

2013-2014 Annual Security & Fire Safety Report

For Brooklyn Campus

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ABOUT THE ANNUAL SECURITY REPORT

The Daemen College Division of Student Affairs, under the direction of the Clery Coordinator, Daemen College's Vice President for Student Affairs/Dean of Students, is responsible for preparing and distributing this report. We work with many other departments and agencies to compile the information. We encourage members of the campus community to use this report as a guide for safe practices on and off campus. It is available on-line at daemen.edu/campussafety. Each member of the Daemen community receives an email annually that describes the report and provides its web address.

ABOUT CAMPUS SECURITY AT DAEMEN COLLEGE'S BROOKLYN CAMPUS

Bais Yaakov of 18th Avenue Location

The telephone number for emergency calls is 911, and on-site security guard is 917-549-4812/ 917-804-8753. Bais Yaakov of 18th Avenue, located at 4419 18th Avenue, Brooklyn, NY is rented by Testing & Training International (TTI) and only used by Daemen College/TTI on Tuesday and Thursday evenings, when classes are offered to our teacher candidates and on some Sundays for the purpose of providing computer access to teacher candidates enrolled in the Daemen College/TTI graduate programs. Bais Yaakov of 18th Avenue is a not-for-profit religious elementary school for girls. The usual hours of operation are 8:45AM to 4:30PM. During the week, the building is inspected daily by either the administrator, maintenance or teaching staff for any safety hazards which are immediately addressed. The school has met the requirements of a New Article of the New York City Health Code (§43.07) by preparing a written safety plan. The plan states that there is a security guard on duty by the front door during normal school hours (including Sundays). No outsider is allowed into the building without first receiving clearance. On Sundays and during evening hours when Daemen students are using the building, the security guard(s) on duty is hired by TTI. The staff does not have authority to detain or arrest individuals, but will contact local police municipalities in the case of crime or emergency. The staff's only relationship with the state and local police agencies is as a resource when calling in a crime or emergency.

Cope Education Location

The telephone number for emergency calls is 911, and on-site security guard is 917-549-4812 /917-804-8753. Located at 4006 18th Avenue, Brooklyn, NY, Daemen College, in partnership with Testing & Training International (TTI) and Cope Education Services, offers classes Sunday, Monday, and Thursday evenings from 6:45 pm-10:15 pm and Wednesday evenings from 6:30 pm - 9:30 pm. During the week, the building is inspected daily by either the administrator, maintenance or teaching staff for any safety hazards which are immediately addressed. The school has met the requirements of a New Article of the New York City Health Code (§43.07) by preparing a written safety plan. The plan states that there is a security guard on duty by the front door during normal school hours (including Sundays). No outsider is allowed into the building without first receiving clearance. The staff does not have authority to detain or arrest individuals, but will contact local police municipalities in the case of crime or emergency. The staff's only relationship with the state and local police agencies is as a resource when calling in a crime or emergency.

Ditmas Location

The telephone number for emergency calls is 911, and on-site security at, 718-941-5450, Ext 100. Located at Ditmas School (J.S.H. 062), 700 Cortelyou Road, (between E. 7th & E. 8th), Brooklyn, NY, 11218. Daemen College, in partnership with Testing & Training International (TTI), offers classes on Sundays. The Ditmas School is rented by TTI and only used by Daemen College/TTI on Sundays, when classes are offered to our teacher candidates. During the week, it is the duty and the responsibility of "the School Safety Agent Level III and School Safety Agent(s) to work with school administrators to help maintain order and safety" (NYS Department of Education, I.S. 62 – Brooklyn Safety Plan, Academic Year: 2011-2012, Certified by NYPD, Print Date: February 10, 2012 12:21 PM. Precinct: 066 PCT PBBS). The same level of security is also offered to Daemen College/TTI faculty, staff and students in order to ensure the safety of all individuals who are in the building on the Sundays when classes are being held or during Sundays or evening hours when orientation is being held. TTI contracts with the Department of Education for building security and pays them directly. The Department of Education then makes the arrangement with the police department to secure two police officers for security in the building each Sunday classes are in session or for at least one officer to be on duty each evening when orientation is being held. As the location uses local police officers as security for the building, the on-site security has a close relationship with local and state police agencies and are all trained and certified according to NYS Law with the authority to arrest if a criminal offense is committed on campus by an individual.

COMMUNITY STANDARDS AND THE STUDENT CONDUCT SYSTEM

The students of Daemen College are viewed as adults and are expected to conduct themselves accordingly. The nature of the college environment requires this view, and various rules and regulations have been developed to support it. As adults, Daemen College students are responsible, not merely to avoid harming the College community, but rather to improve it, support it, and encourage its growth.

The administration, faculty, and students are all members of the College and together constitute a unique and self-sufficient community with shared values. Upon entering Daemen, students are expected to subscribe to these values and base their conduct—on-campus, off-campus, and on-line— upon those standards which the Daemen community sees as necessary to the proper exercise of scholarly endeavor (Code of Conduct).

This Code of Conduct reflects general principles of behavior accepted by society and by institutions of higher education. It also describes conduct about which Daemen College has made specific statements, rules, and regulations.

All Daemen students (including those involved in Distance Learning) are responsible for knowing and following the Code of Conduct and the other regulations which are part of the Student Handbook and the College Catalog. The Student Handbook is online at the College's website at daemen.edu/studenthandbook.

While various faculty and staff can temporarily restrict access to an area under their purview based on an infraction, no sanction shall be brought against a student accused of a violation of the Student Code of Conduct until a conduct review body has reviewed the complaint, made a decision and issued a disciplinary sanction, except in those matters handled directly by the Dean of Students or instances of academic dishonesty handled by faculty members in accordance with policies set forth in their syllabi and the academic integrity policy in the College Catalog. Students wishing to appeal academic decisions made by faculty members should consult the Academic Grievance Procedure section of the College Catalog for guidelines (available at www.daemen.edu/academics/coursecatalog).

Should a student's presence on campus create a threat to the safety or well-being of other members of Daemen College community, the College reserves the right to immediately suspend that student from campus until the time of a hearing. Additionally, the College reserves the right to resolve a case and sanction a student, including suspension, without a hearing where such action is deemed necessary or appropriate by the President of the College.

Jurisdiction of the College Conduct System

The College Conduct System will hear complaints concerning violations of College policy or regulations whenever the conduct in question occurs in any of the following circumstances:

1. If it occurs on the campus or in any College facility;
2. If it occurs while the student who is charged was attending or participating in any College-related activity, including but not necessarily limited to, study abroad, field trip, experiential learning of any kind (including internships, clinical placements, and service learning), social event, activity sponsored by a recognized student organization; or
3. If the conduct, whenever and wherever it occurs, including via online media, calls into question the student's suitability as a member of the College community. Unlawful acts of violence, violations of another's civil rights, hazing, the unlawful sale or possession of drugs, the unlawful use of alcoholic beverages and crimes against persons or property, and/or alleged violent felony offenses, are examples of conduct that will subject a student to the conduct review system regardless of where the conduct occurs. In cases involving student behavioral problems that occur off campus, the College reserves the right to initiate disciplinary action in the interest of preserving its reputation and orderly functioning. The fact that a student's conduct may also constitute a crime in violation of local, state, or federal law does not limit the ability of the College to discipline the student for that conduct. The College, therefore, reserves the right to submit a complaint to the conduct review system even if the same conduct is or may become the subject of a criminal case.

Student Code of Conduct

In addition to the policies listed in various sections of the student handbook, Daemen College Student Code of Conduct outlines behaviors that are prohibited at the College. The specific items are not meant to serve as an exhaustive list, but as a general guideline for addressing student behavior. The College reserves the right to address other behaviors that occur that are considered detrimental to the learning environment and/or health and safety of the College community.

To that end, prohibited behavior at Daemen College includes the following:

1. Non-academic dishonesty, including, but not limited to, theft, attempted theft, possession of stolen property, forgery, and falsification of information provided to any College official;
 - a. Lying: any statement, action, or behavior with the intent to deceive.
 - b. Possession or use of a fake ID.
 - c. Stealing: knowingly taking an item or items without the owner's expressed permission.
 - d. Eluding or evading: any statement, action, or behavior with the intent of hiding the truth, including running or hiding from College personnel.
 - e. Aiding and abetting: knowingly encouraging, assisting and or being an accessory to any act prohibited by the Student Code of Conduct.
2. Conduct which threatens the physical or psychological health and/or safety of any person (including the person committing the act) or the sanctity of the campus, including, but not limited to physical or sexual assault;

- a. Dating Violence: violence, whether physical, sexual, or the threat thereof, committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.
 - b. Domestic Violence: a felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner, a cohabitating partner, or another person with whom the victim shares a child;
 - c. Sexual Harassment: as defined in Section 5 of the Student Handbook.
 - d. Sexual Assault/Rape: an offense that meets the definition of rape, sodomy, sexual assault with an object, fondling, incest, or statutory rape as used in the FBI's UCR program;
 - e. Stalking: any act, whether via phone, internet, or physical proximity, that, through unwanted and/or unsolicited viewing or communicating, threatens an individual's physical or emotional safety.
 - f. Physical Attack.
 - g. Hazing.
 - h. Harassment: any act, whether written or verbal, via online or in person, that abuses, intimidates, or threatens the safety of a member of the Daemen College community.
 - i. Failure to maintain personal health, whether physical, mental or emotional, in such a way that it threatens the safety and security of the individual or the College community.
 - j. Use or possession of firearms, fireworks, or other weapons that could be considered lethal, including those weapons for which the person has a permit.
3. Damage to or misuse of public, private, personal or College property;
 - a. Property Damage, either to an individual's or the College's property.
 - b. Removing approved postings and/or Office of Residence Life notices or bulletin boards.
 - c. Littering, applying graffiti, and/or other behavior which threaten the cleanliness and appearance of the College.
 - d. Use of fire equipment, including sprinklers, extinguishers, and/or hoses, in any manner for which it was not intended.
 - e. Defenestration: throwing objects outside of window or from balcony or roof.
 4. Violation of policies as described in the Student Handbook, the Course Catalog, the Housing Agreement and all other rules governing College facilities, programs and services including, but not limited to the following;
 - a. Violation of Residence Life policies (see Residential Living policies section)
 - b. Purchase, possession, use, sale or distribution of alcohol, except by consumers of legal age and in compliance with the College's alcohol policy
 - c. Possession or use of alcohol paraphernalia.
 - d. Distribution or attempted distribution of alcohol to any person under the legal drinking age
 - e. Distribution or attempted distribution of a drug, including prescription medication.
 - f. Illegal use or possession of a drug, including prescription and over-the-counter drugs.
 - g. Manufacturing of any drug, including growing marijuana for any purpose.
 - h. Possession or use of illegal or someone else's drugs and/or drug paraphernalia.
 - i. Accessing prohibited areas in the residence halls, including but not limited to, fire escapes, balconies, and basements, except in an emergency.
 5. Intentional obstruction or disruption of teaching, research, administration, disciplinary procedures, other College activities or activities authorized to take place on College property;
 6. Disorderly conduct including acts which breach the peace;
 - a. Disruptive behavior.
 - b. Unauthorized entry, whether peacefully or by force, into a prohibited area or residence hall apartment in which there is no documented reason for being present.
 - c. Urinating in public.
 7. Non-compliance with the directions of College or civil authorities performing official duties, including failure to give proper identification when requested.
 8. Violation of a student's rights or privileges and verbal or written harassment, discrimination, abuse and/or disrespect of any person;
 - a. Harassment: any act, whether written or verbal, via online or in person, that abuses, intimidates, or threatens the safety of a member of the Daemen College community.
 - b. Acts or abusive language, either in public or via online sources.
 9. Violation of statutes, laws, ordinances and/or regulations of the Town of Amherst, State of NY (or other states, when applicable) and the United States of America.

CRIME REPORTING PROCEDURES/POLICY

Daemen College strives to maintain a safe campus and relies on all members of the campus community to do their part to keep our campus safe. Any member of the campus community – faculty, student, staff, trustee – who observes criminal activity on the Daemen main campus or at any off-campus instructional site is expected to report such conduct promptly to the police and to Campus Safety or building security. Criminal activity includes, but is not necessarily limited to: physical assault, including sexual assault and abuse, burglary, robbery, arson, unauthorized display or use of a dangerous weapon, and the illegal distribution or manufacture of controlled substances.

If community members observe a crime, they are instructed to phone 911 immediately and follow the instructions of the police. Contact immediately thereafter the on-site security at 917-549-4812/ 917-804-8753 (Cope Education & Bais Yaakov of 18th Avenue Location) or 718-941-5450, Ext 100 (Ditmas Location). In case of an emergency during off-site athletic practices or games, students are to report to the attending coach, assistant coach, or Daemen athletic trainer. In case of an emergency during off-site academic function, students are to report to the instructor. Any crime directly involving a member of the campus community, whether as victim or alleged perpetrator, should also be brought to the prompt attention of the Campus Safety.

Additionally, there are occasions when minors (persons under 18 years of age) are on the Daemen College campus or involved in College events. Any person who observes the sexual abuse of a minor, or has a reasonable suspicion of such abuse, should immediately notify Campus Safety and the local police authorities (call 911). A call may also be made to the NYS Child Abuse Hotline at 1-800-342-3720. Any such conduct involving a Daemen student or employee should also be brought to the attention of Campus Safety and/or the Office of Human Resources.

The prompt reporting of criminal activity is essential to securing a safe campus environment for all persons, including guests and members of the public. No one is exempt from the expectation of law-abiding behavior. There shall be no form of retaliation within the Daemen College community against any person making a good faith report of suspected criminal activity.

Individuals to whom students and employees should report criminal offenses described in the law for the purpose of making timely warning reports and annual statistical disclosure are:

Emergency	911
Brooklyn Police Department [66 Precinct]	718-851-5611 or 718-851-5641
Director of Alternative Certification Programs	716-839-8352 or 716-491-4253 (cell)
Director of Ditmas Brooklyn Program	718-338-7478
On-site Coordinator (Education Department)	917-861 3227
Program Director at TTI-COPE	718-253-5451
Director of Cope Educational Services	917-653-3564
Executive Director, Manhattan Programs	716-839-8349
Vice President for Student Affairs	716-839-8519
Associate Vice President for Academic Affairs	716-839-8301

Additional Information:

Students, applicants, and employees are encouraged to promptly report any conduct that they believe violates this Crime Reporting Policy. If the College does not know about the conduct, it cannot act. Crime reports may be made discreetly to the Program Directors at:

Director of Alternative Certification Programs	716-839-8352 or 716-491-4253 (cell)
Director of Ditmas Brooklyn Program	718-338-7478
Program Director at TTI-COPE	718-253-5451
Director of Cope Educational Services	917-653-3564

Alternatively, community members may initially discuss the matter with any other employee of the College, or involve any other person to help you in bringing your report forward, so long as it is promptly brought to the attention of the Program Director.

Upon written request, the Program Director will provide to a victim of a crime of violence, or a victim's next-of-kin, the results of the disciplinary proceeding conducted by Daemen College. Daemen evaluates incidents on a case-by-case basis using the guidelines in the student handbook and/or employee manual as applicable.

Timely Warning for Reported Crimes

In an effort to provide timely notice to the Daemen College community, and in the event of a serious incident which may pose an ongoing threat to members of the Daemen College community, a Safety and Security Alert is sent to all students and employees on campus. The alerts are generally written and distributed to the Daemen College community by the Program Director by. Other forms may include information posters in key campus locations. The Program Director, or designee, in consultation with appropriate campus personnel, reviews all reports to determine if there is an ongoing threat to the community and if the distribution of a Safety and Security Alert is warranted.

**For additional policies and procedures see Emergency Response and Evacuation Procedures Policy on page 12 of this document.*

Immediate Notification:

If the Program Director determines that there is an emergency or dangerous situation that poses an immediate threat to the health or safety of some or all members of the Daemen community, they will use some or all of the systems described above to communicate the threat to the Daemen community or to the appropriate segment of the community, if the threat is limited to a particular building or segment of the population. The Program Director will, without delay and taking into account the safety of the community, determine the content of the notification, unless issuing a notification will, in the

judgment of the first responders, compromise the efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency. An update to the initial immediate notification message will be provided via the same means used for the original notification.

**For additional policies and procedures see Emergency Response and Evacuation Procedures Policy on page 12 of this document.*

SECURITY OF AND ACCESS TO CAMPUS FACILITIES

The Daemen College Bais Yaakov of 18th Avenue Location is generally not open to the public. However, access is available to our students, staff, and faculty members during the evening hours on Tuesdays and Thursdays when classes are being offered, or during orientation days twice a year, as well as on Sundays when teacher candidates use the computer lab and when COPE students attend classes.

The Daemen College Cope Education Location is generally not open to the public. However, access is available to our students, staff, and faculty members during the evening hours and on days when classes are offered.

The Daemen College Ditmas Location located at the Ditmas School at 700 Cortelyou Road, is generally not open to the public on Sundays. However, access is available to our students, staff, and faculty during the hours from 8:00am to 5:00pm on every Sunday classes are in session as well as on evenings when orientation is being held.

Security staff is on-campus during the times the students are utilizing the campus buildings.

Daemen College does not offer any residence halls at the Brooklyn Campus.

CRIME PREVENTION AND SECURITY AWARENESS PROGRAMS

Education

An annual Campus Security Authority (CSA) training is coordinated by Daemen College Security. Students and employees are provided procedures and practices regarding safety through applicable handbooks (faculty, staff, administration, and student) as well as the Annual Security Report.

Crime Prevention Measures

Most on-campus crime can be prevented if rules are followed and common-sense safety tips are observed. The College's mission commits the institution to the elimination of crime and the attendant suffering of the victims of crime. This can be accomplished by teaching students and the community how to reduce the risks of crimes against themselves and others. When necessary, the College will provide timely announcements of on-campus criminal activity that has been reported to Campus Safety or the police. Students and employees are provided procedures and practices regarding safety at resident assistant training, resident floor meetings, as well as through applicable handbooks (faculty, staff, administration, and student).

The college is extremely serious about, and committed to, maintaining a safe and secure working and studying environment. Members of the College community can assist in this effort by adhering to the following safety tips and other common-sense rules:

- Travel with a companion whenever possible.
- Follow parking regulations. Park in lighted areas of the parking lots if you will be leaving class after dark.
- Keep your gas tank full.
- Always lock your car -- both when you are in it and when you are out of it.
- Have your keys ready when you go to unlock your car. Be sure no one is inside your car as you enter.
- Never hitchhike nor pick up hitchhikers.
- Drive to a police station, fire station, or other very public place if you think a person is following you.
- When on an elevator, stay near the controls. Push every button at the first sense of an attack.
- Stay near the street when walking -- stay away from bushes, shrubs, and buildings. Walk confidently -- look like you know where you are going. A good defense is to look and act confident.
- Do not ride with someone you do not know.
- When riding public transportation, sit near the front if possible; be familiar with the schedule to avoid long waits. Choose an occupied subway car if possible.
- Tell your friends where you are going and when you expect to return.
- Report all suspicious persons seen on campus to :
 - the security on site at 917-549-4812/917-804-8753 (Cope Education & Bais Yaakov of 18th Avenue Locations)
 - 718-941-5450, Ext 100 (Ditmas Location).
- Carry a noise maker (whistle or other device) if you need to be out after dark.

Generally, the close adherence to the safety rules and Code of Conduct, found in the Student Handbook (www.daemen.edu/studenthandbook), will reduce the risk and help prevent crime on campus. Community members are reminded that to reduce the risk of “date rape” by keeping in mind that many cases involve the use of alcohol and/or drugs by either the victim or the perpetrator or both.

SEXUAL ASSAULT/HARASSMENT

After responsibility has been assigned through investigation, all perpetrators of sexual assault will be aggressively sanctioned. The College will work in close cooperation with local law enforcement agencies to address this serious criminal activity. When reported, Daemen College will thoroughly investigate this violation of individuals' rights and safety. The institution will change a victim's academic and living situations after an alleged sex offense if these changes are requested by the victim and are reasonably available. In addition, the College may terminate the enrollment and/or employment of any perpetrator of sexual assault, including summarily suspending the violator to protect the College community. The institution will, upon written request, disclose to the alleged victim of a crime of violence or a non-forcible sex offense the report on the results of any disciplinary proceeding conducted by the institution against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph.

Students are provided with educational programming to promote the awareness of rape, acquaintance rape and other forcible and non-forcible sex offenses at new student orientation, resident assistant training, resident student educational programming, as well as through applicable handbooks (faculty, staff, administration, and student) and the Annual Security & Fire Safety Report.

Specific Procedural Steps to Take if Sexually Assaulted:

YOU SHOULD IMMEDIATELY:

1. Get to a safe, secure place.
2. Report the crime incident to the security guard on site at 917-549-4812/917-804-8753 (Cope Education & Bais Yaakov of 18th Avenue Locations) or 718-941-5450, Ext 100 (Ditmas Location) and to Brooklyn Police at 911. Do not be reluctant or embarrassed to call the police - you are a victim of a crime.
3. Call a friend and/or Mobile Crisis Team 800-543-3638 [LIFENET] or call another support agency or office.
4. Go to the Emergency Room for an examination, immediate medical attention, and for the collection of physical evidence. Do not shower or change clothes if at all possible prior to examination. Do take a change of clothes to the medical examination location.

Reluctance or unwillingness to make a complete report to the campus security and the police will make it difficult for either the police or the College to take appropriate action or safety measures; this includes reporting the dangers to the College community. Institutional personnel will assist in notifying appropriate law enforcement agencies if the student requests assistance.

Daemen Sanctions

The Student Handbook outlines the conduct procedures that will be used in managing violations of the Student Code of Conduct. If found responsible, students are subject to sanctions, as enforced by the Vice President for Student Affairs/Dean of Students. Generally, recommendations for suitable disciplinary action will follow what has been outlined in the Student Handbook.

- Written reprimand
- Financial penalties - to be charged against the student's account
- Removal from the residence halls (if residential student)
- Disciplinary Probation - with conditions and expectations
- Temporary Suspension - usually immediate but temporary
- Disciplinary Suspension - usually for a specified time period
- Disciplinary Dismissal - irrevocable separation from the College
- Restrictions on the use of any College facility or participation in any College event or activity

The Vice President for Student Affairs/Dean of Students, or the President may summarily and temporarily suspend a student, pending the investigation, in order to protect the campus community or the student.

A record of disciplinary actions will be kept on file in the office of the Vice President for Student Affairs/Dean of Students.

In a case where discipline is imposed, a student has the right to request that his/her case be reviewed through the STUDENT DISPUTE RESOLUTION PROCEDURE (located in the Daemen College Student Handbook and found online at daemen.edu/studenthandbook).

Victim Support

It is very important to seek help for any sexual assault and/or attempts of sexual assault (including "ACQUAINTANCE RAPE/DATE RAPE") from any of the following:

Support Agencies

Brooklyn Center for Families in Crisis	718-282-0010 or 718-469-9000
Safe Horizon	1-800-621.HOPE (4673)
Domestic Violence Hotline	1-800-621.HOPE (4673)
Crime Victims Hotline	866-689.HELP (4357)
Rape & Sexual Assault Hotline	212-227-3000
TDD phone number for all Hotlines	866-604-5350
Hatzolah	718-387-1750
Jewish Board of Family and Children's Services	718-435-5700
Misakim	718-438-1112
Mishkon	718-851-7100
NYC Alliance Against Sexual Assault	212-229-0345
Ohel Children's Home and Family Services	718-382-0045
Shomrim	718-871-6666

Enforcement Agencies

Brooklyn Police [66 precinct]/NY Police	911
Brooklyn 66 Precinct	718-851-5611 or 718-851-5641
Kings County District Attorney	718-250-2000
Kings County District Attorney's Office Project Kol Tzedek	718-250-3000
For more information contact: Chana Widawski, LMSW	718-250-2005

Counseling Services:

Professional counselors are retained by the College to assist students who are facing concerns of an academic, adjustment to college, personal, or social nature. They help students work through their concerns to develop appropriate alternatives, actions, or solutions. This service is confidential within the limits of Informed Consent and will be discussed in the first counseling session. The first fifteen sessions are free to Daemen students. Referrals to a number of community service agencies are also available. Via informed consent, and by licensure, counselors (if and deemed appropriate) will submit reportable crimes to the Vice President for Student Affairs/Dean of Students or the local police department.

For further information, contact the Director of Counseling Services, Duns Scotus, room 228 (716-839-8337), or call one of the following counselors directly:

Shannon Radder (Director)
716-839-8337

Nick Gazzoli, M.S.
716-913-7501

Deloris Fields-Jones, L.M.S.W.
716-688-3852

Sex Offender Registry

Anyone interested in accessing information on registered sex offenders in the area can access the Sex Offender Registry at <http://www.criminaljustice.ny.gov/nsor/>

Policy Prohibiting Sexual Harassment and Other Unlawful Harassment

- A. Purpose.** Daemen College is committed to offering educational and employment opportunity based on ability and performance in a climate free of discrimination. Discrimination is prohibited at this institution not only because it is unlawful, but because it is wrong. Please refer to the College's Policy on Nondiscrimination, Equal Opportunity, and Affirmative Action for a comprehensive statement of the College's commitment in this regard. Among the forms of discrimination prohibited by the College is unlawful harassment, including sexual harassment, by employees as discussed in this policy. In addition, the College will endeavor to protect students and employees, to the extent possible, from reported harassment at the College and in the workplace by students, vendors, or other non-employees, and when appropriate, will take steps to prevent College employees from harassing non-employees.
- B. Definition of Terms.** For the purpose of this policy terms such as sexual harassment, discrimination, and retaliation are defined pursuant to the applicable state and federal law.
- C. Sexual Harassment.** It is the policy of Daemen College not to discriminate on the basis of sex, including sexual harassment, in its educational programs, activities or employment policies as required by Title IX, Education Amendments of 1972, Equal Employment Opportunity Commission regulations, and other applicable antidiscrimination laws.

Sex discrimination in the form of harassment on the basis of sex includes unwelcome sexual advances, requests for sexual favors, and other verbal or physical contact of a sexual nature when: a) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or education status; or b) submission to or rejection of such conduct by an individual is used as the basis for educational or employment decisions affecting such individuals; or c) such conduct has the purpose or effect of unreasonably interfering with an individual's performance or creating an intimidating, hostile, or offensive working or educational environment. Daemen College will take all steps necessary to prevent such discrimination and effectively address incidents of unlawful harassment, including the imposition of appropriate sanctions.

As examples, the following kinds of conduct, or others with a similar harassing effect, are absolutely prohibited if such conduct falls within the definition stated above:

1. Abusing an employee or student through insulting or degrading sexual remarks, jokes, innuendoes, or other sexually oriented conduct (including, among other things, graphic or descriptive comments relating to an individual's body or physical appearance, sexually oriented teasing or pranks, improper suggestions, objects or pictures, or unwanted physical contact); or
2. Threats, demands or suggestions that an employee's or student's status depends in any way upon tolerating or accepting sexual advances or sexually oriented conduct.
3. Sexual violence, defined as physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent due to the victim's age, use of drugs or alcohol, or intellectual or other disability.

Any harassment of Daemen College employees, students, or applicants, or third parties (such as participants in College sponsored events) in violation of these rules is absolutely prohibited and will not be tolerated. Interim protective measures may be made while a complaint is investigated. Both complainant and alleged offender shall be treated equitably throughout the investigation.

Conduct that occurs off campus, including but not limited to that perpetrated electronically, by social networking or email, is also subject to investigation and an appropriate response under the Policy to the extent that such conduct contributes to a sexually hostile environment on campus.

Sexual harassment is illegal under both state and federal law. Inquiries regarding compliance with Title IX and all other state and federal discrimination laws may be directed to the Associate Vice President for Academic Affairs (DS 102, 716.839.8301), who is the College's Equal Opportunity and Affirmative Action Officer and Title IX Coordinator.

D. Other Unlawful Harassment. Unlawful harassment is defined as verbal or physical conduct which denigrates or shows hostility or aversion to an individual because of his or her race, color, gender, sexual orientation, age, religion, creed, national origin, marital status, veteran status, disability, genetic predisposition, carrier status, or status as a victim of domestic violence, or that of his or her relatives, friends, or associates, and which:

1. Has the purpose or effect of creating an intimidating, hostile, or offensive working or educational environment; or
2. Has the purpose or effect of unreasonably interfering with an individual's performance; or
3. Otherwise adversely affects an individual's employment or educational opportunities.

As examples, the following kinds of conduct, or others with similar harassing effect, are absolutely prohibited if such conduct falls within the definition stated above:

1. Abusing an employee or student through epithets, slurs, negative stereotyping, or threatening, intimidating or hostile acts (even if claimed to be "jokes" or "pranks") which relate to race, color, gender, sexual orientation, age, religion, creed, national origin, marital status, veteran status, disability, genetic predisposition, carrier status, or status as a victim of domestic violence; and
2. Written or graphic material which denigrates or shows hostility or aversion toward an individual or group because of race, color, gender, sexual orientation, age, religion, creed, national origin, marital status, veteran status, disability, genetic predisposition, carrier status, or status as a victim of domestic violence, and is displayed or circulated (including electronically) in the workplace or educational environment.

Any harassment of Daemen College employees, students or applicants in violation of these rules is absolutely prohibited and will not be tolerated.

E. Retaliation. Retaliation against employees, students, third parties (such as participants in College sponsored events) or applicants for exercising their rights under this policy is also strictly prohibited and will not be tolerated. This includes retaliation against employees, students, third parties (such as participants in College sponsored events) or applicants for inquiring about their rights, or for making an honest complaint of a violation or possible violation, or for truthfully assisting in a complaint investigation. Claims of retaliation should be reported to the Associate Vice President for Academic Affairs (DS 102, 716.839.8301), who is the College's Equal Opportunity and Affirmative Action Officer and Title IX Coordinator.

- F. No One Has Authority To Violate This Policy.** Under no circumstances does any faculty member, administrator, trustee, other employee, or student of the College or any other person, including vendors and sub-contractors, have any authority whatsoever to engage in discriminatory, harassing, or retaliating conduct in violation of this policy. If anyone claims to have such authority, or if an employee, student, third party (such as participants in College sponsored events) or applicant has a question about whether objectionable conduct is authorized by the College, the College's Equal Opportunity and Affirmative Action Officer and Title IX Coordinator (DS 102, 716.839.8301), should be contacted.
- G. Academic Freedom.** As an institution of higher education, Daemen College, its employees and students also must be aware of the need for freedom of inquiry and openness of discussion in its educational and research programs, and must strive to create and maintain an atmosphere of intellectual seriousness and mutual tolerance in which these essential features of academic life can thrive. No college can or should guarantee that every idea expressed in its classrooms or laboratories will be inoffensive to all; pursued seriously, education and scholarship necessarily entail raising questions about received opinions and conventional interpretations. Daemen College does guarantee, however, that credible accusations of inappropriate remarks or conduct that may violate the College policy prohibiting discrimination and harassment will be investigated promptly, thoroughly, and fairly.
- H. Procedures.** Employees, students, and applicants are encouraged to promptly report any conduct that they believe violates this policy. If the College does not know about the conduct, it cannot act. Complaints or inquiries should be made confidentially to the Associate Vice President for Academic Affairs who is the College's Equal Opportunity and Affirmative Action Officer and Title IX Coordinator. In the case of student-on-student conduct, complaints or inquiries should be made confidentially to the Vice President for Student Affairs/Dean of Students (Wick Center, 716.839.8519) for investigation and adjudication under the Student Conduct (Disciplinary) Procedures outlined in the Student Handbook. The Vice President for Student Affairs and Dean of Students will report any allegations of Title IX violation to the Associate Vice President for Academic Affairs. Alternatively, an individual may initially discuss the matter with any other employee of the College, or involve any other person to help in bringing the complaint forward, provided the complaint is promptly brought to the attention of the Associate VPAA or Dean of Students, to ensure consistency and centralized decision-making in the application of this policy. Complaints may also be made anonymously through U.S. or campus mail to the Title IX Coordinator, Daemen College, 4380 Main St., Amherst, NY 14226.

Discrimination and harassment complaints will be handled pursuant to the Grievance Procedure in Discrimination and Harassment Cases or Student Conduct (Disciplinary) Procedures as applicable. Ordinarily, the VP for Student Affairs and Dean of Students will investigate complaints of student-on-student harassment; the Associate VP for Academic Affairs, as EO/AA Officer, will investigate any complaints involving employees. Complainants will be encouraged to express their wishes for resolution of the matter. Complainants of sexual violence shall be entitled to necessary interim actions to protect them. When complainant and alleged violator are both members of the campus community, interim measures will be taken to ensure safety and equitability during the investigation. Both the complainant and the alleged perpetrator shall have equal opportunity to present relevant evidence and to appeal determinations as provided for in the above policies. Both the complainant and the alleged perpetrator will receive in writing the outcome of the investigation.

Complaints and inquiries will be kept confidential to the extent practicable, consistent with the need to conduct an adequate investigation. Reasonable steps will be taken to honor a party's request regarding confidentiality and/or pursuit of investigation, but such requests must also be evaluated in the context of the College's responsibility to provide a safe and nondiscriminatory environment for all persons and/or to warn the College community of possible danger. The College will inform the parties if confidentiality cannot be ensured.

Any employee or student who is found to have violated this policy will be subjected to appropriate disciplinary measures up to and including termination or expulsion.

Individuals with complaints of discriminatory harassment may also have the right to file a complaint with the Office for Civil Rights (OCR) of the U.S. Department of Education. An employee may also have the right to file a charge with the United States Equal Employment Opportunity Commission ("EEOC"), the Office of Civil Rights ("OCR"), or the New York Division of Human Rights ("SDHR"). A charge should be filed with the EEOC within 300 days of the most recent date that the unlawful conduct occurred, or if filed with the OCR, within 180 days, or if filed with the SDHR, within one (1) year. Reporting to the College is critical, however, because if the College does not know about the conduct, it cannot act.

No one should allow conduct that may violate this Policy to continue unreported. It is extremely important that this be reported so that the College can act to stop such conduct at the earliest possible time.

Daemen College provides training for employees on recognizing and preventing unlawful harassment, including sexual harassment; all employees are expected to participate in such training.

Grievance Procedure in Discrimination and Harassment Cases

- A. Policy.** It is the policy of Daemen College, in accordance with federal and state laws including, but not limited to, Title IX of the Education Amendments of 1972, the Civil Rights Act of 1964, the Rehabilitation Act of 1973, the Age Discrimination in Employment Act, the Americans with Disabilities Act and the New York State Human Rights Law, not to discriminate on the basis of sex, gender, sexual orientation, race, color, age, disability, religion, creed, national origin, genetic predisposition or carrier status, status as a victim of domestic violence, veteran status, or marital status, against any person with respect to employment, admission to the College, or in participation in any College program or activity. Also in accordance with these laws, it is the policy of the College to prohibit harassment of any student, employee or applicant on the basis of sex, gender, sexual orientation, race, color, age, disability, religion, creed, national origin, genetic predisposition or carrier status, status as a victim of domestic violence, veteran status or marital status. All complaints alleging a violation of this policy will be investigated and appropriate remedies will be instituted.
- B. Responsibility.** Every person in the College community is responsible for compliance with this policy. The Associate Vice President for Academic Affairs as the Equal Opportunity and Affirmative Action Officer has been given day-to-day responsibility for implementing this policy.
- C. Grievances.** All grievances or complaints alleging a violation of the College's nondiscrimination policy and policy prohibiting unlawful harassment should be submitted to the Associate Vice President for Academic Affairs who is the Equal Opportunity and Affirmative Action (EOAA) Officer and Title IX Coordinator (Room DS 102, 716.839.8301). Grievance forms are available in the office of the EOAA Officer, but any form or format may be used provided it is identified as a grievance. A grievance should contain a statement of the facts identifying the violation and as much supporting documentation as possible. Upon request, assistance in preparing the grievance will be supplied by the EOAA Officer/Title IX Coordinator. Those filing a grievance should also express their view of a possible resolution to the problem. A grievance should be filed as soon as possible after the alleged discrimination has occurred (usually within 30 days). A delay in filing a grievance may impact the ability of the College to investigate and resolve the grievance.
- D. Grievance Processing**

Step 1. The EOAA Officer/Title IX Coordinator will attempt to resolve the matter as simply and as quickly as possible by informally meeting with the relevant persons in an effort to reach an acceptable agreement. If the complaint involves an alleged sexual assault, the matter will immediately proceed to Step 2 below; no informal mediation will be undertaken.

Step 2. Unless an acceptable resolution is reached in Step 1, the grievant may request that the matter be referred to the appropriate Cabinet member (Vice President for Academic Affairs (VPAA) in the case of a faculty grievant) for a more formal investigation. Such request may be made at any time, but not later than ten (10) days after notification that the Step 1 procedure is completed. Within thirty (30) days thereafter, the Cabinet member or VPAA or his/her designated representative (Grievance Officer) will conduct an investigation with respect to the grievance. (Should the grievance be against either the EOAA Officer/Title IX Coordinator or the Cabinet member, the grievant should notify the Director of Human Resources who will arrange for another Grievance Officer to be appointed.) Efforts will be made to complete the investigation within 45 days after Step 2 is initiated.

During the investigation, the grievant shall have the right to present evidence and witnesses. The Grievance Officer will also examine other relevant evidence and witnesses, including professionals where appropriate. The Grievance Officer shall render a written decision on the grievance applying a preponderance of the evidence standard. A copy of the decision will be provided to the grievant and accused party(ies). Either party may seek review by the College President of all or part of the Grievance Officer's decision by filing an appeal with the Office of the President within 10 days after the decision is rendered. The President in conjunction with legal counsel for the College will review the decision to determine whether it is supported by substantial evidence and that the College substantially complied with applicable procedures. The President's decision will be rendered within 30 days of filing the appeal. The President may affirm the decision, modify the decision, or return the matter for further investigation. Should the President be the accused party, the appeal will be made to the Executive Committee of the Board of Trustees, which will review and rule upon the Grievance Officer's decision.

EMERGENCY RESPONSE AND EVACUATION POLICY

Emergency Management Plan:

This document outlines the College's Brooklyn Campus's General Emergency Procedures and Crisis Management procedures. It is recommended that each member of the campus community familiarize him or herself with this important information.

In the event an emergency should arise on campus, the following procedures should be followed:

- If it is of a serious nature that requires police, rescue squad and/or ambulance, dial 911 immediately.
- Always call the on-site security 917-549-4812/917-804-8753 (Cope Education & Bais Yaakov of 18th Avenue Locations) or 718-941-5450, Ext 100 (Ditmas Location). Apprise them of your precise location and the name of

the individual(s) involved. Security will assist medical authorities in finding their way around campus. It is imperative that Security is alerted to any emergency.

- In our efforts to maintain confidentiality, please remove yourself from the immediate emergency area once assistance has arrived. This will not only give better access to rescue personnel, it will help ensure that confidential information is not overheard beyond those individuals who need to know. Thank you for your compassion and cooperation.
- You may be asked to complete an accident/incident report for Security. Your cooperation in giving an accurate and detailed account of the incident will be appreciated.

Emergency Evacuation Procedures:

In the event of an incident presenting immediate or risk of immediate threat to human safety, an evacuation order should be given by any person in authority nearest the site of the incident. Emergency services should be called, as per the general emergency instructions above. Persons not “in authority” should also call for evacuation if common sense so dictates. There are two designated gathering points in the event of building evacuation:

Bais Yaakov of 18th Avenue Location:

- Main staircase straight down to yard. Walk toward 46th Street.
- Alternate staircase out main doors. Walk to train station.

Cope Education Location:

- Front exit (facing 18th Ave.). Turn right and walk toward East 4th Street.
- Side exit (facing East 5th street). Turn left and walk toward Avenue F.

Ditmas School Location:

- | | |
|---|---|
| • Large School Yard (E. 8 th Street) | Exits H & I |
| • Small (flag) School Yard | Exits E & F |
| • Cortelyou Road | Exits B & C |
| • East 8 th Avenue | Exits G & D |
| • East 7 th Street | Exits A, L, K (handicapped accessible), J & I |

If indicated by the nature of the emergency, or at the direction of emergency responders, persons should assemble at these points to ensure adequate distance from evacuated buildings and the ability to ensure that evacuees are present and accounted for.

Crisis Management Procedures:

In the event of a major emergency which physically, or emotionally, disrupts normal campus operations, the Program Director may direct that the campus operate in accordance with the following crisis management procedures. These procedures are designed to prioritize human safety, provide accurate and timely information to the campus community, and allow for sound decision-making in evolving circumstances.

Procedures for Students with a Disability or Special Needs:

If building evacuation is indicated due to an emergency, please follow these procedures in order of priority:

- If you are able to evacuate safely under your own power, do so. Remember that elevators must not be used in the event of fire alarm, unless use is specifically authorized by emergency personnel.
- OR, make your way to an area of refuge in the building and await assistance from emergency responders. Specific locations of areas of refuge for the Brooklyn Campus are listed below.
- During an emergency, we ask that you confirm your location and need for assistance (or not) to Security if possible, as soon as possible. Your prompt notification of your whereabouts will help us to enhance your safety as well as ensure that first responders do not take unnecessary risks searching for individuals who are already safe and sound.

Areas of refuge in case of building evacuation: (for persons unable to self-evacuate)

Bais Yaakov of 18th Avenue Location:

- Either of the 3rd floor stairwells

Cope Education Location:

- First floor lobby

Ditmas Location:

- Holding rooms, designated areas where individuals who are physically disabled wait for assistance, are posted in every classroom, auditorium, and cafeteria. Holding rooms are left unlocked during hours in which the building is open for classes or events.

Crisis Management Contacts for Brooklyn Campus:

Director of Cope Educational Services (Cope Education Location)

Director of Alternative Certification (Ditmas & Cope Education Locations)

MISSING PERSON POLICY

Daemen College's Brooklyn Campus does not offer resident housing, and therefore does not have a missing person policy.

ALCOHOL AND OTHER DRUG POLICIES

Student Activities

Daemen College allows students who comply with the New York State minimum drinking age of 21 years of age to consume alcohol as a privilege, but not as a right, and within specified guidelines and limitations, at certain College events, as determined by the Director of Student Activities. These events are generally limited to those where a significant number of students over the age of 21 are anticipated to attend.

The College expects that students who choose to consume alcohol will do so responsibly. Individuals or groups who conduct themselves in a disorderly manner, destroy property, or infringe upon the rights of others are accountable for their behavior and will be subject to campus disciplinary action and/or appropriate civil or criminal actions. In other words, drunkenness is a problem, not an excuse for one. These policies and regulations apply to all members of the College community and their invited guests.

1. All alcoholic beverages are to be provided by Daemen College Dining Service at all events approved for alcohol service.
2. All student social functions involving alcohol are usually limited to members of the Daemen College community and their escorted guests. Students are liable for the actions of their guests. The Director of Student Activities will generally refuse alcohol requests for events where unescorted visitors may be expected. The Director may refuse entry of any person to any College event.
3. Alcohol abuse will not be tolerated. Alcohol may not be offered as a prize or reward, or consumed in contests. Social participants are allowed to purchase no more than one alcoholic drink at a time (or at the discretion of the Director of Student Activities).
4. Dining Service bartenders, Safety officers, group moderators, the Director of Student Activities, and the Vice President for Student Affairs/Dean of Students have authority to refuse the purchase of alcohol by any person who appears to be intoxicated or troublesome and that person may be required to leave a social event.
5. Aside from the specifications permitting alcohol at certain student activities, and the guidelines for alcohol permitted in the residence halls listed in the Student Handbook, alcohol cannot be consumed on campus grounds or in private automobiles while on campus grounds.

Daemen College Drug and Alcohol Abuse Prevention Policy

Pursuant to the U.S. Department of Education Regulations implementing the Drug-Free Schools and Communities Act Amendments of 1989, Daemen College establishes the following policy and regulations:

Policy Statement: Daemen College endeavors to establish for its students, faculty and staff an environment in which the misuse of alcohol and drugs is minimized, which encourages moderation, safety and personal accountability, and which provides an atmosphere free of coercion and peer pressure to abuse alcohol or use illegal drugs. The College strongly believes and encourages the use of treatment and educational programs as the most effective means to reduce and prevent substance abuse of any kind. All members of the Daemen community should exercise sound judgment and be mindful of their personal health, safety and well-being, as well as that of their friends and guests, by observing all laws regulating drug and alcohol and the College rules expressed in this Policy and elsewhere in the Student Handbook.

Standards of Conduct: The unlawful possession, use or distribution of alcohol and illegal drugs by students and employees on college property or while engaged in College activities off the College campus is prohibited. While the College permits the lawful use of alcohol by students and guests on campus in accordance with the College alcohol policy (see following section), any abuse of this privilege will be subject to College disciplinary action and/or appropriate criminal sanctions.

Legal Sanctions Regarding Alcohol: Under New York State law it is illegal:

- To provide alcohol to persons under the age of 21 or to persons who are visibly intoxicated. Providing alcohol to persons under the age of 21 is a Class A misdemeanor which is punishable by imprisonment for up to one year, a fine of not more than \$1,000 and/or 3 years probation;
- To misrepresent the age of a person under the age of 21 for the purpose of inducing a sale of alcohol. Those found guilty of violating this law shall be punished by a fine of not more than \$200, or by imprisonment for not more than five days, or by both fine and imprisonment;

- For a person under the age of 21 to possess alcohol with the intent to consume it. Those found guilty of violating this law shall be punished by a fine of not more than \$50 and/or required to complete an alcohol awareness program and/or required to provide up to 30 hours of community service;
- For any person under the age of 21 to present or offer any written evidence of age which is false, fraudulent or not actually his own, for the purpose of purchasing or attempting to purchase alcohol. Those found guilty of violating this law shall be punished by a fine of not more than \$100, and/or required to complete an alcohol awareness program and/or required to provide up to 30 hours of community service. Additionally, if it is found that a New York State driver license was the written evidence of age used for the purpose of the purchase or attempted purchase, the person's license to drive a motor vehicle may be suspended for 90 days. Lastly, alteration of the required forms of identification (driver license, passport or armed forces ID card) may constitute "possession of a forged instrument... with intent to defraud," which is a Class D felony under New York State penal law.

Legal Consequences of Operating a Vehicle While Under the Influence of Alcohol or Drugs

- Operating a Motor Vehicle After Consuming Alcohol While Under Age 21. Any person under age 21 who operates a motor vehicle after having consumed alcohol, as determined by a blood-alcohol content of at least .02%, may be referred to the Department of Motor Vehicles for license suspension or revocation, and a \$125 charge. V&T Law § 1192-a.
- Driving While Ability Impaired (DWA) (more than .05% but less than .08% Blood Alcohol Content (B.A.C.) First violation (Traffic Infraction): Mandatory \$300-\$500 fine; and/or imprisonment up to 15 days; mandatory 90 day license revocation. Subsequent violations increase the fine, possible imprisonment and length of revocation.
- Driving While Intoxicated (DWI) (.08% B.A.C. or higher or while impaired by the use of a drug) 1st Violation (Misdemeanor): Mandatory \$500-\$1,000 fine and/or 1 year imprisonment; Mandatory 6-month minimum license revocation. Two violations within 10 years can result in jail for up to 4 years and a 1 year revocation of your license to drive. If there is personal injury, a possible lifetime revocation can result.
- If you are under the age of 21 and charged with DWAI, or DWI, and you are convicted of such charges, your license will be revoked for a minimum of one year. If you drive while your license is suspended or revoked, or if you refuse a chemical test, you face a mandatory jail term of 7-180 days and a mandatory fine of \$500-\$1,000.

Drugs

There are several New York State and Federal laws prohibiting the use and/or sale of controlled substances (drugs such as marijuana, heroin, cocaine, PCP, LSD, methamphetamine and fentanyl). Misuse and sale of prescription medications is also prohibited. Prescriptions are meant to be used only by the person for whom the prescription is written. A conviction can result in a substantial fine and/or a lengthy imprisonment. Remember that the conviction of a crime will remain on your record and can impact your ability to find suitable employment or get a professional license and can impair your ability to travel.

Daemen College Sanctions

Members of the College community who violate this policy will be subject to discipline via the Student Code of Conduct. Taking into account the circumstances of each case, sanctions for students may range from warnings to expulsion from the College, and sanctions for faculty and staff members may range from warnings to termination. At the discretion of the College, as an alternative to, or in addition to any disciplinary action taken, students or employees may be required to participate in and to complete satisfactorily an appropriate counseling or rehabilitation program. Records of such discipline may be maintained in a student's record or an employee's personnel file. Enforcement of these sanctions will be through the College's existing disciplinary procedures for students, faculty, and staff, as appropriate.

Health Risks

Abusing drugs and/or alcohol among other things can make you sick, lower your job performance, put you in prison, cause dependency, be expensive and cost you your life.

Alcohol use will dull your senses, impair coordination, slur your speech, cause mood changes, depress brain functions, lead to irreversible brain damage, damage liver, heart, and pancreas, irritate your stomach, and possibly cause physical damage to your unborn baby.

Drug use may increase your heart rate and blood pressure, cause tremors and convulsions, produce heart, liver, and kidney damage, cause personality changes, confusion, and depression, lead to paranoia and hallucinations, injure your unborn baby, and lower your resistance to disease—including STDs and AIDS.

CRIME STATISTICS

In accordance with the Clery Act, a copy of the Crime Statistics Report is available to all members of the campus community. A copy of the report may be reviewed on page 18 of this document. The procedures for preparing the annual

disclosure of crime statistics include reporting statistics to the Daemen College community obtained from the following sources: Daemen College Campus Safety, Housing and Residence Life, Collegiate Village and local police municipalities. For statistical purposes, crime statistics reported to any of these sources are recorded in the calendar year the crime was reported. All statistics are gathered, compiled, and reported to the Daemen College community via this report, entitled "Annual Security and Fire Safety Report" which is published by Daemen College. Daemen College submits the annual crime statistics published in this brochure to the Department of Education (ED). The statistical information gathered by the Department of Education is available to the public through the ED website. Daemen College sends an e-mail to every enrolled student and current employee on an annual basis. The e-mail includes a brief summary of the contents of this report. The e-mail also includes the address for the Daemen College website where the "Annual Security and Fire Safety Report" can be found online (daemen.edu/campussafety) and a physical copy may be obtained by making a request to the Daemen College Office of Student Affairs located in the Wick Center (716-839-8332).

Definitions of reportable crimes in the Campus Security Act

1. **Murder and Non-Negligent Manslaughter** is defined as the willful (non-negligent) killing of one human being by another.
2. **Negligent Manslaughter** is defined as the killing of another person through gross negligence.
3. **Sex Offenses—Forcible** is defined as any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent.
4. **Sex Offenses—Non-forcible** are incidents of unlawful, non-forcible sexual intercourse. Only two types of offenses are included in this definition.
5. **Domestic Violence** includes asserted violent misdemeanor and felony offenses committed by the victim's current or former spouse, current or former cohabitant, person similarly situated under domestic or family violence law, or anyone else protected under domestic or family violence law.
6. **Dating Violence** means violence by a person who has been in a romantic or intimate relationship with the victim. Whether there was such relationship will be gauged by its length, type, and frequency of interaction.
7. **Stalking** means a course of conduct directed at a specific person that would cause a reasonable person to fear for her, his, or others' safety, or to suffer substantial emotional distress.
8. **Robbery** is the taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.
9. **Aggravated Assault** is an unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm.
10. **Burglary** is the unlawful entry of a structure to commit a felony or a theft. The Federal Bureau of Investigation's Uniform Crime Reporting Handbook (UCR) classifies offenses locally known as Burglary (any degree); unlawful entry with intent to commit a larceny or felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts at these offenses as Burglary.
11. **Motor Vehicle Theft** is the theft or attempted theft of a motor vehicle.
12. **Arson** is any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.
13. **Arrest**, for Clery Act purposes, is defined as persons processed by arrest, citation or summons.
14. **Illegal Weapons Possession** is defined as the violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature. Include in this classification: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; using, manufacturing, etc., of silencers; furnishing deadly weapons to minors; aliens possessing deadly weapons; and attempts to commit any of the above.
15. **Drug Law Violations** is defined as the violation of laws prohibiting the production, distribution and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics—manufactured narcotics which can cause true addiction (Demerol, methadone); and dangerous nonnarcotic drugs (barbiturates, Benzedrine).
16. **Liquor Law Violations** is defined as the violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages, not including driving under the influence

and drunkenness. Include in this classification: the manufacture, sale, transporting, furnishing, possessing, etc., of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating still; furnishing liquor to a minor or intemperate person; underage possession; using a vehicle for illegal transportation of liquor; drinking on train or public conveyance; and attempts to commit any of the above.

More detailed definitions and examples may be found at <http://www2.ed.gov/admins/lead/safety/handbook.pdf>

Crime Statistics

Refer to the charts on the following pages.

Daemen College, Brooklyn Campus Crime Statistics

OFFENSE	YEAR	ON-CAMPUS PROPERTY	ON-CAMPUS STUDENT HOUSING FACILITIES	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
MURDER / NON-NEGLIGENT MANSLAUGHTER	2011	0	0	0	0
	2012	0	0	0	0
	2013	0	0	0	0
NEGLIGENT MANSLAUGHTER	2011	0	0	0	0
	2012	0	0	0	0
	2013	0	0	0	0
SEX OFFENSES, FORCIBLE	2011	1	0	0	0
	2012	0	0	0	0
	2013	0	0	0	0
SEX OFFENSES, NON-FORCIBLE	2011	0	0	0	0
	2012	0	0	0	0
	2013	0	0	0	0
ROBBERY	2011	0	0	0	0
	2012	0	0	0	0
	2013	0	0	0	0
AGGRAVATED ASSAULT	2011	0	0	0	0
	2012	0	0	0	0
	2013	0	0	0	0
BURGLARY	2011	1	0	0	0
	2012	0	0	0	0
	2013	0	0	0	0
MOTOR VEHICLE THEFT	2011	0	0	0	0
	2012	0	0	0	0
	2013	0	0	0	0
ARSON	2011	0	0	0	0
	2012	1	0	0	0
	2013	0	0	0	0
ARRESTS: WEAPONS: CARRYING, POSSESSING, ETC.	2011	0	0	0	0
	2012	0	0	0	0
	2013	0	0	0	0
DISCIPLINARY REFERRALS: WEAPONS: CARRYING, POSSESSING, ETC.	2011	0	0	0	0
	2012	0	0	0	0
	2013	0	0	0	0
ARRESTS: DRUG ABUSE VIOLATIONS	2011	1	0	0	0
	2012	0	0	0	0
	2013	0	0	0	0
DISCIPLINARY REFERRALS: DRUG ABUSE VIOLATIONS	2011	0	0	0	0
	2012	0	0	0	0
	2013	0	0	0	0
ARRESTS: LIQUOR LAW VIOLATIONS	2011	1	0	0	0
	2012	0	0	0	0
	2013	0	0	0	0
DISCIPLINARY REFERRALS: LIQUOR LAW VIOLATIONS	2011	0	0	0	0
	2012	0	0	0	0
	2013	0	0	0	0
DATING VIOLENCE	2011	0	0	0	0
	2012	0	0	0	0
	2013	0	0	0	0
DOMESTIC VIOLENCE	2011	0	0	0	0
	2012	0	0	0	0
	2013	0	0	0	0
STALKING	2011	0	0	0	0
	2012	0	0	0	0
	2013	0	0	0	0

2011	Race				Gender				Religion				Sexual				Ethnicity				Disability			
	OC	NC	RF	PP	OC	NC	RF	PP	OC	NC	RF	PP	OC	NC	RF	PP	OC	NC	RF	PP	OC	NC	RF	PP
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Robbery	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Burglary	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Sex Offenses, Forcible	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Sex Offenses, Non-Forcible	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Larceny	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Vandalism	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Other Crimes Involving Bodily Injury	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	

2012	Race				Gender				Religion				Sexual				Ethnicity				Disability			
	OC	NC	RF	PP	OC	NC	RF	PP	OC	NC	RF	PP	OC	NC	RF	PP	OC	NC	RF	PP	OC	NC	RF	PP
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Robbery	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Burglary	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Sex Offenses, Forcible	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Sex Offenses, Non-Forcible	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Larceny	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Vandalism	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Other Crimes Involving Bodily Injury	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	

2013	Race				Gender				Religion				Sexual				Ethnicity				Disability			
	OC	NC	RF	PP	OC	NC	RF	PP	OC	NC	RF	PP	OC	NC	RF	PP	OC	NC	RF	PP	OC	NC	RF	PP
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Robbery	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Burglary	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Sex Offenses, Forcible	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Sex Offenses, Non-Forcible	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Larceny	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Vandalism	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Other Crimes Involving Bodily Injury	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	

OC=On Campus; NC=Non-Campus; RF=Residential Facility; PP=Public Property

Biased Related Crimes/Hate Crimes

In compliance with the New York state education Law, section 6436, Bias-related Crime Act of 2000, the following information is designed to outline to the Daemen College community the applicable laws on bias-related crimes, and the penalties for the commission of bias-related crimes, the procedures for reporting crimes, and the nature of and common circumstances relating to bias-related crimes.

Reporting a Bias-Related Crime:

If you are the victim of a bias-related crime, or you know, or suspect, that a member of the college community is a victim of a bias-related crime, the following resources are available to you to report bias-related crimes:

- On-site security at 917-549-4812/917-804-8753 (Cope Education & Bais Yaakov of 18th Avenue Locations) or 718-941-5154, Ext 100 (Ditmas Location).
- Associate Vice President of Academic Affairs, 716-839-8301, kboone@daemen.edu, Duns Scotus, Room 102
- Vice President for Student Affairs, 716-839-8332, Wick Center
- Brooklyn, NY 66 precinct, 718-851-5611 or 718-851-5641

Counselors, security staff and members of the department of student affairs are available to assist you.

Applicable Laws, Ordinances and Regulations on Bias-Related Crime: New York State Penal Law, Article 485 Hate Crimes; 485.00 Legislative findings.

“the legislature finds and determines as follows: criminal acts involving violence, intimidation and destruction of property based upon bias and prejudice have become more prevalent in New York State in recent years. The intolerable truth is that in these crimes, commonly and justly referred to as hate crimes, victims are intentionally selected, in whole or in part because of their race, color, national origin, ancestry, gender, religion, religious practice, age, disability or sexual orientation. ...our laws must be strengthened to provide clear recognition of the gravity of hate crimes and the compelling importance of preventing their recurrence.”

New York State Penal Law; 485.05, Hate Crimes:

A person commits a hate crime when he or she commits a specified offense and either intentionally selects the person against whom the offense is committed, or intentionally commits the act or acts constituting the offense in whole, or in substantial part because of a belief or perception regarding the race, color, national origin, ancestry, gender, religion, religious practice, age, disability or sexual orientation of a person, regardless of whether the belief or perception is correct. A specified offense is an offense defined by any of the following provisions of the New York State Penal Law:

- Assault in the third, second or first degree;
- Aggravated assault upon a person less than eleven years old;
- Menacing in the first, second or third degree;
- Reckless endangerment in the second or first degree;
- Manslaughter in the second or first degree;
- Murder in the second degree; stalking in the fourth, third, second or first degree;
- Rape in the first degree;
- Criminal sexual act in the first degree;
- Sexual abuse in the first degree;
- Aggravated sexual abuse in the second or first degree;
- Unlawful imprisonment in the second or first degree;
- Kidnapping in the second or first degree;
- Coercion in the second or first degree;
- Criminal trespass in the third, second or first degree;
- Burglary in the third, second or first degree;
- Criminal mischief in the fourth, third, second or first degree;
- Arson in the fourth, third, second or first degree;
- Petit larceny;
- Grand larceny in the fourth, third, second or first degree;
- Robbery in the third, second or first degree;
- Harassment in the first degree;
- Aggravated harassment in the second degree;
- or any attempt or conspiracy to commit any of the foregoing offenses.

Penalties for commission of bias-related crimes; New York State Penal Law 485.10 sentencing

1. When a person is convicted of a hate crime pursuant to this article, and the specified offense is a violent felony offense, as defined in section 70.02 of the NYPL, the hate crime shall be deemed a violent felony offense.
2. When a person is convicted of a hate crime pursuant to this article and the specified offense is a misdemeanor or a class C, D or E felony, the hate crime shall be deemed to be one category higher than the specified offense the defendant committed, or one category higher than the offense level applicable to the defendant’s conviction for an attempt or conspiracy to commit a specified offense, whichever is applicable.
3. Notwithstanding any other provision of law, when a person is convicted of a hate crime pursuant to this article and the specified offense is a class B felony:
 - a. the maximum term of the indeterminate sentence must be at least six years if the defendant is sentenced pursuant to section 70.00 of the NYPL.
 - b. the term of the determinate sentence must be at least eight years if the defendant is sentenced pursuant to section 70.02 of the NYPL.
 - c. the term of the determinate sentence must be at least twelve years if the defendant is sentenced pursuant to section 70.04 of the NYPL.
 - d. the max term of the indeterminate sentence or term of the determinate sentence must be at least ten years if the defendant is sentenced pursuant to section 70.06 of the NYPL.

4. Notwithstanding any other provision of law, when a person is convicted of a hate crime pursuant to this article and the specified offense is a class A-1 felony, the minimum period of the indeterminate sentence shall not be less than twenty years.

Students who commit a bias-related crime will also be subject to disciplinary action by the College.

Title IX Statement: Nondiscrimination & Equal Opportunity Policy

Daemen College is committed to compliance with its obligations under Title IX of the Educational Amendments of 1972, Title VI and VII of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act, the Age Discrimination in Employment Act, Executive Orders, the New York State Human Rights Law, and other applicable anti-discrimination laws.

It is the policy of Daemen College to provide all students, applicants, and employees an equal access to all programs, facilities, and employment opportunities without regard to race, color, sex, sexual orientation, age, religion, national origin, marital status, veteran status, disability, genetic predisposition, carrier status, or status as a victim of domestic violence. Furthermore, the College will not discriminate against any individual with respect to the application of College policies, terms and conditions of employment, or the criteria for the successful completion of any course or program on the basis of race, color, sex, sexual orientation, age, religion, national origin, marital status, veteran status, disability, genetic predisposition, carrier status, or status as a victim of domestic violence. To the extent required by law, the College will also take affirmative action to ensure that qualified women, minorities, veterans, and persons with disabilities are provided full employment opportunities. Every person in the Daemen College community is required to be familiar with and act in accordance with this policy. This includes administrators, faculty, staff, students, contractors, and vendors. All violations of this policy will be addressed and, where appropriate, discipline will be administered. Any person or entity found in willful violation of this nondiscrimination policy shall be subject to termination, expulsion, or contract termination as appropriate. The College President has assigned day-to-day responsibilities for the implementation and administration of this policy to the Associate Vice President for Academic Affairs who shall be the College's Equal Opportunity and Affirmative Action Officer. Any questions concerning this policy and any complaints of discrimination should be communicated to the Associate Vice President, Duns Scotus Hall, Room 102, 716-839-8301 (campus extension 8301).

A student also has the right to file a complaint of discrimination with the Office for Civil Rights (OCR) of the U.S. Department of Education. Complaints are to be filed within 180 calendar days of the alleged act of discrimination and may be made to the New York regional office of OCR:

New York Office
Office for Civil Rights
U.S. Department of Education
32 Old Slip, 26th Floor
New York, NY 10005-2500

Telephone: 646-428-3900
FAX: 646-428-3843; TDD: 877-521-2172
Email: OCR.NewYork@ed.gov

FIRE SAFETY REPORT

Daemen College's Brooklyn Campus does not offer resident housing, and therefore does not list a fire safety report.