

Lancaster County Career & Technology Center's Sexual Violence Prevention and Awareness Program

Statement:

The LCCTC prohibits any act of sexual violence toward any individual with relationships to the school. As part of the school's Sexual Violence Prevention and Awareness program, the LCCTC intends to provide students and staff with the resources to identify and seek action when issues of sexual or dating violence become evident.

In accordance with Pennsylvania Public School Code [2010- ACT 104](#)- Sexual Violence Education At Institutions of Higher Education.

[Discrimination/Harassment Incident Reporting Form](#)- Reporting is Anonymous

Goals

The LCCTC is committed to providing awareness to its community regarding Sexual Violence Education and Awareness. The program was developed to provide the following:

- A discussion of sexual violence.
- A discussion of consent, including an explanation that the victim is not at fault.
- A discussion of drug and alcohol-facilitated sexual violence.
- Information relating to risk education and personal protection.
- Information on where and how to get assistance, including the importance of medical treatment and evidence collection, and how to report sexual violence to campus authorities and local law enforcement.
- The possibility of pregnancy and transmission of sexual diseases.
- Introduction of members of the educational community.
- A promise of discretion and dignity.
- A promise of confidentiality for victims of sexual assault

Program Specifics

1. All post-secondary students will review the Sexual Violence act and LCCTC procedures during student orientation. Materials and documents, including the Bill of Rights, are available on the LCCTC Student Orientation Canvas course that is used for all incoming students.
2. The YWCA Empowerment Center has educators trained by the Pennsylvania Coalition Against Rape and provides programs at the LCCTC twice throughout the school year. Students are also encouraged to contact the YWCA Sexual Assault Prevention & Counseling Center if needed and have access to the **24-HOUR HOTLINE 717-392-7273**.

Definitions & Terms: VAWA Amendments to Clery

1. Sexual Assault: An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's UCR program.

2. Sex Offenses: Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

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

3. Domestic Violence: A felony or misdemeanor crime of violence committed

- By a current or former spouse or intimate partner of the victim;
- By a person with whom the victim shares a child in common;
- By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
- By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred;
- 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.

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

- The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
- For the purposes of this definition, dating violence includes but is not limited to, sexual or physical abuse or the threat of such abuse.
- Dating violence does not include acts covered under the definition of domestic violence.
- Any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

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

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

For the purposes of this definition:

- *Course of conduct* means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property
- *Reasonable person* means a reasonable person under similar circumstances and with similar identities to the victim.
- *Substantial emotional distress* means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.
- Any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

6. Programs to prevent dating violence, domestic violence, sexual assault, and stalking: Comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to end dating violence, domestic violence, sexual assault, and stalking that:

- 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

- Consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community, and societal levels
- Programs to prevent dating violence, domestic violence, sexual assault, and stalking include both primary prevention and awareness programs directed at incoming students and new employees and ongoing prevention and awareness campaigns directed at students and employees.

7. Awareness programs: Community-wide or audience-specific programming, initiatives, and strategies that increase audience knowledge and share information and resources to prevent violence, promote safety, and reduce perpetration

8. Bystander intervention: Safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking

Bystander intervention includes:

- Recognizing situations of potential harm
- Understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking actions to intervene

9. Ongoing prevention and awareness campaigns: Programming, initiatives, and strategies that are sustained over time and focus on increasing understanding of topics relevant to and skills for addressing dating violence, domestic violence, sexual assault, and stalking, using a range of strategies with audiences throughout the institution

10. Primary prevention programs: Programming, initiatives, and strategies informed by research or assessed for value, effectiveness, or outcome that are intended to stop dating violence, domestic violence, sexual assault, and stalking before they occur through the promotion of positive and healthy behaviors that foster healthy, mutually respectful relationships and sexuality, encourage safe bystander intervention, and seek to change behavior and social norms in a healthy and safe direction.

11. Risk reduction: Options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence.

12. Prompt, fair, and impartial proceeding: A proceeding that is completed within reasonably prompt timeframes designated by an institution's policy, including a process that allows for the extension of timeframes for good cause and with written notice to the accuser and the accused of the delay and the reason for the delay;

Conducted in a manner that:

- Is consistent with the institution's policies and transparent to the accuser and accused;
- Includes timely notice of meetings at which the accuser or accused, or both, may be present; and
- Provides timely and equal access to the accuser, the accused, and appropriate officials to any information that will be used during informal and formal disciplinary meetings and hearings; and

- Conducted by officials who do not have a conflict of interest or bias for or against the accuser or the accused

13. Advisor: Any individual who provides the accuser or accused support, guidance, or advice

14. Proceeding: All activities related to a non-criminal resolution of an institutional disciplinary complaint, including, but not limited to, fact-finding investigations, formal or informal meetings, and hearings.

- Proceeding does not include communications and meetings between officials and victims concerning accommodations or protective measures to be provided to a victim.

15. Result: Any initial, interim, and final decision by any official or entity authorized to resolve disciplinary matters within the institution

The result must include any sanctions imposed by the institution.

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Relationship Violence—Warning Signs and How to Get Help (*Adapted from the National Center for Victims of Crime*)

Relationship violence can happen to anyone of any race, age, sexual orientation, religion, or gender.

It can happen to couples who are married, living together or who are dating. Relationship violence affects people of all socioeconomic backgrounds and education levels.

Abuse is a repetitive pattern of behaviors used to maintain power and control over an intimate partner. These are behaviors that physically harm, arouse fear, prevent a partner from doing what they wish, or force them to behave in ways they do not want. Abuse includes the use of physical and sexual violence, threats and intimidation, emotional abuse, and economic deprivation. Many of these different forms of abuse can be going on at any one time.

You may be experiencing physical abuse if your partner has done or repeatedly does any of the following tactics of abuse:

- Pulling your hair, punching, slapping, kicking, biting or choking you
- Forbidding you from eating or sleeping
- Damaging your property when they're angry (throwing objects, punching walls, kicking doors, etc.)
- Using weapons to threaten to hurt you, or actually hurting you with weapons
- Trapping you in your home or keeping you from leaving
- Preventing you from calling the police or seeking medical attention
- Abandoning you in unfamiliar places
- Driving recklessly or dangerously when you are in the car with them
- Forcing you to use drugs or alcohol (especially if you've had a substance abuse problem in the past)

You may be in an emotionally abusive relationship if your partner exerts control through:

- Calling you names, insulting you or continually criticizing you
- Refusing to trust you and acting jealous or possessive

- Trying to isolate you from family or friends
- Monitoring where you go, who you call and who you spend time with
- Demanding to know where you are every minute
- Punishing you by withholding affection
- Threatening to hurt you, your family or your pets
- Humiliating you in any way
- Blaming you for the abuse
- Accusing you of cheating and being often jealous of your outside relationships
- Serially cheating on you and then blaming you for his or her behavior
- Cheating on you intentionally to hurt you and then threatening to cheat again
- Cheating to prove that they are more desired, worthy, etc. than you are
- Attempting to control your appearance: what you wear, how much/little makeup you wear, etc.
- Telling you that you will never find anyone better, or that you are lucky to be with a person like them

How to Get Help:

- Contact Police by calling 911, the Domestic Violence Hotlines (national: 800.799.7233; or LCCTC Counseling Services (717) 464-7050, to get information on campus and local resources as well as your legal options.
- Identify your partner's use and level of force so that you can assess the risk of physical danger to you and others before it occurs.
- If possible, have a phone accessible at all times and know what numbers to call for help. Know where the nearest public phone is located. Know the phone number of your local battered women's shelter. If your safety is at risk, call the local police at 911
- Let trusted friends and neighbors know of your situation and develop a plan and visual signal for when you need help.

What to Do If You Have Been a Bystander to an Incident of Sexual and/or Interpersonal Misconduct

If you have been a witness or a bystander to an incident of sexual and/or interpersonal misconduct it is imperative that you seek out resources and information to help yourself and to support the person to whom the behavior of sexual and/or interpersonal violence is directed. A bystander is an individual other than the person to whom the behavior is directed who is present when an act of sexual and/or interpersonal misconduct is occurring or when a situation is occurring in which a reasonable person feels as though some protective action is required to prevent an act of sexual and/or interpersonal misconduct. Bystanders, if active, can prevent harm or intervene before a situation gets worse.

Examples of active bystander intervention include, but are not limited to:

- walking a classmate to his/her car after night class
- contact the nearest staff member (on-campus incidents) or local law enforcement (off-campus) when a potentially violent situation is unfolding
- not leaving an unconscious person alone (alerting a school official)

- intervening when someone is being belittled, degraded, or emotionally abused (walking the individual away from the situation or calling for help)
- not leaving an intoxicated friend in a party/bar alone

Pennsylvania State Victims' Rights Statute

The LCCTC is obligated under federal law to inform survivors (referred to as victims in PA law) of sexual assault or harassment of their rights under Pennsylvania state law. Please note that the College Student Conduct Process is not a criminal or civil process; however, the College will provide certain information to survivors and accused students under the Student Code of Conduct. Under Pennsylvania law, a victim of domestic violence, dating violence, sexual assault or stalking have the rights as outlined under the Pennsylvania Crime Victims Act (TITLE 18. CRIMES AND OFFENSES- CHAPTER 2. CRIME VICTIMS ACT- CHAPTER - 2. CRIME VICTIMS - SUBCHAPTER A. BILL OF RIGHTS - 18 P.S. § 11.201 (2009) § 11.201.

Rights). Victims of crime have the following rights:

- To receive basic information concerning the services available for victims of crime.
- To be notified of certain significant actions and proceedings within the criminal and juvenile justice systems pertaining to their case. This paragraph includes all of the following: Access to information regarding whether the juvenile was detained or released following arrest and whether a petition alleging delinquency has been filed.
- Immediate notification of a juvenile's pre-adjudication escape from a detention center or shelter facility and of the juvenile's subsequent apprehension.
- Immediate notification of an adult offender's pretrial escape from a local correctional facility and of the offender's subsequent apprehension.
- To be accompanied at certain criminal and all juvenile proceedings in accordance with 42 Pa.C.S. § 6336(d) (relating to conduct of hearings) by a family member, a victim advocate, or other person providing assistance or support.
- In cases involving a personal injury crime or burglary, submit prior comment to the prosecutor's office or juvenile probation office, as appropriate to the circumstances of the case, on the potential reduction or dropping of any charge or changing of a plea in a criminal or delinquency proceeding, or, diversion of any case, including an informal adjustment or consent decree.
- In cases involving a personal injury crime, receive a notice and provide comment to the sentencing court when the prosecutor's office requests an eligibility requirements waiver as part of the Recidivism Risk Reduction Incentive (RRRI) sentence (61 Pa.C.S. § 4504).
- To have the opportunity to offer prior comment on the sentencing of a defendant or the disposition of a delinquent child, including the submission of a written and oral victim impact statement detailing the physical, psychological, and economic effects of the crime on the victim and the victim's family. The written statement shall be included in any predisposition or pre-sentence report submitted to the court. Victim-impact statements shall be considered by a court when determining the disposition of a juvenile or sentence of an adult (18 P.S. § 11.201) .
- To have notice and to provide prior comment on a judicial recommendation that the defendant participate in a motivational boot camp (61 Pa.C.S. § 3905), known as the Motivational Boot Camp Act.
- To have notice of and to provide comment on the defendant's medical release petition submitted to the court and to receive notice of final adjudication (42 Pa. C.S. Section 9777).
- Upon request of the victim of a personal injury crime, to have the opportunity to submit written comment or present oral testimony at a disposition review hearing, which comments or testimony shall be considered by the court when reviewing the disposition of the juvenile.

- To be restored, to the extent possible, to the precrime economic status through the provision of restitution, compensation and the expeditious return of property which is seized as evidence in the case when in the judgment of the prosecutor the evidence is no longer needed for prosecution of the case (18 Pa. C.S. 1106(c)).
- In personal injury crimes where the adult is sentenced to a State correctional facility, to be:
- Given the opportunity to provide prior comment on and to receive State post-sentencing release decisions, including work release, furlough, parole, pardon or community treatment center placement;
- Provided immediate notice of an escape of the adult and of subsequent apprehension; and
- In personal injury crimes where the adult is sentenced to a local correctional facility, to:
- receive notice of the date of the release of the adult, including work release, furlough, parole, release from a boot camp or community treatment center placement (42 Pa. C.S. Section 9813); and
- be provided with immediate notice of an escape of the adult and of subsequent apprehension
- If, upon the request of the victim of a personal injury crime committed by a juvenile, the juvenile is ordered to residential placement, a shelter facility or a detention center, to:
- Receive prior notice of the date of the release of the juvenile, including temporary leave or home pass.
- Be provided with notice of transfer of a juvenile who has been adjudicated delinquent from a placement facility that is contrary to a previous court order or placement plan approved at a disposition review hearing and to have the opportunity to express a written objection prior to the release or transfer of the juvenile.
- If the adult is subject to an order under 23 Pa.C.S. Ch. 61 (relating to Protection From Abuse Act) and is committed to a local correctional facility for a violation of the order or for a personal injury crime against a victim protected by the order, to receive immediate notice of the release of the adult on bail (18 P.S. Section 11.201).
- To receive notice if an adult is committed to a mental health facility from a State correctional institution and notice of the discharge, transfer or escape of the adult from the mental health facility.
- To have assistance in the preparation of, submission of and follow-up on financial assistance claims to the bureau.
- To be notified of the details of the final disposition of the case of a juvenile consistent with 42 Pa.C.S. § 6336(e) (relating to conduct of hearings).
- Upon the request of the victim of a personal injury crime, to be notified of the termination of the courts' jurisdiction.

The Executive Director is the compliance officer regarding Act 104 and Title IX. Selected staff will present to the students the importance of contacting local authorities first and the campus authorities should they need to report an incidence of sexual violence.

Campus Sexual Assault Victims' Bill of Rights

- Accuser and accused must have the same opportunity to have others present.
- Both parties shall be informed of the outcome of any disciplinary proceeding.
- Survivors shall be informed of their options to notify law enforcement.
- Survivors shall be notified of counseling services.
- Survivors shall be notified of options for changing academic and living situations.