

ANNUAL
SECURITY
REPORT

2024

The logo for the Community College of Allegheny County (CCAC) is displayed in white text on a red rectangular background. The letters 'C', 'C', and 'A' are large and bold, with the 'C' and 'A' having a horizontal bar through them. The 'C' and 'A' are connected to the 'C' on the right.

COMMUNITY
COLLEGE OF
ALLEGHENY
COUNTY

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PREFACE

Founded in 1966 on the principle that quality education should be both affordable and accessible to all members of our community, the Community College of Allegheny County (hereinafter referred to as “CCAC” or the “College”) offers more than 155 academic programs across six diverse program categories including business; science, technology, engineering and math; health; arts and humanities; and education and the social and behavioral sciences. The College also supports regional workforce needs with accessible instruction available day, evening, weekend and online in Allegheny County and beyond with focus on entering or reentering the workforce in two years or less.

As an institution of post-secondary education, CCAC is committed to providing a safe and secure learning and working environment for its students, faculty, staff and guests. As part of these efforts, and in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (CLERY Act), this *2024 Annual Security Report* is published in order to provide current and prospective students, employees and the CCAC community at large with information about crimes reported on or near its campuses during the three most recent calendar years. Additionally, this report contains pertinent information regarding CCAC’s safety and security policies and procedures. The report also outlines the actions CCAC undertakes to prevent and respond to incidents of sexual assault and sexual violence, domestic violence, dating violence and stalking. *The report is prepared by the Executive Director of Emergency Management/Safety & Security for CCAC, in collaboration with the Directors of Safety & Security for CCAC’s campus locations, the Office of Diversity, Equity & Inclusion, and under the supervision of the College’s Executive Committee on Safety & Security and its Chief Facilities Officer and General Counsel.*

A copy of the *2024 Annual Security Report* is posted on and can be viewed and downloaded from the College’s website at www.ccac.edu by clicking on the “Campus Life” drop down menu on the homepage, then clicking the “Safety & Security” link. In addition, a hard copy of this report can be obtained by contacting the campus Office of Safety and Security. Additionally, in compliance with the Clery Act, each campus has available a Campus Crime Log for the current school year with information on current criminal activity. This information is available to students, parents, faculty and staff and is also maintained in the Office of Safety and Security.

CAMPUS SECURITY AND SECURITY OFFICERS

CCAC is comprised of four campuses and three educational centers. Each campus and center has a Director of Safety & Security who is also a sworn police officer as recognized by the Office of the Governor of the State of Pennsylvania and governed by the Office of the State Secretary of Education.

The police powers of the Directors of Safety & Security come from Pa. C.S.A. Title 22, Section 501, Subsection C Powers. These Directors are charged with all the duties and responsibilities pertaining to Campus Safety and Security and report to the Executive Director of Emergency Management/Safety & Security. Those duties include but are not limited to, developing safety and security education for the college’s staff, students and faculty, conducting inspections of life saving equipment, and initiating new technology into the security system. Security at CCAC is further supplemented by a contracted security firm which provides uniformed, un-sworn security supervisors and security guards at each campus and center. Contracted supervisors and guards are not police officers but serve a vital function in the safety and security of the campus community. An arrest, if necessary, will be referred to a sworn police officer.

Location and contact information for each of the Campus Security Offices is as follows:

Executive Security Office: The Executive Security Office is located at OCS. The main phone number is **412-237-3030**. The office is staffed from 7:00 a.m. to 11:00 p.m. five days a week and weekend schedules vary by semester. The normal operating hours are 8:30 a.m. to 4:30 p.m. The Executive Director of Emergency Management/Safety & Security is Andre Henderson, DBA.

Allegheny Campus: The Security Office is located in the Physical Education Building, just inside the Legacy Way entrance on the 4th Floor near the Cougar's Den. The main phone number is **412-237-2662**. The office is staffed 24 hours a day, seven days a week. The normal operating hours are 8:30am to 4:30pm. The Director of Safety & Security is Wayne McKenith, Sr.

- **Homewood-Brushton Center:** The main phone number is **412-371-1138**. The office is staffed from 8:00 a.m. to 10:30 p.m. five days a week, and weekend schedules vary by semester, please call the center. The normal operating hours are 8:30 a.m. to 4:30 p.m.

Boyce Campus: The Security Office is located just inside and to the left of the main entrance. The main phone number is **724-325-6653**. The office is staffed from 7:00 a.m. to 11:00 p.m. seven days a week. The normal operating hours are 8:30 a.m. to 4:30 p.m. The Director of Safety & Security is Christine Secilia, EdD.

North Campus: The Security Office is located just inside the main entrance, hallway on right. The main phone number is **412-369-4100**. The office is staffed from 7:00 a.m. to 11:00 p.m., seven days a week. The Director of Safety & Security is Edward W. Bogats, Jr., PhD.

- **West Hills Center:** The main phone number is **412-788-7370**. The office is staffed from 7:00 a.m. to 11:00 p.m. five days a week and weekend schedules vary by semester, please call the center.

South Campus: The Security Office is located in B-Building (level 3) across from Information. The main phone number is **412-469-6260**. The office is staffed 24 hours a day, seven days a week. The Director of Safety & Security is Mark Buford.

- **Braddock Hills Center:** The main phone number is **412-501-0022**. The office is staffed from 7:00 a.m. to 10:30 p.m. five days a week and weekend schedules vary by semester, please call the center. The normal operating hours are 8:30 a.m. to 4:30 p.m.

CCAC facilities are generally open to students, faculty and staff during normal business and classroom hours. Visitors, guests and other individuals having business with the College are required to report to and register with the campus Security Office upon arrival, and comply with the campus' established procedures and directives while a guest on the premises. CCAC does not presently maintain any on-campus residence halls.

CCAC reserves the right to request appropriate identification from anyone on CCAC property. Identification may be requested by staff or security. Failure to comply with such request will result in that individual(s) being escorted off CCAC property.

EMERGENCY NOTIFICATIONS AND TIMELY WARNINGS

It is the policy of the College to keep the College community informed of emergencies and other threatening or dangerous conditions that occur on or near its campuses and facilities which pose a risk to the safety or well-being of its students, staff and visitors. To that end, notices regarding emergencies, criminal activity and other situations that may pose a risk to the health and safety of members of the College community will be issued in accordance with the procedures set forth in the College's *Procedures and Criteria for Issuing Emergency Notifications, Timely Warnings and Other Alerts* regulation, the full text of which is set forth in the College's [Administrative Regulations Manual](#). The Administrative Regulations Manual can be accessed by clicking the hyperlink or by going to the following URL:

<https://www.ccac.edu/about/resources/documents/policies/administrative-regulations-manual-rev20240801.pdf>

Notices issued by the College may take the form of either a “**Public Safety Alert**”, a “**Timely Warning Notice**” or an “**Emergency Notification**.”

The College utilizes a variety of tools to issue emergency notifications, including announcements via its public address system, Rave Alert System, e-mail, and social media, local television and radio media (as described below), the College website (www.ccac.edu), building alarms, digital signage boards, closed circuit television monitors and direct person-to-person communication via a cross-campus system of security and staff volunteers. College personnel authorized to issue an emergency notification will determine, in their discretion, the most effective and appropriate method or methods that will be utilized to communicate the notification.

Each campus location is equipped with a public address system that can provide *up-to-the-minute* audible notifications to students, staff and guests in one or more campus facilities. This system allows for internal and external announcements/warnings to be specifically directed to those affected or potentially affected by an event. It is important to note that the public address system may or may not be used in conjunction with building evacuation alarms. Unless specifically directed otherwise, in the event that a building evacuation alarm is activated, all persons in that building should treat the event as an actual emergency and immediately follow the identified evacuation routes to exit the building. All exits are clearly marked. Additional information on evacuation procedures is set forth in the Emergency Response and Evacuation Procedures section of this report.

CCAC uses the following radio and television outlets for external and mass-media notifications:

Television Stations: KDKA (CBS Affiliate)
 WTAE (ABC Affiliate)
 WPXI (NBC Affiliate)

Radio Stations: KDKA AM 1020
 WJAS AM 1320

EMERGENCY RESPONSE AND EVACUATION PROCEDURES

Detailed emergency response and evacuation procedures for each campus are contained in the College's Emergency Procedures Parts I and II, and the College's Emergency Procedures Quick Reference Guides, copies of which are available in the Safety and Security Office located on each campus.

Copies of these manuals can also be viewed and downloaded from the College's website at www.ccac.edu in the "Quick Links" by clicking on the "Safety & Security" located on the right side of the webpage. In addition, copies of the Quick Reference Emergency Response Guides are displayed in prominent locations in all College facilities. Emergency evacuation routes are also posted near all main exits.

Each campus conducts periodic evacuation drills, at a minimum once a year and every semester depending on location.

SECURITY AWARENESS/DRILLS AND EXERCISES

To ensure the campuses emergency management plans remain current and actionable, the campuses conduct exercises on a quarterly basis. These exercises include Table Top Exercises, Floor Monitor Training, Fire Drills, Lockdown Drills, See Something Say Something training, All Hazard Training, Drug Take Back program, Hazardous Substance Survey Forms Training. The Executive Director of Emergency Management/Safety & Security works with each campus Director of Safety & Security to develop different scenarios. The Executive Director of Emergency Management/Safety & Security does outreach to Federal responders and stakeholders, while the campus Directors of Safety & Security do outreach to local responders and stakeholders to encourage them to participate in joint drills and exercises. When drills and exercises occur CCAC will notify the appropriate community members i.e.: local emergency responders.

EMERGENCY/SEVERE WEATHER INFORMATION

When an emergency or severe weather event delays, alters or otherwise impacts campus or center schedules, activities or operations, a message will be posted on the CCAC website and/or Rave Alert System. If you suspect an event of severe weather may impact campus classes, schedules or activities, please check your CCAC website; Alerts will be posted on the CCAC website at www.ccac.edu, on local television and radio broadcast channels, and via the College's emergency notification system.

DRUG AND ALCOHOL POLICY

In compliance with federal regulations under the Drug-Free School and Communities Act Amendments of 1989 and the CCAC Student Behavioral Code of Conduct, CCAC prohibits the possession, sale, use, manufacturing, and distribution of alcohol or illegal drugs, unauthorized controlled substances and drug paraphernalia on CCAC premises or in connection with college-sponsored programs and activities, whether occurring on or off campus. This prohibition includes the possession and/or consumption of alcohol by individuals who are under 21 years of age and the supply of alcohol to individuals who are under 21 years of age. Infractions will result in disciplinary sanctions under the Student Code of Behavioral Conduct and/or employee conduct rules and policies, where applicable. Violators are also subject to legal sanctions under applicable federal, state and local laws, which may include fines or imprisonment. This prohibition extends to the use and possession of medical marijuana that has been lawfully obtained or prescribed in accordance

with applicable state law. As a recipient of federal funds, CCAC is subject to and required to comply with federal law, which currently classifies all forms of marijuana, including medical marijuana, as illegal controlled substances.

Additional information concerning the College's drug and alcohol policies is contained in the Student Code of Behavioral and Academic Conduct which is located within the [Student Handbook](#), the College's Board Policy Manual (Policy Nos. III.07 and IV.03), and the Employee Manual. Copies of these documents can be viewed and downloaded from the following pages on the College's website:

College Policies and Regulations

<https://www.ccac.edu/about/policies.php>

There are a number of resources available on and off-campus to provide alcohol and drug education or assistance with alcohol concerns:

1. Counselors are available to provide referrals for treatment off-campus, and to provide information and education about alcohol use.
2. Drug and Alcohol Services for Adults: PA Get Help Now Hotline: 1-800-662-HELP (4357)
3. Pathway and Care to Recovery – 412-325-7550
4. Resolve – 1-888-796-8226
5. Narcotics Anonymous, 24 hour Crisis Line – 888-251-2426
6. Pennsylvania Liquor Control Board: <https://www.lcb.pa.gov/Pages/default.aspx>
7. National Institute of Alcohol Abuse and Alcoholism: <http://www.niaaa.nih.gov/>
8. National Council on Alcoholism and Drug Dependence (NCADD): <http://ncadd.org/>

WEAPONS POLICY

In accordance with Board Policy VI.03, the possession of a weapon by any person is expressly prohibited in all buildings, facilities and vehicles owned, leased or operated by the College and at any event or activity sponsored by the College, whether occurring on or off of College property. Violations will result in the immediate removal of the violator and weapon from College property and/or the activity or event at which the violation occurred. Violations may also result in disciplinary sanctions for students or employees.

The prohibition set forth in Policy VI.03 does not apply to weapons that are under the control of certified, commissioned and sworn law enforcement officers who are engaged to provide security services by or on behalf of the College, or who enter upon College property or are present at College-sponsored activities at the College's request or in connection with authorized law enforcement activities. The prohibition also does not apply to equipment or tools that are authorized for use by College employees or contractors in connection with the performance of their job duties and responsibilities.

Faculty, staff and students may request permission to use a replica weapon in connection with an approved and authorized activity, including ROTC military exercises, intercollegiate athletic events, dramatic plays and other similar artistic displays and activities, classroom instruction and presentations, and other educational purposes. Requests will be subject to the written approval of the college president or his or her designee. Replicas approved for use hereunder must be stored in designated locations and not provided or made accessible to any unauthorized person.

Additional exceptions to this Policy may be made upon recommendation to and express written approval by the College President.

The full text of the College's weapons policy is contained in the Board Policy Manual, which can be accessed on the College's website at the following URL:

<https://online.flippingbook.com/view/724027932/>

Anyone witnessing or suspecting a violation of this policy should notify Security immediately or a member of the staff or administration.

CRIME REPORTING / VICTIM'S RIGHTS

The safety and security of all members of the college community, including students, faculty, staff and visitors, is of foremost concern at CCAC. Prompt and accurate reporting of crimes helps to protect the campus community, and facilitates the issuance of emergency notifications and timely warnings when circumstances warrant.

CCAC makes it incumbent on its faculty and staff to report all incidents or potential incidents of crime and/or violence to the campus Director of Safety & Security. Students and visitors are also encouraged to report crimes or potential criminal activity in a timely manner to the campus Director of Safety & Security. Crimes may also be reported to campus security personnel or members of the campus administration. Anonymity, if requested, will be honored by the College to the extent permitted by law and to the extent maintaining confidentiality does not impede investigation of the incident or pose a safety risk to others. CCAC does not employ licensed/professional staff in positions that provide completely confidential services (i.e. Professional Counselors, Clergy/Chaplains, etc.).

In an emergency, members of the college community and visitors are also encouraged to call **9-1-1** to enhance response time to a critical situation. Once 9-1-1 is notified, the campus Security Office or administration should also be notified, if possible. CCAC maintains good working relationships with all local law enforcement and all the campuses and sites are routinely patrolled by these officers who are always prepared to respond to any calls for assistance on campus. CCAC has a close working relationship with the Pennsylvania State, Allegheny County and City of Pittsburgh Police Departments, as well as the other local police departments with jurisdiction over its campus and center locations. The Community College of Allegheny County campuses do not have a signed MOU with the police departments that surround the different campuses, but do have a strong working relationship with the departments. This relationship is built upon constant communication, visits to our buildings and joint drills.

All criminal acts of a moderate or serious nature are immediately referred to the appropriate law enforcement agency for investigation and appropriate action. Local law enforcement is charged with providing victims pertinent information on support services available to them through various county and state agencies and federally, state and locally funded support groups. Information of this type is also available from CCAC campus counselors and Supportive Services, campus administrative offices and campus security (for referral).

Students, staff and visitors are encouraged to report any victimization or perceived victimization to any member of the campus community for referral to the proper authority. Victims of any crime will have all their options explained to them so that they can make an informed decision on how they want to proceed. Information concerning victim's options can be obtained from the various administration offices, campus security or officers from the responding local law enforcement agency.

Even if the victim elects not to proceed through any law enforcement action, disciplinary procedures may still be pursued under the College's Student Code of Conduct (Student Handbook), the policies and procedures applicable to employee conduct, and/or the College's Civil Rights and Sexual Misconduct Reporting and Response Procedure, when applicable.

Reporting Sites: (Security Offices)

Allegheny Campus 412-788-2662
Homewood 412-371-1600

Boyce Campus 724-325-6653

North Campus 412-369-4100
West Hills 412-788-7500

South Campus 412-469-6260
Braddock Hills 412-271-0201

Campus Violence

Acts of violence on CCAC's campuses and facilities are strictly prohibited. All such incidents or threatened incidents should be reported to Security or the administration for proper referral. Reports will be thoroughly investigated and appropriate action taken. Referral may also be made to local law enforcement authorities. Complainants will be notified of the results of any College investigation and any action taken by CCAC as a result of the investigation.

Please refer to the section of this report entitled **Preventing and Responding to Acts of Sexual Violence**, and the materials included in this report under Appendix B, for information on the resources and procedures available to victims of acts of sexual violence, dating violence, domestic violence, stalking and other civil rights violations.

Protection from Abuse / Restraining Orders

Individuals who have obtained a Protection from Abuse Order or Restraining Order should provide the Director of Safety & Security or designee with a copy of the document, which will be maintained in confidence at the Security Office. Copies will be destroyed when the time limit expires or the individual requests the document to be returned. It is important to have ready access to these documents in case local law enforcement needs to be called to enforce the Order and to ensure that other appropriate protective actions and accommodations can be implemented, if necessary.

Complainant Request for Confidentiality or No Action

Anonymous reporting can be accomplished by the Complainant refusing to provide identifying information, calling and reporting an incident verbally over the phone, or submitting an electronic report anonymously. If at any point the complainant requests that his/her name or other identifiable information be held confidential with respect to the respondent or decides not to pursue action by the college, the College will make all reasonable attempts to respond to the complaint consistent with the complainant's request. However, the college's ability to investigate the complaint and respond to the conduct may be limited. Recognizing that the college has a legal obligation to review all reports, the college will weigh the complainant's request against such factors as the seriousness of the alleged conduct, whether there have been other complaints of a similar nature against the same respondent, the college's commitment to provide a reasonably safe and non-discriminatory environment and the rights of the respondent to receive notice and relevant information before disciplinary action is taken. If the college determines that it is necessary to proceed with the complaint procedure or implement other appropriate remedies, the complainant will be notified by the Civil Rights Compliance Officer (CRCO) of the college's chosen course of action. Resources will be made available to the complainant whether or not they file a report.

Information provided by college employees shall be shared with other college employees and law enforcement on a "need to know" basis.

PERSONAL INJURY REPORTING

Students, faculty, staff and visitors are encouraged to report hazardous or potentially hazardous conditions in College facilities to the campus Security Office or campus administration. Such incidents include obstructions, spills, icy/slippery conditions, snow build-up, and inadequate lighting issues.

Anyone who sustains an injury while on College property or engaged in College-sponsored activities or business should report the incident as soon as possible to one or more of the following: a member of the administration, a faculty or staff member, the campus Director of Safety & Security, uniformed security personnel, or the campus Business Office. There are specific forms that must be completed to ensure prompt attention and resolution by the College's insurers.

Even if the injury seems minor at the time the incident should be reported to protect the individual should something develop over time that is attributable to the injury. If an individual is incapacitated or otherwise unable to report the incident, co-workers, family members, friends or other individuals who may be aware of the incident are encouraged to make a report on the injured individual's behalf.

SAFETY AND SECURITY TIPS

CCAC's campuses and facilities have historically been a safe and secure environment for education and learning. Even with a combination of urban and suburban settings, the incidents of concern remain relatively small. However, personal awareness is always encouraged, which is emphasized in the *Situational Awareness* training program. In addition, the following tips are provided in the interest continuing to promote a safe and secure environment:

- If you drive, don't leave valuables in plain view and always lock your doors.
- Don't leave valuables unattended. Take them with you or ask someone to watch them for you.
- Keep purses, bags, back-packs, closed when not in use. Don't hang purses on the backs of chairs. Don't keep valuables in outside pockets of back-packs. Keep track of your books, especially during buy-back period (when most thefts occur).
- Leave credit cards at home unless you know you will need them. Never keep PIN numbers or password information with credit, bank or other account cards.
- Car pool. Take classes with friends/acquaintances. Travel in groups when possible.
- Be aware of others around you, inside and out. If you are uncomfortable with your surroundings, leave, back-track, etc. until you feel secure. If needed, ask for an escort from Security or someone you feel safe with.
- Carry car keys in hand on way to vehicle. This gets you in faster and you can lock your door. Carry personal communicator as well, if practical.
- Know where the exits are in case of evacuation order or building alarm. Follow audible instructions. Go to the closest exit, not the one nearest your car.
- Lastly, if you think a situation is potentially dangerous, it probably is. Follow your instincts and seek assistance.

PARKING / PARKING PERMITS

Parking regulations apply college-wide but vary from campus to campus. A complete set of the applicable regulations are available at the campus Security Office.

The parking regulations apply to all constituents; students, staff and visitors. The regulations could not be simpler. Park where designated. Do not park where prohibited or otherwise regulated such as in Handicap spaces or other specifically designated spots unless you are permitted to do so and have the proper college placard displayed in your vehicle. Each lot has been designed for maximum efficiency. When a car is beyond a designated space or on an end-cap it is most likely infringing on a thruway for fire or emergency vehicles or busses.

Parking infractions can result in warnings or fines. Fines are set at:

- \$20.00 for no official college parking permit
- \$25.00 for Improper Parking
- \$50.00 for Parking in a Loading Dock
- \$75.00 for Parking in a Fire Lane
- \$100.00 for Improper Parking in a Handicap Space

Fines are only payable at Student Accounts and the fines double if not paid within seven (7) days. Fines may also be mailed to the office of Student Accounts. Please include the citation with the fine. Do not send cash.

An appeal system is in place. Security officers do not have authority to rescind a citation once it is written. Appeal forms should be filed within seven (7) days at the campus Business Office. The forms are available at Security and at Student Accounts. The citation should be attached to the appeal. Appeals are heard by the campus Dean of Administration or a designee. The result of the appeal is final.

Failure to pay or appeal a citation not only doubles the fine but a hold is placed on a student's file. This hold must be satisfied before grades or transcripts are released or the student registers for an upcoming semester. In the case of staff infractions that are not paid or appealed additional sanctions will apply.

Periodically, for some infractions, local law enforcement may issue a parking citation. If you receive a citation from local law enforcement you must follow the procedures as outlined on the state citation. These citations cannot be adjudicated at the Business Office but must be processed through the magisterial district in which the infraction occurred. State citations are considerably more expensive.

SECURITY ESCORT SERVICES

Each campus, through the Security Office, provides escort services. Services may be requested through the use of hall phones by dialing the extension for Security or by personal communicator by dialing the full number for the campus Security Office. A virtual escort service can be initiated through the “Guardian” mobile application.

Each campus may have variations on escort availability, but all requests will be honored (usually in the order in which they are received). Also, CCAC has a virtual escort, through the guardian app that connects directly to the security office.

Security Office extensions and full numbers:

Allegheny:	Ext. 2662 (412-237-2662)
Boyce:	Ext. 6653 (724-325-6653)
North:	Ext. 4100 (412-369-4100)
South:	Ext. 6260 (412-469-6260)
West Hills Center:	Ext. 7370 (412-788-7370)
Homewood-Brushton Center:	Ext. 1138 (412-371-1138)
Braddock Hills Center:	Ext. 0022 (412-501-0022)

CLERY ACT CRIME STATISTICS

Background

Jeanne Clery was a 19 year old student at Lehigh University, Pennsylvania, in 1986 when she was assaulted and murdered in her dorm room. Following her death her parents lobbied Pennsylvania lawmakers for legislation requiring colleges and universities to publish their crime statistics. The first such bill was signed into law in 1988 mandating that all state colleges and universities annually publish the latest three years campus crime statistics. Successive federal bills expanded the program nationwide and in 1998 the Student Right-To-Know and Campus Security Act was formally renamed in memory of Jeanne Clery.

Reportable Crimes

The Clery Act requires colleges and universities to report on seven basic categories of crime which occur on their campuses, on non-campus buildings and property owned or controlled by the institution, and/or on public property within or immediately adjacent to and accessible from the campus. CCAC does not have any recognized student organizations that own or control any on-campus or non-campus property.

The college conduct classes at non-campus properties. These properties are owned by the host organization and the college is a guest at these properties, i.e. conducting a “Learn to swim class” at a neighborhood pool. The security department of CCAC keeps in contact with the non-campus sites local police department to monitor the local criminal activity at the non-campus site if it exists.

Personal Identifiable Information

Personal identifiable information about the victim and other necessary parties, where appropriate, will be treated as confidential and only shared with persons with a specific need to know in order to investigate/adjudicate a complaint or in order to provide accommodations, protective measures or support services to one or more appropriate parties. CCAC does not publish the personally identifiable information of the crime victims in its Annual Security Report or other publically available disclosures, nor does it house identifiable information regarding victims in the College security department's daily crime log or online.

Definitions of crimes required to be reported under the Clery Act are from the Federal Bureau of Investigation's Uniform Crime Reporting Handbook (available at www.fbi.gov). The definitions of sex offenses are from the National Incident-Based Reporting System Edition of the Uniform Crime Reporting Handbook. The reportable categories are as follows:

- Criminal Homicide – Murder, negligent and non-negligent manslaughter
- Sex Offenses – forcible and non-forcible
- Robbery
- Aggravated Assault
- Burglary
- Arson
- Motor Vehicle Theft

Beginning with the 2013 calendar year, and in accordance with the requirements of the Violence Against Women Reauthorization Act (VAWA), colleges and universities will also separately report crime statistics for the following categories:

- Domestic Violence
- Dating Violence
- Stalking

Statistics regarding incidents of rape, fondling, incest and statutory rape will also be separately reported under the category of Sex Offenses.

Prior to calendar year 2013, incidents of domestic violence and dating violence were included and reported under the categories of Assault, Aggravated Assault or Crimes Against the Family. Stalking was previously included and reported under the category of Harassment. Incidents of rape, fondling, incest and statutory rape were included and reported under the Forcible and Non-Forcible Sex Offenses categories, depending upon the nature of the allegations.

CCAC has made a good faith effort to identify and include statistics for these additional categories in its reported crime statistics for calendar years 2020, 2021 and 2022, where applicable, based upon the following definitions:

- **Rape:** Penetration, no matter how slight of the vagina or anus, with any body part or object or oral penetration by a sex organ of another person without the consent of the victim. This definition includes any gender of victim or perpetrator. This definition of rape now includes “sodomy” and “sexual assault with an object” crime definitions.

- **Fondling:** The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental incapacity.
- **Incest:** Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory Rape:** Non-forcible sexual intercourse with a person who is under the statutory age of consent.
- **Domestic Violence:** Felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person living with or has lived with the victim as a spouse, by a person similarly situated to a spouse of the victim, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family laws of the jurisdiction.
- **Dating Violence:** Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
- **Stalking:** To engage in a course of conduct or repeatedly commits acts toward another person, including following the person without proper authority, under circumstances which demonstrate either an intent to place such other person in reasonable fear of bodily injury or to cause substantial emotional distress to such other person, or 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.

Hate Crimes

Hate crimes can include murder, manslaughter, rape, fondling, incest, statutory rape, robbery, aggravated assault, burglary, motor vehicle theft, and arson. Any of the abovementioned offenses in addition to any incidents of larceny-theft, simple assault, intimidation or destruction, damage, vandalism of property that were motivated by one of the categories of bias. A hate crime refers to a crime reported to local police agencies or to campus security authorities that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim's actual or perceived race, religion, gender, gender identity, sexual orientation, ethnicity, national origin or disability.

CCAC encourages the reporting of any suspected form of bias or hate crime to Security or local law enforcement. Victims may also contact the College's Civil Rights Compliance Officer or any other member of the administration for assistance and reporting.

CCAC encourages intercultural experiences and diversity and is committed to protecting the rights of all individuals. If anyone of the campus community feels they have become a victim of a hate crime they are encouraged to report this immediately as noted above.

Clery Act Hate Crime Reporting

For 2021, no Clery reportable hate crimes.

For 2022, no Clery reportable hate crimes.

For 2023, no Clery reportable hate crimes.

Liquor Law, Drug Law and Illegal Weapons Possession

The Clery Act requires colleges and universities to report on arrests and/or disciplinary referrals for the following: Liquor law violations, drug law violations and illegal weapons possession.

Local Law Enforcement Crime and Arrest Statistics

The crime statistics contained in this report are compiled by the Executive Director of Emergency Management/Safety & Security, the Directors of Safety & Security, and the Campus Security Authorities. Internal College statistics are a compilation of all reported Clery reportable crimes received from multiple reporting systems maintained by the Campus Directors of Safety & Security, as well as departments represented by offices of our Campus Security Authorities. These reports include: Maxient Incident Forms (Deans of Student Development), Incident Reporting Form (Campus Directors of Safety & Security), Civil Rights Complaint Form (Office of Institutional Diversity & Inclusion), and the Campus Security Authority Reporting Form.

In addition, CCAC requests crime figures from law enforcement agencies whose jurisdiction encompasses the College campuses. These requests are made annually but local law enforcement is not compelled to provide this information to the College. Most departments do respond. When received, this information is incorporated into the Clery Act tables. All figures are for the three calendar years immediately preceding the publication year. Any questions can be addressed to the Safety & Security Office at each campus or center:

Allegheny Campus Security:	412-237-2662
Boyce Campus Security:	724-325-6653
North Campus Security:	412-369-4100
South Campus Security:	412-469-6260
West Hills Center:	412-788-7370
Homewood-Brushston Center:	412-371-1138
Braddock Hills Center:	412-501-0022

Campus Fire Logs

Though not required due to the fact that CCAC does not offer residence halls, each campus also maintains a Fire Log which is maintained in the campus Security Office. These Campus Fire Logs are available for review by any interested party who presents valid identification to the Director of Safety & Security or the Director's designee.

COMMUNITY COLLEGE OF ALLEGHENY COUNTY
Annual Crime Statistics Report – 2023
(Jeanne Clery Act Compliance)

Reported Crime	Allegheny Campus			Boyce Campus			North Campus			South Campus		
	2021	2022	2023	2021	2022	2023	2021	2022	2023	2021	2022	2023
CRIME												
Murder	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Agg. Assault	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0
Auto Theft	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	1	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0
ARRESTS												
Liquor Laws	0	0	0	0	0	0	0	0	0	0	0	0
Drug Laws	0	0	0	0	0	0	0	0	0	0	0	0
Weapons Laws	0	0	0	0	0	0	0	0	0	0	0	0
REFERRALS												
Liquor Laws	0	1	2	0	0	0	0	0	0	0	0	0
Drug Laws	0	0	0	0	0	0	0	0	0	0	0	0
Weapons Laws	0	0	0	0	0	0	0	0	0	0	0	0
V.A.W.A.*												
Domestic Violence	0	0	0	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0	0	0	0

*Violence Against Women Act required reporting. Definitions contained elsewhere in the Annual Security Report.

- Notes: 1. CCAC has no dormitories or other off-campus buildings.
2. CCAC is a two-year college and has no graduate level programs.

COMMUNITY COLLEGE OF ALLEGHENY COUNTY
Annual Crime Statistics Report – 2023
(Jeanne Clery Act Compliance)

Reported Crime	Homewood-Brushton Center			Braddock-Hills Center			West Hills Center		
	2021	2022	2023	2021	2022	2023	2021	2022	2023
CRIME									
Murder	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Agg. Assault	0	0	0	0	0	0	0	0	0
Robbery	0	0	1	0	0	0	0	0	0
Auto Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
ARRESTS									
Liquor Laws	0	0	0	0	0	0	0	0	0
Drug Laws	0	0	0	0	0	0	0	0	0
Weapons Laws	0	0	0	0	0	0	0	0	0
REFERRALS									
Liquor Laws	0	0	0	0	0	0	0	0	0
Drug Laws	0	0	0	0	0	0	0	0	0
Weapons Laws	0	0	0	0	0	0	0	0	0
V.A.W.A.*									
Domestic Violence	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0

*Violence Against Women Act required reporting. Definitions contained elsewhere in the Annual Security Report.

- Notes: 1. CCAC has no dormitories or other off-campus buildings.
2. CCAC is a two-year college and has no graduate level programs.

**COMMUNITY COLLEGE OF ALLEGHENY COUNTY
 CAMPUS CRIME REPORT - 2023
 UNIFORM CRIME REPORT – PART II OFFENSES**

Part II Offenses	2021		2022		2023	
	Number	Rate*	Number	Rate*	Number	Rate*
Forgery and Counterfeiting	0		0		0	
Fraud	0		0		0	
Embezzlement	0		0		0	
Stolen Property-Rec./Burg/Poss.	0		0		0	
Vandalism	2		0		1	
Weapons Carrying/Poss.	0		0		0	
Prostitution/Comm. Vice	0		0		0	
Sex Offenses, Except Rape & Pros.	0		0		1	
Drug Abuse, Sales & Manufac.	0		0		0	
Drug Abuse, Possession	0		0		0	
Gambling	0		0		0	
Offenses Against Family/Child.	0		0		0	
Driving Under the Influence	0		0		0	
Liquor Laws	0		0		0	
Drunkenness	0		0		0	
Disorderly Conduct	0		0		0	
Vagrancy	0		0		0	
All Others – Except Traffic	11		0		11	
Total Part II Offenses	13	.00091	0	.00000	13	.00091
Total Part I and Part II	13	.00091	2	.00014	16	.00112

* Rate is based on formula for 100,000 Full-Time Equivalency Students and Staff

1. CCAC has no dormitories or other off-campus buildings.
2. CCAC is a two-year college and has no graduate level programs.

Base # is .00007

**Community College of Allegheny County
 Allegheny Campus – 2023 – Part I
 Crime Statistics for Federal Reporting**

Reported Crime	Campus			Non-Campus			Public Property		
	2021	2022	2023	2021	2022	2023	2021	2022	2023
Murder	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Auto Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Arrests									
Liquor Laws	0	0	0	0	0	0	0	0	0
Drug Laws	0	0	0	0	0	0	0	0	0
Weapons Laws	0	0	0	0	0	0	0	0	0
Referrals									
Liquor Laws	0	1	2	0	0	0	0	0	0
Drug Laws	0	0	0	0	0	0	0	0	0
Weapons Laws	0	0	0	0	0	0	0	0	0
V.A.W.A.									
Domestic Violence	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0

**Community College of Allegheny County
Allegheny Campus – 2023 – Part II
Crime Statistics for Federal Reporting**

Reported Crime	Campus			Non-Campus			Public Property		
	2021	2022	2023	2021	2022	2023	2021	2022	2023
Forgery and Counterfeiting	0	0	0	0	0	0	0	0	0
Fraud	0	0	0	0	0	0	0	0	0
Embezzlement	0	0	0	0	0	0	0	0	0
Stolen Property-Rec./Burg/Poss.	0	0	0	0	0	0	0	0	0
Vandalism	0	0	1	0	0	0	0	0	0
Weapons Carrying/Possession	0	0	0	0	0	0	0	0	0
Prostitution/Comm. Vice	0	0	0	0	0	0	0	0	0
Sex Offenses, Except Rape & Prostitution	0	0	0	0	0	0	0	0	0
Drug Abuse, Sales & Manufacturing	0	0	0	0	0	0	0	0	0
Drug Abuse, Possession	0	0	0	0	0	0	0	0	0
Gambling	0	0	0	0	0	0	0	0	0
Offenses Against Family/Child	0	0	0	0	0	0	0	0	0
Driving Under the Influence	0	0	0	0	0	0	0	0	0
Liquor Laws	0	0	0	0	0	0	0	0	0
Drunkenness	0	0	0	0	0	0	0	0	0
Disorderly Conduct	0	0	0	0	0	0	0	0	0
Vagrancy	0	0	0	0	0	0	0	0	0
All Others – Except Traffic	0	0	3	0	0	0	0	0	0

Community College of Allegheny County
Boyce Campus – 2023 – Part I
Crime Statistics for Federal Reporting

Reported Crime	Campus			Non-Campus			Public Property		
	2021	2022	2023	2021	2022	2023	2021	2022	2023
Murder	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Auto Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Arrests									
Liquor Laws	0	0	0	0	0	0	0	0	0
Drug Laws	0	0	0	0	0	0	0	0	0
Weapons Laws	0	0	0	0	0	0	0	0	0
Referrals									
Liquor Laws	0	0	0	0	0	0	0	0	0
Drug Laws	0	0	0	0	0	0	0	0	0
Weapons Laws	0	0	0	0	0	0	0	0	0
V.A.W.A.									
Domestic Violence	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0

**Community College of Allegheny County
 Boyce Campus – 2023 – Part II
 Crime Statistics for Federal Reporting**

Reported Crime	Campus			Non-Campus			Public Property		
	2021	2022	2023	2021	2022	2023	2021	2022	2023
Forgery and Counterfeiting	0	0	0	0	0	0	0	0	0
Fraud	0	0	0	0	0	0	0	0	0
Embezzlement	0	0	0	0	0	0	0	0	0
Stolen Property-Rec./Burg/Poss.	0	0	0	0	0	0	0	0	0
Vandalism	0	0	0	0	0	0	0	0	0
Weapons Carrying/Possession	0	0	0	0	0	0	0	0	0
Prostitution/Comm. Vice	0	0	0	0	0	0	0	0	0
Sex Offenses, Except Rape & Prostitution	0	0	1	0	0	0	0	0	0
Drug Abuse, Sales & Manufacturing	0	0	0	0	0	0	0	0	0
Drug Abuse, Possession	0	0	0	0	0	0	0	0	0
Gambling	0	0	0	0	0	0	0	0	0
Offenses Against Family/Child	0	0	0	0	0	0	0	0	0
Driving Under the Influence	0	0	0	0	0	0	0	0	0
Liquor Laws	0	0	0	0	0	0	0	0	0
Drunkenness	0	0	0	0	0	0	0	0	0
Disorderly Conduct	0	0	0	0	0	0	0	0	0
Vagrancy	0	0	0	0	0	0	0	0	0
All Others – Except Traffic	11	0	3	0	0	0	0	0	0

Community College of Allegheny County
North Campus – 2023 – Part I
Crime Statistics for Federal Reporting

Reported Crime	Campus			Non-Campus			Public Property		
	2021	2022	2023	2021	2022	2023	2021	2022	2023
Murder	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Auto Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	1	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Arrests									
Liquor Laws	0	0	0	0	0	0	0	0	0
Drug Laws	0	0	0	0	0	0	0	0	0
Weapons Laws	0	0	0	0	0	0	0	0	0
Referrals									
Liquor Laws	0	0	0	0	0	0	0	0	0
Drug Laws	0	0	0	0	0	0	0	0	0
Weapons Laws	0	0	0	0	0	0	0	0	0
V.A.W.A.									
Domestic Violence	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0

Community College of Allegheny County
North Campus – 2023 – Part II
Crime Statistics for Federal Reporting

Reported Crime	Campus			Non-Campus			Public Property		
	2021	2022	2023	2021	2022	2023	2021	2022	2023
Forgery and Counterfeiting	0	0	0	0	0	0	0	0	0
Fraud	0	0	0	0	0	0	0	0	0
Embezzlement	0	0	0	0	0	0	0	0	0
Stolen Property-Rec./Burg/Poss.	0	0	0	0	0	0	0	0	0
Vandalism	0	0	0	0	0	0	0	0	0
Weapons Carrying/Possession	0	0	0	0	0	0	0	0	0
Prostitution/Comm. Vice	0	0	0	0	0	0	0	0	0
Sex Offenses, Except Rape & Prostitution	0	0	0	0	0	0	0	0	0
Drug Abuse, Sales & Manufacturing	0	0	0	0	0	0	0	0	0
Drug Abuse, Possession	0	0	0	0	0	0	0	0	0
Gambling	0	0	0	0	0	0	0	0	0
Offenses Against Family/Child	0	0	0	0	0	0	0	0	0
Driving Under the Influence	0	0	0	0	0	0	0	0	0
Liquor Laws	0	0	0	0	0	0	0	0	0
Drunkenness	0	0	0	0	0	0	0	0	0
Disorderly Conduct	0	0	0	0	0	0	0	0	0
Vagrancy	0	0	0	0	0	0	0	0	0
All Others – Except Traffic	0	0	0	0	0	0	0	0	0

Community College of Allegheny County
South Campus – 2023 – Part I
Crime Statistics for Federal Reporting

Reported Crime	Campus			Non-Campus			Public Property		
	2021	2022	2023	2021	2022	2023	2021	2022	2023
Murder	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Auto Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Arrests									
Liquor Laws	0	0	0	0	0	0	0	0	0
Drug Laws	0	0	0	0	0	0	0	0	0
Weapons Laws	0	0	0	0	0	0	0	0	0
Referrals									
Liquor Laws	0	0	0	0	0	0	0	0	0
Drug Laws	0	0	0	0	0	0	0	0	0
Weapons Laws	0	0	0	0	0	0	0	0	0
V.A.W.A.									
Domestic Violence	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0

Community College of Allegheny County
South Campus – 2023 – Part II
Crime Statistics for Federal Reporting

Reported Crime	Campus			Non-Campus			Public Property		
	2021	2022	2023	2021	2022	2023	2021	2022	2023
Forgery and Counterfeiting	0	0	0	0	0	0	0	0	0
Fraud	0	0	0	0	0	0	0	0	0
Embezzlement	0	0	0	0	0	0	0	0	0
Stolen Property-Rec./Burg/Poss.	0	0	0	0	0	0	0	0	0
Vandalism	0	0	0	0	0	0	0	0	0
Weapons Carrying/Possession	0	0	0	0	0	0	0	0	0
Prostitution/Comm. Vice	0	0	0	0	0	0	0	0	0
Sex Offenses, Except Rape & Prostitution	0	0	0	0	0	0	0	0	0
Drug Abuse, Sales & Manufacturing	0	0	0	0	0	0	0	0	0
Drug Abuse, Possession	0	0	0	0	0	0	0	0	0
Gambling	0	0	0	0	0	0	0	0	0
Offenses Against Family/Child	0	0	0	0	0	0	0	0	0
Driving Under the Influence	0	0	0	0	0	0	0	0	0
Liquor Laws	0	0	0	0	0	0	0	0	0
Drunkenness	0	0	0	0	0	0	0	0	0
Disorderly Conduct	0	0	0	0	0	0	0	0	0
Vagrancy	0	0	0	0	0	0	0	0	0
All Others – Except Traffic	0	0	0	0	0	0	0	0	0

**Community College of Allegheny County
Homewood Brushton Center – 2023 – Part I
Crime Statistics for Federal Reporting**

Reported Crime	Campus			Non-Campus			Public Property		
	2021	2022	2023	2021	2022	2023	2021	2022	2023
Murder	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	1
Auto Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Arrests									
Liquor Laws	0	0	0	0	0	0	0	0	0
Drug Laws	0	0	0	0	0	0	0	0	0
Weapons Laws	0	0	0	0	0	0	0	0	0
Referrals									
Liquor Laws	0	0	0	0	0	0	0	0	0
Drug Laws	0	0	0	0	0	0	0	0	0
Weapons Laws	0	0	0	0	0	0	0	0	0
V.A.W.A.									
Domestic Violence	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0

**Community College of Allegheny County
Homewood Brushton Center – 2023 – Part II
Crime Statistics for Federal Reporting**

Reported Crime	Campus			Non-Campus			Public Property		
	2021	2022	2023	2021	2022	2023	2021	2022	2023
Forgery and Counterfeiting	0	0	0	0	0	0	0	0	0
Fraud	0	0	0	0	0	0	0	0	0
Embezzlement	0	0	0	0	0	0	0	0	0
Stolen Property-Rec./Burg/Poss.	0	0	0	0	0	0	0	0	0
Vandalism	1	0	0	0	0	0	1	0	0
Weapons Carrying/Possession	0	0	0	0	0	0	0	0	0
Prostitution/Comm. Vice	0	0	0	0	0	0	0	0	0
Sex Offenses, Except Rape & Prostitution	0	0	0	0	0	0	0	0	0
Drug Abuse, Sales & Manufacturing	0	0	0	0	0	0	0	0	0
Drug Abuse, Possession	0	0	0	0	0	0	0	0	0
Gambling	0	0	0	0	0	0	0	0	0
Offenses Against Family/Child	0	0	0	0	0	0	0	0	0
Driving Under the Influence	0	0	0	0	0	0	0	0	0
Liquor Laws	0	0	0	0	0	0	0	0	0
Drunkenness	0	0	0	0	0	0	0	0	0
Disorderly Conduct	0	0	0	0	0	0	0	0	0
Vagrancy	0	0	0	0	0	0	0	0	0
All Others – Except Traffic	0	0	0	0	0	0	0	0	0

**Community College of Allegheny County
Braddock Hills Center – 2023 – Part I
Crime Statistics for Federal Reporting**

Reported Crime	Campus			Non-Campus			Public Property		
	2021	2022	2023	2021	2022	2023	2021	2022	2023
Murder	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Auto Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Arrests									
Liquor Laws	0	0	0	0	0	0	0	0	0
Drug Laws	0	0	0	0	0	0	0	0	0
Weapons Laws	0	0	0	0	0	0	0	0	0
Referrals									
Liquor Laws	0	0	0	0	0	0	0	0	0
Drug Laws	0	0	0	0	0	0	0	0	0
Weapons Laws	0	0	0	0	0	0	0	0	0
V.A.W.A.									
Domestic Violence	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0

**Community College of Allegheny County
 Braddock Hills Center – 2023 – Part II
 Crime Statistics for Federal Reporting**

Reported Crime	Campus			Non-Campus			Public Property		
	2021	2022	2023	2021	2022	2023	2021	2022	2023
Forgery and Counterfeiting	0	0	0	0	0	0	0	0	0
Fraud	0	0	0	0	0	0	0	0	0
Embezzlement	0	0	0	0	0	0	0	0	0
Stolen Property-Rec./Burg/Poss.	0	0	0	0	0	0	0	0	0
Vandalism	0	0	0	0	0	0	0	0	0
Weapons Carrying/Possession	0	0	0	0	0	0	0	0	0
Prostitution/Comm. Vice	0	0	0	0	0	0	0	0	0
Sex Offenses, Except Rape & Prostitution	0	0	0	0	0	0	0	0	0
Drug Abuse, Sales & Manufacturing	0	0	0	0	0	0	0	0	0
Drug Abuse, Possession	0	0	0	0	0	0	0	0	0
Gambling	0	0	0	0	0	0	0	0	0
Offenses Against Family/Child	0	0	0	0	0	0	0	0	0
Driving Under the Influence	0	0	0	0	0	0	0	0	0
Liquor Laws	0	0	0	0	0	0	0	0	0
Drunkenness	0	0	0	0	0	0	0	0	0
Disorderly Conduct	0	0	0	0	0	0	0	0	0
Vagrancy	0	0	0	0	0	0	0	0	0
All Others – Except Traffic	0	0	0	0	0	0	0	0	0

**Community College of Allegheny County
West Hills Center – 2023 – Part I
Crime Statistics for Federal Reporting**

Reported Crime	Campus			Non-Campus			Public Property		
	2021	2022	2023	2021	2022	2023	2021	2022	2023
Murder	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Auto Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Arrests									
Liquor Laws	0	0	0	0	0	0	0	0	0
Drug Laws	0	0	0	0	0	0	0	0	0
Weapons Laws	0	0	0	0	0	0	0	0	0
Referrals									
Liquor Laws	0	0	0	0	0	0	0	0	0
Drug Laws	0	0	0	0	0	0	0	0	0
Weapons Laws	0	0	0	0	0	0	0	0	0
V.A.W.A.									
Domestic Violence	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0

**Community College of Allegheny County
West Hills Center – 2023 – Part II
Crime Statistics for Federal Reporting**

Reported Crime	Campus			Non-Campus			Public Property		
	2021	2022	2023	2021	2022	2023	2021	2022	2023
Forgery and Counterfeiting	0	0	0	0	0	0	0	0	0
Fraud	0	0	0	0	0	0	0	0	0
Embezzlement	0	0	0	0	0	0	0	0	0
Stolen Property-Rec./Burg/Poss.	0	0	0	0	0	0	0	0	0
Vandalism	0	0	0	0	0	0	0	0	0
Weapons Carrying/Possession	0	0	0	0	0	0	0	0	0
Prostitution/Comm. Vice	0	0	0	0	0	0	0	0	0
Sex Offenses, Except Rape & Prostitution	0	0	0	0	0	0	0	0	0
Drug Abuse, Sales & Manufacturing	0	0	0	0	0	0	0	0	0
Drug Abuse, Possession	0	0	0	0	0	0	0	0	0
Gambling	0	0	0	0	0	0	0	0	0
Offenses Against Family/Child	0	0	0	0	0	0	0	0	0
Driving Under the Influence	0	0	0	0	0	0	0	0	0
Liquor Laws	0	0	0	0	0	0	0	0	0
Drunkenness	0	0	0	0	0	0	0	0	0
Disorderly Conduct	0	0	0	0	0	0	0	0	0
Vagrancy	0	0	0	0	0	0	0	0	0
All Others – Except Traffic	0	0	0	0	0	0	0	0	0

CCAC NON-DISCRIMINATION AND TITLE IX POLICY

CCAC does not discriminate and prohibits discrimination against any individual based upon race, color, religion, national origin, ancestry or place of birth, sex, gender identity or expression, perceived gender identity, sexual orientation, disability, use of a service animal due to disability, marital status, familial status, genetic information, veteran status, age or other classification protected by applicable law in matters of admissions, employment, services or in the educational programs or activities that it operates. Harassment that is based on any of these characteristics, whether in verbal, physical, or visual form, constitutes a form of prohibited discrimination. This includes harassing conduct which affects tangible job benefits, unreasonably interferes with an individual's academic or work performance, or which creates what a reasonable person would perceive to be an intimidating, hostile or offensive work or educational environment.

Employees, students, third-party vendors and guests may report conduct that is believed to be in violation of the College's non-discrimination policy or applicable law by contacting the College's Office of Human Resources, the Title IX Coordinator/Civil Rights Compliance Officer or such other officials as may be designated in other Board policies or administratively issued regulations and procedures. The College prohibits and will not engage in retaliation against any person who in good faith reports a violation of this Policy, provides information in an investigation of a potential violation or otherwise engages in protected activity under the law.

CCAC also complies with Title IX of the Education Amendments of 1972, which prohibits discrimination based on gender or sex in the College's educational programs and activities, as well as the requirements of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act), as amended by the Campus Sexual Violence Elimination Act (SaVE Act). Conduct prohibited under Title IX, the Clery Act and the SaVE Act includes sexual harassment, sexual misconduct and acts of sexual violence, including sexual assault, domestic violence, dating violence, and stalking. All College employees are required to inform CCAC's Civil Rights Compliance Officer/Title IX Coordinator of incidents or suspected incidents of sex or gender discrimination, sexual harassment, or sexual violence against a student, employee, vendor or guest of which they become aware.

The complete text of the College's Non-Discrimination Policy is included in this report under **Appendix A**.

CCAC UNLAWFUL HARASSMENT POLICY

As provided under Board Policy II.02, the unlawful harassment of employees, students and/or third parties working at or visiting the College is expressly prohibited and will not be tolerated.

Unlawful harassment consists of unwelcome conduct, whether verbal, written, physical or graphic, that is based upon an individual's race, color, religion, national origin, ancestry or place of birth, sex, gender identity or expression, perceived gender identity, sexual orientation, disability, use of a service animal due to disability, marital status, familial status, genetic information, veteran status, age or other classification protected by applicable law, and which: (1) is sufficiently severe, persistent or pervasive that it affects an individual's ability to perform job functions or creates an intimidating, threatening or hostile working or learning environment; (2) has the purpose or effect of substantially or unreasonably interfering with an individual's work or academic performance; or (3) otherwise adversely affects an individual's employment or education opportunities.

Sexual Harassment

Sexual harassment is a form of prohibited unlawful harassment, and consists of unwelcome sexual advances, requests for sexual favors or other verbal, written, graphic or physical conduct of a sexual nature, when:

1. Submission to such conduct is either implicitly or explicitly made a term or condition of an individual's employment or education;
2. Submission to or rejection of such conduct is used as the basis for employment or educational decisions affecting that individual; or
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or educational experience or creating an intimidating, hostile or offensive work or educational environment.

Sexual harassment may take many forms, including deliberate or careless use of offensive, vulgar or demeaning terms connected with a person's gender or sexual orientation; sexually suggestive comments, compliments, jokes, innuendos, questions or flirtations; offensive or sexually suggestive objects, graffiti, pictures, or graphic displays; sexual gestures or unwanted touching; pressuring or asking an individual for dates or sexual favors; or any other conduct that has the effect of unreasonably interfering with an individual's ability to work or learn.

Romantic Relationships

Romantic relationships in the workplace or within the educational environment also raise concerns for the College community, particularly in cases in which one party to the relationship possesses supervisory or evaluative authority over the other or may reasonably be perceived to possess such authority. Given the power differentials between the parties, such relationships carry the inherent risk that the subordinate employee or student will be determined to have lacked the ability to provide effective consent to the relationship. In addition, the existence of such relationships may raise questions regarding the academic and operational integrity of the supervisor's decisions, create actual or perceived conflicts of interest relative to the parties' interactions with fellow students and/or co-workers, and create the potential for sexual harassment and retaliation charges. In light of these concerns, and in the interest of mitigating the risks inherent to such relationships, the following requirements will apply:

- No employee shall be permitted to date or engage in a romantic or sexual relationship with an employee that s/he supervises, whether directly or indirectly.
- No employee shall be permitted to date or engage in a romantic or sexual relationship with a student that s/he supervises or evaluates, or with respect to whom s/he provides professional services or for whom s/he may have any foreseeable professional responsibility, authority, or influence. Examples of prohibited relationships include but are not limited to instructor/current student, work study student/supervisor, advisor/advisee, tutor/student, coach/athlete, and administrator/student.
- If employees choose to enter into a consensual dating or romantic relationship with each other and one party has supervisory responsibilities over the other, it shall be the responsibility of the senior person to report the relationship to his/her supervisor and to the Human Resources Office at the onset of the relationship. In such situations, the College may transfer one or both employees or take such other action as may be necessary to eliminate the conflict.
- If employees choose to enter into a consensual dating or romantic relationship with each other and neither party has any direct or indirect supervisory authority over the other, it shall be the

responsibility of both employees to immediately report the existence of the relationship to their respective supervisor(s) and the Human Resources Office at the onset of the relationship. In the event it is determined that the relationship creates or would foreseeably create a distraction in the workplace or interfere with the productivity and efficiency of the employees in question and/or their other co-workers, the College may transfer one or both employees or take such other action as may be necessary to eliminate the disruption.

- Employees who are contemplating entering into a romantic relationship with an individual who is enrolled as a student at the College, but whom the employee does not evaluate or supervise, are required to notify their supervisor prior to entering into or commencing any relationship. The College reserves the right to transfer the employee or to take such other action as may be necessary to eliminate any potential for the employee to be in a position to supervise, evaluate, exercise authority over or otherwise influence the student or any academic, financial or employment-related decisions that may affect the student.

Employees, students, third-party vendors and guests may report conduct that is believed to be in violation of this Policy to the College's Office of Human Resources, the Title IX Coordinator/Civil Rights Compliance Officer, or such other officials as may be designated in other Board policies or administratively issued regulations and procedures. Employees must promptly report acts of unlawful harassment that they witness or of which they become aware. The College prohibits and will not engage in retaliation against any person who in good faith makes a report of unlawful harassment, provides information in connection with the investigation of a report or complaint of unlawful harassment, or who otherwise engages in protected activity under the law.

All complaints and reports of unlawful harassment shall be promptly investigated, and appropriate and necessary corrective action will be taken to prevent its recurrence. Confidentiality of all parties shall be maintained to the fullest extent possible under the circumstances, consistent with the College's legal and investigative obligations.

Substantiated violations of this Policy will result in disciplinary action, up to and including termination of employment or, in the case of students, expulsion from the College, in accordance with procedures and due process rights provided under applicable law, College policies and collective bargaining agreements.

The complete text of the College's Unlawful Harassment Policy is included in this report under Appendix A.

PREVENTING AND RESPONDING TO ACTS OF SEXUAL VIOLENCE

CCAC has adopted a [Civil Rights and Sexual Misconduct Reporting and Response Procedure](#) which provides for the prompt and equitable investigation and resolution of violations of CCAC's Non-Discrimination Policy and Unlawful Harassment Policy, including cases involving sexual assault, relationship violence, stalking, and other forms of sexual misconduct. This policy was updated with new definitions with an effective date of August 1, 2024. For alleged incidents of sex discrimination or sexual harassment occurring prior to August 1, 2024, the policy and procedures in place at the time of the alleged incident apply. Applicable versions of those policies and procedures are available from the Title IX Coordinator (TIXC) and at this link:

<https://online.flippingbook.com/view/232127734/>

The following is a summary of important definitions related to forms of prohibited sexual assault and relationship violence that are reinforced through our policies and educational / training programming: Please note that the definitions from the 2020 Policy and the 2024 Policy are both included. The date of the alleged incident(s) will impact which definitions are used. Anyone with questions should contact the College's Civil Rights Compliance Officer/Title IX Coordinator.

2020 Definitions:

- **Sexual Assault** is a term that encompasses rape, fondling, incest, and statutory rape, as defined in the Clery Crime Statistics section of this report. In Pennsylvania, the crime of sexual assault is defined as sexual intercourse or deviate sexual intercourse without the complainant's consent.
- **Dating Violence** is abusive behavior or a pattern of abusive behaviors used to exert power and control over a dating partner. Whether such a relationship exists will be gauged by the length, type, and frequency of interaction between the partners.
- **Domestic Violence** is one or more of the following acts occurring between family or household members sexual or intimate partners, or people who have a child in common; purposefully or recklessly causing or attempting to cause bodily injury, serious bodily injury, rape, involuntary deviant sexual intercourse, sexual assault, statutory sexual assault, aggravated indecent assault, indecent assault, incest or false imprisonment. As used herein the phrase "family or household members" refers to current or former spouses, persons who live or have lived as spouses, parents and children, other persons related by blood or marriage, current or former intimate or sexual partners, or persons who have a child in common.
- **Stalking** means engaging in acts toward another person with the intent to place the person in reasonable fear of bodily injury or cause emotional distress. *
- **Consent** is an informed, affirmative decision made freely and actively by all parties to engage in mutually acceptable sexual activity. Consent is given by clear words or actions and may not be inferred from silence, passivity, or lack of resistance alone. Existence of a current or previous dating, marital, and/or sexual relationship is not sufficient to constitute consent to additional sexual activity. Consent to one type of sexual activity does not imply consent to other types of sexual activity. Someone who is unconscious, asleep, or otherwise mentally or physically incapacitated, whether due to alcohol, drugs, or some other condition, cannot give consent. Consent cannot be obtained by force, intimidation, threat, coercion, isolation, or confinement. Agreement obtained under such conditions does not constitute consent. A person's use of alcohol and/or other drugs does not necessarily eliminate his or her responsibility to obtain consent.

2024 Definitions:

- **Sexual Assault:** Any sexual act, including Rape, Sodomy, Sexual Assault with an Object, or Fondling directed against another person, without the consent of the victim, including instances where the Complainant is incapable of giving consent; 5 also unlawful sexual intercourse.
- **Dating Violence:** Violence committed by a Respondent, who is in or has been in a social relationship of a romantic or intimate nature with the Complainant; and where the existence of such a relationship shall be determined based on a consideration of the following factors: length of the relationship, type of relationship, frequency of the interaction between the Parties involved in the relationship.
- **Domestic Violence:** Felony or misdemeanor crimes committed by a person who: is a current or former spouse or intimate partner of the Complainant under the family or domestic violence laws of

Pennsylvania or a person similarly situated to a spouse of the Complainant; is cohabitating with, or has cohabitated with, the Complainant as a spouse or intimate partner; shares a child in common with the Complainant; or commits acts against a youth or adult Complainant who is protected from those acts under the family or domestic violence laws of Pennsylvania.

- **Stalking:** •Engaging in a course of conduct on the basis of sex, that is directed at a specific person that would cause a reasonable person to: fear for the person’s safety, or the safety of others; or suffer substantial emotional distress.
- **Consent:** Knowing, and voluntary, and clear permission by word or action to engage in sexual activity. Individuals may perceive and experience the same interaction in different ways. Therefore, it is the responsibility of each party to determine that the other has consented before engaging in the activity. If consent is not clearly provided prior to engaging in the activity, consent may be ratified by word or action at some point during the interaction or thereafter, but clear communication from the outset is strongly encouraged.
 - For consent to be valid, there must be a clear expression in words or actions that the other individual consented to that specific sexual conduct. Consent is evaluated from the perspective of what a reasonable person would conclude are mutually understandable words or actions. Reasonable reciprocation can establish consent. For example, if someone kisses you, you can kiss them back (if you want to) without the need to explicitly obtain their consent to be kissed back.
 - Consent can also be withdrawn once given, as long as the withdrawal is reasonably and clearly communicated. If consent is withdrawn, sexual activity should cease within a reasonably immediate time.
 - Silence or the absence of resistance alone should not be interpreted as consent. Consent is not demonstrated by the absence of resistance. While resistance is not required or necessary, it is a clear demonstration of non-consent.
 - Consent to some sexual contact (such as kissing or fondling) cannot be assumed to be consent for other sexual activity (such as intercourse). A current or previous intimate relationship is not sufficient to constitute consent. If an individual expresses conditions on their willingness to consent (e.g., use of a condom) or limitations on the scope of their consent, those conditions and limitations must be respected. If a sexual partner shares the clear expectation for the use of a condom, or to avoid internal ejaculation, and those expectations are not honored, the failure to use a condom, removing a condom, or internal ejaculation can be considered acts of sexual assault.
 - Proof of consent or non-consent is not a burden placed on either party involved in a Complaint. Instead, the burden remains on the College to determine whether its Policy has been violated. The existence of consent is based on the totality of the circumstances evaluated from the perspective of a reasonable person in the same or similar circumstances, including the context in which the alleged misconduct occurred and any similar and previous patterns that may be evidenced.

Going beyond the boundaries of consent is prohibited. Thus, unless a sexual partner has consented to slapping, hitting, hair pulling, strangulation, or other physical roughness during otherwise consensual sex, those acts may constitute dating violence or sexual assault.

Consent under Title 18 of the Pennsylvania Crimes Code:

- a. **General Rule:** The consent of the victim to conduct charged to constitute an offense or to the result thereof is a defense if such consent negates an element of the offense or precludes the infliction of the harm or evil sought to be prevented by the law defining the offense. *

- b. **Consent to bodily injury:** When conduct is charged to constitute an offense because it causes or threatens bodily injury, consent to such conduct or to the infliction of such injury is a defense if:
1. the conduct and the injury are reasonably foreseeable hazards of joint participation in a lawful athletic contest or competitive sport or
 2. the consent establishes a justification for the conduct under Chapter 5 of this title (relating to general principles of justification). *
- c. **Ineffective consent:** Unless otherwise provided by this title or by the law defining the offense, assent does not constitute consent if:
1. it is given by a person who is legally incapacitated to authorize the conduct charged to constitute the offense;
 2. it is given by a person who by reason of youth, mental disease or defect, or intoxication is manifestly unable or known by the actor to be unable to make a reasonable judgment as to the nature or harmfulness of the conduct charged to constitute the offense;
 3. it is given by a person whose improvident consent is sought to be prevented by the law defining the offense; or
 4. it is induced by force, duress, or deception of a kind sought to be prevented by the law defining the offense. *

* *West's Pennsylvania Criminal Justice 2014 Pamphlet* (Eagan, Minn.: Thomson Reuters, 2014).

The Civil Rights and Sexual Misconduct Reporting and Response Procedure, **a full copy of which can be located under Appendix B of this Report**, describes the reporting options that are available for individuals who are the victims of acts of sexual violence or other civil rights violations, provides for a fair and prompt adjudication process that is administered by officials who receive annual training on the appropriate handling of such complaints, describes the disciplinary sanctions that may be imposed against offenders, and identifies counseling, advocacy and other resources that are available to assist victims of such incidents. An optional Complaint reporting form is included as part of these procedures.

Additional information regarding CCAC's Civil Rights and Sexual Misconduct Reporting and Response Procedure, and the process for reporting incidents of sexual violence, domestic violence, dating violence, stalking, sexual harassment and other forms of sexual misconduct, can also be obtained by contacting the College's Civil Rights Compliance Officer/Title IX Coordinator, by visiting the Title IX page of the College's website (<https://online.flipplingbook.com/view/283601293/>), or by referring to the CCAC Student Handbook and the Student Code of Behavioral Conduct contained therein.

Reporting to the Police

In cases involving potential criminal misconduct, CCAC also encourages individuals to report the conduct to the law enforcement agency which has jurisdiction over the location where the incident occurred. If the conduct is reported to the College, the complainant will be informed of their option to also report any potential criminal activity to the police. Members of the College Security Offices are available to assist the Complainant in contacting the police.

Recommended Action for Victims

A guiding principle in the reporting of domestic violence, dating violence, sexual assault, and stalking is to avoid possible re-victimizing of the complainant by forcing the individual into any plan of action. It is recommended that a person who has experienced domestic violence, dating violence, sexual assault, or stalking consider taking the following actions:

1. Get to a safe place. If you are in immediate danger, dial 9-1-1.
2. Avoid the destruction of evidence by bathing, douching, changing clothes, or cleaning up in any way. Preserve evidence in a paper bag for possible future action. Also, keep copies of emails, text messages, and voice messages.
3. Pursue medical treatment. Post-assault medical care can be performed at a local emergency room. Many hospitals have a specialized examiner who can complete an exam for victims of sexual violence. Such an exam can help the victim receive an appropriate medical assessment and treatment, and can preserve evidence for possible future action.
4. Pursue counseling services and victim assistance. A number of community-based agencies are available that can provide confidential counseling services to victims and assist in evaluating the trauma and determining next steps. These include the following:

Center for Victims of Violence and Crime
1-866-644-2882 (24 Hour Hotline)
www.centerforvictims.org

PA Coalition Against Domestic Violence
717-545-6400
www.pcadv.org

Crisis Center North
412-364-5556 (24 Hour Hotline)
1-866-782-0911 (Toll Free)
Crisis Text Line (9am–9pm daily):
1.877.522.6093
info@crisiscenternorth.org
www.crisiscenternorth.org

PA Coalition Against Rape
1-888-772-7227 (Toll Free Hotline)
1-800-692-7445 (General Inquiries)
www.pcar.org

Pittsburgh Action Against Rape (PAAR)
1-866-END-RAPE (24 Hour Hotline)
www.paar.net

National Center for Victims of Crime
202-467-8700
<https://victimsofcrime.org/home>

Rape, Abuse and Incest National Network (RAINN)
1-800-656-HOPE (4673)
<https://hotline.rainn.org/online>

National Domestic Violence Hotline
1-800-799-7233 (National Hotline)
<http://www.thehotline.org/>

Resolve Crisis Network
1-888-796-8226 (24 Hour Hotline)
<https://www.gatherms.com/pittsburgh/services/resolve-crisis-network>

National Sexual Violence Resource Center (NSVRC)
1-877-739-3895 (Toll Free)
resources@nsvrc.org
www.nsvrc.org

Women's Center & Shelter
of Greater Pittsburgh
(412) 687-8005 (24 hour hotline)
Text Support (9am–5pm Mon–Fri):
412.744.8445
<https://www.wcspittsburgh.org/>

Office for Violence Against Women
1-202-514-2000 (DOJ Main Switchboard)
<https://www.justice.gov/ovw>

College employees may also seek assistance from the College’s Employee Assistance Program – *Lytle EAP Partners* at 1-800-327-7272; www.lytleeap.com. Please contact the Human Resources Office for additional information.

5. Make a timely police report. Time can be a critical factor for evidence collection and preservation. As noted above, you can initiate a College-based and/or criminal complaint for the assault. You may obtain assistance from campus authorities in initiating either process. Please see Appendix B for additional information on filing a report or complaint with the College, and confidential reporting options.
6. Make a report to the College’s Civil Rights Compliance Officer/Title IX Coordinator or other responsible College employee. Please note that, unless designated by the College as a confidential reporting source, responsible College employees have an obligation to notify the College’s Civil Rights Compliance Officer/Title IX Coordinator of the incident so that necessary follow-up action can be taken by the College.
7. Make an anonymous report to the police. An anonymous report to the police notifies them that an act of sexual violence has occurred but gives no names or identification.

Prevention Education and Training Programs

CCAC endeavors to foster a safe learning and working environment for all members of the campus community. In addition to our policies, our student and employee training and educational programs both reiterate and reinforce that all forms of sexual misconduct are prohibited at the College. To this end, CCAC provides education programs for students, staff and the College community at large which promote understanding and awareness of College policies and civil rights laws, including Title VII of the Civil Rights Act, Title IX of the Education Amendments Act of 1972, the Violence Against Women Act (VAWA) and the Campus Sexual Violence Elimination Act (Campus SaVE Act). These programs include both live and online training for staff members regarding their rights and obligations under the law and college policies. CCAC provides multiple opportunities throughout the year for students and staff to participate in online prevention training and courses on topics including sexual harassment and sexual violence. Access to online training materials for faculty and staff can be obtained from the College’s Office of Human Resources. In addition to these training opportunities, employees also have continuous access to the self-paced “Creating a Culture of Consent” training course. This multi-part module series aims to further understanding on issues such as how to be a better bystander, the complexities of what is and what is not consent, and how to spot an unhealthy relationship and interpersonal violence. The program contains resources on how to support survivors and steps employees can take to create a culture of consent.

All new CCAC students are encouraged to complete an orientation program and that specifically addresses sexual violence, domestic violence, dating violence and stalking, including safety precautions and risk reduction strategies, bystander intervention, reporting options and complaint procedures, available counseling and assistance services and the College’s disciplinary system and procedures. Students are also offered a comprehensive online prevention program that provides awareness of rape, acquaintance rape, domestic violence, dating violence, sexual assault and stalking. This training course is a complete suite of sexual violence prevention designed specifically for community college students. Covered topics include

students' rights and responsibilities, consent, preventing sexual violence, dating violence, stalking, harassment and bullying, navigating partying, drugs and alcohol, and acting as allies for others in need. Pertinent information is provided on topics related to Title IX, the Clery Act, the Violence Against Women Act (VAWA) and the Campus Sexual Violence Elimination Act (Campus SAVE Act) as well. Students are informed of the self-paced trainings during their orientation program to the college, which are accessible online to all students throughout the academic year through the MyCCAC Student Portal.

Additionally, the Sexual & Interpersonal Violence Prevention and Response Course (SPARC) online self-paced training course provides students with a broader understanding of how to recognize and prevent sex and gender-based violence, bystander awareness, and helpful resources available on and off the campus for additional support. SPARC is an interactive program which educates students on policies pertaining to sexual misconduct, how to report incidents, and available resources on CCAC's campuses. While the SPARC program was designed with student-learners in mind, the course is open and accessible to all members of the college community, including employees.

The College also maintains a Title IX page on its website, which provides information regarding the recognition and prevention of acts of sexual violence, and describes the resources available to students who have been the victim of sexual violence. Survivors of dating violence, domestic violence, sexual assault, and stalking are provided with a copy of the *Sexual Violence Outreach & Awareness Guide or Surviving Domestic Violence Resource Guide*, depending on the specific need. The Title IX information can be found at: <https://www.ccac.edu/about/diversity/title-ix.php>

CCAC also engages in ongoing awareness and prevention activities which endeavor to promote awareness and discussion of issues relating to sexual violence and other forms of interpersonal abuse and violence. These programs are conducted in conjunction with the Office of Civil Rights, the Campus Offices of Student Engagement and community-based agencies. Informational workshops held on each College campus during the academic year. Additional information on programs and workshops relating to sexual violence awareness and prevention can be obtained by contacting the College's Civil Rights Compliance Officer and/or Civil Rights Investigator, the campus Deans of Students, or the campus Directors of Student Engagement.

The Executive Director of Emergency Management/Safety & Security, along with the Campus Directors of Safety & Security, provides Active Shooter Training and Workplace Violence Program for the CCAC community. These programs empower students and employees to make informed decisions in order to increase their chances of survival in the event of an active shooter or violent person. The training is offered several times throughout the year, or by request from any office, club, department, or class.

Bystander Intervention

Bystander intervention also plays an important role in helping to prevent sexual assaults and harassment. An active bystander approach helps our campus community members identify specific roles that they can take to prevent sexual violence, including stopping situations that could lead to sexual violence before it happens, stepping in during an incident, and speaking out against ideas and behaviors that support sexual violence. Some examples include:

- Speaking up when someone discusses plans to take sexual advantage of another person;

- Confronting people who seclude, hit on, try to make out with, or have sex with people who are incapacitated;
- Calling police or campus security when a person is yelling at another and it is not safe for you to interrupt;
- Refusing to leave the area and calling police if a person is trying to get you to leave so they can take advantage of another;
- Looking out for friends who may have had too much to drink or are incapacitated and seeking help if needed;
- Encouraging friends and other persons who you know or believe to be in an abusive relationship to seek professional help.

The content of the online student and employee prevention programs reinforces the importance of not putting oneself in danger. Everyone should consider their own safety when determining when and how to respond to any potentially violent situation. Depending upon the circumstances, safe and effective intervention can include actions that disrupt or speak out against social norms that perpetuate sexual violence in our culture, such as glorifying power over others, objectifying women, and promoting violent and aggressive behaviors.

It is important to remember that bystander intervention does not mean putting yourself in danger. Everyone should consider their own safety when determining when and how to respond to any potentially violent situation. Depending upon the circumstances, safe and effective intervention can include actions that disrupt or speak out against social norms that perpetuate sexual violence in our culture, such as glorifying power over others, objectifying women, and promoting violent and aggressive behaviors. Additional information on effective interventions and sexual violence prevention strategies is available at <https://www.hsdl.org/?view&did=752519>.

MEGAN'S LAW/SEX OFFENDER REGISTRATION INFORMATION

The Campus Sex Crimes Prevention Act (CSCPA) of 2000 is a federal law that provides for the tracking of convicted sex offenders enrolled at or employed by institutions of higher education. The CSCPA is an amendment to the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Act.

The federal law requires state law enforcement agencies to maintain a registry of sexual offenders. In Pennsylvania the Pennsylvania State Police maintain such a registry at the following website: <https://www.pameganslaw.state.pa.us/>. Convicted sex offenders are required to be registered on this site, as well as provide notice of each higher education institution at which they are employed or enrolled as a student. The law further requires local law enforcement to make specific notifications to institutions of higher education when certain conditions exist. In the event that CCAC receives such notice, a notification may be issued in accordance with the timely warning procedures set forth earlier in this report.

APPENDIX A

Non-Discrimination, Title IX and Equal Education and Employment Opportunity Policy

*reprinted from the Board Policy Manual, available at
<https://online.flippingbook.com/view/724027932/2/>*

SECTION	GENERAL INSTITUTION
POLICY NO.	II.01
TITLE	Non-Discrimination, Title IX and Equal Education and Employment Opportunity
APPROVAL DATE	10/02/2014
REVISION DATE(S)	6/2/2016

The College and its Board of Trustees are committed to the principle of equal opportunity in education and employment for all. The College believes that creating, supporting and sustaining a diverse community will prepare its students to be effective in the world outside of CCAC.

NON-DISCRIMINATION STATEMENT

The College does not discriminate and prohibits discrimination against any individual based upon race, color, religion, national origin, ancestry or place of birth, sex, gender identity or expression, perceived gender identity, sexual orientation, disability, use of a service animal due to disability, marital status, familial status, genetic information, veteran status, age or other classification protected by applicable law in matters of admissions, employment, services or in the educational programs or activities that it operates. Harassment that is based on any of these characteristics, whether in verbal, physical or visual form, constitutes a form of prohibited discrimination. This includes harassing conduct which affects tangible job benefits, unreasonably interferes with an individual's academic or work performance or which creates what a reasonable person would perceive to be an intimidating, hostile or offensive work or educational environment.

Employees, students, third-party vendors and guests may report conduct that is believed to be in violation of this Policy or applicable law by contacting the College's Office of Human Resources, the Title IX Coordinator/Civil Rights Compliance Officer or such other officials as may be designated in other Board policies or administratively issued regulations and procedures. The College prohibits and will not engage in retaliation against any person who in good faith reports a violation of this Policy, provides information in an investigation of a potential violation or otherwise engages in protected activity under the law.

TITLE IX NOTIFICATION

It is the further policy of the College to comply with Title IX of the Education Amendments of 1972, which prohibits discrimination based on gender or sex in the College's educational programs and activities, as well as the requirements of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act), as amended by the Campus Sexual Violence Elimination Act (SaVE Act). Conduct prohibited under Title IX, the Clery Act and the SaVE Act includes sexual harassment, sexual misconduct and acts of sexual violence, including sexual assault, domestic violence, dating violence and stalking. In furtherance of this Policy, the College will designate a Title IX Coordinator whose responsibilities will

include overseeing the College’s response to Title IX reports and complaints and identifying and addressing patterns or systemic issues revealed by such reports and complaints. With the exception of staff designated by the College to provide confidential professional counseling services to victims of such conduct, College employees are required to inform the Title IX Coordinator of incidents or suspected incidents of sex or gender discrimination, sexual harassment, or sexual violence against a student, employee, vendor or guest of which they become aware.

Questions or complaints regarding Title IX issues may be directed to the College’s Title IX Coordinator or the United States Department of Education’s Office of Civil Rights as follows:

CCAC Civil Rights Compliance Officer/Title IX Coordinator

808 Ridge Avenue
Byers Hall – Room 318
Pittsburgh, PA 15212
Telephone: 412.237.4535
Email: civilrights@ccac.edu

Office for Civil Rights

US Department of Education, Philadelphia Office

100 Penn Square East, Suite 515
Philadelphia, PA 19107-3323
Facsimile: 215.656.8605
Telephone: 215.656.8541
Customer Service Hotline #: (800) 421-3481
Email: OCR.Philadelphia@ed.gov
Web: <http://www.ed.gov/ocr>

ACCOMMODATIONS FOR INDIVIDUALS WITH DISABILITIES

The College recognizes its responsibility to provide academic and nonacademic services and programs equally to individuals with and without disabilities. To this end, the College will provide reasonable accommodations for qualified students and employees with identified disabilities consistent with the requirements of the Americans with Disabilities Act, Sections 503 and 504 of the Rehabilitation Act, and other federal, state and local laws and regulations.

The College will maintain an Office of Supportive Services at each campus location to receive, review, and evaluate requests from students who require an accommodation with respect to their educational program. The College’s Civil Rights Compliance Officer/Title IX Coordinator will have overall responsibility for coordinating disability services across all College campus locations. Contact information for these resources is as follows:

CCAC Civil Rights Compliance Officer/Title IX Coordinator

808 Ridge Avenue
Byers Hall – Room 318
Pittsburgh, PA 15212
Telephone: 412.237.4535
Email: civilrights@ccac.edu

Boyce Campus

Director, Disability Services

North Wing–Room N560
Telephone: 724.325.6604
TTY: 724.325.6733

Allegheny Campus

Director, Disability Services

Library Building–Room 114
Telephone: 412.237.4612
TTY: 412.237.4552

North Campus

Director, Disability Services

Room 1008
Telephone: 412.369.3649
TTY: 412.369.4110

South Campus

Director, Disability Services

Building B–Room 311

Telephone: 412.469.6207

TTY: 412.469.6005

The College’s Office of Human Resources is designated to receive, review and evaluate employee requests for accommodations in the workplace due to an identified disability.

DELEGATION OF AUTHORITY

The Administration shall develop, implement and maintain procedures which ensure that all aspects of the College’s operations comply with the requirements of this Policy and applicable law. This authority includes the development of procedures that provide for the prompt, fair and impartial investigation and resolution of Title IX complaints, the availability of protective measures and accommodations to individuals who report violations of Title IX, appropriate sanctions for individuals determined to have engaged in prohibited conduct and the delivery of prevention and awareness education to students, employees and other members of the College community.

The College’s Office of Human Resources and Office of Diversity, Equity & Inclusion shall be jointly responsible for developing and providing Title IX and unlawful harassment prevention and awareness training to both students and new and current employees, and for disseminating this Policy and its requirements to the College community on an annual basis.

REFERENCES

Board Policy II.02 – Unlawful Harassment

Civil Rights and Sexual Misconduct Reporting and Response Procedure

Employee Manual

Student Handbook

Student Code of Conduct

Unlawful Harassment Policy

*reprinted from the Board Policy Manual, available at
<https://online.flipperbook.com/view/724027932/2/>*

SECTION	GENERAL INSTITUTION
POLICY NO.	II.02
TITLE	UNLAWFUL HARASSMENT
APPROVAL DATE	2/19/1996
REVISION DATE(S)	6/2/2016

PURPOSE

The College is committed to providing a safe working and learning environment for all members of the College community. To that end, the unlawful harassment of employees, students and/or third parties working at or visiting the College is expressly prohibited and will not be tolerated.

Unlawful harassment consists of unwelcome conduct, whether verbal, written, physical or graphic, that is based upon an individual's race, color, religion, national origin, ancestry or place of birth, sex, gender identity or expression, perceived gender identity, sexual orientation, disability, use of a service animal due to disability, marital status, familial status, genetic information, veteran status, age or other classification protected by applicable law, and which: (1) is sufficiently severe, persistent or pervasive that it affects an individual's ability to perform job functions or creates an intimidating, threatening or hostile working or learning environment; (2) has the purpose or effect of substantially or unreasonably interfering with an individual's work or academic performance; or (3) otherwise adversely affects an individual's employment or education opportunities.

SEXUAL HARASSMENT

Sexual harassment is a form of prohibited unlawful harassment, and consists of unwelcome sexual advances, requests for sexual favors or other verbal, written, graphic or physical conduct of a sexual nature, when:

1. Submission to such conduct is either implicitly or explicitly made a term or condition of an individual's employment or education;
2. Submission to or rejection of such conduct is used as the basis for employment or educational decisions affecting that individual; or
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or educational experience or creating an intimidating, hostile or offensive work or educational environment.

Sexual harassment may take many forms, including deliberate or careless use of offensive, vulgar or demeaning terms connected with a person's gender or sexual orientation; sexually suggestive comments,

compliments, jokes, innuendos, questions or flirtations; offensive or sexually suggestive objects, graffiti, pictures, or graphic displays; sexual gestures or unwanted touching; pressuring or asking an individual for dates or sexual favors; or any other conduct that has the effect of unreasonably interfering with an individual's ability to work or learn.

Romantic Relationships

Romantic relationships in the workplace or within the educational environment also raise concerns for the College community, particularly in cases in which one party to the relationship possesses supervisory or evaluative authority over the other or may reasonably be perceived to possess such authority. Given the power differentials between the parties, such relationships carry the inherent risk that the subordinate employee or student will be determined to have lacked the ability to provide effective consent to the relationship. In addition, the existence of such relationships may raise questions regarding the academic and operational integrity of the supervisor's decisions, create actual or perceived conflicts of interest relative to the parties' interactions with fellow students and/or co-workers, and create the potential for sexual harassment and retaliation charges. In light of these concerns, and in the interest of mitigating the risks inherent to such relationships, the following requirements will apply:

- No employee shall be permitted to date or engage in a romantic or sexual relationship with an employee that s/he supervises, whether directly or indirectly.
- No employee shall be permitted to date or engage in a romantic or sexual relationship with a student that s/he supervises or evaluates, or with respect to whom s/he provides professional services or for whom s/he may have any foreseeable professional responsibility, authority or influence. Examples of prohibited relationships include but are not limited to instructor/current student, work study student/supervisor, advisor/advisee, tutor/student, coach/athlete and administrator/student.
- If employees choose to enter into a consensual dating or romantic relationship with each other and one party has supervisory responsibilities over the other, it shall be the responsibility of the senior person to report the relationship to his/her supervisor and to the Human Resources Office at the onset of the relationship. In such situations, the College may transfer one or both employees or take such other action as may be necessary to eliminate the conflict.
- If employees choose to enter into a consensual dating or romantic relationship with each other and neither party has any direct or indirect supervisory authority over the other, it shall be the responsibility of both employees to immediately report the existence of the relationship to their respective supervisor(s) and the Human Resources Office at the onset of the relationship. In the event it is determined that the relationship creates or would foreseeably create a distraction in the workplace or interfere with the productivity and efficiency of the employees in question and/or their other co-workers, the College may transfer one or both employees or take such other action as may be necessary to eliminate the disruption.
- Employees who are contemplating entering into a romantic relationship with an individual who is enrolled as a student at the College, but whom the employee does not evaluate or supervise, are required to notify their supervisor prior to entering into or commencing any relationship. The College reserves the right to transfer the employee or to take such other action as may be necessary to eliminate any potential for the employee to be in a position to supervise, evaluate, exercise authority over or otherwise influence the student or any academic, financial or employment-related decisions that may affect the student.

REPORTING VIOLATIONS

Employees, students, third-party vendors and guests may report conduct that is believed to be in violation of this Policy to the College's Office of Human Resources, the Title IX Coordinator/Civil Rights Compliance Officer, or such other officials as may be designated in other Board policies or administratively issued regulations and procedures. Employees must promptly report acts of unlawful harassment that they witness or of which they become aware. The College prohibits and will not engage in retaliation against any person who in good faith makes a report of unlawful harassment, provides information in connection with the investigation of a report or complaint of unlawful harassment, or who otherwise engages in protected activity under the law.

All complaints and reports of unlawful harassment shall be promptly investigated, and appropriate and necessary corrective action will be taken to prevent its recurrence. Confidentiality of all parties shall be maintained to the fullest extent possible under the circumstances, consistent with the College's legal and investigative obligations.

Substantiated violations of this Policy will result in disciplinary action, up to and including termination of employment or, in the case of students, expulsion from the College, in accordance with procedures and due process rights provided under applicable law, College policies and collective bargaining agreements.

DELEGATION OF AUTHORITY

The Administration shall implement and maintain regulations and procedures which ensure that all aspects of the College's operations comply with the requirements of this Policy and applicable law. This authority includes, but is not limited to, the development of procedures that provide for the prompt, fair and impartial investigation and resolution of unlawful harassment complaints; the availability of protective measures and accommodations to individuals who report violations of unlawful harassment; and the imposition of appropriate sanctions for individuals determined to have engaged in prohibited conduct.

The College's Human Resources Office and Office of Diversity, Equity & Inclusion shall be jointly responsible for developing and providing sexual and unlawful harassment prevention and awareness training to both students and new and current employees, and for disseminating this Policy and its requirements to the College community on an annual basis.

REFERENCES

Board Policy II.01 – Non-Discrimination, Title IX and Equal Education and Employment Opportunity
Board Policy II.05 – Reporting Policy Violations
Civil Rights and Sexual Misconduct Response Procedure
Employee Manual

APPENDIX B

Civil Rights and Sexual Misconduct Reporting and Response Procedure

Policy Reference(s):	II.01; II.02
Responsible Department(s):	Office of Diversity, Equity & Inclusion; General Counsel
Approval Date:	9/29/2014
Revision Date(s):	8/15/2016; 11/15/2017; 3/2/2020; 8/14/2020; 8/6/2021; 8/25/2021¹; 8/1/2024

I. CCAC NON-DISCRIMINATION POLICY

As set forth in *Board Policy II.01: Non-Discrimination, Title IX and Equal Education and Employment Opportunity* and *II.02: Unlawful Harassment*, the College does not discriminate and prohibits discrimination against any individual based upon race, color, religion, national origin, ancestry or place of birth, sex,² gender identity or expression, perceived gender identity, sexual orientation, disability, use of a service animal due to disability, pregnancy status, marital status, familial status, genetic information, veteran status, age or other classification protected by applicable law in matters of admissions, employment, services or in the educational programs or activities that it operates. Harassment that is based on any of these characteristics, whether in verbal, physical or visual form, constitutes a form of prohibited discrimination. This includes harassing conduct that affects tangible job benefits, unreasonably interferes with an individual’s academic or work performance or which creates what a reasonable person would perceive to be an intimidating, hostile or offensive work or educational environment.

It is the further policy of the College to comply with Title IX of the Education Amendments of 1972, which prohibits discrimination based on gender or sex in the College’s educational programs and activities, as well as the requirements of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crimes Statistics Act, as amended by the Violence Against Women Act (VAWA), and Article XX-J of the Pennsylvania Public School Code. As more fully described below, conduct prohibited under these laws and College policies includes Title IX/Sex-Based Harassment Offenses, acts of sexual violence, and other forms of sexual misconduct, including but not limited to sexual assault, domestic violence, dating violence and stalking.

II. SCOPE AND JURISDICTION OF PROCEDURE

The Community College of Allegheny County is committed to providing an educational and employment environment that is free from discrimination based on protected characteristics, harassment, and retaliation for engaging in protected activity. The College values and upholds the equal dignity of all members of its community and strives to balance the rights of the Parties in the Resolution Process. The College has adopted this Procedure in order to provide for the

¹ For alleged incidents of sexual harassment occurring between August 14, 2020 and August 1, 2024, the policy and procedures in place at the time of the alleged incident apply. As required by law, previous policies and procedures remain in force for incidents occurring before August 1, 2024. Applicable versions of those policies and procedures are available from the Title IX Coordinator (TIXC).

² In the College’s *Nondiscrimination Policy*, the prohibition of discrimination based upon sex is interpreted to include discrimination based upon pregnancy status and pregnancy-related conditions.

prompt, fair and impartial investigation of and response to reported incidents of Title IX/Sex- Based Harassment Offenses and other violations of the College’s policies prohibiting unlawful discrimination, harassment and retaliation on the basis of a protected class. The College will promptly, fairly, and impartially respond to all such reports in order to eliminate the misconduct, prevent its recurrence, and redress its effects on any individual or the College community.

This Procedure is available and applicable to all members of the College community, including the following:

- Students
- Employees
- Guests
- Independent Contractors/Third-Party Vendors
- Volunteers

This Procedure applies to all faculty, employees, students, and other individuals participating in or attempting to participate in the College’s program or activities, including education and employment. Therefore, any member of the College community whose acts deny, deprive, unreasonably interfere with or limit the education or employment, access, benefits, and/or opportunities of any member of the College community, guest, or visitor on the basis of that person’s actual or perceived protected characteristic(s), is in violation of this Procedure.

This Procedure is only applicable to alleged incidents that occur on or after August 1, 2024. For alleged incidents of sex discrimination or sexual harassment occurring prior to August 1, 2024, the policy and procedures in place at the time of the alleged incident apply. Applicable versions of those policies and procedures are available from the Title IX Coordinator (TIXC) and at this link:

<https://online.flippingbook.com/view/232127734/>

This Procedure prohibits all forms of discrimination on the basis of the protected characteristic(s) listed in the *Nondiscrimination Policy*. The Procedure and processes may be applied to incidents, to patterns, and/or to the institutional culture/climate, all of which may be addressed in accordance with this Procedure.

This Procedure applies to the College’s education programs and activities (defined as including locations, events, or circumstances in which the College exercises substantial control over both the Respondent and the context in which the conduct occurred), circumstances where the College has disciplinary authority, and to misconduct occurring within any building owned or controlled by a College-recognized student organization.

This may include the following:

- Conduct occurring at or on property or facilities owned or controlled by the College, including campus locations and centers, satellite and other non-campus locations, the Office of College Services, and College-owned or controlled parking lots and grounds.
- Conduct occurring on public property within or immediately adjacent to a campus location.
- Conduct occurring at activities that are sanctioned, organized or coordinated by the College, on or off campus, including but not limited to:
 - Athletic events, including travel thereto

- Clinical placements, internships and externships
- Study abroad programs³
- Virtual/remote/online College classes, programs, and events
- Off campus sites offering non-credit classes and/or programs
- Community activities
- Activities sponsored or organized by recognized student organizations
- Conduct that takes place off campus, but has the effect of limiting or denying a person’s access to College’s education program or activities.

For disciplinary action to be issued under this Procedure, the Respondent must be a College faculty member, student, or employee at the time of the alleged incident. If the Respondent is a staff member, faculty member or student and leaves the College while an investigation is pending, the Respondent will not be permitted to return to the College until the report or complaint has been resolved through this Procedure. If the Respondent is unknown or is not a member of the College community, the TIXC will offer to assist the Complainant in identifying appropriate institutional and local resources and support options, and will implement appropriate supportive measures and/or remedial actions. The College can also assist in contacting local or institutional law enforcement if the individual would like to file a police report about criminal conduct.

When a party is participating in a dual enrollment program, the College will coordinate with the party’s home institution to determine jurisdiction and coordinate providing supportive measures and responding to the complaint under the appropriate policy and procedures based on the allegations and identities of the Parties.

When the Respondent is enrolled in or employed by another educational institution, the TIXC can assist the Complainant in contacting the appropriate individual at that institution, as it may be possible to pursue action under that institution’s policies.

Similarly, the Title IX Coordinator may be able to assist and support a student or employee Complainant who experiences discrimination in an externship, study abroad program, or other environment external to the College where sexual harassment or nondiscrimination policies and procedures of the facilitating or host organization may give the Complainant recourse. If there are effects of that external conduct that impact a student or employee’s work or educational environment, those effects can often be addressed remedially by the Title IX Coordinator if brought to their attention.

III. DEFINITIONS

Definitions of the terms used in this Procedure are detailed *Appendix A - Definitions* and are incorporated herein.

IV. PROHIBITED CONDUCT

Students, staff, administrators, and faculty are entitled to an employment and educational

³ The College generally does not have jurisdiction over Title IX/Sex-Based Harassment Offenses that occur outside of the United States, or outside of the College’s educational programs or activities, but the College is obligated to use the Title IX Resolution Process when those alleged offenses have an in program effect.

environment that is free of discrimination, harassment, and retaliation. The sections below describe the specific forms of legally prohibited discrimination, harassment, and retaliation that are also prohibited under College policy. When speech or conduct is deemed to have been protected by academic freedom and/or the First Amendment, it will not be considered a violation of College policy, though supportive measures will be offered to those impacted.

All offense definitions below encompass actual and/or attempted offenses.

Any of the following offenses can be charged as or combined as pattern offenses, in which case the Notice of Investigation and Allegation (NOIA) will clearly indicate that both individual incidents and a pattern of conduct are being investigated. For the purposes of this Procedure, a pattern may be found to exist when there is a potential substantial similarity between or among incidents, where the proof of one could make it more likely that the other(s) occurred, and vice-versa. Patterns may exist based on target selection, similarity of offense, or other factors. Where a pattern is found, it can be the basis to enhance sanctions, accordingly.

Violation of any other College policies may constitute discrimination or harassment when motivated by actual or perceived protected characteristic(s), and the result is a limitation or denial of employment or educational access, benefits, or opportunities.

A. Discrimination

Discrimination is different treatment with respect to an individual's employment or participation in an education program or activity based, in whole or in part, upon the individual's actual or perceived protected characteristic. Discrimination also includes allegations of a failure to provide reasonable accommodations as required by law or policy, such as for disability, religion, or creed.

Discrimination can take two primary forms:

1) Disparate Treatment Discrimination:

- Any intentional differential treatment of a person or persons that is based on an individual's actual or perceived protected characteristic and that:
 - Excludes an individual from participation in;
 - Denies the individual benefits of; or
 - Otherwise adversely affects a term or condition of an individual's participation in a College program or activity.
- This includes, but is not limited to, bullying, endangerment, hazing, or intimidation that is based on an individual's actual or perceived protected characteristics.

Denial of reasonable accommodations for individuals with documented disabilities or pregnant students and employees will proceed as Disparate Treatment Discrimination under this Procedure. Disagreement with disability or pregnancy accommodation determinations will be resolved utilizing ***Appendix B - Accommodation Disputes & Appeals Procedure***.

2) Disparate Impact Discrimination:

- Disparate impact occurs when policies or practices that appear to be neutral unintentionally result in a disproportionate impact on a protected group or person that:
 - Excludes an individual from participation in;

- Denies the individual benefits of; or
- Otherwise adversely affects a term or condition of an individual's participation in a College program or activity.

B. Discriminatory Harassment

- unwelcome conduct on the basis of actual or perceived protected characteristic(s) that
- based on the totality of the circumstances,
- is subjectively and objectively offensive, and
- is so severe or pervasive,
- that it limits or denies a person's ability to participate in or benefit from the College's education program or activity

C. Sex-based Harassment (Title IX, Title VII, Fair Housing Act)

Sex-based Harassment is a form of sex discrimination and means sexual harassment and other harassment on the basis of sex,⁴ including sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity; sexual assault, dating violence, domestic violence, and stalking.

1) **Quid Pro Quo:**

- an employee agent, or other person authorized by the College,
- to provide an aid, benefit, or service under the College's education program or activity,
- explicitly or impliedly conditioning the provision of such aid, benefit, or service,
- on a person's participation in unwelcome sexual conduct.

2) **Hostile Environment Harassment:**

- unwelcome sex-based conduct, that
- based on the totality of the circumstances,
- is subjectively and objectively offensive, and
- is so severe or pervasive,
- that it limits or denies a person's ability to participate in or benefit from the College's education program or activity

3) **Sexual Assault:**

Any sexual act, including Rape, Sodomy, Sexual Assault with an Object, or Fondling directed against another person, without the consent of the victim, including instances where the Complainant is incapable of giving consent,⁵ also unlawful sexual intercourse.⁶

a. **Rape:**

4 Throughout this Procedure, "on the basis of sex" means conduct that is sexual in nature, or that is directed to the Complainant because of his/her/their actual or perceived sex or gender identity.

5 **Appendix A – Definitions**, incorporated by reference, provides a detailed definition of consent that the College will apply to any offenses in which consent is an element.

6 This definition of sexual assault does not constitute a chargeable offense under this Procedure. It is a description encompassing the six chargeable offenses listed below it.

- Penetration,
 - without the consent of the Complainant,
 - including instances where the Complainant is incapable of giving consent because of their age or temporary or permanent mental or physical incapacity
- b. **Sodomy**
- Oral or anal penetration
 - of the Complainant by the Respondent
 - without the consent of the Complainant,
 - including instances where the Complainant is incapable of giving consent because of their age or temporary or permanent mental or physical incapacity
- c. **Sexual Assault with an Object**
- Respondent's use of an object or instrument
 - to unlawfully penetrate, however slightly, the genital or anal opening
 - of the body of the Complainant,
 - without the consent of the Complainant,
 - including instances where the Complainant is incapable of giving consent because of their age or temporary or permanent mental or physical incapacity
- d. **Fondling:**
- The touching of the private body parts (breasts, buttocks, groin) of the Complainant by the Respondent
 - or causing the Complainant to touch the Respondent's private body parts
 - intentionally for a sexual purpose
 - without the consent of the Complainant, including instances where the Complainant is incapable of giving consent because of their age or temporary or permanent mental incapacity or physical incapacity.
- e. **Incest:**
- Nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by Pennsylvania law.
- f. **Statutory Rape:**
- Nonforcible sexual intercourse with a person who is under the statutory age of consent of the Pennsylvania.
- 4) **Dating Violence:**
- Violence⁷ committed by a Respondent,
 - who is in or has been in a social relationship of a romantic or intimate nature with the Complainant; **and**
 - where the existence of such a relationship shall be determined based on a consideration of the following factors:
 - length of the relationship
 - type of relationship
 - frequency of the interaction between the Parties involved in the relationship.

5) **Domestic Violence:**

⁷ For purposes of this Procedure, violence is defined as intentionally or recklessly causing the Complainant physical, emotional, or psychological harm. Legitimate use of violence for self-defense is not chargeable under this Procedure because the purpose is safety, not harm. Consensual use of violence, such as in kink relationships, would also not meet this definition, in most circumstances.

- Felony or misdemeanor crimes committed by a person who:
 - is a current or former spouse or intimate partner of the Complainant under the family or domestic violence laws of Pennsylvania or a person similarly situated to a spouse of the Complainant;
 - is cohabitating with, or has cohabitated with, the Complainant as a spouse or intimate partner;
 - shares a child in common with the Complainant; **or**
 - commits acts against a youth or adult Complainant who is protected from those acts under the family or domestic violence laws of Pennsylvania.

6) Stalking:

- Engaging in a course of conduct on the basis of sex, that is,
- directed at a specific person that would cause a reasonable person⁸ to:
 - fear for the person’s safety, or
 - the safety of others; or
 - suffer substantial emotional distress

For purposes of this definition, a “course of conduct” requires that there be more than one incident and the conduct must be directed at a specific person. Stalking can occur in person or using technology, and the duration, frequency, and intensity of the conduct should be considered. Stalking tactics can include, but are not limited to watching, following, using tracking devices, monitoring online activity, unwanted contact, property invasion or damage, hacking accounts, threats, violence, sabotage, and attacks. Merely annoying conduct, even if repeated, is a nuisance, but is not typically chargeable as stalking.

In the context of stalking, a Complainant is not required to obtain medical or other professional treatment and counseling is not required to show substantial emotional distress.

D. Sexual Exploitation:

- An individual taking non-consensual or abusive sexual advantage of another, that does not constitute Sex-based Harassment as defined above.
- For their own benefit or for the benefit of anyone other than the person being exploited.

Examples of Sexual Exploitation include, but are not limited to:

- Sexual voyeurism (such as observing or allowing others to observe a person undressing or using the bathroom or engaging in sexual acts, without the consent of the person being observed)
- Invasion of sexual privacy (e.g., doxxing)
- Knowingly making an unwelcome disclosure of (or threatening to disclose) an individual's sexual orientation, gender identity, or gender expression
- Taking pictures, video, or audio recording of another in a sexual act, or in any other sexually related activity when there is a reasonable expectation of privacy during the activity, without

⁸ Reasonable person is an objective standard meaning a person in the Complainant’s shoes (having similar characteristics/demographics to the Complainant).

the consent of all involved in the activity; or exceeding the boundaries of consent (such as allowing another person to hide in a closet and observe sexual activity, or disseminating sexual pictures without the photographed person's consent), including the making or posting of non-consensual pornography

- Prostituting another person
- Engaging in sexual activity with another person while knowingly infected with human immunodeficiency virus (HIV) or a sexually transmitted disease (STD) or infection (STI), without informing the other person of the virus, disease, or infection
- Causing or attempting to cause the incapacitation of another person (through alcohol, drugs, or any other means) for the purpose of compromising that person's ability to give consent to sexual activity, or for the purpose of making that person vulnerable to non-consensual sexual activity
- Misappropriation of another person's identity on apps, websites, or other venues designed for dating or sexual connections (e.g., spoofing)
- Forcing a person to take an action against that person's will by threatening to show, post, or share information, video, audio, or an image that depicts the person's nudity or sexual activity
- Knowingly soliciting a minor for sexual activity
- Engaging in sex trafficking
- Knowingly creating, possessing, or disseminating child sexual abuse images or recordings
- Creating or disseminating synthetic media, including images, videos, or audio representations of individuals doing or saying sexually-related things that never happened, or placing identifiable real people in fictitious pornographic or nude situations without their consent (i.e., Deepfakes)
- Creating or disseminating images or videos of child sexual abuse material

E. Retaliation

- Adverse action, including intimidation, threats, coercion, or discrimination,
- against any person,
- by the College, a student, employee, or a person authorized by the College to provide aid, benefit, or service under the College's education program or activity,
- for the purpose of interfering with any right or privilege secured by law or College Policy, or
- because the person has engaged in protected activity, including reporting information, making a Complaint, testifying, assisting, or participating or refusing to participate in any manner in an investigation or Resolution Process under the Civil Rights and Sexual Misconduct Reporting & Response Procedure, including an Informal Resolution Process, or in any other appropriate steps taken by the College to promptly and effectively end any sex discrimination in its education program or activity, prevent its recurrence, and remedy its effects.

The exercise of rights protected under the First Amendment does not constitute retaliation. It is also not retaliation for the College to pursue violations against those who make materially false statements in bad faith in the course of a resolution under this Procedure. However, the determination of responsibility, by itself, is not sufficient to conclude that any party has made a materially false statement in bad faith.

F. Failure to Comply/Process Interference

- Intentional failure to comply with the reasonable directives of TIXC in the performance of their official duties, including with the terms of a no contact order
- Intentional failure to comply with emergency removal or interim suspension terms
- Intentional failure to comply with sanctions
- Intentional failure to adhere to the terms of an agreement achieved through informal resolution
- Intentional failure to comply with mandated reporting duties as defined in this Procedure
- Intentional interference with the Title IX Resolution Process, including but not limited to:
 - Destruction of or concealing of evidence
 - Actual or attempted solicitation of knowingly false testimony or providing false testimony or evidence
 - Intimidating or bribing a witness or party
- Distributing or otherwise publicizing materials created or produced during an investigation or Resolution Process except as required by law or as expressly permitted by the College; or publicly disclosing a party's personally identifiable information without authorization or consent.⁹

The following sanction ranges apply for Prohibited Conduct under this Procedure.

- **Discrimination:** warning through expulsion or termination.
- **Discriminatory Harassment:** warning through expulsion or termination.
- **Quid Pro Quo Harassment:** warning through expulsion or termination.
- **Hostile Environment Harassment:** warning through expulsion or termination.
- **Rape:** suspension through expulsion or termination.
- **Fondling:** warning through suspension (termination for employees).
- **Incest:** warning through probation.
- **Statutory Rape:** warning through suspension (termination for employees).
- **Stalking:** probation through expulsion or termination.
- **Dating/Domestic Violence:** probation through expulsion or termination.
- **Sexual Exploitation:** warning through expulsion or termination.
- **Bullying:** warning through expulsion or termination.
- **Endangerment:** warning through expulsion or termination.
- **Hazing:** warning through expulsion or termination.
- **Retaliation:** warning through expulsion or termination.
- **Unauthorized Disclosure:** warning through expulsion or termination.
- **Failure to Comply/Process Interference:** warning through expulsion or termination.

Sanctions can be assigned outside of the specified ranges based on aggravating or mitigating circumstances, or the Respondent's cumulative conduct record.

⁹ Nothing in this section restricts the ability of the Parties to: obtain and present evidence, including by speaking to witnesses (as long as it does not constitute retaliation under this Procedure), consult with their family members, confidential resources, or Advisors; or otherwise prepare for or participate in the Resolution Process.

This Procedure does not apply to grade-related disputes or other complaints of an academic nature that fall within the scope of the College's Academic Complaint Procedure, with the exception of the following:

- 1) Complaints that allege that an academic decision was determined as a result of discrimination and/or harassment on the basis of actual or perceived membership in a protected class;
- 2) Complaints that allege that an individual was denied participation in an academic program or activity due to discrimination and/or harassment on the basis of actual or perceived membership in a protected class; and
- 3) Complaints that allege that discrimination and/or harassment on the basis of actual or perceived membership in a protected class affected or altered an individual's ability to perform academically.

V. FREE EXPRESSION AND ACADEMIC FREEDOM

The College is firmly committed to free expression and academic freedom and to creating and maintaining a safe, healthy, and harassment-free environment for all members of the College community. This Procedure is not meant to inhibit or prohibit educational content or discussions inside or outside of the classroom that include germane but controversial or sensitive subject matters protected by academic freedom. Conduct prohibited by this Procedure, including acts of retaliation, does not constitute protected expression nor the proper exercise of academic freedom. The College will, however, consider rights under the First Amendment and academic freedom in its investigation of reports submitted under this Procedure, to the extent that the reported misconduct or retaliation involves an individual's verbal or written statements or speech, as well as symbolic or other forms of non-verbal speech.

VI. PREGNANCY AND RELATED CONDITIONS

The College does not discriminate in its education program or activity against any applicant for admission, student, applicant for employment, or employee on the basis of current, potential, or past pregnancy or related conditions as mandated by Title IX of the Education Amendments of 1972 (Title IX). The College prohibits members of the College community from adopting or implementing any policy, practice, or procedure which treats an applicant for admission, student, applicant for employment, or employee differently on the basis of current, potential, or past parental, family, or marital status. This policy and its pregnancy-related protections apply to all pregnant persons, regardless of gender identity or expression.

A. Information Sharing Requirements

Upon a disclosure of pregnancy or related condition, any College employee should also make a referral to the TIXC. The purpose of this referral is only to ensure that students are made aware of their rights under TIXC. Such referrals may be made by email to civilrights@ccac.edu or by utilizing the [Civil Rights/Title IX Incident Report Form](#). College employees are also required to provide the student with the TIXC's contact information and communicate that this person can help take specific actions to prevent discrimination and ensure equal access to the College's education program and activity.

Upon notification of a student's pregnancy or related condition, the TIXC will contact the student and inform the student of the College's obligations to:

- Prohibit sex discrimination
- Provide reasonable modifications
- Allow a voluntary leave of absence
- Ensure lactation space availability
- Maintain a Resolution Process for alleged discrimination

- Treat pregnancy as comparable to other temporary medical conditions for medical benefit, service, plan, or policy purposes.

If applicable, the TIXC will also notify the student of the process to file a complaint for alleged discrimination, harassment, or retaliation, as applicable.

B. Reasonable Accommodations for Students

Students who are pregnant or are experiencing related conditions are entitled to Reasonable Accommodations to prevent sex discrimination and ensure equal access to the College's education program and activity. Any student seeking Reasonable Accommodations must contact the TIXC to discuss appropriate and available Reasonable Accommodations based on their individual needs. Students are encouraged to request Reasonable Accommodations as promptly as possible, although retroactive modifications may be available in some limited circumstances. Reasonable Accommodations are voluntary, and a student can accept or decline the offered Reasonable Accommodation. Not all Reasonable Accommodations are appropriate in all contexts.

Examples of Reasonable Accommodations include:

- Breaks during class to express breast milk, breastfeed, or attend to health needs associated with pregnancy or related conditions, including eating, drinking, or using the restroom
- Intermittent absences to attend medical appointments
- Access to online education
- Changes in schedule or course sequence
- Time extensions for coursework and rescheduling of tests and examinations
- Allowing a student to sit or stand, or carry or keep water nearby
- Counseling
- Changes in physical space or supplies (for example, access to a larger desk or a footrest)
- A larger uniform or other required clothing or equipment
- Other changes to policies, practices, or procedures determined by the TIXC

In situations such as clinical rotations, performances, labs, and group work, the College will work with the student to devise an alternative path to completion, if possible. In progressive curricular and/or cohort-model programs, medically necessary leaves are sufficient cause to permit the student, to the extent possible, to shift course order, substitute similar courses, or join a subsequent cohort when returning from leave. Students are encouraged to work with their faculty members and the College's support systems to devise a plan for how to best address the conditions as pregnancy progresses, anticipate the need for leaves, minimize the academic impact of their absence, and get back on track as efficiently and comfortably as possible. The TIXC will assist with plan development and implementation as needed.

Information about pregnant students' requests for modifications will be shared with faculty and staff only to the extent necessary to provide the Reasonable Accommodations. Students experiencing pregnancy-related conditions that manifest as a temporary disability under the Americans with Disabilities Act (ADA) or Section 504 of the Rehabilitation Act are eligible for reasonable accommodations just like any other student with a temporary disability. The TIXC will refer such students to the Office of Disability Resources and Services.

C. Reasonable Accommodations for Employees

Employees who are pregnant or are experiencing related conditions are entitled to Reasonable Accommodations to prevent sex discrimination and ensure equal employment opportunities and access to the College's programs and activities. Any employee wishing to request Reasonable Accommodations must contact the Office of Human Resources to discuss appropriate and available Reasonable Accommodations based on their individual needs. The Office of Human Resources will consult with the TIXC as appropriate and necessary.

D. Certification to Participate

A student may not be required to provide health care provider or other certification that the student is physically able to participate in the program or activity, unless:

- 1) The certified level of physical ability or health is necessary for participation;
- 2) The College requires such certification of all students participating; and
- 3) The information obtained is not used as a basis for pregnancy-related discrimination.

E. Lactation Space Access

The College provides students and employees with access to lactation spaces that are functional, appropriate, and safe. Such spaces are regularly cleaned, shielded from view, and free from the intrusion of others. Location and further information about lactation spaces can be found on the College's Title IX website.

F. Leave of Absence

1) Students

Students are permitted to take a voluntary leave of absence for a reasonable time as deemed medically necessary by their health care provider because of pregnancy and/or the birth, adoption, or placement of a child. The leave term may be extended in the case of extenuating circumstances or medical necessity.

To the extent possible, the College will take reasonable steps to ensure that students who take a leave of absence or medical leave return to the same position of academic progress that they were in when they took leave, including access to the same or an equivalent course catalog that was in place when the leave began.

Continuation of students' scholarship, fellowship, or similar College-sponsored funding during the leave term will depend on the students' registration status and the policies of the funding program regarding registration status. Students will not be negatively impacted by or forfeit their future eligibility for their scholarship, fellowship, or similar College-supported funding by exercising their rights under this Procedure.

2) Employees

Information on employment leave can be found by contacting the Office of Human Resources. If an employee, including a student-employee, is not eligible for leave under the employee leave procedures because they either (1) do not have enough leave time available under that procedure, or (2) have not been employed long enough to qualify for leave under that procedure, they are eligible to qualify for pregnancy or related condition leave under Title IX. Pregnancy and related conditions will be regarded as a justification for a leave of absence without pay for a reasonable period of time. Employees who take leave under Title IX must be reinstated to the status held when leave began or a comparable position without a negative effect on any employment privilege or right.

VII. ONLINE HARASSMENT AND MISCONDUCT

College policies are written and interpreted broadly to include online manifestations of any of the behaviors prohibited below, when those behaviors occur in or have an effect on the College's education program and activities, or when they involve the use of College's networks, technology, or equipment. Although the College may not control websites, social media, and other venues through which harassing communications are made, when such communications are reported to the College, it will engage in appropriate means to address and mitigate the effects. These means may include use of the Resolution Process to address off-campus conduct whose effects contribute to limiting or denying a person access to the College's education program or activity.

Nothing in this Procedure is intended to infringe upon or limit a person's right to free speech. Any online posting or other electronic communication by students, including technology-facilitated bullying, stalking, harassment, etc., occurring completely outside of the College's control (e.g., not on College networks, websites, or between College email accounts) will only be subject to this Procedure when such online conduct can be shown to cause (or will likely cause) a substantial in-program disruption or infringement on/harm to the rights of others. Otherwise, such communications are considered speech protected by the First Amendment. Supportive measures for Complainants will be provided.

Off-campus harassing speech by employees, whether online or in person, may be regulated by the College only when such speech is made in an employee's official or work-related capacity, as detailed in the *Employee Manual* or otherwise determined by the Office of Human Resources.

VIII. INCLUSION RELATED TO GENDER IDENTITY/EXPRESSION

The College strives to ensure that all individuals are safe, included, and respected in their education and employment environments, regardless of their gender identity or expression, including intersex, nonbinary, transgender, agender, two-spirit, and gender-diverse students and employees. The purpose of this Procedure is to have the College administratively address issues that some students and employees, including those identifying as intersex, transgender, agender, nonbinary, and gender-diverse, may confront as they navigate systems originally designed around the assumption that gender is binary.

Discrimination and harassment on the basis of gender identity or expression are prohibited by the College. If a member of the College community believes they have been subjected to discrimination, they should follow the appropriate reporting process described herein.

Misgendering or mispronouncing is the intentional or unintentional use of pronouns or identifiers that are different from those used by an individual. Unintentional misgendering can often be resolved with an apology. Intentional misgendering is inconsistent with the type of community we hold ourselves out to be and may constitute a violation of College policy if the effect is greater than *de minimis* harm.

Deadnaming means using someone's birth-assigned (cisgender) name, rather than the name they have chosen. Unintentional deadnaming can be addressed by an apology and an effort to use the person's chosen name. Intentional deadnaming could be a form of bullying, outing, or otherwise harassing an individual, and thus should be avoided.

This Procedure should be interpreted consistent with the goals of maximizing the inclusion of intersex, transgender, transitioning, agender, nonbinary, and gender-diverse students and employees, including:

- Maintaining the privacy of all individuals consistent with law
- Ensuring all students have equal access to educational programming, activities, and facilities, including restrooms and locker rooms
- Ensuring all employees have equal access to employment opportunities
- Providing professional development for employees and education for students on topics related to gender inclusion
- Encouraging all students and employees to respect the pronoun usage and identities of all members of the College community

When conflicts arise between the right of members of the community to be free from gender-identity discrimination and those exercising their right to religious freedom, the College will try to balance rights and interests to find mutually agreeable outcomes or compromises. When that is not possible, the College will offer remedial solutions or enforce its *Nondiscrimination Policy* while also respecting the rights of all members of its community.

IX. REPORTING

Prompt reporting of Prohibited Conduct is encouraged, because facts often become more difficult to establish as time passes. A *Report* provides notice to the College of an allegation or concern about discrimination, harassment, or retaliation and provides an opportunity for the TIXC to provide information, resources, and supportive measures. A *Complaint* provides notice to the College that the Complainant would like to initiate an investigation or other appropriate resolution procedures. A Complainant or individual may initially make a report and may decide at a later time to make a Complaint.

The College will take prompt and appropriate action in response to all reports in order to address the Prohibited Conduct, prevent its recurrence and address its effects. Any person, including a third party or witness, may report Prohibited Conduct in person, by mail, by telephone, or by e-mail to any member of the Civil Rights & Title IX Team using the contact information listed below or by any other means that results in the TIXC receiving the person's verbal or written report. Such a report may be made at any time, including during non-business hours, by using the

telephone number or e-mail address, or by mail to the office address, listed for the TIXC. Reporting carries no obligation to initiate a Complaint, and in most situations, the College is able to respect a Complainant's request to not initiate a Resolution Process. However, there may be circumstances, such as pattern behavior, allegations of severe misconduct, or a compelling threat to health and/or safety, where the College may need to initiate a Resolution Process unilaterally. If a Complainant does not wish to file a Complaint, the College will maintain the privacy of information to the extent possible. The Complainant should not fear a loss of confidentiality by reporting, as that allows the College to discuss and/or provide supportive measures.

A. Online and Anonymous Reporting

CCAC maintains an online reporting system to receive complaints of Prohibited Conduct, including reported incidents of Title IX/Sex-Based Harassment Offenses. The [Civil Rights/Title IX Incident Report Form](#) can be accessed from the Office of Diversity, Equity and Inclusion page on the College's website and from the MyCCAC portal. The Civil Rights/Title IX Incident Report Form can also be used to submit an anonymous report, with the exception of Mandated Reporting obligations outlined in subsection D below. Anonymous reporting typically limits the College's ability to fully investigate, respond, and provide remedies, depending on what information is shared. Measures intended to protect the community or redress or mitigate harm may be enacted. It also may not be possible to provide supportive measures to Complainants who are the subject of anonymous reports.

All reports electronically submitted using the Civil Rights/Title IX Incident Report Form will be sent directly to the TIXC, and access to the report will be limited to the TIXC and/or other officials expressly authorized by the College to investigate and respond to reports and complaints received under this Procedure. No individual having access to data submitted through the College's online reporting system may share or disseminate such information to any other person except to the extent authorized by this Procedure or required by law.

B. Internal Reporting Options

The College has appointed the Civil Rights & Title IX Team, comprised of the following individual(s), to coordinate the College's compliance with federal, state, and local civil rights laws and ordinances:

Alyssa R. Pietropaolo, J.D.

Civil Rights Compliance Officer

Title IX Coordinator (TIXC)/ADA 504 Coordinator

Office of Diversity, Equity & Inclusion Allegheny Campus, Byers Hall 318

808 Ridge Avenue

Pittsburgh, PA 15212

412.237.4542

apietropaolo@ccac.edu

Zachary Hodgerson, B.A. Civil Rights Investigator Deputy Title IX Coordinator

Office of Diversity, Equity, & Inclusion Allegheny Campus, Byers Hall 316

808 Ridge Avenue

Pittsburgh, PA 15212

412.237.4535

zhodgerson@ccac.edu

Collectively, these individuals are responsible for providing comprehensive nondiscrimination education and training; coordinating the College's timely, thorough, and fair response, investigation, and resolution of all alleged prohibited conduct under this Procedure; and monitoring the effectiveness of this Procedure and related processes to ensure an education and employment environment free from discrimination, harassment, and retaliation.

The College recognizes that allegations under this Procedure may include multiple forms of discrimination and harassment as well as violations of other College policies; may involve various combinations of students, employees, and other members of the College community; and may require the simultaneous attention of multiple College departments. Accordingly, all College departments will share information, combine efforts, and otherwise collaborate, to the maximum extent permitted by law and consistent with other applicable College policies, to provide uniform, consistent, efficient, and effective responses to alleged discrimination, harassment, or retaliation.

C. External Reporting Options

In addition to and/or in lieu of filing a complaint under this Procedure, a person may also file a complaint concerning Prohibited Conduct with the following governmental agencies:

US Department of Education, Office for Civil Rights (OCR)

400 Maryland Avenue, SW Washington, DC 20202-1100
Customer Service Hotline #: (800) 421-3481 | Fax: (202) 453-6012
TTY#: (800) 877-8339 | Email: OCR@ed.gov Web: <http://www.ed.gov/ocr>

Philadelphia Office, Office for Civil Rights

100 Penn Square East, Suite 515
Philadelphia, PA 19107-3323
Telephone: 215-656-8541 | Fax: 215-656-8605
TTY: 800-877-8339 | Email: OCR.Philadelphia@ed.gov

Equal Opportunity Employment Commission (EEOC)

Pittsburgh Office
William S. Moorhead Federal Building 1000 Liberty Avenue, Suite 1112
Pittsburgh, PA 15222
1-800-669-4000 | Fax: 412-395-5749
TTY: 1-800-669-6820

Pennsylvania Human Relations Commission (PHRC)

Pittsburgh Office
301 Fifth Avenue Suite 390, Piatt Place
Pittsburgh, PA 15222
(412) 565-5395
TTY: 412-565-5711
<https://www.phrc.pa.gov/Pages/default.aspx>

D. Mandatory Employee Reporting Responsibility

All College employees, including faculty, staff and administrators, are Mandated Reporters and thus required to promptly report, with some limited exceptions, any known details of actual or suspected discrimination, harassment, and/or retaliation to appropriate officials immediately. Mandated reporting is required regardless of whether the employee receives information directly or through a third party. The College is required to conduct a prompt, thorough and impartial investigation of Prohibited Conduct regardless of whether or not a Complaint is filed. Supportive measures may be offered as the result of such disclosures without formal College action.

Failure of a Mandated Reporter, as described above in this section, to report an incident of discrimination, harassment, or retaliation of which they become aware is a violation of this Procedure and can be subject to disciplinary action for failure to comply/failure to report. This also includes situations when a harasser is a Mandated Reporter. Such individuals are obligated to report their own misconduct, and failure to do so is a chargeable offense under this Procedure.

A Mandated Reporter who is themselves a target of discrimination, harassment, or other misconduct under this Procedure is not required to report their own experience, though they are, of course, encouraged to do so.

E. Privacy and Requests for Confidentiality or No Action

The College is committed to protecting the privacy of all individuals involved in an incident reported under this Procedure. Every effort will be made to protect the privacy interests of all individuals involved. This means that information related to such reports will only be shared with a limited number of individuals, including individuals who “need to know” in order to assist in the review, investigation, or resolution of the report or to deliver resources or support services. All participants in an investigation of Process A/Title IX, including Advisors and witnesses, will be informed that privacy helps enhance the integrity of the investigation and protect the privacy interests of the Parties, and will be asked to keep any information learned in an investigation meeting or hearing confidential, to the extent consistent with applicable law.

Parties and Advisors are prohibited from unauthorized disclosure of information obtained by the College through the Resolution Process, to the extent that information is the work product of the College (meaning it has been produced, compiled, or written by the College for purposes of its investigation and resolution of a Complaint). It is also a violation of College Procedure to publicly disclose work product or a party’s personally identifiable information without authorization or consent. Notwithstanding the foregoing, the College cannot guarantee absolute confidentiality with respect to reports received under this Procedure. As described in Section D above, all College employees have a duty to report incidents of which they become aware to the TIXC. If at any point a previously self-identified Reporter or Complainant requests that their name or other identifiable information be held confidential with respect to the Respondent, or decides not to pursue action by the College, the College will make all reasonable attempts to respond to the report or complaint consistent with that request.

If the Complainant does not wish to file a Complaint, the TIXC, who has ultimate discretion as to whether a Complaint is initiated, will offer supportive measures and determine whether to initiate a Complaint themselves. To make this determination, the TIXC will evaluate that request to determine if there is a serious and imminent threat to someone's safety or if the College cannot ensure equal access

without initiating a Complaint. The TIXC will consider the following non-exhaustive factors to determine whether to file a Complaint:

- The Complainant's request not to proceed with initiation of a Complaint;
- The Complainant's reasonable safety concerns regarding initiation of a Complaint;
- The risk that additional acts of discrimination would occur if a Complaint is not initiated
- The severity of the alleged discrimination, including whether the discrimination, if established, would require the removal of a Respondent from campus or imposition of another disciplinary sanction to end the discrimination and prevent its recurrence
- The age and relationship of the Parties, including whether the Respondent is a College employee;
- The scope of the alleged discrimination, including information suggesting a pattern, ongoing discrimination, or discrimination alleged to have impacted multiple individual
- The availability of evidence to assist a Decision-maker in determining whether discrimination occurred;
- Whether the College could end the alleged discrimination and prevent its recurrence without initiating its Resolution Process.

If deemed necessary, the TIXC may consult with appropriate College employees, and/or conduct an individualized safety and risk analysis to aid their determination whether to initiate a Complaint. When the TIXC initiates a Complaint, they do not become the Complainant. The Complainant is the person who experienced the alleged conduct that could constitute a violation under this Procedure. However, the College's ability to investigate and respond to the reported conduct may be limited in such a circumstance; the College's ability to remedy and respond to notice may be limited if the Complainant does not want the College to proceed with an investigation and/or formal Resolution Process, or refuses to participate in the same.

F. Community-Based Confidential Reporting Sources

To enable Complainants to access support and resources without filing a Complaint, Complainants may speak with individuals unaffiliated with the College without concern that policy will require them to disclose information to the institution without permission. The community resources listed below are available to assist individuals, on a confidential basis, who have been victims of sexual misconduct. Disclosing information to or seeking advice from one of these community-based resources does not constitute a report or complaint to the College, and will not result in a response or intervention by the College. A person consulting with a confidential resource may later decide to make a report to the College and/or law enforcement.

Allegheny Health Network Counselor

CCAC has partnered with Allegheny Health Network to make licensed and confidential therapists available to students on campus and online. In order to meet with one of the AHN therapists, please contact the CCAC Counseling Office for a referral. Please note that availability is limited, and while the AHN therapists are confidential resources, **CCAC Counselors are considered mandated reporters**, and would be obligated under this policy to make disclosures of potential policy violations to the TIX.

Pittsburgh Action Against Rape (PAAR)

81 S 19th Street Pittsburgh, PA 15203

24-hour confidential hotline: 1-866-END-RAPE (1-866-363-7273) Web: <https://paar.net/>

Women's Center and Shelter of Greater Pittsburgh

24-Hour Confidential Hotline: 412-687-8005

The College does not employ any confidential employees and all employees are considered Mandated Reporters under this Procedure. Specifically, counselors employed by the College are not considered confidential employees. However, confidential employees at partner agencies or programs, such as mental health therapists with the Chill Project or other Allegheny Health Network therapists are not considered College employees and do not fall under this Procedure as Mandated Reporters.

Additional community-based and/or confidential resources can be found in the College's [Sexual Violence Outreach & Awareness Guide](#) and the [Surviving Domestic Violence Resource Guide](#).

G. Reporting to Law Enforcement Authorities

In cases involving potential criminal misconduct, including acts of sexual misconduct and violence, the College encourages individuals to report the conduct to the law enforcement agency that has jurisdiction over the location where the incident occurred. If the conduct is reported to the College, the individual will be informed of their option to also report any potential criminal activity to the police. Members of the College Safety & Security Offices are available to assist the Complainant in contacting additional appropriate law enforcement authorities.

College action(s) or processes are not typically altered or precluded on the grounds that civil or criminal charges involving the underlying incident(s) have been filed or that criminal charges have been dismissed or reduced.

The College will generally respect a Complainant's choice whether to report an incident to local law enforcement or initiate a complaint under this Procedure, unless the College determines that there is an overriding interest with respect to the safety or welfare of the College community. However, if a report involves suspected abuse of a child (an individual under the age of 18 at the time of the incident(s) as reported), then College employees and volunteers are required to immediately and directly report the suspected abuse to Childline, either electronically at www.compass.state.pa.us/cwis or by calling 1-800-932-0313, in accordance with law and the Procedures for Mandatory Reporting of Child Abuse section of the College's *Administrative Regulations Manual*.

H. Time Limits on Reporting

There is no time limitation on reporting or providing Notice/Complaints to the TIXC. However, if the Respondent is no longer subject to the College's jurisdiction and/or significant time has passed, the ability to investigate, respond, and/or provide remedies may be more limited or impossible.

Acting on reports or complaints significantly impacted by the passage of time (including, but not limited to, the rescission or revision of this Procedure) is at the Administrator's discretion; they may document allegations for future reference, offer supportive measures and/or remedies, and/or engage in informal or formal action, as appropriate.

I. False Allegations and Evidence

Deliberately false and/or malicious accusations under this Procedure are a serious offense and will be subject to appropriate disciplinary action. This does not include allegations that are made in good faith but are ultimately shown to be erroneous or do not result in a determination of a policy violation. Additionally, witnesses and Parties who knowingly provide false evidence, tamper with or destroy evidence, or deliberately mislead an official conducting an investigation or Resolution Process can be subject to discipline under appropriate College policies.

J. Amnesty

The College community encourages the reporting of misconduct and crimes by Complainants and witnesses. Sometimes, Complainants or witnesses are hesitant to make a report to College officials or participate in Resolution Processes because they fear that they themselves may be in violation of certain policies, such as underage drinking or use of illicit drugs at the time of the incident. Respondents may hesitate to be forthcoming during the process for the same reasons.

To encourage reporting and participation in the process, the College maintains a practice of offering Parties and witnesses amnesty from minor conduct violations, such as underage alcohol consumption or the use of illicit drugs, related to the incident. Granting amnesty is a discretionary decision made by the College, and amnesty does not apply to more serious allegations, such as physical abuse of another or illicit drug distribution.

X. FEDERAL TIMELY WARNING & STATISTICAL REPORTING OBLIGATIONS

The College must issue timely warnings for reported incidents that pose a serious or continuing threat of bodily harm or danger to members of the College community. The College will make every effort to ensure that a Complainant's name and other identifying information is not disclosed, while still providing enough information for community members to make safety decisions in light of the potential danger. Additional information regarding how the College assesses and issues timely warnings and emergency notifications is set forth in the **Procedures and Criteria for Issuing Emergency Notifications, Timely Warnings and Other Alerts** section of the College's *Administrative Regulations Manual*.

In addition, certain institutional officials have a duty to report the following for federal statistical reporting purposes under the Clery Act:

1. All "primary crimes," which include criminal homicide, sexual assault, robbery, aggravated assault, burglary, motor vehicle theft, and arson
2. Hate crimes, which include any bias-motivated primary crime as well as any bias-motivated larceny or theft, simple assault, intimidation, or destruction/damage/vandalism of property
3. Violence Against Women Act (VAWA-based crimes), which include sexual assault, domestic violence, dating violence, and stalking
4. Arrests and referrals for disciplinary action for weapons law violations, liquor law violations, and drug law violations

All personally identifiable information is kept private, but statistical information regarding the type of incident and its general location (on- or off-campus or in the surrounding area, but no addresses are given) must be shared with Safety & Security for publication in the *Annual Security Report* and daily campus crime log.

XI. SUPPORTIVE MEASURES

The College will offer and implement appropriate and reasonable supportive measures to all Parties upon notice of alleged Prohibited Conduct. Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the Parties to restore or preserve access to the College's education program or activity, including measures designed to protect the safety of all Parties or the College's educational environment, and/or to deter Prohibited Conduct.

The TIXC or designee promptly makes supportive measures available to the Parties upon receiving a report or complaint. At the time that supportive measures are offered, the College will inform the Complainant, in writing, that they may file a formal complaint with the College either at that time or in the future, if they have not done so already. The TIXC will work with a party to ensure that their wishes are considered with respect to any planned and implemented supportive measures.

The College will maintain the privacy of the supportive measures, provided that privacy does not impair the College's ability to provide the supportive measures. The College will act to ensure as minimal an academic/occupational impact on the Parties as possible. The supportive measures will be implemented in a way that does not unreasonably burden the other party.

These measures may include, but are not limited to:

- Referral to Counseling/Employee Assistance Program
- Referral to community-based service providers
- Student financial aid counseling
- Education to the community or community subgroup(s)
- No Contact orders
- Altering work arrangements for employees or student-employees
- Safety planning
- Persona Non Grata (PNG)/No Trespass orders
- Timely warnings
- Providing campus safety escorts
- Implementing contact limitations (no contact orders) between the Parties
- Academic support, extensions of deadlines, or other course/program-related adjustments
- Class schedule modifications, withdrawals, or leaves of absence
- Increased security and monitoring of certain areas of the campus
- Any other actions deemed appropriate by the TIXC

Violations of no contact directives or other restrictions may be referred to appropriate student or employee conduct processes for enforcement or added as collateral misconduct allegations to an ongoing Complaint under this Procedure.

The Parties are provided with a timely opportunity to seek modification or reversal of the College's decision to provide, deny, modify, or terminate supportive measures applicable to them. A request to do so should be made in writing to the TIXC. An impartial employee other than the employee who implemented the supportive measures¹⁰ who has authority to modify or reverse the decision, will determine whether to provide, deny, modify, or terminate the supportive measures if they are inconsistent with the Title IX regulatory definition of supportive measures. College will also provide the Parties with the opportunity to seek additional modification or termination of supportive measures applicable to them if circumstances materially change. The College typically renders decisions on supportive measures within seven (7) business days of receiving a request and provides a written determination to the impacted party(ies) and the TIXC.

XII. EMERGENCY REMOVAL

The College can act to remove a Respondent entirely or partially from its education program or activities, or employment, on an emergency basis when an individualized safety and risk analysis has

determined that an immediate threat to the physical health or safety of any student or other individual justifies removal. This risk analysis is performed by the Title IX Coordinator and in conjunction with the Behavioral Intervention Team (BIT)/Care Team, Human Resources, Safety & Security, and/or other members of College leadership, as appropriate, to perform a risk analysis and make a determination based upon standard, objective threat assessment procedures. Violation of an emergency removal under this Procedure will be grounds for discipline, which may include expulsion or termination.

A. Students

Prior to an emergency removal, the College will conduct an individualized risk assessment and may remove the student if that assessment determines that an imminent and serious threat to the health or safety of a Complainant or any students, employees, or other persons arising from the allegations of sex discrimination justifies such action. Students accused of other forms of discrimination (not sex) are subject to interim suspension, which can be imposed for safety reasons.

When an emergency removal or interim suspension is imposed, wholly or partially, the affected student will be notified of the action, which will include a written rationale, and the option to challenge the emergency removal or interim suspension within two (2) business days of the notification. Upon receipt of a challenge, the TIXC will meet, either virtually or in person, with the student (and their Advisor, if desired) as soon as reasonably possible thereafter to allow them to show cause why the removal/action should not be implemented or should be modified.

This meeting is not a hearing on the merits of the allegation(s), but rather is an administrative process intended to determine solely whether the emergency removal or interim suspension is appropriate, should be modified, or lifted. When this meeting is not requested within two (2) business days, objections to the emergency removal or interim suspension will be deemed waived. A student can

10 In most cases, the Vice President and Chief Diversity, Equity, & Inclusion Officer will serve in this capacity. later request a meeting to show why they are no longer an imminent and serious threat because conditions related to imminence or seriousness have changed. A Complainant and their Advisor may be permitted to participate in this meeting if the TIXC determines it is equitable to do so.

The Respondent may provide information, including expert reports, witness statements, communications, or other documentation for consideration prior to or during the meeting. When applicable, a Complainant may provide information to the TIXC for review.

An emergency removal or interim suspension may be affirmed, modified, or lifted as a result of a requested review or as new information becomes available. The TIXC will communicate the final decision in writing, typically within three (3) business days of the review meeting.

¹⁰ In most cases, the Vice President and Chief Diversity, Equity, & Inclusion Officer will serve in this capacity.

later request a meeting to show why they are no longer an imminent and serious threat because conditions related to imminence or seriousness have changed. A Complainant and their Advisor may be permitted to participate in this meeting if the TIXC determines it is equitable to do so.

The Respondent may provide information, including expert reports, witness statements, communications, or other documentation for consideration prior to or during the meeting. When applicable, a Complainant may provide information to the TIXC for review.

An emergency removal or interim suspension may be affirmed, modified, or lifted as a result of a requested review or as new information becomes available. The TIXC will communicate the final decision in writing, typically within three (3) business days of the review meeting.

B. Employees

When the Respondent is an employee, existing provisions outlined in the *Employee Manual* for interim action are typically applicable instead of the above emergency removal process. Procedures for unionized employees can be found by contacting the Office of Human Resources.

XII. Independence and Conflicts of Interest

The TIXC manages the Civil Rights and Title IX Team and acts with independence and authority, free from bias and conflicts of interest. The TIXC oversees all resolutions under this Procedure. The members of the Resolution Pool are vetted and trained to ensure they are not biased for or against any party in a specific Complaint, or for or against Complainants and/or Respondents, generally.

To raise any concern involving bias, conflict of interest, misconduct, or discrimination by the TIXC, contact the Vice President & Chief Diversity, Equity, and Inclusion Officer. Concerns of bias, misconduct, discrimination, or a potential conflict of interest by any other Resolution Pool member should be raised with the TIXC.

XIII. Standard of Proof

The College uses the preponderance of the evidence standard of proof when determining whether a policy violation occurred under this Procedure. This means that the College will decide whether it is more likely than not, based upon the available information at the time of the decision, that the Respondent is in violation of the alleged Policy violation(s).

XIV. Revision of this Procedure

This Procedure supersedes previous policies addressing discrimination, harassment, sexual misconduct, and/or retaliation, though previous policies and procedures remain in force for Title IX/Sex-Based Harassment incidents occurring before August 1, 2024. The TIXC reviews and updates these policies and procedures regularly as needed. The College reserves the right to make changes to this document as necessary, and once those changes are posted online, they are in effect.

Complaint and Resolution Processes

1. OVERVIEW

The College will act on any report or complaint of a potential violation of the *Nondiscrimination Policy* that is received by the TIXC or any other Mandated Reporter by applying the Resolution Processes below.

The procedures below apply to all allegations of discrimination on the basis of an actual or perceived protected characteristic, harassment, retaliation, or other Prohibited Conduct as involving students, staff, administrators, faculty members, volunteers, independent contractors or third Parties. Unionized

employees are subject to the terms of their agreements/employees' rights to the extent those agreements do not conflict with federal or state compliance obligations.

Process A/Title IX will address complaints alleging Title IX/Sex-Based Harassment Offenses.

Process B/Civil Rights will address complaints alleging Discrimination, Discriminatory Harassment, Retaliation, and other Prohibited Conduct that does not otherwise fall under the Title IX regulations and are on the basis of actual or perceived membership in a protected class.

2. REPORT / COMPLAINT

Upon receipt of a report, a Complaint, or knowledge of an alleged Policy violation, the TIXC will initiate a prompt initial evaluation to determine the College's next steps. The TIXC will contact the Complainant/source of the report to offer supportive measures, provide information regarding resolution options, and determine how they wish to proceed.

3. COLLATERAL MISCONDUCT

Collateral misconduct is defined to include potential violations of other College policies not incorporated into the *Nondiscrimination Policy* or these Procedures that occur in conjunction with alleged violations of this Procedure, or that arise through the course of the investigation, for which it makes sense to provide one resolution for all charges. Thus, the collateral allegations may be charged along with potential violations under this Procedure, to be resolved jointly. In such circumstances, the TIXC may consult with College officials who typically oversee such conduct (e.g., human resources, student conduct, academic affairs) to solicit their input as needed on what charges should be filed, but the exercise of collateral charges under these procedures is within the discretion of TIXC. All other allegations of misconduct unrelated to incidents covered by this Procedure will typically be addressed separately through procedures described in the student, faculty, and staff handbooks and collective bargaining agreements.

4. INITIAL EVALUATION

The TIXC conducts an initial evaluation typically within seven (7) business days of receiving Report/Complaint/Knowledge of alleged misconduct. The initial evaluation typically includes:

- Assessing whether the reported conduct may reasonably constitute a violation of the *Nondiscrimination Policy* under these Procedures.
- If the conduct may not reasonably constitute a violation of the *Nondiscrimination Policy*, the matter is typically dismissed from this process, consistent with the dismissal provision in these procedures. It may then be referred to another process, if applicable.
- Determining whether the College has jurisdiction over the reported conduct.
- Offering and coordinating supportive measures for the Complainant.
- Offering and coordinating supportive measures for the Respondent, as applicable.
- Notifying the Complainant, or the person who reported the allegation(s), of the Resolution Processes, including a supportive and remedial response, an Informal Resolution option, or the applicable Resolution Process described below.
- Determining whether the Complainant wishes to make a Complaint.
 - If the Complainant indicates they wish to initiate a Complaint, the TIXC will help to facilitate the Complaint, which will include working with the Complainant to determine

whether the Complainant wishes to pursue a supportive and remedial response, and/or Informal Resolution, or the applicable Resolution Process described below.

- If the Complainant indicates (either verbally or in writing) that they do not want any action taken, no Resolution Process will be initiated (unless deemed necessary by the TIXC), though the Complainant can elect to initiate one later, if desired.
- Notifying the Respondent of the Resolution Processes, including a supportive and remedial response, an Informal Resolution option, or the applicable Resolution Process described below, if a Complaint is made.
- If any Party indicates (either verbally or in writing) that they want to pursue an Informal Resolution option, the TIXC will assess whether the matter is suitable for Informal Resolution and refer the matter, accordingly.

5. DISMISSAL

The College may dismiss a Complaint if, at any time during the investigation or Resolution Process, one or more of the following grounds are met:

- The College is unable to identify the Respondent after taking reasonable steps to do so
- The College no longer enrolls or employs the Respondent
- A Complainant voluntarily withdraws any or all of the allegations in the Complaint, and the TIXC declines to initiate a Complaint. A Complainant who decides to withdraw a Complaint may later request to reinstate or refile it.
- The College determines the conduct alleged in the Complaint would not constitute a policy violation, if proven

Upon any dismissal, the College will promptly send the Complainant written notification of the dismissal and the rationale for doing so. If the dismissal occurs after the Respondent has been made aware of the allegations, the College will also notify the Respondent of the dismissal.

a. Appeal of Dismissal under Title IX

For Process A/Title IX matters only, the dismissal decision is appealable by any party as follows: The Complainant may appeal a dismissal of their Complaint. The Respondent may also appeal the dismissal of the Complaint if dismissal occurs after the Respondent has been made aware of the allegations. All dismissal appeal requests must be filed within three (3) business days of the notification of the dismissal. The TIXC will notify the Parties of any appeal of the dismissal. If, however, the Complainant appeals, but the Respondent was not notified of the Complaint, the TIXC must then provide the Respondent with a Notice of Investigation and Allegations (NOIA) and will notify the Respondent of the Complainant's appeal with an opportunity to respond.

Throughout the dismissal appeal process, the College will:

- Implement dismissal appeal procedures equally for the Parties;
- Assign a trained Dismissal Appeal Officer who did not take part in an investigation of the allegations or dismissal of the Complaint;
- Provide the Parties a reasonable and equal opportunity to make a statement in support of, or challenging, the dismissal; and
- Notify the Parties of the result of the appeal and the rationale for the result.

The grounds for dismissal appeals are limited to:

- Procedural irregularity that would change the outcome;

- New evidence that would change the outcome and that was not reasonably available when the dismissal was decided;
- The TIXC, Investigator, or Decision-maker had a conflict of interest or bias for or against complainants or respondents generally or the individual Complainant or Respondent that would change the outcome.

b. Appeal of Dismissal Procedure

Upon receipt of a dismissal appeal in writing from one or more Parties, the TIXC will share the petition with the other party and provide three (3) business days for other Parties to respond to the request. The appeal should specify at least one of the grounds above and provide any reasons or supporting evidence for why the ground is met. This appeal will be provided in writing to the other Parties, and the TIXC, who will be invited to respond in writing. At the conclusion of the response period, the TIXC will forward the appeal, as well as any response provided by the other Parties to the Dismissal Appeal Officer for consideration.

The Dismissal Appeal Officer may consult with the TIXC and/or legal counsel on questions of procedure or rationale for clarification, if needed. The TIXC will maintain documentation of all such consultation.

If the Request for Appeal does not provide information that meets the grounds in this Procedure, the request will be denied by the Dismissal Appeal Officer, and the Parties, their Advisors, and the Administrator will be notified in writing of the denial and the rationale.

If any of the asserted grounds in the appeal satisfy the grounds described in this Procedure, then the Dismissal Appeal Officer will notify all Parties and their Advisors, and the TIXC, of their decision and rationale in writing. The effect will be to reinstate the Complaint.

In most cases, appeals are confined to a review of the written documentation or record of the original determination and pertinent documentation regarding the specific appeal grounds. The Dismissal Appeal Officer has seven (7) business days to review and decide on the appeal, though extensions can be granted at the discretion of the TIXC, and the Parties will be notified of any extension.

Appeal decisions are deferential to the original determination, making changes only if there is a compelling justification to do so.

6. COUNTER-COMPLAINTS

The College is obligated to ensure that the Resolution Process is not abused for retaliatory purposes. Although the College permits the filing of Counter-Complaints, the TIXC will use an initial evaluation, described above, to assess whether the allegations in the Counter-Complaint are made in good faith. When Counter-Complaints are deemed not to have been made in good faith, they will not be accepted for processing under this Procedure and may themselves be treated as prohibited retaliatory and may constitute a policy violation.

Counter-Complaints determined to have been reported in good faith will be processed using the applicable Resolution Process below. At the TIXC’s discretion, investigation of such claims may take place concurrently or after resolution of the underlying initial Complaint.

7. ADVISORS

The Parties may each have an Advisor (friend, mentor, family member, attorney, or any other individual a party chooses) present with them for all meetings, interviews, and hearings within the Resolution Process, including intake. The Parties may select whomever they wish to serve as their Advisor as long as the Advisor is eligible and available. Parties should be aware that choosing an Advisor who is also a witness in the process creates potential for bias and conflict- of-interest. A Party who chooses an

Advisor who is also a witness can anticipate that issues of potential bias will be explored by the Decision Maker.

The College maintains a pool of trained Advisors. **For Process A/Title IX matters only**, the TIXC will assign a trained Advisor to any party upon request. The College cannot guarantee equal Advisory rights, meaning that if one party selects an Advisor who is an attorney, but the other party does not, or cannot afford an attorney, the College is not obligated to provide an attorney to advise that party. The TIXC should be provided the name of any Advisor prior to any meeting, interview or hearing. A party may elect to change Advisors during the process and is not obligated to use the same Advisor throughout. Parties are expected to provide the TIXC with timely notification if they change Advisors. If a party changes Advisors, consent to share information with the previous Advisor is assumed to be terminated, and a release for the new Advisor must be submitted.

As a public entity, the College fully respects the Weingarten rights of employees, meaning that for Parties who are entitled to union representation, the College will allow them to have their union representative (if requested by the party) as well as an Advisor of their choice present for all resolution-related meetings and interviews. To uphold the principles of equity, the other party (regardless of union membership) will also be permitted to have two Advisors.

a. Advisor Role in the Resolution Process

Advisors should help the Parties to prepare for each meeting and are expected to advise ethically, with integrity, and in good faith. Advisors may not provide testimony or speak on behalf of their Advisee unless given specific permission to do so by the TIXC or designee.

The Parties are expected to ask and respond to questions on their own behalf throughout the Resolution Process. Although the Advisor generally may not speak on behalf of their Advisee, the Advisor may consult with their Advisee, either privately as needed, or by conferring during any Resolution Process meeting or interview. For longer or more involved discussions, the Parties and their Advisors should ask for breaks to allow for private consultation.

If a party requests that all communication be made through their Advisor instead of to the party, the College may refuse that request at the discretion of the TIXC and/or may agree to copy both the Party and their Advisor on all communications.

b. Advisor Expectations

The College generally expects an Advisor to adjust their schedule to allow them to attend College meetings/interviews/hearings when planned, but the College may accommodate an Advisor's inability to attend, if doing so does not cause an unreasonable delay.

All Advisors are subject to the same College policies and procedures, whether they are attorneys or not, and whether they are selected by a party or appointed by the College. Advisors are expected to advise their Advisees without disrupting proceedings.

Any Advisor who oversteps their role as defined by this Procedure, who shares information or evidence in a manner inconsistent with procedure, or who refuses to comply with the College's established rules of decorum, will be warned. If the Advisor continues to disrupt or otherwise fails to respect the limits of the Advisor role, the meeting/interview/hearing may be ended, or other appropriate measures implemented, including the College requiring the party to use a different Advisor. The TIXC will determine how to address the Advisor's non-compliance and future role.

c. Records Shared with Advisors under Process A/Title IX

For Process A/Title IX matters only, Advisors are entitled to the same opportunity as their Advisee to access relevant evidence, and/or the same written investigation report that accurately summarizes this

evidence. As such, Advisors are expected to maintain the confidentiality of the records the College shares with them. Advisors may not disclose any College work product or evidence the College obtained solely through the Resolution Process for any purpose not explicitly authorized by College. Accordingly, Advisors may be asked to sign Confidentiality Agreements. The College may decline to share materials with any Advisor who has not executed a Confidentiality Agreement. The College may restrict the role of any Advisor who does not respect the sensitive nature of the process or who fails to abide by the College's confidentiality expectations.

8. RESOLUTION OPTION OVERVIEW

The College offers three Resolution Process options under this Procedure:

- Informal Resolution
- Process A/Title IX Administrative Resolution
- Process B/Civil Rights Administrative Resolution

The Resolution Process selection considers the Parties' preferences but is ultimately determined at the TIXC's discretion. Resolution proceedings are confidential. All individuals present at any time during the Resolution Process are expected to maintain the confidentiality of the proceedings in accordance with College Policy.

9. INFORMAL RESOLUTION

To initiate Informal Resolution, a Complainant or Respondent may make such a request to the TIXC or designee at any time prior to a final determination, or the TIXC may offer the option to the Parties, in writing. The College will obtain voluntary, written confirmation that all Parties wish to resolve the matter through Informal Resolution before proceeding and will not pressure the Parties to participate in Informal Resolution.

The College offers four categories of Informal Resolution:

- Supportive Resolution.** When the TIXC can resolve the matter informally by providing supportive measures (only) designed to remedy the situation.
- Educational Conversation.** When the TIXC can resolve the matter informally by having a conversation with the Respondent to discuss the Complainant's concerns and institutional expectations or can accompany the Complainant in their desire to confront the conduct.
- Accepted Responsibility.** When the Respondent is willing to accept responsibility for violating College policy and is willing to agree to actions that will be enforced similarly to sanctions, and the Complainant(s) and College are agreeable to the resolution terms.
- Alternative Resolution.** When the Parties agree to resolve the matter through an alternative resolution mechanism (which could include, but is not limited to, mediation, shuttle negotiation, restorative practices, facilitated dialogue, etc.), as described below.

The individual facilitating an Alternative Resolution must be trained and cannot be the Investigator, Decision-maker, or Appeal Decision-maker.

It is not necessary to pursue Informal Resolution first in order to pursue an Administrative Process. Any party participating in Informal Resolution can withdraw from the Informal Resolution Process at any time and initiate or resume the Administrative Resolution Process.

The Parties may agree, as a condition of engaging in Informal Resolution, on what statements made or evidence shared during the Informal Resolution Process will not be considered in the Administrative Resolution, should Informal Resolution not be successful, unless agreed to by all Parties.

If an investigation is already underway, the TIXC has discretion to determine if an investigation will be paused, if it will be limited, or if it will continue during the Informal Resolution Process.

Before initiation of an Informal Resolution Process, the College will provide the Parties with a Notice of Allegations that explains:

- The allegations;
- The requirements of the Informal Resolution Process;
- That, prior to agreeing to a resolution, any party has the right to withdraw from the Informal Resolution Process and to initiate or resume the College's Resolution Process;
- The potential terms that may be requested or offered in an Informal Resolution agreement, including notification that an Informal Resolution agreement is binding only on the Parties;
- That the Parties' agreement to a resolution at the conclusion of the Informal Resolution Process will preclude the Parties from initiating or resuming the Resolution Process arising from the same allegations
- What information the College will maintain, and whether and how it could disclose such information for use in its Resolution Process.

a. Supportive Resolution

The TIXC will meet with the Complainant to determine which reasonable supportive measures may be available to restore or preserve the Complainant's access to the College's education program and activity. Such measures can be modified as the Complainant's needs evolve over time or circumstances change. If the Respondent has received the NOIA, the TIXC may also provide reasonable supportive measures for the Respondent as deemed appropriate. This option is available when the Complainant does not want to engage the other resolution options, and the TIXC does not initiate a Complaint.

b. Educational Conversation

The Complainant(s) may request that the TIXC address their allegations by meeting with the Respondent(s) to discuss concerning behavior and institutional policies and expectations. Such a conversation is non-disciplinary and non-punitive. Respondent(s) are not required to attend such meetings, nor are they compelled to provide any information if they attend. The conversation will be documented as the Informal Resolution for the matter, if it takes place. In light of this conversation, or the Respondent's decision not to attend, the TIXC may also implement remedial actions to ensure that policies and expectations are clear and to minimize the risk of recurrence of any behaviors that may not align with College policy.

c. Accepted Responsibility

The Respondent may accept responsibility for any or all of the alleged Policy violations at any point during the Resolution Process. If the Respondent indicates an intent to accept responsibility for all alleged Policy violations, the ongoing process will be paused, and the TIXC will determine whether Informal Resolution is an option.

If Informal Resolution is available, the TIXC will determine whether all Parties and the College are able to agree on responsibility, restrictions, sanctions, restorative measures, and/or remedies. If so, the TIXC implements the accepted finding that the Respondent is in violation of College Policy, implements agreed-upon restrictions and remedies, and determines the appropriate responses in coordination with other appropriate administrator(s), as necessary.

This resolution is not subject to appeal once all Parties indicate their written agreement to all resolution terms. When the Parties cannot agree on all terms of resolution, the Resolution Process will either continue or resume.

When a resolution is reached, the appropriate sanction(s) or responsive actions are promptly implemented to effectively stop the harassment or discrimination, prevent its recurrence, and remedy the effects of the discriminatory conduct, both on the Complainant and the community.

d. Alternative Resolution

The institution offers a variety of Alternative Resolution mechanisms to best meet the specific needs of the Parties and the nature of the allegations. Alternative Resolution may involve agreement to pursue individual or community remedies, including targeted or broad-based educational programming or training; supported direct conversation or interaction with the Respondent(s); indirect action by the TIXC or other appropriate College officials; and other forms of resolution that can be tailored to the needs of the Parties. Some Alternative Resolution mechanisms will result in an agreed-upon outcome, while others are resolved through dialogue. All Parties must consent to the use of an Alternative Resolution approach, and the Parties may, but are not required to, have direct or indirect contact during an Alternative Resolution Process.

The TIXC may consider the following factors to assess whether Alternative Resolution is appropriate, or which form of Alternative Resolution may be most successful for the Parties:

- The Parties' amenability to Alternative Resolution
- Likelihood of potential resolution, considering any power dynamics between the Parties
- The nature and severity of the alleged misconduct
- The Parties' motivation to participate
- Civility of the Parties
- Results of a violence risk assessment/ongoing risk analysis
- Respondent's disciplinary history
- Whether an emergency removal or other interim action is needed
- Skill of the Alternative Resolution facilitator with this type of Complaint
- Complaint complexity
- Emotional investment/capability of the Parties
- Rationality of the Parties
- Goals of the Parties
- Adequate resources to invest in Alternative Resolution (e.g., time, staff, etc.)

The TIXC has the authority to determine whether Alternative Resolution is available or successful, to facilitate a resolution that is acceptable to all Parties, and/or to accept the Parties' proposed resolution, usually through their Advisors, often including terms of confidentiality, release, and non-disparagement. Parties do not have the authority to stipulate restrictions or obligations for individuals or groups that are not involved in the Alternative Resolution Process. The TIXC will determine whether additional individual or community remedies are necessary to meet the College's compliance obligations in addition to the Alternative Resolution.

The Administrator maintains records of any resolution that is reached and will provide notification to the Parties of what information is maintained. Failure to abide by the resolution agreement may result in appropriate responsive/disciplinary actions (e.g., dissolution of the Agreement and resumption of the Resolution Process, referral to the conduct process for failure to comply, application of the enforcement terms of the Agreement, etc.). The results of Complaints resolved by Alternative Resolution are not appealable.

If an Informal Resolution option is not available or selected, the College will initiate or continue an investigation and subsequent Resolution Process to determine whether College policy has been violated.

10. ADMINISTRATIVE RESOLUTIONS

The College utilizes two processes to administratively resolve complaints under this Procedure. During the initial assessment stage, the TIXC will determine whether the conduct falls within Process A or Process B. Process A will be utilized for Title IX matters, and Process B will be utilized for all other complaints of discrimination and harassment based on protected class.

Sections 11 and 12 below will outline procedures for Process A/Title IX and Process B/Civil Rights Administrative Resolutions and appeals. The following subsections a-h are applicable to any Administrative Resolution Process.

a. Notice of Investigation and Allegations

Prior to an investigation, the TIXC or designee will provide the Parties with a detailed written Notice of Investigation and Allegations (NOIA). Amendments and updates to the NOIA may be made as the investigation progresses and more information becomes available regarding the addition or dismissal of various allegations. For climate/culture investigations that do not have an identifiable Respondent, the NOIA will be sent to the department/office/program head for the area/program being investigated.

The NOIA typically includes:

- A meaningful summary of all allegations
- The identity of the involved Parties (if known)
- The precise misconduct being alleged
- The date and location of the alleged incident(s) (if known)
- The specific policies/offenses implicated
- A description of, link to, or copy of the applicable procedures
- A statement that the Parties are entitled to an equal opportunity to access the relevant and not otherwise impermissible evidence
- The name(s) of the Investigator(s), along with a process to identify to the TIXC, in advance of the interview process, any conflict of interest that the Investigator(s) may have
- A statement that the College presumes the Respondent is not responsible for the reported misconduct unless and until the evidence supports a different determination
- A statement that determinations of responsibility are made at the conclusion of the process
- A statement that retaliation is prohibited
- Information about the confidentiality of the process, including that the Parties and their Advisors (if applicable) may not share College work product obtained through the Resolution Process
- A statement that the Parties may have an Advisor of their choice who may accompany them through all steps of the Resolution Process
- A statement informing the Parties that the College's Procedure prohibits knowingly making false statements, including knowingly submitting false information during the

Resolution Process

- Detail on how a party may request disability accommodations during the Resolution Process
- A link to the College's informational brochure and resources, as required under VAWA (Process A only)

An instruction to preserve any evidence that is directly related to the allegations

- A statement that Parties who are members of a union are entitled to union representation throughout the process

Notification will be made in writing and may be delivered by one or more of the following methods: in person, mailed to the local or permanent address(es) of the Parties as indicated in official College records, or emailed to the Parties' College-issued email or designated accounts. Once mailed, emailed, and/or received in person, the notification will be presumptively delivered.

b. Resolution Timeline

The College will make a good faith effort to complete the Resolution Process as promptly as circumstances permit, and will communicate regularly with the Parties to update them on the progress and timing of the process. Upon request, the Parties will receive regular updates on the progress of the Resolution Process, as well as notification and a rationale for any extensions or delays, and an estimate of how much additional time will be needed to complete the process.

Investigations are completed expeditiously, though some investigations may take longer, depending on issues such as the nature, extent, and complexity of the allegations, witness availability, law enforcement involvement, and other factors.

The College may undertake a short delay in its investigation (several days to a few weeks) if circumstances require. Such circumstances include but are not limited to a request from law enforcement to delay the investigation temporarily, the need for language assistance, the absence of Parties and/or witnesses, College breaks, and/or health conditions. The College will promptly resume its Resolution Process as soon as feasible. During such a delay, the College will implement and maintain supportive measures for the Parties as deemed appropriate.

If a party or witness chooses not to participate in the Resolution Process or becomes unresponsive, the College reserves the right to continue it without their participation to ensure a prompt resolution. Non-participatory or unresponsive Parties retain the rights outlined in this Procedure and the opportunity to participate in the Resolution Process.

c. Ensuring Impartiality

Any individual materially involved in the administration of the Resolution Process, including the TIXC, Investigator(s), and Decision-maker(s), may neither have nor demonstrate a conflict of interest or bias for a party generally, or for a specific Complainant or Respondent.

The TIXC will vet the assigned Investigator(s), Decision-maker(s), and Appeals officers for impartiality by ensuring there are no actual or apparent conflicts of interest or disqualifying biases. At any time during the Resolution Process, the Parties may raise a concern regarding bias or conflict of interest, and the TIXC will determine whether the concern is reasonable and supportable. If the source of the conflict of interest or bias is the TIXC, concerns should be raised with Vice President and Chief Diversity, Equity, and Inclusion Officer.

The Resolution Process involves an objective evaluation of all available relevant and not otherwise impermissible evidence, including evidence that supports that the Respondent engaged in a policy violation and evidence that supports that the Respondent did not engage in policy violation. Credibility determinations may not be based solely on an individual's status or participation as a Complainant, Respondent, or witness. All Parties have a full and fair opportunity, through the investigation process,

to suggest witnesses and questions, to provide evidence, and to receive a written investigation report that accurately summarizes this evidence.

d. Witness Role and Participation

Employees (not including Complainant and Respondent) are required to cooperate with and participate in the College's investigation and Resolution Process. Student witnesses and witnesses from outside the College community cannot be required to participate but are encouraged to cooperate with College investigations and to share what they know about a Complaint.

Interviews may be conducted in person, via Zoom or, in limited circumstances, by telephone. The College will take appropriate steps to ensure the security/privacy of interviews. Parties and witnesses may also provide written statements in lieu of interviews or choose to respond to written questions, if deemed appropriate by the Investigator(s), though not preferred.

e. Evidentiary Considerations

The Investigator(s) and the Decision-maker(s) will only consider evidence that is deemed relevant and not otherwise impermissible. Relevant evidence is that which may aid in determining whether the allegation occurred, or whether the behavior constitutes a violation of College policy.

Impermissible evidence is defined as evidence that relates to the Complainant's sexual interests or prior sexual conduct, unless 1) evidence about the Complainant's prior sexual conduct is offered to prove that someone other than the Respondent committed the alleged conduct, or 2) is evidence about specific incidents of the Complainant's prior sexual conduct with the Respondent that is offered to prove consent. The fact of prior consensual sexual conduct between the Complainant and Respondent does not by itself demonstrate or imply the Complainant's consent or preclude a determination that sex-based harassment occurred.

Previous disciplinary action of any kind involving the Respondent may not be considered unless there is an allegation of a pattern of misconduct. Such information may also be considered in determining an appropriate sanction upon a determination of responsibility. Barring a pattern allegation, this information is only considered at the sanction stage of the process and is not shared until then. Within the limitations stated above, the investigation and determination can consider character evidence, if offered, but that evidence is unlikely to be relevant unless it is fact evidence or relates to a pattern of conduct.

f. Respondent Admits Responsibility

At any point in the proceedings, if a Respondent elects to admit to the charged violations and waive further process, the Decision-maker is authorized to accept that admission, adopt it as their finding/final determination, and administer sanctions. This would also waive all rights to appeal for the Respondent. If the Respondent rejects the finding/final determination/sanctions, or does not admit to all conduct charged, the Resolution Process continues to its conclusion.

g. Investigations

All investigations strive to be adequate, thorough, reliable, impartial, prompt, and fair. They involve interviews with all relevant Parties and witnesses, obtaining relevant evidence, and identifying sources of expert information, among other things.

The College may consolidate Complaints against more than one Respondent, or by more than one Complainant against one or more Respondents, when the allegations arise from the same facts or circumstances or implicate a pattern, collusion, and/or other shared or similar actions.

h. Withdrawal or Resignation Before Complaint Resolution

1) Students

Should a student Respondent decide not to participate in the Resolution Process, the process proceeds absent their participation to a reasonable resolution. If a student Respondent withdraws from the College, the Resolution Process may continue, or TIXC may exercise their discretion to dismiss the Complaint. If the Complaint is dismissed, the College will still provide reasonable supportive or remedial measures as deemed necessary to address safety and/or remedy any ongoing effects of the alleged harassment, discrimination, and/or retaliation. Regardless of whether the Complaint is dismissed or pursued to completion of the Resolution Process, the College will continue to address and remedy any systemic issues or concerns that may have contributed to the alleged violation(s), and any ongoing effects of the alleged discrimination, harassment, and/or retaliation.

When a student withdraws or leaves while the process is pending, the student may not return to the College in any capacity until the Complaint is resolved and any sanctions imposed are satisfied. If the student indicates they will not return, the TIXC has discretion to dismiss the Complaint. The Registrar and appropriate offices will be notified, accordingly.

If the student Respondent takes a leave for a specified period of time (e.g., one semester or term), the Resolution Process may continue remotely. If found in violation, that student is not permitted to return to College unless and until all sanctions, if any, have been satisfied.

2) Employees

Should an employee Respondent decide not to participate in the Resolution Process, the process will proceed, absent their participation, to a resolution. In addition, the Office of Human Resources maintains authority to enforce any applicable sections of the *Employee Manual*. If an employee Respondent withdraws from the College with unresolved allegations pending, the Resolution Process may continue, or TIXC may exercise their discretion to dismiss the Complaint. If the Complaint is dismissed, the College may still provide reasonable supportive or remedial measures as deemed necessary to address safety and/or remedy any ongoing effects of the alleged discrimination, harassment, and/or retaliation.

When an employee resigns and the Complaint is dismissed, the employee may not return to the College in any capacity. The Office of Human Resource and the Registrar will be notified, accordingly, and a note will be placed in the employee's file that they resigned with allegations pending and are not eligible for academic admission or rehire with the College. The records retained by the TIXC will reflect that status.

i. Pool of Trained Administrators

The College will maintain a pool of trained administrators. Members of the Pool are trained annually, and can serve in the following roles, at the discretion of the TIXC:

- Advisor to Parties
- Informal Resolution Facilitator
- Hearing Facilitator or Panel Member
- Decision-maker for challenges to emergency removal and supportive measures
- Decision-maker
- Appeal of Dismissal Decision-maker
- Appeal Decision-maker

The TIXC appoints the Pool, which acts with independence and impartiality. Although members of the Pool are typically trained in a variety of skill sets and can rotate amongst the different roles listed above in different Complaints, the College may also designate permanent roles for individuals in the Pool.

j. Sanctions

Factors considered by the Decision-maker when determining sanctions and responsive actions may include, but are not limited to:

- The nature, severity of, and circumstances surrounding the violation(s)
- The Respondent’s disciplinary history
- The need for sanctions/responsive actions to bring an end to the discrimination, harassment, and/or retaliation
- The need for sanctions/responsive actions to prevent the future recurrence of discrimination, harassment, and/or retaliation
- The need to remedy the effects of the discrimination, harassment, and/or retaliation on the Complainant and the community
- The impact on the Parties
- Any other information deemed relevant by the Decision-maker(s)

The sanctions will be implemented as soon as it is feasible once a determination is final, either upon the outcome of any appeal or the expiration of the window to appeal, without an appeal being requested. The sanctions described in this Procedure are not exclusive of, and may be in addition to, other actions taken, or sanctions imposed, by external authorities.

1. Students Sanctions

The following are the common sanctions that may be imposed upon students singly or in combination:

- Reprimand: A formal statement that the conduct was unacceptable and a warning that further violation of any College policy, procedure, or directive will result in more severe sanctions/responsive actions.
- Educational Sanctions: A mandate to review conduct expectations, understand how behavior can contribute to a positive and beneficial College experience and learn of campus/community resources that support academic and non- academic success.

Examples may include, but are not limited to: writing a research or reflective paper, attending seminars, taking online educational activities and/or meeting with members of various College offices.

- Restrictions: A student may be restricted in their activities, including, but not limited to, being restricted from locations, programs, participation in certain activities or extracurriculars, study abroad, or from holding leadership in student organizations.
- Probation: An official sanction for violation of College policy, providing for more severe disciplinary sanctions. Terms of the probation will be articulated and may include denial of specified social privileges, exclusion from co-curricular activities, exclusion from designated areas of campus, no-contact orders, and/or other measures deemed appropriate.
- Suspension: Separation from the College, or one or more of its facilities, for a definite period of time, after which the student is eligible to return. Eligibility may be contingent upon satisfaction of specific conditions noted at the time of suspension, on successfully applying for readmission, or upon a general condition that the student is eligible to return if the institution determines it is appropriate to re-enroll/readmit the student. During a College-wide suspension, the student is banned from College property, functions, events, and activities

unless they receive prior written approval from an appropriate institutional official. This sanction may be enforced with a trespass action, as necessary.

- **Expulsion:** Permanent separation from the institution. The student is banned from College property, and the student's presence at any College-sponsored activity or event is prohibited. This action may be enforced with a trespass action, as necessary.
- **Withholding Diploma:** The College may withhold a student's diploma for a specified period of time and/or deny a student participation in commencement activities as a sanction if the student is found responsible for violating College policy.
- **Other Actions:** In addition to, or in place of, the above sanctions, the College may assign any other sanctions as deemed appropriate.

2. Employees

Responsive actions and/or disciplinary sanctions for an employee who has engaged in harassment, discrimination, and/or retaliation include:

- Verbal or Written Warning
- Performance Improvement Plan/Management Process
- Enhanced Supervision, Observation, or Review
- Required Training or Education
- Probation
- Loss of Oversight or Supervisory Responsibility
- Demotion
- Transfer
- Shift or schedule adjustments
- Reassignment
- Assignment to New Supervisor
- Restriction of Stipends, Research, and/or Professional Development Resources
- Suspension/Administrative Leave with or without pay
- Termination
- **Other Actions:** In addition to or in place of the above sanctions/responsive actions, the College may assign any other responsive actions as deemed appropriate.

Any sanctions imposed as a result of the determination are stayed (i.e., not implemented) during the appeal process, and supportive measures may be maintained or reinstated until the appeal determination is made. If any of the sanctions are to be implemented immediately post-determination, but pre-appeal, then the emergency removal procedures (detailed above) for a "show cause" meeting on the justification for doing so must be permitted within two (2) business days of implementation.

Employee Respondents that are part of a labor union maintain any rights outlined in the collective bargaining agreement.

k. Long-term Corrective Actions

Following the conclusion of the Resolution Process, and in addition to any sanctions implemented or Informal Resolution terms, the TIXC may implement additional long-term remedies or actions with respect to the Parties and/or the College community that are intended to stop the discrimination, harassment, and/or retaliation, remedy the effects, and prevent recurrence. The College will maintain the confidentiality of any long-term remedies/actions/measures, provided confidentiality does not impair the College ability to provide these services.

These remedies/actions may include, but are not limited to:

- Referral to counseling and health services
- Referral to the Employee Assistance Program
- Course and registration adjustments, such as retroactive withdrawals
- Education to the individual and/or the community
- Permanent alteration of work arrangements for employees
- Provision of campus safety escorts
- Climate surveys
- Policy modification and/or training
- Provision of transportation assistance
- Implementation of long-term contact limitations between the Parties
- Implementation of adjustments to academic deadlines, course schedules, etc.

At the discretion of the TIXC, certain long-term supportive measures may also be provided to the Parties even if no policy violation is found. When no policy violation is found, the TIXC will address any remedies the College owes the Respondent to ensure no effective denial of educational access.

1. Failure to Comply with Sanctions and/or Informal Resolution Terms

All Respondents are expected to comply with the assigned sanctions, responsive actions, corrective actions, and/or Informal Resolution terms within the timeframe specified by the final Decision-maker(s), including the Appeal Panel or Decision-maker or the Informal Resolution agreement. Supervisors are expected to enforce the completion of sanctions/responsive actions for their employees.

Failure to abide by the sanction(s)/action(s) imposed by the date specified, whether by refusal, neglect, or any other reason, may result in additional sanction(s)/action(s), including suspension, expulsion, and/or termination from the College. A suspension imposed for non-compliance with sanctions will only be lifted when compliance is achieved to the TIXC's satisfaction.

m. Recordkeeping

The College shall retain documents related to reports or Complaints received under this Procedure as required by law. The TIXC shall be primarily responsible for records related to all Complaints of Prohibited Conduct received under this Procedure in accordance with *Board Policy II.08: Records Management*.

n. Accommodations and Support During the Resolution Process

The College is committed to providing reasonable accommodations and support to qualified students, employees, or others with disabilities to ensure equal access to the College's Resolution Process. Anyone needing such accommodations or support should contact the TIXC, who will work with disability support colleagues as appropriate to review the request and, in consultation with the person requesting the accommodation, determine which accommodations are appropriate and necessary for full process participation.

The College will also address reasonable requests for support for the Parties and witnesses, including: language services/interpreters; access and training regarding use of technology throughout the Resolution Process; and other support as deemed reasonable and necessary to facilitate participation in the Resolution Process.

11. PROCESS A - TITLE IX /SEX-BASED HARASSMENT

Process A will be utilized to resolve complaints alleging Title IX/Sex-Based Harassment Offenses.

a. Investigation

Once an investigation is initiated, the TIXC appoints an Investigator(s) to conduct it. These Investigators will be trained, whether internal or external to the College community.

The Investigator(s) typically take(s) the following steps, if not already completed and not necessarily in this order:

- Determine the identity and contact information of the Complainant.
- Identify all policies implicated by the alleged misconduct and notify the Complainant and Respondent of all specific policies implicated.
- Assist the TIXC, if needed, with conducting a prompt initial evaluation to determine if the allegations indicate a potential violation of College policy.
- Work with the TIXC, as necessary, to prepare the initial Notice of Investigation and Allegations (NOIA). The NOIA may be amended with any additional or dismissed allegations.
- Commence a thorough, reliable, and impartial investigation by identifying issues and developing a strategic investigation plan, including a witness list, evidence list, intended investigation timeframe, and order of interviews for the Parties and witnesses.
- When participation of a party is expected, provide that party with written notification of the date, time, and location of the meeting, as well as the expected participants and purpose.
- Make good faith efforts to notify each party of any meeting or interview involving another party, in advance when possible.
- Interview the Complainant and the Respondent and conduct follow-up interviews with each, as necessary.
- Interview all available, relevant witnesses and conduct follow-up interviews as necessary.
- Provide each interviewed party and witness an opportunity to review and verify the Investigator's summary notes (or transcript or recording) of the relevant evidence/testimony from their respective interviews and meetings.
- Allow each party the opportunity to suggest witnesses and questions they wish the Investigator(s) to ask of another party and/or witnesses. Document in the investigation report which questions were asked, with a rationale for any changes or omissions.
- Where possible, complete the investigation promptly and without unreasonable deviation from the intended timeline.
- Provide the Parties with regular status updates throughout the investigation.
- Prior to the conclusion of the investigation, provide the Parties and their respective Advisors with a list of witnesses whose information will be used to render a finding.
- Ask the Parties to provide a list of questions they would like asked of the other party or any witnesses. The Investigator will ask those questions deemed relevant, and for any question deemed not relevant, will provide a rationale for not asking the question.

It is standard practice for Investigators to create record of all interviews pertaining to the Resolution Process (other than Informal Resolution meetings). The Parties may review copies of their own interviews, upon request. No unauthorized audio or video recording of any kind is permitted during investigation meetings. If an Investigator(s) elects to audio and/or video record interviews, all involved individuals should be made aware of audio and/or video recording.

The recording and/or transcript of those meetings will be provided to the Parties for their review, after which the Parties may pose additional questions to each other. Those subsequent meetings or interviews are also recorded and/or transcribed and shared with the Parties.

After an interview, Parties and witnesses will be asked to verify the accuracy of the recording, transcript, or summary of their interview. They may submit changes, edits, or clarifications. If the Parties or witnesses do not respond within the time period designated for verification, objections to the accuracy of the recording, transcript, or summary will be deemed to have been waived, and no changes will be permitted.

At the conclusion of the investigation, the Investigator will write a draft investigation report that gathers, assesses, and synthesizes the evidence, accurately summarizes the investigation, party and witness interviews, and provides all relevant evidence. The Investigator shall provide the Parties and their respective Advisors an electronic copy of the draft investigation report as well as an opportunity to inspect and review all relevant evidence obtained as part of the investigation for a review and comment period of ten (10) business days so that each party may meaningfully respond to the evidence. The Parties may elect to waive all or part of the review period. The Investigator may share the investigation report with the TIXC and/or legal counsel for their review and feedback.

b. Resolution Process

The TIXC will assign a Decision-maker/Hearing Panel from the Resolution Process Pool or other trained individuals either internal or external to the institution. Process A consists of a hand-off of the investigation report and all relevant evidence to the Decision-maker to make a finding and determine sanctions (if applicable). Once the Decision-maker receives and reviews the file, they can recommend dismissal to the TIXC, if they believe the grounds are met.

Matters proceeding under Process A will proceed as follows:

- The TIXC provides the Draft Investigation Report to the Decision-maker/Hearing Panel and the Parties simultaneously for review. The Decision-maker can then provide the Investigator with a list of relevant questions to ask the Parties or any witnesses.
 - To the extent credibility is in dispute and relevant to one or more of the allegations, the questions provided by the Decision-maker may also explore credibility.
- The Investigator will also ask each of the Parties to provide a proposed list of questions to ask the other Parties and any witnesses.
 - To the extent credibility is in dispute and relevant to one or more of the allegations, questions proposed by the Parties may also explore credibility.
 - All party questions must be posed during this phase of the process and cannot be posed later unless authorized by the Decision-maker.
 - The Investigator will share all party-proposed questions with the Decision-maker, who will finalize the list with the Investigator to ensure all questions are both relevant and permissible.
- The Investigator will then hold individual meetings with the Parties and witnesses to ask the questions posed by the Decision-maker, as well as the questions proposed by the Parties that have been deemed relevant and not duplicative, including questions intended to assess credibility. These meetings will be recorded and transcribed.

- For any question deemed not relevant or duplicative, the Investigator will provide a rationale for not asking the question, either during the recorded meeting, or in writing (typically as an Appendix to the report).
- Typically, within three (3) business days of the last of these meetings, the recordings or transcripts of them will be provided to the Parties for their review. The Parties will then have five (5) business days to review these recordings or transcripts and propose follow-up questions to be asked by the Investigator.
- The Investigator will review the proposed questions with the Decision-maker, to determine relevance and permissibility. If deemed necessary, the Investigator will then meet individually with the Parties or witnesses for whom there are relevant, and not duplicative, follow-up questions. These follow-up meetings will also be recorded, and the Parties will receive the recordings or transcripts of these meetings. This final round of questioning is the last such round permitted, unless leave is granted to extend, by the Decision-maker.
- The Investigator will then incorporate any new, relevant evidence and information obtained through the Parties' review of the Draft Investigation Report, the questioning, and follow-up meetings into a Final Investigation Report.
- The Investigator will also respond in writing (typically within the Final Investigation Report) to the relevant elements of the Parties' responses to the Draft Investigation Report and incorporate relevant elements of the Parties' written responses, additional relevant evidence, and any necessary revisions into the Final Investigation Report. The Investigator will then share the investigation report with the TIXC and/or legal counsel for their review and feedback.
- The Final Investigation Report and investigation file will then be provided to the TIXC.

The Parties will be updated regularly on the timing and any significant deviation from this typical timeline.

c. Determination

The TIXC will provide the Decision-maker with the Final Investigation Report (FIR) and investigation file, including the evidence and information obtained through the Investigator-led Questioning meetings.

The Decision-maker will review the FIR, all appendices, and the investigation file. If the record is incomplete, the Decision-maker may direct a re-opening of the investigation, or may direct or conduct any additional inquiry necessary, including informally meeting with the Parties or any witnesses, if needed.

Upon reviewing the relevant evidence, the Decision-maker may also choose to pose additional questions:

- To the extent credibility is in dispute and relevant to one or more of the allegations, the Decision-maker may meet individually with the Parties and witnesses to question them in order to assess their credibility. These meetings will be recorded and shared with the Parties.
- At their discretion, the Decision-maker may also meet with any party or witness to ask additional relevant questions that will aid the Decision-maker in making their findings. These meetings will be recorded and shared with the Parties.

The Decision-maker will then apply the preponderance of the evidence standard and make a determination on each of the allegations and, if applicable, any attendant sanctions.

Prior to a determination, the TIXC will also provide the Parties an opportunity to submit a written impact and/or mitigation statement. The TIXC will review these statements upon receipt to determine whether there are any immediate needs, issues, or concerns, but will otherwise hold them until after the Decision-maker has made determinations on the allegations. If there are any findings of a policy violation, the Decision-maker will request the Impact Statements from the TIXC and review them prior to determining sanctions. They will also be exchanged between the Parties at that time.

The Decision-maker's determination process typically takes approximately ten (10) business days, but this timeframe can vary. The Parties will be notified of any delays. Within ten (10) business days of the conclusion of the Resolution Process, the TIXC provides the Parties with a written outcome notification. The outcome notification will specify the finding for each alleged policy violation, any applicable sanctions that the College is permitted to share pursuant to state or federal law, and a detailed rationale, written by the Decision-maker, supporting the findings to the extent the College is permitted to share under federal or state law.

The notification will also detail the Parties' equal rights to appeal, the grounds for appeal, the steps to take to request an appeal, and when the determination is considered final if neither party appeals.

The TIXC will provide the Parties with the outcome notification simultaneously, or without significant time delay between notifications. The written outcome notification may be delivered by one or more of the following methods: in person, mailed to the local or permanent address of the Parties as indicated in official College records, or emailed to the Parties' College-issued or designated email account. Once mailed, emailed, and/or received in person, the outcome notification is presumptively delivered.

If it is later determined that a party or witness intentionally provided false or misleading information, that action could be grounds for re-opening a Resolution Process at any time, and/or referring that information to another process for resolution.

d. Appeal

The Parties' have equal rights to appeal the determination. The TIXC will designate a three- member Appeal Panel, or a single Appeal Decision-maker chosen from the Pool, or other trained internal or external individuals, to hear the appeal. No Appeal Decision-maker(s) will have been previously involved in the Resolution Process for the Complaint, including in any supportive measure or dismissal appeal that may have been heard earlier in the process. If a panel is used, a voting Chair of the Appeal Panel will be designated by the TIXC.

i. Appeal Grounds

Appeals are limited to the following grounds:

- A procedural irregularity that could change the outcome
- New evidence that could change the outcome and that was not reasonably available at the time the determination regarding responsibility or dismissal was made
- The TIXC, Investigator(s), or Decision-maker(s) had a conflict of interest or bias for or against Complainants or Respondents generally or the specific Complainant or Respondent that could change the outcome

In situations where the sanction is suspension, expulsion, or termination: Parties may additionally appeal on the grounds that the sanctions fall outside the range of sanctions designated for this offense, considering the cumulative conduct/disciplinary record of the Respondent.

ii. Request for Appeal

Any party may submit a written request for appeal (“Request for Appeal”) to the TIXC within five (5) business days of the delivery of the Notice of Outcome.

The Request for Appeal will be forwarded to the Appeal Panel or Decision-maker for consideration to determine if the request meets the grounds for appeal (a Review for Standing). This is not a review of the merits of the appeal, but solely a determination as to whether the request could reasonably be construed to meet the grounds and is timely filed.

If the Request for Appeal does not provide information that meets the grounds in this Procedure, the request will be denied and the Parties and their Advisors will be simultaneously notified in writing of the denial and the rationale. If any of the grounds in the Request for Appeal meet the grounds in this Procedure, then the Appeal Panel Chair or Decision-maker will notify all Parties and their Advisors, the TIXC, and, when appropriate, the Investigator(s) and/or the original Decision-maker.

All other Parties and their Advisors, the TIXC, and, when appropriate, the Investigator(s) and/or the Decision-maker will be provided a copy of the Request for Appeal with the approved grounds and then be given five (5) business days to submit a response to the portion of the appeal that was approved and involves them. The Appeal Panel Chair or Decision-maker will forward all responses, if any, to all Parties for review and comment.

The non-appealing party (if any) may also choose to appeal at this time. If so, that Request for Appeal will also be reviewed to determine if it meets the grounds in this policy and will either be approved or denied. If approved, it will be forwarded to the party who initially requested an appeal, the TIXC, and the Investigator(s) and/or original Decision-maker, as necessary, who will submit their responses, if any, within five (5) business days. Any such responses will be circulated for review and comment by all Parties. If denied, the Parties will be notified accordingly, in writing.

No party may submit any new Requests for Appeal after this time period. The Appeal Panel Chair or Decision-maker will collect any additional information needed and all documentation regarding the approved appeal grounds, and the subsequent responses will be shared with the Appeal Panel or Decision-maker, who will promptly render a decision.

iii. Appeal Determination Process

In most cases, appeals are confined to a review of the written documentation or record of the original determination and pertinent documentation regarding the specific appeal grounds. The Appeals Panel or Decision-maker will deliberate as soon as is practicable and discuss the merits of the appeal.

Appeal decisions are to be deferential to the original determination, making changes to the finding only when there is clear error and to the sanction(s)/responsive action(s) only if there is a compelling justification to do so. All decisions are made by majority vote and apply the preponderance of the evidence standard.

An appeal is not an opportunity for the Appeal Panel or Decision-makers to substitute their judgment for that of the original Decision-maker merely because they disagree with the finding and/or sanction(s). The Appeal Panel or Decision-maker may consult with the TIXC and/or legal counsel on questions of procedure or rationale, for clarification, if needed. The TIXC will maintain documentation of all such consultation.

iv. Appeal Outcome

An appeal may be granted or denied. Appeals that are granted should normally be remanded (or partially remanded) to the original Investigator(s) and/or Decision-maker with corrective instructions for reconsideration. In rare circumstances where an error cannot be cured by the original Investigator(s) and/or Decision-maker or the TIXC (as in cases of bias), the Appeal Panel or Decision-maker may order a new investigation and/or a new determination with new Pool members serving in the Investigator and Decision-maker roles.

A Notice of Appeal Outcome letter will be sent to all Parties simultaneously, or without significant time delay between notifications. The Appeal Outcome will specify the finding on each ground for appeal, any specific instructions for remand or reconsideration, any sanction(s) that may result which the College is permitted to share according to federal or state law, and the rationale supporting the essential findings to the extent the College is permitted to share under federal or state law.

Written notification may be delivered by one or more of the following methods: in person, mailed to the local or permanent address of the Parties as indicated in official College records, or emailed to the Parties' College-issued email or otherwise approved account. Once mailed, emailed, and/or received in person, the Appeal Outcome will be presumptively delivered.

Once an appeal is decided, the outcome is final and constitutes the Final Determination; further appeals are not permitted, even if a decision or sanction is changed on remand (except in the case of a new determination). When appeals result in no change to the finding or sanction, that decision is final. When an appeal results in a new finding or sanction, that finding or sanction can be appealed one final time on the grounds listed above and in accordance with these procedures.

If a remand results in a new determination that is different from the appealed determination, that new determination can be appealed, once, on any of the available appeal grounds.

12. PROCESS B - CIVIL RIGHTS

Process B will be utilized to address complaints alleging Discrimination, Discriminatory Harassment, Retaliation, and other Prohibited Conduct that does not otherwise fall under the Title IX regulations.

a. Investigation

Once an investigation is initiated, the TIXC appoints an Investigator(s) to conduct it. These Investigators will be properly trained, whether internal or external to the College's community. The TIXC or designee may serve as the Investigator.

For Process B investigations, the Investigator(s) typically take(s) the following steps, if not already completed and not necessarily in this order:

- Determine the identity and contact information of the Complainant.
- Identify all policies implicated by the alleged misconduct and notify the Complainant and Respondent of all specific policies implicated.
- Assist the TIXC, if needed, with conducting a prompt initial evaluation to determine if the allegations indicate a potential violation of College policy.
- Work with the TIXC, as necessary, to prepare the initial Notice of Investigation and Allegations (NOIA). The NOIA may be amended with any additional or dismissed allegations.

- Commence a thorough, reliable, and impartial investigation by identifying issues and developing a strategic investigation plan, including a witness list, evidence list, intended investigation timeframe, and order of interviews for the Parties and witnesses.
- When participation of a party is expected, provide that party with written notification of the date, time, and location of the meeting, as well as the expected participants and purpose.
- Interview the Complainant and the Respondent and conduct follow-up interviews with each, as necessary.
- Interview all available, relevant witnesses and conduct follow-up interviews as necessary.
- Allow each party the opportunity to suggest witnesses and questions they wish the Investigator(s) to ask of another party and/or witnesses.
- Where possible, complete the investigation promptly and without unreasonable deviation from the intended timeline.
- Provide the Parties with regular status updates throughout the investigation upon request.

It is standard practice for Investigators to create record of all interviews pertaining to the Resolution Process (other than Informal Resolution meetings). The Parties may review copies of their own interviews, upon request. No unauthorized audio or video recording of any kind is permitted during investigation meetings. If an Investigator(s) elects to audio and/or video record interviews, all involved individuals should be made aware of audio and/or video recording.

Good faith effort will be made to conclude the investigation within a reasonable time. If a party refuses to participate in the investigatory process, the Investigator will note that and may make any appropriate inferences therefrom.

b. Resolution Process

At the conclusion of the investigation, the Investigator will write a draft investigation report that gathers, assesses, and synthesizes the evidence, accurately summarizes the investigation, party and witness interviews, and addresses any remaining relevant evidence. Under Process B, the Investigator will then apply the preponderance of the evidence standard and make a determination on each of the allegations and, if applicable, any attendant sanctions.

c. Determination

The Investigator, serving as Decision-Maker, provides the Parties with a written outcome notification. The outcome notification will specify the finding for each alleged policy violation, any applicable sanctions that the College is permitted to share pursuant to state or federal law, and a detailed rationale, written by the Decision-maker, supporting the findings to the extent the College is permitted to share under federal or state law.

The notification will also detail the Parties' right to appeal if applicable, the grounds for appeal, the steps to take to request an appeal, and when the determination is considered final if neither party appeals.

The Investigator will provide the Parties with the outcome notification simultaneously, or without significant time delay between notifications. The written outcome notification may be delivered by one or more of the following methods: in person, mailed to the local or permanent address of the Parties as indicated in official College records, or emailed to the Parties' College-issued or designated email account. Once mailed, emailed, and/or received in person, the outcome notification is presumptively delivered. If it is later determined that a party or witness intentionally provided false or misleading

information, that action could be grounds for re-opening a Resolution Process at any time, and/or referring that information to another process for resolution.

d. Appeal

The Parties' have equal rights to appeal the determination. The TIXC will designate a three- member Appeal Panel, or a single Appeal Decision-maker chosen from the Pool, or other trained internal or external individuals, to hear the appeal. No Appeal Decision-maker(s) will have been previously involved in the Resolution Process for the Complaint, including in any supportive measure or dismissal appeal that may have been heard earlier in the process. If a panel is used, a voting Chair of the Appeal Panel will be designated by the TIXC.

i. Appeal Grounds

Appeals are limited to the following grounds:

- A procedural irregularity that could change the outcome
- New evidence that could change the outcome and that was not reasonably available at the time the determination regarding responsibility or dismissal was made
- The TIXC, Investigator(s) or any other administrator involved in the determination had a conflict of interest or bias for or against Complainants or Respondents generally or the specific Complainant or Respondent that could change the outcome

ii. Request for Appeal

Any party may submit a written request for appeal (“Request for Appeal”) to the TIXC within five (5) business days of the delivery of the Notice of Outcome.

If the Request for Appeal does not provide information that meets the grounds in this Procedure, the request will be denied and the Parties and their Advisors will be simultaneously notified in writing of the denial and the rationale.

If any of the grounds in the Request for Appeal meet the grounds in this Procedure, then the Appeal Panel Chair or Decision-maker will notify all Parties and their Advisors, the TIXC, and, when appropriate, the Investigator(s) and/or the Decision-maker.

All other Parties and their Advisors, the TIXC, and, when appropriate, the Investigator(s) and/or the Decision-maker will be provided a copy of the Request for Appeal with the approved grounds and then be given five (5) business days to submit a response to the portion of the appeal that was approved and involves them. The Appeal Panel Chair or Decision-maker will forward all responses, if any, to all Parties for review and comment.

The non-appealing party (if any) may also choose to appeal at this time. If so, that Request for Appeal will also be reviewed to determine if it meets the grounds in this Procedure and will either be approved or denied. If approved, it will be forwarded to the party who initially requested an appeal, the TIXC, and the Investigator(s) and/or original Decision-maker, as necessary, who will submit their responses, if any, within five (5) business days. Any such responses will be circulated for review and comment by all Parties. If denied, the Parties will be notified accordingly, in writing.

No party may submit any new Requests for Appeal after this time period. The Appeal Panel Chair or Decision-maker will collect any additional information needed and all documentation regarding the

approved appeal grounds, and the subsequent responses will be shared with the Appeal Panel or Decision-maker, who will promptly render a decision.

iii. Appeal Determination Process

In most cases, appeals are confined to a review of the written documentation or record of the original determination and pertinent documentation regarding the specific appeal grounds. The Appeals Panel or Decision-maker will deliberate as soon as is practicable and discuss the merits of the appeal.

Appeal decisions are to be deferential to the original determination, making changes to the finding only when there is clear error and to the sanction(s)/responsive action(s) only if there is a compelling justification to do so. All decisions are made by majority vote and apply the preponderance of the evidence standard.

An appeal is not an opportunity for the Appeal Panel or Decision-makers to substitute their judgment for that of the original Decision-maker merely because they disagree with the finding and/or sanction(s). The Appeal Panel or Decision-maker may consult with the TIXC and/or legal counsel on questions of procedure or rationale, for clarification, if needed. The TIXC will maintain documentation of all such consultation.

iv. Appeal Outcome

An appeal may be granted or denied. Appeals that are granted should normally be remanded (or partially remanded) to the original Investigator(s) and/or Decision-maker with corrective instructions for reconsideration. In rare circumstances where an error cannot be cured by the original Investigator(s) and/or Decision-maker or the TIXC (as in cases of bias), the Appeal Panel or Decision-maker may order a new investigation and/or a new determination with new Pool members serving in the Investigator and Decision-maker roles.

A Notice of Appeal Outcome letter will be sent to all Parties simultaneously, or without significant time delay between notifications. The Appeal Outcome will specify the finding on each ground for appeal, any specific instructions for remand or reconsideration, any sanction(s) that may result which the College is permitted to share according to federal or state law, and the rationale supporting the essential findings to the extent the College is permitted to share under federal or state law.

Written notification may be delivered by one or more of the following methods: in person, mailed to the local or permanent address of the Parties as indicated in official College records, or emailed to the Parties' College-issued email or otherwise approved account. Once mailed, emailed, and/or received in person, the Appeal Outcome will be presumptively delivered.

Once an appeal is decided, the outcome is final and constitutes the Final Determination; further appeals are not permitted, even if a decision or sanction is changed on remand (except in the case of a new determination). When appeals result in no change to the finding or sanction, that decision is final. When an appeal results in a new finding or sanction, that finding or sanction can be appealed one final time on the grounds listed above and in accordance with these procedures.

If a remand results in a new determination that is different from the appealed determination, that new determination can be appealed, once, on any of the available appeal grounds.

13. RETALIATION

Applicable law and College policies strictly prohibit retaliation against any person who, in good faith, reports or makes a report or Complaint under this Procedure or who testifies, assists or participates in any manner in any investigation or proceeding conducted hereunder. Any person who engages in prohibited retaliation will be subject to discipline, up to and including termination of an employee and/or expulsion of a student. Any person who feels that they are a victim of retaliation may file a report or Complaint as provided under this Procedure or contact the TIXC immediately.

14. STATEMENT OF PARTIES' RIGHTS

Under these Procedures, the Parties have the right to:

- An equitable investigation and resolution of all credible allegations of prohibited discrimination, harassment, retaliation, and Other Prohibited Behaviors, when reported in good faith to College officials.
- Timely written notice of all alleged violations, including the identity of the Parties involved (if known), the specific misconduct being alleged, the date and location of the alleged misconduct (if known), the implicated policy violation and procedures, and possible sanctions.
- Timely written notice of any material adjustments to the allegations (e.g., additional incidents or allegations, additional Complainants) by updating the Notice of Investigation and Allegation(s) (NOIA) as needed to clarify potentially implicated Policy violations.
- Be informed in advance of any College public release of information regarding the allegation(s) or underlying incident(s), whenever possible.
- Have all personally identifiable information protected from the College's release to the public without consent, except to the extent permitted by law.
- Be treated with respect by College officials.
- Have College Policy and these procedures followed without material deviation.
- Voluntarily agree to resolve allegations under this Policy through Informal Resolution without College pressure, if Informal Resolution is approved by the Title IX Coordinator.
- Not be discouraged by College officials from reporting discrimination, harassment, retaliation, and Other Prohibited Behavior to both on-campus and off-campus authorities.
- Be informed of options to notify proper law enforcement authorities, including on-campus Safety & Security, and the option(s) to be assisted by the College in notifying such authorities, if the party chooses. This also includes the right to not be pressured to report.
- Have allegations of violations of College policy responded to promptly and with sensitivity by College officials.
- Be informed of available supportive measures, such as counseling, advocacy, health care, student financial aid, visa and immigration assistance, and/or other services, both on-campus and in the community. A College-implemented no-contact order or a no-trespass order against a non-affiliated third party when a person has engaged in or threatens to engage in stalking, threatening, harassing, or other improper conduct covered by these Procedures.
- Be informed of available assistance in changing academic and/or employment situations after an alleged incident of discrimination, harassment, and/or retaliation, if such changes are reasonably available. No formal report, or investigation, either institutional or criminal, needs to occur for this option to be available. Such actions may include, but are not limited to:
 - Referral to Counseling/Employee Assistance Program

- Referral to community-based service providers
 - Student financial aid counseling
 - Education to the community or community subgroup(s)
 - Altering work arrangements for employees or student-employees
 - Safety planning
 - Perona Non Grata (PNG) orders
 - Timely warnings
 - Providing campus safety escorts
 - Implementing contact limitations (no contact orders) between the Parties
 - Academic support, extensions of deadlines, or other course/program-related adjustments
 - Class schedule modifications, withdrawals, or leaves of absence
 - Increased security and monitoring of certain areas of the campus
 - Any other actions deemed appropriate by the TIXC
- Have the College maintain supportive measures for as long as necessary and for supportive measures to remain confidential, provided confidentiality does not impair the College's ability to provide the supportive measures.
 - Receive sufficient advance written notice of any College meetings or interviews involving another party, when possible.
 - Identify and have the Investigator(s) and/or Decision-maker question relevant available witnesses, including expert witnesses.
 - Provide the Investigator(s)/Decision-maker with a list of questions that, if deemed relevant and permissible by the Investigator(s)/Decision-maker, may be asked of any party or witness.
 - Have Complainant's inadmissible sexual interests/prior sexual history or any Party's irrelevant character evidence excluded by the Decision-maker.
 - Access the relevant evidence obtained if requested and to respond to that evidence.
 - A fair opportunity to provide the Investigator(s) with their account of the alleged misconduct and have that account be on the record.
 - Regular status updates on the investigation and/or Resolution Process.
 - Have reports of alleged policy violations addressed by Resolution Process Pool members who have received relevant annual training as required by law.
 - A Decision-making panel that is not single-sex in its composition, if a panel is used.
 - Preservation of confidentiality/privacy, to the extent possible and permitted by law.
 - Meetings, interviews, and/or hearings that are closed to the public.
 - Petition that any College representative in the process be recused on the basis of disqualifying bias and/or conflict of interest.
 - Be able to select an Advisor of their choice to accompany and assist the party in all meetings and/or interviews associated with the Resolution Process.
 - Apply the appropriate standard of proof to make a Finding and Final Determination after an objective evaluation of all relevant and permissible evidence.
 - Be present, including presence via remote technology, during all testimony given and evidence presented during any hearing.
 - Be promptly informed of the Resolution Process finding(s) and sanction(s) (if any) and be given a detailed rationale of the decision (including an explanation of how credibility was assessed) in a written outcome letter delivered to the Parties simultaneously (without undue delay).
 - Be informed in writing of when a College decision is considered final and any changes to the Final Determination or sanction(s) that occur post outcome letter delivery.

- Be informed of the opportunity to appeal the Resolution Process finding(s) and sanction(s), and the procedures for doing so in accordance with the College grounds for appeal.
- For Title IX/Sex-Based Discrimination Complaints:
 - Receive a copy of all relevant and permissible evidence obtained during the investigation, subject to privacy limitations imposed by federal and state law and be given a reasonable time to review and comment on the evidence.
 - The right to receive a copy of the Final Investigation Report, including all factual, Policy, and/or credibility analyses performed, and to have at least seven business days to review the report prior to the determination.
 - Be informed of the names of all witnesses whose information will be used to make a finding, in advance of that finding, when relevant.
 - Have an impact and/or mitigation statement considered by the Decision-Maker following a determination of responsibility for any allegation, but prior to sanctioning.
- A fundamentally fair resolution as defined in these procedures.

BASED ON THE ATIXA 2024 ONE POLICY, ONE PROCEDURE (1P1P) MODEL.
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Appendix A Definitions

The following Definitions apply to the Civil Rights & Sexual Misconduct Reporting and Response Procedure.

- **Advisor.** Any person chosen by a party, or appointed by the institution, who may accompany the party to all meetings related to the Resolution Process and advise the party on that process.
- **Appeal Decision-maker.** The person or panel who accepts or rejects a submitted appeal request, determines whether any of the grounds for appeal are met, and directs responsive action(s), accordingly.
- **Bullying:** Repeated and/or severe aggressive behavior that is likely to intimidate or intentionally hurt, control, or physically or mentally diminish the Complainant, that is not speech or conduct that is otherwise protected by the First Amendment, on the basis of actual or perceived membership in a protected class.
- **Coercion.** Unreasonable pressure for sexual activity. Coercive conduct, if sufficiently severe, can render a person's consent ineffective, because it is not voluntary. When someone makes clear that they do not want to engage in sexual activity, that they want to stop, or that they do not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive. Coercion is evaluated based on the frequency, intensity, isolation, and duration of the pressure involved.
- **Complainant.** A student or employee who is alleged to have been subjected to conduct that could constitute discrimination, harassment, or retaliation under the Policy; or a person other than a student or employee who is alleged to have been subjected to conduct that could constitute discrimination or harassment or under the Policy and who was participating or attempting to participate in the College's education program or activity at the time of the alleged discrimination, harassment or retaliation.
- **Complaint.** An oral or written request to the College that can objectively be understood as a request for the College to investigate and make a determination about the alleged Policy violation(s).
- **Consent.** Knowing, and voluntary, and clear permission by word or action to engage in sexual activity. Individuals may perceive and experience the same interaction in different ways. Therefore, it is the responsibility of each party to determine that the other has consented before engaging in the activity. If consent is not clearly provided prior to engaging in the activity, consent may be ratified by word or action at some point during the interaction or thereafter, but clear communication from the outset is strongly encouraged.
 - For consent to be valid, there must be a clear expression in words or actions that the other individual consented to that specific sexual conduct. Consent is evaluated from the perspective of what a reasonable person would conclude are mutually understandable words or actions. Reasonable reciprocation can establish consent. For example, if someone kisses you, you can kiss them back (if you want to) without the need to explicitly obtain their consent to be kissed back.
 - Consent can also be withdrawn once given, as long as the withdrawal is reasonably and clearly communicated. If consent is withdrawn, sexual activity should cease within a reasonably immediate time.
 - Silence or the absence of resistance alone should not be interpreted as consent. Consent is not demonstrated by the absence of resistance. While resistance is not required or necessary, it is a clear demonstration of non-consent.
 - Consent to some sexual contact (such as kissing or fondling) cannot be assumed to be consent for other sexual activity (such as intercourse). A current or previous intimate relationship is not sufficient to constitute consent. If an individual expresses conditions on their willingness to consent (e.g., use of

a condom) or limitations on the scope of their consent, those conditions and limitations must be respected. If a sexual partner shares the clear expectation for the use of a condom, or to avoid internal ejaculation, and those expectations are not honored, the failure to use a condom, removing a condom, or internal ejaculation can be considered acts of sexual assault.

- Proof of consent or non-consent is not a burden placed on either party involved in a Complaint. Instead, the burden remains on the Recipient to determine whether its Policy has been violated. The existence of consent is based on the totality of the circumstances evaluated from the perspective of a reasonable person in the same or similar circumstances, including the context in which the alleged misconduct occurred and any similar and previous patterns that may be evidenced.
- Going beyond the boundaries of consent is prohibited. Thus, unless a sexual partner has consented to slapping, hitting, hair pulling, strangulation, or other physical roughness during otherwise consensual sex, those acts may constitute dating violence or sexual assault.
- **Decision-maker.** The person or panel who hears evidence, determines relevance, and makes the Final Determination of whether College policy has been violated and/or assigns sanctions.
- **Education Program or Activity.** Locations, events, or circumstances where the College exercises substantial control over the context in which the discrimination, harassment, and/or retaliation occurs and also includes any building owned or controlled by a student organization that the College officially recognizes.
- **Employee.** A person employed by Recipient either full- or part-time, including student employees when acting within the scope of their employment.
- **Final Determination.** A conclusion by the standard of proof that the alleged conduct did or did not violate College policy.
- **Finding.** A conclusion by the standard of proof that the conduct did or did not occur as alleged (as in a “finding of fact”).
- **Force.** The use of physical violence and/or physical imposition to gain sexual access. Sexual activity that is forced is, by definition, non-consensual, but non-consensual sexual activity is not necessarily forced. Force is conduct that, if sufficiently severe, can negate consent. Force also includes threats, intimidation (implied threats), and coercion that is intended to overcome resistance or produce consent (e.g., “Have sex with me or I’ll hit you,” which elicits the response, “Okay, don’t hit me. I’ll do what you want.”).
- **Hazing.** Any act or action which does or is likely to endanger the mental or physical health or safety of any individual as it relates to an individual’s initiation, admission into, or affiliation with any College group or organization, and is based on actual or perceived membership in a protected class.
- **Incapacitation.** A state where a person is incapable of giving consent. An incapacitated person cannot make rational, reasonable decisions because they lack the capacity to give knowing/informed consent (e.g., to understand the “who, what, when, where, why, and how” of their sexual interaction). A person cannot consent if they are unable to understand what is happening or are disoriented, helpless, asleep, or unconscious for any reason, including because of alcohol or other drug consumption.
 - This Procedure also covers a person whose incapacity results from a temporary or permanent physical or mental health condition, involuntary physical restraint, and/or the consumption of incapacitating substances

- Incapacitation is determined through consideration of all relevant indicators of a person’s state and is not synonymous with intoxication, impairment, blackout, and/or being drunk.
- If the Respondent neither knew nor should have known the Complainant to be physically or mentally incapacitated, the Respondent is not in violation of this Policy. “Should have known” is an objective, reasonable person standard that assumes that a reasonable person is both sober and exercising sound judgment.
- **Informal Resolution.** A resolution agreed to by the Parties and approved by the Title IX Coordinator that occurs prior to a Final Determination in the Resolution Process.
- **Intimidation.** Implied threats or acts that cause another person a reasonable fear of harm.
- **Investigator.** The person(s) authorized by College to gather facts about an alleged violation of the Nondiscrimination Policy, assess relevance and credibility, synthesize the evidence, and compile this information into an Investigation Report. Under Process B, the Investigator also serves as the Decision-Maker.
- **Knowledge.** When College receives a report or Notice of conduct that reasonably may constitute harassment, discrimination, or retaliation in its Education Program or Activity.
- **Mandated Reporter.** A College employee who is obligated by College policy to share Knowledge, Notice, and/or reports of discrimination, harassment, and/or retaliation with the Title IX Coordinator.¹¹ All CCAC employees are Mandated Reporters under Title IX.
- **Notice.** When an employee, student, or third party informs the Title IX Coordinator of the alleged occurrence of discriminatory, harassing, and/or retaliatory conduct.
- **Parties.** The Complainant(s) and Respondent(s), collectively.
- **Pregnancy or Related Conditions.** Pregnancy, childbirth, termination of pregnancy, or lactation, medical conditions related thereto, or recovery therefrom.
- **Process A.** The Administrative Resolution Process utilized to address complaints alleging Title IX/Sex-Based Harassment Offenses.
- **Process B.** The Administrative Resolution Process utilized to address complaints alleging Discrimination, Discriminatory Harassment, Retaliation, and other Prohibited Conduct that does not otherwise fall under the Title IX regulations.
- **Prohibited Conduct.** Conduct and offenses outlined in Section IV of the Civil Rights & Sexual Misconduct Reporting & Response Procedure.
- **Protected Characteristic/ Class.** Any characteristic for which a person is afforded protection against discrimination and harassment by law or the College Nondiscrimination Policy.
- **Reasonable Accommodation(s).**
 - Students: approved modification(s) of programs, appropriate academic adjustments, or auxiliary aids that enable students to participate in and benefit from all educational programs and activities, unless to do so would cause undue hardship.

- Employees: any modification or adjustment to a job requirement or the work environment that will enable a qualified applicant or employee with a disability to participate in the application process or to perform essential job functions, unless to do so would cause undue hardship.
- **Relevant Evidence.** Evidence that may aid a Decision-maker in determining whether the alleged discrimination, harassment, or retaliation occurred, or in determining the credibility of the Parties or witnesses.
- **Remedies.** Typically, post-resolution actions directed to the Complainant and/or the community as mechanisms to address safety, prevent recurrence, and restore or preserve equal access to the College’s Education Program and Activity.
- **Resolution Process.** The investigation and resolution of allegations of Prohibited Conduct under this Procedure, including Informal Resolution and Administrative Resolutions under Process A and Process B.
- **Respondent.** A person who is alleged to have engaged in conduct that could constitute discrimination based on a protected characteristic, harassment, or retaliation for engaging in a protected activity under this Procedure.
- **Sanction.** A consequence imposed on a Respondent who is found to have violated this Procedure.
- **Sex.** Sex assigned at birth, sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity.
- **Student.** Any person who has gained admission.
- **Supportive Measures.** Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the parties to restore or preserve access to the College’s education program or activity, including measures designed to protect the safety of all parties or the College’s educational environment, and/or to deter Prohibited Conduct.
- **Title IX Coordinator.** The person with primary responsibility for overseeing and enforcing the College’s Nondiscrimination Policy under this Procedure. The term Title IX Coordinator or “TIXC” also includes their designee(s).

11 Not to be confused with those mandated by state law to report child abuse, elder abuse, and/or abuse of persons with disabilities to appropriate officials, though these responsibilities may overlap with those who have mandated reporting responsibility under this Policy.

Community College of Allegheny County

CCAC CIVIL RIGHTS VIOLATION COMPLAINT FORM

If you believe that you have been the victim of discrimination and/or harassment based on a protected classification, such as race/ethnicity, gender/sex, age, and or disability status, you may file a formal complaint by completing this complaint form.

The College may be obligated to investigate even without your formal, written complaint.

Date of Complaint: _____

Name (Complainant): _____ ID# _____

Contact Information: _____

Check One: Employee____ Student____ 3rd Party Vendor____ Guest/Visitor____

If you are not the victim, please include their name(s) _____

Is victim an employee, student, authorized volunteer, or guest/visitor?

Check One: Employee____ Student____ 3rd Party Vendor____ Guest/Visitor____

Name(s) of who you believe committed the alleged act(s) (Respondent):

Is person an employee, student, authorized volunteer, or guest/visitor?

Check One: Employee____ Student____ 3rd Party Vendor____ Guest/Visitor____

Please describe the alleged incident(s), and when and where it occurred. Also, please attach any supporting documentation and evidence. If more space is necessary, please continue your comments on the back of this form, or on a separate sheet of paper.

Community College of Allegheny County

Identify all individuals with knowledge of the conduct about which you are complaining:

Acknowledgement:

I, _____, am willing to cooperate fully in the investigation of my complaint and will provide all information in my possession, custody or control which the College may reasonably request in connection with its investigation. I affirm that the information I am providing is true and correct to the best of my knowledge. I understand that my statements and the information that I am providing may be attributed to me and could be included in any investigation reports that are prepared. I also understand that this investigation is confidential and for me to disclose any information that I have obtained during the course of this investigation could interfere with the investigation. I also understand that if I do not fully cooperate, decisions will be made based on the best information available to the College.

Signature _____

Date _____

Witness _____ Date _____