



**READING AREA COMMUNITY COLLEGE
ANNUAL SECURITY AND FIRE SAFETY REPORT**

**For the 2024-25 Academic Year. Containing
Crime Statistics for 2023, 2022, and 2021.**

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Reading Area Community College Annual Security Report for 2024-2025

I. INTRODUCTION

The Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act (CLERY Act) and its amendments is a federal law that requires institutions of higher learning that receive Title IV funding to publish a report annually. This report outlines policies related to campus security and emergency response, and discloses crime prevalence statistics for crimes reported to the institution's Safety and Security Department and other campus authorities designated as Campus Security Authorities (CSAs). The reported statistics must cover the most recent 3-year period and include those crimes occurring on any campus, any public property immediately adjacent and accessible to a campus, and any non-campus buildings or property owned or controlled by the institution. Reading Area Community College (RACC) publishes the report annually and complies with the CLERY Act and its amendments.

Crime data is collected from Safety and Security Department reports and records, student judicial and Care Team records, Campus Security Authority (CSA) disclosures, and data received from local or state police agencies in the campus or non-campus location jurisdiction.

If you feel that RACC has failed to comply with the requirements of these acts, please file a complaint with:

Director of Facilities/Safety and Security
10 South Second Street
Berks Hall, Room 152
Reading, PA 19603
Telephone: 610-607-6240

If, after submitting a complaint with the above, you do not feel your complaint has been resolved; you may contact the Pennsylvania Office of Attorney General, which will investigate the alleged violation. Contact information for the Office of Attorney General is available upon request.

II. RACC SAFETY AND SECURITY DEPARTMENT

A. Role, Authority, Training

RACC's Safety and Security Department is led by a Director that reports to the Senior Vice President of Finance and Administrative Services/College Treasurer. In addition, the Department works very closely with the Dean of Student Affairs and the City of Reading Police Department to create a campus environment that is both safe and secure. The Safety and Security Department at RACC works to prevent crime, to provide highly visible security patrols, and to respond quickly to the related needs of both students and staff. Security guards are in constant contact with the Safety and Security Department, the Manager of Security and with each other by business band radio, cellphone and landlines.

The College's Safety and Security force is comprised of a Day Shift and a Night Shift supervisor, 2 Fill-in/Weekend Supervisors and uniformed guards who report to the Director of Facilities/Safety and Security. Additional security guards are placed into service on an as-needed basis. The Safety and Security Department is located in Berks Hall, Room 152.

Allied Universal Security is the contracted security service for Reading Area Community College. They provide security for the Campus and controlled parking lots. They enforce campus policies and report any incidents to the proper

authorities at the college and contact Reading PD for anything outside of their realm of responsibility. They have a large role in Clery Act compliance and serve as one of the Campus Security Authorities.

RACC's security guards are **not** sworn law enforcement, but are entrusted to enforce College policies and procedures and to report any violation of the law to the appropriate agencies. They are required to document all incidents and to collect witness statements and/or any other information related to incidents. All investigations shall be conducted by local law enforcement for crimes covered under PA UCR Sections 1 and 2. Any internal investigations are just for enforcement of College Policies or to maintain good order and discipline.

All Security guards have been trained and are certified in First Aid/CPR and are qualified to render assistance. They are also subject to the required criminal background checks and undergo a 16-hour mandatory RACC specific training program before they begin work

Security guards have the authority to enforce College policies and procedures. Additionally, the Security guards have jurisdiction to operate on RACC owned or controlled property only. They may detain suspects until police arrive but they do not have the authority to arrest.

B. Collaboration with Law Enforcement Agencies

The Safety and Security Department cooperates with local police agencies and maintains an excellent working relationship with the City of Reading Police Department and the Pennsylvania State Police Troop L Reading, who assist as needed. Crimes involving violence, major property loss, or any felony are immediately reported by RACC's Safety and Security Department to the City of Reading Police Department. All crime statistics are recorded on forms and in the format required by the Pennsylvania State Police and in compliance with the Uniform Crime Reporting Act (Chapter 3, PA Act 29 of 2004).

RACC's Safety and Security Department and the City of Reading Police Department have established a written Memorandum of Understanding (MOU). This MOU confirms the formal working relationship between the College's Safety and Security Department and the City of Reading Police Department and includes agreements regarding jurisdiction, the reporting and investigation of crimes and information sharing.

C. Reporting Crimes and Other Emergencies

Students, faculty, staff, and guests are encouraged to report any crime or suspicious incidents to RACC's Safety and Security by calling 610-607-6291 or report in-person to one of the uniformed security officers and/or to any of the preferred Campus Security Authorities. The College has a security guard booth in both of the student parking lots, 2 roaming patrol guards, and 1 security guard posted at the entrance to Berks Hall, the Student Union Building, the Weitz Healthcare Pavilion, the Yocum Library, Kratz Hall, and the Schmidt Technical Training Center. The Miller Center for the Arts only has security for special events or when requested by the Miller Center management. You may also report crimes by phone to 610-607-6291. This number will ring at every security desk. Upon the initial conversation, the Security Guard will be required to take information to complete an incident report; which may include any additional witness statements or any other information pertinent to the crime.

1. Response to Reports of a Crime:

Upon the report of an alleged crime, a security guard will be dispatched to the scene, where they will evaluate the situation and contact the necessary authorities. In the event of an emergency or a criminal incident, prompt notification is made to the campus community through appropriate administrators. All reported crimes will be investigated by Allied Universal Security and may become a

matter of public record. Campus incident reports that involve a student in direct violation of campus policies are forwarded to the Dean of Student Affairs Office for review, referral, and any other actions, as appropriate. The Safety and Security Department will review the report for accuracy and provide any additional information to make an informed decision. Additional information obtained via the investigation will also be forwarded to the Dean of Students. If assistance is required from the Reading Police Department or the Reading Fire Department, the Safety and Security Department will contact the appropriate unit. If a sexual assault or rape should occur on RACC campus boundaries, the following personnel will be notified: The Safety and Security Department and the Title IX Coordinator or designee. All efforts shall be made to protect evidence and ensure the safety of the college.

The College provides information to students on how to appropriately report any crime to the Safety and Security Department. Additionally, safety and security issues are noted in the Annual Security Report (ASR), found in RACC's Learning Management System, reviewed in College Success Strategies courses required of freshmen students, written in student publications, and recorded in the Student Handbook.

2. *Accurate and Prompt Reporting:*

RACC encourages all students, faculty, staff, and visitors to accurately and promptly report all crimes to the Safety and Security Department or the appropriate police agencies. When the victim of a crime elects to (or is unable to) make such a report, the College must create a report to ensure the safety of the campus. All efforts must be made to ensure the identity of the person remains anonymous if they wish to remain confidential. Individuals with access to Maxient may report anonymously through Maxient's reporting system or through the "Safety Concerns" form link on the Safety and Security webpage via the college's website. You may also access this form via this link here: [Safety and Security Concern](#)

3. *Voluntary Confidential Reporting:*

Reading Area Community College does not allow *Voluntary Confidential Reporting*. The Safety and Security Department encourages anyone who is the victim and/or witness of any crime to promptly report the incident to the Security Guards or local police. The Safety and Security Department at RACC does not have a voluntary confidential reporting process because incident/police reports are public records under state law, thus the Safety and Security Department cannot hold reports of crime in confidence. Confidential reports for the purpose of inclusion in the annual disclosure of crime statistics can be made to any campus security authority (the primary CSAs are identified in the Reporting and Disclosure Procedures below). However, some of the CSAs are also "Responsible Employees" under Title IX law. They are obligated to share reported information involving sexual misconduct, domestic/dating violence, and stalking, including information about the identity of the victim and accused, with the Title IX Coordinator. Reports to a professional counselor may be kept confidential.

Campus "Professional Counselors" are employees and/or contractors of the institution whose official responsibilities include providing psychological counseling to members of the institution's community, while functioning within the scope of their license or certification. When acting as such, they are not to be considered a Campus Security Authority for Clery Act purposes and are not required to report crimes for inclusion in the annual disclosure of crime statistics. As a matter of policy, the professional

counselors at RACC are not encourage to report crimes to the College and will remain in the counselor status in regards to Clery Crimes.

The Safety and Security Department will report criminal activity to the local police and the Pennsylvania State Police as necessary. The RACC Safety and Security Department maintains a professional working relationship with the City of Reading Police Department, Berks County Sheriff's Department, Berks County District Attorney's Office, Pennsylvania State Police, and all other local law enforcement agencies.

The College has appointed the following personnel as Campus Security Authorities/preferred receivers that are required to report any Clery Crimes to the Clery Compliance Officer for inclusion in the daily crime log, the annual security report, and for possible dissemination as timely warnings, per federal CLERY Act requirements. No information about the Reporting Party or any information that may easily identify a victim is included in these disclosures.

D. Campus Security Authorities (CSAs)

A Campus Security Authority (CSA) is an individual associated with and designated by an institution to fill any of the following 4 roles as defined by the CLERY Act:

1. A campus police department or a campus security department of an institution.
2. Any individual who has responsibility for campus security, but does not constitute a campus police department or a campus security department. This category includes student workers employed by the Safety and Security Department and contracted security officers for events.
3. Any individual or organization specified in an institution's statement of campus security policy as an individual or organization to which students and employees should report criminal offenses.
4. An official of an institution who has significant responsibility for student and campus activities; including, but not limited to: student housing, student discipline, and campus judicial proceedings. An official is defined as any person who has the authority and the duty to act or to respond to particular issues on behalf of the institution. This category includes student organization, club advisors, and coaches/assistant coaches, among others.

*** Preferred Receivers for Clery Act crimes. Crimes may be reported to all CSA's. This list is accurate as of the 19th of September 2024.**

Name	CSA Justification	Contact information	Preferred Receivers
Allied Universal Security Guards		610-607-6291	
Martin Broad	Security Supervisor	610-607-6291	*
Kyeisha McNeill	Security Supervisor	610-607-6291	*
Gusmary, Becerra	Security Supervisor (fill-in)	610-607-6291	*
Jesus Torres	Security Supervisor (fill-in)	610-607-6291	*
Lorraine Williams	Security (Concierge)	610-607-6291	*
Jocelyn, Alvarez	Security Guard	610-607-6291	*

Andrew Antosy	Security Guard	610-607-6291	*
Amber Bertollette	Security Guard	610-607-6291	*
Ronald Chelius	Security Guard	610-607-6291	*
James Cooney	Security Guard	610-607-6291	*
Tony Deluca	Security Guard	610-607-6291	*
Edward Diaz	Security Guard	610-607-6291	*
Daevaun Edwards	Security Guard	610-607-6291	*
Joseph Flamm	Security Guard	610-607-6291	*
Yasmar Gil	Security Guard	610-607-6291	*
Latanya Graham	Security Guard	610-607-6291	*
Kelly Harrison	Security Guard	610-607-6291	*
Irene Kerns	Security Guard	610-607-6291	*
David Linsinbigler	Security Guard	610-607-6291	*
Elvis, Manso	Security Guard	610-607-6291	*
Olema, Martinez	Security Guard	610-607-6291	*
Julio, Parisi	Security Guard	610-607-6291	*
Janel, Sanchez	Security Guard	610-607-6291	*
Christine Singh	Security Guard	610-607-6291	*
Maria, Taveras	Security Guard	610-607-6291	*
Jazz, Walker	Security Guard	610-607-6291	*
Nickie, Walker	Security Guard	610-607-6291	*
Di'Amante, Wood	Security Guard	610-607-6291	*
Andrew, Zimmerman	Security Guard	610-607-6291	*
RACC Campus Security Authorities			
Alberto Othuon	Director of Facilities, Security and Safety	610-372-4721 ext. 5287	
Evan Gipprich	Facilities/Security Office Coordinator	610-607-6240	
Maria Mitchell	Dean of Student Affairs	610-372-4721 ext. 5298	*
Jamica Andrews	Director of Student Activities	610-236-3943	
Lizette Flowers	Director of Diversity, Equity, Inclusion & Belonging/Title IX Coordinator	610-372-4721 ext. 5005	*

Kym Kleinsmith	Director of Accessibility Services & CARE Team	610-372-4721 ext. 5265	
Dory Peterson	VP Of Fiscal and Human Resources	610-372-4721 ext. 5001	*
Kris Harvey	Director of Human Resources	610-372-4721 ext. 5080	*
Anthony Vega	Club Advisor	610-372-4721 ext. 5090	
Margie Kerbel	Club Advisor	610-372-4721 ext. 5089	
Ellen Walter	Club Advisor	610-372-4721 ext. 4139	
Nicolas Fulwood	Club Advisor		
Sonia Reiger	Club Advisor	610-372-4721 ext. 4081	
Ivy Copeland	Club Advisor	610-372-4721 ext. 5227	
Jodi Greene	Club Advisor	610-372-4721 ext. 5454	
Nancy Jackson	Club Advisor	610-372-4721 ext. 5263	
Laura Kruse	Upward Bound Advisor	610-374-1274	
Danelle Bower	PTK Ambassador	610-372-4721 ext. 5451	
Pamela Blakely	PTK Ambassador	610-372-4721 ext. 5452	
Stephanie Andersen	Club Advisor	610-372-4721 ext. 5085	

It is required by law that those designated as CSAs report to the Safety and Security Department actual or alleged crimes that they become aware of by report from a victim, witness, offender, or by other means. They need only have a reasonable, "good faith" belief that a crime has occurred. There is no requirement that an investigation be conducted by police or other authorities, nor that a finding of guilt or innocence be made by a court or student judicial authority for a report to be made to the Safety and Security Department. Reports made by CSAs will be investigated by the Safety and Security Department or referred to outside police agencies as appropriate. CSA reports may be used as other crime reports to produce Timely Warnings/Emergency Notifications and entries into the daily crime log within 2 days of the initial report, depending upon the nature of the report. Statistics derived from CSA reports are included in the annual CLERY Act statistics published in the Annual Security Report and reported to the Department of Education. While victim information may be reported to the Safety and Security Department by CSAs, victims are assured that whether they have chosen to report the crime to the Safety and Security Department themselves or not, no information that may identify a victim of a crime will be included in any public disclosure.

III. TIMELY WARNINGS

A. Crime Alerts

In the event that RACC's Safety and Security Department receives a report within the RACC Clery Geography (On Campus, Public Property and/or Non-campus property) that, in the judgment of the Director of Facilities/Safety and Security/or designee, constitutes a serious or continuing threat; then a campus-wide "timely warning or crime alert" notice will be issued. David Hessen (The Director Marketing) will utilize Reading Area Community College's Clery Communication Policy and maintain records documenting the decision to issue a warning.

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

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

Possible methods of notification are: employee and student e-mail systems, campus electronic signage, the posting of bulletins, the RACC website at www.racc.edu and/or an Emergency Mass Notification System (Omnilert). Methods of notification are selected by David Hessen (the Director of Marketing/designee) to best fit the nature of any given threat. Timely Warning Notices are typically written and distributed by the Director of Marketing/designee. The Director will utilize the Campus Communication Plan to create the message to be sent to the community.

Local and state police agencies will also be advised of any potential risks. By law and by the Safety and Security Department's policy, no information that may serve to identify a crime victim may be included in Timely Warnings. Timely Warning notices will be distributed as soon as pertinent information becomes available, in a manner that withholds the names of victims as confidential, and with the goal of aiding in the prevention of similar occurrences. Procedures regarding Emergency Notifications can be found in the Campus Communication Plan. The institution is not required to issue a Timely Warning with respect to crimes reported to a pastoral or professional counselor.

B. Emergency Notification/Enrolling in the College's Mass Notification System (Omnilert)

RACC has developed a process to notify the campus community in cases of emergency. While it is impossible to predict every significant emergency or dangerous situation that may occur on campus, the following identified situations are examples which may warrant an emergency (immediate) notification after confirmation:

armed/hostile intruder; bomb/explosives (and the threat of); communicable disease outbreak; severe weather; terrorist incident; civil unrest; natural disaster; hazardous materials incident; and structural fire. Individuals can report emergencies occurring at RACC by calling (610-607-6291).

In the event of an emergency, RACC will initiate and provide (without delay) immediate notifications to the appropriate segment(s) of the College community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students, employees, and visitors.

The Director of the Safety and Security Department/or designee, in conjunction with other College administrators, local first responders, public health officials and/or the National Weather Service, will review the Emergency Operations Plan to determine if any actions are warranted based on the information at the current time. Upon confirmation of an emergency or dangerous situation that poses an immediate threat to the health or safety of some or all members of the RACC community, Alberto Othun (The Director of Facilities, Safety, and Security) or his designee and David Hessen (The Director of Marketing) or his designee will collaborate to determine the content of the message and will use some or all of the systems described below to communicate the threat to the RACC Community, or to the appropriate segment of the community, if the threat is limited to a particular building or segment of the population.

RACC will, without delay and considering the safety of the community, determine the content of the notification and initiate the notification system; unless issuing a notification will, in the judgment of the first responders (including, but not limited to: the RACC Safety and Security Department, local PD, and/or the Local Fire and Emergency Medical Services), compromise the efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

The Omnilert mass notification service sends text alerts with urgent messages about emergencies, severe weather closings, or other situations that may affect the RACC campus. In addition to cellphone text messages, users can choose to receive alerts via e-mail. To opt-in for emergency text and voice messaging, students, faculty, and staff can do so through MyRACC ([Subscriber Portal - User Log in \(omnilert.net\)](http://Subscriber Portal - User Log in (omnilert.net)))

Notification will be made by using some or all of the following methods depending on the type of emergency: Omnilert (which contains e-mail, cellphone text, voice message alert for member of the community that have signed up for the service); fire alarms, public address systems, social media, digital signage (where available), local media, webpage, and/or in-person communication. If any these systems fail or the College deems it appropriate, in-person communication may be used to announce an emergency.

System to use	Primary Message Creator	Backup Message Creator	Authority for approving & sending messages	Primary Message Sender/ Distributor	Backup Message Sender/ Distributor
PRIMARY	Director of Marketing	Director of Facilities, Safety and Security	Senior VP of Administrative Services and Fiscal Services/College Treasurer	Director of Marketing	Web Manager
Omnalert/Alertus					

SECONDARY					
Public Address					
Fire Alarm					
Social Media	All				
Local Media					
Webpage(S)	RACC.edu my RACC Canvas				

Follow-up information will be distributed using some or all of the identified communication systems (except fire alarm). This communication will include any follow-up information that relates to the action and the other safety tips in the event that it will be a longer process. It will be sent to all the registered e-mails and will be posted on the Safety and Security page under Emergency Notifications.

Parents and families of students and the community at-large are welcome to sign up at <https://racc.omnilert.net/subscriber.php>. There is no cost to subscribe to Omnilert alerts. Data and messaging fees may be charged by the recipient's cell phone provider.

C. Procedures for Disseminating Emergency Information to the Larger Community

In the event that the campus Emergency Notification System is activated in response to a situation that poses an immediate threat to members of the campus community, the appropriate offices at the campus will notify the larger community about the situation and about steps the campus has taken to address the emergency. The Emergency Management Team (EMT) or its members will normally be responsible for ensuring appropriate communication. If there is an immediate threat to the health or safety of students or employees occurring on campus, the institution will follow its emergency notification procedures. This will include some of the plans that are included in the Emergency Operations Plan (EOP).

IV. EMERGENCY RESPONSE AND EVACUATION PROCEDURES

A. The Emergency Management Team (EMT) at RACC

The Emergency Management Team (EMT) is comprised of senior-level administrators and staff who have primary and specific responsibilities related to threats and emergencies and planning for and responding to such situations. RACC maintains an Emergency Operations Plan (EOP) that outlines responsibilities for campus units during emergencies. The members of the Emergency Response Team provide leadership to the buildings that they are assigned to including training the staff in the building on the procedures to follow according to the EOP. This plan outlines incident priorities, campus organization, and specific responsibilities of particular units and/or positions. This plan is confidential and is reviewed annually, or when changes are warranted based on campus needs. Emergencies occurring on campus should be reported immediately to RACC Security at 610-607-6291.

B. Evacuation Procedures

a. Emergency Evacuation Procedures:

The emergency evacuation procedures are tested at least once a year. Students and employees learn the locations of the emergency exits in the buildings and are provided guidance about the direction they should travel when exiting each facility for a short-term building evacuation. The Safety

and Security Department does not tell the building occupants in advance about the designated locations for long-term evacuations, because those decisions are affected by time of day, location of the building being evacuated, the availability of the various designated emergency gathering locations on campus, and other factors such as the location and nature of the threat. In all cases, Safety and Security Department staff on the scene will communicate information to students regarding the developing situation or any evacuation status changes.

The purpose of evacuation drills is to prepare building occupants for an organized evacuation in case of a fire or other emergency. At RACC, evacuation drills are used as a way to educate and train occupants on fire safety issues specific to their building. During the drill, occupants 'practice' drill procedures and familiarize themselves with the location of exits and the sound of the fire alarm.

b. General Evacuation Procedures:

At the sound of a fire alarm or if you are instructed to evacuate, leave your work area immediately and proceed to the nearest exit, and leave the building. If you are the first to recognize a fire situation, activate the alarm, evacuate to a safe location using the nearest exit, and notify Safety and Security Department (610-607-6291) Police /Emergency or dial 911.

1. Remain calm
2. Do **NOT** use the elevators. Use the stairs.
3. Assist the physically impaired. If they are unable to exit without using an elevator, secure a safe location near a Rescue Assistance Area. If a rescue assist system is in place in the building, press the call button and await further instructions. If the building does not have a call system, call 610-607-6291 or 911 and give them a precise location for rescue.
4. Proceed to a clear area at least 150 feet from the evacuated building in areas identified in building evacuation plans. Keep all walkways clear for emergency vehicles.
5. Make sure all other personnel are outside of the building.
6. Do **NOT** re-enter the building.

C. Shelter-in-Place Procedures

a. Shelter-in-Place

What it means to "Shelter-in-Place" - If an incident occurs, and the buildings or areas around you become unstable, or if the air outdoors becomes dangerous due to toxic or irritating substances, it is usually safer to stay indoors. Leaving the area may expose you to that danger. Thus, to "shelter-in-place" means to make a shelter of the building that you are occupying currently. With a few adjustments, this location can be made even safer and more comfortable until it is safe to go outside.

b. Basic "Shelter-in-Place" Guidance

If an incident occurs, and the building you are in is not damaged, stay inside in an interior room until you are told it is safe to exit. If your building is damaged, take your personal belongings (purse, wallet, employee badge, etc.) and follow the evacuation procedures for your building (close your door, proceed to the nearest exit, and use the stairs instead of the elevators). Once you have

evacuated, seek shelter at the nearest College building quickly. If police or fire department personnel are on the scene, follow their directions.

c. How You Will Know to “Shelter-in-Place”

A shelter-in-place notification may come from several sources: RACC’s Safety and Security Department, other RACC employees, the local PD, or other authorities utilizing RACC’s emergency communications tools.

d. How to “Shelter-in-Place”

No matter where you are, the basic steps of shelter-in-place will generally remain the same. Should the need ever arise, follow these steps, unless instructed otherwise by local emergency personnel:

1. If you are inside, stay where you are. Collect any emergency shelter-in-place supplies and a telephone to be used in case of emergency. If you are outdoors, proceed into the closest building quickly or follow instructions from emergency personnel on the scene.
2. Locate a room to shelter inside. It should be:
 - a. An interior room;
 - b. Above ground level; and
 - c. Without windows or with the least number of windows. If there is a large group of people inside a particular building, several rooms maybe necessary.
3. Shut and lock all windows (tightest seal) and close exterior doors.
4. Turn off air conditioners, heaters, and fans.
5. Close vents to ventilation systems if you are able. (College staff will turn off the ventilation as quickly as possible)
6. Make a list of the people with you and ask someone (hall staff, faculty, or other staff) to call the list in to RACC’s Safety and Security Department so they know where you are sheltering. If only students are present, one of the students should call in the list.
7. Turn on a radio or TV and listen for further instructions.
8. Make yourself comfortable.

D. Tests, Drills, Exercises and Training

Emergency tests are conducted randomly throughout the year by the Director of Facilities, Safety and Security. Emergency drills are conducted at least once each semester and include staff, faculty and students. The EMT also conducts training sessions once a semester to assess their readiness as well as the overall effectiveness of the Emergency Operations Plan (EOP). This EOP is a confidential and comprehensive document. The purpose of this document is to provide planning and emergency response guidelines in the event that a serious threat, crisis, or emergency occurs, to enhance the protection of lives and property through effective use of the College and campus community resources, and to create a safe environment for students, faculty, staff and the community.

In conjunction with other emergency agencies, the College conducts emergency response drills and exercises each year, such as tabletop exercises, field exercises, and tests of the emergency notification systems on campus. These tests, which may be announced or unannounced, are designed to assess and evaluate the emergency plans and capabilities of the institution.

Each test is documented and must include a description of the exercise, the date and time of the exercise, and whether it was announced or unannounced.

The campus publicizes a summary of the emergency response and evacuation procedures via email at least once each year in conjunction with a test (exercise and drill) that meets all of the requirements of the Higher Education Opportunity Act. This summary is also located on the [Clery Compliance](#) webpage.

V. SECURITY AND ACCESS TO RACC FACILITIES

A. Building Security Measures

All RACC buildings that are open to the public are equipped with an intrusion alarm system. This alarm system is comprised of motion sensors and is monitored while security guards are not present. These alarms are utilized whenever the buildings are locked and closed to the public. Security guards conduct routine security and safety patrols of the academic and administrative buildings to monitor conditions and report any unusual circumstances. Security guards are posted in all of the buildings and monitor a campus installed CCTV system. The Miller Center is the only exception and has guards for certain events at the discretion of the Building Manager. NOTE: RACC does not have student housing.

B. Access to Buildings and Labs

During normal business hours, the administrative and academic facilities at RACC are open and accessible to students, staff, faculty, and visitors of the College. Building hours are somewhat flexible depending on individual facility schedules during a particular semester. Normal hours during the Spring and Fall semesters are as follows: (Summer hours vary. Please look up the Building Hours for the current summer semester.)

Monday-Thursday	7:00 am – 9:00 pm
Friday	7:00 am – 5:00 pm
Saturday	Hours vary campus-wide 8:00 am – 1:00 pm for Yocum, Berks Hall, Student Union Bldg., and Kratz Hall
Sunday	CLOSED

NOTE: RACC does not have student housing.

C. Animals/Pets on Campus

As established by the Americans with Disabilities Act (ADA) and its 2010 amendments, service animals shall not be excluded from university/college facilities or activities. Non-service animals (i.e., companion or therapy pets) are not permitted in classrooms, academic activities, faculty offices, administrative offices, or any college building; except when the non-service animal is being used for an academic demonstration or another college-related purpose. For a comprehensive policy regarding all types of service animals, please visit:

<https://www.racc.edu/sites/default/files/StudentServices/Disability-Services/Service-Animal-Guidelines-04-03-2020.pdf>

D. Security Considerations Used in the Maintenance of Campus Facilities

RACC maintains campus facilities in a manner that minimizes hazardous and unsafe conditions. Parking lots and pathways are illuminated with lighting. The Safety and Security Department works closely with the Facilities Department to address any unsafe conditions and utilizes the campus work order system to ensure completion of issues. The College ensures that locks on campus doors are maintained and will address any issue in prompt and efficient manners. Members of the College community are helpful when they report equipment problems to the Safety and Security Department or to the Facilities management and can utilize the safety concern form or work order forms located on RACC's website.

VI. RESPONSE TO SEXUAL MISCONDUCT AND GENDER VIOLENCE

A. Sexual Assault and Harassment

The "Student Code of Conduct", contained in the RACC Student Handbook, prohibits sexually violent acts, termed "Sexual Misconduct" by RACC. These acts can be crimes as well. Sexual misconduct includes non-consensual sexual intercourse, non-consensual sexual contact, sexual exploitation, interpersonal relationship violence, sex/gender-based stalking, and sexual harassment. While RACC may utilize different standards and definitions than the Pennsylvania Crimes Code, sexual misconduct often overlaps with crimes of rape, sexual assault, sexual harassment, stalking, dating violence, and domestic violence. In an effort to reduce the risk of sexual misconduct, as well as the crimes of rape, sexual assault, sexual harassment, stalking, dating violence and domestic violence occurring among its students; RACC utilizes a range of campaigns, strategies, and initiatives to provide awareness, education, risk reduction, and prevention programs.

It is the policy of RACC to offer programming to prevent domestic violence, dating violence, sexual assault, (including stranger and known offender assaults) and stalking each year. Educational programs are offered to raise awareness for all incoming students and employees. These programs are often conducted each semester for students, annually for employees, and at the time of hire for new employees. These programs (and others offered throughout the year) include strong messages regarding not just awareness, but also institutional policies on sexual misconduct, as well as the Pennsylvania Code definitions of domestic violence, dating violence, sexual assault, stalking, and consent in reference to sexual activity. Bystander engagement is encouraged through safe and positive intervention techniques, and by empowering third-party intervention and prevention such as calling for help, using intervention-based apps, identifying allies and/or creating distractions.

Programs also offer information on risk reduction that strives to empower victims on how to recognize warning signals, how to avoid potential attacks, and do so without victim-blaming approaches. Throughout the year, ongoing awareness and prevention campaigns are directed to students and employees (including faculty), often taking the form of campaigns, emails, guest speakers, programs, and events.

B. Definitions

1. Sex Discrimination is an adverse action taken against an individual because of their gender or sex. It includes sexual harassment, sexual violence, rape, domestic violence, dating violence and stalking.
2. Sexual Harassment is unwelcome verbal, non-verbal, or physical conduct of a nature that includes,

but is not limited to: sexual violence, sexual advances, requests for sexual favors, and indecent exposure.

a. Submission to (or rejection of) the conduct is explicitly or implicitly used as the basis for any decision affecting a student's academic status or progress, or access to benefits, services, honors, programs, opportunities, and/or activities available through RACC;

b. Such conduct is sufficiently severe and/or pervasive that its effect (whether or not intended) could be considered by a reasonable person in the shoes of the victim (and is in fact considered by the victim) limiting to the victim's ability to participate in or benefit from the services, activities, programs, or opportunities offered by RACC;

c. Submission to (or rejection of) the conduct by a RACC employee is explicitly or implicitly used as the basis for any decision affecting a term and/or condition of employment, or an employment decision or action; or,

d. Such conduct is sufficiently severe and/or pervasive that its effect (whether or not intended) could be considered by a reasonable person in the shoes of the victim (and is in fact considered by the victim) as intimidating, hostile, and/or offensive. Sexual harassment also includes acts of verbal, non-verbal, physical aggression, intimidation, and/or hostility based on gender or sex stereotyping; even if those acts do not involve conduct of a sexual nature.

3. Sexual Violence is a form of sexual harassment. It is defined as physical sexual acts, such as unwelcome sexual touching, rape, domestic violence, dating violence, and stalking (when based on gender or sex) perpetrated against an individual against their will and without their consent, or against an individual who is incapable of giving consent due to that individual's use of drugs or alcohol, status as a minor, or disability. Sexual violence may include physical force, violence, threat, or intimidation, ignoring the objections of the victim, causing the victim's intoxication or incapacitation through the use of drugs or alcohol, or taking advantage of the victim's incapacitation (including voluntary intoxication). Men, as well as women, can be victims of these forms of sexual violence.
4. Dating Violence is a form of sexual violence and is abuse committed by a person who is or has been in a social or dating relationship of a romantic or intimate nature. This may include someone that the victim has just met; i.e., at a party, introduced through a friend, or online.
5. Domestic Violence is a type of violence in the form of abuse committed against someone who is a current or former spouse, an intimate partner, a person with whom a person cohabits or has cohabited, or a person with whom one has a child.
6. Stalking occurs when a person either:
 - a. Engages in a course of conduct or repeatedly commits acts toward another person, including following the person without proper authority, under circumstances which demonstrate either an intent to place such other person in reasonable fear of bodily injury or to cause substantial emotional distress to such other person; or
 - b. Engages in a course of conduct or repeatedly communicates to another person under circumstances which demonstrate or communicate either, an intent to place such other person in reasonable fear of bodily injury, or to cause substantial emotional distress to such other person.

7. Rape is generally defined as forced sexual intercourse. It may also include situations where the victim is incapable of giving consent due to incapacitation by means of disability, or alcohol, or other drugs. Many rapes are committed by someone the victim knows, such as a date or friend.

Under Pennsylvania law, “rape” is defined as sexual intercourse with a complainant:

- a. By forcible compulsion;
- b. By threat of forcible compulsion that would prevent resistance by a person of reasonable resolution;
- c. Who is unconscious or where the perpetrator knows that the complainant is unaware that the sexual intercourse is occurring;
- d. Where the perpetrator has substantially impaired the complainant's power to appraise or control their conduct by administering or employing (without the knowledge of the complainant) drugs, intoxicants, or other means for the purpose of preventing resistance; and/or
- e. Who suffers from a mental disability that renders the complainant incapable of consent.

8. Other Sexual Offenses include, but are not limited to:

- a. forced anal intercourse;
- b. forced oral-genital contact;
- c. forced penetration by a foreign object, including a finger, and disinfected assault (the unwanted touching of an intimate part of another person for the purpose of sexual arousal).

9. Consent: Consent to engage in sexual activity must be knowing and voluntary. It must exist from the beginning to the end of each instance of sexual activity and for each form of sexual contact. Consent is demonstrated through mutually understandable words and/or actions that clearly indicate a willingness to engage freely in sexual activity. Consent is active, not passive.

a. Guidance for Consent

- 1) Each participant in a sexual encounter is expected to obtain and give consent to each act of sexual activity. Consent to one form of sexual activity does not constitute consent to engage in all forms of sexual activity.
- 2) Consent consists of an outward demonstration indicating that an individual has freely chosen to engage in sexual activity. Relying on non-verbal communication can lead to misunderstandings. Consent may not be inferred from silence, passivity, lack of resistance, or lack of an active response alone. A person who does not physically resist or verbally refuse sexual activity is not necessarily giving consent.
- 3) When consent is requested verbally, absence of any explicit verbal response constitutes lack of consent. A verbal “no” constitutes lack of consent, even if it sounds insincere or indecisive.
- 4) If at any time during the sexual activity, any confusion or ambiguity arises as to the willingness of the other individual to proceed, both parties should stop and clarify verbally the other’s willingness to continue before continuing such activity

- 5) Either party may withdraw consent at any time. Withdrawal of consent should be outwardly demonstrated by words or actions that clearly indicate a desire to end sexual activity. Once withdrawal of consent has been expressed, sexual activity must cease.
 - 6) Individuals with a previous or current intimate relationship do not automatically give either initial or continued consent to sexual activity. Even in the context of a relationship, there must be mutually understandable communication that clearly indicates a willingness to engage in sexual activity.
 - 7) Consent is not effective if it results from the use or threat of physical force, intimidation, or coercion, or any other factor that would eliminate an individual's ability to exercise her/his own free will to choose whether or not to have sexual contact.
10. Force is the use or threat of physical violence or intimidation to overcome an individual's freedom of will to choose whether or not to participate in sexual activity. There is no requirement that a party resists the sexual advance or request, but resistance will be viewed as a clear demonstration of non-consent.
11. Coercion is the use of pressure to compel another individual to initiate or continue sexual activity against an individual's will. Coercion can include a wide range of behaviors, including intimidation, manipulation, threats, and blackmail. A person's words or conduct are sufficient to constitute coercion if they wrongfully impair another individual's freedom of will and ability to choose whether or not to engage in sexual activity. Examples of coercion include threatening to "out" someone based on sexual orientation, gender identity, or gender expression and threatening to harm oneself if the other party does not engage in the sexual Activity.
12. Incapacitation With incapacitation, an individual does not have the ability to make informed, rational judgments and cannot give consent to engage in sexual activity. Incapacitation is defined as the inability, temporarily or permanently, to give consent because the individual is mentally and/or physically helpless, is asleep, is unconscious, or is otherwise unaware that sexual activity is occurring. Incapacitation may result from the use of alcohol and/or drugs. Incapacitation is a state beyond drunkenness or intoxication. The impact of alcohol and other drugs varies from person to person; however, warning signs that a person may be approaching incapacitation may include slurred speech, vomiting, an unsteady gait, odor of alcohol, combativeness, or emotional volatility.
- a. Evaluating incapacitation requires an assessment of how the consumption of alcohol and/or drugs affects an individual's:
 - 1) Decision-making ability,
 - 2) Awareness of consequences,
 - 3) Ability to make informed judgments, or
 - 4) Capacity to appreciate the nature and the quality of the act
 - b. Evaluating incapacitation also requires an assessment of whether a respondent should have been aware of the complainant's incapacitation based on objectively and reasonably apparent indications of impairment when viewed from the perspective of a sober, reasonable person in the respondent's position.

13. Intimate Partner Violence also referred to as dating violence, domestic violence, and relationship violence, includes any act of violence or threatened act of violence against a person who is, or has been involved in, a sexual, dating, domestic, or other intimate relationship with that person. It may involve one act or an ongoing pattern of behavior. Intimate partner violence can encompass a broad range of behavior, including, but not limited to, physical violence, sexual violence, emotional violence, and economic abuse. Intimate partner violence may take the form of threats, assault, property damage, or violence or threat of violence to one's self, one's sexual or romantic partner, or to the family members or friends of the sexual or romantic partner. Intimate partner violence affects individuals of all genders, gender identities, gender expressions, and sexual orientations and does not discriminate by racial, social, or economic background. RACC will not tolerate Intimate partner violence of any form. For the purpose of this policy, RACC does not define Intimate partner violence as a distinct form of misconduct but rather recognizes that sexual harassment, sexual assault, sexual exploitation, physical assault, intimidation, stalking, and retaliation may all be forms of intimate partner violence when committed by a person who is or has been involved in a sexual, dating, or other social relationship of a romantic or intimate nature with the complainant.

C. Alcohol or Other Drugs

In general, RACC considers sexual contact while under the influence of alcohol or other drugs to be risky behavior. Alcohol and drugs impair a person's decision-making capacity, awareness of consequences, and ability to make informed judgments. It is especially important, therefore, that anyone engaging in sexual activity be aware of the other person's level of intoxication. If there is any doubt as to the level or extent of the other individual's intoxication or impairment, the prudent course of action is to forgo or cease any sexual contact or activity. Being intoxicated or impaired by drugs or alcohol is never an excuse for sexual harassment, misconduct, or intimate partner violence and does not diminish one's responsibility to obtain informed and freely given consent.

D. Rights and Options in the Event of Sexual Violence

In the event that sexual misconduct, gender-based violence or the crimes of sexual assault, stalking, dating violence or domestic violence do occur, RACC takes the matter very seriously. RACC employs interim protection measures such as interim suspension and/or no contact orders in any case where a student's behavior represents a risk of violence, threat, pattern or predation. If a student is accused of sexual misconduct, other gender-based violence or the crimes of rape, sexual assault, sexual harassment, stalking, dating violence or domestic violence, s/he is subject to action in accordance with the policies in the Student Handbook. A student wishing to officially report such an incident may do so by contacting Lizette Flowers, RACC Title IX Coordinator, Yocum Library 306, 10 South Second Street, P.O. Box 1706, Reading, PA 19603 (610) 372-4721 ext. 5005 (phone), (610) 372-4264 (fax), or e-mail to lflowers@racc.edu. Anyone with knowledge about sexual misconduct or gender-based violence or the crimes of rape, sexual assault, sexual harassment, stalking, dating violence or domestic violence is encouraged to report it immediately.

If you are the victim of sexual misconduct, gender-based violence or the crimes of rape, acquaintance rape, sexual assault, sexual harassment, stalking, dating violence or domestic violence, some or all of these safety suggestions may guide you after an incident has occurred:

1. Go to a safe place and speak with someone you trust. Tell this person what happened. If there is any immediate danger, contact the RACC's Safety and Security Department at (610) 372-4721, 5098 or call 911.

2. Consider securing immediate professional support (e.g. counseling, victim advocacy, medical services, etc.) to assist you in the crisis.
3. If you are on campus during regular business hours, you may go to the Student Affairs Office in Berks Hall, Room 216 for counseling services as well as to the RACC Title IX Coordinator at the location and phone number above for support and guidance. These are both confidential resources.
4. For your safety and well-being, immediate medical attention is encouraged. Further, being examined as soon as possible, ideally within 120 hours, is important in the case of rape or sexual assault. The hospital will arrange for a specific medical examination at no charge. To preserve evidence, it is recommended that you do not bathe, shower, douche, eat, drink, smoke, brush your teeth, urinate, defecate or change clothes before receiving medical attention. Even if you have already taken any of these actions, you are still encouraged to have prompt medical care, and evidence may still be recoverable. Typically, if police are involved or will be involved, they will obtain evidence from the scene, and it is best to leave things undisturbed until their arrival. They will gather bedding, linens or unlaundered clothing and any other pertinent articles that may be used for evidence. It is best to allow police to secure items in evidence containers, but if you are involved in transmission of items of evidence, such as to the hospital, secure them in a clean paper bag or clean sheet, to avoid contamination. If you have physical injuries, photograph or have them photographed, with a date stamp on the photo. Record the names of any witnesses, and their contact information. This information may be helpful to the proof of a crime, to obtain an order of protection or to offer proof of a campus policy violation. Try to memorize details (physical description, names, license plate number, car description), or even better, write notes to remind you of details, if you have time and the ability to do so. If you obtain external orders of protection (e.g. restraining orders, injunctions, protection from abuse order), please notify the Safety and Security Department or RACC's Title IX Coordinator so that those orders can be observed on campus.
5. Even after the immediate crisis has passed, consider seeking support from RACC's Student Affairs Office and/or SAFE Berks, located at 255 Chestnut Street, Reading, PA 19601, Business Phone: (610) 373-1206, Hotline: (844) 789-7233 or Text Line 20121.
6. Contact Lizette Flowers, RACC Title IX Coordinator, Yocum Library 306, 10 South Second Street, P.O. Box 1706, Reading, PA 19603 (610) 372-4721 ext. 5005 (phone), (610) 607-6295 (fax), or e-mail to lflowers@racc.edu if you need assistance with RACC-related concerns, such as no-contact orders or other protective measures. The Title IX Coordinator will also assist in any needed advocacy for students who wish to obtain protective or restraining orders from local authorities.

RACC is able to offer reasonable academic accommodations and connect students to resources that may offer changes to living arrangements, transportation accommodations, escorts, no contact orders, Protection from Abuse (PFA) Orders, counseling services access and other supports and resources as needed by a victim.

RACC is committed to your full participation in all of its educational programs and activities. RACC understands that Sexual Misconduct is a problem in our society, including on college campuses. RACC takes seriously any allegation of Sexual Misconduct, which includes discrimination based on sex, sexual harassment, dating violence, domestic violence, sexual assault, and stalking. RACC's stand against Sexual Misconduct also includes Sexual Misconduct that you may have experienced as a result of your sexual orientation, gender identity, or national origin.

Federal laws against Sexual Misconduct or discrimination based on sex on college campuses are Title IX of the Education Amendments Act of 1972, the Reauthorized Violence Against Women Act, and the Campus SAVE (Sexual Assault Violence Elimination) Act. RACC has a Title IX Coordinator to oversee its efforts at preventing Sexual Misconduct, responding promptly and fairly to instances of alleged Sexual Misconduct, and fostering a climate of mutual respect.

If you are experiencing, or have recently experienced, any form of Sexual Misconduct, please contact RACC's Title IX Coordinator at (610) 372-4721, ext. 5005, or any other faculty member or administrator whom you trust. In an emergency or off-hours situation, always call 911 or the RACC Safety and Security Department at (610) 372-4721, ext. 5098.

E. Frequently Asked Questions about Sexual Misconduct

1. What should I do if I have been sexually assaulted?
 - a. Get to a safe place, speak with someone you trust, call 911 or the RACC Safety and Security Department, and get medical attention.
 - b. Call for help from RACC's Safety and Security Department at (610) 372-4721, ext. 5098 or the Title IX Coordinator at (610) 372-4721, ext. 5005.
 - c. Either RACC's Safety and Security Department or Title IX Coordinator will assist you in understanding your right to report the assault to RACC, the police, or both, and will assist you in finding medical attention and counseling.
 - d. Do not blame yourself: Take advantage of counseling resources, on and off campus.

2. What do I do if I need help, but want my situation to remain confidential?
 - a. RACC will assist you in finding medical providers and licensed professional counselors, or call RACC's Title IX Coordinator at (610) 372-4721, ext. 5016.
 - b. While RACC is limited in assisting you without full and accurate information about the assault, RACC will still assist you with all of the necessary protections, including escorts and schedule adjustments.
 - c. RACC has a continuing obligation for the safety of its students, including you, and an obligation to protect the rest of the campus community from similar incidents of assault. This means that at all times, RACC has to carefully weigh your request for confidentiality against your safety and the community's interest in its safety.
 - d. Because of this ongoing duty to you and others on campus, RACC may be obligated to issue a timely warning to the campus community, while doing everything possible to protect your identity and your privacy.

1. What do I do if I want to file a report with the College, the Police, or both?
 - a. Contact RACC's Title IX Coordinator, or Director of Facilities/Safety and Security, who will guide you in the process of filing a formal complaint with either, or both.
 - b. When a complaint is lodged with the College, the College will conduct a fair and impartial investigation into the incident with trained investigators.
 - c. If the investigation leads to a hearing, you will be advised of your rights before, during, and after the hearing, and will be informed about its outcome. RACC is obligated, and committed, to conducting the investigation into your complaint and to resolving the complaint promptly and equitably, with due process rights for both yourself and the person who stands accused of harming you.

d. Whether or not you file a complaint with the police, RACC will still handle your complaint on its own and using its own process. It will investigate the complaint, review your complaint using a preponderance of the evidence standard, and provide you with the support you may need during the process and after it is completed

5. How can I help a friend who has experienced sexual misconduct?
- Counsel your friend if you see that an awkward situation is developing – encourage them to seek professional help.
 - Distract potential misconduct that you are witnessing by distracting the would-be perpetrator.
 - Look out for your friends at parties and see that they get home safely if they have had too much to drink.
 - Give friends you know who are experiencing dating or domestic violence your attention, and important community phone numbers such as Safe Berks at 255 Chestnut Street, Reading, PA 19601, Business Phone: (610) 373-1206, Hotline: (844) 789-7233 or Text Line 20121; or the National Domestic Violence Hotline [1-800-799 SAFE (7233)].
 - Talk to RACC's Title IX Coordinator if you or a friend is experiencing sexual misconduct, including dating violence, domestic violence, sexual assault, or stalking.

F. Programs on Sexual Misconduct Prevention

RACC offers programs for students and mandatory annual educational programs for faculty, staff and third-party vendors to learn about how to have healthy relationships, how to understand the full scope of sexual misconduct, how to identify the signs, how to prevent it from happening, and how to help others who are experiencing sexual misconduct.

G. Procedures for Sexual Misconduct, Dating Violence, Domestic Violence, Stalking, Sexual Harassment and Other Acts of Sex and Gender Discrimination

For offenses including sexual misconduct or other gender-based violence, which typically include the crimes of domestic violence, dating violence, sexual harassment, sexual misconduct and stalking, sanctions range from warnings through expulsion. Serious and violent incidents and acts of non-consensual sexual intercourse (the policy equivalent to the crime of rape) usually result in suspension, expulsion or termination of employment.

Procedurally, when RACC receives a report of sexual misconduct, gender-based violence, or other sex or gender discrimination, RACC's Title IX Coordinator is notified. If the victim wishes to access local community agencies and/or law enforcement for support, RACC will assist the victim in making these contacts. The Title IX Coordinator will offer assistance to victims in the form of interim or long-term measures such as opportunities for academic accommodations, and connect students to resources that can assist with changes in housing for the victim or the responding student, visa and immigration assistance, changes in working situations and other assistance as may be appropriate and available on campus or in the community (such as no contact orders, Protection from Abuse (PFA) orders, campus escorts, transportation assistance, targeted interventions, etc.). If the victim so desires, they will be connected with a counselor on- or off-campus, as well as the victim's advocate. No victim is required to take advantage of these services and resources, but RACC provides them in the hopes of offering help and support without condition or qualification. A summary of rights, options, supports and procedures, in the form of this document, is provided to all victims, whether they are students, employees, guests or visitors.

When appropriate upon receipt of notice, RACC's Title IX Coordinator will conduct a prompt, fair and impartial process to be initiated, commencing with an investigation which may lead to the imposition of sanctions, based upon a preponderance of evidence (what is more likely than not), upon a responding student or other accused individual. Procedures detailing the investigation and resolution processes can be found online here: <https://www.racc.edu/title-ix>.

The College's Title IX Coordinator is ultimately responsible assuring in all cases that the behavior is brought to an end and acts to reasonably prevent its recurrence and the effects on the victim and the community are remedied. The Title IX Coordinator is also responsible ensuring that training is conducted annually for all advocates, investigators, hearing officers, panelists and appeals officers that encompass a hearing process that protects the safety of victims and promotes accountability. Training will focus on sexual misconduct, domestic violence, dating violence, sexual assault, stalking, sexual harassment, retaliation and other behaviors that can be forms of sex or gender discrimination covered by Title IX and Clery Act. Training will help those decision-makers in the process to protect the safety of victims and to promote accountability for those who commit offenses. .

The investigation and records of the resolution conducted by RACC are maintained confidentially. Information is shared internally between administrators who need to know, but a tight circle is kept. Where information must be shared to permit the investigation to move forward, the person bringing the accusation will be informed. Privacy of the records specific to the investigation are maintained in accordance with Pennsylvania law and the federal FERPA statute. Any public release of information to comply with the open crime logs or timely warning provisions of the Clery Act will not release the names of victims or information that could easily lead to a victim's identification. Additionally, RACC maintains privacy in relation to any accommodations or protective measures afforded to a victim, except to the extent necessary to provide the accommodations and/or protective measures.

In any complaint of sexual misconduct, sexual assault, stalking, dating violence, domestic violence or other sex or gender-based discrimination covered under the federal law, Title IX, the person bringing the accusation and the responding party are entitled to the same opportunities for a support person or advisor of their choice throughout the process, including any meeting, conference, hearing or other procedural action. Once complete, the parties will be informed, in writing, of the outcome, including the finding, the sanctions (if any) and the rationale therefore. Delivery of this outcome to the parties will occur without undue delay between notifications. All parties will be informed of appeal processes, and their rights to exercise a request for appeal. Should any change in outcome occur prior to finalization, all parties will be timely informed in writing, and will be notified when the results of the resolution process become final.

H. Title IX Process and Procedure Under Title IX

It is the policy of RACC (Board of Trustees Policy 840 – Discrimination and Harassment Including Title IX Compliance) to prohibit discrimination on the basis of race, color, sex, sexual orientation, gender identity, religion, national origin, ethnic origin, age, disability, or veteran status, including status as a disabled or Vietnam Era veteran in regard to the administration of all campus programs, services, and activities and the admission of students, employment actions, or other sponsored activities. Furthermore, it is RACC's policy not to tolerate harassment of any type, including sexual harassment, of or by any employee, student, contractor, vendor, and/or visitor to RACC. The purpose of this policy is to comply with the provisions of Title IX of the Education Amendments of 1972 ("Title IX"), 20 U.S.C. Sec. 1681, et. seq., which prohibits discrimination on the basis of sex in the course of any federally-funded educational program or activity.

In accordance with the provisions of Title IX, the College prohibits discrimination on the basis of sex in any of its educational programs and activities, to include any programs and activities sponsored by the College, conducted on or off campus, and while in route to such programs and activities, in College owned, or College sponsored transportation. Unlawful employment discrimination, sexual violence and sexual harassment by officers, managers, faculty, supervisors, employees, students, advisors, vendors, clientele, and contractors is a violation of this policy.

All complaints of sex discrimination, including sexual harassment or sexual violence, must be brought to the immediate attention of the Title IX Coordinator for the College. The Title IX Coordinator for the College is Lizette Flowers, Yocum Library 306, 10 South Second Street, P.O. Box 1706, Reading, PA 19603 (610) 372-4721, ext. 5005 (phone), (610) 607-6295 (fax), or e-mail to lflowers@racc.edu.

The College has an affirmative duty pursuant to Title IX to take immediate and appropriate action once it knows, or reasonably should have known, of any act of sex discrimination, to include sexual harassment and sexual violence in any of its educational programs and activities. The College will act on any complaint of sex discrimination, to include sexual harassment and sexual violence in order to resolve such complaints promptly and equitably.

Reporting Parties who make good faith complaints are protected from retaliation pursuant to Title IX, this policy, and the College's policy against Sexual Harassment. Any retaliation against an individual who has complained about sexual harassment or unlawful discrimination or sexual violence, or retaliation against individuals for cooperating with an investigation of a complaint of sexual harassment sexual violence or unlawful discrimination, is a violation of this policy and Title IX. Persons who violate this policy will be subject to disciplinary action up to and including termination of employment, suspension, expulsions and/or termination of the contractual relationship.

I. Scope

This document will establish a procedure for recourse, resolution and rehabilitation of all reporting parties and victims of all forms of sex discrimination, while protecting the due process rights for alleged perpetrators of sex discrimination, sexual harassment or sexual violence. This procedure will be utilized to address any case of sex discrimination, sexual harassment, or sexual violence involving students or employees of RACC, while enrolled or employed in any educational program or activity at RACC.

J. General Provisions

1. Disposition of a Reporting Party and corrective action (if required) shall be in accordance with Board of Trustees Policies, the Student Handbook, the Work-Study Handbook, the Faculty Handbook, and/or other applicable College policies, procedures, and publications.
2. The timelines in these procedures may be extended by the mutual consent of the Reporting Party and the Title IX Coordinator. Further, timelines may be extended to prevent interference with an outside agency or law enforcement investigation.
3. If a Reporting Party, whether formal or informal, is directed against the Title IX Coordinator, the functions assigned to this person by these procedures will transfer to one of the Deputy Title IX Coordinators.

4. If a Reporting Party, whether formal or informal, is directed against the President of the College, such a Reporting Party will be directed to the Chair of the Human Resources Committee of the Board of Trustees.

K. Policy Definitions

1. College Days, as used in this Policy, shall mean any day on which RACC administrative offices are open for normal business, which does not include Saturdays, Sundays, or scheduled holidays.
2. Complaint is an allegation of discrimination, harassment, or sexual harassment.
3. Reporting Party or Complainant is the person who files a complaint.
4. Respondent(s) is/are an individual or individuals who are the subject of a complaint.
5. Discrimination can include the treating of members of a protected class less favorably because of their membership in that class. Discrimination includes harassment in any form, based on race, national origin, religion, color, sex, age, disability, veteran status, marital status, sexual orientation or any other factor protected by state or federal laws, including harassment of an individual in terms of a stereotyped group characteristic or because of that person's identification with a particular group.
6. Harassment is any conduct, verbal or physical, on or off campus, that has the intent or effect of unreasonably interfering with an individual or group's employment or educational pursuits or that creates an intimidating, hostile, or offensive work or learning environment. It is the creation of a hostile or intimidating environment in which an individual's or group's conduct, because of its severity and/or persistence, is likely to interfere significantly with an individual's work or education. For the purposes of this policy, the term "harassment" includes, but is not necessarily limited to, acts of intimidation, unwelcome slurs, jokes, comments and other verbal, graphic, or physical conduct.
7. Sex Discrimination or Discrimination on the Basis of Sex can be manifested by unequal access to educational programs and activities on the basis of sex, unequal treatment on the basis of sex in the course of conducting those programs and activities, or, the existence of a program or activity that has a disparate impact on participation, improperly based on the sex of the participants. Such discrimination can affect both men and women, and is illegal under both federal and state law and is strictly prohibited by the College.
8. Sexual Harassment is a form of sex discrimination that is illegal under both federal and state law and is strictly prohibited by the College. Unwelcome sexual advances, requests for sexual favors and other physical or verbal conduct of a sexual nature constitute sexual harassment when:
 - a. Submission to such advances, requests or conduct is made either explicitly or implicitly a term or condition of an individual's employment or academic advancement or participation in College programs or activities, or is used as a basis for employment or academic decisions affecting the individual; or
 - b. Rejection of such advances, requests or conduct affects a term or condition of an individual's employment or academic advancement or participation in College programs or

activities, or is used as a basis for employment or academic decisions affecting the individual; or

- c. Such conduct has the purpose or effect of unreasonably interfering with an individual's work, academic performance, education, or participation in College programs or activities, or of creating an intimidating, hostile, work or academic environment.

9. Sexual Assault is a non-consensual act involving psychological manipulation, physical force, or coercion. As defined in the Pennsylvania Crimes Code, *except as provided in 18 Pa.C.S.A. Section 3121 (relating to rape) or 3123 (relating to involuntary deviate sexual intercourse), a person commits a felony of the second degree when that person engages in sexual intercourse or deviate sexual intercourse without consent (see below).*

Pennsylvania Crimes Code definitions relevant to "sexual assault," which are as follows: *18 Pa. C.S.A Section 3121.*

- a. Rape. A person commits a felony of the first degree when he or she engages in sexual intercourse with a Reporting Party:
 - 1) By forcible compulsion;
 - 2) By threat of forcible compulsion that would prevent resistance by a person of reasonable resolution;
 - 3) Who is unconscious or where the person knows that the Reporting Party is unaware that the sexual intercourse is occurring;
 - 4) Where the person has substantially impaired the Reporting Party's power to appraise or control his or her conduct by administering or employing, without the knowledge of the Reporting Party, drugs, intoxicants or other means for the purpose of preventing resistance;
 - 5) Who suffers from a mental disability that renders the Reporting Party incapable of consent;
 - 6) Who is less than 13 years of age *18 Pa. C.S.A. Section 3122.1. Statutory Sexual Assault. Except as provided in section 3121 (relating to rape) person commits a felony of the second degree when that person engages in sexual intercourse with a Reporting Party under the age of 16 years and that person is four or more years older than the Reporting Party and the Reporting Party and the person are not married to each other. 18 Pa. C.S.A. Section 3123.*
- b. Involuntary Deviate Sexual Intercourse.
 - (a) Offense defined - A person commits a felony of the first degree when he or she engages in deviate sexual intercourse with a complainant:
 - 1) By forcible compulsion;

- 2) By threat of forcible compulsion that would prevent resistance by a person of reasonable resolution;
- 3) Who is unconscious or where the person knows that the Reporting Party is unaware that the sexual intercourse is occurring;
- 4) Where the person has substantially impaired the Reporting Party's power to appraise or control his or her conduct by administering or employing, without the knowledge of the Reporting Party, drugs, intoxicants or other means for the purpose of preventing resistance;
- 5) Who suffers from a mental disability that renders him or her incapable of consent;
- 6) Who is less than 13 years of age; or
- 7) Who is less than 16 years of age and the person is four or more years older than the Reporting Party and the Reporting Party and person are not married to each other.

(b) Definition - As used in this section, the term "forcible compulsion" includes, but is not limited to, compulsion resulting in another person's death, whether the death occurred before, during or after the sexual intercourse. 18 Pa. C.S.A. Section 3124.1.

- c. Sexual Assault. Except as provided in section 3121 (relating to rape) or 3123 (relating to involuntary deviate sexual intercourse), a person commits a felony of the second degree when that person engages in sexual intercourse or deviate sexual intercourse with a Reporting Party without the Reporting Party's consent. Pa. C.S.A. Section 3125.
- d. Aggravated Indecent Assault. Except as provided in sections 3121 (relating to rape), 3122.1 (relating to statutory sexual assault), 3123 (relating to involuntary deviate sexual intercourse) and 3124.1 (relating to sexual assault), a person who engages in penetration, however slight, of the genitals or anus of a Reporting Party with a part of the person's body for any purpose other than good faith medical, hygienic or law enforcement procedures commits aggravated indecent assault, a felony of the second degree, if:
 - 1) The person does so without the Reporting Party's consent;
 - 2) The person does so by forcible compulsion;
 - 3) The person does so by threat of forcible compulsion that would prevent resistance by a person of reasonable resolution;
 - 4) The Reporting Party is unconscious or the person knows that the Reporting Party is unaware that the penetration is occurring;

- 5) The person has substantially impaired the Reporting Party's power to appraise or control his or her conduct by administering or employing, without the knowledge of the Reporting Party, drugs, intoxicants or other means for the purpose of Preventing resistance;
- 7) The Reporting Party suffers from a mental disability which renders him or her incapable of consent;
- 8) The Reporting Party is less than 13 years of age; or
- 9) The Reporting Party is less than 16 years of age and the person is four or more years older than the Reporting Party and the Reporting Party and the person are not married to each other. *18 Pa. C.S.A. Section 3126.*

e. Indecent Assault.

(a) Offense defined - A person who has indecent contact with the Reporting Party or causes the Reporting Party to have indecent contact with the person is guilty of indecent assault if:

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

(b) Grading - Indecent assault under subsection (a) (7) is a misdemeanor of the first degree. Otherwise, indecent assault is a misdemeanor of the second degree. *18 Pa. C.S.A. Section 3127.*

- f. Indecent Exposure. (a) Offense defined - A person commits indecent exposure if that person exposes his or her genitals in any public place or in any place where there are present other persons under circumstances in which he or she knows or should know that this conduct is likely to offend, affront or alarm. (b) Grading - If the person knows or should have known that any of the persons present are less than 16 years of age, indecent exposure under subsection (a) is a misdemeanor of the first degree. Otherwise, indecent exposure under subsection (a) is a misdemeanor of the second degree.
- g. Sexual Violence is a form of sex discrimination that is illegal under both federal and state law and is strictly prohibited by the College. Sexual violence is defined as physical sexual acts conducted either against a person's will or where a person is incapable of giving consent, including but not limited to, rape, sexual assault, sexual battery, and sexual coercion. Sexual violence also includes domestic violence, dating violence, and stalking.
- h. Retaliation is unlawful adverse action taken for making a complaint of sex discrimination, sexual harassment, or sexual violence, or aiding or assisting in such a claim or cooperating in the investigation of such a claim.

L. Employee, Faculty and Student Responsibilities

Each employee, faculty member, administrator and student of the College is personally responsible for ensuring that he or she does not engage in conduct that violates this policy. Each employee, faculty member, administrator and student are responsible for cooperating in any investigation of alleged sexual harassment or unlawful discrimination or retaliation if requested to do so by the person conducting the investigation. The College should be notified of any Protection from Abuse (PFA) or similar no-contact or restraining order, and will provide reasonable changes in scheduling, security escorts, and other reasonable steps needed.

M. Title IX Coordinator Contact Information

Anyone who believes that she/he, or any other member of the College community, to be a victim of sex discrimination, sexual harassment or sexual violence prohibited by this policy, whether by a supervisor, a co-worker, faculty member, student, vendor, contractor or any other person with whom she/he comes in contact with at the College, in the course of any educational program or activity at the College, should report the incident directly to the College's Title IX Coordinator. The complaint should be filed with the College's Title IX Coordinator, as follows:

Lizette Flowers
RACC Title IX Coordinator
Yocum Library 306
10 South 2nd Street, Box 1706
Reading, PA 19603
Phone: (610) 372-4721 Ext. 5005
Fax: (610) 607-6295
E-mail: lflowers@racc.edu

Any person who receives a complaint of sexual harassment or discrimination or sexual violence or retaliation from an employee or student, or who otherwise knows or has reason to believe that an employee or student has been subjected to sexual harassment or discrimination or sexual violence or retaliation, is expected to report the incident promptly to the College's Title IX Coordinator.

N. Title IX Investigation

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

Depending on the facts and circumstances of the specific complaint, the College's Title IX Coordinator will immediately contact agencies and organizations to effect immediate relief, care, and support for the Reporting Party and/or the victim in any given case including but not limited to:

1. The closest, competent health care facility,
2. The police department and campus security,
3. The Employee Assistance Program (EAP).

As an immediate priority, care will be taken to ensure the safety and well-being of the Reporting Party and/or victim, and to exercise all precautionary measures to prevent a repeat of the alleged incident of sexual harassment or sexual violence. Accordingly, supportive measures such as a temporary suspension, may be implemented pending the investigation on the matter.

This Resolution Process, consisting of Informal Resolution or Hearing Resolution, is the College's chosen approach to addressing all forms of discrimination on the basis of protected characteristics, harassment, retaliation, and Other Prohibited Conduct under the Policy. The process considers the Parties' preferences but is ultimately determined at the Title IX Coordinator's discretion.

A. Informal Resolution –

To initiate Informal Resolution, a Complainant or Respondent may make such a request to the Title IX Coordinator at any time prior to a final determination, or the Title IX Coordinator 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.

B. Hearing Resolution Process

The Title IX Coordinator will send the Parties a Notice of Hearing with sufficient time for the Parties to prepare for the hearing, typically at least ten (10) business days prior to the hearing. Once mailed, emailed, and/or received in-person, notice will be presumptively delivered.

O. Confidentiality

Confidentiality exists in the context of laws or professional ethics (including Title IX) that protect certain relationships, including clinical care, mental health providers, and counselors. Confidentiality also applies to those designated by the College as Confidential Employees for purposes of reports under this Policy, regardless of legal or ethical protections. When a Complainant shares information with a Confidential Employee, the Confidential Employee does not need to disclose that information to the Title IX Coordinator. The Confidential Resource will, however, provide the Complainant with the Title IX Coordinator's contact information, assist the Complainant in reporting, if desired, and provide them with information on how the Title IX Office can assist them. With respect to Confidential Employees, information may be disclosed when: (1) the reporting person gives written consent for its disclosure; (2) there is a concern that the person will likely cause serious physical harm to self or others; or (3) the information concerns conduct involving suspected abuse or neglect of a minor under the age of 18, elders, or persons with disabilities. Non-identifiable information may be shared by Confidential Employees for statistical tracking purposes as required by the Clery Act/Violence Against Women Act (VAWA). Other information may be shared as required by law.

P. Sanctions

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 below are not exclusive of, and may be in addition to, other actions taken, or sanctions imposed, by external authorities.

A. Student 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.
- 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 holding leadership roles in student organizations.
- Probation: An official sanction for violation of RACC policy, providing for more severe disciplinary sanctions in the event that the student is found in violation of any College policy, procedure, or directive within a specified period of time. Terms of the probation will be articulated and may include denial of specified social privileges, exclusion from extra-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 defined period of time, typically not to exceed two (2) years, 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 College determines it is appropriate to re-enroll/readmit the student. The student is typically required to vacate RACC property within 24 hours of notification of the action, though this deadline may be extended at the discretion of the Title IX Coordinator or other appropriate official. During a College-wide suspension, the student is banned from RACC property, functions, events, and activities unless they receive prior written approval from an appropriate RACC official. This sanction may be enforced with a trespass action, as necessary.

- Expulsion: Permanent separation from the College. The student is banned from RACC 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.
- Other Actions: In addition to, or in place of, the above sanctions, the College may assign any other sanctions as deemed appropriate.

B. Employee Sanctions/Responsive/Corrective Actions Responsive actions for an employee who has engaged in discrimination, harassment, and/or retaliation include:

- First Written Warning
- Advanced Written
- Last and Final Warning
- Performance Improvement Plan/Management Process
- Enhanced Supervision, Observation, or Review
- Required Counseling
- Required Training or Education
- Loss of Oversight or Supervisory Responsibility
- Demotion
- Transfer
- Reassignment
- Assignment to a New Supervisor
- Discharge from Employment
- Other Actions: In addition to or in place of the above sanctions/responsive actions, the College may assign any other actions as deemed appropriate.

Notice of Outcome Within seven (7) business days of the conclusion of the Resolution Process, the Title IX Coordinator provides the Parties with a written outcome notification. The outcome notification will specify the finding for each alleged Policy violation, all 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 request an appeal, and when the determination is considered final if no party appeals.

Q. No Retaliation for Filing a Complaint of Sexual Violence, Sexual Harassment or Unlawful Discrimination

Retaliation against any individual for making a complaint of sexual harassment, discrimination or sexual violence or for assisting in the investigation of such a complaint is a violation of this policy and will not be tolerated. Any acts of retaliation will be subject to appropriate disciplinary action, such as but not limited to reprimand, change in work assignment, loss of privileges, mandatory training or suspension and/or immediate termination.

R. False Accusations

Anyone who knowingly makes a false accusation of discrimination, harassment, or retaliation will be subject to appropriate sanctions which may include, but are not limited to, written warning, demotion, transfer, suspension, dismissal, expulsion or termination.

S. Filing of a Complaint with the Safety and Security Department

Individuals who believe that they have been the victim of criminal conduct, or the College itself, may also choose to file a report with law enforcement authorities, in addition to invoking the procedures under this policy. RACC has personnel on staff who can explain criminal complaint procedures, and assist the victim in beginning the process, and will explain to the victim the option to (or not to) seek assistance from law enforcement or the campus Safety and Security Department. Additionally, if necessary, RACC administrators will notify appropriate law enforcement officials in accordance with obligations under federal, state, and local laws and regulations. Police investigation and legal prosecution are conducted outside of and in addition to the procedures contained in this policy.

T. College Investigators of Complaints of Sexual Harassment and Unlawful Employment Discrimination

The investigator, Lizette Flowers, Title IX Coordinator, is designated as that person who is charged with coordinating the College's implementation of this policy, and investigating complaints of sexual harassment, unlawful discrimination or retaliation for the College. She may be contacted to initiate an investigation under the policy or to answer questions regarding this policy. The College also reserves the right to retain an outside investigator(s) to investigate complaints regarding violations of this policy.

The Reporting Party (Complainant) or the Respondent might allege that the investigator has a substantial conflict of interest that might impair his/her ability to conduct a fair and impartial investigation of the allegations. In that event, details supporting the alleged conflict of interest must be submitted, in writing, to the Office of The Title IX Coordinator within five (5) business days of receiving notice of the identity of the investigator. A determination will be made about the existence of a conflict of interest and, if such a conflict is found to exist, an alternative investigator will be appointed as expeditiously as possible. In the event that a request is made and an alternate investigator must be appointed, any specific timeline provided for in the complaint procedure shall be suspended pending the determination and/or appointment.

U. State and Federal Agencies

In addition to the above, employees who believe that they may have been subjected to sexual harassment or unlawful discrimination, may file a formal complaint with government agencies set forth below. Students may file a complaint with 1) the U.S. Department of Education and 2) the College's complaint process. Filing a criminal complaint does not prohibit an employee or student from filing a complaint with these agencies:

1. United States Equal Employment Opportunity Commission ("EEOC"), 801 Market Street, Suite 1300, Philadelphia, PA 19107-3127, (800) 669-4000,
2. Pennsylvania Human Relations Commission ("PHRC"); Philadelphia Regional Office, 110 North 8th Street, Suite 501, Philadelphia, PA 19107, (215) 560-2496 (215) 560-3599 TTY users only, and

3. U.S. Department of Education, Office for Civil Rights Philadelphia Office U.S. Department of Education, The Wanamaker Building, 100 Penn Square East, Suite 515, Philadelphia, PA 19107-3323, Telephone: (215) 656-8541, Facsimile: (215) 656-8605, Email: OCR.Philadelphia@ed.gov.

V. Mandated Reporters

The Child Protective Services Law (CPSL) requires reporting of suspected child abuse by individuals who are “mandated reporters” under the Law. Willful failure to report (having a reasonable suspicion of abuse and deciding not to report it) may be punished. The penalties for failure to report have been increased under recent amendments to the CPSL. The first offense of willful failure to report is a second-degree misdemeanor. Penalties are increased to a third-degree felony if the mandated reporter willfully fails to report child abuse that is a felony of the first degree or higher and the mandated reporter has direct knowledge of the nature of the abuse. For multiple offenses, a felony of the third degree is committed, increasing if the abuse of the child is a felony of the first degree or higher. If willful failure to report continues, while the mandated reporter knows or has reasonable cause to believe that the child is being actively abused, the offense is considered a first-degree misdemeanor except when the abuse to the child constitutes a felony of the first degree or higher. In this instance, the penalty is a felony of the third degree.

W. Annual Assessment

RACC will publish an Annual Assessment of the effectiveness of its efforts against sexual harassment and sexual violence. This report will include a summary of efforts made, such as publications, programs, and on-campus initiatives regarding awareness, prevention and reporting of sexual harassment and sexual violence, and statistics on reports and outcomes of investigations. Additionally, the Assessment will describe additional measures which will be taken to curtail sexual harassment and sexual violence on the RACC campus, including development and publication of policies and protocols on sexual harassment and sexual violence which take into consideration the cultural diversity of the RACC campus and student body, and identify specific needs and barriers to reporting and investigation.

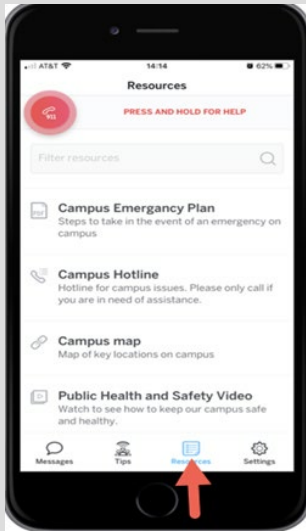
VII. RESOURCES

A. Emergency Phone Numbers

In the event of an on-campus emergency, students, faculty and staff can contact the Safety and Security Department by dialing extension 6291 from any campus telephone including the red phones located in the hallways throughout campus buildings.

	ON CAMPUS	CELL	OFF CAMPUS
Safety & Security Services – Rings at All Security Desks	Ext 6291		610-607-6291
Day – Manager of Security	Ext 5098	484-955-9959	610-372-4721, Ext 5098
Evening and Weekend Security Supervisors	Ext 5098	484-955-2946	610-372-4721, Ext 5098
Berks Hall Safety & Security Department	Ext 5098		610-372-4721, Ext 5098
Security - Berks Hall Lobby	Ext 6291		610-607-6291
Advising Center	Ext 6245		610-607-6245
Security - Weitz Hall Lobby	Ext 6291		610-607-6291
Security - Kratz Hall Lobby	Ext 6291		610-607-6291
Security - Schmidt TTC Lobby	Ext 6291		610-607-6291
Security - Yocum Library Lobby	Ext 6291		610-607-6291
Dean of Student Affairs	Ext 5298		610-372-4721, Ext 5298
Switchboard	Dial "0"		610-372-4721, Dial "0"

Please Utilize the Omnilert App to get help while within the campus boundaries if you need help outside.



B. Area Hospitals

1. Tower Health/Reading Hospital – (484) 628-8000
Sixth Avenue and Spruce Streets
West Reading, PA 19611

2. Penn State Health/St. Josephs Main Campus – (610) 378-2000
2500 Bernville Road (Route 183)
Reading, PA 19605

C. Emotional Support Counseling/Advocacy

1. Berks County Social Services – Counseling Mental Health
2. Berks Counseling Center @ RACC, 610-372-4721 ext.5071
3. Safe Berks
 - i. 24-hour hotline 844-789-SAFE (7233)
 - ii. Text SAFE BERKS to 20121
4. Crisis Intervention & Emergency Services (Holcomb Crisis Intervention of Berks County)
 - i. 24 hours a day, seven days a week.
 - ii. 610-379-2007 or Toll-Free 1-888-219-3910

AMENDED BY THE VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2013

A. Federal Clery Act Definitions of Domestic Violence, Dating Violence, Sexual Assault and Stalking

Reading Area Community College prohibits Students, Faculty and Staff from committing crimes of Domestic Violence, Dating Violence, Sexual Assault (Rape, Fondling, Incest, Statutory Rape) and Stalking defined by the Clery Act. The Clery Act defines the crimes of domestic violence, dating violence, sexual assault and stalking as follows:

Domestic Violence: A Felony or misdemeanor crime of violence committed.

- A) By a current or former spouse or intimate partner of the victim;
- B) By a person with whom the victim shares a child in common;
- C) By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
- D) By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or
- E) By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.
- F) For the purposes of complying with the requirements of this section and §668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

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.

- A) The existence of such a relationship shall be based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
- B) For the purposes of this definition—
 - 1) Dating Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
 - 2) Dating violence does not include acts covered under the definition of domestic violence.
- C) For the purposes of complying with the requirements of this section and §668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

Sexual Assault: An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting (UCR) program. Per the National Incident-Based Reporting System

User Manual from the FBI UCR Program, a sex offense is “any sexual act directed against another person, without the consent of the victim, including instances where the victim if incapable of giving consent.

- 1) Rape is defined as the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim
- 2) Fondling is defined as the touching of the private parts of another person for the purposes of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
- 3) Incest is defined as sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law
- 4) Statutory Rape is defined as sexual intercourse with a person who is under the statutory age of consent.

Stalking:

A) Engaging in a course of conduct directed at a specific person that would cause a reasonable person to—

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

B) For the purposes of this definition—

- 1) Course of conduct means two or more acts, including, but not limited to, acts which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person’s property.
- 2) Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.
- 3) Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

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

B. Jurisdictional Definitions of Domestic Violence, Dating Violence, Sexual Assault and Stalking

Domestic Violence: The state of Pennsylvania defines domestic violence as follows, domestic violence is defined as knowingly, intentionally or recklessly causing bodily injury of any kind, causing fear of bodily injury of any kind, assault (sexual or not sexual), rape, sexually abusing minor children, or knowingly engaging in a repetitive conduct toward a certain person (i.e. stalking) that puts them in fear of bodily injury.

- a. violence,
- b. on the basis of sex,
- c. committed by a current or former spouse or intimate partner of the Complainant,
- d. by a person with whom the Complainant shares a child in common, or

- e. by a person who is cohabitating with, or has cohabitated with, the Complainant as a spouse or intimate partner, or
- f. by a person similarly situated to a spouse of the Complainant under the domestic or family violence laws of Pennsylvania, or
- g. by any other person against an adult or youth Complainant who is protected from that person's acts under the domestic or family violence laws of Pennsylvania

*To categorize an incident as Domestic Violence, the relationship between the Respondent and the Complainant must be more than just two people living together as roommates. The people cohabitating must be current or former spouses or have an intimate relationship.

Dating Violence: The state of Pennsylvania does not have a definition of dating violence in regards to Pa Laws or Statutes

- a. violence,
- b. on the basis of sex,
- c. committed by a person,
- d. who is in or has been in a social relationship of a romantic or intimate nature with the Complainant.

1. The existence of such a relationship shall be determined based on the Complainant's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition—

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

Stalking: The state of Pennsylvania defines stalking as repeated harassment that creates substantial emotional distress.

- a. engaging in a course of conduct,
- b. on the basis of sex,
- c. directed at a specific person, that

- 1. would cause a reasonable person to fear for the person's safety, or
- 2. the safety of others; or
- 3. Suffer substantial emotional distress.

For the purposes of this definition—

- d. Course of conduct means two or more acts, including, but not limited to, acts in which the Respondent directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
- e. Reasonable person means a reasonable person under similar circumstances and with similar identities to the Complainant.
- f. Substantial emotional distress means significant mental suffering or anguish that may but does not necessarily require medical or other professional treatment or counseling.

Consent: The state of Pennsylvania does not have single definition for consent, in relation to sexual activity, it has laws based on specific ages. The institution's defines consent as knowing, and voluntary, and clear permission by word or action to engage in sexual activity. Consent is: knowing, and voluntary, and clear permission by word or action to engage in sexual activity. Since individuals may experience the same interaction in

different ways, 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. Reasonable reciprocation can be implied. For example, if someone kisses you, you can kiss them back (if you want to) without the need to explicitly obtain their consent to being kissed back.

C. How to Be an Active Bystander

Bystanders play a critical role in the prevention of sexual and relationship violence. They are “individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it”. RACC encourages a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. We may not always know what to do even if we want to help. If you or someone else is in immediate danger, dial 911. This could be when a person is being yelled at or being physically abused. Watch out for your friends and fellow students/employees. If you see someone who looks like they could be in trouble or need help, ask if they are ok. If you are not comfortable addressing it with law enforcement/campus security, you can report them to any of the CSA’s listed in this document. CSA’s can refer people to on or off-campus resources listed in this document for support in health, counseling, or with legal assistance.

D. Risk Reduction

Reading Area Community College understands (with no intent to victim blame) and recognizes that only abusers are responsible for their abuse. The following are some strategies to reduce one’s risk of sexual assault or harassment:

- a. **Be aware** of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
- b. Try to **avoid isolated areas**. It is more difficult to get help if no one is around.
- c. **Walk with purpose**. Even if you don’t know where you are going, act like you do.
- d. **Try NOT to load yourself down** with packages or bags as this can make you appear more vulnerable.
- e. **Make sure your cellphone is with you** or have someone to call in emergency or 911.
- f. **Don’t allow yourself to be isolated** with someone you don’t trust or someone you don’t know.
- g. **Avoid putting music headphones in both ears** so that you can be more aware of your surroundings, especially if you are walking alone.
- h. **When you go to a social gathering, go with a group of friends**. Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.
- i. **Trust your instincts**. If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).
- j. **Don’t leave your drink unattended** while talking, dancing, using the restroom, or making a phone call. If you’ve left your drink alone, just get a new one. **Don’t accept drinks from people you don’t know or trust**. If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don’t drink from the punch bowls or other large, common open containers.
- k. **Watch out for your friends and vice versa**. If a friend seems out of it, is way too intoxicated for the amount of alcohol they’ve had, or is acting out of character; get them to a safe place immediately.
- l. **If you suspect you or a friend has been drugged, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.)**. Be explicit with doctors so they

- can give you the correct tests (you will need a urine test and possibly others).
- m. If you need to get out of an uncomfortable or scary situation here are some things that you can try:
 - n. **Remember that being in this situation is not your fault.** You did not do anything wrong, it is the person who is making you uncomfortable that is to blame.
 - o. **Be true to yourself.** Don't feel obligated to do anything you don't want to do. "I don't want to" is always a good enough reason. Do what feels right to you and what you are comfortable with doing.
 - p. **Have a code word with your friends or family** so that if you don't feel comfortable, you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come to get you or make-up an excuse for you to leave.
 - q. **Lie.** If you don't want to hurt the person's feelings, it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use are: needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.
 - r. **Try to think of an escape route.** How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby?
 - s. **If you and/or the other person have been drinking,** you can say that you would rather wait until you both have your full judgment before doing anything you may regret later.

E. Programs to Prevent Domestic Violence, Dating Violence, Sexual Assault, and Stalking

Reading Area Community College prohibits the crimes of domestic violence, dating violence, sexual assault, and stalking (as defined by the Clery Act).

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

- A. Are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research, or assessed for value, effectiveness, or outcome; and
- B. Considers the environmental risk and protective factors as they occur on the individual, relationship, institutional, community and societal levels.

Educational programming consists of primary prevention and awareness programs for all incoming students and new employees along with ongoing awareness and prevention campaigns through annual Title IX trainings and campus events for students.

Reading Area Community College is committed to providing a safe workplace and educational environment, as well as other benefits, programs, and activities; that are free from discrimination, harassment, and retaliation. To ensure compliance with federal and state civil rights' laws and regulations, and to affirm its commitment to promoting the goals of fairness and equity in all aspects of the educational program or activity; Reading Area Community College has developed internal policies and procedures that provide a prompt, fair, and impartial process for those involved in an allegation of discrimination or harassment on the basis of protected class status, and for allegations of retaliation. Reading Area Community College values and upholds the equal dignities of all members of its community and strives to balance those rights of the parties in the grievance processes during what are often difficult times for all those involved.

F. Procedures Victims Should Follow if a Crime of Domestic Violence, Dating Violence, Sexual Assault and Stalking Occurs

The College strongly encourages all members of its community to report violations of this policy to law enforcement (including on-campus security). It is the victim's choice whether or not to make such a report. Furthermore, victims have the right to decline to notify law enforcement. However, the College's Title IX Coordinator or designee will assist any victim with notifying law enforcement, if the victim so desires. Reading Police Department may also be reached directly by calling 610-655-6116 on their non-emergency number, or in person at 815 Washington Street, Reading, PA 19601. Additional information about the Reading Police Department may be found online at: <https://www.readingpa.gov/about-rpd> .

G. Procedures the College Will Follow When a Crime of Domestic Violence, Dating Violence, Sexual Assault and Stalking is Reported

The College has procedures in place that serve to be sensitive to victims who report sexual assault, domestic violence, dating violence, and stalking; including informing individuals about their rights to file criminal charges as well as the availability of counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid and other services on and/or off-campus; as well as additional remedies to prevent contact between a complainant and an accused party, academic, protective orders, and in working situations. The College will make such accommodations or protective measures, if the victim requests them and if they are reasonably available, regardless of whether the victim chooses to report the crime or not to Campus Security or local law enforcement.

1) File a complaint with, or give verbal notice to, the Title IX Coordinator: Lizette Flowers, 10 South Second Street, P.O. Box 1706, Reading, PA 19603, (610) 372.4721 x5005 or lflowers@racc.edu. 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 Title IX Coordinator or any other official.

2) Report online, using the reporting form posted here: [Title IX: How Do I Report an Incident? | RACC](#). Anonymous reports are accepted but can give rise to a need to investigate. Reading Area Community College tries to provide supportive measures to all Complainants, which is impossible with an anonymous report. Because reporting carries no obligation to initiate a formal response, and as Reading Area Community College Respects Complainant requests to dismiss complaints unless there is a compelling threat to health and/or safety, the Complainant is largely in control and should not fear a loss of privacy by making a report that allows Reading Area Community College to discuss and/or provide supportive measures.

3) Report using the Care and Concern link at: [Report a Concern, Incident, or Counseling Referral | RACC](#).

4) Contact a Union Representative for employees in bargaining unit positions (Employees only).

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

Incident Being Reported	Procedure Institution Will Follow
Sexual Assault	<ol style="list-style-type: none"> 1. Depending on when it's reported (immediate vs delayed report), the institution will provide complainant with access to medical care 2. The institution will assess the immediate safety needs of the complainant 3. The institution will assist complainant with contacting local police if the complainant requests. Then the institution will provide the complainant with contact information for the local police department 4. The institution will provide complainant with referrals to on and off-campus mental health providers 5. The institution will assess the need to implement interim or long-term protective measures, if appropriate 6. The institution will provide the victim with a written explanation of the victim's rights and options 7. The institution will provide a "no trespass" (PNG) directive to the accused party, if deemed appropriate 8. The institution will provide the victim written instructions on how to apply for a Protective Order 9. The institution will provide a copy of the policy applicable to Sexual Assault to the complainant and inform the complainant regarding time frames for inquiry, investigation and resolution 10. The institution will inform the complainant of the outcome of the investigation, whether or not the accused will be administratively charged, and the on the outcome of the hearing 11. The institution will enforce the anti-retaliation policy and take immediate and separate actions against parties that retaliate against a person for complaining of sex-based discrimination or for assisting in the investigation

Stalking	<ol style="list-style-type: none"> 1. The institution will assess the immediate safety needs of the complainant 2. The institution will assist the complainant with contacting local police if complainant requests. Then the institution will provide the complainant with contact information for local police department 3. The institution will provide written instructions on how to apply for a Protective Order 4. The institution will provide written information to complainant on how to preserve evidence 5. The institution will assess the need to implement interim or long-term protective measures to protect the complainant, if appropriate 6. The institution will provide the victim with a written explanation of the victim's rights and options 7. The institution will provide a "no trespass" (PNG) directive to the accused party, if deemed appropriate
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Dating Violence	<ol style="list-style-type: none"> 1. The institution will assess the immediate safety needs of the complainant 2. The institution will assist the complainant with contacting local police, if the complainant requests. Then the institution will provide the complainant with contact information for the local police department
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	<ol style="list-style-type: none"> 3. The institution will provide written instructions on how to apply for a Protective Order 4. The institution will provide written information to the complainant on how to preserve evidence 5. The institution will assess the need to implement interim or long-term protective measures to protect the complainant, if appropriate 6. The institution will provide the victim with a written explanation of the victim’s rights and options 7. The institution will provide a “no trespass” (PNG) directive to the accused party, if deemed appropriate
Domestic Violence	<ol style="list-style-type: none"> 1. The institution will assess the immediate safety needs of the complainant 2. The institution will assist the complainant with contacting local police, if the complainant requests. Then the institution will provide the complainant with contact information for the local police department 3. The institution will provide written instructions on how to apply for a Protective Order 4. The institution will provide written information to the complainant on how to preserve evidence 5. The institution will assess the need to implement interim or long-term protective measures to protect the complainant, if appropriate 6. The institution will provide the victim with a written explanation of the victim’s rights and options 7. The institution will provide a “no trespass” (PNG) directive to the accused party if deemed appropriate

H. Assistance for Victims: Rights and Options

When a student or employee reports to The Institution that the student or employee has been a victim of dating violence, domestic violence, sexual assault, or stalking (whether the offense occurred on or off-campus); The Institution will provide the student or employee with a written explanation of the student or employee’s rights and options.

Regardless of whether or not a victim elects to pursue a criminal complaint or whether the offense is alleged to have occurred on or off-campus, the College will assist victims of sexual assault, domestic violence, dating violence, and stalking and will provide each victim with a written explanation of their rights and options. Such written information will include:

Every effort is made by Reading Area Community College to preserve the privacy of reports. Reading Area Community College will not share the identity of any individual who has made a report or complaint of harassment, discrimination, or retaliation; any Complainant, any individual who has been reported to be the perpetrator of sex discrimination, any Respondent, or any witness, except as permitted by the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. 1232g; FERPA regulations, 34 CFR part 99; or as required by law; or to carry out the purposes of 34 CFR Part 106, including the conducting of any investigation, hearing, or grievance proceeding arising under these policies and procedures.

If a Complainant would like the details of an incident to be kept confidential, the Complainant may speak with an on-campus licensed professional counselor and staff, on-campus health service provider and staff, or an on-campus Victim

Advocate. All of the listed individuals will maintain confidentiality when acting under the scope of their licensure, professional ethics, and/or professional credentials, except in extreme cases of immediacy of threat or danger or abuse of a minor/elder.

I. Rights of Victims and the Institution's Responsibilities for Orders of Protection, "No Contact" Orders, Restraining Orders, or Similar Lawful Orders Issued by a Criminal, Civil, or Tribal Court or by the Institution

RACC College complies with Pennsylvania law in recognizing Orders of Protection to include Protection from Abuse orders, Protection from Sexual Violence orders, and Protection from Intimidation orders. If any person who obtains an Order of Protection from the State of Pennsylvania (or any reciprocal state) should provide a copy to Campus Security and the Office of the Title IX Coordinator. Any out of state Protection Order must meet federal guidelines and RACC recommends obtaining a Pennsylvania Protection Order. Upon review of the Protection Order, the Director of Security will develop a Safety Action Plan, which is a plan for campus security and the victim to reduce risk of harm while on campus or coming and going from campus. This plan may include, but is not limited to: escorts, special parking arrangements, class security, etc. The College itself cannot apply for a legal Order of Protection, No Contact Order, or Restraining Order for a victim. The college will issue a B.O.L.O. to all of Campus Security and copies will be kept on file until it meets its disposition's guideline.

Victims are required to apply for these services directly. This resource is provided by the Pennsylvania Coalition against Domestic Violence and can be found at this link: <https://www.pcadv.org/about-abuse/intervention/how-to-get-a-restraining-order/>. This website will provide the most up to date guidelines on how to get a Restraining Order, and the frequent problems encountered with different jurisdictions that have different procedures and requirements. For example, if a victim lives in Pottstown and commutes to RACC, the victim should file in the county they currently reside in.

J. Confidentiality

Victims may request that directory information on file with the College be withheld by request of the Director of Financial Aid/Registrar. Regardless of whether a victim has opted-out of allowing the College to share "directory information", personally identifiable information about the victim (and other necessary parties) will be treated as confidential and only shared with persons who have a specific need-to-know basis, i.e., those who are investigating/adjudicating the report, those involved in providing support services to the victim, including accommodations and protective measures. By only sharing personally identifiable information with individuals on a need-to-know basis, the institution will maintain confidentiality. Any accommodations or protective measures provided to the victim to the extent that maintaining such confidentiality will not impair the ability of the institution to provide the accommodations or protective measures.

The College does not publish the name of crime victims or other identifiable information regarding victims in the Daily Crime Log or in the annual crime statistics that are disclosed in compliance with the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act*. Furthermore, if a Timely Warning Notice is issued on the basis of a report of domestic violence, dating violence, sexual assault, or stalking; the name of the victim and other personally identifiable information about the victim will be withheld.

K. Adjudication of Violations

The College's disciplinary process includes a prompt, fair, and impartial process from the initial investigation to the final result. In all instances, the process will be conducted in a manner that is consistent with the institution's policy and that is transparent to the accuser and the accused. Usually, the resolution of domestic violence, dating violence, sexual assault, and stalking complaints are completed within the timeframe specified in each policy maintained by the institution. However, each procedure allows for extensions of timeframes for good cause with written notice to the accuser and the accused of the delay and the reason for the delay. College officials involved in the investigation or adjudication of domestic violence, dating violence, sexual assault, and stalking complaints are trained annually on the issues related to domestic violence,

dating violence, sexual assault, and stalking as well as how to investigate and hearing process that protects the safety of the victim and promotes accountability. Furthermore, each policy provides that:

1. The accuser and the accused will have timely notice for meetings at which the accuser, the accused, or both, may be present;
2. The accuser, the accused, and appropriate officials will have timely and equal access to any information that will be used during formal and informal disciplinary meetings and hearings;
3. The institutional disciplinary procedures will not be conducted by officials who have a conflict of interest or bias for or against the accuser or the accused;
4. The accuser and the accused will have the same opportunities to have others present during any institutional disciplinary proceeding. The accuser and the accused each have the opportunity to be advised by an advisor of their choice at any stage of the process and to be accompanied by that advisor to any related meeting or proceeding. The College will not limit the choice of advisor or presence for either the accuser or the accused in any meeting or institutional disciplinary proceeding. However, the role of the advisor is limited. The advisor shall provide advice to the individual, but will not be allowed to speak for them during the meetings/hearings. This applies to both students and employees.
5. Whether or not criminal charges are filed, the College¹ or a person may file a complaint under the following policies, depending upon the status of the accused (student or employee):

a. *Types of Disciplinary Proceedings Utilized in Cases of Alleged Domestic Violence, Dating Violence, Sexual Assault and Stalking. (For Students)* Reading Area Community College does not have separate policies specifically for VAWA related crimes and will utilize the processes and procedures in place for normal Student and Employee disciplinary actions. They will include committee meetings, hearings, and any other methods that are applicable to the case.

1. *How to File a Disciplinary Complaint Under this Policy for Students*

The disciplinary complaint for any of the allegations related to the Alleged Domestic Violence, Dating Violence, Sexual Assault and Stalking is filed the same way as any other student conduct case and employee discipline actions.

2. *How the College Determines Whether This Policy will be Used*

The College will use the existing policies for Student Conduct and the sanctions in place.

3. *Steps in the Disciplinary Process*

1. The formal process for students begins with a formal communication that they have been informed that they are facing disciplinary actions for an alleged crime that has occurred on campus boundaries.

2. Students will be informed via their RACC e-mail account. If they do not respond to the correspondence after multiple attempts, the process will continue and they will be sanctioned in absentia.

3. **Anticipated Timelines**

The College strives to complete the disciplinary process in all aspects (including VAWA offences) in the shortest amount of time required to conduct a thorough investigation to ensure fair and equal treatment.

4. **Decision-Making Process.** The College's decision-making process varies depending on the status of the alleged. The decision-making process for students consists of meeting with the CARE Team with the alleged not present. The team will review the evidence in the case and decide (based on facts) and formalize the decision to

be presented to the alleged. The next step in the process will be conducted in another meeting, where the decision is presented to the alleged. The alleged will have an opportunity to appeal in accordance with established policies.

4. Range of Protective Measures Available to a Victim Alleging Misconduct

The measures that are available may include temporary suspensions for alleged students awaiting disciplinary actions. Escorts may be provided to vehicles parked on campus. Security may be provided between classes if deemed necessary. Virtual meetings are optional for the victim if both the victim and the alleged must attend a hearing. Both parties will be treated with the same level of respect throughout the hearing process regardless of established relationships with the victim.

b. Employees Accused of Domestic Violence, Dating Violence, Sexual Assault and Stalking Fall Under the Employee Handbook's Policies for Crimes That Occurred on Campus

1. How to File a Disciplinary Complaint Under This Policy

All complaints should be made to the Title IX Coordinator (Lizette Flowers, lflowers@racc.edu, 610-372-4721 x5005) or VP of Fiscal and Human Resources (Dory Peterson, dpeterson@racc.edu, 610-372-4721 x5001). See details in the RACC Title IX Policy 2024 <https://www.racc.edu/sites/default/files/title-ix/INTERIM-RACC-Title-IX-Policy-8-2024.pdf>

2. How the College determines whether this policy will be used.

The college will follow the Title IX policy for all VAWA incidents. <https://www.racc.edu/sites/default/files/title-ix/INTERIM-RACC-Title-IX-Policy-8-2024.pdf>

3. Steps in the disciplinary Process

<https://www.racc.edu/sites/default/files/title-ix/INTERIM-RACC-Title-IX-Policy-8-2024.pdf>

4. RACC Employees Will Have a Meeting with the VP of Fiscal and Human Resources or delegate. <https://www.racc.edu/sites/default/files/title-ix/INTERIM-RACC-Title-IX-Policy-8-2024.pdf>

5. The College strives to complete the disciplinary process in all aspects including VAWA offenses in the shortest amount of time required to conduct a thorough investigation to ensure fair and equal treatment. See Title IX Policy for timeline.

<https://www.racc.edu/sites/default/files/title-ix/INTERIM-RACC-Title-IX-Policy-8-2024.pdf>

6. Decision-Making Process

See Title IX [Policy https://www.racc.edu/sites/default/files/title-ix/INTERIM-RACC-Title-IX-Policy-8-2024.pdf](https://www.racc.edu/sites/default/files/title-ix/INTERIM-RACC-Title-IX-Policy-8-2024.pdf)

7. Range of Protective Measures Available to a Victim Alleging Misconduct

An escort may be provided to vehicles on campus. Telework options may be provided to both the alleged and the victim until the investigation is concluded. Ensure that the alleged is aware of the impending restrictions, protection from retaliation and recommend PFAs or Restraining Orders to be filled outside of campus. See Title IX Policy for other possible protective measures. <https://www.racc.edu/sites/default/files/title-ix/INTERIM-RACC-Title-IX-Policy-8-2024.pdf>

L. College-Initiated Protective Measures

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

IX. **SEX OFFENDER REGISTRATION – CAMPUS SEX CRIMES PREVENTION ACT**

A. Megan's Law

In accordance to the Campus Sex Crimes Prevention Act of 2000, (which amends the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act) the Jeanne CLERY Act, and the Family Educational Rights and Privacy Act of 1974, RACC is providing a link to the Pennsylvania Sex Offender registry. All sex offenders are required to register in the Commonwealth of Pennsylvania and to provide notice of each institution of higher education in Pennsylvania at which the person is employed, carries a vocation or is a student. The website is www.pameganslaw.state.pa.us.

In addition to the above notice to the Commonwealth of Pennsylvania, all sex offenders are required to deliver written notice of their status as a sex offender to the Senior Vice President for Finance and Administrative Services/College Treasurer no later than three (3) business days prior to their enrollment in, employment with, or volunteering at RACC. Such notification may be disseminated by RACC to (and for the safety and well-being of) the RACC community, and may be considered by RACC for enrollment and discipline purposes.

B. (HEOA) Notification to Victims of Crimes of Violence

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

X. **RACC's POLICIES GOVERNING WEAPONS, ALCOHOL, AND OTHER DRUGS**

A. Weapons Policy

Illegal/unauthorized possession or use of fireworks, firearms, knives, explosives, weapons, and/or facsimile weapons on College premises is prohibited.

B. Workplace Violence Policy

All employees, students, visitors, vendors and business associates must be treated with courtesy and respect at all times. Employees are expected to refrain from conduct that may be dangerous to others. Conduct that threatens, intimidates, or coerces another employee, visitor, vendor or business associate will not be tolerated. RACC resources may not be used to threaten, stalk, or harass anyone at the workplace or outside the workplace. RACC treats threats coming from an abusive personal relationship the same as it does other forms of violence.

Indirect or direct threats of violence, incidents of actual violence, and suspicious individuals or activities should be reported as soon as possible to a supervisor, security personnel, Human Resources Department or Administration. When reporting a threat or incident of violence, the employee should be as specific and as detailed as possible. Employees should not place themselves in peril, nor should they attempt to intercede during an incident.

Employees should promptly inform the Human Resource Department of any protective or restraining order that they have obtained that lists the workplace as a protected area. The Title IX Coordinator and the Safety and Security Department will be informed. Employees are encouraged to report safety concerns with regard to intimate partner violence. RACC will not retaliate against employees making good-faith reports. RACC is committed to supporting victims of intimate partner violence by providing referrals to RACC's Employee Assistance Program (EAP) and/o community resources, and providing time-off for reasons related to intimate partner violence.

RACC will promptly and thoroughly investigate all reports of threats of violence or incidents of actual violence and of suspicious individuals or activities. The identity of the individual making a report will be protected as much as possible. RACC will not retaliate against employees making good-faith reports of violence, threats, or suspicious Individuals/activities. In order to maintain workplace safety and the integrity of its investigation, RACC may suspend employees suspected of workplace violence or threats of violence (either with or without pay) pending an investigation.

Anyone found to be responsible for threats of violence, actual violence, or other conduct that is in violation of these guidelines will be subject to prompt disciplinary action up to and including termination of employment.

RACC encourages employees to bring their disputes to the attention of their supervisors or the Human Resources Department before the situation escalates. RACC will not discipline employees for raising such concerns.

C. Drug and Alcohol Abuse, Health Assistance and Health Risks

RACC does not tolerate the abuse of alcohol or illegal drugs on campus. The College has several policies concerning the use and/or abuse of substances on its campus and will prosecute abusers to the full extent of the law. RACC prohibits the unlawful possession, use, and sale of alcoholic beverages and illegal drugs on campus. The Safety and Security Department is responsible for the enforcement of state underage drinking laws and the enforcement of Federal and State drug laws and prohibits the possession, use, and consumption of alcohol by minors.

D. Drug Free Schools and Communities Act

In compliance with the Drug Free Schools and Communities Act, RACC publishes information regarding the College's prevention programs related to drug and alcohol abuse, which include: standards of conduct that prohibit the unlawful possession, use, and distribution of alcohol and illegal drugs on campus and at institution-associated activities; sanctions for violations of federal, state, and local laws and College policy; a description of health risks associated with alcohol and other drug use and abuse; and a description of available counseling, treatment, rehabilitation and/or re-entry programs for RACC students and employees. A complete description of these topics (as provided in the College's annual notification to students and employees) is available online at: [Drug and Alcohol Abuse Policy | RACC](#) .

The following links provide information concerning campus policies and the effects of substance abuse. Included in RACC's drug and alcohol policies is a listing of some possible consequences of abusing substances on campus. These consequences may include expulsion from campus or immediate termination of employment, as well as additional consequences imposed by state or local laws.

- [Campus Drug and Alcohol Abuse Policy](#)
- [Employee Guidelines](#)

- [Rehabilitation Services for RACC employees which are covered by health insurance](#)
- [Health Risks associated with Substance Abuse](#)

XI. CRIME PREVENTION AND AWARENESS PROGRAMS

A. Care Team

The mission of the Care Team is to support a safe and productive learning environment by addressing student behavioral concerns before becoming a crisis. The team provides consultations and interventions in matters of student care/concern and student conduct. When necessary, the team refers students to community and campus resources. For Code of Conduct violations, the team follows the student Code of Conduct due process and issues sanctions.

While interacting with students across the college, faculty and staff may be confronted with situations in which a student is displaying concerning behavior. The Care Team model is designed to assist them.

Behaviors of concern might be observed in a number of settings: in the classroom, in college offices, public areas on campus, or during an extracurricular activity. By reporting such behaviors, the Care Team will be able to reach out to students to help and address the behavior accordingly.

The Care Team meets regularly to serve 5 major functions for the campus: act in a proactive manner to assist students. Maintain confidentiality and handle all matters discreetly. Provide consultation and support to faculty and staff. Connect students with needed resources. Recommend interventions or disciplinary sanctions. The Care Team process does not replace faculty classroom management, disciplinary processes, and/or campus security responses to incidents.

Team Membership

The Care Team is a cross-functional team of members from various areas of the campus community.

Members:

Dean of Student Affairs
 Director of Accessibility Services and Care Team
 Director of Advising
 Dean of Instruction or designee
 Director of Literacy Programs
 Health Care Coordinator
 Title IX Coordinator
 Senior Vice-President for Finance and Administrative Services/College Treasurer
 Director of Security or designee
 Assistant Director of Financial Aid/Registrar
 Director of Academic Partnerships

B. Personal Safety

RACC publishes its notice of Availability of the Annual Fire and Security Report by the 30th of September. A link to access the ASR will be in the notice of availability or located on the [Clery Compliance Link](#) . Copies of the report will be available upon request through the College's Security Department.

Since RACC does not have on-campus student housing, we are not required to have a missing person's procedure. However, if there were an emergency where a student, staff, or faculty member was discovered to be missing; the information would be reported to the Dean of Student Affairs' Office at (610) 372-4721, ext. 5298. From there, (depending on the individual situation) the appropriate parties would be notified; most likely including the local police department, campus Safety and Security Department, any staff or faculty involved with the missing person, and the emergency contact listed in the student's admissions file or employee's personnel file. In most cases of missing persons, however, someone off-campus is aware of the situation before the College.

Emergency response information (RACC Emergency Guidelines and Procedures) is posted in all classrooms and offices on campus. The posting is a large bright yellow laminated page with printing on one side. The campus also has the "Omnilert" system. Anyone can register, and all emergency information (as well as school closings) will be sent to the registrant by the method(s) they indicate.

Our campus does not have student housing, so we are not required to publish a Fire Safety Report. We are inspected for compliance with fire code periodically, and records are kept. Any inquiries concerning compliance with fire codes or official fire safety reports can be requested through the Facilities Department, and will be considered on a case-by-case basis.

The College does not require vaccinations for all students. Some of our medical programs require certain vaccinations in order to participate in clinical. Any student whose program requires vaccinations for participation are informed of the requirements by their Program Director.

Other campus safety information can also be found on our website under the section heading of Campus Safety: <https://www.racc.edu/about-racc/campus-health-and-safety>

C. General Safety Information

RACC is continually concerned with creating a supporting atmosphere that is safe and secure for all students, employees, and visitors. Taking steps to protect the campus is important and prevention is the best protection against crime.

D. Crime Prevention Tips

1. Wear your student ID
2. Walk in pairs/groups to your vehicle, particularly at night
3. Have your keys ready as you approach your car
4. Use the Safety and Security Department escort service to walk to your vehicle
5. Share your schedule/activities with family and friends
6. Avoid shortcuts and hidden areas on campus
7. Register your vehicle with Campus Safety and Security Department
8. Be sure to lock your vehicle
9. Do not leave valuables visible inside your vehicle
10. Program emergency numbers into your cell phone
11. Utilize the Omnilert Application if you need emergency support within campus boundaries

E. Security Awareness & Crime Prevention Programming

One of the essential ingredients of any successful crime prevention program is an informed public. It is the intent of RACC to inform its students of good crime prevention and security awareness practices. During the 2023-2024 academic year, RACC offered a crime prevention and security awareness program twice a semester. Topics such as personal safety, drug/alcohol abuse awareness and sexual assault prevention are some examples of subjects discussed during the prior academic year.

All crime prevention and security awareness programs encourage students and employees to be responsible for their own security and the security of others. Participants in these programs are asked to be alert, security-conscious and advised to call Safety and Security Department to report suspicious behavior. For additional questions regarding crime prevention, contact the Security Department directly at 610-607-6291. RACC only provides crime prevention information once a semester and will utilize communication plans' guidelines for any other communications.

F. Campus Crime Log

The RACC Safety and Security Department maintains a log of all criminal activities by nature of offense, date, time, location, and disposition of the complaint. The information in the log is available for public review in the Facilities Department located at Berks Hall Room #152 during normal campus business hours. In addition, it may be requested at any Security Desk, this request will be fulfilled by the Security Supervisor that shift. This information is not available if such disclosure would be prohibited by law, would jeopardize the confidentiality of a victim, would jeopardize an ongoing criminal investigation, would cause a suspect to flee or evade detection, or would result in the destruction of evidence. NOTE: Logs older than 60 days may be archived and will be made available within 2 business days of request per federal requirements.

G. Annual Disclosure of Crime Statistics

The Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act (CLERY Act) and amendments are federal laws which require institutions of higher learning that receive Title IX funding to annually publish a report which outlines policies related to campus security and emergency response and that discloses crime prevalence statistics for crimes reported to the institution's Security/Public Safety Department and other campus authorities designated as Campus Security Authorities (CSAs). The reported statistics must cover the most recent 3-year period and include those crimes occurring on any campus, any public property immediately adjacent and accessible to a campus, and any non-campus buildings or property owned or controlled by the institution. RACC publishes the report annually and follows the CLERY Act and its amendments.

In compliance with the CLERY Act, all known CLERY Act reportable crimes must be submitted annually to the U.S. Department of Education via its web-based reporting system. RACC is required to publish in its Annual Security Report the statistics of CLERY crimes for the last 3-years that were reported on campus property, College-owned or controlled non-campus property at which educational programs or support are conducted, and any public property within or immediately adjacent to and accessible from a campus property.

Crime data is collected from Safety and Security Department reports and records, student judicial and Care Team records, Campus Security Authority (CSA) disclosures, and data received from local or state police agencies in the campus or non-campus locations' jurisdiction.

RACC must make a good faith effort to request data on all reportable crime categories from the local and state police agencies (which have jurisdiction over campus) and its adjacent and accessible public properties or any non-campus locations. If you feel that RACC has failed to comply with the requirements of these acts, please file a complaint with:

Director of Facilities/Safety and Security
10 South Second Street

Berks Hall, Room 152
Reading, PA 19603
Telephone: 610-607-6240

If, after submitting a complaint with the above, you do not feel your complaint has been resolved; you may contact the Pennsylvania Office of Attorney General, which will investigate the alleged violation. Contact information for the Office of Attorney General is available upon request.

H. Monitoring and Recording of Criminal Activity by Students at Non-Campus Locations of Recognized Student Organizations

RACC does not have any officially recognized student organizations that own or control housing facilities outside of the RACC core campus. Therefore, local PD is not used to monitor and record criminal activity since there are no non-campus locations of student organizations.

RACC does not use local police to monitor and record criminal activity at non-campus locations of student organizations.

XII. CAMPUS MAPS

RACC's campus map can be found on the College's website at: <https://www.racc.edu/about-racc/campus-map-and-directions>

XIII. UNIFORM CRIME STATISTICS - 2021-2023

RACC's Uniform Crime Statistics - 2021-2023 can be found in the chart below. RACC does not have any off-campus properties or residential housing.

Clery Act Crimes	2023		2022		2021	
	On Campus	Public Property	On Campus	Public Property	On Campus	Public Property
Murder/ Non-Negligent Manslaughter	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0
Rape	0	0	0	0	0	0
Fondling	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0
Incest	0	0	0	0	0	0
Robbery	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	1	0
Burglary	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0
Arson	0	0	0	0	0	0
VAWA OFFENSE						
Domestic Violence	0	1	0	0	2	0
Dating Violence	0	0	0	0	0	0
Stalking	2	0	0	0	0	0
Arrests						
Weapons	0	0	0	0	0	0
Drugs	3	1	0	0	0	0
Alcohol	0	0	0	0	0	0
Referrals						
Weapons	0	0	0	0	1	0
Drugs	0	0	0	0	0	0
Alcohol	0	0	0	0	0	0

Hate Crime

No Hate Crimes reported in 2023, 2022, 2021. This includes all hate crimes identified under the Clery Act.

Unfounded Crimes

No Unfounded Crimes reported in 2023, 2022, 2021.