

# New York Medical College

## 2015 Annual Security and Fire Safety Report

### Overview of NYMC Annual Security and Fire Safety Report

The Jeanne Clery Act requires colleges and universities to publish an annual security and fire safety report every year by October 1. The report which is prepared by the Director of Security includes statistics for the previous 3 years concerning reported crimes including hate crimes that occurred on campus; in certain off-campus buildings or property owned or controlled by the College; and on public property within, or immediately adjacent to and accessible from, the [campus](#). These crime statistics are also reported to the US Department of Education. All Clery Act crime categories reported to the Security Department are recorded in the College's crime statistics. Crime statistics are also requested from campus security authorities and local law enforcement agencies that serve campus properties. The report also includes policy statements concerning campus security, such as sexual assault, missing students, emergency response and other matters. The Violence against Women Reauthorization Act ("VAWA") imposes new obligations on colleges and universities. The Act requires that colleges report statistics on dating violence, domestic violence and stalking in addition to the crime categories already mandated in the Clery Act and have in place policies and procedures for the prevention, response to, and investigation of those crimes. The fire safety report is a reporting requirement for schools with student housing. It contains fire statistics for the previous three years and information about fire alarm systems, fire safety and evacuation. All current college students and staff are notified by e-mail in advance of October 1 each year of the availability of the report. Prospective student and employees are also advised about the availability of the report. A printed hard copy of this report can be obtained by calling the College's Director of Security at 914 594-4577 or an electronic copy can be printed by going to: <http://www.nymc.edu/media/schools-and-colleges/nymc/pdf/ASR.pdf>

### Campus Law Enforcement Authority, Jurisdiction, and Interagency Cooperation

The Security Department is located in the Basic Sciences Building room 223 and operates 24 hours-7 days a week. The Department is responsible for overall campus security, emergency response, investigations,

crime prevention parking and the identification badge program. The department is staffed by a director (1) associate director, (1) assistant director, (16) full time and (9) part time uniformed security officers. All security staff are employees of the college. All security officers are New York State licensed security officers as per the "Security Guard Act of 1992" which requires registration and training of security guards in New York State. The Division of Criminal Justice Services, Office of Public Safety provides administrative oversight for mandated security training. The New York State Department of State, Division of Licensing Services has oversight responsibility for the registration of all security guards. All security guards are required to complete an 8 hour pre-assignment training course prior to applying to the Department of State for a security guard registration card, followed by a 16 hour on-the-job training course for security guards within 90 days of initial employment as a security guard, and annually complete an 8 hour annual in-service training course for security guards every year thereafter. The College is a New York State approved security guard training school and the Director, Associate Director and Assistant Director who are certified security guard instructors provide the annual in-service course. Additionally, officers receive college mandated training annually in CPR/AED, fire extinguisher usage, response to hazardous materials emergencies and threat awareness. Periodically, local law enforcement officers provide specialized training classes. The security staff are not armed and do not have police or peace officer arrest powers. Officers are assigned to both fixed and motor patrols. Security staff notify the Director of Security, Associate Director or Assistant Director 24/7 for all emergencies on campus. Primary law enforcement jurisdiction for the campus lies with the Westchester County Department of Public Safety with the exception of the student housing complex and the building at 19 Skyline Drive which are within the jurisdiction of the Mt. Pleasant Police Department. The security director works closely with both of these police agencies on matters affecting the campus including criminal investigations, crime prevention and emergency response. One off campus student housing unit is within the jurisdiction of the Paterson New Jersey Police Department.

### Security of and Access to Campus Building and Student Housing

All campus buildings exterior entrance doors are kept locked except during business hours when security officers are posted at certain high volume entrance doors to monitor access. Otherwise, access to campus buildings is by use of a college issued proximity identification badge (ID) swiped at an electronic ID badge reader with the exception of the 2 story student housing apartments known as Grasslands 1 which are key access. In the 4 story apartments known as Grasslands 2, access to individual student housing suites and bedrooms is by key but the lobby doors are by (ID) swiped at an electronic ID badge reader. Grasslands 2 also has an intercom/buzzer system for visitors in each lobby. Electronic ID badge readers are also installed in certain sensitive laboratory research spaces. Six gate controlled parking lots are accessed by ID badge at an electronic ID badge reader. Electronic ID reader doors and parking gates are paired with an intercom to security if assistance is needed and security has the ability to remotely open reader doors and gates as required. All visitors to the college are required to sign in and out with security as either a contractor or visitor and wear a visitor badge at all times while on campus. ID badges are issued by the security department when authorized by either human resources for employees or the registrar for students. All students and employees are required to wear their picture ID badge while on campus. There are different access levels and clearances granted on a certain need basis. Approximately 150 monitored and recorded closed circuit cameras (CCTV) are used to supplement security staff and monitor the campus including parking lots, access points, lobbies, corridors, and sensitive or restricted research labs within buildings. NYMC is diligent in maintaining the College's buildings and grounds, with special concern for safety and security. For example, security staff routinely inspects outdoor lighting and test emergency phones. The Facilities Department adds additional outdoor lighting as required. Each year, classroom buildings and residence halls are

inspected by the New York State Fire Inspector to insure that the buildings meet all applicable fire and life safety codes.

## Reporting Criminal Incidents and Other Emergencies

All on-campus emergencies, suspicious activities, or criminal offenses should be reported to the security department by calling 914 594-4226. You can also approach any member of the security, facilities, environmental health and safety, or housekeeping staff, all of whom can contact security staff by two way radio.

When calling security please give your name, type and location of the emergency, the location you are calling from, and in criminal incidents a description of what occurred. If the person who committed the crime is still in the area please let the security officer know. Security is responsible for immediate response to such criminal incidents and other emergencies and will as required notify or connect the caller to police, fire or EMS. If evidence from any crime is still intact please do not move or destroy it especially in sexual assault cases.

## Campus Security Authorities

*The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics, "Clery Act"* requires all institutions to collect crime reports on certain categories of crime and certain disciplinary referrals from individuals and organizations associated with the institution identified as campus security authorities for the purpose of accurate reporting of crime statistics to the Department of Education and in order to issue campus warnings to the campus community on crimes considered to be a serious or continuing threat reported by campus security authorities to campus security. Although the College has a campus security department and encourages all students to report criminal incidents directly to them a student who is the victim of a crime may be more inclined to report it to someone other than the Department. It is the policy of New York Medical College to comply with the *Clery Act* by identifying those persons on campus who are Campus Security Authorities and train them annually on their reporting responsibilities.

"Campus Security Authority" is a *Clery*-specific term that encompasses four groups of individuals and organizations associated with an institution.

- A campus police department or a campus security department of an institution.
- Any individual or individuals who have responsibility for campus security but who do not constitute a campus police department or a campus security department (e.g., an individual who is responsible for monitoring the entrance into institutional property).
- Any individual or organization specified in an institution's statement of campus security policy as an individual or organization to which students and employees should report criminal offenses.
- An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline and campus judicial proceedings. An official is defined as any person who has the authority and the duty to take action or respond to particular issues on behalf of the institution.

Campus Security Authorities are federally mandated crime reporters for the College and are required to report Clery reportable crimes to campus security for data gathering and/or campus warning and will if requested to do so, protect personally identifiable information to the extent permitted by law and College policy and that pursuant to Title IX of the Education Amendments of 1972 (Title IX), they are **required** by federal law and College policy to **promptly** notify the College's Title IX Coordinator of all reported incidents of sexual assault, dating violence, domestic violence, and stalking involving members of the College community, regardless of geographic location

NYMC designates as campus security authorities, all security staff, the Deans, Associate Deans, department chairperson's and program directors of the three schools, professional staff in student affairs and the international student advisor. A pastoral counselor, who is associated with a religious order or denomination, is recognized by that religious order or denomination as someone who provides confidential counseling, and is functioning within the scope of that recognition as a pastoral counselor is exempt from reporting. A professional counselor whose official responsibilities include providing mental health counseling to members of the College's community and who is functioning within the scope of his or her license or certification is also exempt from reporting. Nonetheless, pastoral and professional counselors are encouraged to advise those they counsel of the option to make a report if they choose. However, even the legally recognized privileges acknowledge some exemptions, and there may be situations in which counselors are in fact under a legal obligation to report a crime. This applies even to professional counselors who are not employees of the College but are under contract to provide counseling at the College.

## Timely Warning/Public Safety Notice Policy

To aid in the prevention of crime and to keep the campus community informed about safety and security issues on an ongoing basis, an institution must alert the campus community of certain crimes in a manner that is timely and will aid in the prevention of similar crimes. The Clery Act mandates a "timely warning notice" for aggravated assault, arson, burglary, murder, and non-negligent homicide, robbery, sexual offenses (forcible and non-forcible), and motor vehicle theft. The Security Department monitors the crime reports it receives from the campus community and local police agencies and issues security notices to the campus community on these and any incidents that are considered to be a serious or continuing threat to students and employees. Security notices which are

prepared by the Director of Security or his designee can include e-mail and posted fliers to students and/or employees. Information included in timely warnings or public safety notices include:

1. A succinct statement of the incident.
2. Possible connection to previous incidents, if applicable.
3. Physical description of the suspect.
4. Photo or composite drawing of the suspect, if available.
5. Date and time the notice was released.
6. Other relevant and important information.
7. Crime prevention recommendations

Campus Security may not include some known information in a timely warning/public safety notice if providing that information could risk compromising law enforcement efforts.

Timely warning/public safety notices may be updated if new or more accurate information becomes available to campus security. Timely follow up messages and updates are sent as necessary.

### Daily Crime Log

The campus security department maintains a daily crime log. The log contains general information about all crimes reported to security and on adjacent public property. The information includes the nature of the crime, date and time occurred and reported general location and disposition. Entries or updates are generally made within two business days after the event occurs. The Director of Security may determine that an incident be temporarily classified as confidential in order not to compromise an ongoing criminal investigation or risk the identification of victim. The log is available for inspection in the security office during business hours or electronically at <http://www.nymc.edu/departments/administrative-departments/operations/security/reports/>.

### Emergency Notification, Response and Evacuation

New York Medical College (NYMC) utilizes a rapid notification system known as Send Word Now, capable of quickly sending voice telephone messages, emails, pages and cellular text messages (SMS) to a large audience to effect mass dispersal of emergency information. Send Word Now also has conference calling, special user group and get word back response features. Messages can be sent to the entire college or selected persons or groups. The collective systems used to send warning information are known as the New York Medical College Emergency Alert System, of which Send Word Now is the principal part. Other systems include indoor public address systems in the certain buildings, fire alarms telephone trees and the college website. A Send Word Now frequently asked question (FAQ) page is maintained on the security homepage. All students and employees are enrolled through their college e-mail and may add up to 9 additional points of contact (4 text/e-mail and 5 voice).

Members of the Send Word Now activation group are authorized to send an emergency message without any further consultation when delay might jeopardize the safety of the public. The messages are not sent until the emergency has been confirmed either by local police or fire or a member of the college's security, facilities, or environmental health and safety staff and if time permits in consultation with the College's Critical Incident Management Team. Criteria used to evaluate the need to activate the system are:

- type of emergency event and its impact or potential impact on safety (*i.e.*, death, serious injury, minor injury)
- affected area(s) of NYMC campus (*i.e.*, limited to a single building or an isolated portion of the campus, regional event)
- potential for the emergency event to escalate
- That sending the message will not compromise efforts to assist victims or to contain or otherwise mitigate the emergency

The college uses message templates as a guide and these templates can be adapted to a specific emergency. Send Word Now test drill activations are conducted at least once annually and the college community or selected groups are notified in advance of any test and students and staff are requested to use the "get word back" feature of the system to acknowledge receipt and understanding of the test message. Bi-annually students and staff are sent a link to review and update their contact information. The College has also begun a pilot program using "School Dude's Crisis Manager which is a mobile safety platform that gets a variety of emergency plans out of current binder books and into the hands of students and employees (e.g. -medical emergency, bomb threat, shelter in place, active shooter)

There are two types of **Evacuation**. The first type is for a localized incident, such as a fire, power outage, bomb threat or chemical release. In this situation, a building evacuation may be partial or complete or involve relocating vertically or horizontally within the building. A localized incident evacuation may be limited to one or all campus buildings. The second type of evacuation may be for a larger regional incident, like a hurricane or nuclear power plant incident necessitating evacuation of the whole campus. During a building evacuation students and staff are to safely exit the building via the shortest safe route and report to their designated assembly area unless instructed otherwise. All alarms are to be treated as real. Localized evacuation is commonly done by sounding the fire alarms. However, it may be done through Send Word Now or public address systems in those buildings equipped with public address or a combination of all three. Building evacuation alert systems evacuation are tested several times annually as part of fire drills. For further information refer to: <http://legacy.nymc.edu/UniversityPolicies/PolicyonEmergencyNotificationandEvacuationProcedures.pdf>

## **Blue Light Program**

The college has 20 blue light emergency phone towers [located on campus](#) walkways and parking lots and in the student housing complex. These phones are used to report emergencies to security. The phones are easily recognized by the steady blue light at the top of the tower and the word "Emergency" on all 4 sides. Each phone has an identifying number and usage instructions just below the silver faceplate. Pressing the red button on the silver phone face plate automatically dials in to a central number in the security office. The phone number and location is displayed on a monitor. If the phone is not answered immediately by security the call is automatically forwarded to Westchester County Department of Public Safety. Upon activation of the phone, the blue light goes from steady to a flashing strobe intended to alert others in the area and to guide emergency responders. Persons using these phones should make every effort to speak in a loud and clear voice.

## **Missing Students**

Students missing for 24 hours or any student missing under suspicious circumstances regardless of time frame must be reported to Security at 914 594-4226. Students may register a confidential contact with the Registrar other than their primary emergency contact to be notified in the event they are determined to be missing. Only authorized campus officials and law enforcement will have access to this confidential contact information in the furtherance of a missing person investigation. Security will immediately investigate all missing student reports. Investigation may include campus searches, interviews with students, faculty, administrators and emergency contacts, as well as reviews of video cameras and ID badge readers. Security will immediately notify Westchester County or Mt. Pleasant Police Departments upon confirmation that a student is missing. These procedures will be implemented in less than 24 hours if circumstances warrant a faster implementation.

## **Registered Sex Offenders**

In December 2005, Westchester County opened a new homeless shelter on the Grasslands Reservation in Valhalla (10595), in a renovated building located near the county correctional facility. The shelter houses homeless men, women and couples, including amongst the population, registered sex offenders.

Under the provisions of the New York State Sex Offender Registration Act ("SORA"), the New York State Division of Criminal Justice Services is required to maintain a Sex Offender Registry, which includes information on sex offenders classified according to their risk of re-offending: low-risk (Level 1), moderate- risk (Level 2) and high-risk (Level 3) and designation which includes predicate or sexually violent. This law also provides notification procedures for educational institutions like the College to receive information about sex offenders on such registry.

The Westchester County Department of Public Safety Crime Analysis Unit provides regular information to the College on sex offenders residing at the Grasslands shelter. Such information received from the police is posted on the [security homepage](#). A campus login is required to access this site. The information is updated when the College receives notification from County law enforcement that a sex offender is no longer residing in the shelter.

For additional information on the applicable law and a more detailed explanation of how released sex offenders are handled by the County and the State, you can visit the following website.

- New York State Sex Offender Registry Information Center: <http://www.criminaljustice.ny.gov/nsor/>

## **Sexual Harassment Policy Statement**

New York Medical College is committed to providing all of our students and employees an environment free from conduct constituting harassment and to discipline any student or employee who violates this policy. The College will not tolerate harassing conduct that affects tangible academic or job benefits, that interferes unreasonably with an individual's performance, or that creates an intimidating, threatening, hostile, coercive or offensive environment.

It is the policy of New York Medical College to investigate all such complaints thoroughly and promptly. To the fullest extent possible, the College will keep complaints and the terms of their resolution confidential. If an investigation confirms that harassment has occurred, the College will take corrective action as the facts and circumstances warrant, which may include disciplinary action up to and including immediate suspension or termination, as is appropriate depending upon the severity of the offense.

New York Medical College affirms that it is the responsibility of faculty and management to create an atmosphere free of sexual harassment. It is also the duty of each student and employee to respect the rights of fellow students and employees.

## **Sexual and Gender Based Misconduct Policies and Procedures**

It is the policy of New York Medical College to prohibit all forms of sexual and gender-based misconduct, which comprise a broad range of behaviors focused on sex and/or gender that may or may not be sexual in nature. Sexual abuse, sexual assault, sexual exploitation, gender-based harassment, stalking, domestic violence and dating violence are all forms of sexual or gender-based misconduct. Sexual

and/or gender-based misconduct can occur between strangers or acquaintances, or people who know each other well, including between people involved in an intimate or sexual relationship. Sexual and gender-based misconduct can be committed by anyone regardless of gender identity, and it can occur between people of the same or different sex or gender. The College does not tolerate any form of sexual or gender-based misconduct, and all sexual and gender-based misconduct is prohibited. Furthermore, this Policy prohibits complicity for knowingly assisting in an act that violates this Policy and retaliation against an individual because of his/her good faith participation in the reporting, investigation, or resolution of violations of this Policy. College students, employees and faculty who violate this Policy may face discipline up to and including expulsion or termination. Finally, it is the policy of the College to provide for alcohol and/or drug use amnesty in sexual violence cases in accordance with this Policy. This Policy and associated procedures apply to sexual and gender-based misconduct involving College students, regardless of enrollment status, that: (1) occurs on any College campus or in connection with College programs or activities whether on or off College campus; (2) creates a hostile environment for College students; or (3) involves a respondent who is a current student at the College. All students, employees and faculty of the College, and third parties (i.e., vendors, alumni/ae, visitors, or local residents) are expected to and shall comply with this Policy and its procedures.

## Definitions

*Accused* shall mean a person accused of a violation of this Policy who has not yet entered the College's complaint process.

*Respondent* shall mean a person accused of a violation of this Policy who is in the College's complaint process.

*Reporting individual* shall mean the individual who reports a violation of this Policy to the College.

*Affirmative Consent to Sexual Activity* is a knowing, voluntary, and mutual decision among all participants to engage in sexual activity. Consent can be given by words or actions, as long as those words or actions create clear permission regarding willingness to engage in the sexual activity. Silence or lack of resistance, in and of itself, does not demonstrate consent. The definition of consent does not vary based upon a participant's sex, sexual orientation, gender identity, or gender expression. The following principles provide further guidance:

- Consent to any sexual act or prior consensual sexual activity between or with any party does not necessarily constitute consent to any other sexual act.
- Consent is required regardless of whether the person initiating the Act is under the influence of drugs and/or alcohol.
- Consent may be initially given but withdrawn at any time.
- Consent cannot be given when a person is incapacitated, which occurs when an individual lacks the ability to knowingly choose to participate in sexual activity. Incapacitation may be caused by the lack of consciousness or being asleep, being involuntarily restrained, or if an individual otherwise cannot consent. Depending on the degree of intoxication, someone who is under the influence of alcohol, drugs, or other intoxicants may be incapacitated and therefore unable to consent.
- Consent cannot be given when it is the result of any coercion, intimidation, force, or threat of harm.
- When consent is withdrawn or can no longer be given, sexual activity must stop.

*Sexual Assault: Non-Consensual Sexual Intercourse* — Any form of sexual intercourse (vaginal, anal, or oral) with any object without consent. Intercourse means: vaginal or anal penetration (however slight) by a penis, object, tongue, or finger; and oral copulation (mouth to genital contact or genital to mouth contact). See 18 U.S. Code 2246 (2).

*Sexual Assault: Non-Consensual Sexual Contact* — Any intentional sexual touching, however slight, with any object without a person's consent. Intentional sexual contact includes contact with the breasts, buttocks, or groin, or touching another with any of these body parts; making another person touch any of these body parts; and any intentional bodily contact in a sexual manner. See 18 U.S. Code 2246 (3).

*Sexual Violence* is a broader term than sexual assault. The term encompasses sexual homicide, rape, incest, molestation, fondling, stalking, intimate partner violence, and verbal harassment of a sexual nature. Sexual violence includes creating an environment that feels unsafe based on sexual messages or images. Sexual violence is a sexual act that is completed or attempted against a victim's will or when a victim is unable to consent due to age, illness, disability, or the influence of alcohol or other drugs. The act may involve actual or threatened physical force, use of weapons, coercion, intimidation or pressure.

*Rape*, which is penetration, no matter how slight, of (1) the vagina or anus of a person by any body part of another person or by an object, or (2) the mouth of a person by a sex organ of another person, without that person's consent.

*Domestic Violence* — The use of physical violence, coercion, threats, intimidation, isolation, stalking, or other forms of emotional, sexual or economic abuse directed towards (a) a current or former spouse or intimate partner; (b) a person with whom one shares a child; (c) a person who is cohabitating with or has cohabited with the victim as a spouse or intimate partner; or (d) anyone who is protected from the respondent's acts under the domestic or family violence laws of New York. This includes any behaviors that intimidate, manipulate, humiliate, isolate, frighten, terrorize, coerce, threaten, blame, hurt, injure, or wound someone. Domestic violence can be a single act or a pattern of behavior in relationships.

*Dating Violence* — The use of physical violence, coercion, threats, intimidation, isolation, stalking, or other forms of emotional, sexual or economic abuse directed towards a person who is or has been in a social relationship of a romantic or sexually intimate nature with the victim. This includes any behaviors that intimidate, manipulate, humiliate, isolate, frighten, terrorize, coerce, threaten, blame, hurt, injure, or wound someone. Dating violence can be a single act or a pattern of behavior in relationships.

*Sexual Exploitation* — Non-consensual abuse or exploitation of another person's sexuality for the purpose of sexual gratification, financial gain, personal benefit or advantage, or any other non-legitimate purpose. Examples of sexual exploitation include: observing another individual's nudity or sexual activity or allowing another to observe nudity or sexual activity without the knowledge and consent of all participants; non-consensual streaming of images, photography, video, or audio recording of sexual activity or nudity, or distribution of such without the knowledge and consent of all participants; exposing one's genitals in non-consensual circumstances; and inducing incapacitation for the purpose of making another person vulnerable to non-consensual sexual activity.

*Stalking* — A course of conduct directed at a specific person that would cause a reasonable person to feel fear for the person's safety or the safety of others or suffer substantial emotional distress. Course of conduct means two or more acts and includes acts in which the stalker directly or indirectly or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates the targeted individual. Stalking behaviors may also include: unwanted communication or contact— including face-to-face, telephone calls, voice messages, electronic messages, web-based messages, text messages, unwanted gifts, etc.

*Gender-based Harassment* — Unwelcome conduct of a nonsexual nature based on a student's actual or perceived sex, including but not limited to, conduct based on gender identity or gender stereotyping, gender expression, and nonconformity with gender stereotypes. Such conduct can be in the form of acts of aggression, intimidation, stalking, hostility, or the use of cell phones or the internet (sometimes known as "cyberbullying"). Gender-based harassment can occur if students are harassed either for exhibiting what is perceived as a stereotypical characteristic of their sex, or for failing to conform to stereotypical notions of masculinity or femininity. To constitute harassment, the conduct must unreasonably interfere with an individual's education or educational activities or create an intimidating, hostile, demeaning, or offensive academic or living environment. Examples of gender-based harassment include the following:

*Intimidation* — Any threat of violence or other threatening behavior directed toward another person or group that reasonably leads the target(s) to fear for their physical well-being or to engage in sexual conduct for self-protection.

*Retaliation* — Any adverse action, or attempted adverse action, against an individual (or group of individuals) because of their participation in any manner in an investigation, meeting or proceeding under this Policy, including individuals who file a third-person report. Retaliation can take many forms, including sustained abuse or violence, threats, and intimidation. Any individual or group of individuals, not just a respondent or complainant, can engage in retaliation.

***Important Related Concepts: The definitions that follow provide further guidance as to the conduct this Policy prohibits:***

*Coercion* — Unreasonable pressure for sexual activity. When someone makes it clear that he or she does not want to engage in sexual activity or does not want to go beyond a certain point of sexual interaction, continued pressure beyond that point can be considered coercive. The use of coercion can involve the use of pressure, manipulation, substances, and /or force. Ignoring objections of another person is a form of coercion.

*Force* — The use of physical violence and/or imposing on someone physically to engage in sexual contact or intercourse. Force can also include threats, intimidation (implied threats), or coercion used to overcome resistance.

*Incapacitation* — A state where a person cannot make a rational, reasonable decision because the person lacks the ability to understand his or her decision. A person can become incapacitated as a result of disability, involuntary physical constraint, sleep, or consumption of alcohol or other drugs.

**ALCOHOL AND/OR DRUG USE AMNESTY IN SEXUAL VIOLENCE CASES.**

The health and safety of every student at the College is of utmost importance. The College recognizes that students who have been drinking and/or using drugs (whether such use is voluntary or involuntary) at the time that violence, including but not limited to domestic violence, dating violence, stalking, or sexual assault occurs may be hesitant to report such incidents due to fear of potential consequences for their own conduct. The College strongly encourages students to report domestic violence, dating violence, stalking, or sexual assault to College officials. A bystander acting in good faith or a reporting individual acting in good faith that discloses any incident of domestic violence, dating violence, stalking, or sexual assault to College officials or law enforcement will not be subject to College's code of conduct action for violations of alcohol and/or drug use policies occurring at or near the time of the commission of the domestic violence, dating violence, stalking, or sexual assault.

## REPORTING PROCEDURES FOR SEXUAL OR GENDER-BASED MISCONDUCT

The College encourages all students affected by sexual or gender-based misconduct to report such incidents immediately and to seek immediate assistance. Seeking assistance promptly may be important to ensure a student's physical safety or to obtain medical care or other support. It may also be necessary to preserve evidence, which can assist law enforcement and/or the College in responding effectively. Assistance is available 24 hours a day, 7 days a week. Please refer to Article V. **Resources Available** of the *Policy on Victim and Survivors Student Bill of Rights, Reporting and Individual Rights and Resources Available Regarding Sexual Violence Incidents* for contact information for the campus and community resources available.

To report an incident, the student may contact the Town of Mount Pleasant Police at (914) 769-1941 or 911 or the Westchester County Department of Public Safety at (914) 864-7700 or 911. The College also encourages students to report sexual and gender-based misconduct to the Title IX Coordinator and/or the College's Security Office as promptly as possible so that the College can investigate and respond effectively. If the student reports the misconduct to the College's Security Office, the Security personnel will promptly report the incident to the Title IX Coordinator. Generally, once the College receives a report, it must investigate. Students may meet with the Title IX Coordinator to learn more about the process before making a report.

The contact information for the Title IX Coordinator is as follows:

### TITLE IX COORDINATOR (Not Confidential)

**Katherine Dillon Smith, MSW**  
Director of Student & Residence Life  
(914) 594-4527  
Email: [Katherine\\_Dillon@nymc.edu](mailto:Katherine_Dillon@nymc.edu)

### DEPUTY TITLE IX COORDINATOR (Not Confidential)

**Anthony Sozzo**  
Associate Dean, Student Affairs  
(914) 594-4491  
Email: [Sozzo@nymc.edu](mailto:Sozzo@nymc.edu)

**Theresa R. Haviland**  
Director, Human Resources  
(914) 594-4560  
Email: [Terri\\_Haviland@nymc.edu](mailto:Terri_Haviland@nymc.edu)

The contact information for the College's Security Office and Administrative staff is as follows:

### SECURITY OFFICE (Not Confidential)

- Located in the Basic Sciences Building, Room 223, Valhalla, NY
- Main: 914-594-4226, or Dial ext. 4226 from any campus phone

**William Allison, Director of Security**  
Located in Basic Sciences Building, room 223B, Valhalla, NY  
914 594-4577  
Email: [William\\_Allison@nymc.edu](mailto:William_Allison@nymc.edu)

**Kim Bologna, Associate Director**  
Located in Basic Sciences Building, Room 223, Valhalla, NY  
914 594-4662  
Email: [Kim\\_Bologna@nymc.edu](mailto:Kim_Bologna@nymc.edu)

**Charles Longo, Assistant Director**  
Located in Basic Sciences Building, Room 223, Valhalla, NY  
914 594-4339  
Email: [Charlie\\_Longo@nymc.edu](mailto:Charlie_Longo@nymc.edu)

The College recognizes that students may be more comfortable disclosing sexual or gender-based misconduct to a Campus Security Authority or College employee or faculty member that they know well. Except for the confidential resources identified in Article V. **Resources Available** of the *Policy on Victim and Survivors Student Bill of Rights, Reporting and Individual Rights and Resources Available Regarding Sexual Violence Incidents*, any College employee or faculty who receives a report is required to inform a Title IX Coordinator about the incident. The College will endeavor to follow up on any report it receives about possible sexual or gender-based misconduct, whether from a student, employee, faculty or other member of the community or an anonymous source.

The College's Title IX Coordinator is together with the Deputy Title IX Coordinators responsible for overseeing the College's response to Title IX reports and complaints, and identifying and addressing any patterns or systemic problems revealed by such reports and complaints. The Title IX Coordinator oversees the administration of this Policy and its procedures in a neutral and equitable manner.

The Title IX Coordinator's function and responsibilities include, but are not limited to:

- Regular training for students, faculty and staff regarding their rights and obligations under Title IX
- Overseeing investigations of reports and complaints of sexual and gender-based misconduct
- Ensuring appropriate accommodations and interim measures are taken promptly upon learning of a report or complaint of sexual or gender-based misconduct
- Monitoring and assessing ongoing compliance with Title IX
- Serving as a Title IX resource to the College community as appropriate

A student should contact the Title IX Coordinator or Deputy Title IX Coordinator(s) in order to:

- seek information or training about students' rights and courses of action available to resolve reports or complaints that involve potential sex discrimination, including sexual misconduct,
- file a complaint or make a report of sex discrimination, including sexual misconduct,
- notify the College of an incident or policy or procedure that may raise potential Title IX concerns,
- get information about available resources (including confidential resources) and support services relating to sex discrimination, including sexual misconduct, and
- ask questions about the College's policies and procedures related to sex discrimination, including sexual misconduct.

### **Confidentiality**

The College values the privacy of its students, employees, and other community members. It wants all community members to seek the assistance they need without fear that the information they provide will be shared more broadly than they would like. Federal and state laws, however, impose reporting obligations on College personnel that, in some circumstances, can require certain personnel to share information from a report of sexual or gender-based misconduct with government authorities, the College's Security Office or others at the College. Please refer to Article V. **Resources Available** of the *Policy on Victim and Survivors Student Bill of Rights, Reporting and Individual Rights and Resources Available Regarding Sexual Violence Incidents* for information on the confidentiality obligations of different categories of College personnel with respect to reports of sexual or gender-based misconduct.

- Even when College employees have an obligation to report to others, which means their office is described as "Not Confidential" in Article V. **Resources Available** of the *Policy on Victim and Survivors Student Bill of Rights, Reporting and Individual Rights and Resources Available Regarding Sexual Violence Incidents*, they will explain their reporting obligations, protect and respect students' privacy to the greatest extent possible and share information only on a need-to-know basis. All reporting individuals shall be therefore be told and provided with the following statement:
- "Even College offices and employees who cannot guarantee confidentiality will maintain your privacy to the greatest extent possible. The information you provide to a non-confidential resource will be relayed only as necessary for the Title IX Coordinator to investigate and/or seek a resolution.
- The College provides confidential advocacy, crisis, and medical and mental health services on campus. Advocates, counselors, clergy and healthcare providers can provide students with immediate and long-term help. Conversations with them are confidential, except as described in Article V. **Resources Available** of the *Policy on Victim and Survivors Student Bill of Rights, Reporting and Individual Rights and Resources Available Regarding Sexual Violence Incidents*. They will listen and help access additional assistance, and explain options for obtaining additional support from the College and others. They can also arrange for medical care and accompany students, or arrange for someone to accompany students, to seek such care. Students may use these resources whether or not they decide to make an official report or participate in College disciplinary proceedings or the criminal process. These advocates, counselors, clergy, and healthcare providers are familiar with the College's disciplinary process, can explain what to expect, and provide support while disciplinary or criminal processes are pending.

### **Requesting Confidentiality When Reporting an Incident to the College**

When a complainant reports sexual or gender-based misconduct to the Title IX Coordinator or Deputy Title IX Coordinators and/or the College's Security Office, he/she may request that the office not disclose his or her identity to anyone else, including the person who allegedly committed the misconduct. While such a request may limit the College's ability to investigate and respond to the reported misconduct, the Title IX Coordinator and/or the College's Security Office, in consultation with appropriate College personnel, including the Office of the General Counsel, will consider the request in light of the College's obligation to provide a safe and non-discriminatory environment for all members of its community. The Title IX Coordinator will promptly notify the complainant making the request whether the College will be able to honor it. The College shall assist with academic, housing, transportation, employment, and other reasonable and available accommodations regardless of reporting choices. Whether or not the College is able to grant a request to keep the complainant's identity confidential, College personnel will reveal information about investigations and disciplinary proceedings related to sexual or gender-based misconduct only to those who need to know in order to carry out their duties and responsibilities



## Accommodations/Interim Measures

In all cases, the College will take appropriate steps designed to mitigate the effects of the alleged sexual or gender-based misconduct, prevent its recurrence, and make accommodations for the students involved. The Title IX Coordinator will work with all students affected by sexual or gender-based misconduct to ensure their safety and promote their well-being. Sometimes this assistance will take the form of actions or accommodations to support or protect a student in the immediate aftermath of an incident and while an investigation or a disciplinary action is pending. This may include academic, residential, and work accommodations; increased monitoring; supervision; security at locations or in connection with activities where the alleged misconduct occurred; and training and educational materials for the campus community. If there is reason for concern about possible retaliation or harm, the College will take protective measures in consultation with the affected students.

Following report of an incident, the Title IX Coordinator will provide written notice to the complainant and respondent of the accommodations that may be available. Students may request accommodations even in cases where a complainant has requested that no investigation be undertaken or the complainant or respondent has declined to participate in College disciplinary proceedings or the criminal process. The Title IX Coordinator will evaluate any request for accommodations in light of the circumstances and information available at the time. The College will provide information about the accommodations only to those who need to know in order to make them effective.

Failure to comply with accommodations or interim measures is a violation of College policy and may lead to additional disciplinary action.

The Title IX Coordinator shall ensure that individuals are provided the following protections and accommodations.

- When the accused or respondent is a student, to have the College issue a "no contact order" consistent with College policies and procedures, where continued intentional contact with the reporting individual would be a violation of this Policy subject to additional conduct charges; if the accused or respondent and a reporting individual observe each other in a public place, it shall be the responsibility of the accused or respondent to leave the area immediately and without directly contacting the reporting individual. Both the accused or respondent and the reporting individual shall, upon request and consistent with the College's policies and procedures, be afforded a prompt review, reasonable under the circumstances, of the need for and terms of a no contact order, including potential modification, and shall be allowed to submit evidence in support of his or her request. The College may establish an appropriate schedule for the accused and respondents to access applicable institution buildings and property at a time when such buildings and property are not being accessed by the reporting individual;
- To be assisted by the College's Security Office or other College representative in obtaining an order of protection;
- To receive a copy of the order of protection or equivalent when received by the College and have an opportunity to meet or speak with a College representative, or other appropriate individual, who can explain the order and answer questions about it, including information from the order about the accused's responsibility to stay away from the protected person or persons;
- To an explanation of the consequences for violating these orders, including but not limited to arrest, additional conduct charges, and interim suspension;
- To receive assistance from College Security in effecting an arrest when an individual violates an order of protection to call on and assist local law enforcement in effecting a arrest for violating such an order;
- When the accused or respondent is a student determined to present a continuing threat to the health and safety of the community, to subject the accused or respondent to interim suspension pending the outcome of the conduct process under this Policy. Both the accused or respondent and the reporting individual shall, upon request and consistent with this Policy, be afforded a prompt review, reasonable under the circumstances, of the need for and terms of an interim suspension, including potential modification, and shall be allowed to submit evidence in support of his or her request;
- When the accused is not a student but is a member of the College community and presents a continuing threat to the health and safety of the community, to subject the accused to interim measures in accordance with College policies and applicable collective bargaining agreements;
- To obtain reasonable and available interim measures and accommodations that effect a change in academic, housing, employment, transportation or other applicable arrangements in order to help ensure safety, prevent retaliation and avoid an ongoing hostile environment, consistent with the College's policies and procedures. Both the accused or respondent and the reporting individual shall, upon request and consistent with the College's policies and procedures, be afforded a prompt review, reasonable under the circumstances, of the need for and terms of any such interim measure and accommodation that directly affects him or her, and shall be allowed to submit evidence in support of his or her request.

## **Reporting to Law Enforcement**

Students may report sexual or gender-based misconduct to the Town of Mount Pleasant Police, the Westchester County Department of Public Safety or the Westchester County District Attorney's Office – Sex Crimes Bureau (see "Resources" section above), or the local law enforcement agency where the misconduct occurred if the misconduct occurred outside of the Valhalla Campus. The College's process and the criminal justice system are separate and work independently from one another. Law enforcement authorities do not determine whether a violation of this Policy has occurred. The College's Security Office personnel and the other resources listed in Article V. **Resources Available** of the *Policy on Victim and Survivors Student Bill of Rights, Reporting and Individual Rights and Resources Available Regarding Sexual Violence Incidents* are familiar with Town of Mount Pleasant and Westchester County law enforcement processes and can explain what happens when sexual or gender-based sexual misconduct is reported to law enforcement. While confidential support resources, the Title IX Coordinator and the College's Security Office can explain how to report sexual assault and other forms of gender-based misconduct to law enforcement, they cannot serve as a substitute for legal advice on these matters.

## **Time for Reporting**

The College does not limit the time for submitting a report of gender-based misconduct. However, the College's ability to investigate and respond effectively may be reduced with the passage of time.

## **Reporting from Others and Anonymous Reports**

In cases where sexual or gender-based misconduct is reported to the College by other than the complainant (by a faculty member, resident advisor, friend or roommate, for example), the Title IX Coordinator will promptly notify the complainant that a report has been received. This Policy and its procedures will apply in the same manner as if the complainant had made the initial report. The Title IX Coordinator will make every effort to meet with the complainant to discuss available options and on-campus and off-campus resources.

## **Reports**

### **Unknown/Non-College Offenders/Off-Campus Incidents**

The College will investigate reports of incidents affecting College students that are committed by individuals who are not members of the College community or whose identity is not known to the extent it is able, and take appropriate actions designed to protect affected students and others in the College community. The College will process all complaints of sexual or gender-based misconduct regardless of where the conduct occurred, to determine whether the conduct occurred in the context of an education program or activity or had continuing effects on campus or in an off-campus program or activity.

## **Procedures for Responding to Allegations of Sexual or Gender Based Misconduct**

### **Privacy**

The College will reveal information about its investigations and determinations of sexual and/or gender-based misconduct only to those who need to know the information in order to carry out their duties and responsibilities. It will inform all individuals participating in an investigation, meeting or proceeding under this Policy that they are expected to maintain the privacy of the process and that such individuals shall not be allowed to use any type of electronic recording device including, but not limited, to laptop computers, tape or digital recorders, cell phones, or PDAs of any investigation, meeting or proceeding under this Policy. This does not prohibit either a complainant or respondent from obtaining the assistance of family members, counselors, therapists, clergy, doctors, attorneys, or similar resources.

### **Advisors**

The complainant and respondent, respectively, may be accompanied to any investigatory meeting related to an incident of misconduct by the advisor of their choice. Meetings will not be scheduled or postponed based upon the availability of a student's advisor. If the complainant or respondent wishes to be accompanied by an advisor to an investigatory meeting, he or she must inform the Title IX Coordinator, in writing, a minimum of 48 hours in advance of the meeting and indicate the name and phone number of the advisor.

The role of the advisor at the investigatory meeting is limited. Advisors may support the student and provide advice about the investigation and disciplinary process. During meetings, the student may confer quietly with the advisor in a non-disruptive manner. The advisor is not entitled to and may not intervene in a meeting or address the investigators or investigatory panel, including by questioning witnesses or making objections. Repeated violations may result in the advisor being asked to leave the meeting.

## Declining to Participate

A complainant and/or respondent may decline to participate in the investigative or disciplinary process. The College may continue the process without the complainant's and/or respondent's participation. In most cases, a refusal to participate in the investigative process will preclude a complainant or respondent from participating before the Investigatory Panel.

## Time Frame for Investigation

The College will seek to resolve every report of sexual or gender-based misconduct within approximately sixty to ninety calendar days of an initial report, not counting any appeal. Generally, the time line will be as follows:

- a. Investigation begins within 5 days after the initial report
- b. Investigation completed within 30 days after the investigation begins
- c. Investigatory Panel (if any) shall meet within 15 days after the conclusion of the investigation
- d. Determination of the Investigatory Panel issued within 15 days after the conclusion of investigatory meetings
- e. Notice of sanctions issued within 5 days after the determination of the Investigatory Panel
- f. Notice of appeals filed by either/both complainant and respondent within 5 days after the notice of determination and sanctions received by the complainant and respondent
- g. Decision on the appeal within 30 days after notice of appeal received

It is important to note that the time frames outlined above may vary depending on the details of a case and at certain times of the academic year (for example, during holidays or breaks, study periods or final exams). The College may extend any time frame within its reasonable discretion, with a written explanation to the complainant and respondent.

## Equal Treatment of Complainant and Respondent

The College shall give the complainant the same rights that it gives to the respondent, and *vice versa*. Specifically:

- Throughout the investigation and disciplinary proceedings, the parties must have an equal opportunity to present relevant witnesses and other evidence.
- If the College allows one party to have advisors at any stage of the proceedings, it must do so equally for both parties. Any College-imposed restrictions on the ability of advisors to speak or otherwise participate in the proceedings must also apply equally.
- If the College permits one party to submit third-party expert testimony, it must do so equally for both parties.
- The appeals process (see "Appeals" section below) must be equally available to both parties.
- The Title IX Coordinator shall notify both parties, in writing, of the outcome of the complaint and any appeal.

## Rights of the Parties

The complainant and the respondent will be afforded the following rights in the process:

- To be treated with respect, dignity, and sensitivity throughout the process.
- To seek support services at the College.
- To confidentiality and protection under applicable laws, including FERPA. The College will make all reasonable efforts to ensure preservation of privacy and restrict information to those with a legitimate need to know.
- To be informed of the process.
- To receive a written determination of findings after the investigation, and to appeal the determination.
- To a prompt, thorough and impartial investigation of the allegations.
- To participate or decline to participate in the process.
- To report the incident to law enforcement if he/she wishes to do so.
- To understand that information collected in the process may be subpoenaed in criminal or civil proceedings.

The complainant and the respondent will be afforded the following rights in the process:

- To be treated with respect, dignity, and sensitivity throughout the process.
- To seek support services at the College.
- To confidentiality and protection under applicable laws, including FERPA. The College will make all reasonable efforts to ensure preservation of privacy and restrict information to those with a legitimate need to know.
- To be informed of the process.
- To receive a written determination of findings after the investigation, and to appeal the determination.
- To a prompt, thorough and impartial investigation of the allegations.
- To participate or decline to participate in the process.
- To report the incident to law enforcement if he/she wishes to do so.
- To understand that information collected in the process may be subpoenaed in criminal or civil proceedings.

## The Investigation

The Title IX Coordinator will inform the complainant before starting an investigation. The complainant may request that an investigation not be undertaken. While honoring such a request may limit the College's ability to meaningfully investigate and pursue conduct action against an accused individual, the Title IX Coordinator, in consultation with appropriate College personnel, including the Office of the General Counsel, will honor such a request unless the College determines in good faith that failure to investigate does not adequately mitigate a potential risk of harm to the reporting individual or other members of the community. Factors to be considered in such a request include, but are not limited to, the following:

1. Whether the accused has a history of violent behavior or is a repeat offender;
2. Whether the incident represents escalation in unlawful conduct on behalf of the accused from previously noted behavior;
3. The increased risk that the accused will commit additional acts of violence;
4. Whether the accused used a weapon or force;
5. Whether the reporting individual is a minor; and
6. Whether the institution possesses other means to obtain evidence such as security footage, and whether available information reveals a pattern of perpetration at a given location or by a particular group.

If the Title IX Coordinator determines not to investigate, the complainant shall be notified in writing, including that the determination was made at the complainant's request. At the complainant's request, the Title IX Coordinator will also notify the respondent in writing, including that the complainant asked the College not to investigate.

If the Title IX Coordinator determines to proceed with an investigation, the complainant will be notified in writing and take immediate action as necessary to protect and assist the complainant. With the investigation proceeding, the College will notify the respondent in writing that a report has been filed. The notice will describe the allegations in the report including the date, time, location and factual allegations concerning the violation(s) of this Policy and possible sanctions. The complainant and respondent will be given the opportunity to meet separately with the Title IX Coordinator to review this Policy and its procedures.

The College's process for responding to, investigating and determining sexual and gender-based misconduct reports will continue during any law enforcement proceeding. The Title IX Coordinator may need to temporarily delay an investigation while the police are gathering evidence but it will resume the investigation after it learns that the police department has completed its evidence-gathering and will generally not wait for the conclusion of any related criminal proceeding.

The Title IX Coordinator will designate a specially trained investigator (or team of investigators) to interview the complainant, respondent and any witnesses. The investigator will also gather pertinent documentary materials (if any) and other information. The investigator will follow the protocols set forth below:

- Preserving Evidence. The investigator will direct the complainant, respondent, witnesses, and other interested individuals to preserve any relevant evidence.
- Character Witnesses. The investigator will not interview witnesses whose sole purpose is to provide character information.
- Romantic or Sexual History in Sexual Assault Cases. The investigator will not consider information concerning the romantic or sexual history of either the complainant or the respondent, except from either the complainant or respondent regarding their shared sexual history. If either offers such information, the other will have the right to respond. The existence of a prior consensual dating or sexual relationship between the complainant and respondent by itself does not support an inference of consent to alleged sexual or gender-based misconduct.
- Prior Conduct Violations. The investigator will not consider the respondent's prior conduct violations, unless the Title IX Coordinator or the respondent's school provides information because:
  - The respondent was previously found to be responsible, and
  - The previous incident was substantially similar to the present allegation(s) and/or the information indicates a pattern of behavior by the respondent.

The investigator will prepare a report detailing the relevant content from the interviews and the documentation gathered. The report will include the investigator's assessment of individual credibility and recommended findings of responsibility.

The respondent and complainant will each have the opportunity to review a copy of the investigative report and any other information that will be used during the disciplinary proceedings. The names and other identifying information of other students will be redacted from such materials in accordance with the Family Educational Rights and Privacy Act (FERPA), except to the extent that doing so would interfere with the purpose of Title IX to eliminate sex-based discrimination. The Title IX Coordinator will supervise this review and ensure that reasonable time is afforded for review prior to review by the Investigatory Panel.

## Informal Resolution

The Title IX Coordinator, upon consultation with appropriate College personnel, including the Office of the General Counsel, may seek to resolve certain gender-based misconduct cases through an informal process involving both the complainant and respondent. (For example, a complainant and respondent may agree with the Title IX Coordinator that education and training for the respondent are an appropriate and sufficient response in a particular case). This type of informal resolution can take place during the investigation or after its conclusion. If, based on the information known about the incident, the Title IX Coordinator believes such a resolution is possible, the Title IX Coordinator will speak with the complainant. If the complainant agrees, the Title IX Coordinator will then speak with the

respondent. If both complainant and respondent are satisfied with a proposed resolution and the Title IX Coordinator believes the resolution satisfies the College's obligation to provide a safe and non-discriminatory environment for all students, the resolution will be implemented, the disciplinary process will be concluded and the matter will be closed. If these efforts are unsuccessful, the disciplinary process will continue. Before starting these discussions, the Title IX Coordinator will notify the complainant and respondent that each has the right to end the informal process at any time. **The College will not use informal resolution for cases involving allegations of sexual assault.**

### **Administrative Resolution**

After the complainant and respondent have had an opportunity to review the investigative report and related material, the Title IX Coordinator will ask the respondent to respond to the alleged violation in one of the following ways: 1) Responsible; 2) Not Responsible; or 3) No Response. If the respondent accepts responsibility, the matter will proceed to the sanctions stage, followed by any appeals. If the respondent declines responsibility, or chooses not to respond, the College will convene an Investigatory Panel.

### **Investigatory Panel**

The Investigatory Panel determines whether the respondent is responsible or not responsible by a preponderance of the evidence for a violation of this Policy. If the respondent is determined to be responsible, the matter proceeds to the sanctions stage.

The Investigatory Panel will generally have three members drawn from a small group of specially-trained College administrators and/or faculty, except that in certain matters, the College may include retired judges, lawyers or other individuals with relevant experience and special training. Faculty on the Panel will not be from the school of either the complainant or the respondent. The complainant and respondent will be informed of the Investigatory Panel's membership before the Investigatory Panel convenes.

All panelists will receive training, including from experts in the field, initially and on a regular basis. In addition to training on how the investigatory and disciplinary process works, the training will include specific instruction about how to approach students about sensitive issues that may arise in the context of sexual and gender-based misconduct.

### **Written Submissions by Complainant and Respondent**

Both the complainant and respondent will have the opportunity to submit written responses to the investigative report and other relevant information to the Investigatory Panel. Each of the complainant and respondent will have the opportunity to review any written submissions by the other. The Investigatory Panel may set reasonable parameters for these written submissions. The Investigatory Panel will review the investigative report and written submissions. The Investigatory Panel may determine that a meeting is not necessary when all three panel members agree that the information in the investigation report and the written submissions (if any) is sufficient to make a determination (for example, where the complainant and the respondent do not disagree about the relevant facts). If the Investigatory Panel decides that a meeting is not necessary, the Investigatory Panel will proceed directly to make a determination, including an explanation of why a meeting is not necessary, as described below.

### **Investigatory Panel Meetings**

#### 1. Notice

The Title IX Coordinator will, whenever possible, give the complainant and respondent at least five days' advance notice of any meeting of the Investigatory Panel. The meeting is a closed proceeding, meaning that no one other than the Panel members, the complainant and respondent, their respective advisors, witnesses (when called), and necessary College personnel may be present in the meeting room or rooms during the proceeding. The Title IX Coordinator will work with other College personnel so that any student whose presence is required may participate in the procedures.

#### 2. Meeting Procedures

The Investigatory Panel may set reasonable time limits for any part of the meeting. Each of the complainant and respondent will have the opportunity to present witnesses and other information consistent with this Policy and its procedures. The Investigatory Panel may determine the relevance of, place restrictions on, or exclude any witnesses or information. When the complainant and respondent are not able to be present for the Investigatory Panel meeting, arrangements will be made for participation via alternate means. In cases where either the complainant or respondent opts not to participate in these proceedings, the Investigatory Panel may still hear from the other.

Questioning. Only the Investigatory Panel may ask questions of the complainant and respondent and any witnesses. If the Investigatory Panel allows the parties to cross-examine the other party or any witness, the parties may do so by submitting questions to the Investigatory Panel to ask the questions on their behalf. The parties and their advisors are not permitted to personally question or cross-examine the other party or any witness. The Investigatory Panel may revise or not ask any or all submitted questions.

#### 3. Equal Treatment

The Investigatory Panel shall give the complainant the same rights that it gives to the respondent, and vice versa. Specifically,

- The Investigatory Panel is not required to allow a complainant or respondent to be present for the entire meeting. However, if the Investigatory Panel allows one party to be present for the entire meeting, it must do so equally for both parties. At the

same time, when requested, the Investigatory Panel should make arrangements so that the complainant and the respondent do not have to be present in the same room at the same time (e.g., by using closed circuit television or other means).

- The Investigatory Panel is not required to allow cross-examination of witnesses, including the parties, if they present evidence at the meeting. However, if the Investigatory Panel allows one party to cross-examine witnesses, it must do so equally for both parties, subject to the rules regarding “Questioning” under the “Meeting Procedures” section above.
- The Investigatory Panel is not required to allow a complainant or respondent to make an opening statement. However, if the Investigatory Panel allows one party to make such statement, it must do so equally for both parties.
- The Investigatory Panel is not required to allow a complainant or respondent to make a closing statement. However, if the Investigatory Panel allows one party to make such statement, it must do so equally for both parties.

#### 4. Information Regarding Romantic or Sexual History

The Investigatory Panel will not consider the romantic or sexual history of either the complainant or respondent in cases involving allegations of gender-based misconduct, except for testimony offered by one or the other about the complainant's and respondent's shared sexual history that the Investigatory Panel deems relevant. If such information is offered by the complainant or respondent, the other has the right to respond. The existence of a prior consensual dating or sexual relationship between the complainant and respondent by itself does not support an inference of consent to alleged sexual or gender-based misconduct.

#### 5. Prior Conduct Violations

The Investigatory Panel will not consider the respondent's prior conduct violations, unless the Title IX Coordinator or the respondent's school provided that information to the investigator because:

- The respondent was previously found to be responsible, and
- The previous incident was substantially similar to the present allegation(s) and/or the information indicates a pattern of behavior by the respondent.

#### 6. Meeting Recordings

The College will keep an audio recording of the Investigatory Panel meeting for the use of the Investigatory Panel, for sanctioning, and for purposes of appeal. The Investigatory Panel members and the Sanctioning Officer (described below) and/or the Dean of the respondent's and/or the complainant's school(s) may request a transcript of the recording. The record of Investigatory Panel meeting(s) shall be preserved and maintained by the College for at least five years from the date of the Investigatory Panel meeting.

#### 7. Cell Phones and Recording Devices

Cell phones and recording devices may not be used in the Investigatory Panel meeting rooms unless approved by the Investigatory Panel in advance.

#### 8. Investigatory Panel Determination and Standard of Proof

The Investigatory Panel will use “preponderance of the evidence” as the standard of proof to determine whether a violation of the Policy occurred. Preponderance of the evidence means that an Investigatory Panel must be convinced based on the information it considers that the respondent was more likely than not to have engaged in the conduct at issue in order to find the respondent responsible for violating the Policy.

The Investigatory Panel will find a student responsible, or not responsible, by a preponderance of the evidence, based on a majority vote. The panel will generally render a decision within 15 days after the conclusion of an Investigatory Panel meeting. The Investigatory Panel's decision will include an explanation of the basis for the decision.

If the Investigatory Panel finds the respondent responsible by a preponderance of the evidence, the matter will proceed to the sanctions stage. The Title IX Coordinator will transmit the Investigatory Panel's determination to the Sanctioning Officer (described below) of the respondent's school, the respondent, and the complainant.

### **Sanctions**

#### 1. The Sanctioning Officer

The Dean of the respondent's school, or his/her designee, shall be the Sanctioning Officer under this Policy.

To promote consistency with the College's handling of similar cases: (1) appropriate training will be provided to Sanctioning Officers initially and on a regular basis; and (2) prior to imposing any sanction, a Sanctioning Officer will consult with the Title IX Coordinator and

other College personnel, including the Office of the General Counsel, about sanctions imposed in similar cases. Available sanctions will be consistent across all College schools. Similar offenses may result in different sanctions where there are distinguishing facts and circumstances in the opinion of the Sanctioning Officer.

All Investigatory Panel determinations will be referred to the Sanctioning Officer of the respondent's school. The Sanctioning Officer will impose sanctions that are:

- Fair and appropriate given the facts of the particular case;
- Consistent with the College's handling of similar cases;
- Adequate to protect the safety of the campus community; and
- Reflective of the seriousness of sexual or gender-based misconduct.

The Sanctioning Officer will consider relevant factors, including if applicable: (1) the specific sexual or gender-based misconduct at issue (such as penetration, touching under clothing, touching over clothing, unauthorized recording, etc.); (2) the circumstances accompanying the lack of consent (such as force, threat, coercion, intentional incapacitation, etc.); (3) the respondent's state of mind (intentional, knowing, bias-motivated, reckless, negligent, etc.); (4) the impact of the offense on the complainant; (5) the respondent's prior disciplinary history; (6) the safety of the College community; and (7) the respondent's conduct during the disciplinary process.

In determining what sanctions will protect the safety of the College community, the Sanctioning Officer will be advised by the College's Security Office, the Office of the General Counsel, and other experts as appropriate, and will consider: (1) the risk that the respondent may engage in additional sexual or gender-based misconduct; and (2) the deterrent or permissive effect of a particular sanction on the campus community, including on particular individuals and organizations aware of the offense (keeping in mind that a sanction must always be fair and appropriate for the particular case).

The Sanctioning Officer will render a sanctioning decision within five days following the receipt of the panel's determination. The sanctioning decision will be communicated in writing to the complainant and the respondent.

## 2. List of Sanctions

The College may impose any one or more of the following sanctions on a student determined to have violated the Policy. This list is not intended to be exhaustive.

- Reprimand/warning
- Changing the respondent's academic schedule
- Disciplinary probation
- Revocation of honors or awards
- Restricting access to College facilities or activities (including student activities and campus organizations)
- Community service
- Issuing a "no contact" order to the respondent or requiring that such an order remain in place
- Moving the respondent's residence
- Dismissal or restriction from College employment
- Removal from student housing
- Suspension (limited time or indefinite)
- Expulsion
- Revocation of degree

In addition to any other sanction (except where the sanction is expulsion or revocation of a degree), the College will require any student determined to be responsible for a violation of the Policy to receive appropriate education and/or training related to the sexual or gender-based misconduct violation at issue. The College may also recommend counseling or other support services for the student.

## 3. Ongoing Accommodations for Complainant

Whatever the outcome of the investigation and disciplinary process, a complainant may request ongoing or additional accommodations and the Title IX Coordinator, in consultation with appropriate College personnel, including the Office of the General Counsel and the Dean of the complainant's school, will determine whether such measures are appropriate. Potential ongoing accommodations include but are not limited to:

- Providing an escort for the complainant
- Moving the complainant's residence
- Changing the complainant's academic schedule
- Adjusting the complainant's work schedule
- Allowing the complainant to withdraw from or retake a class without penalty
- Providing access to tutoring or other academic support, such as extra time to complete or re-take a class

## Appeals

Either the respondent or the complainant or both may appeal the determination of the Investigatory Panel and/or the sanctions. Appeals are decided by the Chancellor and Chief Executive Officer of the College. The three grounds for appeal are:

1. A procedural error affecting the determination or sanction;
2. New information that was not available at the time of the investigation or Investigatory Panel meeting and that may change the determination or sanction; and,
3. Excessiveness or insufficiency of the sanction.

Disagreement with the finding or sanctions is not, by itself, grounds for appeals.

The appealing student must submit the appeal in writing to the Chancellor and Chief Executive Officer, with a copy to the Title IX Coordinator, within five days after receiving the sanctioning notice. If either the complainant or respondent submits an appeal, the Title IX Coordinator will notify the other that an appeal has been filed and the grounds of the appeal. The non-appealing student may submit a written response within five days after notice of an appeal.

The Chancellor and Chief Executive Officer shall review the reports. If the Chancellor and Chief Executive Officer concludes that a change in the Investigatory Panel's determination is warranted, the Chancellor and Chief Executive Officer may enter a revised determination, reconvene the Investigatory Panel to reconsider the determination, or return the matter for additional investigation. After consultation with the Title IX Coordinator, the Office of the General Counsel and the Dean(s) of the complainant's and respondent's school(s), the Chancellor and Chief Executive Officer may also change the sanction. If both the complainant and respondent appeal, the appeals will be considered concurrently.

The Chancellor and Chief Executive Officer will notify the complainant and respondent of the final decision in writing. Appeals decisions will be rendered within thirty days after the receipt of the written appeal. All appeal decisions are final.

## Records Disclosure and Transcript Notation

Disciplinary proceedings conducted by the College are subject to the Family Educational Records and Privacy Act (FERPA), a federal law governing the privacy of student information. FERPA generally limits disclosure of student information outside the College without the student's consent, but it does provide for release of student disciplinary information without a student's consent in certain circumstances.

Any information gathered in the course of an investigation may be subpoenaed by law enforcement authorities as part of a parallel investigation into the same conduct, or required to be produced through other compulsory legal process.

For crimes of violence, including, but not limited to sexual violence, defined as crimes that meet the reporting requirements pursuant to the Clery Act, the College shall make a notation on the transcript of students found responsible after a conduct process under this Policy that they were "Suspended after a finding of responsibility for a code of conduct violation" or "Expelled after a finding of responsibility for a code of conduct violation." For the respondent who withdraws from the College while such conduct charges are pending, and declines to complete the conduct process under this Policy, the College shall make a notation on the transcript of such students that they "Withdrew with conduct charges pending." A respondent with a transcript notation of suspension can appeal to seek the removal of such notation from the transcript provided that such notation shall not be removed prior to one year after conclusion of the suspension. A transcript notation of expulsion shall not be removed. If a finding of responsibility is vacated for any reason, any such transcript notation shall be removed.

## RETALIATION

This Policy prohibits retaliation against any individual who in good faith filed and/or participated in the investigation of a complaint, even if the complaint is unsubstantiated. Both the complainant and respondent will be so informed by the Title IX Coordinator at the outset of the process. Retaliation includes threats, intimidation, reprisals, harassment, and/or any other adverse action threatened, expressly or impliedly, or taken against anyone who reports a violation or suspected violation of this Policy or who participates in an investigation of a complaint. Such prohibited retaliation may take place in person, over the telephone or through electronic or social media means. Regardless of how it manifests itself, retaliation is prohibited. The College shall take all reasonable and legally appropriate actions to protect individuals from retaliation. Anyone who either observes or becomes aware of such retaliatory behavior is strongly encouraged to report it to the Title IX Coordinator, and all College employees have the obligation and responsibility to do so. The Title IX Coordinator will review the facts and recommend the appropriate disciplinary action, leading up to and including expulsion for students and termination of employment for employees. Violations of this prohibition will be addressed through this Policy and/or other College disciplinary procedures, as deemed appropriate in the College's discretion.



## KNOWING FALSE CLAIMS OR INFORMATION

The College considers any allegation of sexual or gender-based misconduct a serious matter and encourages individuals to report all such incidents to the College as more fully described in this Policy. All good faith reports will be treated with the seriously. However, as false claims can have a significant adverse effect on one's reputation, any individual who *knowingly* files a false allegation of misconduct under this Policy, or who *knowingly* provides false information during an investigation or proceeding under this Policy, may be subject to appropriate disciplinary action, leading up to and including expulsion for students and termination of employment for employees.

## TIME LIMITS

The College will exercise due diligence in complying with the stated time limits set forth in this Policy. Occasionally, stated time limits may be extended for good cause (e.g., the unavailability of witnesses, an unusually complex investigation, the academic calendar or other considerations). Any party may request an extension of any deadline by submitting a written request to the Title IX Coordinator detailing the reason for such request and the amount of additional time requested. The Title IX Coordinator has total discretion to grant or deny any such request.

## EDUCATION/TRAINING

As part of the College's commitment to providing a safe and non-discriminatory educational environment, this Policy shall be disseminated widely to the College community through publications, websites, student orientation, new employee orientation, current employee training and other appropriate channels of communication. The College also mandates unlawful harassment training programs for College employees **and students to promote awareness and a safe and respectful College environment.**

In addition, the College shall continue to develop and implement a comprehensive student onboarding and ongoing education campaign to educate members of the College's community about domestic violence, dating violence, stalking, and sexual assault, in compliance with applicable federal laws, including the Clery Act, as amended by the *Violence Against Women Act*, and with *Article 129-B of the New York State Education Law*. Included in this campaign shall be requirements that all new First-year and transfer students and new employees shall, during the course of their onboarding to the College, receive training on sexual assault, domestic violence, dating violence, stalking, bystander intervention, and risk reduction and that each student leader and officer of student organizations recognized by or registered with the College, as well as those seeking recognition by the College, complete such training prior to receiving recognition or registration by the College as a student organization.

## Orders of Protection

Orders of protection, restraining orders or similar lawful orders issued by a criminal or civil court should be brought to the immediate attention of the Director of Security.

## Drug and Alcohol Policies

Information about the college's drug and alcohol policies can be obtained at: [http://legacy.nymc.edu/depthome/ogc/drug-free\\_policy.asp](http://legacy.nymc.edu/depthome/ogc/drug-free_policy.asp). In addition, the College shall notify any student convicted of a drug offense of the loss of his or her eligibility for federal financial assistance and how to regain such eligibility.

## Security Awareness and Crime Prevention Programs

The security department in its contacts with the college community stresses the importance of taking the responsibility to recognize one's own vulnerability to crime and reducing risks through preventive action and cooperation with the department. Incoming student and new employee orientations include materials about forming healthy relationships sexual assault sexual misconduct risk reduction, bystander intervention, stalking active shooter situations, safety in housing, and traveling on campus after dark. The college security department offers a safety shuttle or walk along escort between campus buildings or campus buildings and campus parking lots. Incoming and Ongoing crime prevention and related trainings include all of the above as well as

- Protecting your possessions and identity
- Everyday safety
- Common sense defense
- Safe travel
- Controlling behavior
- Racial discrimination and classism
- Religious discrimination
- Sexual orientation and gender identity discrimination

## **Student Housing Fire Safety Report**

### **Fire Statistics/Fire Drills-2014**

- Number of fires and cause of each – 0
- Number of deaths related to fire – 0
- Number of injuries related to fire – 0
- Value of property damage related to fire – 0
- Number of fire drills held in 2014 in Housing (4)
- Number for all other campus buildings 2014(4)

### **Fire Log**

The Security Department maintains a fire log in an electronic and hard copy format. The fire log is available for inspection upon request during business hours in the Security Office BSB223. It can be accessed electronically at

<https://www.nymc.edu/departments/administrative-departments/operations/security/reports/>. The log contains the following for each fire that occurs on campus:

- *The nature of the fire*
- The date the fire occurred:
- The time of day the fire occurred
- The general location of the fire

### **Overview of Student Housing Fire Safety Systems**

**Grasslands I Garden Style Apartments:** Two fire alarm pull-boxes are installed, one on the security booth near building 6 and the other at the south end of Building 5 next to the laundry room. These pull stations connect to a central alarm monitoring company that notifies the fire department in the event of an activation. Individual battery operated smoke detectors are installed in each apartment's hallway, as well as each bedroom. These detectors are not connected to a fire alarm system and are only meant to alert the residents of the apartment of the presence of smoke. Fire extinguishers are located on each level just outside of the apartment.

### **Grasslands II Suite-Style Buildings 11-15:**

- Fire alarm systems and panels are installed in each building.
- Audible/Strobe fire alarm signaling devices are located on either side of each suite next to the bathroom and in the buildings common hallways on each level.
- Each suite has a heat detector in the kitchen area that is wired directly to the fire alarm system with a battery backup. An activation of the kitchen heat detector will set off the building wide fire alarm system and contact the central station fire alarm monitoring company and signal in the BSB Security Office
- A fire alarm pull station is located in the common hallway on each level. Pull stations will activate the building wide fire alarm system and contact the central station fire alarm monitoring company and signal in BSB security office
- A hard wired/battery operated wall mounted carbon monoxide detector is located at each end of the suite next to the bathroom. These detectors are not connected to the fire alarm system and are only meant to alert the residents of the suite of the presence of carbon monoxide.
- A ceiling mounted battery operated smoke detector is located at each end of the suite next to each bedroom. These detectors also are not connected to the fire alarm system and are only meant to alert the residents of the suite of the presence of smoke.
- A sprinkler is located in each suite in the living room area just inside the terrace doors. Sprinklers are also located in the common hallways on each level. Sprinklers are connected to the fire alarm system and will activate the moment the heat in the suite or hallway rises to a threshold level-which could be within seconds. A sprinkler activation will set off the building wide fire alarm system and contact the central station fire alarm monitoring company and signal in BSB Security Office.
- A wired smoke detector is located in each stairwell. These smoke detectors are connected to the fire alarm system. An activation of a stairwell smoke detector will set off the building wide fire alarm system and contact the central station fire alarm monitoring company and signal in the BSB Security Office. An activation of a stairwell detector will also automatically open the building attic hatch doors to vent out smoke in the stairwell.

### **Student Housing Fire Drills**

Campus Security, Environmental Health and Safety (EHS) and Student Housing conduct four mandatory fire drills in housing buildings (11-15) and the student center complex during the academic year in accordance with the Fire Code of New York State. Drills are not conducted in the two story Grasslands 1 garden style buildings which exit directly to the outside. Drills will be conducted unannounced at varied times and under different conditions that might be encountered in a real fire. Fire drills are intended to make sure occupants evacuate immediately upon the activation of the alarms and are aware of exit locations. Students should take fire alarms seriously, evacuate when they sound, and follow the directions of the staff members conducting the drill. During a drill, Security EHS and Housing staff will check suites and individual bedrooms to insure that all students have evacuated. Students who fail to exit a housing building or

do not exit in a timely manner when the alarm sounds may be subject to disciplinary action.

### **General Emergency Fire Safety Instructions**

- Stay calm. Do not panic. Pull the fire alarm and call Campus Security as soon as possible at 914 594-4226.
- Know the location of the nearest fire alarm pull boxes.
- Flames, heat and smoke rise, generally a fire on a floor below your room or suite presents a greater threat to your safety than a fire on a floor above you.
- Do not overestimate your ability to put out a fire. Most fires cannot be easily or safely extinguished. Do not attempt to put the fire out once it begins to quickly spread. If you attempt to put a fire out, make sure you have a clear path of retreat from the room.
- Close doors as you exit each space, to confine the fire.
- Heat, smoke and gases emitted by burning materials can quickly choke you. If you are in heavy smoke, get down on the floor and crawl. Take short breaths through your nose.
- If your clothes catch fire, don't run – STOP, DROP and ROLL. Stop where you are, drop to the ground, cover your face with your hands to protect

### **Student Housing Evacuation Procedures**

- Feel your room or suite door and doorknob for heat. If they are not hot, open the door slightly and check the hallway for smoke, heat or fire.
- Exit your room, suite and building if you can safely do so, via the exit closest to you.
- Close but do NOT lock the door to your room and suite and leave the area. If the fire is in an adjacent area, close the door to that location as well, if it is safe to do so.
- If they are conveniently located, grab your keys and shoes (and coat, if applicable) on the way out.
- As you head for the closest exit, yell for others to evacuate and bang on the doors as you walk past them. You do not want to remain in the space to wait for others, but do your best to notify others on your way out.
- If you cannot use the stairs or fire escape, call Campus Security at 914 594-4226 or 911 and inform them of your location including building, floor, room or suite number and the number of people with you. Close the door to the room you are in and place a wet towel under the door to prevent smoke from getting into the room.
- If conditions in the room or suite seem life-threatening, open a window or terrace door and wave a towel or sheet to attract the attention of emergency personnel.
- Meet the members of your room or suite at the designated assembly area outside the building

### **Fire Safety Education and Training Programs**

**Incoming Students** – Mandatory annual fire safety training held in August and September during student orientation. Housing students are provided with fire alarm and safety information along with the student housing handbook published annually in compliance with the “Kerry Rose Sprinkler Notification Act.”

**Faculty** – Annual on-line training qualified through testing and verified by Environmental Health and Safety.

**Staff** – Annual on-line training qualified through testing and verified by Environmental Health and Safety

All new employees receive fire safety education during the requisite general safety orientation training.

**REPORT ANY FIRE OCCURRENCE TO CAMPUS SECURITY (NO MATTER HOW SLIGHT)**

## Campus Crime Statistics

Updated postings will be available each March for the preceding year. The report below is current for year ending December 31, 2014

Institution: New York Medical College (193830) - Main Campus

### Criminal Offenses - On campus

For each of the following criminal offenses, enter the number of occurrences that took place On campus.

Criminal offense	Total occurrences on campus		
	2012	2013	2014
a. Murder/Non-negligent manslaughter	0	0	0
b. Negligent manslaughter	0	0	0
c. Sex offenses - Forcible	0	0	0
d. Sex offenses - Non-forcible (incest & statutory rape only)	0	0	0
e. Robbery	0	0	0
f. Aggravated assault	0	0	0
g. Burglary	0	0	0
h. Motor vehicle theft	0	0	0
i. Arson	0	0	0
<b>Caveat:</b>			

Institution: New York Medical College (193830) - Main Campus

### Criminal Offenses - On campus - Residence Halls

Of those criminal offenses reported to have occurred On campus, enter the number occurring in residence halls.

Criminal offense	Total occurrences on campus in residence halls		
	2012	2013	2014
a. Murder/Non-negligent manslaughter	0	0	0
b. Negligent manslaughter	0	0	0
c. Sex offenses - Forcible	0	0	0
d. Sex offenses - Non-forcible (incest & statutory rape only)	0	0	0
e. Robbery	0	0	0
f. Aggravated assault	0	0	0
g. Burglary	0	2	0
h. Motor vehicle theft	0	0	0
i. Arson	0	0	0
<b>Caveat:</b>			

Institution: New York Medical College (193830) - Main Campus

### Criminal Offenses - Public Property

For each of the following criminal offenses, enter the number of occurrences reported to have occurred on Public Property.

Criminal offense	Total occurrences on Public Property		
	2012	2013	2014
a. Murder/Non-negligent manslaughter	0	0	0
b. Negligent manslaughter	0	0	0
c. Sex offenses - Forcible	0	0	0
d. Sex offenses - Non-forcible (incest & statutory rape only)	0	0	0
e. Robbery	0	0	0
f. Aggravated assault	0	0	0
g. Burglary	0	0	0
h. Motor vehicle theft	0	0	0
i. Arson	0	0	0

**Caveat:**

Institution: New York Medical College (193830) - Main Campus

### Hate Crimes - On campus

Note: Your institution is required to disclose data on hate crimes by category of prejudice in your Annual Security Report. For purposes of this data collection only the total number of hate crimes is required.

For the criminal offenses listed below, enter the number of reported occurrences that manifest evidence of prejudice based on race, gender, religion, sexual orientation, ethnicity/national origin or disability, as prescribed by the Hate Crimes Statistics Act (28 U.S. C 534). These data are collected as the summary of these six types of prejudice.

Criminal offense	Occurrences of Hate crimes		
	2012	2013	2014
a. Murder/Non-negligent manslaughter	0	0	0
b. Negligent manslaughter	0	0	0
c. Sex offenses - Forcible	0	0	0
d. Sex offenses - Non-forcible (incest & statutory rape only)	0	0	0
e. Robbery	0	0	0
f. Aggravated assault	0	0	0
g. Burglary	0	0	0
h. Motor vehicle theft	0	0	0
i. Arson	0	0	0
j. Simple assault	0	0	0
k. Larceny-theft	0	0	0
l. Intimidation	0	0	0
m. Destruction/damage/vandalism of property	0	0	0

**Caveat:**

### Hate Crimes - On campus - Residence Halls

Of those hate crimes that took place On campus, enter the number that occurred in residence halls for each of the following criminal offenses.

Criminal offense	Occurrences of Hate crimes		
	2012	2013	2014
a. Murder/Non-negligent manslaughter	0	0	0
b. Negligent manslaughter	0	0	0
c. Sex offenses - Forcible	0	0	0

d. Sex offenses - Non-forcible (incest & statutory rape only)	0	0	0
e. Robbery	0	0	0
f. Aggravated assault	0	0	0
g. Burglary	0	0	0
h. Motor vehicle theft	0	0	0
i. Arson	0	0	0
j. Simple assault	0	0	0
k. Larceny-theft	0	0	0
l. Intimidation	0	0	0
m. Destruction/damage/vandalism of property	0	0	0
<b>Caveat:</b>			

Institution: New York Medical College (193830) - Main Campus

### Hate Crimes - Public Property

Note: Your institution is required to disclose data on hate crimes by category of prejudice in your Annual Security Report. For purposes of this data collection only the total number of hate crimes is required. For the criminal offenses listed below, enter the number of reported occurrences that manifest evidence of prejudice based on race, gender, gender identity, religion, sexual orientation, ethnicity/national origin or disability, as prescribed by the Hate Crimes Statistics Act (28 U.S.C 534). These data are collected as the summary of these six types of prejudice.

Criminal offense	Occurrences of Hate crimes		
	2012	2013	2014
a. Murder/Non-negligent manslaughter	0	0	0
b. Negligent manslaughter	0	0	0
c. Sex offenses - Forcible	0	0	0
d. Sex offenses - Non-forcible (incest and statutory rape only)	0	0	0
e. Robbery	0	0	0
f. Aggravated assault	0	0	0
g. Burglary	0	0	0
h. Motor vehicle theft	0	0	0
i. Arson	0	0	0
j. Simple assault	0	0	0
k. Larceny-theft	0	0	0
l. Intimidation	0	0	0
m. Destruction/damage/vandalism of property	0	0	0
<b>Caveat:</b>			

Institution: New York Medical College (193830) - Main Campus

### Arrests On campus

Enter the number of arrests for each of the following crimes occurring on campus.

Crime	Number of Arrests		
	2012	2013	2014
a. Illegal weapons possession	0	1	0
b. Drug law violations	0	0	0
c. Liquor law violations	0	0	0

**Caveat:**

Institution: New York Medical College (193830) - Main Campus

### Arrests - On campus - Residence Halls

Of those arrests that took place On campus, enter the number occurring in residence halls for each of the following crimes.			
	Number of Arrests in residence halls.		
Crime	2012	2013	2014
a. Illegal weapons possession	0	1	0
b. Drug law violations	0	0	0
c. Liquor law violations	0	0	0
<b>Caveat:</b>			

Institution: New York Medical College (193830) - Main Campus

Disciplinary Actions - On campus			
Enter the number of persons referred for Disciplinary Action for each of the following crimes. <b>If the disciplinary action is the result of an arrest, please do not include it here. Count the violation as 1 arrest.</b>			
	Number of persons referred for Disciplinary Action		
Crime	2012	2013	2014
a. Illegal weapons possession	0	0	0
b. Drug law violations	0	0	0
c. Liquor law violations	0	0	0
<b>Caveat:</b>			

Institution: New York Medical College (193830) - Main Campus

Arrests - Public Property			
Enter the number of arrests for each of the following crimes occurring on Public Property. Do NOT include drunkenness or driving under the influence in Liquor law violations.			
	Number of Arrests		
Crime	2012	2013	2014
a. Illegal weapons possession	0	0	0
b. Drug law violations	0	0	0
c. Liquor law violations	0	0	0
<b>Caveat:</b>			

Institution: New York Medical College (193830) - Main Campus

Disciplinary Actions - Public Property			
Enter the number of persons referred for Disciplinary Action for each of the following crimes. <b>If the disciplinary action is the result of an arrest, please do not include it here. Count the violation as 1 arrest.</b>			
	Number of persons referred for Disciplinary Action		
Crime	2012	2013	2014
a. Illegal weapons possession	0	0	0
b. Drug law violations	0	0	0
c. Liquor law violations	0	0	0
<b>Caveat:</b>			

Institution: New York Medical College (193830) - On Campus

The Violence against Women Reauthorization Act ("VAWA")	
Your institution is required to disclose data on VAWA Offenses occurring in calendar year 2014 in your Annual Security Report to be filed by October 1, 2015. For the offenses listed below, enter the number of reported occurrences that manifest evidence of VAWA offenses.	
	Number of persons referred for Disciplinary Action

Crime	2012	2013	2014
a. Domestic Violence		0	0
b. Stalking		0	0
c. Dating Violence		0	0
<b>Caveat:</b>			

Institution: New York Medical College (193830) –**Student Housing**

<b>The Violence against Women Reauthorization Act (“VAWA”)</b>			
Your institution is required to disclose data on VAWA Offenses occurring in calendar year 2014 in your Annual Security Report to be filed by October 1, 2015. For the offenses listed below, enter the number of reported occurrences that manifest evidence of VAWA offenses.			
	Number of persons referred for Disciplinary Action		
Crime	2012	2013	2014
a. Domestic Violence		0	0
b. Stalking		0	0
c. Dating Violence		0	0
<b>Caveat:</b>			

Institution: New York Medical College (193830) – **Public Property**

<b>The Violence against Women Reauthorization Act (“VAWA”)</b>			
Your institution is required to disclose data on VAWA Offenses occurring in calendar year 2014 in your Annual Security Report to be filed by October 1, 2015. For the offenses listed below, enter the number of reported occurrences that manifest evidence of VAWA offenses.			
	Number of persons referred for Disciplinary Action		
Crime	2012	2013	2014
a. Domestic Violence		0	0
b. Stalking		0	0
c. Dating Violence		0	0
<b>Caveat:</b>			

~ 2012 – 2014 Fire Stats can be found on the following page ~



# Fire Statistics for 2012 - 2014

## Fire Statistics

### Fires – On campus Student Housing Facilities

		Housing Facilities				
	Name of Facility	Street Address	2012	2013	Status	2014
			Number of Fires	Number of Fires		Number of Fires
1	Grasslands 1	101-116 Old Farm Rd. Valhalla, NY	0	0		0
2	Grasslands 2	201-208 Old Farm Rd. Valhalla, NY	0	0		0
3	Grasslands 3	301-308 Old Farm Rd. Valhalla, NY	0	0		0
4	Grassland 4	401-412 Old Farm Rd. Valhalla, NY	0	0		0
5	Grasslands 5	501-512 Old Farm Rd. Valhalla, NY	0	0		0
6	Grasslands 6	601-612 Old Farm Rd. Valhalla, NY	0	0		0
7	Grasslands 7	701-712 Old Farm Rd. Valhalla, NY	0	0		0
8	Grasslands 8	801-808 Old Farm Rd. Valhalla, NY	0	0		0
9	Grasslands 9	901-908 Old Farm Rd. Valhalla, NY	0	0		0
10	Grasslands 10	1001-1012 Old Farm Rd. Valhalla,	0	0		0
11	Grasslands 11	1101-1116 Old Farm Rd. Valhalla,	0	0		0
12	Grasslands12	1201-1216 Old Farm Rd. Valhalla,	0	0		0
13	Grasslands 13	1301-1316 Old Farm Rd. Valhalla,	0	0		0
14	Grasslands 14	1401-1416 Old Farm Rd. Valhalla,	0	0		0
15	Grasslands 15	1501-1516 Old Farm Rd. Valhalla,	0	0		0
	Total		0	0		0