia location community, the sender can select the group and send a message directly.

EMERGENCY NOTIFICATIONS AT THE PHILADELPHIA LOCATION OF WEST CHESTER UNIVERSITY.

Emergency notification is defined differently than a Timely Warning Notification. Emergency Notifications are issued in response to a "significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus." As with Timely Warnings, if an Emergency Notification applies only to the Philadelphia Center location, the Notification will be sent only to those students and employees.

While it is impossible to predict every significant emergency or dangerous situation that may occur on campus, the types of incidents that may cause an immediate threat to the community (and therefore require an emergency notification) could include, but are not limited to:

- armed/ hostile intruder
- bomb/explosives
- communicable disease outbreak
- terrorist incident
- civil unrest
- natural disaster
- hazardous materials incident and structural fire]

In the event of an emergency, West Chester University will initiate and provide, without delay, immediate notifications to the appropriate segment(s) of the University community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students, employees, and visitors. For emergencies occurring at the Philadelphia location of West Chester University messages will be sent to students and employees in the notification group specifically set aside for that location.

Individuals can report emergencies occurring at the Philadelphia location by calling 911. Calling 911 will put them in contact with the Philadelphia 911 Center. Individuals should not call WCU Public Safety in West Chester before calling 911.

The Philadelphia Police Department and/or building security at the Lits Building is responsible for responding to reported emergencies and confirming the existence of an emergency, sometimes in conjunction with campus administrators, local first responders and/or the national weather center

Consistent with the requirements under the Clery Act, the Clery Compliance Officer will send an Emergency Notification to the Philadelphia Location community using the Omnilert System which powers WCU Alert. Notifications can be issued by WCU's webmaster, the Clery Compliance Officer, Chief of WCUPD, Captain of WCUPD, Lieutenant in WCUPD, the administrative sergeant, and the Electronic Security Manager to use the Omnilert System, thus, a person other than the Clery Compliance Officer can and should (if the circumstances present themselves) send out the emergency notification.

Emergency Notifications may be issued by some or all the following methods depending on the type of emergency: Omnilert, the university's messaging system (which contains the following types of communication: text messaging, email blasts, WCU webpage, digital signage, television monitors, social media, external speaker broadcasts, and/or in-person notifications. Should any of these systems fail or the University deems it appropriate, in-person communication may be used to communicate in an emergency.

Regarding emergency notifications, an approved statement will be sent to news assignment desks in the Philadelphia area, including 6ABC Action News, PHL17, CBS3 Eyewitness News, NBC10, and FOX 29.

West Chester University 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 judgment of the first responders (including, but not limited to: Security Officers , Local PD, and/or the Local Fire and Emergency Medical Services), compromise the efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

EMERGENCY PROCEDURES AT THE LITS BUILDING

The Philadelphia location of West Chester University is a tenant in the Lits Building and follows the procedures set out in the Life Safety Operations Manual produced by Brickstone Realty, the building management firm at the Lits Building.

Each tenant at the Philadelphia Location, including the Philadelphia Location, has an Emergency Tenant Coordinator (ETC). Those individuals attend Life Safety Emergency Training on an annual basis. Those individuals then return to their respective areas and conduct a training session with their Emergency Team Members.

System to use	Primary Message Creator	Backup Message Creator	Authority for approving & sending messages	Primary Message Sender/ Distributor	Backup Message Sender/ Distributor
PRIMARY	Clery Compliance Officer	Electronic Security Manager	Chief of Police	Clery Compliance Officer	Electronic Security Manager
SECONDARY	Clery Compliance Officer	Electronic Security Manager	Chief of Staff VP for University Affairs	Clery Compliance Officer	Electronic Security Manager

The procedures to test emergency response and evacuation procedures on an annua basis are kept by Brickstone Realty.

ACTIONS TO BE TAKEN DURING EMERGENCIES AT THE LITS BUILDING

The ETC will be responsible for communicating this information to the staff, faculty and students of the Philadelphia Location.

In conjunction with other emergency agencies, the University conducts emergency response drills and exercises each year, such as tabletop exercises, field exercises, and tests of the emergency notification systems on campus. These tests, which may be announced or unannounced, are designed to assess and evaluate the emergency plans and capabilities of the institution. Specifically for the Philadelphia location of West Chester University, tests of the emergency preparedness systems are carried out by building management.

Each test is documented and includes a description of the exercise, the date and time of the exercise, and whether it was announced or unannounced. Documentation of those tests and exercises are kept by the building management company of the Lits Building.

The campus publicizes a summary of the emergency response and evacuation procedures via email at least once each year in conjunction with a test (exercise and drill) that meets all of the requirements of the Higher Education Opportunity Act.

COMMUNICATION WITH LITS BUILDING TENANTS

In the event of an emergency, building security within the Lits Building will use Building Fire/ Life Safety Enunciator System. The building FLS enunciator system provides one-way communication from the building fire command center to all building areas including elevators and stair towers.

FIRE EVACUATION DRILLS

Fire drills in the Lits Building are facilitated by building management and usually occur on weekday mornings when the building is occupied. Faculty, staff, and students should follow the procedures set forth by Lits Building management. These drills may be announced or unannounced.

If an actual fire or hazardous condition occurs in your area, you should:

1. Activate the closest fire alarm Pull Station even though an alarm may have already been activated. (This will help to confirm the alarm). Call your respective building emergency phone number and advise them of the situation (if time permits).
2. When an actual emergency occurs, that would necessitate an evacuation, the ETC for each tenant has the authority to give the command to evacuate, as deemed necessary, when Building Management, Security, the Fire Department or other designate cannot physically be on that floor or is not present. The ETC directs the ETM's to start evacuating their assigned areas. Once the evacuation has started, personnel are to be directed to the nearest stairwell and proceed to the respective assembly area. Personnel on the Concourse level and First Floor should always evacuate when an alarm is activated.
3. Close all doors that will help contain the fire.
4. Assist people with disabilities to the first landing of the fire tower stairwell if it would be unsafe or dangerous to wait for Fire Department assistance.
5. Immediately contact your building emergency phone number or 911 if someone needs immediate medical assistance

If an actual fire or hazardous condition occurs that is not in your immediate area and there is no imminent danger you should:

1. ETC's for each tenant should direct the ETM's and personnel that they are responsible for to the closest fire tower.
2. ETC's on floors 1, concourse, and sub-basement will direct their personnel to the designated evacuation points outside the building.
3. Enter the fire tower and await further instructions from security personnel and/or building engineers.
4. Assistants should circulate throughout your office space (especially storerooms, restrooms or inner office areas) making certain that your fellow employees are participating in a fire drill or are aware of a fire emergency. After each room or inner office area is investigated, shut the door(s) behind you and join your fellow employees at the Fire Tower door.
5. If you are assigned to assist a physically challenged person, follow your fellow employees with that person and line up at the end of the line. You are to remain with the person until the fire drill or fire emergency is over.
6. Be prepared to immediately activate the Emergency Evacuation Plan, when or if instructed.
7. Listen and pay close attention to all announcements sounding over the fire/life safety system.
8. For tenants on floors 2 through 7: Do not evacuate unless circumstances dictate otherwise or until instructed to do so as not to unnecessarily clog stairwells.
9. For tenants on floors 1, the concourse, and the sub-basement: Evacuation is mandatory for all alarm activations.
10. Immediately contact your building emergency phone number or 911 if someone needs medical assistance.

FULL BUILDING EVACUATION RECOMMENDED ASSEMBLY AREA

Evacuations are facilitated by Lits Building management and are communicated to building tenants.

If the local authorities determine The Lits Building must perform a full building evacuation, a remote area has been identified as a suitable assembly point for the buildings' tenants.

THE LOCATION IS FRANKLIN SQUARE LOCATED AT 7TH AND RACE STREET.

This area is accessible utilizing any of the building main exits or stair tower exits by proceeding to 7th Street and continuing north toward Arch St. for approximately two blocks until arriving at the entrance to the park.

Upon arrival, activate your identified recovery plan and await further instructions from building personnel or local authorities.

ASSEMBLY AREA INSTRUCTIONS

Upon arrival to the designated assembly area, the Disaster Recovery Plan may go into effect. At this point, a communications liaison will be established. The liaison will communicate updated information, as it becomes available, regarding incident status, return to work, etc.

GENERAL ASSEMBLY AREA — RECOMMENDED PRACTICES

As there will be voluminous amounts of people from all buildings arriving at the assembly area, the following recommendations should be considered to ensure personnel accountability:

Select a pre-designated location at the assembly area for your group where everyone is to meet.

Consider making a sign with the department name and/or AIM NUMBER that can be attached to a pole or similar type of device that can be held up in the air at the assembly area location so that it is visible to assembling or arriving personnel.

TENANT ASSEMBLY AREA — RECOMMENDED PRACTICES

As there are third-party tenants within The Lits Building facilities that have an assembly area, other than the designated building assembly area, the following recommendations should be considered:

After proceeding to your respective assembly area, account for your personnel and complete the required tasks. After completing your assembly area tasks, proceed to The Lits Building assembly area in order that you may then be included in the updates regarding incident status, building re-entry, etc.

SHELTER IN PLACE AT THE LITS BUILDING

If an evacuation cannot take place the Life Safety Handbook's Shelter in-Place Plan will be put into place.

The Philadelphia Fire Code requires various buildings to develop a plan to shelter occupants inside the building in the event of a hazardous material, biological or other emergency outside the building. The purpose of the shelter in-place plan is to safeguard the occupants during an emergency outside the building by preventing or limiting the infiltration of hazardous materials into the building by closing windows and doors, shutting down all air handling and HVAC systems, and moving occupants away from perimeter windows and doors to safer locations in the building. Where possible, these locations will be near restrooms.

SHELTER IN-PLACE LOCATIONS FOR BUILDING OCCUPANTS

The Lits Building is equipped with larger than usual common area corridors, which will serve as the shelter in-place locations for the building occupants.

Occupants are to exit their suites and stand by in the corridor areas outside their suites.

Location Characteristics

- Equipped with restrooms, water fountains, and vending areas.
- Reduced number of HVAC vents to limit possible exposure.
- Due to large floor plates, ample clearance from perimeter windows (non-operable)
- Access to core stair towers if authorities order evacuation.
- Fully equipped with FLSS speakers for audible announcement communication.

PROCEDURES

- Building management will make a building wide announcement when an external type emergency is occurring and the "shelter in-place" plan needs to be activated.
- The building engineer on duty will activate the "Code Purple" program shutting down all air handler and HVAC equipment.
- Security will recall and lock out all passenger elevators.
- All building occupants shall proceed to their designated "shelter in-place" location.
- Emergency Tenant Coordinators and identified alternates will assist with the relocation of disabled personnel working within their area.
- Building occupants are to stand by at their designated location and await further updates on the situation from building management.
- The identified locations are equipped with restrooms and water fountains as the length of time for the emergency cannot be determined.
- The building is equipped with non-operable windows and perimeter doors equipped with automatic door closures so no designated personnel will be necessary to handle window and door tasks.
- Upon notice from the authorities, building management will make a building wide announcement either directing all occupants to return to their workstations should the building be safe for continued occupancy or to complete a building evacuation to allow the HVAC systems to remove any possible contaminants that may have infiltrated the building envelope.

Initial emergency communications will be sent immediately and will convey only the most critical information. Follow-up information and details will be carried on the University's homepage, which will be updated as circumstances dictate.

POST EMERGENCY COMMUNICATION

Since the Philadelphia Location is in leased space in the Lits Building faculty, staff, and students at the Philadelphia can and should follow guidance by Lits Building management in the event of an emergency.

Consistent with the requirements of the Clery Act concerning the University will issue follow-up messages to convey the University's return to normal operations to all faculty, staff, and students via University-assigned email accounts, the West Chester University homepage, and text messages to WCU Alert subscribers. Details regarding the incident will be communicated on the University's homepage. These messages may be in addition to those sent by the Lits Building management.

The local news media may be utilized to disseminate emergency information to members of the larger community, including neighbors, parents, and other interested parties. The larger community can also access emergency information via the West Chester University homepage.

If there is an immediate threat to the health or safety of students or employees occurring on campus, an institution must follow its emergency notification procedures. An institution that follows its emergency notification procedures is not required to issue a timely warning based on the same circumstances; however, the institution must provide adequate follow-up information to the community as needed. In other words, the sending of an emergency notification is sufficient even if the facts underlying the notification meet the elements calling for the sending of a Timely Warning.

ASSISTING THOSE EVACUATING WHO HAVE DISABILITIES

In the event of an extreme emergency, employees using wheelchairs, motorized scooters, crutches, etc., should consider alternative evacuation measures, including being picked up and carried down the stairwell to a safer location and if necessary, out of the building.

When circumstances necessitate separating the user and the wheelchair, try to keep the period of separation to a minimum. Ensure sufficient help to carry both the user and the wheelchair/scooter is available to use this procedure.

When more than one flight of stairs is traversed, helpers may need to switch positions, since one person may be doing most of the lifting. Switch positions only on level landing areas. When the lifting is complete, follow the instructions of the wheelchair's user and restore the manual or motorized wheelchair to full operation; then assist the user to a safe area.

If an individual or individuals with disabilities is evacuated by other means such as freight or passenger elevator, they will most likely will not be evacuated or taken to the designated corporate assembly area but will be assembled at a closer location, away from danger, such as one of the other buildings. The decision as to what evacuation means will be utilized and where these occupants will be assembled will be made by the authorities (PFD/PPD) at the time of the event as circumstances may determine the decision

TRAINING AND TESTING PROCEDURES

Testing the procedures by which the campus is alerted to emergencies including Timely Warnings is critical for effective communication. On the first Thursday of every month, the Timely Warning and Emergency Notification systems are tested internally. A test message is sent to a group of individuals on campus who then report if the message has been received. On a wider scale, the campus emergency notifications systems are tested annually.

SECURITY AND ACCESS TO CAMPUS FACILITIES

Q: What is the policy regarding access to University facilities and programs by students, employees, guests, and other individuals?

A: During normal business hours, the Philadelphia Location is open. Access is by University ID only or by the staff opening the front door to visitors. Thus, any student or employee of the Philadelphia Location MUST have their ID to access the Location. After these business hours and during breaks, these facilities are locked and only accessible to authorized individuals using a University ID. The staff of the Philadelphia Location can adjust the times at which the doors are controlled by key cards only. Allied Universal Security conducts routine patrols of the buildings to evaluate and monitor security-related matters. Any incident requiring an investigation is reported immediately to the Philadelphia Police Department.

The University secures its campus in the Lits Building using the access card system. It is therefore imperative staff, faculty and students carry their ID with them at all times to access the campus suite.

WHAT TYPE OF STUDENT HOUSING IS AVAILABLE AT THE PHILADELPHIA LOCATION?

There are no on campus Student Housing facilities at the Philadelphia location.

WHAT IS THE PHILADELPHIA POLICY ON INVESTIGATING MISSING STUDENTS WHO RESIDE IN ON-CAMPUS HOUSING?

Because there are no residential facilities at the Philadelphia location there is not a missing student policy. Reports of missing students received by the Philadelphia Police Department will result in a police investigation as outlined by statute in 18 Pa. Section 2908(a) Missing Children and 42 U.S.C. 5779(a) Section 3701(a) Suzanne's Law.

WHAT SECURITY CONSIDERATIONS DOES THE PHILADELPHIA LOCATION USE IN THE MAINTENANCE OF CAMPUS FACILITIES, INCLUDING LANDSCAPING, GROUNDS-KEEPING AND OUTDOOR LIGHTING?

Common areas used to access the Philadelphia Location on the Concourse Level are the responsibility of the Lits Building. Besides the contract for unarmed security personnel to provide general building security, maintenance is handled through contract services by the building owners as well.

CRIME PREVENTION AND SAFETY INFORMATION

West Chester University offers several crime prevention and security awareness programs for students and employees. Topics such as personal safety, residence hall security, drug and alcohol abuse awareness and sexual assault prevention are some examples of programs offered during the prior academic year.

A common theme of all programs is to encourage students and employees to be aware of their responsibility for themselves. These programs are offered by request. As students prepare to come to West Chester and upon their arrival on campus the Office of Residence Life and Housing Assignments along with University Student Housing and The Department of Public Safety to provide information on personal safety and residence hall security. Programs include:

R.A.D. (RAPE AGGRESSION DEFENSE).

The R.A.D. Systems of Self-Defense offers defense education programs for men and women. Each of these programs includes educational components comprised of lecture, discussion, and physical resistive strategies, all of which are facilitated by certified R.A.D. Instructors. WCU R.A.D. Instructors can also provide 1-2 hour seminar presentations on personal safety and awareness for those who are interested in learning more about reducing their risk of victimization, but who may not be able to commit to the time required for a complete course. For more information about R.A.D. Systems self-defense education at WCU contact RAD@wcupa.edu.

PHYSICAL DEFENSE PROGRAMS FOR WOMEN

The cornerstone of R.A.D. Systems programming, this system of realistic defense will provide the student with the knowledge to make an educated decision about resistance. R.A.D. Systems operate on the premise that a spontaneous violent attack will stimulate a natural desire to resist on the part of the victim (supported by research). This course will educate the students about Risk Reduction Strategies and the "Fight or Flight Syndrome," while showing them that enhancing their option of physical defense is not only prudent, but a necessity. Participants will learn about personal weapons, vulnerable locations postures in conflict, and the many options they have available to employ if engaged in an aggressive encounter. This program is a minimum of 10 hours of training and will be 12 hours with simulation.

ASD - ADVANCED SELF DEFENSE

This system of defense builds upon techniques and strategies learned in the Basic Physical Defense class. This program covers more prone defense strategies and multiple subject encounters. Participants must have already completed the Basic Physical Defense course prior to taking Advanced Self-Defense.

PHYSICAL DEFENSE PROGRAMS FOR MEN

Resisting Aggression is a choice. Students in this course are responsible for how they respond to any event in their life. You will be asked to raise your awareness of aggressive behavior, to recognize how aggressive behavior impacts your life, take steps to avoid aggressive behavior, and look at how you can be part of reducing aggression and violence. In a small number of incidents, physical confrontation may be unavoidable. Our program provides participants with realistic strategies when forced into a physical confrontation. Resisting Aggression with Defense is designed to empower faculty, staff, and students to make different decisions when confronted with aggressive behavior. This program is a minimum of 10 hours of training and will be 12 hours with simulation.

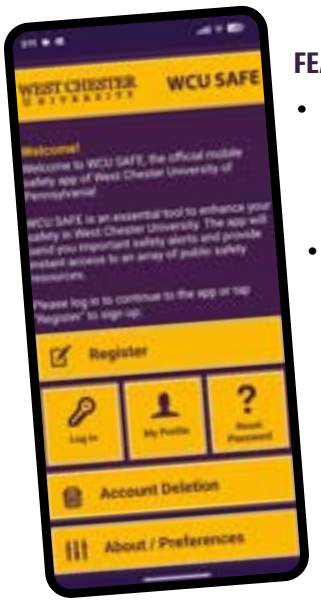
A.L.I.C.E.

ALICE (Alert, Lockdown, Inform, Counter, Evacuate) is an options-based strategy to survive violent critical incidents. These incidents include persons with guns, knives, blunt objects, vehicles, or anything else that could be used as a weapon. Plans can fail so that is why West Chester University Police teach an options-based strategy. Instead of handing every person a cookie-cutter plan to shut off the lights and hide in a corner, ALICE offers each person choices to have at their disposal if the unthinkable occurs.

Because of the high importance of this training, WCUPD offers this training for ***free*** to anyone associated with West Chester University. If you would like to begin talks with an ALICE instructor about getting you or a group signed up for this potentially life-saving training, email ALICE@wcupa.edu and an instructor will be in contact.

Since its inception on campus WCU A.L.I.C.E. instructors have provided training to nearly 1000 members of the campus community in various departments and divisions.

WCU Safe is the official safety app of West Chester University. It is the only app that integrates with WCU's safety and security systems. The Department of Public Safety has worked to develop a unique app that provides students, faculty, and staff with added safety on the WCU campus. The app will send you important safety alerts and provide instant access to campus safety resources. For the Philadelphia Center, the app is geo-fenced to include the entirety of the Lits Building and an area 900 feet from the boundary of the building.



FEATURES OF WCU SAFE APP

- **Emergency Contacts:** Contact the correct services for the WCU area in case of an emergency or a non-emergency concern.
- **Virtual Walk Home**: Allow Campus Security to monitor a user's walk. If a user feels unsafe when walking on campus, they can request a Virtual Walk Home and a dispatcher on the other end will monitor their journey until they reach their destination.
- **Public Safety Escort**: This walking escort service is provided to students, faculty, and staff from one on-campus location to another.
- **Friend Walk**: Send your location to a friend through email or SMS on your device. Once the friend accepts the Friend Walk request, the user picks their destination and their friend tracks their location in real-time; they can keep an eye on them to make sure they make it safely to their destination.
- **Emergency Plans:** Campus emergency documentation that can prepare you for disasters or emergencies. This can be accessed even when users aren't connected to Wi-Fi or cellular data.
- **Panic Button / Mobile Bluelight:** Send your location to WCU security in real-time in case of a crisis.
- **Support Resources:** Access support resources in one convenient app to enjoy a successful experience at WCU.
- **Safety Notifications:** Receive instant notifications and instructions from WCU safety when on-campus emergencies occur.]

EMPLOYEES AND STUDENTS WITH CRIMINAL RECORDS

As part of the pre-employment process, Human Resources conducts background checks in the form of specific criminal and consumer reporting verifications for all employee recruitments except for work-study students. Conviction of a criminal offense does not bar one from employment in all cases. Each case is considered individually on its merits. If the University administration discovers that a current employee has been convicted of a criminal offense, the University reserves the right to review the conviction in relation to the employee's current position and, if warranted, act to either reassign or dismiss the employee.

The West Chester University policy is available online at the following website: Background Clearances and Reporting Requirements

The Philadelphia Center Community

WCU BY THE NUMBERS:

31 Undergraduates

54 GRADUATES

85 TOTAL STUDENTS

16 Faculty

3 STAFF

19 TOTAL FACULTY & STAFF

85.3* FTE student enrollment

7.4* FULL-TIME FACULTY & STAFF

92.7** TOTAL FTE STUDENTS, FACULTY, AND STAFF

FTE = Full Time Equivalent
Figures provided by the Office of Institutional Research

**Figures are for the Philadelphia Location as of the 'Fall Freeze' of enrollment numbers for Fall 2023.*

***This figure equals the number of full-time employees and students. This is not a headcount.*

Specific student headcounts are not provided for the Philadelphia location because the university does not restrict students to attending only one campus per term. Students can attend classes at both the Philly campus and other locations of West Chester; splitting their time between main campus and other West Chester University locations. Since a headcount counts students only one time, the university counts students by campus location using FTE; aggregating the course credit hours and then dividing by the number of credits that represent full-time for each population.

STUDENTS WITH PRIOR DISCIPLINARY HISTORY

West Chester University of Pennsylvania has determined that all applicants for admissions or individuals intending to take classes non-degree must disclose information regarding any current disciplinary proceeding, disciplinary suspension, or dismissal imposed by other higher education institutions. The university will not necessarily deny admission to the university in general or a particular academicprogram or to housing because of a disciplinary issue. Determinations by the Discipline Review Committee as to the imposition of conditions will be based upon the nature and severity of the offense(s); the period that has elapsed between the incident(s); the completion of discipline, if applicable; whether the applicant has additional incidents of misconduct; and the extent to which the conduct would be relevant to the student's participation in the University community.

MEGAN'S LAW INFORMATION AND CRIMINAL RECORDS

The federal Campus Sex Crimes Prevention Act, enacted on October 28, 2000, requires institutions of higher education to issue a statement advising the campus community where law enforcement agency information provided by a State concerning registered sex offenders may be obtained. The Act also requires sex offenders already required to register in a State to provide notice, as required under State law, of each institution of higher education in that State at which the person is employed, carries on a vocation, volunteers services, or is a student.

A list of all registered sex offenders living in the West Chester area is available at: www.pameganslaw.state.pa.us/

2025 WEST CHESTER UNIVERSITY ANNUAL DISCLOSURE OF CRIME STATISTICS

The Jeanne Clery Campus Safety Act sets out how crime statistics are collected and published. West Chester University discloses its annual security report statistics for the three most recent calendar years (2023, 2024, and 2025) on the number of Clery-reportable crimes occurring within Clery-reportable geography. In addition to incidents reported to the West Chester University Department of Public Safety, statistics include offenses reported to the Philadelphia Police Department and to West Chester University staff having significant responsibility for student and campus activities, i.e., Campus Security Authority. Officials and offices on campus who have contributed statistical information include, but are not limited to, the Office of the Dean of Students; faculty advisors to student groups; residence life staff; athletic administrators, coaches, and trainers; student health personnel; subcontracted security guards; and student conduct staff. University counselors may voluntarily provide nonidentifying information on crimes reported to them for inclusion in the yearly statistics.

In accordance with the definitions found in the Clery Act, crime statistics are collected and reported in the following geographical categories:[2]

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

For the Philadelphia Location of West Chester University, this definition applies to all University-owned or controlled facilities within the Lits Building, specifically the Academic and Administrative Suites located on the Concourse Level of the building. All corridors and escalators used by faculty staff and students used to access the Philadelphia Location will be included as "On Campus."

- On-campus student housing facility: Any student housing facility that is owned or controlled by the institution and is within the reasonably contiguous geographic area that makes up the campus is considered an on-campus student housing facility. The on-campus Student Housing category is also a subset of the On-campus category. ***There are no on-campus student housing facilities at the Philadelphia location of West Chester University, therefore that column will not appear either in the ASR or the Campus Security Survey***

- Non-campus Building or Property: (1) Any building or property owned or controlled by a student organization that is officially recognized by the institution (i.e., privately owned fraternity); or (2) Any building or property owned or controlled by an institution that is used in direct support of or in relation to the institution's educational purposes, is frequently used by students and is not within the same reasonably contiguous geographic area of the institution. ***The Philadelphia location of West Chester University does not have any non-campus property associated with it and therefore those columns will not appear either in the ASR or the Campus Security Survey***

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

For the Philadelphia Location this definition applies to the sidewalk immediately adjacent to the Lits Building. Consistent with the guidance issued by the Department of Education in the Clery Appendix, the Department applies no specific measurable distance definition into adjacent public property. Therefore, the sidewalk in the 700 Block of East Market St, the 100 Block of N 7th Street, and the 100 Block of N 8th Street "immediately adjacent to and accessible from the campus.".

The Public Property surrounding campus is countable only when the Lits Building is open and therefore accessible from campus when students and staff at the Philadelphia Location. The Lits Building is open Monday through Friday from 8:00 am to 6:00pm. The Philadelphia Center location does have one weekend class on Saturdays.

STATISTICS FOR INCIDENTS REPORTED ON CAMPUS

Statistics for on-campus properties include all incidents reported to the University's Department of Public Safety that occurred in any building or property that is owned or controlled by the institution located within the same reasonably contiguous geographic area and are used to meet or support the educational purposes of the institution. These statistics also include all residential facilities on campus, whether they are owned and operated by the University or by a private management company.

2 Because of the Philadelphia Center's unique geography aspects of some of these definitions may not be applicable, yet because these definitions are from the statute they nevertheless are being quoted in their entirety.

STATISTICS FOR INCIDENTS REPORTED IN ON-CAMPUS RESIDENTIAL FACILITIES[3]

Statistics for residential facilities include all incidents reported to the University's Department of Public Safety that occurred in the student residential facilities located on the main campus, whether the building is owned and operated by the institution or by a private management company. These numbers are also included in the on-campus property statistics.

STATISTICS FOR INCIDENTS REPORTED IN NON-CAMPUS PROPERTIES[4]

Statistics for non-campus properties include all incidents known to the University that are reported to local municipal police agencies.

STATISTICS FOR INCIDENTS REPORTED ON PUBLIC PROPERTY

Reporting for public properties includes all incidents known to the University that are reported to local municipal police agencies for incidents occurring in public areas that are geographically contiguous to campus property.

The elements of a Clery statistic

- A Clery Crime
- Occurring in or on the institution's Clery geography; and
- Reported to a Campus Security Authority

If all these elements are met, the crime is considered 'countable under the Clery Act and included as a statistic.

DEFINITIONS OF CLERY ACT REPORTABLE CRIMES

Crimes for which the University is responsible for reporting under the Clery Act are arranged in four categories: Criminal Offenses, Hate Crimes, VAWA offenses and Arrests and Disciplinary Referrals for Weapons, Drug and Alcohol Law Violations

Consistent with the requirements of the Clery Act, Pennsylvania distinctions are listed after the Clery crime definitions.

CRIMINAL OFFENSES

Murder/Manslaughter: Defined as the willful killing of one human being by another.

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

Sexual Assault: Under the Violence Against Women Act (VAWA), the definition of sexual assault is an offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting (UCR) program. Per the National Incident-based Reporting System User Manual from the FBI UCR Program, a sex offense is "any sexual act directed against another

person without the consent of the victim, including instances where the victim is incapable of giving consent." The VAWA definition of sexual assault includes rape, fondling, incest, and statutory rape.

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

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

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

Statutory Rape: Sexual intercourse with a person who is under the statutory age of consent. (In Pennsylvania, the age of consent for sexual activity is 16 years or older.)

Robbery: Defined as 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.

Aggravated Assault: Defined as 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.

Burglary: Unlawful entry of a structure to commit a felony or a theft.

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

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.

HATE CRIMES

The University is committed to maintaining an environment free from unlawful discrimination or harassment and the reporting of incidents enables the University to assess the campus climate and promptly respond to incidents. Together, we can work to maintain an educational and work environment that is free from unlawful harassment and discrimination. Hate crimes are especially cruel, and the University will prosecute offenders under the law and/or its conduct processes.

3 There are no on-campus student housing facilities at the Philadelphia location.
4 There are no non-campus properties at the Philadelphia location

Categories of Prejudice: Disability, Ethnicity, Gender, Gender Identity, National Origin, Race, Religion, Sexual Orientation

For Clery Act reporting purposes, hate crimes include the criminal offenses described previously on this page, in addition to the four crimes listed below, that manifest evidence that the victim was intentionally selected because of the perpetrator's bias against the victim based on one or more of the following categories of bias: race, religion, sexual orientation, gender, gender identity, ethnicity, national origin, or disability.

- **Larceny/Theft:** The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. This includes pocket-picking, purse snatching, shoplifting, theft from building, theft from a motor vehicle, theft of motor vehicle parts or accessories, and all other larcenies.
- **Simple Assault**: 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.
- **Destruction/Damage/Vandalism to Property** (except Arson): 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.

ARRESTS AND DISCIPLINARY REFERRALS

Liquor Law Violations: The violation of state and/or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, or possession or use of alcoholic beverages.

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.

Weapons Law Violations: 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.

DISCIPLINARY REFERRALS

The referral of any person to any campus official who initiates a disciplinary action of which a record is kept and which may result in the imposition of a sanction.

THE VAWA OFFENSES

Another category of Clery definitions is the definition contained in the Violence Against Women Act (VAWA). Those offenses are Dating Violence, Domestic Violence, and Stalking. Where applicable the Pennsylvania distinctions to the VAWA Act offenses are provided.

Domestic Violence: Includes felony or misdemeanor crimes 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 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 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 jurisdiction in which the crime of violence occurred.

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

Dating Violence: The VAWA definition of 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 based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition, dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence.

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

Stalking: The VAWA definition of stalking is 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. For the purposes of this definition, (a) course of conduct means two or more acts, including, but not limited to, acts which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person's property; (b) reasonable person means a reasonable person under similar circumstances and with similar identities to the victim; and (c) substantial emotional distress means significant mental suffering or anguish that may but does not necessarily require medical or other professional treatment or counseling.

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

HAZING

On December 23, 2024, the President signed into law the Stop Campus Hazing Act, which, among other things, establishes a federal definition of hazing, requires colleges and institutions to create and update the Campus Hazing Transparency Report on a biannual basis and makes hazing a Clery-reportable crime.

The law's impact on the Annual Security and Fire Safety Report is significant in that it sets out required policy statements for this newest Clery Crime definitions of which must be included in the ASFSR.

WEST CHESTER UNIVERSITY PROHIBITION ON HAZING

West Chester University prohibits anyone from engaging in or attempting hazing conduct. Hazing is dangerous and detrimental to the self-esteem and physical well-being of students who are targeted by the activity. Hazing degrades the values of the involved organization and creates an environment of disrespect that contradicts the University's commitment to and statement of civility. It is not a defense to hazing or any hazing related conduct that the consent of a student to participate in suspected hazing activity was sought or obtained; or that the suspected hazing conduct was sanctioned by the University or an organization.

WEST CHESTER UNIVERSITY DEFINITION OF HAZING

HAZING – A person, individually or with others, or organization, who intentionally, knowingly or recklessly, for the purpose of initiating, admitting or affiliating an individual into or with an organization, or for the purpose of continuing or enhancing an individual's membership or status in an organization, regardless of the willingness of such other person or persons to participate, do any of the following:

1. Causing, coercing, or otherwise inducing another person to consume any food, drink, liquid, alcoholic liquid, drug, or other substances which subjects the individual to a risk of emotional or physical harm.
2. Endure brutality of a physical nature, which may include but is not limited to whipping, beating, branding, paddling, kicking, striking, pushing, shoving, tackling, calisthenics, electronic shocking, placing of a harmful substance on someone's body, or exposure to the elements.
3. Commit any activity that places another person in reasonable fear of bodily harm through the use of threatening words or conduct;
4. Endure brutality of a mental nature, which may include but is not limited to activity adversely affecting the mental health or dignity of the individual, which may include, but not limited to sleep deprivation, confinement, exclusion from social contact, or conduct which could result in extreme embarrassment or degradation;
5. Causing, coercing, or otherwise inducing another person to perform sexual acts or enduring brutality of a sexual nature;
6. Endure any other activity that creates a reasonable likelihood of bodily injury to the student;
7. Any activity against a person that includes a criminal violation of local, state, tribal, or federal law or University policy or rule;
8. Any activity that induces, causes, or requires another person to perform a duty or task that involves a criminal violation of local, state, tribal, or federal law or University policy or rule.

Aggravated Hazing: A person commits the violation of aggravated hazing if any of the above actions results in serious bodily injury or death to the individual, either from actions of reckless indifference to their health and safety, or by actions that cause, coerce, or force the consumption of an alcoholic liquid or drug.

INFORMATION REGARDING APPLICABLE LOCAL, STATE, AND TRIBAL LAWS ON HAZING

In addition to the University's Hazing policy, members of the campus community should be aware of applicable jurisdictional laws pertaining to Hazing.

Applicable Pennsylvania state law on hazing

Pennsylvania criminalized hazing with the passage of the Timothy J. Piazza Antihazing Law. Components of Pennsylvania's anti hazing

law are very similar to the Stop Campus Hazing Act. Some relevant sections from that statute are listed below, specifically, the definition of hazing and the definition of an organization. If you wish to view the full text of the statute the citation is included below.

Under Pennsylvania law, hazing is defined as:

A person commits the offense of hazing if the person intentionally, knowingly or recklessly, for the purpose of initiating, admitting or affiliating a minor or student into or with an organization, or for the purpose of continuing or enhancing a minor or student's membership or status in an organization, causes, coerces or forces a minor or student to do any of the following:

(1) Violate Federal or State criminal law.

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

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

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

(5) Endure brutality of a sexual nature.

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

Penalties for conviction under the section:

Grading.--

(1) Except as provided under paragraph (2), hazing is a summary offense.

(2) Hazing shall be a misdemeanor of the third degree if it results in or creates a reasonable likelihood of bodily injury to the minor or student.

(c) Limitation.--*Hazing shall not include reasonable and customary athletic, law enforcement or military training, contests, competitions or events.*

Pennsylvania has another definition of hazing, aggravated hazing defined as:

A person commits the offense of aggravated hazing if the person commits a violation of section 2802 (relating to hazing) that results in serious bodily injury or death to the minor or student and:

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

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

Penalties for conviction under this section are:

Aggravated hazing shall be a felony of the third degree

Furthermore, the statute defines a student organization as:

Any of the following:

(1) A fraternity, sorority, association, corporation, order, society, corps, club or service, social or similar group, whose members are primarily minors, students or alumni of the organization, an institution or secondary school.

(2) A national or international organization with which a fraternity or sorority or other organization as enumerated under paragraph (1) is affiliated.

The statute has a section dedicated especially to organizations whereby the organization can be charged and penalized under the statute, specifically, the statute defines organizational hazing as:

An organization that intentionally, knowingly or recklessly promotes or facilitates a violation of section 2802 (relating to hazing) or 2803 (relating to aggravated hazing) commits the offense of organizational hazing and shall be subject to any of the following penalties:

(1) A fine of not more than $5,000 for each violation of section 2802.

(2) A fine of not more than $15,000 for each violation of section 2803.

Penalties.–*In addition to any other sentence imposed, if an organization commits the offense of organizational hazing, the organization shall be subject to such other relief as the court deems equitable.*

The full statute can be found at *18 Pa. C.S § 2801, et seq*.

There are no applicable Tribal laws relating to Hazing in the University's jurisdiction.

West Chester University prohibits students, employees, officers, contractors, and volunteers from engaging, or attempting to engage in Hazing.

DEFINITION OF HAZING UNDER THE STOP CAMPUS HAZING ACT (SCHA).

This definition of hazing is for statistical purposes only (counting the new Clery crime of hazing), for institutional violations West Chester University will use its institutional hazing policy, for criminal matters, the West Chester University Police Department will use the Pennsylvania anti-hazing statute.

For reporting statistics on incidents of hazing, hazing, is defined as:

1. *any intentional, knowing, or reckless act committed by a person (whether individually or in concert with other persons) against another person or person regardless of the willingness of such other person or persons to participate, that—*
   - *is committed in the course of an initiation into, an affiliation with, or the maintenance of membership in, a student organization; and*
   - *causes or creates a risk, above the reasonable risk encountered in the course of participation in the institution of higher education or the organization (such as the physical preparation necessary for participation in an athletic team), of physical or psychological injury including*
     - *i. whipping, beating, striking, electronic shocking, placing a harmful substance on someone's body or similar activity;*
     - *ii. causing, coercing, or otherwise inducing sleep deprivation, exposure to the elements, confinement on a small space, extreme calisthenics, or other similar activity;*
     - *iii. causing or coercing another person to consume food, liquid, alcohol, drugs, or other substances;*
     - *iv. causing, coercing or otherwise inducing another person to perform sexual acts*
     - *v. any activity that places another person in reasonable fear of bodily harm through the use of threatening words or conduct;*

vi. *any activity against another person that includes a criminal violation of local, State, Tribal, or Federal law; and*

vii. *any activity that induces, causes, or requires another person to perform a duty or task that involves a criminal violation of local, State, Tribal or Federal law.*[5]

2. Hazing also involves any other activity not addressed by (1) of this definition that is expected of someone joining or participating in a student organization that humiliates, degrades, abuses, or endangers them, regardless of a person's willingness to participate.

STUDENT ORGANIZATION DEFINITION.

Under the Student Code of Conduct a recognized student organization is one that is:

[A]ny organized group of students that has complied with or is in the process of complying with the University's requirements for registration, recognition, or is formed through University academic, athletic, or auxiliary department, or is funded by Student Services Incorporated.

For purposes of the University's Hazing policy, the phrase "student organization" includes organizations defined under both eh Timothy J Piazza AntiHazing law AND the Stop Campus Hazing Act which specifically defines a student organization as defined as:

"an organization at an institution of higher education (such as a club, society, association, varsity or junior varsity athletic team, club sports teams, fraternity, sorority, band, or student government) in which two or more of the members are students enrolled at the institution of higher education, whether or not the organization is established or recognized by the institution"[6]

Any student organization recognized or established by West Chester University that is found to be responsible for violating the University's Hazing policy will be recorded in the Campus Hazing Transparency Report. However, all reports of hazing involving student organizations that occur in the University's Clery Geography will be included in the crime statistics regardless of whether the organization is established or recognized by the institution.

The University reserves the right to hold a sub-group of an organization accountable for Hazing policy violations, rather than the entire student organization, when circumstances reasonably indicate a subgroup, not the entire student organization, committed a Hazing policy violation. For example, affinity groups or position groups within an athletic team that meet the definition of student organization may be held accountable for Hazing in lieu of the entire athletic team.

REPORTING PROCEDURES – HOW TO REPORT HAZING.

Any individual who experiences or witnesses Hazing is strongly encouraged to report the incident immediately. Any incident involving an in-progress crime or emergency should be reported immediately to the local law enforcement agency with jurisdiction by dialing 911.

Reports of hazing activity or behavior believed to involve hazing, as defined by federal or state law or university policy, can be made in person, by phone, or by email using the contact information below

- WCU Police Department or the law enforcement agency where the activity occurred.
  - University Police at 610-436-3311.
  - 690 South Church St, West Chester, PA
  - Clery Reporting Form
- Office of Student Conduct, 200 Ruby Jones Hall, 610-436-3511, or studentconduct@wcupa.edu
  - Group Conduct Report Form
- Office of Equal Opportunity and Compliance 114 West Rosedale Ave, 610-436-2433
- anonymous text (256-928-2273), an anonymous tip phone line (610-436-3100), or online reporting form.

Upon notification of an allegation of hazing, the Office of Student Conduct or the Office of Equal Opportunity and Compliance will immediately notify the WCU Police Department to ensure investigative integrity for any criminal activity is preserved.

Policy Violation Allegations:

- Allegations of student violations of this policy should be referred to the Office of Student Conduct.
- In all cases of alleged violations of this policy, the organization advisor, University department/associate, and/or general headquarters of the organization (when applicable) will be notified.
- During the period of formal investigation or adjudication of alleged violations of this policy, all new member-related activities, organization activities, and/or University recognition/sponsorship of the organization may be summarily suspended.
- Allegations of antihazing policy violation by an employee should be referred to the Office of Human Resources for administrative follow- up in accordance with employment law and current collective bargaining agreements.
- Allegations of violations of this policy by university volunteers should be referred to the Office of Student Engagement at 610-436-2117

It is not a defense to any alleged violation of this policy that the consent of a person to participate in suspected hazing activity was sought or obtained; or that the suspected hazing conduct was sanctioned by the University or an organization.

INVESTIGATIVE PROCESS

Investigations of group conduct follow the procedures listed below for ALL policy violations, including hazing.

Preliminary Inquiry

Reported incidents of group misconduct often result in a preliminary inquiry conducted by fact-finding investigators. Interviews may be set up with the individual complainants, reporters, witnesses, and respondent student(s). If it is determined that there is reason to continue the fact-finding information, the case may move to a formal investigation and the group's leader and the University office overseeing the organization (e.g. Athletics, Fraternity and Sorority Life) will be notified.

The Alternative Resolution Process for groups is the most informal process offered only:

1. When all parties involved and the Hearing Officer agree to it.

2. When the group chooses it as an option, as participation in any Alter-

5 20 U.S.C. 1092(f)(1)(K)

6 *20 U.S.C. 1092(f)(6)(A)(vii)]*

native Resolution Process is strictly voluntary. Students who choose not to participate retain the right to a formal resolution process.

Organizational Misconduct Partnership Process – Matters are eligible for this process if the Hearing Officer and group agree on the basic details of what took place, what policy-violating behaviors the group is potentially responsible for, and the need for the group to take corrective action. In such cases, the student group could voluntarily elect this process, which allows them to conduct a self-investigation, and develop a corrective action agreement. All self-investigation findings and proposed actions will be reviewed and approved by the Office of Student Conduct. A disciplinary record will be maintained for student groups.

a. Groups may cancel their participation in the Alternative Resolution Process any time before signing the agreement and use the formal conduct process.

b. The Hearing Officer may also decide to rescind the Alternative Resolution Process if it is no longer appropriate any time before signing the agreement.

c. If the Alternative Resolution Process stops, the case will revert to the formal conduct process.

d. Once an agreement is signed, it is final. The group can't appeal the agreement, and if the group does not complete the agreed upon sanction condition(s), a hold will be placed o

Upon receipt of a report alleging Hazing, the Director of Student Conduct, or designee, will review the report and determine if the alleged behavior, as described in the report, would constitute Hazing as defined by the University. As it relates to the University's Hazing policy, the term "respondent" refers to a student, a recognized or registered student organization, or an employee who is alleged to have engaged in Hazing.

The Director of Student Conduct, or designee, is empowered to take reasonable steps to obtain additional information that may be necessary to determine if a policy violation has been alleged or to determine if an investigation is warranted. Allegations of Hazing involving a student or a student organization that is officially recognized by, or registered with, the University will be resolved using the procedures outlined in the West Chester University Student Code of Conduct. Allegations involving other respondents will be resolved using the policies and procedures applicable to the respondent's status.

INTERIM ACTION

In response to the report, the Director of Student Conduct, or designee, may impose an interim suspension on a respondent prior to the resolution when a threat of imminent harm to persons or property exists, and/or there is potential for significant disruption to the community that exists during the course of investigation.

Interim suspension is not a sanction. It is taken to protect the safety and well-being of individuals and the University community. Interim administrative action is preliminary in nature; it is in effect only until there is a resolution of the matter. The respondent may challenge the interim action in writing to the next level of conduct authority within five (5) days of the imposition of the interim action. The interim action will be in effect during the challenge.

FORMAL INVESTIGATIONS

a. The fact-finder will determine the best method of information gathering. This may include a mandated group meeting or a series of individual meetings.

b. Students will be asked to sign an investigation participation form affirming the truthfulness of statements provided, their right to be silent, acknowledging they have the option to file a report with law enforcement, understanding that information provided may be made available to other individuals if they are alleged to have violated the Student Code of Conduct, and that any attempt to disrupt or obstruct the investigation may result in violations of dishonesty or failure to comply violations of the Student Code of Conduct.

c. In the interest of full disclosure and to reduce the incidence of retaliatory behavior, the investigators will make every attempt to keep student testimony for group misconduct private.

d. Cell phones and any other technology may be collected during any meeting to avoid collusion and conspiracy but are not subject to search without student permission or warrant.

e. The fact-finder(s) may recommend an interim action to the Assistant Dean or designee at any point in the investigation.

f. Although participation in the investigation is optional, future membership in the group may be assessed on the student member's cooperation.

g. During the investigation, the student group has the right to be assisted by any advisor they may choose, at their own expense.

The respondent (typically the president for a registered/recognized student organization, or its equivalent for an established organization) will be sent a written notice of the allegations by way of their University supplied e-mail account. If the student organization has a national or oversight entity, that entity may be apprised of the University's investigation at the discretion of the Director of Student Conduct.

For group related allegations, while under investigation, students in groups will:

a. Refrain from communication or behavior that could be considered retaliatory in nature, which is a violation of the Student Code of Conduct. Examples include, but are not limited to, sending intimidating or harassing texts, calls or emails; sending messages through other people; and making intimidating or harassing comments on social media. Retaliation against anyone involved in the case should be brought to the immediate attention of the Office of Student Conduct and/or Public Safety.

b. Keep all information related to the incident as private as possible. In order to protect the privacy of all parties, only speak with University officials who are facilitating the investigation. Any member or guest who are known to have facts of the incident (what took place before, during, and after the alleged misconduct) may be contacted for an interview.c. If the investigation determines that a group's culture or actions contributed to the incident, the group will be issued a list of initial Student Code of Conduct alleged violations and may include an Interim Action Notice, which will remain in place until the conclusion of the resolution process. While there is a general time frame for the investigation, there are exceptions that are allowed for extenuating circumstances. For example, a delay in investigation may occur if

local law enforcement and legal representatives are not supportive of key individuals (the complainant and/or respondent) participating in University interviews that could affect a criminal proceeding.

c. If it is determined that a group created a "hostile environment," defined as "Conduct of a sexual nature that is sufficiently severe, persistent, and pervasive to limit a student's ability to participate in or benefit from the educational program" (WCU Sexual Misconduct Policy), they may be found responsible.

CAMPUS HAZING TRANSPARENCY REPORT

A component of the SCHA requires institutions to publish a Campus Hazing Transparency Report. The report applies only to student organizations established or recognized by the institution

The CHTR is intended to disclose incidents of hazing for which student organizations have been found responsible for violating the institution's standards of conduct regarding hazing. Entries concerning the findings made in the Campus Hazing Transparency Report must stay in the report, I.e., on the Office of Student Conduct's website) for 5 years. This requirement is very similar to Timothy J. Piazza Antihazing Act which already requires institutions like West Chester to publish such data

The Transparency Report will be updated to include new findings of organizational responsibility no less than twice annually following a final determination that a student organization has violated the University's Hazing policy. The first Transparency Report will be published by December 23, 2025, unless no organizations have been found responsible for Hazing at that time, as the University is not required to publish a Transparency Report until a student organization has been found responsible for violating the University's Hazing policy on or after July 1, 2025.

Each entry published in the Transparency Report will include, at a minimum, the following information:

- the student organization;
- a general description of the violation that resulted in a finding of responsibility;
- whether the violation involved the abuse or illegal use of alcohol or drugs;
- the findings of the institution (i.e., the rationale for finding the organization responsible for Hazing);
- any sanctions placed on the student organization; and
- the dates on which—
  - the incident was alleged to have occurred,
  - the investigation into the incident was initiated,
  - the investigation ended with a finding that a Hazing violation occurred, and
  - the student organization was provided notice that the incident resulted in a Hazing violation.

On this page, the University also publishes additional information, including:

- A statement notifying the public of the availability of Hazing statistics that are published in the Annual Security and Fire Safety Report;
- Information about the institution's policies relating to Hazing; and
- Information on applicable l, State laws regarding Hazing.

HAZING PREVENTION AND AWARENESS PROGRAMS

The University will maintain an Antihazing Program within the Office of Student Engagement. for the purpose of ensuring the University's rules, organizational training, antihazing policy dissemination, as well as, reporting mechanisms are implemented and maintained.

Consistent with the requirements of the Stop Campus Hazing act the University, specifically the Office of Fraternity and Sorority Life, is implementing a comprehensive hazing prevention program for all new members to organizations on campus.

SCHA disclosure comparisons

Distinctions between Policy and the CHTR	Crime Statistics and Policy Statement Disclosures	Campus Hazing Transparency Report (CHTR)
What	Include Hazing incidents meeting the Federal definition reported to a CSA or LLEA[7]	Include hazing incidents reported to a CSA that result in a finding violating the institution's hazing policy
By Whom	Registered, recognized, established or unrecognized (underground) student organizations	Registered, recognized and established student organizations
Geography	Clery geography	Any location where the institution's hazing policy has jurisdiction
How to Count	Distinct incident count	Organizations found responsible based on distinct investigations (could involve multiple separate incidents in a single report)
Special Reporting Considerations	Not subject to hierarchy rule, count other co-occurring crimes	Not required to develop until there is a finding of hazing
Where Disclosed	Annual Security and Fire Safety Report (ASFSR) and to the Department of Education via the CSSDACT	Detailed report located prominently on institution's website
Policy Disclosures	Statement of current policies related to Hazing and prevention programs and awareness programs	Statement notifying public of annual availability of hazing statistics Information related to institutional policies related to hazing Applicable local, state and Tribal laws on Hazing

7 LLEA means Local Law Enforcement Agency

The University provides Hazing prevention and awareness programs through Vector solutions that are informed by research, campus-wide in scope, and designed to reach all students, staff, and faculty. Training on the Stop Campus Hazing Act is incorporated into WCU's annual Campus Security Authority training.

These programs are part of the University's comprehensive strategy to prevent incidents of Hazing before they occur.

Specifically, the University provides Hazing prevention and awareness programs to students by and through Vector Solutions.

These courses teach, among other things the following:

- Identifying the key components in the definition of hazing
- Recognize who is involved in hazing and why they exhibit these behaviors
- Recognizing the signs and examples of hazing
- Identifying the risks associated with hazing
- Identify the risks associated with hazing, and;
- Identifying what you can and should do to protect yourself and your peers from the dangers of hazing

This training is given to ALL individuals seeking to join an organization on campus.

There is a follow-up survey assigned to students after completion of the initial hazing course.

In the Spring of 2026, the university assigned a training module through Vector Solutions entitled Hazing Awareness and Prevention for Faculty and Staff. Sections of the training include:

- Understanding Hazing
- Effects and Consequences of Hazing
- Addressing and Preventing Hazing
- Final Assessment (Required for Completion)

PENNSYLVANIA DEFINITION OF SEXUAL ASSAULT DEFINITION OF SEXUALLY BASED OFFENSES

The offenses listed below are the Pennsylvania distinctions to the Clery Act definitions listed above.

Sexual Assault: The state of Pennsylvania defines sexual assault as follows: "[E]xcept as provided in Section 3121 (relating to rape or) 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.

Rape- 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*

Indecent Assault- 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.

Indecent contact is defined as "any touching of the sexual or other intimate parts of the person for the purpose of arousing or gratifying sexual desire, in any person.

***Incest–** Except as provided under subsection (b), a person is guilty of incest, a felony of the second degree, if that person knowingly marries or cohabits or has sexual intercourse with an ancestor or descendant, a brother or sister of the whole or half blood or an uncle, aunt, nephew or niece of the whole blood.*

***(b) Incest of a minor.–**A person is guilty of incest of a minor, a felony of the second degree, if that person knowingly marries, cohabits with or has sexual intercourse with a complainant who is an ancestor or descendant, a brother or sister of the whole or half blood or an uncle, aunt, nephew or niece of the whole blood and:*

(1) is under the age of 13 years; or

(2) is 13 to 18 years of age and the person is four or more years older than the complainant.

Statutory Sexual assault– 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:

(1) four years older but less than eight years older than the complainant; or

(2) 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.*

PENNSYLVANIA DISTINCTIONS TO THE VAWA CRIMES OF DATING VIOLENCE AND DOMESTIC VIOLENCE

Pennsylvania does not have a specific statute for domestic violence; those incidents are categorized as simple or aggravated assaults or other applicable offenses

Under the Protection from Abuse Act, 23 Pa. C.S. § 6101. et seq. abuse, which would constitute a Clery countable crime is defined as follows:

The occurrence of one or more of the following acts between family or household members, sexual or intimate partners or persons who share biological parenthood:

(1) Attempting to cause or intentionally, knowingly or recklessly causing bodily injury, serious bodily injury, rape, involuntary deviate sexual intercourse, sexual assault, statutory sexual assault, aggravated indecent assault, indecent assault or incest with or without a deadly weapon.

(2) Placing another in reasonable fear of imminent serious bodily injury.

(3) The infliction of false imprisonment pursuant to 18 Pa.C.S. § 2903 (relating to false imprisonment).

(4) Physically or sexually abusing minor children, including such terms as defined in Chapter 63 (relating to child protective services).

(5) Knowingly engaging in a course of conduct or repeatedly committing acts toward another person, including following the person, without proper authority, under circumstances which place the person in reasonable fear of bodily injury. The definition of this paragraph applies only to proceedings commenced under this title and is inapplicable to any criminal prosecutions commenced under Title 18 (relating to crimes and offenses).

PENNSYLVANIA DISTINCTIONS TO THE VAWA CRIME OF STALKING

In Pennsylvania, 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 that 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.

POLICIES ON ALCOHOL AND DRUGS

Drug-Free Schools and Communities Act Notice

Each year the Office of Human Resources sends a notice to all employees reaffirming West Chester University as a Drug-Free Workplace.

West Chester University is committed to providing a healthy working environment consistent with PASSHE 1989-02: Drug-Free Workplace and the maintenance of campus free from unlawful drug and alcohol-related activity. West Chester University certifies its compliance with The Drug-Free Workplace Act (41 USCA 701), The Drug-Free Schools and Communities Act of 1989 (P.C.101.226), and their implementing criteria: the Drug and Alcohol Abuse Prevention Regulations (34 CFR 86).

West Chester University prohibits the unlawful possession, use, sale or distribution of alcohol by students and employees on its property or as part of any of its activities. West Chester University, working with the Philadelphia Police Department vigorously enforces all local, state, and federal laws as they pertain to the unlawful possession, use, sale or distribution of illicit drugs. Conviction under such laws provides for punishment that includes fines and/or imprisonment.

Unlawful possession, use, sale or distribution of alcohol and drugs is also a university policy violation which can be found I the Student Code of Conduct.

Below are citations to the legal consequences of alcohol-related violations in Pennsylvania, the state Marijuana Crime Code, and legal sanctions for drug violations under federal government law.

Legal Sanctions for underage alcohol law violation under PA state law and PA DUI laws

UNDERAGE ALCOHOL

(b)Penalty.—A person convicted of violating subsection (a) [relating to an underage alcohol violation] may be sentenced to pay a fine of not more than $500 for the first violation and not more than $1,000 for the second and each subsequent violation.[8]

DRIVING UNDER THE INFLUENCE

(a) Basic offenses.—Except as provided in subsection (b):

(1) An individual who violates section 3802(a) (relating to driving under influence of alcohol or controlled substance) and has no more than one prior offense commits a misdemeanor for which the individual may be sentenced to a term of imprisonment of not more than six months and to pay a fine under section 3804 (relating to penalties).

(2) An individual who violates section 3802(a) and has two prior offenses commits a misdemeanor of the second degree.

(3) An individual who violates section 3802 and has three or more prior offenses or has previously been convicted of a violation of section 3735 (relating to homicide by vehicle while driving under influence) commits a felony of the third degree.

(b)Other offenses.—

(1) An individual who violates section 3802(a)(1) where there was an accident resulting in bodily injury, serious bodily injury or death of any person or in damage to a vehicle or other property, or who violates section 3802(b), (e) or (f) and who has one prior offense commits a misdemeanor for which the individual may be sentenced to a term of imprisonment of not more than six months and to pay a fine under section 3804.

(2) An individual who violates section 3802(a)(1) where the individual refused testing of breath or chemical testing pursuant to a valid search warrant, court order or any other basis permis-

8 18 Pa. C.S. § 6308(b)

sible by the Constitution of the United States and the Constitution of Pennsylvania, or who violates section 3802(c) or (d) and who has no prior offenses commits a misdemeanor for which the individual may be sentenced to a term of imprisonment of not more than six months and to pay a fine under section 3804.

(3) An individual who violates section 3802(a)(1) where there was an accident resulting in bodily injury, serious bodily injury or death of any person or in damage to a vehicle or other property, or who violates section 3802(b), (e) or (f) and who has two prior offenses commits a misdemeanor of the first degree.

(4) An individual who violates section 3802(a)(1) where the individual refused testing of breath or chemical testing pursuant to a valid search warrant, court order or any other basis permissible by the Constitution of the United States and the Constitution of Pennsylvania, or who violates section 3802(c) or (d) and who has one prior offense commits a misdemeanor of the first degree.

(4.1) An individual who violates section 3802(a)(1) where the individual refused testing of breath or chemical testing pursuant to a valid search warrant, court order or any other basis permissible by the Constitution of the United States and the Constitution of Pennsylvania, or who violates section 3802(c) or (d) commits:

(i) A felony of the third degree if the individual has two prior offenses .

(ii) A felony of the second degree if the individual has three or more prior offenses.

(5) An individual who violates section 3802 where a minor under 18 years of age was an occupant in the vehicle when the violation occurred commits :

(i) A misdemeanor of the first degree if the individual has no more than one prior offense.

(ii) A felony of the third degree if the individual has two or more prior offenses.[9]

LEGAL SANCTIONS FOR MARIJUANA LAW VIOLATIONS UNDER PENNSYLVANIA LAW

PENNSYLVANIA MARIJUANA POSSESSION PENALTIES

Possession of Marijuana (pot) Penalties in PA are as follows:

For 30 grams or less, you are facing misdemeanor charges of up to 30 days in jail, and a fine of $500.

For possession of more than 30 grams, the penalties go up to 1 year in jail and $5000 in fines. Automatic six month loss of license.

If you are a first time marijuana offender, it is possible to get probation without a verdict. For second (2nd) offense possession charges, or multiple subsequent offenses, the penalties may double.

If you have more than 30 grams of marijuana, you run the risk of being charged with possession with intent to deliver or distribute in many cases.

PENNSYLVANIA DRUG POSSESSION PENALTIES

9 75 Pa. C.S. § 3803

Possession of other Controlled Substances Penalties (Heroin, Cocaine, LSD/Acid, Ecstasy/MMDA, Meth, and prescription drugs including Vicodin and Oxycontin or illegal steroids)

Up to one year in prison, and/or a $5,000 fine first (1st) offense.

Up to two years in prison for a second (2nd) offense.

Up to three years in prison for a third (3rd) offense.

Possession of more than five grams of crack (cocaine) may be subject to a minimum penalty of 5 years in prison.

POSSESSION OF DRUG PARAPHERNALIA, OR SELLING/ DISTRIBUTING MARIJUANA

Up to 1 year in jail and/or a fine of up to $2500.

For selling to a minor, under Pennsylvania Drug laws, it can be a felony charge of up to 2 years in jail and a $5000 fine.

Legal sanctions for drug violations under federal law

Use and Possession of Medical Marijuana is prohibited

Federal law, specifically the Drug Free Schools and Communities Act, supersedes Pennsylvania state law. The use and possession of all marijuana is prohibited on campus. Some people need to use medical marijuana that is lawfully obtained under state law. However, lawful use and possession must occur at a location **outside** the University's campus property, i.e. not on campus or in a residence hall.

Questions Regarding Medical Marijuana

In the Commonwealth of Pennsylvania, medical marijuana is a lawfully recognized medication. How then can a state-run institution not support state law? How does a state law enforcement officer have the authority to enforce federal and not state law?

- Federal law supersedes state law. Under federal law, specifically the Drug Free Schools and Communities Act, marijuana in all forms (regardless of its medical necessity) is an illegal drug.
- Under federal law, universities must adopt and enforce a written policy that bans the use or possession of all marijuana on campus.
- University police officers enforce University policy, which is and must be consistent with federal law.

How can medical marijuana be used legally by University students or employees?

- Some people need to use medical marijuana that is lawfully obtained under state law. But lawful use must occur at a location outside the University's campus property.
- Nothing in the Pennsylvania Medical Marijuana Act changes federal law. There are lawful uses of marijuana in Pennsylvania. However, medical marijuana is simply not permitted on campus.

Who are the designated persons on campus to manage questions regarding medical marijuana?

- The Vice President for Student Affairs, Assistant Dean of Students for Student Conduct are available to:
- Counsel students about living off campus if they intend to use medical marijuana.

- Help students identify housing resources.
- Affirm that no one may lawfully possess or use medical marijuana on campus.

Is CBD Oil a form of medical marijuana?

- No, CBD products are a new trend. CBD is often advertised as a "cure-all," which will "not get you high" or "not show on a drug screening." However, some users of this "natural supplement" claiming to be THC-free have tested positive for THC and lost jobs over it. It is unregulated and anyone considering CBD should exercise caution

The university offers several health education programs through the Office of Wellness Promotion. These programs may be part of sanctions issued by the Office of Student Conduct as part of a disciplinary action or they may be completed by students voluntarily. Decisions about Drinking was moved to a D2L module it was replaced with Beyond the Buzz, which was or will be offered on these dates.

Wellness Promotion Programs

Monday, August 24th at 3:30 pm
Friday September 25th @ 3 pm
Thursday October 7th @ 1 pm
Friday October 23rd @ 3 pm
Tuesday November 17th @ 1 pm
Wednesday December 2nd @ 1pm

Starting with this year's incoming freshman class, the university, through Vector Solutions is using a story-first approach to engage students in meaningful alcohol prevention education. The course centers on authentic student-driven narratives to explore key topics such as supporting peers in recovery, understanding the short and long-term effects of alcohol and substance use and the physical, mental, and emotional benefits of abstaining and/or reducing the use of these substances while in college.

By blending narrative-driven instruction with interactive engagement, this course equips students with the tools to make positive choices and create a culture of awareness, intervention, and support.

The chapters in this training have a theme and a story associated with it, they are:
Foundations of well-being
Mindful Choices
Social Well-Being
Empathy in Action
Long-Term Perspectives
Final Assessment.

The University complies with federal, state, and local laws including those that regulate the possession, use, and sale of alcoholic beverages and other controlled substances.

West Chester University students who use, sell, exchange, consume, or **possess alcoholic beverages, illegal drugs, or drug paraphernalia** on university property or at University functions will be dealt with in accordance with the laws of the Commonwealth of Pennsylvania, federal and local laws as well as the University Student Code of Conduct. West Chester University prohibits the unlawful possession, use, and sale of alcoholic beverages on campus. Even students who are 21 years of age or older are not permitted to possess or consume alcohol on campus property. West Chester University prohibits the unlawful possession, use, and sale of illegal drugs on campus.

The West Chester University Department of Public Safety is not responsible for the enforcement of state underage drinking laws and enforcement of Federal and State drug laws at the Philadelphia location of West Chester University. Enforcemernt falls to the Philadelphia Police Department.

Non-students who violate the University's policies and whose actions are not in compliance with the orderly operation of the University may be prosecuted in accordance with state, federal, and local laws. Non-students involved in on-campus violations of these policies may be banned from university property.

ALCOHOL AND ALCOHOL CONTAINERS

West Chester University campus violation of the University's alcohol policy as set forth in the Student Handbook shall be construed as a violation of this section. Any off-campus violation is a violation of this section when such off-campus use violates local, state, or federal laws. Exceptions to alcohol violations are noted in the Medical Amnesty Policy. This section shall include, but is not limited to, (a) display of empty alcohol containers in any University facility, residence hall, or any affiliated university housing, (b) sale, exchange, use, possession, or consumption of alcoholic beverages on campus over 21 years of age,

(c) underage use, possession, or consumption of alcoholic beverages, (d) open containers of alcoholic beverages, (e) public intoxication, and (f) driving under the influence. As it is

a violation of this policy to possess alcohol, demonstrating that a student has knowledge of the location of alcohol and/or the intent to exercise control over the alcohol shall constitute possession. In the absence of extraordinary or mitigating circumstances, a sanction of suspension or expulsion may be imposed on any student found responsible of (g) selling and/or furnishing alcohol to minors.

DRUGS AND DRUG PARAPHERNALIA:

Students who exhibit drug use or abuse or any other violation of the University's drug policy, as set forth in the Student Handbook, shall be considered in violation of this section. This includes, but is not limited to, (a) possession or use of any illegal or controlled substance, drug, and/or (b) possession of drug paraphernalia, (c) possession of a significant quantity, distribution, or sale of drugs, and/or (d) driving under the influence. Any off-campus violation is a violation of this section when such off-campus use or possession is in violation of local, state, or federal laws. Demonstrating that a student has knowledge of the location of any illegal or controlled substance, drug or drug paraphernalia, and/ or the intent to exercise control over such items shall constitute possession.

ENFORCEMENT OF STATE, LOCAL, AND FEDERAL LAWS

Anyone (students and non-students alike) in possession of illegal drugs or paraphernalia can be charged under PA Crimes Code Title 18 for alcohol offenses, or for a controlled substance offense, Pennsylvania Crimes Code Title 35.

Anyone who purchases, consumes, possesses or transports alcoholic beverages while being under the age of 21 can be charged with a summary offense. Penalties upon conviction of a first offense can include fines up to $300 and will involve the suspension of driving privileges for 90 days. Anyone found to be furnishing alcohol to minors can be charged with a misdemeanor offense. Penalties upon conviction can include fines of no less than $1,000. Additionally, students can receive fines of no less than $50 for student conduct violations.

THE MEDICAL AMNESTY POLICY

West Chester University's priority is for the safety and well-being of WCU students. The WCU Medical Amnesty policy has been instituted to encourage students and bystanders to seek emergency medical assistance in situations that are possibly life-threatening due to alcohol or drug use, without fear of conduct violations for alcohol and drug use.

For the bystander and student needing assistance to receive medical amnesty from the University, the bystander seeking assistance must:

a. Call 911, Public Safety, Police, Emergency Services, or otherwise contact another Authorized University Representative based on a reasonable belief that someone, including themselves, is in need of immediate medical assistance;

b. Reasonably believe that they were the first person to make the 911 call or a call to Public Safety, Police, Emergency Services, or otherwise contact another Authorized University Representative and reported that a person needed immediate medical assistance;

c. Provide their own name to the 911 operator, Public Safety, Police EmergencyOfficer, University Staff or other Authorized University Representative;

d. Remain with the person needing medical assistance until emergency health care providers have arrived and taken care of the person in need of medical assistance; AND

e.Comply with post-event educational/counseling objectives issued by the Office of Wellness Promotion and/or the Office of Student Conduct.

If the university grants medical amnesty, it will record it as a referral for liquor or alcohol law violations. This is because someone is deemed referred under the Act if: 1) the official receiving the referral initiates a disciplinary action, 2) a record of the action is established, and 3) the referral may, but does not have to, result in a sanction. For referrals, it is ultimately the decision of the Office of Student Conduct, when initiating the action, to determine if medical amnesty applies.

DRUG AND ALCOHOL POLICY RELATING TO INSTANCES OF SEXUAL MISCONDUCT

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

ALCOHOL AND DRUG EDUCATION PROGRAMS

Drug and alcohol abuse education programs are available for Philadelphia Location students through the Division of Student Affairs at the Student Health and Wellness Location and at the Counseling and Psychological Services Center. Programs for employees are available through Human Resources at 201 Carter Drive. Counseling professionals, guest speakers, and extensive literature on these subjects are available through these offices. The University also utilizes available county support agencies that help, including 24-hour hotlines and the State Employee Assistance Program.

In compliance with the Drug-Free Schools and Communities Act, West Chester University publishes information regarding the University's educational programs related to drug and alcohol abuse prevention. This information contains, among other things, sanctions for violations of federal, state, and local laws as well as violations of university policy; a description of health risks associated with alcohol and other drug use; a description of available treatment programs for students and employees. The institution's biennial review can be found at: https://www.wcupa.edu/_services/STU/health-and-wellness/documents/biennial-review-22-24.pdf

SEXUAL ASSAULT AND SEXUAL HARASSMENT, DATING AND DOMESTIC VIOLENCE

The policy statements contained in this section of the Annual Security Report are understood to apply in instances of Dating Violence, Domestic Violence, Sexual Assault, and Stalking. Each policy below should be read as applying to each of those VAWA offenses.

SEXUAL ASSAULT AND SEXUAL HARASSMENT, DATING AND DOMESTIC VIOLENCE

The policy statements contained in this section of the Annual Security Report are understood to apply in instances of Dating Violence, Domestic Violence, Sexual Assault, and Stalking. Each policy below should be read as applying to each of those VAWA offenses.

PROHIBITION OF SEXUAL ASSAULT, SEXUAL HARASSMENT, DATING, AND DOMESTIC VIOLENCE AND STALKING

West Chester University does not discriminate based upon gender in its educational programs and sexual misconduct are types of gender discrimination. The acts can also be forms of gender-based discrimination and are prohibited, whether sexually based or not, and include dating violence, domestic violence, and stalking.

West Chester University issues this statement of policy to inform the community of the University's comprehensive plan addressing sexual misconduct, educational programs, and procedures addressing sexual assault, dating violence, domestic violence, and stalking, whether the incident occurs on or off-campus and when it is reported to a West Chester University official or Campus Security Authority. In this context, West Chester University prohibits the offenses of dating violence, domestic violence sexual assault, and stalking (defined by the Clery Act) and reaffirms its commitment to maintaining a campus environment emphasizing the dignity and worth of all members of the University community.

It is a violation of policy for any member of the University community to engage in sexual harassment/misconduct or to take retaliatory action against an individual for reporting sexual harassment/misconduct. Consequences of sexual harassment/misconduct may include termination of the relationship with the University. Retaliatory actions against persons filing a complaint of sexual harassment/misconduct, or any person cooperating in the investigation of a complaint, is also prohibited. Acts of retaliation shall constitute misconduct subject to disciplinary action and should be reported to the Title IX Coordinator.

The prohibition and prevention of dating violence, domestic violence, sexual assault, and stalking are addressed in numerous programming options offered by the institution.

All members of the University community are responsible for ensuring that their conduct does not sexually harass any other member of the University community.

Accused students or employees should know the initiation of any University proceeding does not preclude the possibility of criminal charges. Parallel University and criminal proceedings are not uncommon.

This policy is not intended to interfere with the protections afforded by law to freedom of speech. Additional information, including additional examples of what constitutes sexual harassment/misconduct, is available from the Office of Equal Opportunity and Compliance . At https://www.wcupa.edu/_admin/equal-opportunity-compliance/default.aspx.

RESOURCES PROVIDED IN WRITING

When a referral is received by the Office of Equal Opportunity and Compliance a letter is sent to the complainant (victim) informing them of the availability of supportive measures, resources both on and off-campus and formal reporting options including assisting in making a criminal report to the West Chester University Police Department, or, if the incident occurred in the complainant's hometown, the complainant's local police department. The outreach letter further explains the rights and responsibilities a complainant has when a report of sexual misconduct is reported to the Office for Equal Opportunity and Compliance.

WHAT IS CONSENT?[10]

Consent is a knowing and voluntary agreement to engage in specific sexual activity at the time of the activity communicated through clear actions and/or words that are mutually understood. To be valid, consent must be active, present, and ongoing.

10 Definition taken from the 2025-2026 West Chester University Student Code of Conduct, page 7.

Consent is not present when it is the result of coercion, intimidation, force, or threat of harm.

Consent is not present when an individual is incapacitated due to alcohol, drugs, or sleep, or otherwise without capacity to provide Consent due to intellectual or other disability or other condition. Consent can be withdrawn at any time and consent to one form of sexual activity is not necessarily consent to other forms of sexual activity.

When alcohol is involved, incapacitation is a state beyond drunkenness or intoxication. When drug use is involved, incapacitation is a state beyond being under the influence of or impaired by the use of the drug. Alcohol and other drugs impact each individual differently. Determining whether an individual is incapacitated requires an individualized determination. When determining whether a person has the capacity to provide Consent, the University will consider whether a sober, reasonable person in the same position knew or should have known that the other party could or could not consent to the sexual activity. When determining whether Consent was present , all the circumstances of the relationship between the parties will be considered. The institution's definition of consent is used when consent is an element of the charged Code of Conduct violation.

The definition of consent is used when it is an element of a section of the Student Code of Conduct of which a respondent is accused. Consent, or the absence of consent, will be evaluated in cases of sexual assault and sexual exploitation since consent is a necessary element of those charges.

CONSENT IN REFERENCE TO SEXUAL ACTIVITY UNDER THE PENNSYLVANIA CRIMES CODE

Pennsylvania does not explicitly define consent within its statutes. However, 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; or

• (5) Who suffers from a mental disability that renders the complainant incapable of consent. 18 Pa.C.S.A. § 3121.

"Forcible compulsion" is defined as "compulsion by use of physical, intellectual, moral, emotional or psychological force, either express or implied. The term includes, but is not limited to, compulsion resulting in another person's death, whether the death occurred before, during, or after sexual intercourse." 18 Pa.C.S.A. § 3101.

Further, resistance is not required. The alleged victim need not resist the actor in prosecutions under this chapter: Provided, however, that nothing in this section shall be construed to prohibit a defendant from introducing evidence that the alleged victim consented to the conduct in question. 18 Pa.C.S.A. § 3107 , see also rainn.org/policy.

To report an incident of domestic violence, dating violence, sexual assault, or stalking, employees and students should contact the West Chester University Police at 610-435-3311 or dial 911. You can and should contact the police in the areas where the assault took place if it took place off-campus. Criminal charges can be filed against any perpetrator, including non-University members and non-students.

To make a report, the complainant should come to Public Safety located at 690 South Church St on West Chester University's campus. Once at the station, an available officer will take the initial report. After taking the initial report, the officer will forward it to one of the two detectives in the Department. The department will contact the complainant for a follow-up interview.

IMPORTANCE OF PRESERVING EVIDENCE

As time passes, evidence may dissipate, be lost, or become unavailable, making investigation, prosecution, disciplinary proceedings, or obtaining protection from abuse orders related to the incident more difficult. If a victim chooses not to make a complaint regarding an incident, they nevertheless should consider speaking with Campus Public Safety or other law enforcement to preserve evidence in the event that the victim decides to report the incident to law enforcement or the University at a later date to assist in proving that the alleged criminal offense occurred or that may be helpful in obtaining a protection order, which in Pennsylvania could be a Protection from Abuse Order (PFA) or a Protecting Victims of Sexual Violence or Intimidation (PSVI).

PRESERVING EVIDENCE MAY BE HELPFUL IF AN INDIVIDUAL IS CONSIDERING CRIMINAL CHARGES. SOME CONSIDERATIONS:

- Post-assault forensic evidence (commonly referred to as a "rape kit") is best collected within 72 hours of the assault. Individuals who have experienced sexual misconduct should go to the hospital as soon as possible after the assault.
- A Crime Victim Advocate from the Crime Victims' Center of Chester County can accompany an individual to the hospital to provide support and answer questions on what to expect. To get an advocate, call 610-692-7273. The Hospital Emergency room will contact the Crime Victims' Center, if desired.
- Evidence is easier to obtain if the individual has refrained from showering or bathing.
- The hospital will keep the clothes worn during the assault as evidence. Individuals should bring a change of clothes to the hospital or place the clothes they were wearing during the assault in a brown paper bag to the hospital.
- If the use of a "date rape drug" is suspected, the hospital can take a urine sample for evidence collection.
- The individual impacted by a sexual offense does not need to 'report' the sexual offense or 'talk' to law enforcement for the costs to be paid by the Victims Compensation Assistance Program (VCAP). The individual will not be charged for hospital services.
- For more information about evidence collection, go to: www.rainn.org/get-information/sexual-assault-recovery/rape-kit.

Participating in the collection of evidence does not mean that an individual is obligated to pursue criminal charges, but it does allow for evidence to be preserved in the event the individual chooses that option.

Survivors are encouraged to also preserve other forms of evidence including:

- **text messages, emails, and other forms of electronic content;**
- **unwashed clothing and/or sheets;**
- **social media posts;**
- **items in the trash**

Such evidence can and would be useful for the police and for a Title IX investigation and for University hearing boards

SEXUAL ASSAULT REPORTING FAQS:

Q: What should I do if I am sexually assaulted?

A: Victims of sexual assault may feel traumatized or blame themselves and are reluctant to seek help and proper medical care; it is not the victim's fault. If an individual has been the victim of sexual assault, dating violence, domestic violence, and/or stalking, or thinks they may have been, there are several options for reporting the incident and for obtaining the information, assistance, and support needed for all aspects of recovery, both emotional and physical.

Q: How do I report a Sexual Assault?

A: There are multiple reporting options available.

- **The Department of Public Safety (610) 436-3311 or 911**
- **The Office of Equity and Compliance, West Chester University 114 W. Rosedale Avenue, West Chester, PA 19383610-436-2433**
- **Corin Chapman, Title IX Coordinator, 201 Carter Drive, West Chester, PA 19383**

Another option in lieu of the above is completing the Sexual Misconduct Reporting Form using this link: Sexual Misconduct Reporting Form, or by filing a report electronically at tix@wcupa.edu

REPORTING INCIDENTS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT AND STALKING

If you have been the victim of domestic violence, dating violence, sexual assault, or stalking, you should report the incident promptly to the Office of Equal Opportunity and Compliance at 114 West Rosedale Ave, or by calling 610-436-2433 or at CChapman@wcupa.edu. Reports of all domestic violence, dating violence, sexual assault, and stalking made to Campus Public Safety may be referred to the Title IX Coordinator for investigation regardless of whether the complainant chooses to pursue criminal charges.

Q: Do I have to get medical attention?

A: You are not required to seek medical care, but it is highly recommended that you seek medical attention as soon as possible. You may have internal or external injuries from the assault that may require medical care, or injuries you are not aware of until later. Taking care of yourself is part of the healing process. The Department of Public Safety (610-436-3311) will assist with transportation to the hospital if needed. For urgent care, contact local emergency services by calling 911.

Q: What if I do not want to make a report?

A: Although the University strongly encourages all members of its community to report violations of this policy to law enforcement, ***it is the complainant's (your) choice whether to make such a report, and complainants have the right to decline involvement with the police.*** The University will assist the complainant in notifying local police if they so desire; the West Chester University Detective assigned to the investigation will facilitate this contact.

Q: If I report a sexual assault, will my name become public? What happens to the information in the report?

A: After reviewing the report, West Chester University may determine there is a serious or ongoing threat to the University and will issue a Timely Warning to protect the health or safety of the University community. The Timely Warning will not contain any identifying information about the person or victim of the sexual assault. The University also uses the submitted reports to collect statistical information for publication in the annual Campus Security Report. **No names or personal identifying information is used in the Campus Security Report.**

Q; Who can make a report of sexual misconduct?

A: Any individual, including a third party, may make a report concerning sexual misconduct. Complainants and third parties are encouraged to report sexual misconduct as soon as possible to allow the University to respond promptly and effectively.

Q: I made a report, what happens next?

A: The Title IX Coordinator (or designee) has authority to institute corrective measures for reports of alleged violations of this Policy. Mandated reports to the Title IX Coordinator by Officials, Volunteers and Employees shall not automatically result in corrective measures being instituted. Individuals are encouraged to report sexual misconduct directly to the Title IX Coordinator, through the University's electronic and anonymous reporting systems or by filing a Formal Complaint.

Q: Can I report anonymously?

A: Yes. Although the University encourages complainants to make formal reports as outlined above, you may file an anonymous report using the Sexual Misconduct Reporting Form. Anonymous reports, however, limit the University's ability to respond and investigate the report.

PROCEDURES THE UNIVERSITY WILL FOLLOW WHEN A CRIME OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT AND STALKING IS REPORTED

The University has procedures in place that serve to be sensitive to victims who report sexual assault, domestic violence, dating violence, and stalking, including informing individuals about their right to file criminal charges as well as the availability of counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid and other services on and/or off campus as well as additional remedies to prevent contact between a complainant[11] and an accused party, such as changes to housing, academic, protective orders, transportation and working situations, if reasonably available. The University will make such accommodations or protective measures, if the victim requests them and if they are reasonably available, regardless of whether the victim chooses to report the crime to the West Chester University Police Department or local law enforcement. Students and employees should contact the Office of Equal Opportunity and Compliance. This office handles accommodations at West Chester University.

If a report of domestic violence, dating violence, sexual assault, or stalking is reported to the University, below are the procedures that the University will follow:

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Incident Being Reported	Procedure Institution Will Follow
Sexual Assault	Depending on when reported (immediate vs. delayed report), the institution will provide the complainant with access to medical care The institution will assess the immediate safety needs of the complainant The institution will initiate contact with the victim to provide resources and support. The institution will attempt to initiate contact three times with a victim before closing a case. The institution will assist the complainant with contacting local police if the complainant requests AND provide the complainant with contact information for the local police department The institution will provide the complainant with referrals to on- and off-campus mental health providers through its initial outreach letter The institution will assess the need to implement interim or long-term protective measures, if appropriate. The institution will provide the victim with a written explanation of the victim's rights and options The institution will provide a No Contact Directive (NCD) between the parties if deemed appropriate If the complainant inquires, the Department of Public Safety will provide instructions on where to file a Protection from Abuse order The institution will provide a copy of the policy applicable to Sexual Assault to the complainant and inform the complainant regarding timeframes for inquiry, investigation, and resolution If a complaint is filed, the Institution will conduct a thorough and complete investigation into the allegations. The Institution will inform the complainant of the outcome of the investigation, whether or not the accused will be administratively charged and what the outcome of the hearing is The institution will enforce the anti-retaliation policy and take immediate and separate action against parties that retaliate against a person for complaining of sex-based discrimination or for assisting in the investigation
Stalking	The institution will assess the immediate safety needs of the complainant The institution will assist the complainant with contacting local police if the complainant requests AND provide the complainant with contact information for the local police department. The institution will initiate contact with the victim to provide resources and support. The institution will attempt to initiate contact three times with a victim before closing a case. If the complainant inquires, the Department of Public Safety will provide instructions on where to file a Protection from Abuse order The institution will provide written information to complainant on how to preserve evidence The institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate The institution will provide the victim with a written explanation of the victim's rights and options The institution will provide a No Contact Directive between the parties if deemed appropriate If a complaint is filed, The institution will conduct a thorough and complete investigation into the allegations.
Dating Violence	The institution will assess the immediate safety needs of complainant The institution will assist the complainant with contacting local police if the complainant requests AND provide the complainant with contact information for local police department If the complainant inquires, the Department of Public Safety will provide instructions on where to file a Protection from Abuse order The institution will provide written information to the complainant on how to preserve evidence The institution will assess the need to implement interim or long-term protective measures to protect the complainant, if appropriate The institution will provide the victim with a written explanation of the victim's rights and options The institution will provide a No Contact Directive between the parties if deemed appropriate If a complaint is filed, The institution will conduct a thorough and complete investigation into the allegations.
Domestic Violence	The institution will assess the immediate safety needs of complainant The institution will assist complainant with contacting local police if complainant requests AND complainant provided with contact information for local police department If the complainant inquires, the Department of Public Safety will provide instructions on where to file a Protection from Abuse order The institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate The institution will provide the victim with a written explanation of the victim's rights and options The institution will provide a No Contact Directive between the parties if deemed appropriate If a complaint is filed, the institution will conduct a thorough and complete investigation into the allegations.

COUNSELING AND MEDICAL SERVICES AND OTHER AVAILABLE SUPPORT

West Chester University takes your right to privacy seriously. Because the safety of our students, faculty and staff is of our utmost concern, we are not always able to grant complete confidentiality in a sexual misconduct case, however, we will do our best to protect your privacy while meeting the University's legal obligations.

There are resources providing complete confidentiality on and off campus:

Upon receipt of a report of dating violence, domestic violence, sexual assault or stalking, West Chester University will provide written notification to students and employees about existing assistance with and/or information about obtaining resources and services including counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid and assistance in notifying appropriate local law enforcement. These resources include the following on-campus and off-campus resources:

WEST CHESTER UNIVERSITY RESOURCES:

On Campus	Resources Available	Provider	Contact Information
Counseling Center	Crisis Intervention, Psychiatric Services, Consultation, Outreach, Individual Counseling, Group Counseling,	Dr. Rachel Daltry, Director	610-436-2301
Health	Clinical Services- General health care, immunizations, TB testing, medications, sexual health Wellness Promotion - Wellness Education, alcohol/tobacco/ and other drugs, nutrition services	"Clinical Services: Dr Veda Maany Wellness Promotion: Dr Veda Maany"	610-436-2509
Mental Health	Crisis Intervention, Psychiatric Services, Consultation, Outreach	Dr. Rachel Daltry, Director	610-436-2301
Victim Advocacy	Reporting, referrals and support	Crime Victims Center of Chester County	610-692-1926
Legal Assistance	Legal consultation	Dr. Lexie McCarthy	610-436-2361
Visa and Immigration Assistance	Issue the Form 1-20 and DS-2019 for prospective students to apply for the F-1 and J-1 Visa	Angela Howard	610-436-3515
Student Financial Aid	Financial Aid, Work Study, Financial		610-436-2627
University Police	Escorts, Emergency Medical Services, Crime	Chief Raymond Stevenson	610-436-3311
Multicultural Center	Programs, activities, and service	Elisa Oliver	610-436-3273
Title IX Coordinator	Sexual Misconduct information, reporting resource	Corin Chapman	610-436-3116

Counseling and Psychological Services (Counseling Center, 610-436-2301, Lawrence 241) offers confidential counseling to students who have been sexually assaulted or victimized, whether recently or in the past. All counseling is confidential. This means that the counselor cannot speak with others about the student's situation without the student's written permission.

Students are encouraged to contact the Counseling Center (610-436- 2301) or come to the Center to schedule a triage appointment. Triage appointments will take place over the phone. During the triage session, students will discuss their concerns and options for moving forward with counseling. Options may include short-term individual counseling (either virtually or in person) with a Counseling Center counselor, virtual group therapy through the Counseling Center, or off-campus referrals for longer-term or specialized counseling through their referral specialist. Currently enrolled students do not pay to use the Counseling Center's services. Visit the Counseling Center website for hours and additional information.

If a situation occurs after normal business hours, the on-call psychologist may be reached by contacting Public Safety (610-436-3311); or, the Crime Victims' Center of Chester County in West Chester staffs a 24-hour phone line (610-692-7273) that can provide immediate response and support.

WCU Community Mental Health Clinic (CMHC) (610-436-2510, 8th Floor, Wayne Hall) is affiliated with the West Chester University Doctor of Psychology (Psy.D.) program. CMHC serves as a training center for graduate students in the Psy.D. program and as a clinical research site for faculty in the Psychology Department. As a non-profit training and research facility, CMHS provides low-cost, cutting-edge psychotherapy and testing. Graduate students earning a doctorate in Psychology provide services under the close supervision of experienced, licensed Psychologists. You can schedule assessment appointments by contacting the Clinic. For counseling, students will be referred from the Counseling Center for longer-term therapy.

Student Health Services (610-436-2509, Commonwealth Hall, Ground Floor) offers confidential medical care and assistance to students who have experienced sexual assault. Student Health Services is open Monday through Friday from 8:00 am to 6:00 pm. Please visit their website for additional information. Please call 610-436-2509 to schedule an appointment; some same-day appointments may be available.

Nurse practitioners and physicians receive training to provide appropriate medical treatment and care, as well as discuss available services such as counseling and reporting. Student Health Services offers gynecological exams, pregnancy tests, emergency contraception, HIV tests, and

sexually transmitted infection tests. **All standard post-assault medical care will be free of charge**. Student Health Services must report incidents of sexual misconduct to the Office of Equal Opportunity and Compliance, but does not need to disclose identifying information.

Post-assault forensic evidence collection (commonly referred to as a "rape kit") is not available at Student Health Services. However, nurse practitioners and physicians can help locate a medical provider who offers this service.

The Office of Student Conduct (610-436-3511, Ruby Jones 200) enforces violations of the Student Code of Conduct. The Office staff can help students, staff, and faculty in submitting reports on any violation of the Student Code of Conduct, including sexual assault, sexual harassment, dating violence, domestic violence, and stalking. The Office also maintains a list (on their website) of Process and Policy Advisors who can provide guidance and assistance to students throughout the investigative and conduct processes.

Public Safety (610-436-3311, 690 South Church Street): Public Safety is available 24 hours a day, 7 days a week. University police officers will make all efforts to investigate any crimes that occur on campus within the scope of the law and will provide support and referral options. Persons who have experienced sexual misconduct may want to consider preserving all physical evidence, regardless of whether they want to press charges. Choosing not to press charges immediately does not prohibit one from doing so in the future, and physical evidence will be important to the case. University police will honor all Protection from Abuse Orders and No Contact Directives, as the department keeps copies on file. For off-campus incidents, Public Safety Officers can help identify and connect with the municipality where the crime may have occurred.

Title IX Coordinator (610-436- 2433, 114. W. Rosedale Avenue) helps students, faculty, or staff in matters regarding sexual harassment and sexual misconduct. The Title IX Coordinator can:

- discuss situations that may give rise to a complaint of sexual harassment or sexual misconduct and provide options for addressing the situation;
- oversees fact-finding investigations into complaints of sexual misconduct; • oversees investigations of complaints of sexual harassment against University employees;
- provides interim measures for issues of discrimination, sexual harassment, or sexual misconduct;
- facilitates adjustments to on-campus transportation, parking, or work and other measures to ensure the safety of both parties, and
- assist University personnel and students with questions about sexual misconduct policies and procedures. In addition, the Title IX Coordinator monitors and oversees complaints of discrimination and harassment in compliance with federal regulations.

ADDITIONAL ON-CAMPUS RESOURCES

- **Department of Athletics (610-436-3573, Sturzebecker HSC 220).** Students may contact them for help filing a report and locating appropriate resources, such as medical care and counseling.
- **Center for Women and Gender Equity (610-436-2111, Lawrence 220)** offers support, resources, and referrals for those impacted by sexual misconduct.
- **Center for Trans and Queer Advocacy (610-436-3147, Sykes 238)** offers support services for students who identify as lesbian, gay, bisexual, transgender, queer, questioning, and their allies.
- **Office of Fraternity and Sorority Life (610-436-2117, Sykes 238).** Students may contact the Director for help submitting a report and identifying appropriate resources.
- **Lawrence A Dowdy Multicultural Center (610-436-3273, Sykes 003)** offers a supportive environment for multicultural students at West Chester University. The Dowdy Center coordinates services, programs, and referrals that enhance the academic and personal development of students of color. For sexual misconduct, Dowdy Center provides information and referral/reporting assistance to students.
- **Office of Residence Life (610-436-3307, Lawrence 202).** The Department of Residence Life and Housing Services has live-in staff available to students involved with sexual misconduct. The live-in staff includes Graduate Hall Directors (GHD), Graduate Assistants (GA), and Resident Assistants (RA). Staff members assist with room changes with the Title IX Coordinator.
- **Office of Services for Students with Disabilities (OSSD) (610-436-2564, Lawrence 223).** Students may contact the Director for help submitting a report and identifying appropriate resources.
- **Learning Assistance and Resource Center (LARC) (610-436- 2535, Lawrence 224)** is a resource to provide quality academic support services which help students become independent, 55 active learners who achieve academic success. LARC can assist with tutoring and other supports to help students continue to succeed academically.
- **On-Campus Legal Advice** - currently enrolled students can use RamConnect to meet with a lawyer for free. Appointments are scheduled for the full year and listed on RamConnect. Please see their website for additional information.

The lawyer will provide a 15-minute consultation on a variety of civil and criminal issues - landlord/tenant, leases, citations, etc. This free service is offered by appointment only. The consultation does not extend into a courtroom. If further legal aid is needed, the lawyer can suggest professionals for consideration, or refer students to the Lawyer Referral Service of the Chester County Bar Association. Please note that the lawyer is prohibited from taking any student cases, as this may pose a conflict of interest.

OFF-CAMPUS RESOURCES

Off-Campus Resources chart

In addition to the numerous services on campus, there are many additional services and organizations available.

The Philadelphia Sexual Assault Response Center (PSARC) was established in 2011 to meet the forensic and medical needs of sexual assault victims who are 16 years of age and older. PSARC is a private, not-for-profit center whose mission is to provide expertise in the assessment and evaluation of sexual assault victims in Philadelphia. All services are provided in a private, medical office setting located adjacent to the Special Victims Unit of the Philadelphia Police Department. This unique setting allows for private, confidential, victim-centered care.

The center is staffed 24/7, by on-call, specially trained, and experienced Sexual Assault Nurse Examiners (SANE) who provide forensic rape examinations and evidence collection to both females and

males. The SANE staff is all highly-trained, compassionate nurses with years of experience in the care of sexually assaulted patients.

PSARC works closely with the Philadelphia Police Department's Special Victims Unit, the Philadelphia District Attorney's Office, Women Organized Against Rape (WOAR), and the Philadelphia Sexual Assault Advisory Committee to provide a survivor-centered approach to sexual assault.

PSARC cares for victims regardless of their cooperation with law enforcement. Accompaniment services, if desired, are provided by Women Organized Against Rape, Philadelphia's rape crisis center. The telephone number for PSARC is 215-800-1589 or 215-425-1625 to reach the on-call sexual assault nurse examiner.

- **Philadelphia Domestic Violence Hotline.** A 24-hour Philadelphia Domestic Violence Hotline (1-866-723-3014) for crisis intervention, safety planning, resources, and referrals. All calls are free, confidential, and anonymous. Hotline counselors can help connect you with free services in the Philadelphia area, including emergency housing, legal services, behavioral health services, and other resources.
- **National Center for Victims of Crime, Stalking Resource Center** provides information and resources for victims of stalking. The helpline number is 1-800-FYI-CALL. You can also visit their website at www.ncvc.org/
- **Male Survivor** is an organization dedicated to providing support for male victims of sexual assault. Visit their website at www.malesurvivor.org
- **The Network La Red** is an organization committed to supporting the lesbian, gay, bisexual, and transgender community with information on and resources about battered relationships. They can be reached on their hotline (617-742-4911). Or, visit their website at www.thenetworklared.org.
- **The Rape, Abuse & Incest National Network (RAINN)** is a nationwide organization that provides free and confidential support for victims of sexual assault. They offer immediate crisis help and information about recovery. They can be reached on their hotline (1-800-656-HOPE), or by visiting their website and online hotline at www.rainn.org.

CONFIDENTIALITY

Complainants may request that the University withhold directory information on file. Forward such requests to the Office of the University Registrar in the Kershner Student Services Center at 25 University Avenue.

Regardless of whether a complainant has opted out of allowing the University to share "directory information," personally identifiable information (PII) about the complainant and other necessary parties will be treated as confidential and only shared with persons with a specific need to know who is investigating/adjudicating the complaint or delivering resources or support services to the complainant, including accommodations and protective measures.

For example, publicly available record-keeping for purposes of Clery Act reporting and disclosures will be made without including identifying information about the victim, as defined in 42 USC 1395 (a) (20). By sharing personally identifiable information only with individuals on a need-to-know basis, the institution will keep confidential any accommodations or protective measures provided to the victim, to the extent that maintaining that confidentiality would not impair the institution's ability to provide the accommodations or protective measures.

West Chester University does not publish the name of crime victims nor house identifiable information regarding complainants in the campus police department's Daily Crime Log or online. Complainants may request that directory information on file be removed from public sources. Students can self-elect to restrict using self-service online in their University account or by contacting the Registrar. Employees may be able to restrict identifying information and should contact Human Resources for further information and assistance.

All publicly available record-keeping is completed without including PII by maintaining identifiable information on secure networks and databases in the Department of Public Safety, the Office of Student Conduct, and the Office for Equal Opportunity and Compliance.

CRIMINAL REPORTING OPTIONS

A Complainant may also seek to initiate a criminal complaint, independent of or parallel with any report made to the University.

On Campus	Type of Services Available	Provider	Contact Information
Counseling	Outpatient counseling	Belmont Behavioral Health system	855-256-0312
Health	Emergency and non-emergency medical services	Thomas Jefferson University Hospital	215-955-6000
Mental Health	Mental health services	City of Philadelphia Department of Behavioral Health	215-685-5400 or 888-545-2600
Victim Advocacy	provide expertise in the assessment and evaluation of sexual assault victims in Philadelphia	Philadelphia Sexual Assault Response Center (PSARC)	215-800-1589
Legal Assistance	PLA is dedicated to enforcing and protecting the rights of individuals and families by providing accessible, creative and high-quality legal assistance and working collaboratively for systemic change	Philadelphia Legal Assistance	215-981-3800
Visa and Immigration Assistance	Issue form I-20 and DS-2019 for prospective students to apply for the F-1 and J-1 visa	HIAS of Pennsylvania	215-832-0900
Other	Emergency and nonemergency law enforcement	Philadelphia Police Department	610-686-8477 or 911

West Chester University Police, 610-436-3311 or x3311, Peoples Building, 690 South Church Street, West Chester, PA 19383

You may also contact the police department in the city or town in which the incident occurred.

Please note the University's policy, definitions, and burden of proof may differ from Pennsylvania criminal law. Neither law enforcement's decision on whether to prosecute nor the outcome of any criminal prosecution is determinative of whether sexual misconduct has occurred under this Policy. In cases where there is a simultaneous law enforcement investigation, there may be circumstances when

the University may need to temporarily delay its investigation while law enforcement gathers evidence. However, the University will proceed with Formal Complaints even during the time of a pending law enforcement investigation. As the University may not be informed of reports made with law enforcement agencies outside of West Chester University Police, a separate report must be filed with the Title IX Coordinator for University involvement.

EXTERNAL REPORTING OPTIONS

A person may also file a complaint with the U.S. Department of Education's Office for Civil Rights regarding an alleged violation of Title IX by calling 1-800- 421-3481: 1-877-521-2172 TTY or emailing OCR.Philadelphia@ed.gov OR visiting https://www2.ed.gov/about/offices/list/ocr/complaintintro.html.

A person may also file a complaint with the Pennsylvania Human Relations Commission by calling 717-787-9780 for the Harrisburg Regional Office; 412-565- 5395 for the Pittsburgh Regional Office; or 215-560-2496 for the Philadelphia Regional Office; or by visiting https://www.phrc.pa.gov/Pages/default.aspx.

Employees may also file a charge with the Equal Employment Opportunity Commission regarding an alleged violation of Title VII by calling 1-800-669-4000 or visiting https://www.eeoc.gov/employees/howtofile.cfm. The University may not be informed of reports made with external agencies.]

Making a report is different from filing a Formal Complaint, which is discussed in detail below. A report is defined as notification of an incident of sexual misconduct to the Title IX Coordinator by any person. A report may be accompanied by a request for (1) Supportive Measures; (2) no further action; (3) filing a Formal Complaint with a request to initiate an informal resolution process; and/or (4) a request to initiate an informal resolution process after filing a Formal Complaint.

RETALIATION

West Chester University prohibits retaliation against any person for using reporting procedure(s), or for filing, testifying, assisting, or participating in any investigation or proceeding involving allegations of university misconduct. Report any retaliatory behavior immediately to the Office of Student Conduct or the Title IX Coordinator. Any person, including third parties, who violates this retaliation policy will be subject to discipline, up to and including termination if they are an employee, and/or expulsion if they are a student.

SUPPORTIVE MEASURES AND ACCOMMODATIONS FOR COMPLAINANTS AND RESPONDENTS

Upon receipt of a report of sexual harassment, dating violence, domestic violence, sexual assault, or stalking, supportive measures will be offered in *writing* through an outreach letter sent by the Office of Equal Opportunity and Compliance. The written notification will include information about accommodation options, available assistance in requesting accommodations, and how to request accommodations and protective measures (i.e., the name and contact information for the individual or office to contact to request accommodations).

At the victim's request, and to the extent of the victim's cooperation and consent, university offices will work cooperatively to help the victim obtain accommodations. If reasonably available, a victim may be offered changes to academic, living, working, protective measures, or transportation situations regardless of whether the victim chooses to report the crime to campus police or local law enforcement. Examples of options for a potential change to the academic situation may include transferring to a different section of a class or, if there is no option to move to a different section, withdrawing and taking the class at another time. Potential changes to living situations may include moving to another room or residence hall. Changes to work situations may include changing working hours. Changes in transportation may include having the student or employee park in a different location, assisting the student or employee with a safety escort, etc.

To request changes to academic, living, transportation, and/or working situations or protective measures, a victim should contact the Office of Equal Opportunity and Compliance by calling 610-436-2433, going to their office at 114 West Rosedale Avenue, or emailing Corin Chapman, the Title IX Coordinator, at CChapman@wcupa.edu. If the victim wishes to receive assistance in requesting this accommodation, she or he should contact the Office of Equal Opportunity and Compliance at the location and number listed above. Supportive measures are non-disciplinary, non-punitive, individualized services designed to restore or preserve access to the University's Education Programs or Activities without unduly burdening the other Party.

Supportive Measures will be offered, as appropriate, to the Complainant or the Respondent, regardless of whether a Formal Complaint is filed. Supportive measures may include but are not limited to counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, restrictions on contact between the parties (no contact orders), changes in work or housing locations, leaves of absence, and increased security and monitoring of certain areas of the campus.

UNIVERSITY-INITIATED PROTECTIVE MEASURES

In addition to the protective measures described above, the Title IX Coordinator or their designee will determine whether interim interventions and protective measures should be implemented and, if so, take steps to implement them as soon as possible. Examples of interim protective measures include but are not limited to: a University order of no contact, residence hall relocation, adjustment of course schedules, a leave of absence, or reassignment to a different supervisor or position. These remedies may be applied to one, both, or multiple parties involved. Violations of the Title IX Coordinator's directives and/or protective measures may constitute Retaliation under the Student Code of Conduct that

may lead to additional disciplinary action. Protective measures imposed may be temporary pending the results of an investigation or may become permanent as determined by the University.

EMERGENCY REMOVAL FOR STUDENTS

1. The University retains the authority to remove a Respondent from its Education Programs or Activities on an emergency basis. This action is called emergency removal.

2. Before imposing an emergency removal on a student Respondent, the University will:

A. undertake an individualized safety and risk analysis; and

B. determine that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of covered sexual misconduct justifies a removal.

3. If the University imposes an emergency removal on a student Respondent, the University will provide the Respondent with notice and an opportunity to challenge the decision immediately following the removal.

A. The University will provide written notice of the emergency removal and applicable charges.

B. The University will provide an opportunity for the Respondent to appeal that decision to an appropriate Hearing Officer or designee within 10 days of the imposition of the emergency removal.

C. The designated University Hearing Officer will hear the evidence and determine whether there is sufficient evidence to support the conclusion that the Respondent poses an immediate threat to the physical health or safety of any student or other individual arising from the allegations of covered sexual misconduct and that, based on that threat, removal is the appropriate course of action. **4.** If the University learns of evidence that demonstrates that the emergency action is no longer justified after the emergency removal is imposed against a student Respondent, the University will take prompt action to rescind the emergency removal.

5. All emergency removals will comply with requirements under Chapter 505 of Title 22 of the Pennsylvania Code concerning Student Personnel.

ADMINISTRATIVE LEAVE FOR EMPLOYEES

The University retains the authority to place Employees on administrative leave consistent with applicable requirements of relevant University policies and collective bargaining agreements.

OTHER REMEDIES AVAILABLE

Besides the remedies offered by the University (e.g. emergency removal) a student or employee can petition the Chester County Court of Common Pleas for Protection from Abuse (PFA) or a Protection from Sexual Violence or Intimidation (PSVI) order. These orders can supplement the relief offered by campus authorities. Information on both actions, including the times when these actions can be filed, can be found on the Court of Common Pleas website. West Chester University police officers as well as the Office of Equal Opportunity and Compliance also can inform students and employees about filing a petition.

Once the Court signs the order it is a good idea to give a copy of the order to the West Chester University Police Department and your local police department. If the defendant violates the order on the campus of West Chester University the West Chester University Police Department can arrest the defendant for Indirect Criminal Contempt and, if the order prohibits the defendant from entering campus, arrest the defendant for trespass. Any person who obtains an order of protection from another state should bring the order to the Department of Public Safety.

UNIVERSITY-ISSUED NO CONTACT DIRECTIVE

In addition to, or in lieu of a PFA or a PSVI order, the University can issue a No Contact Directive, which is an official written instruction issued by the University administrator restricting or limiting contact (in person, electronic, via social media, or 3rd parties) between individuals. A No Contact Directive can be issued between students, between students and employees, and between employees.

The University may issue an institutional no-contact order if deemed appropriate or at the request of the victim or accused. No-contact orders are issued mutually, meaning neither party can contact the other directly, through third parties, or via social media. If the University receives a report that an institutional no-contact order has been violated, the University will initiate disciplinary proceedings appropriate to the accused's status (student, employee, etc.) and impose sanctions if the accused is found responsible for violating the no-contact order.

Type Of Order	Rights of Victims	Institution's Responsibilities
Protection from Abuse	Prohibit defendant from contacting the plaintiff or minor children (if applicable) in their place of business or school; eviction from residence; prohibit defendant from abusing plaintiff or minor children (if the children are protected parties).	Enforce the terms of the order, and if the defendant violates the order while in the jurisdiction of the West Chester University Police Department, the department will arrest the defendant.
No contact directive issued by the institution	Restricts or limits contact (in person, electronic, via social media or 3rd parties) between the parties to the directive	Enforce the no contact directive and assess charges and sanctions through the conduct process should the no contact directive be violated

Protection from abuse orders are available through the Philadelphia Court of Common Pleas.

PROTECTION ORDERS AVAILABLE IN PENNSYLVANIA

Type of Order:	Who Can File For One:	Court:	Based On:
Protection from Abuse order (PFA) In effect up to 3 years, can be extended by petition and order 23 Pa. C.S. § 6101 et seq.	Family or household members, sexual or intimate partners or persons who share biological parenthood • Spouses, former spouses • Parent, child, • People who have kids together • Intimate partners	Philadelphia Court of Common Pleas	(1) Attempting to cause or intentionally, knowingly or recklessly causing bodily injury, serious bodily injury, rape, involuntary deviate sexual intercourse, sexual assault, statutory sexual assault, aggravated indecent assault, indecent assault or incest with or without a deadly weapon. (2) Placing another in reasonable fear of imminent serious bodily injury. (3) The infliction of false imprisonment pursuant to 18 Pa.C.S. § 2903 (relating to false imprisonment). (4) Physically or sexually abusing minor children, including such terms as defined in Chapter 63 (relating to child protective services). (5) Knowingly engaging in a course of conduct or repeatedly committing acts toward another person, including following the person, without proper authority, under circumstances which place the person in reasonable fear of bodily injury. The definition of this paragraph applies only to proceedings commenced under this title and is inapplicable to any criminal prosecutions commenced under Title 18 (relating to crimes and offenses).
Protection of Victims of Sexual Violence or Intimidation Order in effect for up to 3 years, can be extended by petition and order 42 Pa. C.S. § 62A01, et seq.	Any person who is a victim of sexual violence as defined in the statute who is not a family or household member with the defendant. Any person who is a victim of intimidation as defined in the statute between persons who are not family or household members.	Philadelphia Court of Common Pleas or any court with jurisdiction over the parties	Sexual Violence as defined in the statute, or Intimidation as defined in the statute.

ASSISTANCE FOR VICTIMS: RIGHTS & OPTIONS

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

- The complainant has the right to seek medical treatment to address physical and mental health and to preserve evidence
- Complainants and witnesses of sexual misconduct have the right to be assisted by the University in notifying either University law enforcement or local law enforcement authorities of sexual misconduct, or they can decline to notify such authorities
- At all times the institution will protect the confidentiality of victims and other necessary parties;
- In the outreach letter, the institution provides a list of resources through a link in the letter that includes notification to students and employees about victim services within the institution and in the community;
- both parties, complainant and respondent, have the right to request Supportive Measures from the University, which may include interim contact restrictions and
- the University includes in its outreach letter a link to the full text of the institution's sexual misconduct policy which includes an explanation of the procedures for institutional disciplinary action

PREVENTION AND AWARENESS PROGRAMS AT WEST CHESTER UNIVERSITY

Description of Prevention and Awareness Programs Offered at West Chester

The University engages in comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to end dating violence, domestic violence, sexual assault, and stalking.

The programs offered are culturally relevant and inclusive of diverse communities and identities. They are also sustainable, responsive to community needs, and informed by research, assessed for value, effectiveness, and outcomes. The University considers environmental risk and protective factors at the individual, relationship, institutional, and societal levels. Below is a description of the programming offered to Students and a list of programs offered to Faculty and Staff. A chart detailing Primary Prevention and Awareness Programs and Ongoing Prevention and Awareness Campaigns is located on the following pages.

PREVENTION AND AWARENESS PROGRAMS AT WEST CHESTER

The University has a comprehensive array of prevention and education programs aimed at ending sexual assaults and harassment, dating violence and domestic violence as well as stalking. For more information on violence prevention at WCU, visit the Violence Prevention page for the Center for Women and Gender Equity and the Office of Equal Opportunity and Compliance.

The Office for Equal Opportunity and Compliance (EQOC) offers educational and learning opportunities for all students, faculty, and staff at West Chester University (WCU). In accordance with the University's strategic plan, we aim to foster a campus environment that invites all community members to build their awareness, skills, and competencies related to diversity and inclusion. EQOC works collaboratively with campus partners to provide consultation, resources, and support to advance and sustain a positive campus climate for all.

The Office of Equal Opportunity and Compliance conducts training for all campus-mandated reporters, including but not limited to Res Life staff, student affairs professionals, and supervisors. Partnering with Human Resources training for staff orientation.

PRIMARY PREVENTION AND AWARENESS PROGRAMS FOR NEW STUDENTS AND EMPLOYEES

These programs are offered to incoming students before the start of the Fall Semester. For new employees, these programs are assigned during employee onboarding.

PRIMARY PREVENTION AND AWARENESS PROGRAMS FOR INCOMING STUDENTS

West Chester transitioned to a month-long calendar of events known as Weeks of Welcome, which runs from August 20 to October 3, 2026.

The university held a MANDATORY Title IX session the Saturday after move-in on August 22, 2026. In 2026, the presentation was held on Saturday, August 23, at various times throughout the day. At that session, students learned about Title IX and what it covers, such as equal access, safety, and reporting.

RespectEDU is assigned to students prior to them coming to campus. Students prior to their arrival on campus. Students have 30 days to complete the course.

The RespectEdu Healthy Relationships is an ongoing training that emphasizes healthy relationship skills, tactics for bystander intervention among close friends, and survivor empathy. The chapters for this training include:

- Values, Identities, and Relationships
- Consent, Coercion, and Bystander Intervention
- Sexual Harassment and Stalking
- Reporting and Responding

ONGOING PREVENTION AND AWARENESS PROGRAMS FOR STUDENTS AND EMPLOYEES

Throughout the year, the Office of Wellness Promotion and the Office for Equal Opportunity and Compliance offer ongoing prevention and awareness programs for students and employees.

These programs specifically address dating violence and domestic violence as defined in the Clery Act and under Pennsylvania law.

PROGRAMMING FOR STUDENTS

The University offered the following **ongoing awareness and prevention programs** for **students**.

Event Name	Date	Summary	Clery Topic Areas	Audience	Attendance (actual or approximate)
Community Care Night 2	1/22/25	Provides the WCU community a trauma-informed space to connect with peers, share a meal, and participate in calming activities such as journaling, crafts, and games	Trauma-informed care	Students	10
Equaliteas Speaker Series: Andi Koch	2/20/25	Equalitea speaker series focused on queer presense in education and healthcare, particularly as it pertains to consent and sexual violence prevention	Trauma-informed care, sexual violence prevention	Open to public, but primarily targeted to students, faculty, and staff	12
Queer Sexy Bingo	2/27/25	Bingo-style game related to conversations regarding sex, consent, and pleasure	Trauma-informed care, sexual violence prevention	Students	124
Gender Justice Conference	4/2/25	Conference related to conversations of gender, race, sexual harm and consent, liberation, and expression	Trauma-informed care	Students primarily, open to WCU community and public	136
Equaliteas Speaker Series: Creative Trauma-Informed Approaches to Advocacy	4/10/25	Equalitea speaker series featuring Bridgette Stumpf & Lindsey Silverberg who discussed intersection of Sexual Assault Awareness Month and creative advocacy for trauma-informed approaches and spaces.	Sexual violence awareness and prevention and trauma-informed care	Primarily students, but open to the public	10
Clothesline Project	4/17/25	Offers a visual display for people who have experienced harm to share their stories and everyone to share messages of support through decorated t-shirts hung up on the Quad.	Sexual violence awareness and prevention, domestic/dating violence awareness and prevention, stalking awareness and prevention	Students	102
Community Care Night: Sexual Assault Awareness Month	4/25/25	Provides the WCU Community a chance for those who have experienced harm to connect over calming activities, like crafts or yoga.	Trauma-informed care	Students	6
Take Back the Night	4/25/25	Annual march in support of survivors and ending violence. A guest speaker and confidential speakout follows the march to allow people to share their stories.	Sexual violence awareness and prevention, domestic/dating violence awareness and prevention, stalking awareness and prevention, trauma-informed care	Students	48
Sexy Bingo	9/9/25	Bingo-style game related to conversations regarding sex, consent, and pleasure	Trauma-informed care, sexual violence prevention	Students	241
Theater Student Boundaries & Trauma Informed Practices Training	9/10/25	Understanding boundaries, Title IX policy and process	Sexual violence awareness, domestic/dating violence awareness, stalking awareness, trauma-informed care	Students	All students enrolled in theater courses for fall - approximately 200
It's on Us Speaker - Erica Smith	10/6/25	WCU It's On Us Week of Action speaker Erica Smith, sex educator "We Keep Us Safe: Sexual Communication & Consent in LGBTQIA+ Communities"	Sexual violence awareness, domestic/dating violence awareness, stalking awareness, trauma-informed care	Students	57
It's On Us Week of Action Training with Crime Victims Center of Chester County	10/9/25	WCU It's On Us Week of Action training with Crime Victims Center of Chester County on the topics of Consent, Bystander intervention, and Sexual & Relational Ethics	Sexual violence awareness, domestic/dating violence awareness, stalking awareness, trauma-informed care	Students	3

Sexy Bingo: Remixed	10/20/25	Bingo-style game related to conversations regarding sex, consent, and pleasure	Trauma-informed care, sexual violence prevention	Students	210
Breaking the Echo Chamber	11/7/25	A community conversation about sex ed, sexuality, and representation, uplifting the experiences of queer & trans students of color.	Sexual violence awareness and prevention, domestic/dating violence and prevention	Students	3
Relationship Jeopardy with Lavender Garden	11/14/25	Jeopardy-style game about growing and forming healthy relationships and bonds in the Lavender Garden	Sexual violence awareness and prevention, domestic/dating violence and prevention	Students	4
Community Care Night 1	11/18/25	Provides the WCU community a trauma-informed space to connect with peers, share a meal, and participate in calming activities such as journaling, crafts, and games	Trauma-informed care	Students	2
It's on Us Housing Outreach	Reoccurring, Spring 2025	Varied tabling presentations to WCU On-Campus Housing communities including traditional and USH dorm buildings. These topics include boundaries, sexual citizenship, sexual projects, MOFRIES consent training, and bystander intervention	Sexual violence awareness and prevention, trauma-informed care, domestic/dating violence awareness and prevention	Students	Approximately 200 students over the course of a semsester
PHC Facilitator Recruitment	Reoccurring	Panhellenic Council recruitment for facilitators to present to chapters on topics related to sexual assault prevention	Sexual violence awareness and prevention, domestic/dating violence and prevention	Students	11
IFC Facilitator Recruitment	Reoccurring	Interfraternity Council recruitment for facilitators to present to chapters on topics related to sexual assault prevention	Sexual violence awareness and prevention, domestic/dating violence and prevention	Students	13
Sexy Bingo (Classroom Facilitation)	Reoccurring (As Requested)	Smaller-scale bingo event for campus residents, clubs, Greek life, and classrooms regarding sex, consent, and pleasure	Trauma-informed care, sexual violence prevention	Students	Attendance varies from 10-100 depending on group size
IFC Sexual Violence Prevention Facilitator Training	Reoccurring	Training funded by the PA Department of Education's It's on Us Grant. Intended to train a group of fraternity men on sexual violence prevention through topics including sexual citizenship, sexual projects, MOFRIES consent model, rejection skills, and more.	Sexual violence awareness and prevention, trauma-informed care, domestic/dating violence awareness and prevention, stalking awareness	WCU Fraternity Members	9 facilitators, presentation reached approximately 400 fraternity members
PHC Sexual Violence Prevention Facilitator Training	Reoccurring	Training funded by the PA Department of Education's It's on Us Grant. Intended to train a group of sorority women on sexual violence prevention through topics including sexual citizenship, sexual projects, MOFRIES consent model, rejection skills, and more.	Sexual violence awareness and prevention, trauma-informed care, domestic/dating violence awareness and prevention, stalking awareness	WCU Sorority Members	9 facilitators, presentation reached approximately 600 sorority members
Resident Assistant Training	Reoccurring	Invited to train RAs on sexual citizenship and intervention.	Sexual violence, domestic/dating violence	Resident Assistants (RAs)	150
Embracing Autonomy: Consent & Boundaries	Reocurring	Peer educator facilitation training requested by classrooms about creating boundaries, self-advocacy, and healthy relationships.	Domestic/dating violence awareness & prevention, Sexual Assault Prevention	Students	Classroom sizes of 15-40
Rams Step Up	Reocurring	Peer educator facilitation training requested by classrooms about safe and impactful bystander intervention.	Sexual violence awareness and prevention, trauma-informed care, domestic/dating violence awareness and prevention, stalking awareness	Students	Classroom sizes of 15-40
We Keep Us Safe: LGBTQIA Sexual Violence Prevention Curriculum	Reoccurring	Curriculum developed with the Crime Victims Center of Chester County and the Center for Trans and Queer Advocacy to uplift the needs of LGBTQIA communities and everyone through a specific lens.	Sexual violence awareness and prevention, trauma-informed care, domestic/dating violence awareness and prevention, stalking awareness	Students	Facilitated once for an audience of 20

ANY RAM CAN-BYSTANDER INTERVENTION:

Any Ram Can is a program designed to engage students in conversation about being an active bystander with an emphasis on alcohol use. Through several modalities , such as trivia, role-playing, and a case study, students will explore bystander intervention strategies, identify the qualities of an active, engaged bystander, and learn about the university's medical amnesty program. In addition, this workshop provides students the opportunity to discuss recent current events related to bystander intervention on college campuses. This program is available via live facilitation or the department's D2L page.

BYSTANDER INTERVENTION TRAINING

1. **RAMS STEP UP!**
2. A pro-social, peer educator-led, bystander intervention education program. The goals of RAMS STEP UP! The workshops are meant to: raise awareness of helping behavior, increase motivation to help, develop skills and confidence when responding to problems, and ensure the safety and well-being of others. RAMS STEP UP! aims to get bystanders to take action when they see a problematic event. Trained undergraduate peer educators deliver this experience. This experience is delivered in either (1) one 120-minute part ***or*** (2) two 60-minute pa rts (120 minutes total), delivered sequentially via Zoom, and is highly interactive. Staff will provide a few videos and slides for students to look at and engage with before Part 1 of the program.
3. Part 1: Introduces students to the bystander effect, engages students in considering situations where they have seen problems, encourages students to consider barriers to helping behavior in breakout rooms, and introduces strategies for helping.
4. Part 2: Applies concepts introduced in Part 1 to develop skills and confidence when responding to problems. Students will identify strategies for helping in video examples and scenarios. Allows students to practice skills in identifying harmful situations and acting when they see a problematic event.
5. This experience can be offered at any point during the semester

HOW TO BE AN ACTIVE BYSTANDER

Bystanders play a critical role in the prevention of sexual and relationship violence. They are "individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it."6 We want to promote a culture of community accountability where bystanders actively engage in preventing violence without causing further harm. We may not always know what to do even if we want to help. Below is a list7 of some ways to be an active bystander. You can find more information about bystander intervention. If you or someone else is in immediate danger, dial 911. This could be when someone is yelling at or being physically abusive toward another person, and it is not safe for you to interrupt.

- Watch out for your friends and fellow students/employees. If you see someone who looks like they could be in trouble or need help, ask if they are ok.
- Confront people who seclude, hit on, try to make out with, or have sex with people who are incapacitated.
- Speak up when someone discusses plans to take sexual advantage of another person.
- Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
- Refer people to on- or off-campus resources listed in this document for support in health, counseling, or with legal assistance.

Risk Reduction

Under the Clery Act Risk reduction is defined as: "options designed to decrease perpetration and bystander inaction; increase empowerment for victims in order to promote safety; and help individuals and communities address conditions that facilitate violence." West Chester does not have a specific risk-reduction program. Instead, it addresses risk reduction across numerous programs. The Office of Wellness Promotion, for example, conducts "Any Ram Cam-Bystander Intervention" as well as "Decisions About Drinking." Each of these programs includes a risk-reduction element.

The University offered the following **primary prevention and awareness programs** for all **new employees**

The Pennsylvania State System of Higher Education, of which West Chester University is a member institution, assigns training to new hires. The courses assigned are the same as those shown below for ongoing prevention and awareness for current employees. Depending on whether the new hire directly manages other employees, they are assigned the supervisors' course; those who do not directly manage employees are assigned the non-supervisors' course.

Ongoing Prevention and Awareness Campaigns

The University has developed an annual educational campaign that is sustained over time and uses a variety of approaches to highlight the strategies used as part of the campaign.

The University offered the following **ongoing awareness and prevention programs** for **employees**.

Through Vector Solutions, the university offers ongoing awareness and prevention programs. Some of these programs are:

- Preventing Harassment and Discrimination for Non-Supervisors (Clery and Title IX)
- Preventing Harassment and Discrimination for Supervisors
- Preventing Harassment and Discrimination for Supervisors (Clery and Title IX)
- RespectEDU for Faculty and Staff
- RespectEDU for Non-supervisors
- RespectEDU for Supervisors

WEST CHESTER UNIVERSITY PROCESSES FOR ADJUDICATING COMPLAINTS OF SEXUAL HARASSMENT, DATING VIOLENCE, DOMESTIC VIOLENCE, AND STALKING

The University's full policies and procedures regarding reports of sexual harassment, dating violence, domestic violence, sexual assault, and stalking can be found at the following links:
Sexual Misconduct Policy
Sexual Misconduct Policy (Non Title IX)

PROCESS DETERMINATION

Based upon the Final Rule effective August 14, 2021, certain violations have regulatory standards that must be met to proceed under Title IX. The University's Sexual Misconduct Policy contains violations that may meet both regulatory and non-regulatory definitions. Under the Final Rule the University is required to dismiss allegations of not meeting the established regulatory federal guidelines.

Dismissal of any violations constituting Regulatory Prohibited Conduct will not affect the University's ability to proceed with an investigation of charges categorized as Non-Regulatory or other charges under this Policy or any other University Policy.

West Chester University uses one hearing format for cases that are either regulatory or non-regulatory. Thus, while the steps and investigations may be slightly different, the hearing procedure is identical for both types of sexual misconduct.

STANDARD OF EVIDENCE

Regardless of whether the conduct is regulatory or non-regulatory, all complaints filed with the Office of Equal Opportunity and Compliance will be judged using the ***preponderance of the evidence standard***, which means, it is more likely than not that University policy has been violated.

Adjudication proceedings will include a prompt, fair and impartial process from the initial investigation to the final result. In all instances, the process will be conducted in a manner that is consistent with the institution's policy and that is transparent to the accuser and the accused. Usually, the resolution of domestic violence, dating violence, sexual assault and stalking complaints are completed within the timeframe specified in each policy the institution maintains. However, each procedure allows for extensions of timeframes for good cause with written notice to the accuser and the accused of the delay and the reason for the delay. University officials involved in the investigation or adjudication of domestic violence, dating violence, sexual assault and stalking complaints are trained through the Student Conduct Institute of State University of New York (annually on the issues related to domestic violence, dating violence, sexual assault, and stalking as well as how to investigate and the hearing process that protects the safety of the victim and promotes accountability. Furthermore, each policy provides that:

The complainant and the accused will have timely notice for meetings at which the complainant or accused, or both, may be present;

The complainant, the accused and appropriate officials will have timely and equal access to any information that will be used during formal and informal disciplinary meeting and hearings;

The institutional disciplinary procedures will not be conducted by officials who have a conflict of interest or bias for or against the complainant or the accused;

The complainant and the accused will have the same opportunities to have others present during any institutional disciplinary proceeding. The complainant and the accused each have the opportunity to be advised by an advisor of their choice at any stage of the process and to be accompanied by that advisor to any related meeting or proceeding. The University will not limit the choice of advisor or presence for either the complainant or the accused in any meeting or institutional disciplinary proceeding.

The complainant and the accused will be notified simultaneously, in writing, of the any initial, interim and final decision of any disciplinary proceeding; and

Where an appeal is permitted under the applicable policy, the complainant and the accused will be notified simultaneously in writing, of the procedures for the accused and the victim to appeal the result of the institutional disciplinary proceeding. When an appeal is filed, the complainant and the accused will be notified simultaneously in writing of any change to the result prior to the time that it becomes final as well as of the final result once the appeal is resolved.

PROCEDURES FOR TITLE IX, I.E. REGULATORY VIOLATIONS[12]

THE FORMAL COMPLAINT.

The Sexual Misconduct Resolution Process is initiated by a Complainant providing the Title IX Coordinator a written, signed Formal Complaint describing the facts alleged.

The timeframe for the Sexual Misconduct Resolution Process under this Policy begins with the filing of a Formal Complaint and will be concluded within a reasonably prompt manner, and usually no longer than 90 days after the filing of the Formal Complaint, provided that the Process may be extended for a good reason, as set forth more fully in the Continuances and Granting Extensions section. Appeals may extend the timeframe for resolution.

To file a Formal Complaint, a Complainant must provide the Title IX Coordinator a written, signed complaint describing the facts alleged. If a Complainant does not wish to make a Formal Complaint, the Title IX Coordinator may determine a Formal Complaint is necessary. West Chester University will inform the Complainant of this decision in writing, and the Complainant need not participate in the process further but will receive all notices issued under this Sexual Misconduct Resolution Process. ***PLEASE NOTE: The Title IX Coordinator does not lose impartiality solely due to signing a Formal Complaint.***

A Complainant who files a Formal Complaint may elect, at any time, to address the matter through the Informal Resolution Process (see the **Informal Resolution** section below).

NOTICE OF ALLEGATIONS

Once the formal complaint is filed the Title IX Coordinator will draft

12 A regulatory violation is one that meets the jurisdictional elements listed below under 'Determining Jurisdiction and Mandatory Dismissal for Certain Allegations'.

and provide a written Notice of Allegations to any Party alleged to have violated this Policy. Such notice will occur as soon as practicable, but no more than 10 days, after the University receives a Formal Complaint of the allegations, if there are no extenuating circumstances. The Parties will be notified by their University email accounts if they are a Student or Employee, and by other reasonable means if they are neither.

The Notice of Allegations will include the following:

a. Notice of the University's Sexual Misconduct Resolution Process including any Informal Resolution process and a hyperlink to a copy of the process.

b. Notice of the allegations potentially constituting violations(s) of any University policy, and sufficient details known at the time the Notice of Allegations is issued, such as the identities of the parties involved in the incident, if known, including the Complainant; the conduct allegedly constituting a policy violation; and the date and location of the alleged incident, if known.

c. A statement that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the hearing.

d. A statement that the Parties may have an Advisor of their choice.

e. A statement that before the conclusion of the investigation, the Parties may inspect and review evidence obtained as part of the investigation that is directly related to the allegations raised in the Formal Complaint, including the evidence upon which the University does not intend to rely in reaching a determination regarding responsibility, and evidence that both tends to prove or disprove the allegations, whether obtained from a Party or other source.

f. Individuals are prohibited from knowingly filing a false report or making misrepresentations. If, following an investigation and hearing as appropriate under applicable policy, a person is found to have willfully filed a bad faith report or made misrepresentations as part of a resolution process, the party may be subject to appropriate Disciplinary Sanctions under the Code of Conduct in the case of Students or other relevant University policy in the case of Officials, Employees or Volunteers.

The University will provide sufficient time for the Parties to review the Notice of Allegations and prepare a response before any initial interview.

ALLEGATIONS FALLING UNDER TWO POLICIES

If a Formal Complaint against a Respondent who is a **Student** contains allegations of a violation of any of the listed Sexual Misconduct Violations in this Policy, as well as any other violation in the Student Code of Conduct, the Sexual Misconduct Resolution Process set forth in this Policy will be applied in the investigation and adjudication of all of the allegations. If all of the alleged Sexual Misconduct Violations of this Policy are dismissed, and the remaining underlying allegations, if true, would violate another University policy or the University's Student Code of Conduct, the matter may be referred for further action by the University's Office of Student Conduct, as appropriate.

If a Formal Complaint against a Respondent who is an **Employee** contains allegations of violations of Regulatory Prohibited Conduct (Regulatory Quid Pro Quo, Regulatory Hostile Environment Sexual Harassment, Regulatory Dating Violence, Regulatory Domestic Violence, Regulatory Sexual Assault and Regulatory Stalking), the Sexual Misconduct Resolution Process set forth in this Policy will be applied in the investigation and adjudication of those allegations. For all other allegations, the University will follow applicable requirements in University policy and relevant collective bargaining agreements for the resolution of the other allegations contained in the Formal Complaint.

If a Formal Complaint against a Respondent who is an **Official** or **Volunteer** contains any allegations under this Policy, the University or System will follow applicable requirements in University or System policies or procedures and standards for resolution of the allegations contained in the Formal Complaint.

DETERMINING JURISDICTION AND MANDATORY DISMISSAL FOR CERTAIN ALLEGATIONS

For alleged violations of Regulatory Prohibited Conduct **(Regulatory Quid Pro Quo[13], Regulatory Hostile Environment Sexual Harassment, Regulatory Dating Violence, Regulatory Domestic Violence, Regulatory Sexual Assault and Regulatory Stalking**) the following elements will be determined in the reasonable determination of the Title IX Coordinator:

1. The conduct is alleged to have occurred in the United States;
2. The conduct is alleged to have occurred in the University's Education Program or Activity; AND
3. The alleged conduct, if true, would constitute covered Regulatory Prohibited

Conduct, as defined in this Policy.

If all the elements are met the University will investigate the allegations under the processes set forth in the Sexual Misconduct Policy. If any one of these elements is not met, the Title IX Coordinator will notify the parties the specific allegation contained in the Formal Complaint does not meet the required jurisdictional requirements under the Final Rule and is being dismissed. Any Party may appeal a dismissal using the appellate process.

DISCRETIONARY DISMISSALS FOR ALL ALLEGATIONS

The Title IX Coordinator may dismiss a Formal Complaint brought under this Policy, or any specific allegations raised within that Formal Complaint, at any time during the investigation or hearing, if:

1. A Complainant notifies the Title IX Coordinator in writing that they would like to withdraw the Formal Complaint or any allegations raised in the Formal Complaint;
2. The Respondent is no longer enrolled in, associated with or employed by the University; or,
3. If specific circumstances prevent the University from gathering evidence sufficient to reach a determination regarding the Formal Complaint or allegations within the Formal Complaint.

NOTICE OF DISMISSAL

Upon reaching a decision that any specific allegation contained

13 For quid pro quo sexual harassment allegations, the designation of "Regulatory" is dependent on the employment of the Respondent. For hostile environment sexual harassment allegations, the designation of "Regulatory" is dependent upon the impact of the unwelcome conduct on the individual targeted.

in the Formal Complaint will be dismissed, the University will promptly send written notice of the dismissal and the reason for the dismissal, simultaneously to the parties through their institutional or other provided email account. It is the responsibility of parties to maintain and regularly check their email accounts.

In the event a Formal Complaint is dismissed, the University reserves the right to move the case forward with nonregulatory violations of the Student Code of Conduct. Such a decision will be included in the Notice of Dismissal.

APPEALS OF DISMISSALS OF FORMAL COMPLAINTS

The procedures for filing appeals differ slightly depending on whether the respondent is an employee or a student.

Appeals of a dismissal of a formal complaint where the respondent is a *student*

Each party may appeal the dismissal of a Formal Complaint or any included allegation, or, after a hearing, a determination of responsibility on the following grounds:

1) A procedural irregularity under the University policy or procedures that affected the hearing outcome.
2) New evidence that was not reasonably available through the exercise of reasonable diligence at the time of the hearing or dismissal of the Formal Complaint that could affect the outcome of the matter.
3) The Title IX Coordinator, Investigator(s), or Decision Maker(s)/ Hearing Officer(s) had a conflict of interest or bias for or against an individual party, or for or against complainants or respondents in general, that affected the outcome of the matter.
4) The Disciplinary Sanction imposed was grossly disproportionate to the violation.

The Fourth ground "[t]he Disciplinary Sanction imposed was grossly disproportionate to the violation", would be pleaded only after a finding of responsibility was made.

Appeals must be filed in writing within 5 days of being notified of the decision and must indicate the ground or grounds for the appeal.

The submission of an appeal stays any Disciplinary Sanctions for the pendency of an appeal. Supportive Measures and remote learning opportunities remain available during the pendency of the appeal.

If a party appeals, the University will notify the other party in writing of the appeal as soon as practicable, however, the time for an appeal shall be offered equitably to all parties and shall not be extended for any party solely because the other party filed an appeal. *If the basis of the appeal is the Disciplinary Sanction imposed was grossly disproportionate to the violation, the other Party will be given 5 days to respond to the Disciplinary Sanctions basis of appeal after being notified of the appeal.*

Appeals will be decided by the University Appeals Board, which will be free of conflict of interest and bias, and will not serve as an Investigator, Title IX Coordinator, Advisor, or Decision Maker/Hearing Officer in the same matter.

The appealing party must meet its burden to demonstrate the outcome was affected by a preponderance of the evidence. The role of the University Appeals Board is not to reweigh the evidence. The University Appeals Board will confine their review to the basis of the appeal alleged and may modify the sanction on the basis that the severity of the sanction is disproportionate to the violation(s). In the event a Disciplinary Sanction is modified, the other party will be notified of the modified Disciplinary Sanction.

The outcome of the appeal will be provided in writing simultaneously to both Parties and include the rationale for the decision.

Appeals of a dismissal of a formal complaint where the respondent is an *employee*

Each Party may appeal the dismissal of a Formal Complaint or any included allegations or a determination of responsibility on the following grounds:

1) A procedural irregularity under the University policy or procedures that affected the hearing outcome.
2) New evidence that was not reasonably available through the exercise of reasonable diligence at the time of the hearing or dismissal of the Formal Complaint that could affect the outcome of the matter.
3) The Title IX Coordinator, Investigator(s), or Decision Maker(s) had a conflict of interest or bias for or against an individual party, or for or against complainants or respondents in general, that affected the outcome of the matter.

Appeals must be filed in writing within 5 days of being notified of the decision and must indicate the grounds for the appeal.

Supportive Measures remain available during the pendency of the appeal.

If a Party appeals, the University will notify the other Party in writing of the appeal as soon as practicable, however the time for an appeal shall be offered equitably to all Parties and shall not be extended for any Party solely because the other Party filed an appeal.

Appeals will be decided by an Appeals Board who will be free of conflict of interest and bias, and will not serve as an Investigator, Title IX Coordinator, Advisor, or Decision Maker in the same matter.

The appealing party must meet its burden to demonstrate the outcome was affected by a preponderance of the evidence. The role of an Appeals Board is not to reweigh the evidence. The Appeals Board will confine their review to the basis of the appeal alleged.

G. The outcome of the appeal will be provided in writing simultaneously to both parties and include the rationale for the decision for either upholding the original dismissal or overturning the dismissal decision.

INFORMAL RESOLUTION

Informal means of resolution, such as mediation, may be used as an alternative to the formal investigation and hearing procedures. Informal resolution is a voluntary process and may be used only where a Formal Complaint has been filed. Upon written agreement of all parties, informal resolution may be initiated at any time prior to finding of responsibility in a hearing and may be terminated at any time prior to final resolution. If the informal process is terminated, the Sexual Misconduct Resolution Process, which includes an investigation and hearing, will proceed. Once a final resolution

has been reached and documented and signed by all parties, the resolution cannot be appealed.

Informal resolution may **NOT** be utilized when a Student files a Formal Complaint against a University Employee, Volunteer or Official under the Sexual Misconduct Policy.

ADVISOR

Both a Complainant and a Respondent are entitled to one advisor of their choice who can assist them during all phases of a dating violence, domestic violence, sexual assault or stalking case. An advisor is an individual who may be present to provide support to a Party throughout an investigation and/or hearing. Advisors may accompany a Party to any meeting or hearing they are required or eligible to attend, but may not speak for the Party, except for the purposes of cross-examination. Each party is responsible for coordinating and scheduling with their choice of Advisor.

The Advisor may be an attorney or a union representative when applicable. If a party does not have an Advisor of choice present for a hearing, the University will appoint an Advisor for the limited purposes of conducting cross-examination. If a Party does not attend the hearing, the Party's Advisor may appear and conduct cross-examination on the Party's behalf. If neither a Party nor their Advisor appears at the hearing, the University will provide an Advisor to appear on behalf of the non-appearing Party for the limited purposes of conducting cross-examination. The Advisor is not prohibited from having a conflict of interest or bias in favor of or against a Party, nor is the Advisor prohibited from being a Witness in the Sexual Misconduct Resolution Process.

THE FORMAL PROCESS

The Formal process under both regulatory and non-regulatory violations consists of two separate yet equally important parts- the investigation that establishes the facts of the case and the hearing process that examines those facts. Each policy has its own, slightly different investigatory process.

THE INVESTIGATION

1. GENERAL RULES OF INVESTIGATIONS

The Title IX Coordinator will assign an Investigator to perform an investigation of the conduct alleged under a reasonably prompt timeframe, following the issuance of the Notice of Allegations. West Chester University and not the Parties, has the burden of proof and the burden of gathering evidence, i.e., the responsibility of showing a violation of this Policy has occurred. Either party may decide not to share their account of what occurred or may decide not to participate in an investigation or hearing.

This does not shift the burden of proof away from the University and does not indicate responsibility. West Chester University cannot access, consider, or disclose medical records without a waiver from the party (or parent, if applicable) to whom the records belong or of whom the records include information. The University will provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence, (i.e., evidence that tends to prove and disprove the allegations). See the **Inspection and Review of Evidence** section below.

2. INSPECTION AND REVIEW OF EVIDENCE

Prior to the completion of the investigation, the parties will have an equal opportunity to inspect and review the evidence obtained through the investigation. The purpose of the inspection and review process is to allow each party the equal opportunity to meaningfully respond to the evidence prior to issuance of the investigation report.

Evidence that will be available for inspection and review by the parties will be any evidence that is directly related to the allegations raised in the Formal Complaint. It will include any:

a) Evidence that is relevant, even if that evidence does not end up being relied upon by the Decision Maker(s) in making a determination regarding responsibility;

b) inculpatory or exculpatory evidence (i.e., evidence that tends to prove or disprove the allegations) that is directly related to the allegations, whether obtained from a Party or other source.

The University will send the evidence to each Party and each Party's Advisor, if any, to inspect and review through an electronic format or a hard copy. The University is not under an obligation to use any specific process or technology to provide the evidence and shall have the sole discretion in terms of determining format and any restrictions or limitations on access.

The Parties will have 10 days to inspect and review the evidence and submit a written response by email to the Investigator. This response should include any new or additional evidence the Party would like the Investigator to consider. The University will provide copies of the Parties' written responses, and any new or additional evidence provided, to the other Party and their Advisor.

The other Party will have 5 days to inspect, review, and respond to the new or additional evidence through a written response to the Investigator. The University will provide copies of the Party's supplemental written response to the other Party and their Advisor. The Investigator will consider the parties' written responses before completing the Investigative Report. Parties may request a reasonable extension of the time to submit a written response, which may be denied at the sole discretion of the

Investigator, in consultation with the Title IX Coordinator.

The Investigator has 10 days to generate a report or after the responses to additional evidence are due or, alternatively, may provide the Parties and their Advisors with written notice extending the investigation and explaining the reason for the extension.

The parties and their Advisors are encouraged not to disseminate the Investigative Report or photograph or otherwise copy any of the evidence subject to inspection and review or use such evidence for any purpose unrelated to the Sexual Misconduct Resolution Process.

Any evidence subject to inspection and review will be available at any hearing, including for purposes of cross-examination.

3. SEXUAL MISCONDUCT INVESTIGATIVE REPORT

The Investigator will create an Investigative Report that fairly summarizes relevant evidence.

The Investigative Report is not intended to catalog all evidence obtained by the Investigator, but only to provide a fair summary of that evidence.

Only relevant evidence (including both inculpatory and exculpatory – i.e., tending to prove and disprove the allegations – relevant evidence) will be referenced in the Investigative Report.

Evidence obtained in the investigation that is determined in the reasoned judgment of the Investigator not to be directly related to the allegations in the Formal Complaint will be included in the appendices to the investigative report.

4. ONGOING NOTICE

If, in the course of an investigation, the University decides to investigate allegations about either Party that are not included in the Notice of Allegations and are otherwise covered Sexual Misconduct Violations falling within this Policy or other violations of the University's Student Code of Conduct, the University will notify the Parties of the additional allegations by their University email accounts or other reasonable means.

The Parties will be provided sufficient time to review the additional allegations to prepare a response before any initial interview regarding those additional charges.

THE HEARING

West Chester University uses one hearing format for cases where the conduct is determined to be regulatory or non-regulatory. Thus, while the steps and investigations may be slightly different, the adjudicatory process is identical for both types of sexual misconduct.

1. NOTICE OF HEARING

No less than 10 days prior to the hearing, the Office of Student Conduct will send written notice of the hearing to the Parties. The Parties will be notified by their University email accounts or by other reasonable means. Once mailed, emailed, and/or received in-person, notice will be presumptively delivered.

2. HEARING

The University will not issue a Disciplinary Sanction arising from an allegation of a violation of this Policy without holding a hearing, unless otherwise resolved through an informal resolution process or an alternate process permitted under this Policy. If the University determines a hearing is necessary, the Parties cannot waive the right to a hearing.

The University may still proceed with the hearing in the absence of a Party, and may reach a determination of responsibility in their absence. The University will not threaten, coerce, intimidate, or discriminate against the Party in an attempt to secure the Party's participation.

If a Party does not participate in a hearing or submit to cross-examination in the hearing, the Decision Maker(s) may not rely on any "statement" by that Party. This aspect of the hearing is discussed below in the section entitled Cross-Examination.

The Decision Maker(s) cannot draw an inference about the determination regarding responsibility based solely on a Party's absence from the hearing or refusal to answer cross-examination or other questions.

The hearing may be conducted with all Parties physically present in the same geographic location, or, at the University's discretion, any or all Parties, Witnesses, and other participants may appear at the hearing virtually through video conferencing technology. This technology will enable participants simultaneously to see and hear each other. At its discretion, the University may delay or adjourn a hearing based on technological errors.

All proceedings will be recorded through audio and/or video recording. That recording or transcript will be made available to the Parties for inspection and review upon request.

3. CONTINUANCES OR GRANTING EXTENSIONS

The University may determine multiple sessions or a continuance (i.e., a pause on the continuation of the hearing until a later date or time) is needed to complete a hearing. If so, the University will notify all participants and endeavor to accommodate all participants' schedules and complete the hearing as promptly as practicable.

4. PARTICIPANTS IN THE HEARING

Hearings are not public, and the only individuals permitted to participate in the hearing are as follows:

a) The Hearing Officer(s)

b) The Hearing Chair

c) Hearing facilitators,

d) University personnel

e) The Parties

f) Advisor of choice or provided by the University for each Party

g) Witnesses

h) Any individuals necessary to provide interpretation or other support services associated with reasonable accommodations to facilitate participation in the hearing.

The Hearing Officer(s) will not have a conflict of interest or bias in favor of or against Complainants or Respondents generally, or in favor or against the Parties to the case. The Parties will have an opportunity to raise any objections regarding a Decision Maker's actual or perceived conflicts of interest or bias at the beginning of the hearing.

Parties and Witnesses cannot be compelled to participate in the hearing and have the right not to participate in the hearing free from retaliation.

BOARD MEMBER TRAINING

All persons sitting as the decision-makers, either as the Hearing chair or as hearing officers on the board are required to undergo no less than 20 hours of annual training (both federal and Pennsylvania-specific training) through the Student Conduct Institute based at the State University of New York. Unless and until the training is complete a hearing officer cannot sit on a University Sexual Misconduct Board. Other individuals involved in the process including investigators, and appeals officers are also required to undergo training through SCI. Again, unless and until the training is complete those individuals cannot participate in the hearing process.

DECISIONS

A. General Considerations for Evaluating Testimony and Evidence

1)While the opportunity for cross-examination is required in all hearings under this Policy, determinations regarding responsibility may be based in part, or entirely, on documentary, audiovisual, and digital evidence, as warranted in the reasoned judgment of the Hearing Officer(s).

2) Hearsay evidence may not be used to establish a fact necessary to establish responsibility consistent with the requirements under Chapter 505 of Title 22 of the Pennsylvania Code concerning Student Personnel.

3) Hearing Officer(s) shall not draw inferences regarding a Party or Witness' credibility based on the Party or Witness' status as a Complainant, Respondent, or Witness, nor shall it base its judgments in stereotypes about how a Party or Witness would or should act under the circumstances.

4) Generally, credibility judgments should rest on the demeanor of the Party or Witness, the plausibility of their testimony, the consistency of their testimony, and its reliability in light of corroborating or conflicting testimony or evidence.

5) Credibility judgments should not rest on whether a Party or Witness' testimony is non-linear or incomplete, or if the Party or Witness is displaying stress or anxiety.

6) Where a Party or Witness' conduct or statements demonstrate that the Party or Witness is engaging in retaliatory conduct, including but not limited to witness tampering and intimidation, the Hearing Officer(s) may draw an adverse inference as to that Party or Witness' credibility.

7) Hearing Officer(s) will afford the highest weight relative to other testimony to first-hand testimony by Parties and Witnesses regarding their own memory of specific facts that occurred. Both inculpatory and exculpatory (i.e., tending to prove and disprove the allegations) evidence will be weighed in an equal fashion.

8) The Final Rule requires the University to admit and allow testimony regarding polygraph tests ("lie detector tests") and other procedures that are outside of standard use in academic and non-academic conduct processes. While the processes and testimony about them will be allowed to testify and be crossed as required by the Final Rule, the Hearing Officer(s) will be instructed to afford lower weight to such processes relative to the testimony of fact witnesses.

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

B. Timeline for Decision

If there are no extenuating circumstances, the determination regarding responsibility will be issued by the University to the complainant and respondent within 10 days of the completion of the hearing. The complainant and respondent have the right to appeal the decision.

C. Finality

The determination regarding responsibility becomes final either upon the outcome of any appeal or the expiration of the window to appeal without an appeal being requested as outlined in the Appeals section below.

SANCTIONS

If the Decision-Maker determines, by a preponderance of the evidence, that the student, employee, or official violated the Sexual Misconduct Policy, the written determination of responsibility containing a details explanation of that which was discussed in the Decisions Section, above, will also contain the sanction imposed on the respondent.

DISCIPLINARY SANCTIONS AGAINST STUDENTS

POSSIBLE DISCIPLINARY SANCTIONS

The University may impose the following Disciplinary Sanctions upon Students, singly or in combination, and are listed with the description of violations. Sanctions may include the following: disciplinary reprimand, disciplinary probation, final disciplinary probation, disciplinary suspension, and expulsion. These sanctions may be in conjunction with and run concurrently with residential sanctions including residential probation, residential suspension, and residential loss of housing. A no-contact order may be imposed along with these sanctions.

PREVIOUS DISCIPLINARY SANCTIONS

Previous Disciplinary Sanctions of any kind involving the Respondent may be considered in determining an appropriate sanction upon a determination of responsibility. This information is only considered at the sanction stage of the process.

TIMING

The Disciplinary Sanctions will be implemented as soon as feasible, either upon the outcome of any appeal or the expiration of the window to appeal without an appeal being requested.

DISCIPLINARY SANCTIONS AGAINST EMPLOYEES, OFFICIALS, AND VOLUNTEERS

POSSIBLE DISCIPLINARY SANCTIONS

Disciplinary Sanctions imposed on an Employee for violating this Policy, subject to an applicable collective bargaining agreement or University/System policies, may include a penalty up to and including separation from employment. Disciplinary Sanctions imposed on an Official or Volunteer may include a penalty up to removal or the request for the removal of the Official or Volunteer from their respective position.

TIMING

The Disciplinary Sanctions will be implemented as soon as feasible, either upon the outcome of any appeal or the expiration of the window to appeal without an appeal being requested.

APPEALS

APPEALS WHERE THE RESPONDENT IS A STUDENT

A. Each Party may appeal the dismissal of a Formal Complaint or any included allegations or a determination of responsibility on the following grounds:

1) A procedural irregularity under the University policy or procedures that affected the hearing outcome.

2) New evidence that was not reasonably available through the exercise of reasonable diligence at the time of the hearing or dismissal of the Formal Complaint that could affect the outcome of the matter.

3) The Title IX Coordinator, Investigator(s), or Decision Maker(s)/ Hearing Officer(s) had a conflict of interest or bias for or against an individual party, or for or against complainants or respondents in general, that affected the outcome of the matter.

4) The Disciplinary Sanction imposed was grossly disproportionate to the violation.

B. Appeals must be made in writing by the published appeal date noted on the letter and submitted via the Conduct Outcome Appeal link contained within the letter or by clicking the link on the Student Conduct website.

C. The submission of an appeal stays any Disciplinary Sanctions for the pendency of an appeal. Supportive Measures and remote learning opportunities remain available during the pendency of the appeal.

D. If a party appeals, the University will notify the other party in writing of the appeal as soon as practicable, however, the time for an appeal shall be offered equitably to all parties and shall not be extended for any party solely because the other party filed an appeal. If the basis of the appeal is the Disciplinary Sanction imposed was grossly disproportionate to the violation, the other Party will be given 5 days to respond to the Disciplinary Sanctions basis of appeal after being notified of the appeal.

E. Appeals will be decided by the University Appeals Board, who will be free of conflict of interest and bias, and will not serve as an Investigator, Title IX Coordinator, Advisor, or Decision Maker/Hearing Officer in the same matter.

F. The appealing party must meet its burden to demonstrate the outcome was affected by a preponderance of the evidence. The role of the University Appeals Board is not to reweigh the evidence. The University Appeals Board will confine their review to the basis of the appeal alleged and may modify the sanction on the basis that the severity of the sanction is disproportionate to the violation(s). In the event a Disciplinary Sanction is modified, the other party will be notified of the modified Disciplinary Sanction.

G. The outcome of the appeal, including any change to the result of the case, will be provided in writing simultaneously to both parties and include the rationale for the decision

APPEALS WHERE THE RESPONDENT IS AN EMPLOYEE

A. Each Party may appeal the dismissal of a Formal Complaint or any included allegations or a determination of responsibility on the following grounds:

1) A procedural irregularity under the University policy or procedures that affected the hearing outcome.

2) New evidence that was not reasonably available through the exercise of reasonable diligence at the time of the hearing or dismissal of the Formal Complaint that could affect the outcome of the matter.

3) The Title IX Coordinator, Investigator(s), or Decision Maker(s) had a conflict of interest or bias for or against an individual party, or for or against complainants or respondents in general, that affected the outcome of the matter.

B. Appeals must be filed in writing within 5 days of being notified of the decision and must indicate the grounds for the appeal.

C. The submission of an appeal stays any Disciplinary Sanctions for the pendency of an appeal. Supportive Measures remain available during the pendency of the appeal.

D. If a Party appeals, the University will notify the other Party in writing of the appeal as soon as practicable, however, the time for an appeal shall be offered equitably to all Parties and shall not be extended for any Party solely because the other Party filed an appeal.

E. Appeals will be decided by an Appeals Board who will be free of conflict of interest and bias, and will not serve as an Investigator, Title IX Coordinator, Advisor, or Decision Maker in the same matter.

F. The appealing party must meet its burden to demonstrate the outcome was affected by a preponderance of the evidence. The role of an Appeals Board is not to reweigh the evidence. The Appeals Board will confine their review to the basis of the appeal alleged.

G. The outcome of the appeal, including any change to the result of the case, will be provided in writing simultaneously to both parties and include the rationale for the decision.

PROCEDURES FOR NON-TITLE IX, I.E. NON-REGULATORY VIOLATIONS.

West Chester University (WCU) is committed to equality of opportunity and freedom from unlawful discrimination for all its students and employees. Sexual harassment/misconduct is a form of unlawful discrimination based on sex and will not be tolerated in any form by faculty, staff, students, contractors, or vendors. The definitions and procedures outlined in this policy will be followed when a non-student brings allegations of sexual harassment or misconduct against a non-student respondent. When a student is the complainant or respondent, the procedures in the Sexual Misconduct Policy will be followed.

DEFINITIONS

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other harassing conduct of a sexual nature. Sexual harassment occurs when:

1. Submission to the unwelcome conduct of a sexual nature is made either explicitly or implicitly a term or condition of an individual's employment or status in a course, program, or activity;

2. Submission to or rejection of the unwelcome conduct of a sexual

nature by an individual is used as the basis for an academic or employment-related decision affecting such an individual;

3. The unwelcome conduct of a sexual nature is sufficiently severe, persistent, or pervasive as to substantially limit or interfere with an individual's work, educational performance, participation in extra-curricular activities, or equal access to the University's resources and opportunities; or
4. Such conduct creates an intimidating, hostile, or abusive living, working, or educational environment.

Sexual violence or misconduct is a form of sexual harassment. Sexual misconduct includes Regulatory and Non-Regulatory Dating Violence, Regulatory and Non-Regulatory Domestic Violence, Regulatory and Non-Regulatory Sexual Assault, Regulatory and Non-Regulatory Stalking, and Sexual Exploitation. For complete and current definitions on these terms, please see the full Sexual Misconduct Policy.

POLICY STATEMENT

It is a violation of policy for any member of the University community to engage in sexual harassment/misconduct, or to take retaliatory action against an individual for reporting sexual harassment/misconduct. Consequences of sexual harassment/misconduct may include termination of the relationship with the University. Retaliatory actions against persons filing a complaint of sexual harassment/misconduct, opposing sexual harassment/misconduct, or participating in the investigation of a complaint, are also prohibited. Acts of retaliation shall constitute misconduct subject to disciplinary action and should be reported to the Director of Equal Opportunity and Compliance.

All members of the University community are responsible for ensuring that their conduct does not sexually harass any other member of the University community.

This policy is not intended to interfere with the protections afforded by law to freedom of speech. Additional information, including additional examples of what constitutes sexual harassment/misconduct, is available from the Office of Equal Opportunity and Compliance (EQOC).

POLICY FRAMEWORK

Training Requirements All employees in a supervisory role should attend (in person or virtual) harassment/misconduct prevention training with the Office of EQOC every two years. Reporting requirements Any individual having information about a member of the University community engaging in a specific act or a pattern of behavior which falls within the above definition of sexual harassment/misconduct must report the matter to the Director of EQOC.

University employees, except those identified in the Sexual Misconduct Policy as employees who serve in a role that makes such reports privileged or are recognized as providing a confidential resource, are required to provide the name of the recipient of any sexually harassing behavior to the Director of EQOC.

Supervisors of faculty and staff have the further responsibility of preventing and eliminating sexual harassment/misconduct within the areas of their authority. If supervisors have information about alleged acts of sexual harassment/misconduct by someone whom they supervise, they must take immediate steps to ensure the matter is addressed and brought to the attention of the Director of EQOC. Failure by supervisors to report the alleged acts of sexual harassment/misconduct may result in disciplinary proceedings. If a manager addresses an issue with an employee which may reference sexually harassing behavior or misconduct, the Director of EQOC should be notified.

Faculty members and staff employees are required to inform the Director of EQOC whenever they become aware of behavior they believe to be sexual harassment/misconduct.

INVESTIGATION RESPONSIBILITIES AND REQUIREMENTS

Overall responsibility for the implementation of the sexual harassment and sexual misconduct policy has been assigned to the Office of EQOC. Any individual having suggestions, problems, complaints, or grievances with regard to sexual misconduct is encouraged to contact the office at 114 West Rosedale Avenue or by phone at 610-436-2433. If a member of the West Chester University Community feels that they have been the subject of sexual misconduct or harassment, the matter should be brought to the attention of the Office of EQOC. If a complaint alleges sexual harassment/misconduct by an employee of the Office of EQOC or the Office of the President, the complaint will be investigated by a party external to the University. All procedures may be performed virtually.

To process an allegation of sexual harassment or sexual misconduct not falling under the Title IX regulations, the individual, accompanied by an advocate if they wish, must process the complaint through the Office of EQOC. Knowingly false or malicious accusations may result in disciplinary action.

In order to conduct a formal investigation which may result in discipline of a University employee, there must be first-hand information by the complainant or a witness who is available and willing to be identified and interviewed by the investigator(s). In determining whether a third-party complaint should be formally investigated, the following factors need to be evaluated: (1) is the reporter of the complaint submitting reliable facts or sufficient information; (2) does the report contain the name and contact information for the alleged complainant; (3) is there sufficient detail in the report to determine whether the allegations fall within the realm of sexual harassment/misconduct; and (4) has the report been brought forward in a timely manner.

Complaints should be filed up to 180 days after the alleged act or behavior. However, it is in the best interest of all to conduct a timely review of the circumstances of the alleged harassing behavior; accordingly, Complainants are urged to contact the Office of EQOC as soon as possible.

The Complainant also has the option of pursuing formal complaints through the following public agencies responsible for enforcing the laws against sexual harassment within the time frames listed:

- PA Human Relations Commission (215) 560-2496 180 days
- U.S. Dept. of Education, Office for Civil Rights (215) 656-8541 180 days
- Equal Employment Opportunity Commission (215) 440-2600 300 days

When consideration is being given to accepting a complaint beyond 180 days, management will provide the appropriate collective bargaining unit representative either oral or written notification, giving the collective bargaining unit representative the opportunity to respond within a reasonable time period.

The University has a legal obligation to investigate informal or anonymous reports of sexual harassment/misconduct to the extent feasible and make Complainants and Respondents aware of the resources available to them, while striving to respect privacy and confidentiality. The University's obligation to protect the safety of its students and to record statistics may not permit complete confidentiality, but the University shall take the necessary measures to ensure that the information shared is limited to those individuals required to know.

It is not usually possible to conduct a formal investigation of anonymous reports of sexual harassment/misconduct, or in situations where a Complainant requests confidentiality or asks that the complaint not be pursued. However, the University has a responsibility to take action to prevent harassment/misconduct. In the event of anonymous reports of sexual harassment/misconduct, or if the Complainant asks that a complaint not be pursued, reasonable steps will be taken to respond consistent with the request for confidentiality, which may include meeting with the alleged Respondent to provide notification of the allegations and the possible repercussions if a formal complaint is brought forward. The Director of EQOC may recommend voluntary sexual harassment/misconduct training for an individual or a work unit.

THE COMPLAINT PROCESS FOR NON-TITLE IX SEXUAL HARASSMENT OR MISCONDUCT

The process below only applies for complaints filed against non-students for sexual harassment or misconduct not regulated by Title IX of the Educational Amendment of 1972. This would include, but is not limited to, allegations in violation of Titles VI and VII of the Civil Rights Act of 1964. If a student is the Respondent, the procedures outlined in the Sexual Misconduct Policy will be followed.

Employees, whether Complainants (the person or persons injured by the action) or Respondents (the person or persons who allegedly performed the action), have the right to be assisted in all aspects of the complaint procedure by their union representative.

The Complainant also has the right to be assisted in all aspects of the complaint procedure by an advocate should they desire to do so. If an employee elects to be represented by their union, the union representative will receive copies of all written notifications during the complaint process. Employees equally have the right not to be represented by their union. This decision rests solely with the employee. The employee should provide the office with their union representatives' name, if applicable, to the Office of EQOC within 10 business days of receiving notification of an allegation. The role of the representative is limited to the advice and counsel of their principals only. Representatives cannot question, answer, or provide advice during an interview or hearing. However, parties can request a brief recess to consult their representative.

INITIATING THE PROCESS

The process begins when the Director of EQOC receives a report of a violation of WCU policy relating to sexual harassment or misconduct not covered by Title IX regulations. The Complainant should provide sufficient factual information to permit the Director to make an initial assessment of violation. The Director will determine if any supportive measures should be applied. Following the initial assessment, the Director may take any of the following actions:

- If the Director determines that the report, even if substantiated, would not rise to the level of a policy violation; the nature and circumstances of the report do not make it appropriate for an investigation; or, after consultation with the Complainant about the Complainant's preferences regarding participation, the Director determines that there will be insufficient information to investigate the matter, the Director may dismiss the complaint. The Complainant will be advised of the dismissal and of any other recourse that might be appropriate.

- If the Director determines that the report is outside the scope of the sexual harassment or sexual misconduct policies and/or most appropriately handled by another office, the Director may refer the report to another office for review.
- If the Director determines that the report would, if substantiated, constitute a violation of policy, the Director will advise the Complainant of the types of processes available.
- If the Complainant chooses not to move forward, or if the Complainant is anonymous, the Director may notify the Respondent of the information reported and the possible repercussions if a formal complaint is brought forward. The Director may schedule a meeting with the Respondent (and their representative, if desired by the Respondent) to pass on this information, answer questions, and provide assistance. The Director may recommend voluntary training for an individual or a work unit. The reported information will be maintained by the Office of EQOC for a period of 7 years. However, no written record will be forwarded to a student's education file or to an employee's official personnel file.

THE COMPLAINT

To move forward with an informal or formal process, the allegations of the report must be reduced to writing in a written complaint. The Complainant may provide this themselves or the Director of EQOC may assist the Complainant in writing the complaint. The Director may also bring a complaint themselves if circumstances warrant an investigation independent of participation by the Complainant.

The Office of EQOC reserves the ability to consider whether a violation can be reviewed if it is reported outside the 180-day period for filing a complaint. Factors that affect that consideration include the following:

- Amount of time beyond 180 days,
- Whether the alleged behaviors may represent a violation of the University's Sexual Harassment Policy,
- The severity of the allegations,
- The University risk for failing to address the allegations, and
- Whether the allegations represent a possible pattern of behavior for the respondent.

NOTIFICATION PROCEDURE FOR RESPONDENT

1. The Director of EQOC will send notification to the Provost's office (for faculty) or Division Head (for other staff).
2. The Provost or Division Head will send a notification letter to the Respondent that summarizes the complaint.
3. When a formal investigation is to be conducted against a faculty member, Article 42 of the APSCUF collective bargaining agreement will also govern.

If the Complainant is a student enrolled at the time in the class of the Respondent, they may request that notification be delayed until after the completion of the semester or until final grades in the class have been assigned. The Director of EQOC will make this determination.

Investigations may take place at any time in the resolution process after notification to the Respondent at the discretion of the Director of EQOC. The fact-finding procedure is not intended to interfere with any legal rights an employee or student has under the statutes and other laws of the Commonwealth of Pennsylvania or the government of the United States of America, or an employee's collective bargaining agreement.

CHOICE OF PROCESS BY COMPLAINANT

There are two types of complaint-resolution mechanisms: a formal process that involves investigation and possible conduct proceedings, and an informal process that may or may not involve investigation and less formal procedures. The Complainant initiates the formal or informal process after filing the written complaint with the Office of EQOC.

INFORMAL PROCESS

The informal process includes efforts to mediate a resolution upon which both the Complainant and Respondent can agree. The informal process is not available to resolve allegations that an employee sexually harassed a student.

Upon receipt of the complaint, notification to the Respondent of the allegations, the Complainant's desire for mediation, and the Respondents' concurrence to the informal process, the Director of EQOC may facilitate a resolution or appoint a mediator(s) and notify the parties of the mediator(s) identity. Mediation occurs by mutual consent, therefore, at any stage of the mediation process either party can withdraw from the informal process.

1. The mediation may be conducted by separate discussions with the parties or in meetings with both parties present, depending on the circumstances and the mediator's best judgment.
2. If either party chooses to withdraw from the mediation process, the Director will move forward with the formal complaint process.
3. At the conclusion of the mediation, the mediator(s) will provide a written statement of the resolution agreed to by both parties to the Director. The informal resolution process may recommend the following types of outcomes, where appropriate: facilitating an agreement between the parties, separating the parties, referring the parties to counseling programs, conducting targeted educational and training programs, and mediation.
4. If the parties involved in the informal resolution process fail to reach a mutually agreeable outcome for the alleged conduct, the allegation will be resolved via the formal investigation process.
5. The Director will send a written summary of the outcome to the parties.
6. If the Director determines that there is a need, the formal process may be initiated on behalf of the University at any time.
7. All written summaries of the informal complaint process will be maintained by the Office of EQOC for a period of 7 years. No written record will be forwarded to the employee's official personnel file and a successful informal resolution will not result in disciplinary proceedings.
8. Completed informal resolutions are binding and may not be appealed.

FORMAL PROCESS

A Complainant may initiate formal procedures. Formal procedures, which may result in a disciplinary proceeding, include a fact-finding and review process.

After accepting a written formal complaint, the Director for EQOC will appoint an investigator. When appropriate, as determined by the Director, two investigators may be assigned to a case. The parties will be notified of the investigator's identity. Investigators are specifically trained and impartial faculty or staff. The investigator's role is to investigate complaints and make findings of fact pertaining to the complaint.

1. The investigation generally includes interviews with the parties, any relevant witnesses, and a review of relevant documents (text messages, emails, etc.). Participants in an investigation are advised that maintaining confidentiality is essential to protect the integrity of an investigation. At any time during the investigation, the investigator may recommend to the Director that interim measures be provided to the Complainant, Respondent or witnesses. Violations of these interim measures may be considered a separate violation of policy.
2. During an investigative interview, the interviewee is expected to answer the question, not his or her representation.
3. Parties and union representatives are not allowed to record interviews.
4. The investigator(s) will take notes during the interview and provide each participant with a summary of the interview for the purpose of review. Any substantive changes to the content after the review by the participant may be noted in the final report.
5. The investigation shall be completed as promptly as possible, and in most cases within fifty (50) business days of the date of the formal complaint. A total of two attempts (by email, text, or phone) will be made to schedule investigative interviews. This includes attempts to schedule with the presence of a union representative or legal representative. Failure to respond to scheduling requests will result in proceeding with the investigation without input from that individual.
6. At the conclusion of the investigation, the investigator will prepare a written report that includes a statement of the allegations and issues, identification of facts, reviewed evidence, a determination of whether the alleged actions may have violated University policy using the preponderance of evidence standard, and any recommendations.
7. The investigator will submit the report to the Director of EQOC. The Director will formulate an opinion as to whether there has been a violation of University policy.

If it the opinion of the Director that there is not enough evidence to warrant a finding of Sexual Harassment or Sexual Misconduct, the Complainant and the Respondent will be notified of this decision, and the case will be closed. The Office of EQOC, however, maintains the right to refer the case to other appropriate University officials if it appears that there may be violations of other University policies.

If it is the opinion of the Director of EQOC that there is reasonable cause to believe that the University's Sexual Harassment or Sexual Misconduct Policy has been violated, the Director will forward the investigative report and the Director's opinion to the appropriate manager who will follow their disciplinary procedures. For confidentiality purposes, the Respondent is not entitled to a copy of the investigative report but will be advised of the findings.

The manager will utilize the existing University pre-disciplinary conference (PDC) procedures ensuring that the Respondent employee has the opportunity to be represented, if so desired, by their union representative during the PDC. At the PDC, the Respondent will have an opportunity to rebut the findings of the investigator's report and the Director's opinion. After completing the pre-disciplinary conference, the manager (in consultation with the Associate Vice President for Human Resource Services and other University officials, as needed) will determine if discipline is appropriate and what level of discipline should be imposed. Possible disciplinary actions for violation of the University's Sexual Harassment or Sexual Misconduct Policy include oral or written reprimand, suspension, or termination of employment.

The manager is not bound by topinion of the Director of EQOC and retains the right to make a final determination. Disciplined employees will have the right to appeal or grieve management's decision to the extent provided in the appropriate policy or collective bargaining agreement.

The Complainant will receive notification of the final disposition of the complaint. If the Complainant finds the resolution or disciplinary action unsatisfactory, they may pursue the complaint with the appropriate external agencies.

UNIVERSITY-INITIATED PROTECTIVE MEASURES

In addition to those protective measures previously described the Title IX Coordinator or their designee will determine whether interim interventions and protective measures should be implemented, and, if so, take steps to implement those protective measures as soon as possible. Examples of interim protective measures include but are not limited to: a university order of no contact, residence hall relocation, adjustment of course schedules, a leave of absence, or reassignment to a different supervisor or position. These remedies may

be applied to one, both, or multiple parties involved. Violations of the Title IX Coordinator's directives and/or protective measures may constitute related violations that may lead to additional disciplinary action. Protective measures imposed may be temporarily pending the results of an investigation or may become permanent as determined by West Chester University.

The complainant will receive notification that the complaint has been reviewed and addressed by a University official. In addition to the internal complaint process, a complainant may pursue the complaint with the appropriate external agencies.

This policy and the procedures addressed herein are in addition to, and not a replacement for, criminal remedies that may be available. Anyone interested in pursuing a criminal complaint should contact the Office of Public Safety at 610- 436-3311 or dial 911 in case of an emergency.

If the incident occurs off-campus, the WCU Police Department will assist the complainant in filing the complaint in the appropriate jurisdiction.

HEOA DISCLOSURE STATEMENT

Under the Sexual Misconduct Policy, the University will, upon written request, disclose to the alleged victim of a crime of violence or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by the institution against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph.

WCU does not have officially recognized student organizations that own or control housing facilities near the Philadelphia location of West Chester University. All property owned or controlled by a recognized student organization is located in the proximity of West Chester University's main campus in the borough of West Chester. Therefore, local PD is not used to monitor and record criminal activity since there are Noncampus locations of student organizations.

NOTES FOR THE JEANNE CLERY ACT STATISTICS REPORT (CHART 1)

a. Statistics in these categories depict arrests for all liquor, drug, and weapons law violations and include both student and non-student arrests. Students arrested for these violations are typically referred to the Office of Student Conduct.

b. A report is considered unfounded and removed from crime statistics when sworn or commissioned law enforcement officers have fully investigated the crime report and have determined that report to be false or baseless.

NOTES FOR THE PENNSYLVANIA UNIFORM CRIME REPORTING ACT STATISTICS REPORT (CHART 2)

c. Under Uniform Crime Report (UCR) Part I Crimes guidelines, the crime of Rape includes Rape, Attempted Rape, and Sexual-Assault.

d. Under UCR Part II Crimes guidelines, Assaults-Non-aggravated include simple assaults as well as harassment incidents involving a threat to assault.

e. Under UCR Part II Crimes guidelines, Sex Offenses (excluding Prostitution and Rape) include Indecent Assault and Indecent Exposure.

f. All Other Offenses (except traffic) include but are not limited to, trespass and violation of city ordinances.

Chart 1 contains the statistics for those offenses reported to the West Chester University Police Department by the Philadelphia Police Department consistent with the annual request made for such information, and University personnel who have significant responsibility for student life and campus activities.

Chart 2 contains the statistics for those offenses reported to the West Chester University Police Department by the Philadelphia Police Department consistent with the annual request made for such information. These offenses are only those recorded for the Uniform Crime Report (UCR). These UCR statistics are for crimes that occurred within the Lits Building and on the sidewalk outside of the Lits Building. *****Note- none of the crimes listed in Chart 2 occurred within the suites of offices that make up the Philadelphia Campus location.*****

Chapter 3 of the Pennsylvania Uniform Crime Reporting Act (18 P.S. § 20.301, et seq.) requires the release of crime statistics and crime rates to students and employees, and it requires that those statistics be available to applicants and new employees upon request. The crime rate is determined by a formula specified by the Uniform Crime Reporting Act and is calculated by dividing the number of reported crimes **(r)** by the number of full-time equivalent (FTE) students and employees, then multiplying that number by 100,000. The formula looks like this.

$$\left(\frac{r}{FTE}\right) \times 100{,}000 = \text{crime rate}$$

FIRE SAFETY REPORT AND FIRE LOG

The Philadelphia Center location does not have on-campus student housing facilities and is therefore not required to maintain a fire log nor is this location required to produce a fire safety report.

2026 ANNUAL

STATISTICS REPORTS

PHILADELPHIA CENTER

CLERY CRIMES

Chart 1: Crimes Reported to the Philadelphia Police Department or Campus Security Authorities at the Philadelphia location of West Chester University

OFFENSE	YEAR	TOTAL ON-CAMPUS PROPERTY	PUBLIC PROPERTY	UNFOUNDED CRIMES*
Murder/ Nonnegligent Manslaughter	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Manslaughter by Negligence	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Rape	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Fondling	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Statutory Rape	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Incest	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Robbery	2025	0	1	0
	2024	0	2	0
	2023	0	3	0
Aggravated Assault	2025	0	0	0
	2024	0	0	0
	2023	0	4	0
Burglary	2025	1	0	0
	2024	0	0	0
	2023	0	0	0
Motor Vehicle Theft	2025	0	1	0
	2024	0	0	0
	2023	0	2	0

Arson	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Arrests: Liquor Law Violations	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Arrests: Drug Law Violations	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Arrests: Weapons Law Violations	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Disciplinary Referrals: Liquor Law Violations	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Disciplinary Referrals: Drug Law Violations	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Disciplinary Referrals: Weapons Violations	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Dating Violence	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Domestic Violence	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Stalking	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Hazing	2025	0	0	0

For 2023, 2024, and 2025, there were no hate crimes reported at the Philadelphia location

For 2023, 2024, and 2025, there were no unfounded crimes on the Philadelphia Campus

Statistics provided by the Philadelphia Police Department

*The Philadelphia location of West Chester University does not have any residential facilities nor does it have any non-campus property

HAZING

2025 was the first year the university was required to collect hazing statistics under the Stop Campus Hazing Act

UCR CRIMES

Chart 2: West Chester University, Philadelphia Center Statistics, Crimes Reported to Philadelphia Police Department
PA Uniform Crime Reporting Act Report

Crime Categories	"2025 FTE= 92.7"		"2024 FTE= 88.6"		"2023 FTE= 108.1"	
Part I Offenses	**Actual Offenses**	**Crime Rate***	**Actual Offenses**	**Crime Rate***	**Actual Offenses**	**Crime Rate***
Criminal Homicide						
Murder and nonnegligent Manslaughter	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0
Forcible Rape						
Rape by Force	0	0	0	0	1	677.966
Assault to Rape- Attempts	0	0	0	0	0	0
Robbery						
Firearm	0	0	0	0	0	0
Knife or Cutting Instrument	0	0	0	0	0	0
Other Dangerous Weapon	1	1078.748652	2	2259.887006	3	2775.208141
Strong Arm (Hands Fists, Feet, etc)	0	0	0	0	0	0
Assault- Aggravated						
Firearm	0	0	0	0	0	0
Knife or Cutting Instrument	0	0	0	0	1	925.0693802
Other Dangerous Weapon	0	0	1	1129.943503	3	2775.208141
Hands, Fist, Feet, etc.	0	0	0	0	0	0
Burglary						
Forcible Entry	0	0	0	0	0	0
Unlawful Entry- No Force	0	0	0	0	0	0
Attempted Forcible Entry	0	0	0	0	0	0
Larceny- Theft (Exc. Motor Vehicles)	4	4314.994606	0	0	0	0
Motor Vehicle Theft	1	1078.748652	1	1129.943503	0	0
Autos	1	1078.748652	0	0	1	925.0693802
Trucks and Buses	0	0	0	0	0	0
Other Vehicles	1	1078.748652	0	0	0	0
Arson	0	0	0	0	0	0

TOTAL PART I OFFENSES	8	8629.989213	4	4519.774011	8	7400.555042
PART II OFFENSES	**Actual Offenses**	**Crime Rate***	**Actual Offenses**	**Crime Rate***	**Actual Offenses**	**Crime Rate***
Assault- Nonaggravated	3	3236.245955	0	0	0	0
Forgery	0	0	0	0	0	0
Fraud	0	0	0	0	0	0
Embezzlement	0	0	0	0	0	0
Stolen Property, Receiving, Possession, etc.	0	0	0	0	0	0
Vandalism	2	2157.497303	0	0	0	0
Weapons, Carrying, Possession, etc.	0	0	1	1129.943503	3	2775.208141
Prostitution and Commercialized Vice	0	0	0	0	0	0
Sex Offenses (Excluding Prostitution and Rape)	0	0	0	0	0	0
Drug Abuse Violations	0	0	0	0	0	0
S Opium- Cocaine	0	0	0	0	0	0
A Marijuana	0	0	0	0	1	925.0693802
L Synthetic	0	0	0	0	0	0
E Other	0	0	0	0	0	0
P Opium- Cocaine	0	0	0	0	0	0
O Marijuana	0	0	0	0	0	0
S Synthetic	0	0	0	0	0	0
S Other	0	0	0	0	0	0
Gambling	0	0	0	0	0	0
Bookmaking	0	0	0	0	0	0
Numbers, etc.	0	0	0	0	0	0
Offenses Against Family and Children	0	0	0	0	0	0
Driving Under the Influence	0	0	0	0	0	0
Liquor Laws	0	0	0	0	0	0
Drunkenness	0	0	0	0	0	0
Disorderly Conduct	0	0	0	0	0	0
Vagrancy	0	0	0	0	0	0
ALL Other Offenses (excluding Traffic)	2	2157.497303	0	0	0	0
PART II OFFENSES	**7**	**7551.240561**	**1**	**1129.943503**	**4**	**3700.277521**
TOTAL PART I AND PART II OFFENSES	**15**	**16181.22977**	**5**	**5649.717514**	**12**	**11100.83256**

* The Crime Rate is based on the actual number of full-time equivalent (FTE) students and employees, which is calculated according to a state-mandated formula.

The Crime Rate in the table above is based on incidents reported per 100,000 FTEs.

The figures above are the decimalized product of the UCR formula.

Contact Numbers

Philadelphia Police Department
For emergencies dial **911**, or **215-686-8477**

Department of Public Safety
610-436-3311

The Office of Diversity Equity and Inclusion
610-436-2433

Counseling and Psychological Services (Counseling Center)
610-436-2301

Office of Wellness Promotion
610-436-2509

Office of Student Conduct
610-436-3511

Center for Women and Gender Equity
610-436-2122

It's the Law

Federal and Pennsylvania state laws mandate that you receive a brochure like this and dictate much of the information that is included.

If you would like to have a paper copy of the report mailed to you, call 610-436-3311. You may also pick one up at the West Chester University Police Department in the Peoples Building at Church Street and University Avenue or the front desk of Philadelphia Center during normal business hours. Or you can visit the Department of Public Safety Website at www.wcupa.edu for more information.

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