



MUNICIPAL POLICE OFFICERS'
TRAINING ACADEMY

CADET HANDBOOK

WESTMORELAND
COUNTY
COMMUNITY COLLEGE



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GENERAL INFORMATION

Basic Tenets of Law Enforcement

Let the following Basic Tenets of Law Enforcement guide you as you begin your quest.

- Let common sense guide your judgment and courtesy control your actions every time.
- Be ready to serve the public interest staunchly and fearlessly, 24-hours each day.
- Strive diligently to free the innocent and to convict the guilty. Justice, not punishment, is the goal of law enforcement.
- Avoid the temptation to seek personal advantage from the knowledge and stature gained through your position.
- Honor, do not abuse, your badge; the rights of individuals are our most precious possessions.
- Uphold the reputation of the organization as public esteem, earned by years of dedicated law enforcement work, may be shattered by one act of misconduct.
- Beware that favoritism, wealth, race, creed and influence have no place on the scales of justice.
- Learn more, serve better and earn more. Grow with the profession by acquiring the skills and techniques of modern law enforcement.
- Act always as a model to youth, a source of friendship and a shining example of integrity.
- Properly prepare the body, mind and conscience to discharge your responsibilities and then do your best in service to the community and the country.

ACADEMY INFORMATION

Philosophy

In today's law enforcement community, we find an ever-increasing trend toward true professionalism. This trend is mandated by our society's concern for a reliable and effective system of criminal justice that uses alternatives to crude and simple physical force. Today's society will not allow the law enforcement community to return to an era of limited education for police officers.

The officer must be democratically oriented and mindful of the dignity of every citizen. He/she must also be knowledgeable in the technical and legal aspects of this occupation. The Municipal Police Officers' Training Academy (MPOTA) exists to provide the police cadet with quality training, motivation and a positive philosophy of understanding about our society and its value systems. This academy is committed to continue this trend toward professionalism in its training programs so the future officer can function in the community as an important member of the law enforcement team.

History

Since its inception in 1979, the Westmoreland County Community College Municipal Police Officers' Training Academy has provided police officers with the knowledge and training necessary to perform today's law enforcement tasks as well as a foundation upon which the officer may continue to enhance his or her police skills and academic knowledge.

All of the programs are under the jurisdiction of the Municipal Police Officers' Education and Training Commission (MPOETC), headquartered in Harrisburg, Pennsylvania. The Commission is empowered to implement the statutory requirements of the various police training acts. There are three training components available at Westmoreland:

- Municipal Police Officers' Training Academy (Act 120)
- Mandatory In-Service Training (Act 180)
- Lethal Weapons Training (Act 235)
- Act 165 Military + Out-of-State Officers

Accreditation

Westmoreland is accredited by the Commission on Higher Education of the Middle States Association of Colleges and Schools, 3642 Market Street, Philadelphia, PA 19014, 267-284-5000. The Commission on Higher Education is an accrediting agency recognized by the U.S. Secretary of Education and the Council for Higher Education Accreditation.

The Municipal Police Officers' Training Academy and its programs are fully certified through the Commonwealth of Pennsylvania by MPOETC and are inspected annually by the Commission.

Location & Facilities

The Municipal Police Officers' Training Academy is located at the Westmoreland Youngwood Campus, approximately 35 miles southeast of Pittsburgh.

Most facilities are available to the cadet during normal business hours including The Den Café, student lounges, library, College Learning Center and recreational and exercise facilities. Other off-site facilities include a firing range located at Westmoreland's Public Safety Training Center (PSTC) in Smithton (South Huntingdon Township). There are no housing facilities on campus.

WESTMORELAND MUNICIPAL POLICE OFFICERS' TRAINING ACADEMY GENERAL REQUIREMENTS

Any person applying for the Municipal Police Officers' Training Academy must adhere to the following to be considered for admission:

1. Be at least 18 years of age.
2. Be of good moral character and, under oath, attest that he/she has no prior criminal record.
3. Complete and submit an application, including Release of Information and Certification and the Oath of Application, before the advertised deadline.
4. Submit a letter of reference from the chief of police, law enforcement officer or Magisterial District Judge who has jurisdiction in the municipality in which the applicant resides.
5. Provide, upon request, current photo identification.
6. Provide, upon request, proof of high school graduation or GED certificate.

8. Obtain and submit (before the advertised deadline) a physical examination by a PA licensed physician, certified nurse practitioner or physician's assistant.
 - Vision requirements for a municipal police officer are: a visual acuity of at least 20/70, uncorrected in the stronger eye, correctable to at least 20/20; and at least 20/200, uncorrected in the weaker eye, correctable to at least 20/40. Normal depth and color perception are also required.
 - The physical form must be dated no earlier than six (6) months prior to the first class session.
9. Obtain scores in the 30th percentile in the Physical Fitness Tests (One-minute sit-up test, One-minute push up test, 1.5 mile run and 300-meter run).
10. Obtain and submit (before the advertised deadline) a psychological examination, including the Minnesota Multiphasic Personality Inventory (MMPI), by a licensed psychologist or psychiatrist.
11. Attain at least a 9th grade reading level on the Nelson-Denny Reading Examination.
12. Submit to a criminal history check and background investigation.
 - Any conviction graded misdemeanor of the 2nd degree or higher is grounds for automatic disqualification.
 - No applicant will be considered while under parole or probation, whatever the offense, including sentences of ARD (Accelerated Rehabilitative Disposition) nor will an applicant be considered within one year of completing ARD probation.
13. Complete, if requested, an oral interview with the Academy Director and Lead Instructor.
14. Submit a copy of military discharge (DD-214), if applicable + F.B.I. background check.
15. If you are already a sworn municipal police officer, present written authorization from the commissioner, Pennsylvania State Police, showing approval of enrollment.
16. F.B.I. fingerprint clearance for Act 165 cadets.

Acceptance into the academy is contingent upon successful completion of every process described above. Representatives of the academy staff determine final acceptance after reviewing all available information. The college reserves the right to reject any applicant who fails to comply with all the standards established above or who fails to fully cooperate in any of the screening processes.

Class Information

Applications

Application materials are available anytime throughout the year. Go to www.westmoreland.edu/policeacademy or call 724.925.4112 for all materials needed.

Attendance

Strict attendance requirements are administered as outlined in the Rules and Regulations. Cadets are not permitted to miss any of the instructional hours as required by MPOETC.

Certificates

Westmoreland certificates of completion are awarded to those cadets successfully meeting all the examination, performance and attendance requirements as mandated by the Commission. Certification is granted by MPOETC upon a written letter of conditional hire by a political subdivision and successful completion of the state certification examination.

Credit for Completion

Upon successful completion of the academy program, the cadet is eligible to receive up to a maximum of 15 Criminal Justice credits upon enrollment in the college's Criminal Justice Associate Degree program. Those credits include the following courses:

- CRJ 160 Criminal Law
- CRJ 262 Crime Prevention
- CRJ 276 Community Relations
- CRJ 296 Introduction to Criminalistics
- CRJ 263 Investigative Concepts

Curriculum

A broad spectrum of information is presented to satisfy the educational needs of the basic patrol officer. The basic police training course curriculum includes instruction in the following areas:

- Antisocial Behavior
- Application of Force
- Communications
- Custody
- Defensive Tactics
- Firearms
- First Aid & CPR
- Handling Violent & Dangerous People
- Human Relations Skills
- Investigations
- Operation of a Patrol Vehicle
- Patrol Procedures & Operations
- Pennsylvania Criminal Law
- Pennsylvania Rules of Criminal Procedure
- Pennsylvania Vehicle Code
- Physical Conditioning
- Professional Relations
- Plus any other subjects the commission deems necessary

Dismissal

There are various reasons, as noted in the Rules and Regulations, which are just cause for dismissal from the academy. Obviously, as the academy follows the tenets of good law enforcement, each cadet is expected to abide by all academy, college, state and federal laws. Actions which would jeopardize the academy's reputation and status as a certified school may be grounds for suspension and/or immediate dismissal.

Schedule

PART-TIME ACADEMY

The part-time police academy class begins in early February and ends in November. Generally, classes meet on Mondays, Wednesdays & Fridays from 5:30 to 9:30 p.m., Saturdays from 8 a.m. to 5 p.m. and approximately 11 Sundays from 8 a.m. to 5 p.m.

FULL-TIME ACADEMY

The full-time police academy class begins in early June and ends in November. Classes meet Tuesday through Saturday 8-5 p.m. and also one Sunday a month 8-5 p.m.

Tuition

The full tuition is payable by the first class. However, a payment plan is available.

Tuition covers the following items:

- All instruction, instructional materials & textbooks
- Classroom materials & range rentals
- Training aids & physical fitness clothing (except shoes)
- Cadet name pin & patches
- Ammunition & targets
- Academy facilities
- Weapon for firearms training
- Embroidered polo summer shirt (will be ordered after class begins)

Cadets provide the following:

- Black BDU pants for firearms & defensive tactics
- Gym shoes
- Personal effects (towels, toiletries, etc.)
- "Dickies" Uniform, khaki work pants & long-sleeve shirt
- Black tie (clip-on-style)
- Black shoes & boots
- Black belt

Do not purchase any items prior to acceptance.

Refund Policy

All refunds are calculated from the official start date of the course. You must contact Registration at 724.925.4204 to officially drop a course. If you do not officially drop, you remain obligated for all tuition and fees.

For courses 20-weeks through 29-weeks long —

If you officially drop through the second week of the course, you may be eligible to receive a 100% refund of tuition and fees. If you officially drop during the third or fourth week of the semester, you may be eligible to receive a 60% refund of tuition. There are no refunds after the fourth week of the course.

For courses of 30-weeks or longer —

If you officially drop through the third week of the course, you may be eligible to receive a 100% refund of tuition and fees. If you officially drop during the fourth, fifth or sixth week of the course, you may be eligible to receive a 60% refund of tuition. There are no refunds after the sixth week of the course.

WESTMORELAND MUNICIPAL POLICE OFFICERS' TRAINING ACADEMY RULES & REGULATIONS

Attendance Requirements

State regulations require each academy cadet to receive a minimum of 920 hours of training, exclusive of examinations. Each cadet is required to attend 100% of the training classes. Failure to attend a training session may be grounds for discharge unless the cadet can provide evidence the absence was due to any of the following reasons:

- Illness or injury (each absence must be supported by a doctor's excuse)
- Death in the immediate family
- An unavoidable emergency reported to the instructor or director before the missed session.

Missed training must be made up in order for the cadet to qualify for certification as a municipal police officer. The academy director will determine the appropriate manner in which makeup material is to be completed.

Attendance Procedure

Roll call will be taken at the start of each morning, afternoon and evening session. A cadet who appears after the start of a scheduled session will be considered tardy. A cadet who is tardy three times throughout the program will be given a written warning noting "Habitual Tardiness." Such written warnings will become part of the cadet's academic record. Upon being tardy a fourth time, the cadet may be discharged from the academy.

A cadet who is going to be tardy or absent shall make the following notification(s) prior to the start of the training session to be missed and shall state the reason for the absence or tardiness to:

- Academy director.
- Lead instructor, if unable to speak with academy director.
- College security officer, if unable to speak with academy director and lead instructor. (Request the security officer notify the academy instructor.)

A cadet who repeatedly fails to report his/her absence or tardiness in advance of a training session may be dismissed from the academy.

Books, Materials & Equipment

- Each cadet will be responsible for all books, materials and equipment issued to him/her.
- All items will be maintained in good condition and returned if so requested or a replacement fee will be assessed.
- Student learning objectives and various text books will be furnished by Westmoreland. Cadets are to read assigned section(s) of subject matter before attending the related lecture.
- Batons, handcuffs, duty belt and holster will be provided to a cadet during the first defensive tactics instruction session and shall be returned to the custody of a Westmoreland instructor at the conclusion of police academy training or upon the cadet's departure from the academy.

- Training firearms and ammunition will be provided to a cadet at the beginning of each range session. Training firearms and unexpended ammunition shall be returned to the custody of a Westmoreland range instructor at the conclusion of each firearms training session.
- Pepper mace will be provided to a cadet at the beginning of each pepper mace training session. Pepper mace shall be returned to the custody of a Westmoreland instructor at the conclusion of each pepper mace training session.

Courtesy & Professional Conduct

- Each cadet will conduct himself/herself as a professional on and off school premises.
- Each cadet will participate in reciting the pledge of allegiance at the start of a training day.
- All cadets will rise to attention when an instructor, academy official, or guest makes their initial entry into the classroom.
- Each cadet will show necessary courtesy to all school officials and instructors by addressing him/her as: Sir, Mr., Mrs. or Ms., followed by the official's or instructor's last name.
- In the classroom, when the cadet has a question of the instructor or has an answer to an instructor's question, the cadet will raise his/her hand and wait to be called upon.

Discipline

A cadet may be discharged from the police academy for the following offenses:

- Personal actions and performance that suggest lack of adequate professional police qualities, including failing or refusing to conform to any Academy Rule or Regulation.
- Failing to meet academic requirements set forth in the Examinations and Grades section.
- Insubordination toward an academy instructor, administrator or staff member.
- Any act which is a violation of criminal law and graded as a felony or misdemeanor crime.
- Repeated violation of criminal law graded as a summary offense.
- Failure to report police contact described under General Conduct.
- Supplying academy officials with any false information on any school application or document.
- Intentionally providing false or misleading information to an instructor, administrator or staff member making inquiry about an academy related matter.
- Failure to meet financial obligations to Westmoreland.
- Failure to adhere to the college's Student Code of Conduct.

Social Media

- The posting of a photo, video, audio or other electronic communication which would subject a cadet, Westmoreland County Community College police academy, or any academy staff or instructor to public ridicule or otherwise potentially damage the good reputation of any person or entity described above is prohibited.

- The posting of a photo, video, audio or other electronic communication depicting any part of the police academy training activity without the expressed consent of the academy director is prohibited.

General Conduct

The following conduct is prohibited:

- Cursing, profane or obscene language.
- Abusive language, ethnic slurs, sexually expressive statements, sexual harassment or display of personal animosities toward others.
- Fighting or tumultuous behavior.
- Theft or misappropriation of college property or another person's property.
- Horse-play, practical jokes or physical contact which might jeopardize a person's welfare or safety.
- Any action that disrupts the learning environment in the classroom or other part of a training facility.
- Any form of gambling.
- Use, possession or introduction of any form of intoxicants or illegal drug in a training facility or on college property.
- Smoking in any non-designated area of the Westmoreland campus.
- Eating in a classroom.
- Possession of, or reproduction of, an examination not issued by an instructor.
- Cheating on examinations or possession of unauthorized material(s) during a testing session.
- Distributing examination answers to another current or future Westmoreland police cadet.
- Insubordination toward an academy instructor, administrator or staff member.
- Any act which is a violation of criminal law and graded as a felony or misdemeanor crime.
- Repeated violation of criminal law graded as a summary offense.
- Supplying academy officials with any false information on any school application or document.
- Intentionally providing false or misleading information to an instructor, administrator or staff member making inquiry about an academy related matter.

A police cadet must immediately (within 24 hours) report to the academy director or lead instructor any law enforcement contact he/she has during the course of academy training if the contact:

- Results in issuance of a summary traffic or non-traffic citation, excluding parking offenses.
- Results in arrest for any misdemeanor or felony offense, either in person or by summons.
- Results in issuance of a Protection from Abuse Order.
- Results in the cadet being named a suspect or witness in a criminal episode.

Westmoreland Student Regulations

Cadets are to adhere to the college's student regulations as outlined in the student handbook, which is located in the college catalog.

Personal Grooming

Males – Hair will not touch the bottom of the shirt collar at the back of the head nor shall the sides fall below the bottom of the earlobes. The front will not fall below the eyebrows. Sideburns will not be lower than the bottom of the earlobes. Mustaches will be neat, trimmed and will not fall below the edge of the mouth. Goatees and beards are prohibited. The cadet's face will be clean shaven. Fingernails will be trimmed close to the edge of the finger to avoid being caught during defensive tactics and firearms training.

Females – Hair will be cut, pulled back or pinned up so the hair does not fall lower than the middle of the shoulder blades on the back nor fall below the shoulder on the sides. Hair will not be below the eyebrows in the front. Fingernails will be trimmed close to the edge of the finger to avoid being caught during defensive tactics and firearms training. Fingernail polish, if worn, will be clear. Cadets will not wear excessive or brightly colored makeup.

Tattoos

- A cadet shall not have a tattoo of any kind displayed on any part of the head, including but not limited to the forehead, nose, eye lids, ears, lips, cheeks, jaw, chin (immediately under the chin or jaw).
- Displays, depicts or encourages in words or image insensitivity toward or acts of violence directed toward a person or group based upon sex or sexual orientation, race or ethnic heritage, religion or religious orientation.
- Is a symbol, image or name of any organization or group that espouses insensitivity or acts of violence directed toward a person or group described above.
- Displays, depicts or encourages in words or image an unpatriotic theme including desecration or insult of the American flag or a government official.
- No cadet will be accepted for training until the prohibited tattoo is professionally removed, or in the case of the top or back of the head, covered with hair.
- A cadet shall not obtain, acquire or self inflict any new tattoo during academy training.

Jewelry

- Cadets may wear one watch and one ring (on each hand) during classroom training. All other jewelry, including earrings, necklaces and bracelets is prohibited. No rings, watches or other jewelry will be worn during physical fitness, firearms or defensive tactics training.
- A cadet shall not have body piercing ornaments or jewelry visible on any part of the body that may be exposed to public view while wearing the winter or summer uniform, gym clothing or range attire.

Uniforms

The following uniform guidelines shall be followed by all cadets:

- **Duty uniforms** shall be clean and pressed. The uniform will include the shoulder patch neatly sewn to each shoulder, one inch below the shoulder seam and centered on the crease of the sleeve. The name tag will be attached immediately over the right shirt pocket. The cadet's dress shoes and belt will be black. Shoes will be polished and shined. A solid black clip-on tie will be worn with the long-sleeve winter uniform shirt.
- The uniform shall not be worn except during training sessions, training related activity or travel to and from a training session.
- Any time the uniform is worn, no matter the location, it shall be worn in the appropriate manner. The uniform shall not be worn unbuttoned, shirt tail exposed or in any other manner that might discredit the cadet or the academy.
- **Gym attire** – Cadets will wear the issued gym clothing or BDU attire during physical fitness and defensive tactics training. Cadets will also wear white over-the-calf gym socks and acceptable running/jogging shoes with the gym clothing.
- **Firing range attire** – Cadets will wear the required uniform shirt at the range. Cadets may not wear blue jeans but will wear other attire appropriate for conditions prevailing on range days (including, but not limited to: boots, gloves, hat, warm coat, rain gear, etc.).

Notebooks

- All cadets will maintain a loose-leaf notebook that will contain written or typed notes of all areas of instruction, student handouts and other related materials.
- Notebooks will be periodically inspected by instructors who will review the contents and assign a status of "acceptable" or "not acceptable." Any cadet who receives a status of "not acceptable" will be advised of the deficiency. He/she will have one week to bring his/her notebook up to "acceptable" standards. If a cadet fails to bring his/her notebook up to "acceptable" standards in one week, he/she will be issued a written warning advising that the notebook will be updated within one additional week. Such written warning will become part of the cadet's academy record. If within one week of the warning notice an "acceptable" status is not achieved, the cadet may be discharged from the academy.

Notices

- At the first class session, each cadet will be given a course schedule, a course syllabus. Each cadet will be responsible for reviewing the material and knowing the content of these items.
- Additional notices and directives (including updated schedules) may be issued to cadets from time to time and will supersede previous notices as applicable.
- Cadets shall check their Westmoreland email and D2L messages on a daily basis. Cadets are responsible for knowing the contents of all Westmoreland email directives and directives posted on D2L.

Examinations & Grades

- One multiple choice examination will be given for each testing area.
- A minimum of 80 percent is required to pass each module (5) based upon a cumulative score from all volume exams taken.
- A minimum of one proficiency examination will be given at the end of each firearms section. A proficiency score of 80 percent must be attained to receive a passing grade.
- A cadet who does not achieve the minimum passing score in any module is removed from the academy and must repeat the training module at Westmoreland or another academy.
- A cadet will be placed on academic probation for failing to achieve the minimum passing score for any volume. If the cadet fails to achieve the minimum passing commutative score of 80% in any module, the cadet must withdraw from the academy. The cadet may apply to a succeeding academy class, and if accepted, must retake the failed volumes of any module within two years.
- Examination results will be kept on file with the actual examinations by the academy director. Any cadet who fails to achieve a commutative score of 80 percent of a given module of instruction will not be awarded a certificate of any kind.

Gifts & Other Considerations

- No cadet will present any instructor or academy staff member with any gifts, sums of money or other consideration during the training program.
- Cadets will not accept any gifts, sums of money or other consideration from an instructor or academy staff member during the training program.

Graduation and Certification

- Westmoreland graduation certificates will be presented to cadets who successfully complete all modules of training with a minimum score of 80 percent and who have satisfied all college obligations.
- The necessary administrative forms for state certification (upon hire) will be completed by the municipal police department wishing to hire the graduate.
- Cadet must successfully pass a state certification examination before he/she will be certified as a municipal police officer.

Emergency Procedures

Injuries

- Injuries or accidents sustained while present at the school or range facilities will be reported immediately to the instructional staff. The instructional staff person or security guard will complete an accident report and submit it to the academy director within 24 hours of the occurrence.

In case of fire, a cadet shall:

- Pull the nearest internal fire alarm.
- Notify college Security by dialing 4250 from a hall courtesy phone or 724.925.4250 from a cell phone. Explain the nature of the emergency, building name and room number and answer any other questions as required.
- Attempt to extinguish small fires if trained to do so. If in doubt about the proper procedures or if personal safety is in doubt, evacuate immediately.
- Move away from the building to a safe location. Advise incoming emergency units of the nature of the situation and the location.

In case of medical emergency, a cadet shall:

- Advise the person to seek medical assistance at a hospital emergency room, a medical care unit or a physician's office.
- If an ambulance is deemed necessary and the person cannot communicate, use best judgment in determining if an ambulance is necessary.
- Call 8.9.1.1 from a courtesy phone for an ambulance and then call Security at ext. 4250 to inform them an ambulance has been called.
- State the status of the accident victim (be specific about what is happening to the person).
- Provide the exact location of accident/issue (building and room number).
- Stay with the injured individual until the arrival of the ambulance.
- If an ambulance is not needed, but the individual has no means of transportation to appropriate medical service, call the Human Resources Department at ext. 4080 during weekdays or Security guard at ext. 4250 after 5 p.m. and during weekends (Saturday and Sunday).
- Ask the instructor or Security to file an official accident/injury report with the facilities director within 24 hours of the incident regardless of where the incident occurred.

Internships

Internships are not required by MPOETC or Westmoreland. Cadets should not seek this experience, as municipalities generally will not assume the added liability and inherent risks of a student intern.

Student Support Services

Consult with the academy director if you are having difficulty with the course material or would like further assistance. The academy director will make appropriate referrals, if possible, to the designated college staff member for further assistance as needed.

Telephones

- A cadet may not use any regular college telephone for personal calls.
- Cell phones or pagers are to be turned off when in class. Cell phones may only be used during break or lunch times.
- A cadet will not be summoned from class for personal calls except in an emergency.
- No photos or video may be taken without instructor's permission.

Vehicle Parking

Cadet vehicles will be parked only in the designated student parking lots.

Violations

Cadets will abide by all laws of local municipalities, the Commonwealth of Pennsylvania and the United States of America. No applicant will be considered for the academy with a serious criminal history or while under parole or probation, whatever the offense, including sentences of ARD nor will an applicant be considered within one year of completing ARD probation. Violations will be subject to discipline as outlined in these Rules & Regulations and may include refusal of admission or expulsion from the training program.

Weapons

No weapon will be carried onto school property except upon the direct order of an instructor. The term weapon includes: firearms, shotguns, blackjacks, night sticks, chemical mace/OC pepper spray, stun guns or any other device which may cause bodily harm or injury to another person.

Civil Rights/Title IX Policy and Complaint Procedure

Westmoreland Nondiscrimination Policy:

Westmoreland County Community College does not discriminate in its educational programs, activities or employment practices based on race, color, national origin, sex, sexual orientation, disability, age, religion, ancestry, union membership or any other legally protected classification.

Scope of Procedure:

Westmoreland County Community College has adopted an internal procedure providing for prompt and equitable resolution of complaints alleging discrimination, harassment and/or retaliation in violation of federal or state civil rights laws, including those laws enforced by the U.S. Department of Education, Office of Civil Rights. The departments of the Federal Government enforce the following laws that prohibit discrimination, harassment and/or retaliation in programs or activities that receive federal financial assistance:

- **Title VI** of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, and national origin.
- **Title IX** of the Education Amendments of 1972 (20 U.S.C. Section 1681, et. seq.) prohibits discrimination on the basis of sex /gender; including sexual misconduct, sexual harassment and/or sexual violence.
- **The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act)** as amended by the Campus Sexual Violence Elimination Act (SaVE Act) prohibits sexual harassment, sexual misconduct and acts of sexual violence, including sexual assault, domestic violence, dating violence and stalking.
- **Violence Against Women Reauthorization Act of 2013 (VAWA)** which imposes new obligations under the SaVE Act including reporting requirement, student discipline and training for students and employees.

- **Sections 503 and 504** the Rehabilitation Act of 1973 prohibits discrimination on the basis of disability.
- **Age Discrimination Act** of 1975 prohibits discrimination on the basis of age.
- **Title VII** of the Civil Rights Act of 1964 (governed by U.S. Dept. of Labor), as it relates to employment.
- **Title II** of the Americans with Disabilities Act of 1990 (prohibiting disability discrimination by public entities, whether or not they receive federal financial assistance).

This policy and procedures are available and applicable to all members of the College community:

- Students
- Employees
- Trustees
- Guests
- Third Party Vendors

Types of behavioral misconduct, on the basis of actual or perceived membership in a protected class, that are covered under this policy and procedures include, but are not limited to:

- Bullying
- Discrimination
- Harassment
- Hazing
- Intimidation
- Sexual Misconduct Offenses:
 - Sexual Assault
 - Sexual Harassment
 - Domestic Violence
 - Dating Violence
 - Sexual Exploitation
- Stalking
- Cyber-bullying, cyber-stalking, cyber-harassment

This procedure **does not** apply to Academic complaints, with the following exceptions:

- Complaint alleges that an academic decision was determined as a result of discrimination and/or harassment.
- Complaint alleges that an individual was denied participation in an academic program or activity due to discrimination and/or harassment.
- Complaint alleges that discrimination and/or harassment impacted or altered an individual's ability to perform academically.

Procedural Jurisdiction:

This procedure applies to conduct that takes place in the following:

- Westmoreland Campus and education centers (inclusive of parking lots and grounds)
- Any activity that is sanctioned, organized or coordinated by the College, on or off campus, including but not limited to:
 - Clinicals, internships, and externships
 - Community activities
 - Off-campus sites offering credit or non-credit classes and/or programs

Definitions:

Complainant(s) is a person who is subject to alleged protected class discrimination, harassment or related retaliation.

Respondent(s) is a person whose alleged conduct is the subject of a complaint.

Bullying is defined as behavior which is inappropriate and unwelcomed harassment regardless of whether it occurs verbally or through other communication or physical contact that targets an individual or group because of characteristics about that group. Title IX bullying includes discrimination based on gender and/or sexual orientation. Bullying behavior may include any of the following forms and is not limited to these examples:

- Verbal abuse, such as the use of name-calling, using the targeted person or group as the butt of a joke or jokes, derogatory remarks, insults, maligning ridicule
- Inappropriate electronic communication, such as electronic mail, text messaging, voice mail, pagers, website, online chat rooms, and social media in a threatening, intimidating, or humiliating manner
- Verbal or physical conduct meant to threaten, intimidate, and/or humiliate the target individual or group
- Sabotage behavior (undermining) a target individual or group with regard to their work performance or efforts in attaining an education
- Implicit physical contact, which may include but is not limited to pushing, shoving, kicking, poking, tripping, assault, threats and damage to personal or work property.

Consent is defined as knowing, voluntary and clear permission by word or action, to engage in mutually agreed upon sexual activity. Consent is active, not passive. Silence, in and of itself, cannot be interpreted as consent. Consent can be given by words or actions, as long as those words or actions create mutually understandable permission regarding the conditions of sexual activity. Consent to one form of sexual activity cannot imply consent to other forms of sexual activity. Previous relationships or consent cannot imply consent to future sexual acts. Consent cannot be procured by use of physical force, compelling threats, intimidating behavior or coercion. If you have sexual activity with someone you know to be—or should know to be—mentally or physically incapacitated (by alcohol or other drug use, unconsciousness or blackout), you are in violation of this policy. A person is incapable of giving consent if that person is under the age of consent (16 in Pennsylvania), incapacitated due to the influence of drugs and/or alcohol, or mentally disabled. Additionally, consent may be withdrawn during the course of a sexual encounter, such that the encounter would thereafter constitute sexual misconduct, if continued.

Dating Violence is defined as abusive behavior or pattern of abusive behaviors used to exert power and control over a dating partner. Whether such a relationship exists will be gauged by the length, type and frequency of interaction between the partners.

Discrimination is defined as actions that deprive members of the College community of educational, extracurricular (including athletics) or employment access, benefits or opportunities on the basis of their actual or perceived membership in a protected class.

Discrimination on the Basis of Sex is illegal under both federal and state law and is strictly prohibited by the College. Sex discrimination can be manifested by unequal access to educational programs and activities or employment 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.

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

Harassment is defined as acts of systematic and/or continued unwanted actions of one party or a group, including verbal abuse, threats and demands.

Intimidation is defined as implied threats or acts that cause an unreasonable fear of harm in another.

Reasonable Accommodation for students, defined as approved modifications of programs, appropriate academic adjustments, or auxiliary aids that enable them to participate in and benefit from all educational programs and activities, unless to do so would cause undue hardship.

Reasonable Accommodation for employees is defined as any modification or adjustment to a job or the work environment that will enable a qualified applicant or employee with a disability to participate in the application process or to perform essential job functions, unless to do so would cause undue hardship.

Sexual Assault is defined as a person engaging in sexual intercourse or deviate sexual intercourse with another person without their consent; includes rape, fondling, grabbing someone sexually, sexual harassment, stalking, domestic and dating violence, and many other behaviors. Sexual assault is a forcible or non-forcible sex offense under the Uniform Crime Reporting System of the FBI. Under Pennsylvania law, sexual assault is a felony of the second degree and is defined as sexual intercourse or deviate sexual intercourse with a complainant without the complainant's consent.

Sexual Exploitation is defined as behavior that takes non-consensual or abusive sexual advantage of another for the abuser's advantage or benefit, or to benefit or advantage anyone other than the one being exploited, examples are, but not limited to:

- Prostituting another student;
- Non-consensual video or audio-recording of sexual activity;
- Going beyond the boundaries of consent (such as letting your friends hide to watch you having consensual sex);
- Engaging in peeping behaviors
- Knowingly transmitting an STI or HIV to another student.

Sexual Harassment is defined as unwelcome, gender-based verbal or physical conduct that is sufficiently severe, pervasive and objectively offensive that unreasonably interferes with or deprives someone of educational or employment access, benefits or opportunities. Sexual Harassment is a form of sex discrimination that is illegal under both federal and state law and is strictly prohibited by the College.

Three types of Sexual Harassment:

1. **Hostile environment** includes any situation in which there is harassing conduct that is sufficiently severe, pervasive and objectively offensive that it alters the conditions of education or employment, from both a subjective (the alleged victim's) and an objective (reasonable person's) viewpoint.
2. **Quid pro quo** sexual harassment exists when there are unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature, and submission to or rejection of such conduct results in adverse educational or employment action.
3. **Retaliatory harassment** is any adverse employment or educational action taken against a person because of the person's participation in a complaint or investigation of discrimination or sexual misconduct.

Sexual Violence is defined as 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, sexual coercion, dating violence, domestic violence, stalking and sexual violence based on the intentional selection of a victim based on criteria related to the victim's national origin, ethnicity, gender identity, gender presentation, or sexual orientation.

Stalking is defined as engaging in a course of conduct or repeated acts directed at a specific person, which would cause a reasonable person to fear for his or her safety or the safety of others or suffer substantial emotional distress. For the purposes of the definition of stalking, "course of conduct" is defined as two or more acts including but not limited to acts in which the stalker directly, indirectly, or through a third party, by any action, device, method or means, follows, observes, monitors, surveils, threatens or communicates to or about a person, or interferes with a person's property. "Reasonable person" is defined as a reasonable person under similar circumstances and with similar identities to the victim. "Substantial emotional distress" means significant mental anguish or suffering that may, but does not necessarily, require medical or other professional treatment or counseling.

Guidance on Reporting a Complaint:

Prompt reporting is encouraged, because facts often become more difficult to establish as time passes. The College will take prompt and appropriate action in response to all reports in order to end the conduct, prevent its recurrence, and address its effects. The ability of the College to take disciplinary action against the respondent is limited if the respondent is no longer a member of the College community. If the respondent is a staff member, faculty member, or student and leaves the College with a pending complaint, the respondent will not be permitted to return to the College until the complaint is resolved through this complaint procedure.

Due to the potential severe nature of discrimination and/or harassment issues, the complainant does not have to address the issue directly with the respondent and/or with the respondent's supervisor (if applicable), as the initial means of resolution.

Civil rights complaints can be submitted initially in the form of a verbal statement or written complaint. If the complaint progresses to a formal phase, a written statement will be required. If the complainant does not want to submit a written statement, the Civil Rights/Title IX Coordinator can prepare a statement of facts, which is approved by the complainant. A **Complaint Form** is available for written statements.

Students:

Any student (credit or non-credit) can report misconduct (described above) directly to the Dean of Students. Students can also report misconduct to the Civil Rights/Title IX Coordinator or any other Reporting Agent(s) named in this policy without fear of retaliation.

Employees:

Any employee (faculty, staff or administrator) can report misconduct to their direct supervisor or the Director of Human Resources. Employees can also report misconduct to the Civil Rights/Title IX Coordinator or any other Reporting Agent(s) named in this policy without fear of retaliation.

Guests and Third Party Vendors:

Any guest or third party vendor can report misconduct to the Civil Rights/Title IX Coordinator and/or to the Director of Human Resources directly.

Mandatory Employee Reporting Responsibility:

All employees who are aware of any incidents of sexual misconduct or other potential civil rights violations are responsible for bringing any such complaints to the direct attention of the Civil Rights/Title IX Coordinator or to a Reporting Agent. In addition, designated responsible employees, to include deans, directors, coordinators, advisors, counsellors, coaches and all members of Human Resources, Security, and Student Services, have a duty to assist and inform complainants as to the following.

1. The availability of counselling services and appropriate referrals.
2. The complainant's reporting options, including the choice to decline notifying law enforcement authorities altogether.
3. The responsible employee's affirmative duty to appropriately report the incident to the Civil Rights/Title IX Coordinator.

The College is required to conduct a prompt, thorough, and impartial investigation of sexual misconduct and other civil rights violations regardless of whether or not a formal complaint is filed. Failure on the part of a College employee to report an incident can result in disciplinary action, up to and including termination.

Statement of Complainant's Rights

- To be treated with respect by College officials.
- Interim measures to prevent continued discrimination, harassment or retaliation, if deemed necessary.
- To be free from retaliation.
- To have complaints heard in substantial accordance with these procedures.
- To be informed in writing of the outcome/resolution of the complaint, sanctions where permissible, and the rationale for the outcome where permissible.

Statement of Respondent's Rights

- To be treated with respect by College officials.
- To have complaints heard in substantial accordance with these procedures.
- To be free from retaliation.
- To be informed of the outcome/resolution of the complaint and the rationale for the outcome, in writing.

False Reporting

It is a violation of College policy to file a knowingly false or malicious complaint of an alleged civil rights violation. A false report will result in disciplinary action. A complaint filed in good faith under this provision will not result in disciplinary action.

Retaliation

Complainants who make good faith complaints are protected from retaliation pursuant to Title IX, VAWA and the Campus SaVE Act, this policy, and the College's Whistle-blower Policy. Any retaliation against an individual who has complained about sexual harassment or unlawful discrimination or sexual violence, to include sexual assault, stalking/cyber-stalking, bullying/cyber-bullying, dating violence or domestic 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. Retaliation of respondents if also against this policy and procedure. Acts of retaliation need brought to the attention of the Civil Rights/ Title IX Coordinator and/or Reporting Agent(s) for further investigation.

Complainant Request for Confidentiality or No Action

If at any point the complainant requests that his/her name or other identifiable information be held confidential with respect to the respondent or decides not to pursue action by the College, the College will make all reasonable attempts to respond to the complaint consistent with the complainant's request. However, the College's ability to investigate and respond to the conduct may be limited. Recognizing that the College has a legal obligation to review all reports, the College will weigh the complainant's request against such factors as the seriousness of the alleged conduct, whether there have been other complaints of a similar nature against the same respondent, the College's commitment to provide a reasonably safe and non-discriminatory environment, and the rights of the respondent to receive notice and relevant information before disciplinary action is taken. If the College determines that it is necessary to proceed with the complaint procedure or implement other appropriate remedies, the complainant will be notified by the Civil Rights/Title IX Coordinator of the College's chosen course of action.

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

Reporting Agents

The following Reporting Agents are designated as those persons who are charged with coordinating the College's implementation of this policy with the Civil Rights/ Title IX Coordinator, and investigating complaints of unlawful discrimination, sexual misconduct, or retaliation for the College. They may be contacted to initiate an investigation under the policy and/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.

- Dean of Student Services
- Director of Human Resources

The 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 Civil Rights/Title IX Coordinator within 5 days of receiving notice of the identity of the Reporting Agent. 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.

Reporting Agents' Contact Information:

Civil Rights/Title IX Coordinator

145 Founders Hall
Youngwood, PA 15697
Email: titleixcoordinator@wccc.edu
Phone: 724.925.6952

Affirmative Action Officer

145 Pavilion Lane
Youngwood, PA 15697
724.925.4190

Contact for Employee Related Concerns

Director of Human Resources:
145 Founders Hall
Youngwood, PA 15697
Phone: 724.925.4079

Filing a Complaint

Anyone who believes that he or she has encountered unlawful discrimination, sex discrimination, sexual harassment, sexual bullying, sexual violence, domestic violence, dating violence, or stalking as prohibited by this policy is advised to preserve all evidence that may assist in proving the allegations of the complaint. Such evidence may also be helpful in obtaining a protective order if necessary. A complaint should be filed within 24 to 48 hours of the incident or knowledge of the incident. Within two business-days of receipt a complaint, the Civil Rights/ Title IX Coordinator and/or Reporting Agents (as listed above) will determine if an investigation is needed. Depending on the facts and circumstances of the specific complaint, the Civil Rights/Title IX Coordinator and/or Reporting Agents will immediately contact agencies and organizations to effect immediate relief, care, and support for the complainant 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 Safety
3. A Student Support Referral
4. The Employee Assistance Program (EAP)
5. Available county victim services

As an immediate priority, care will be taken to ensure the safety and well-being of the complainant and/or victim, and to exercise all precautionary measures to prevent a repeat of the alleged incident of sexual misconduct. Accordingly, interim measures such as a temporary suspension, may be

implemented pending a hearing on the matter. The Civil Rights/Title IX Coordinator and/or Reporting Agents will inform the complainant in a case of sexual violence, dating violence, domestic violence, sexual assault or stalking, of the right to file a criminal complaint with the authorities.

Investigator

The Civil Rights/Title IX Coordinator and Reporting Agents will enable a prompt, fair, and impartial investigation into any allegation of unlawful discrimination, sexual misconduct or retaliation, by trained investigators, so as to enable a prompt and equitable response under all circumstances and in a fair and expeditious manner. The investigation will be completed within fifteen business-days of receipt of the complaint by a trained and designated investigator for the College, unless the time-frame must be extended for good cause by the Civil Rights/Title IX Coordinator. The designated investigator will allow the parties to present witnesses and other evidence during the investigation. The investigation will continue whether or not the complaint is also being investigated by another agency or law enforcement unless this investigation would impede law enforcement's investigation. If the investigation is suspended during an investigation by law enforcement, the College will implement interim steps to protect the complainant and/or victim's safety.

This procedure gives an overview of the manner of investigating complaints, but point should be taken that not all complaints are of the same complexity or severity. For this reason, the procedures are flexible, not exact since situations can vary, but there will be a priority to be consistent with similar situations.

Process following the investigation will be dependent upon the determination of the investigation, as follows:

1. A decision not to pursue the allegation due to the lack of or insufficient evidence. The matter will be closed.
2. A decision on the complaint for an informal or administrative resolution, particularly in uncontested allegations.
3. A decision to proceed with a formal hearing.

Conclusion of an Investigation with an Administrative Resolution

Upon completion of the investigation, the individual(s) who made the complaint and the individual(s) against whom the complaint was made will be simultaneously be advised of the results of the investigation in writing and, where a remedy is determined to be appropriate, to inform the parties of the steps that will be taken to remedy the situation. Any case of discrimination, sexual harassment or retaliation, or sexual misconduct will be referred to the appropriate administrative division's Vice-President for further prompt and equitable proceedings, commensurate with the recommendation and findings of the resulting from the investigation.

The entire process, from complaint to recommendation for resolution prior to any appeal, should be conducted in a prompt and equitable manner, and should be completed no later than forty-five days from receipt of a complaint. Extensions may be granted under extenuating circumstances, upon review by the Civil Rights/Title IX Coordinator. All actions taken to investigate and resolve complaints through this procedure shall be conducted with as much privacy, discretion and confidentiality as possible without compromising the thoroughness and fairness of the investigation. All persons involved are to

treat the situation with respect. To conduct a thorough investigation, the investigator(s) may discuss the complaint with witnesses and those persons involved in, or affected by, the complaint, and those persons necessary to assist in the investigation or to implement appropriate disciplinary actions. For purposes of Clery Act reporting and recordkeeping, the complainant's personal identifying information will not be disclosed.

Formal Hearing Requirement for Sexual Violence Allegations

In accordance with Title IX and VAWA, sexual violence allegations between any two parties will require a formal hearing. Both parties will have the right prior to the hearing to review all evidence and investigative reports beforehand, to have a support person/advisor present, and to present their version of the facts and circumstances surrounding the alleged incident of sexual misconduct. Care will be taken to preserve the rights of complainants to privacy without sacrificing the rights of respondents to due process. The Civil Rights/Title IX Coordinator will conduct a hearing based on the alleged incident(s) of sexual violence and a determination of culpability will rest on the evidence presented and reviewed, using a "preponderance of the evidence" (i.e. more likely than not) standard of proof. Formal hearings for incidents involving students will follow judicial procedures used by Student Services. Formal hearings for employees will follow procedures established by Human Resources.

Disciplinary Action

In the event that the investigation reveals that discrimination, sexual harassment, sexual violence, dating violence, domestic violence, sexual assault, stalking, discrimination based on sex, retaliation or other inappropriate or unprofessional conduct (i.e. sexual bullying) (even if not unlawful) has occurred, further action will be taken, including disciplinary action, such as but not limited to reprimand, change in work assignment, loss of privileges, mandatory training or suspension, and/or immediate termination. If it is determined that inappropriate conduct has occurred, the College will act promptly to eliminate the offending conduct, and where appropriate the College will also impose disciplinary action. The College will take steps to prevent the recurrence and remedy the effects of any sexual misconduct by taking the appropriate action, which may, depending upon the circumstances, include but not be limited to, disciplinary action, reprimand, change in work assignment, loss of privilege, mandatory training or suspension, expulsion and/or immediate termination.

The outcome and sanctions of a civil rights investigation can become part of the educational record or the employment record of a respondent. This information will not be further released or disclosed except to the extent required or authorized by applicable law.

Circumstances under which such information may be released or disclosed include, but are not limited to, the following:

- Complainants in sexual misconduct and sexual harassment incidents have an absolute right to be informed of the outcome and sanctions of the hearing, in writing, without condition or limitation for students and/or employees

- The College may release publicly the name, nature of the violation and the sanction for any respondent who is found in violation of a College policy that constitutes a “crime of violence,” including: arson, burglary, robbery, criminal homicide, sex offenses, assault, destruction/damage/ vandalism of property and kidnapping/abduction.

Possible Sanctions

Possible Sanctions for Student Respondents:

Warning: A formal statement that the behavior was unacceptable and a warning that further infractions of any College policy, procedure or directive will result in more severe sanctions/responsive actions.

Probation: A written reprimand for violation of the Code of Student Conduct, providing for more severe disciplinary sanctions in the event that the student or organization is found in violation of any College policy, procedure or directive within a specified period of time. Terms of the probation will be specified and may include denial of specified social privileges, exclusion from co-curricular activities, non- contact orders, and/or other measures deemed appropriate.

Suspension: Termination of student status for a definite period of time not to exceed two years, and/or until specific criteria are met. Students who return from suspension are automatically placed on probation through the remainder of their tenure at College. This sanction will be noted as a Suspension on the student’s official transcript.

Expulsion: Permanent termination of student status, revocation of rights to be on campus for any reason or attend College-sponsored events. This sanction will be noted as an Expulsion on the student’s official transcript. Withholding Diploma. College may withhold a student’s diploma for a specified period of time and/or deny a student participation in commencement activities if the student has a complaint pending or as a sanction if the student is found responsible for an alleged violation. Organizational Sanctions. Deactivation, de-recognition, loss of all privileges (including College registration), for a specified period of time.

Other Actions: In addition to or in place of the above sanctions, College may assign any other sanctions as deemed appropriate.

Possible Sanctions for Employee Respondents:

Warning
Required Training
Job Reassignment
Suspension with or without Pay
Termination
Other Actions

Appeal

Either the complainant or respondent may file an appeal of any decision concerning the resolution of an investigation related to this policy. An appeal by either party must be made in writing to the office of the Civil Rights/Title IX Coordinator within fifteen days of receipt of the notice of resolution of the matter. The written appeal must state, in detail, the reason(s) for the appeal and shall address one or more of the following:

- If the appeal alleges that the findings of the investigator included relevant factual errors or omitted relevant facts, the appeal shall specify each factual error and/or details of each relevant fact that was omitted from the investigation.
- If the appeal alleges substantive procedural errors, the person appealing shall identify each instance of said substantive procedural error.
- If the appeal alleges relevant or substantive issues or questions concerning interpretation of College policy, the person appealing shall state, in detail, the issues or questions supporting this allegation.
- If the appeal alleges that new information or evidence exists, the appeal shall specify the reason why this information was not available or not provided to the Investigator during the course of the investigation, including the reason why the information could not have been provided on a timely basis.
- If the appeal alleges either that action or inaction of the supervisor in response to the findings of the investigation will not prevent future violations of this policy, the person appealing will specify, in detail, the reason(s) and basis for this allegation.

No disciplinary or other action based upon the original complaint findings shall be taken against the respondent during the appeals process, although temporary, interim measures may remain in place. The appeal process will be conducted in an impartial manner by an impartial decision-maker. The entire process, from complaint to notification of resolution and appeal, shall not exceed 60 days.

Time Frame:

The College seeks to fully resolve all reports within sixty days of the initial report. Extenuating circumstances may arise that require the extension of time frames, including extension beyond sixty days. Extenuating circumstances may include the complexity and scope of the allegations, the number of witnesses involved, the availability of the parties or witnesses, or other unforeseen circumstances. In the event that the process exceeds these time frames, the College will notify the complainant and respondent of the reason(s) for the delay and the expected adjustment in time frames. Timelines set forth herein may also be extended upon mutual agreement of the parties.

Education and Training

The College is committed to ensuring both preventive and responsive training and relevant educational opportunities for all members of the College community in the area of unlawful discrimination and sexual misconduct.

In the area of responsive education and training, the College is committed to ensuring that all College personnel designated as investigators, counsellors and adjudicators in the area of unlawful discrimination and sexual misconduct will receive specialized and regular training, and will be cognizant of the special needs of complainants, while also ensuring the rights of respondents.

The College has a dedicated webpage on its website to address concerns related to unlawful discrimination and sexual misconduct and will contain relevant information regarding the College’s policies, procedures, information updates and ongoing training opportunities for the College community with respect to information on the various areas of unlawful discrimination and sexual misconduct, opportunities for community assistance, and the resources available in the event of unlawful discrimination and sexual misconduct.

Documentation:

The College shall maintain documents related to complaints under this procedure as required by law. The Civil Rights/Title IX Coordinator shall be primarily responsible for records related to all civil rights complaints.

Reporting Options Outside of the College:

The College's complaint procedures are administrative in nature and are separate and distinct from the criminal and civil legal systems. The College encourages individuals to pursue whatever remedies are available to them, through internal or external complaint resolution processes. The following external agencies may also receive and investigate complaints of civil rights violations:

PA Human Relations Commission (PHRC)**Pittsburgh Office**

300 Liberty Ave, Pittsburgh, PA 15222
412.565.5395

Office for Civil Rights, US Department of Education Headquarters

400 Maryland Avenue, SW, Washington, DC 20202-1100
Customer Service Hotline #: 800.421.3481 | Facsimile: 202.453.6012 TTY#: 800.877.8339 | Email: OCR@ed.gov
Web: <http://www.ed.gov/ocr>

Equal Opportunity Employment Commission (EEOC)**Pittsburgh Office**

William S. Moorhead Federal Building 1000 Liberty Avenue, Suite 1112
Pittsburgh, PA 15222
1.800.669.4000

Reporting to the Police:

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

The procedures described above will apply to all complaints involving students, staff or faculty members (with the exception that unionized or other categorized employees will be subject to the terms of their respective collective bargaining agreements to the extent those agreements do not conflict with federal or state compliance obligations). Redress and requests for responsive actions for complaints brought against non-members of the community, such as guests and third party vendors, are also covered by these procedures.

BASIC PATROL OFFICER PHYSICAL FITNESS PROGRAM

What is physical fitness?

Physical fitness is a health status pertaining to the individual officer having the physiological readiness to perform maximum physical effort when required. Physical fitness consists of the following four areas:

1. Aerobic capacity or cardiovascular endurance pertains to the heart and vascular system's capacity to transport oxygen. It is also a key area of heart disease in that low aerobic capacity is a risk factor.
2. Strength pertains to the ability of muscles to generate force. Upper body strength and abdominal strength are important areas in that low strength levels have a bearing on upper torso and lower back disorders.
3. Flexibility pertains to the range of motion of the joints and muscles. Lack of lower back flexibility is a major risk for lower back disorders.
4. Body weight and body composition pertain to body mass and the ratio of fat to lean tissue. Excessive fat is a handicap for physical movements and is a serious health risk for many diseases.

Why is fitness important for police officers?

It has been well documented that law enforcement personnel (as an occupational class) have serious health risk problems in terms of cardiovascular disease, lower back disorders and obesity. Law enforcement agencies have the responsibility of minimizing known risks. Physical fitness is a health domain which can minimize the known health risks for law enforcement officers.

Physical fitness has been demonstrated to be a bona fide occupational qualification. Job audits that account for physical fitness have demonstrated that these fitness areas are underlying factors in determining the physiological readiness to perform a variety of critical physical tasks. These four fitness areas have also been shown to be predictors of job performance ratings, sick time and police officer commendations. Data also shows that fitness levels are predictive of trainability and academy performance. Physical fitness can be an important area of minimizing liability. The unfit officer is less able to respond fully to strenuous activity. Consequently, the risk of not performing physical duties is increased.

How will physical fitness be measured?



One-Minute Sit-up Test

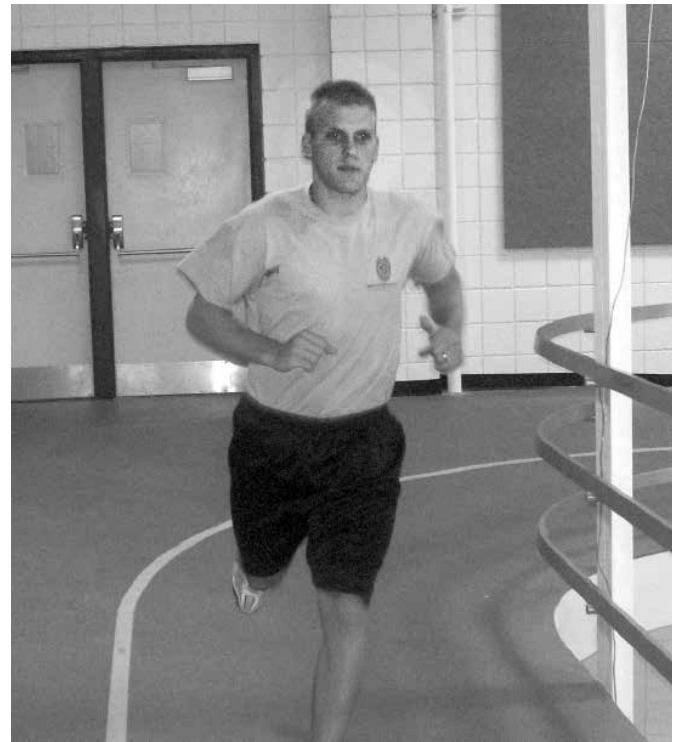
This is a measure of the muscular endurance of the abdominal muscles. It is an important area for performing police tasks that may involve the use of force and is an important area for maintaining good posture and minimizing lower back problems.

The score is the number of bent leg sit-ups performed in one minute.

1.5 Mile Run

This is a timed run to measure the heart and vascular system's capability to transport oxygen. It is an important area for performing police tasks involving stamina and endurance and to minimize the risk of cardiovascular problems.

The score is in minutes and seconds.



300-Meter Run

This test is a measurement of aerobic power. This sprint simulates the police officer's job in quick/fast pursuits, use of force incidents that are under 2 minutes and all types of lifting and carrying. For example, a 20-29 year old male must run the 300-meter run in 62.1 seconds to pass at the 30th percentile

The score is in minutes and seconds.

One-Minute Push-up Test

The push-up tests the whole body, engaging muscle groups in the arms, chest, abdomen, hips and legs. It requires the body to be taut like a plank with toes and palms on the floor. The push-up is regarded by many fitness to be the ultimate barometer of fitness.

How does one prepare for the tests?

One-Minute Sit-up Test

The progressive routine is to do as many bent leg sit-ups (with hands behind the head) as possible for one minute. At least three times per week, do three sets (three groups of the number of repetitions done in one minute).

One-Minute Push-up Test

To determine how many push-ups you can do in one minute, do 3 sets of the amount you can do in one minute. Continue at least three times a week.

1.5 Mile Run

A gradual schedule that would enable one to perform a maximum effort for the 1.5 mile run are found below. If you can advance through the schedule on a weekly basis, then proceed to the next level. If you can do the distance in less time, then that should be encouraged. Start working out immediately.

| WEEK | ACTIVITY | DISTANCE | TIME | FREQUENCY |
|------|----------|------------|---------------|-----------|
| 1 | Walk | 1 mile | 17-20 minutes | 5 x week |
| 2 | Walk | 1.5 miles | 29-35 minutes | 5 x week |
| 3 | Walk | 2 miles | 32-35 minutes | 5 x week |
| 4 | Walk | 2 miles | 28-30 minutes | 5 x week |
| 5 | Walk/Run | 2 miles | 27 minutes | 5 x week |
| 6 | Walk/Run | 2 miles | 26 minutes | 5 x week |
| 7 | Walk/Run | 2 miles | 25 minutes | 5 x week |
| 8 | Walk/Run | 2.25 miles | 24 minutes | 4 x week |
| 9 | Run | 2.25 miles | 23 minutes | 4 x week |
| 10 | Run | 2.25 miles | 22 minutes | 4 x week |
| 11 | Run | 2.25 miles | 21 minutes | 4 x week |
| 12 | Run | 2.5 miles | 20 minutes | 4 x week |

Figure 1 – A gradual schedule for performing a maximum effort for the 1.5 mile run.



Commonwealth of Pennsylvania
Municipal Police Officers' Education and Training Commission (MPOETC)

**MPOETC's Physical Fitness Assessment Standards
Entrance and Retention in the Act 120 Police Academy**

| 30% Standards | Male Standards by Age | | | | | Female Standards by Age | | | | |
|-----------------------------|------------------------------|--------------|--------------|--------------|------------|--------------------------------|--------------|--------------|--------------|------------|
| Age Range | 18-29 | 30-39 | 40-49 | 50-59 | 60+ | 18-29 | 30-39 | 40-49 | 50-59 | 60+ |
| Sit Ups (1 min rep) | 35 | 32 | 27 | 21 | 17 | 30 | 22 | 17 | 12 | 4 |
| 300-meter Run (time) | 62.1 | 63 | 77 | 87 | 87 | 75 | 82 | 106.7 | 106.7 | 106.7 |
| Push Ups (1 min rep) | 26 | 20 | 15 | 10 | 10 | 13 | 9 | 7 | 7 | 7 |
| 1.5-mile Run (time) | 13:08 | 13:48 | 14:33 | 16:16 | 16:39 | 15:46 | 16:46 | 18:26 | 20:17 | 22:34 |

This is a cumulative test. All events must be completed within two (2) hours.

Testing Order:

1. Sit Ups
2. 300-meter Run
3. Push Ups
4. 1.5-mile Run

All Applicants:

- Afforded a minimum rest time of five (5) minutes between events.
- Required to pass the Entrance Fitness Test with a score at the 30th percentile (chart above) in each event based on their biological (birth) gender and age at the time of testing.
- Accepted into the police academy as enrolled cadets must maintain the 30th percentile physical fitness assessment standard throughout the academy until completion.

If an Applicant:

- Does not fall into one of the listed age categories, special authorization must be obtained from MPOETC before testing can be accomplished.
- Is unsuccessful in any event, testing is immediately ended (failure) and no other events can be attempted at that time.

**Notice of Nondiscrimination**

Westmoreland County Community College does not discriminate in its educational programs, activities, or employment practices based on race, color, national origin, sex, sexual orientation, disability, age, religion, ancestry, gender identity or expression, veteran status, union membership, or any other legally protected classification protected by state or federal law or the proper exercise by an Association member of their rights guaranteed by the Pennsylvania Public Employer Relations Act Number 195.

Announcement of this policy is in accordance with state law including the Pennsylvania Human Relations Act and with federal law, including Titles VI and VII of the Civil Rights Act of 1964, Title IX of the Educational Amendments of 1972, Sections 503 and 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, and the Americans with Disabilities Act of 1990.

Inquiries should be directed to the Affirmative Action Officer/Director of Human Resources, at 724.925.4143.