

## **Sexual Violence Policy (Awareness, Prevention, and Response)**

Peirce College does not tolerate any form of sexual violence or sexual harassment including, but not limited to, domestic violence, dating violence, rape, stalking or any other form of sexual offense. These behaviors are more generally addressed in the College's ***Policy Prohibiting Sexual Harassment***, set forth under the ***Equal Employment Opportunity Policy***, which appears in Section D of this Handbook. Information provided in this Policy is intended to supplement and reinforce the College's Policy Prohibiting Sexual Harassment.

The College is committed to preventing the occurrence of such sexual offenses which includes any sexual act directed at another person, forcibly and/or against the person's will; or not forcibly or against the person's will where the victim is incapable of giving consent. The College is also committed to offering educational programs to promote awareness of rape, acquaintance rape, domestic and dating violence, stalking, and forcible and non-forcible sex offenses, as well as taking appropriate actions in the event a sexual assault is reported. Such offenses may also violate federal, state and local laws and those who engage in such acts may be subject to criminal prosecution.

### **Definitions**

**Domestic Violence:** The term "domestic violence" includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

Domestic violence is defined as the US Department of Justice as, "a pattern of abusive behavior in any relationship that is used by one partner to gain or maintain power and control over another intimate partner." It can be physical, sexual, emotional, economic, and psychological. If you or someone you know is experiencing domestic abuse, there is help out there. Call the [National Domestic Violence Hotline](#): 1 (800) 799-SAFE (7233).

**Dating Violence:** The term "dating violence" means violence committed by a person:

(A) Who is or has been in a social relationship of a romantic or intimate nature with the victim; and  
(B) Where the existence of such a relationship shall be determined based on a consideration of the following factors:

- (i) The length of the relationship.
- (ii) The type of relationship.
- (iii) The frequency of interaction between the persons involved in the relationship.

**Stalking:** The term "stalking" means engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

- (A) Fear for his or her safety or the safety of others; or
- (B) Suffer substantial emotional distress.

Rape: The term rape means a sexual assault involving an act of penetration and includes acquaintance rape (assailant and victim know each other).

Non-forcible Sex Acts: Includes unlawful sex acts where consent is not relevant, such as sexual contact with an individual under the statutory age of consent as defined by Pennsylvania law.

Consent: Consent is an affirmative decision to engage in mutually acceptable sexual activity, and is given by clear words or actions. It is an informed decision made freely and actively by all parties. Consent may not be inferred from silence, passivity, or lack of resistance alone. Furthermore, consent to one form of sexual activity does not imply consent to other forms of sexual activity and the existence of a current or previous dating, marital, and /or sexual relationship is not sufficient to constitute consent to additional sexual activity. Consent cannot be obtained from someone who is asleep, unconscious, or otherwise mentally or physically incapacitated, whether due to alcohol, drugs, or some other condition. Consent cannot be obtained by threat, coercion, intimidation, isolation, confinement, or force. Agreement given under such conditions does not constitute consent.

### **Prevention and Awareness Programs**

Peirce College is committed to providing on campus and online educational programs to promote the prevention and awareness of sexual violence or sexual harassment including, but not limited to, domestic violence, dating violence, rape, acquaintance rape, stalking or any other form of sexual offense. Such educational programs also address risk reduction and the role of active bystanders in preventing such offenses.

Educational programs include but are not limited to: information provided in orientation courses and new employee orientation programming, awareness, risk reduction, and prevention workshops provided during Sexual Assault Awareness and Prevention month, a community awareness day, and resource materials available throughout the campus.

Other educational programs are offered by the Mary W. Walker Center '33 for Academic Excellence throughout the year as well as are available to employees upon request.

In addition, literature on preventing and awareness of dating and domestic violence, risk reduction, and off-campus counseling and mental health services is available through the Mary W. Walker Center '33 for Academic Excellence, located at the main campus, 2nd Floor Alumni Hall. Employees may also contact the Center at 888.GO.PEIRCE, extension 9251 or at [WCAE@peirce.edu](mailto:WCAE@peirce.edu).

### **Risk Reduction**

Risk reduction involves utilizing strategies to reduce one's risk of sexual assault or harassment.

The Rape, Abuse, & Incest National Network, [www.rainn.org](http://www.rainn.org) provides the following helpful information on its website:

#### Avoiding Dangerous Situations:

While you can never completely protect yourself from sexual assault, there are some things you can do to help reduce your risk of being assaulted.

- **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.
- Try to **avoid isolated areas**. It is more difficult to get help if no one is around.
  - **Walk with purpose**. Even if you don't know where you are going, act like you do.
  - **Trust your instincts**. If a situation or location feels unsafe or uncomfortable, it probably isn't the best place to be.
  - **Try not to load yourself down** with packages or bags as this can make you appear more vulnerable.
  - **Make sure your cell phone is with you** and charged and that you have cab money.
  - **Don't allow yourself to be isolated** with someone you don't trust or someone you don't know.
  - **Avoid putting music headphones in both ears** so that you can be more aware of your surroundings, especially if you are walking alone.

The RAINN website also has other important information on avoiding dangerous situations: <https://rainn.org/get-information/sexual-assault-prevention/avoiding-dangerous-situations>.

### Handling Social Situations:

While you can never completely protect yourself from sexual assault, there are some things you can do to help reduce your risk of being assaulted in social situations.

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

In addition, the RAINN website has other important information on preventing sexual assault in social situations: <https://rainn.org/get-information/sexual-assault-prevention/social-situations>.

The RAINN website also has other important information on safety planning, responding to pressure and computer safety: <https://rainn.org/get-information/sexual-assault-prevention>.

## **Active Bystander**

Active Bystanders play a critical role in the prevention of sexual violence and other sexual offenses. These are individuals who observe violence or conditions that may perpetuate violence and follow the appropriate reporting procedures, such as, calling 911, informing campus security and/or college officials. It is understandable that in many circumstances, the active bystander may be uncomfortable intervening or communicating concerns; however, conveying potential risks to individuals or the college community will help the College maintain a safe environment. As a support to employees, the Walker Center for Academic Excellence provides information on the role of active bystanders. The RAINN website also has other important information on the role bystanders can play in preventing and responding to acts of sexual violence: <https://rainn.org/get-information/sexual-assault-prevention/bystanders-can-help>.

## **Confidentiality**

The College does not currently offer confidential on-campus pastoral, counseling or mental health services for victims of sexual violence and other offenses. However, victims/survivors are encouraged to seek off-campus counseling in order to speak confidentially with a professional and begin the recovery period. Employees may contact any number of local community resources for these counseling services. A list of off-campus counseling, mental health, and other related services is provided within this document, **See Community Resources: Counseling, Mental Health and Related Services**. Additional information is also available through the **Employee Assistance Program** which is discussed in Section L of this Handbook.

The College respects the rights of victim confidentiality and will honor victims' requests to keep reports confidential to the extent permitted by law, and to the extent consistent with the College's obligation to investigate allegations. Victims are encouraged to inquire about confidentiality when seeking assistance and support from the varying offices.

The College understands and appreciates that, at times, an individual who reports an act of sexual violence or other sexual offense may wish to remain anonymous and may not wish to pursue the internal disciplinary process. In such instances, consistent with its Title IX obligations, if the College has credible notice of a report of an act of sexual violence or other sexual offense against a member of the College community, the College will take immediate and appropriate steps to evaluate what occurred and determine if further action is required as well as prevent any further recurrence. Any response to such notice may be limited if the events giving rise to such notice cannot be verified by independent facts.

Employees should also be aware that, under the **Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act ("Jeanne Clery Act")** and the **College University Security Information Act of the Commonwealth of Pennsylvania**, federal and state law mandates the disclosure of certain statistics regarding sexual violence that occurs within the geographic boundaries of an institution of higher education. In accordance with both the Jeanne Clery Act, as well as the **Campus Sexual Violence Elimination Act ("SaVE Act") provisions of the Violence Against Women Reauthorization Act of 2013 ("VAWA")**, **Jeanne Clery Act** reports do not include the names of anyone involved, or any other information that identifies an individual. In addition, consistent with applicable law, the College will take appropriate steps to protect the identify of a victim in connection with any publicly available recordkeeping.

A victim also retains the right to make an anonymous complaint using Peirce's online system at [www.peirce.ethicspoint.com](http://www.peirce.ethicspoint.com) or by calling the hotline phone number (855) 857-5885.

Consistent with applicable law, in connection with issuing a Timely Warning involving an incident of sexual violence, the College will withhold the name of the victim.

### **Responsible Employees/Campus Resources**

All College employees have a duty to report any incident and/or disclosure of sexual violence (including but not limited to domestic violence, dating violence, stalking or rape and other sexual offenses) as well as unlawful sexual discrimination, harassment, and/or retaliation to those designated as Responsible Employees. Responsible Employees must report complaints of sexual violence as well as unlawful sexual discrimination, harassment, and/or retaliation to the Title IX Coordinator or Deputy Title IX Coordinators.

Responsible Employees serve as campus resources to assist members of the Peirce College community and visitors to the campus who have been, or know someone who has been, the victim of such incidents. In response to receiving a complaint, Responsible Employees will provide information regarding options for pursuing a complaint, making a confidential complaint consistent with applicable law which will be considered by the College, as well as well as providing counseling, medical, and support resources. The Responsible Employees who serve as campus resources are designated as follows:

- Vice President, Academic Advancement\*
- Vice President, Finance & Administration
- Vice President, Human Resources/Chief Diversity & Inclusion Officer\*
- Vice President, Institutional Advancement & Strategic Partnerships
- Vice President, Marketing & Admissions\*
- Vice President, Student Services & Retention Management\*
- Dean of Graduate Studies
- Associate Dean, Academic Operations & Faculty Support\*
- Assistant Dean, Academic Advising & Registrar
- Assistant Dean, Student Support Services\*
- Assistant Professor, Healthcare Administration
- Chief Auxiliary Services Officer\*
- Chief Employee Services & Risk Management Officer\*
- Chief Information Officer\*
- Human Resources Generalist
- Payroll/Human Resources Generalist
- Director, Admissions
- Director, Student Financial Services
- Manager, Faculty Recruitment & Professional Development
- Supervisor, Auxiliary Services\*
- Supervisor, Marketing & Communications
- Supervisor, Physical Plant\*
- Facilitator, Perkins Grant/Student Disability Services Coordinator

The College's Emergency Response Team serves as the Campus Security Authorities for the purposes of the Jeanne Clery Act reporting. (Please refer to **Peirce College Annual Security Services Report** under *Reporting Crimes and other Emergencies* for a listing of the Emergency Response Team members which is available on the College's Intranet at <https://content.peirce.edu/pdf/2014AnnualSecurityReport093014Updated100614.pdf>.

Responsible Employees who serve as campus resources are also available to assist College employees and other members of the Peirce College community and visitors to the campus with making an immediate and direct report of suspected child abuse consistent with the College's Mandatory Child Abuse Reporting Policy. (Please refer to the Policy entitled ***Mandatory Child Abuse Reporting Policy*** which appears in Section H of this Handbook.)

### **Community Resources/Counseling, Mental Health and Related Services**

Although the College does not currently offer on campus counseling or mental health services for victims of sexual violence and other sexual offenses, there are a number of off-campus educational, counseling, and mental health services available and employees are encouraged to utilize these resources. The College will provide written notification to a victim of sexual violence of the availability of these resources.

These educational and counseling services include:

- **Family Based Services: Sexual Abuse**  
1315 Windrim Avenue  
Philadelphia, PA 19141  
Phone: (215) 456-2626  
*Description:* Provides intensive individual, family, and group sexual abuse therapy with on-call crisis response available 24 hours a day, 7 days a week.
- **RAINN (Rape, Abuse & Incest National Network)**  
Phone: 1 (800) 656-HOPE  
Website: <http://www.rainn.org>  
*Description:* The Rape, Abuse & Incest National Network is the nation's largest anti-sexual assault organization. RAINN operates the National Sexual Assault Hotline and carries out programs to prevent sexual assault, help victims, and ensure that rapists are brought to justice.
- **Sexual Assault Center**  
10th and Sansom Street  
Philadelphia, PA 19107  
Phone: (215) 955-6840  
*Description:* Provides medical care for injuries, documentation and evidence collection for legal purposes, prevention and treatment for possible sexually transmitted infections and pregnancy. Medical follow up is offered in our Sexual Assault Follow Up Clinic along with referral for counseling to reduce emotional trauma.
- **New Jersey Coalition Against Sexual Assault (NJCASA)**  
2233 Whitehorse Mercerville Road,  
Suite J  
Trenton, New Jersey 08609  
Phone: 1 (800) 601-7200 (24 hour hotline)  
Website: <http://www.njcasa.org/>  
*Description:* NJCASA programs provide the following free, confidential services: Twenty-four hour hotline and crisis intervention, information and referral services, short-term crisis counseling, advocacy, accompaniment to the hospital, police department and/or court, support groups, emergency client needs. There are rape crisis centers in 21 New Jersey counties.

- Women Organized Against Rape (WOAR)

One Penn Center  
1617 John F Kennedy Blvd.  
Suite 1100  
Philadelphia, PA 19103

Phone: (215) 985-3333 (24-hour hotline)

Description: Counseling and information about sexual violence are available twenty-four hours a day, seven days a week, through WOAR's hotline. WOAR's staff and experienced volunteers provide counseling and support for victim/survivors receiving medical treatment in the emergency rooms at Episcopal Hospital in North Philadelphia and Thomas Jefferson University Hospital in Center City Philadelphia.

Any employee needing assistance in contacting any of these off-campus programs or counseling services related to sexual assault and/or prevention may also contact the Mary W. Walker Center '33 for Academic Excellence at 888.GO.PEIRCE, extension 9251 or [WCAE@ Peirce.edu](mailto:WCAE@Peirce.edu).

For more information about sexual assault awareness and counseling services, please refer to these other organizations for additional information and support:

- Philadelphia Domestic Violence Hotline: 1 (866) 723-3014
- Pennsylvania Coalition Against Rape (PCAR): [www.pcar.org](http://www.pcar.org)
- National Sexual Violence Resource Center: [www.nsvrc.org](http://www.nsvrc.org)
- National Center for Victims of Crime: [www.nsvrc.org](http://www.nsvrc.org)
- Information on Male Sexual Abuse: [www.malesurvivor.org](http://www.malesurvivor.org)
- Information for Adults on Prevention Efforts: [www.heroproject.org](http://www.heroproject.org)
- Philadelphia Special Victims Unit: (215) 685-3251
- Office of Emergency Shelter & Services: (215) 686-7150

### **Title IX Coordinator**

Complaints of sexual violence, including but not limited to domestic violence, dating violence, stalking or rape and other sexual offenses, as well as sexual harassment can also be communicated to the Title IX Coordinator. The Title IX Coordinator is responsible for ensuring ***the College's compliance with Title IX and overseeing the College's review, investigation and resolution of allegations of sexual violence and other sexual offenses.*** The Vice President, Human Resources/Chief Diversity & Inclusion Officer who also serves as the Title IX Coordinator is available at 3R Alumni Hall, [hsgolen@peirce.edu](mailto:hsgolen@peirce.edu), or (215) 670-9328.

### **What to do in The Event of a Sexual Assault**

If you believe that you have been a victim of a sexual assault, misconduct, or harassment, or believe that a sex offense has occurred, you should, as soon as possible:

- *If possible, find a safe place away from the perpetrator or from any other potential danger.*

- *Report the incident immediately* to campus Security Services using any of following methods:
  - Use the telephones located by the elevator on each floor of College Hall;
  - Dial extension 9444 from any telephone on campus; or
  - Dial (215) 670-9444 or (215) 670-9284 from any other telephone.
  
- *Call 911 to contact local police authorities.*
  
- *Seek medical attention* as soon as possible and preserve any evidence (do not shower, bath, eat, drink, smoke or change clothing prior to a medical or legal examination).. It is important to have a forensic medical exam to check for internal injuries, receive medication for sexually transmitted infections, discuss options for HIV and pregnancy prevention, and gather forensic evidence. Victims can receive a Forensic Medical Examination at the Philadelphia Sexual Assault Response Center, and can be transported there by campus Security Services. Additional information on the PSARC is available at [http://www.phila.gov/districtattorney/faq\\_SexualAssault.html](http://www.phila.gov/districtattorney/faq_SexualAssault.html).
  
- *Seek additional support* by meeting with the Vice President, Human Resources/Chief Diversity & Inclusion Officer who also serves as the Title IX Coordinator, the Chief Employee Services/Risk Management Officer, or the Chief Auxiliary Services Officer, or his or her designee who will provide written information on the availability of **Counseling, Mental health and Related Services, Options for Reporting Sexual Violence, Interim Measures and Changes in Work Arrangements.**

### **Options for Reporting Sexual Violence**

The College will provide written notification to a victim of sexual violence that he or she has the right to notify the Philadelphia Police Department (or other local law enforcement office) and pursue criminal charges through the City of Philadelphia (or the local governance in which the incident occurred) and/or to pursue disciplinary action through the employee disciplinary system.

A victim of sexual violence is encouraged to contact Security Services, the Vice President, Human Resources/Chief Diversity & Inclusion Officer who also serves as the Title IX Coordinator, the Chief Employee Services/Risk Management Officer, or the Chief Auxiliary Services Officer who will provide information on reporting options. The Vice President, Human Resources/Chief Diversity & Inclusion Officer who also serves as the Title IX Coordinator, the Chief Employee Services/Risk Management Officer, or the Chief Auxiliary Services Officer, or his or her designee, will assist an employee in notifying local police authorities, if the employee wishes to do so. However, a victim retains the right to decline to notify local law enforcement authorities.

### **Interim Measures/Changes in Work Arrangements**

The College will provided written notification to an employee who has been a victim of sexual violence of the options to change his or her (or the alleged perpetrator's) work situation if those changes are requested by the victim and are reasonably available. The College may at any point in the investigation process elect to place an individual on Leave or reassignment, or authorize other types of interim measures to ensure the safety and well-being of the complainant and others while the investigation process is pending. These changes will be made regardless of whether the victim chooses to report the crime to campus police or local law enforcement.

The College will also take such other interim measures so as to protect the victim and the community,



such as imposing no contact orders between the respondent and the victim.

Victims are encouraged to raise any questions they may have concerning the working environment and may, if necessary, request a Leave of Absence in accordance with the College's Policy.

### **Disciplinary Action**

Allegations of sexual offenses, sexual violence, including but not limited to rape, acquaintance rape, stalking, dating violence, and domestic violence against an employee are subject to disciplinary action under the College's Equal Employment Opportunity Policy. (Please refer to the Policy entitled ***Equal Employment Opportunity*** which appears in Section D of this Handbook.)

In the case of claims involving sexual offenses, sexual violence, including but not limited to rape, acquaintance rape, stalking, dating violence, and domestic violence, both the accused and the victim will each be allowed to choose one person who has had no formal legal training to accompany them throughout the disciplinary process. In addition, both the victim and the accused will be informed in writing of the outcome of the disciplinary proceedings, specifically, the College's final determination with respect to the alleged sex offense, and any sanctions imposed as well as the procedures for appeal of the determination.

The standard of proof utilized during an investigation and related proceeding shall be "preponderance of the evidence."

### **Sanctions**

An employee found to have engaged in a sexual offense, sexual violence, including but not limited to rape, acquaintance rape, stalking, dating violence, and domestic violence, may be suspended<sup>1</sup> and/or terminated for the first offense. The employee may also be required to attend mandatory counseling or educational programs or such other penalties deemed appropriate by the College. In addition, employees should be aware that, independent of any action taken by the College, perpetrators may be subject to both civil and criminal authorities (including local police) and may be subject to both civil and criminal prosecution.

Sexual offense complaints brought by employees against students are subject to a separate procedure set forth in the ***Student Policy Handbook***. (Please refer to the ***Student Policy Handbook*** which is available on the College's website at [www.peirce.edu](http://www.peirce.edu).)

### **No Retaliation**

The College will neither engage in nor tolerate unlawful retaliation of any kind against any individual who makes a complaint of sexual violence or other sexual offenses, serves as a witness, or otherwise participates in the investigatory process.

### **Mandatory Child Abuse Reporting Policy**

Peirce College strives to protect the well-being of minors visiting our campus and/or participating in College-sponsored programs. As a result, this Mandatory Child Abuse Reporting Policy describes the mandatory child abuse reporting obligations for all College employees and applies to all College-

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<sup>1</sup> Exempt and Salaried Nonexempt employees may be suspended without pay in full day increments only.

sponsored activities and programs occurring either on the Peirce College campus or occurring off campus. This Policy is intended to be consistent with the requirements of the Pennsylvania Child Protective Services Law (CPSL), which can be found at 23 Pa. Cons. Stat. 6301, et seq.

While the CPSL lists specific individuals who are Mandated Reporters<sup>2</sup>, you must be aware and are advised that **All College employees (including, but not limited to all faculty, administrators and staff), volunteers and independent contractors are deemed Mandated Reporters for purposes of this Policy**, regardless of their status as a Mandated Reporter as defined by Pennsylvania law.

**Accordingly, any College employee, volunteer or independent contractor who has reasonable cause to suspect that a minor is the victim of child abuse, under any of the following circumstances, shall immediately report the suspected abuse in accordance with the procedures outlined below:**

1. Where you come into contact with the minor in the course of employment or while participating in a College-sponsored activity, either on campus or at another location;
2. Where you are directly responsible for the care, supervision, guidance or training of the minor, or is affiliated with an agency, institution, organization, school, religious organization or other entity that is directly responsible for the care, supervision, guidance or training of the child;
3. A person makes a specific disclosure to you that an identifiable minor is the victim of child abuse; or
4. An individual age 14 or older makes a specific disclosure to you that the individual has committed child abuse.

A minor need not report the suspected child abuse directly to you in order for the suspected child abuse to be reportable under this Policy and applicable law. Further, you are not required to identify the person suspected of being responsible for the child abuse in order for the College employee to make a report of suspected child abuse.

## **Definitions**

A “minor” or a “child” is defined as any individual under eighteen (18) years of age.

An “adult” is defined as any individual age eighteen (18) years or older.

Definitions for “child abuse” and “recent” are provided below.

### ***What Must be Reported:***

You must report child abuse you have reasonable cause to suspect. “Child abuse,” according to the CPSL, means intentionally, knowingly or recklessly doing any of the following:

1. Causing bodily injury to a child through any recent act or failure to act.
2. Fabricating, feigning or intentionally exaggerating or inducing a medical symptom or disease which results in a potentially harmful medical evaluation or treatment to the child through any recent act.

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<sup>2</sup> The definition of a Mandated Reporters under the CPSL is available by clicking the following link:  
<http://www.legis.state.pa.us/WU01/LI/LI/CT/HTM/23/00.063.011.000..HTM>.

3. Causing or substantially contributing to serious mental injury to a child through any act or failure to act or a series of such acts or failures to act.
4. Causing sexual abuse or exploitation of a child through any act or failure to act.
5. Creating a reasonable likelihood of bodily injury to a child through any recent act or failure to act.
6. Creating a likelihood of sexual abuse or exploitation of a child through any recent act or failure to act.
7. Causing serious physical neglect of a child.
8. Engaging in any of the following recent acts:
  - a. Kicking, biting, throwing, burning, stabbing or cutting a child in a manner that endangers the child.
  - b. Unreasonably restraining or confining a child, based on consideration of the method, location or the duration of the restraint or confinement.
  - c. Forcefully shaking a child under one year of age.
  - d. Forcefully slapping or otherwise striking a child under one year of age.
  - e. Interfering with the breathing of a child.
  - f. Causing a child to be present during the operation of a methamphetamine laboratory, provided that the violation is being investigated by law enforcement.
  - g. Leaving a child unsupervised with an individual, other than the child's parent, who the actor knows or reasonably should have known
    - i. is required to register as a Tier II or III sexual offender, where the victim of the sexual offense was under 18 years of age when the crime was committed;
    - ii. has been determined to be a sexually violent predator; or
    - iii. has been determined to be a sexually violent delinquent child.

9. Causing the death of the child through any act or failure to act.<sup>3</sup>

For purposes of the CPSL, "recent" is defined as any act of child abuse committed within the previous two (2) years. Sexual abuse, serious mental injury, serious physical neglect and deaths have no time limit.

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<sup>3</sup> The Pennsylvania CPSL (23 Pa. Cons. Stat. 6303) is available by clicking the following link:  
<http://www.legis.state.pa.us/WU01/LI/LI/CT/HTM/23/00.063..HTM>.

### ***How to Make a Report:***

In the interest of protecting the safety and welfare of a child, any uncertainty about whether reporting is required or whether child abuse has actually occurred should always be resolved in favor of making a report. DO NOT ATTEMPT TO INVESTIGATE. DO NOT ATTEMPT TO OBTAIN PROOF. DO NOT TRY TO SOLICIT INFORMATION FROM A CHILD OR FROM A PERSON SUSPECTED OF COMMITTING CHILD ABUSE. This responsibility lies with the Pennsylvania Department of Human Services.

*If the child you would like to report is in immediate danger, call 911 immediately to contact local police authorities, and then follow the reporting procedures identified below.*

Follow these steps to make an immediate and direct report of suspected child abuse to the PA Department of Human Services and to the College:

1. **STEP ONE:** SUBMIT AN ONLINE REPORT (preferred method): to the Pennsylvania Department of Human Services at [www.compass.state.pa.us/cwis](http://www.compass.state.pa.us/cwis)

OR

CALL Pennsylvania's 24-hour toll free telephone reporting system, ChildLine, at 1 (800) 932-0313 (alternative method). *Note: If you call Pennsylvania's ChildLine, you must also submit a written report within 48 hours to the Pennsylvania Department of Human Services or the county agency assigned to the case;*

Responsible Employees who serve as campus resources are available to assist College employees, volunteers, independent contractors and other members of the Peirce College community and visitors to the campus with making an immediate and direct report of suspected child abuse consistent with this Policy. In response to receiving a complaint, Mandated Reporters have a mandatory child abuse reporting obligation. [Please refer to the Policy entitled **Sexual Violence (Awareness, Prevention, and Response)** under *Responsible Employees/Campus Resources* which appears in Section H of this Handbook.]

2. **STEP TWO:** AFTER MAKING AN ONLINE OR TELEPHONIC REPORT UNDER STEP ONE, MAKE AN INTERNAL REPORT BY CALLING: Peirce College Security and/or other designated College personnel, such as, the Chief Auxiliary Services Officer who serves as the College's designee for receiving reports of child abuse reports and is available at 1 Alumni Hall, [vrchimenti@peirce.edu](mailto:vrchimenti@peirce.edu), or (215) 670-9297.

The Chief Auxiliary Services Officer will inform the appropriate College officials in order to ensure the safety of the Peirce College community.

*To report the incident immediately to campus Security Services, use any of following methods:*

- Use the telephones located by the elevator on each floor of College Hall;
- Dial extension 9444 from any telephone on campus; or
- Dial (215) 670-9444 or (215) 670-9284 from any other telephone.

### ***Responsibilities of the Chief Auxiliary Services Officer:***

Upon receiving a report made under this Policy, the **Chief Auxiliary Services Officer** will assume the responsibility and have the legal obligation to ensure that a written report is made to the PA Department of Human Services and local law enforcement. The **Chief Auxiliary Services Officer** may not make an independent determination of whether to report.

The **Chief Auxiliary Services Officer** will notify the reporting employee to confirm that the College's report was made. If any additional information is required, you will be notified accordingly.

### ***Confidentiality of Reports:***

Reports made directly to the PA Department of Human Services' Child Line and Abuse Registry can be made anonymously. In order to ensure that the College gives the suspected abuse appropriate and immediate attention, employees are also required to report suspected abuse internally as described above (see Step Two). Reports will be handled with discretion and in cooperation with the PA Department of Human Services and local authorities, and in accordance with the College's obligations under applicable law.

### ***Non-Discrimination and Non-Retaliation:***

The College will neither engage in nor tolerate any form of discrimination or retaliation against an employee of the College on the basis of the employee making (or causing to be made) a good faith report of child abuse. Any person responsible for any discrimination or retaliation in violation of this Policy will be subject to disciplinary action, up to and including termination of employment.

The prohibitions against discrimination or retaliation set forth in this Policy do not apply to an individual who makes (or causes to be made) a report of suspected child abuse who is found to be a perpetrator because of the report, or to any individual who fails to make a report of suspected child abuse as required under the Pennsylvania CPSL and this Policy, and is subject to criminal penalties for failure to report or to refer.

### ***Immunity from Liability:***

Under the Pennsylvania CPSL, any person who in good faith makes a good faith report of suspected child abuse, cooperates in a subsequent investigation, or testifies in a proceeding arising out of an instance of suspected child abuse or general protective services will have immunity from civil and criminal liability that might otherwise result from such actions.

### ***Failure to Report:***

A failure by a Peirce College employee under this Policy to report suspected child abuse is a violation of this Policy and may result in disciplinary review, up to and including immediate termination of your employment with the College. Also, criminal penalties exist for a Mandated Reporter, as defined by the CPSL who willfully fails to report suspected child abuse. These criminal penalties range from a misdemeanor up to a felony.

## ***Education and Training***

The College will make educational communications and programs available to employees, volunteers and independent contractors aimed at the prevention of child abuse and neglect, recognizing the signs and symptoms of child abuse and neglect, and reporting requirements and procedures. Employees, volunteers and/or independent contractors who fail to meet training requirements will be subject to disciplinary action, up to and including termination of employment with or services for the College.

### ***For More Information:***

Should you have any questions about this Policy, please contact the Vice President, Human Resources/Chief Diversity & Inclusion Officer who also serves as the Title IX Coordinator and is available at 3R Alumni Hall, [hsgolen@peirce.edu](mailto:hsgolen@peirce.edu), or (215) 670-9328, the Chief Employee Services/Risk Management Officer who is available at 3R Alumni Hall, [akmurphy@peirce.edu](mailto:akmurphy@peirce.edu), or (215) 670-9277, or the Chief Auxiliary Services Officer who is available at 1 Alumni Hall, [vrchimenti@peirce.edu](mailto:vrchimenti@peirce.edu), or (215) 670-9297.

Should you have any questions about the PA Child Protective Services Law, please visit [www.KeepKidsSafe.pa.gov](http://www.KeepKidsSafe.pa.gov).

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