

2011-2012 Annual Security Report

For Manhattan Campus

Submitted October 2012

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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, 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 <http://www.daemen.edu/offices/securityoffice>. 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 MANHATTAN CAMPUS

In partnership with the International Academic Alliance (IAA), Daemen College operates an NYSED authorized Site located at 1032 Avenue of the Americas in New York, NY (hereinafter referred to as "IAA" or "Site"). IAA currently offers Daemen courses at this Campus each semester Mondays through Fridays from 9AM to 8PM (with some classes scheduled to end as late as 10PM), and periodically schedules both graduate level classes and undergraduate laboratory courses on Saturdays and Sundays in the mornings and/or afternoons as teaching or scheduling needs dictate.

The Daemen College Manhattan Campus is housed on the 3rd and 4th floors of the building located at 1032 Avenue of the Americas. Classes are offered on the 3rd floor of the building, while the school's administrative offices, records, and certain student resources (computer lab, library, student advisors) are located on the 4th floor. The building does house other tenants unrelated to Daemen's and/or IAA's operations on the 2nd and 4th floors of the building; the 3rd floor is exclusive to IAA. Access to the building is restricted (the building is locked at street level with only authorized tenants being granted key access). Entry to the Daemen Campus by students and the public is granted through an electronic intercom system maintained by the building whereby students or other visitors must ring a buzzer on the ground floor which sounds on the 4th floor offices of IAA, alerting the IAA staff that entry to the building is being requested. Staff will remotely unlock the door to permit access to the building. It should be noted that the system of granting access to the building offers a low level of security. Visitors requesting intercom access to the building cannot be seen or spoken to by Daemen staff prior to entry, and therefore any request for entry to the building is generally granted if the intercom system is used. Further, any other tenant may similarly grant access to the building if their intercom systems are deployed without IAA's knowledge or consent.

Daemen currently employs a full-time staff member at its Manhattan Campus to provide oversight of the operations and the facility, ensuring that all Daemen policies and procedures are maintained. The staff does not have authority to detain or arrest individuals but will contact local police municipalities in the case of crime or emergency. During the week, the building is inspected daily by the Daemen Site Director, the executive and/or administrative staff of IAA, and/or the superintendent of the building (an agent of the landlord) for any safety hazards which are immediately addressed. IAA does possess the required Certificate of Occupancy from New York City certifying that the building has complied with local occupancy regulations.

Written Memorandum of Understanding (MOU) has been requested by Daemen College to the Midtown South precinct police department which provides aid to the Manhattan Campus.

GENERAL CONDUCT POLICIES

Daemen College expects its students to obey all applicable federal, state, and local laws, to behave in moral, ethical, professional, civil, and courteous ways, and to observe the specific policies, procedures, regulations, rules, and standards that are promulgated by Daemen College for conducting its own affairs.

THE COLLEGE RESERVES THE RIGHT TO DISMISS OR REQUEST THE WITHDRAWAL OF ANY STUDENT WHOSE ACADEMIC STANDING, ACADEMIC OR SOCIAL CONDUCT, OR MANNER RENDERS HIS/HER CONTINUED ATTENDANCE AT DAEMEN COLLEGE UNDESIRABLE (see the College Catalog).

Prohibited conduct is generally a matter of common sense. Listed below are some of the basic rules governing a person's behavior. Violation(s) of these rules, or other conduct which reflects unfavorably on the student or the College, may result in disciplinary action up to and including expulsion from the College. The following is PROHIBITED and is considered disorderly conduct:

1. Violence, including sexual assault, or the threat of violence, against any person including self.
2. Intimidation or harassment which has the intent or effect of preventing a person from performing his/her legitimate role at Daemen College, to include, but not be limited to, bullying, cyber-bullying, and harassment.
3. The use, possession, sale, or purchase of any type of unlawful drug. Possession, consumption, or sale of drugs is a serious offense which is subject to severe penalties. See the DAEMEN COLLEGE DRUG AND ALCOHOL ABUSE PREVENTION POLICY in this report. Additional information related to federal penalties at the US Drug Enforcement Administration can be found at: <http://www.justice.gov/dea/index.htm> and information on services rendered through the New York State Office of Alcoholism and Substance Abuse Services (OASAS) website: <http://www.oasas.state.ny.us/index.cfm>

4. As a matter of policy, the College will cooperate fully with all law enforcement agencies in the investigation and prosecution of substance abuse and trafficking cases. Violations of these regulations will cause the student to be subject to criminal prosecution, disciplinary action, or both. Distribution, sale, or use of drugs will ordinarily result in expulsion from the College. Prohibited drugs are defined as including, but not limited to:
 - marijuana
 - cocaine / crack
 - LSD
 - D.M.T.
 - barbiturates
 - mescaline
 - opiates
 - amphetamines
 - psilocybin
 - tranquilizers
 - Rohypnol (the "date rape" drug) and similar substances and all other drugs which are either outlawed outright or illegal when not prescribed by a physician. (A more extensive list can be found at the USDEA website link above.)
5. While on-campus or participating in Daemen College activities, possession or use of explosives, firearms, fireworks, knives, incendiaries, or other dangerous weapons, including gas or air guns.
6. Tampering with fire alarms and/or other fire safety equipment or otherwise hindering the proper function of the College's fire and/or safety procedures. No fires may be set by students at any time for any reason.
7. Cheating, plagiarism, or any other form of academic dishonesty (see "Academic Honesty" in the College Catalog and in the Student Handbook under Specific Policies for additional description).
8. Abusive or disruptive behavior on campus or at any College activity or event (on or off campus), the effect of which might bring discredit to Daemen College.
9. Disregard of the rights of other members of the campus community and/or their guests.
10. Failure to follow the directive of an official of the College or his/her representative.
11. Giving false information to any College official or office.
12. Gambling in any form, except legal raffles, lotteries, or casino gambling conducted by recognized student organizations and approved by the College.
13. Destruction, damage, or defacement of College property or that of students, vendors, or guests of the College.
14. The use, possession, sale, or purchase of alcoholic beverages by students under the legal age of 21.
15. Unauthorized distribution or receipt of copyrighted material. Use of College computing resources for any illegal activity, including violation of U.S. copyright law. (see File Sharing under Specific Policies in the Student Handbook)
16. Violation of any other College policies, procedures, and/or regulations.

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 Manhattan campus or at any off-campus instructional site is expected to report such conduct promptly to the police and to campus 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 you observe a crime, phone 911 immediately and follow the instructions of the police. Contact immediately thereafter the Daemen Site Director (by dialing extension 23 from any telephone located at the Campus, or at 646-366-8500 from outside the building, or at 917-991-4790 after hours), the executive or administrative staff of IAA (by dialing any extension 11 through 18 from the Campus or at 646-366-8500 from outside the building), and the Building Manager at 212-302-3000. Any crime directly involving a member of the off-campus community, whether as victim or alleged perpetrator, should also be brought to the prompt attention of the Daemen Site Director and the Daemen College Office of the President.

In addition, there are occasions when minors (persons under 18 years of age) may be at the 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 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 the Daemen Site Director and the Daemen College Office of the President.

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
NYC Police Department [Midtown South Precinct]	212-239-9811
Daemen Manhattan Site Director	646-366-8500 ext. 23 or 917-991-4790 (after hours)
IAA President	646-366-8500 ext. 18
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 staff at:

Daemen Manhattan Campus Site Director	646-366-8500 ext. 23 or 917-991-4790(after hours)
IAA President	646-366-8500 ext. 18

Alternatively, you 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 Site Director.

Upon written request, the Site 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 Site Director by email. Other forms may include information posters in key campus locations. The Site 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 Crisis Management Procedures on page 11 of this document.*

SECURITY OF AND ACCESS TO CAMPUS FACILITIES

The Daemen College Manhattan Campus at IAA is generally not open to the public, except as previously described. Access to the Campus is formally available to our students, staff, faculty members and guests of IAA when Daemen or IAA staff is on duty during the hours of 9AM to 8PM weekdays, and on weekends when classes are being offered. Due to late evening course scheduling, weekday evening classes are routinely conducted until 10PM, which results in a period of time between 8PM and 10PM when the facility has no Daemen or IAA administrative or supervisory security personnel on campus. During this interim period, faculty are expected to remain vigilant to possible breaches in safety or security while on campus and to take whatever actions they deem appropriate to maintain safety and security of Daemen students during these hours. To ensure Campus security during the late evening, prior to 8PM the departing Daemen or IAA staff will close off elevator access to the 3rd floor and will lock the interior stairway access doors to the 3rd floor where classes are held and to the 4th floor where administrative offices are located. Entry to these areas is not permitted once these access doors are locked. After 8PM, IAA staff is no longer available to respond to outside intercom access requests to enter the building. Once classes are completed, the Campus faculty ensures that students have safely left the building and are expected to extinguish all lights and shut down equipment and appliances previously in use. Upon departing the access doors are again locked so that entry by any outsiders is denied.

Daemen College's Manhattan Campus does not offer residence housing.

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 Security or the police. Students and employees are provided procedures and practices regarding safety at new student orientation, 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 to either the Daemen Site Director at 646-366-8500 ext. 23), to the IAA Executive Staff President, IAA at 646-366-8500 ext. 18 or the Chief Operating Officer, IAA at 646-366-8500 ext. 11 or to the Building manager at 212-302-3000.
- 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, will reduce the risk and help prevent crime on campus. 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 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 New York City Police at 911, then to the Daemen Site Director at 646-366-8500 ext. 23 or 917-991-4790 after hours, or to the President of IAA at 646-366-8500 ext. 18, and the Building Manager at 212-302-3000. 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 Site Director 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 Site Director, and/or the designated representative, in consultation with and with the approval of the Vice President for Student Affairs, have authority to impose the following discipline. Where appropriate, recommendations for suitable disciplinary action should be sought from chairpersons or other administrators.

- 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 Site Director 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 with the Site Director.

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).

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

Center for Families in Crisis	718-693-4490
Domestic Violence & Rape Crisis Services	973-881-0815
Gay and Lesbian Anti-Violence Project	212-714-1141
NYC Alliance Against Sexual Assault	212-229-0345
SAVI: Mt. Sinai Sexual Assault and Violence Intervention Program	212-423-2140 (hotline)

Enforcement Agencies and College Agencies

New York City Police [Midtown South precinct]	911
Midtown South Precinct	212-239-9811
New York County District Attorney	212-335-9000
Hate Crimes Hotline	212-335-3100 or 212-335-9291
Sex Crimes Hotline	212-335-9373
Immigrant Affairs	212-335-3600

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

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 of the 1972 Education Amendments and other applicable antidiscrimination laws.

Sex discrimination in the form of harassment on the basis of sex includes unwelcome sexual advances, sexual violence, requests for sexual favors and other verbal or physical conduct of a similar nature when (1) submission to such conduct is

either explicitly or implicitly a term or condition of an individual's education or employment, (2) submission to or rejection of such conduct by an individual is used as the basis for academic or employment decisions affecting the individual, or (3) such conduct has the purpose or effect of substantially interfering with an individual's performance or creating an intimidating, hostile, or offensive educational or working environment. Further, Daemen College will take all steps necessary to prevent such discrimination and effectively address incidents of unlawful harassment, including the imposition of appropriate sanctions.

Sexual harassment is illegal under both state and federal law. Inquiries regarding compliance with Title IX may be directed to the Title IX campus coordinator, the Associate Vice President for Academic Affairs, who is the College's Equal Opportunity and Affirmative Action Officer, at 716.839.8301 (campus extension 8301), Room 102, Duns Scotus Hall.

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:

- 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
- Threats, demands, or suggestions that a student's or employee's status depends in any way upon tolerating or accepting sexual advances or sexually oriented conduct; or
- 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, applicants, or third parties (such as participants in College-sponsored events) in violation of these rules is absolutely prohibited and will not be tolerated.

Conduct that occurs off campus, including that perpetrated 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.

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, 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 educational or employment 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:

- Abusing a student or employee 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, national origin, marital status, veteran status, disability, genetic predisposition, carrier status, or status as a victim of domestic violence; and
- 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, 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 educational environment or workplace.

Any harassment of Daemen College employees, students or applicants 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.

Retaliation

Retaliation against anyone for exercising one's rights under this policy is also strictly prohibited and will not be tolerated. This includes retaliation for inquiring about one's rights, or for making a good faith 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.

No One Has Authority to Violate This Policy

Under no circumstance does any faculty member, administrator, trustee, other employee, or student of the College, or any other person, 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 you have any questions about whether conduct that you find

objectionable is authorized by the College, please contact the Associate Vice President for Academic Affairs, who is the College's Equal Opportunity and Affirmative Action Officer and Title IX Coordinator.

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.

Procedures for Reporting and Investigating

You are encouraged to promptly report any conduct that you 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, or in the case of student-on-student conduct to the Vice President for Student Affairs and Dean of Students (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 VPAA/Title IX Coordinator. Alternatively, you may initially discuss the matter with any other employee of the College such as your Site Director, or involve any other person to help you in bringing your complaint forward, so long as your 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.

Complaints will be handled pursuant to the Grievance Procedure in Discrimination and Harassment Case 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 insure 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 complainant's requests 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 complainant will be informed 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.

Please do not allow conduct that may violate this Policy to continue unreported. It is extremely important that possible cases of discriminatory harassment be reported so that the College can act to stop such conduct at the earliest possible time.

Grievance Procedure in Discrimination and Harassment Cases

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/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. 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.

Grievance Processing

Step 1.

The EOAA Officer 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 be addressed at 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 for a 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. Thereafter, the Cabinet member/Vice President or his/her designated representative (Grievance Officer) will conduct an investigation with respect to the grievance. 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 Daemen College President of all or part of the Grievance Officer's decision by filing an appeal with the Daemen College Office of the President within 10 days after the decision is rendered. The Daemen College 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's procedures were substantially complied with. The Daemen College President's decision will be rendered within 30 days of filing the appeal. The Daemen College 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 Manhattan 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 Daemen Manhattan Campus Site Director at 646-366-8500 ext. 23 or 917-991-4790 after hours, the IAA Staff at 646-366-8500 and the Building Manager at 212-302-3000. Apprise the police/Site Director/IAA staff/Building manager of your precise location and the name of the individual(s) involved. The Site Director, or his designee from IAA, will assist medical authorities in finding their way around the building. It is imperative that Site Director 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 the Site Director. 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:

- Take main staircase straight down to the ground level at Avenue of the Americas or alternate staircase (east side of building) out to ground level at 39th Street. Walk to SW corner of 39th Street and Avenue of the Americas. Do not take elevators.
- Alternate meeting point: Walk to SW corner of 39th Street and Fifth Avenue to meet if access to 39th St/6th Avenue is restricted.

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

Immediate Notification:

If the Site Director, or his designee from IAA, 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 below 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 Site Director, or his designee from IAA, will, without delay and taking into account the safety of the community, determine the content of the notification and initiate the notification system, 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. Both notifications may be made using the communication systems listed below.

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 Site Director, or his designee from IAA, by email. Other forms may include information posters in key campus locations. The Site Director, or his designee from IAA, 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.

Crisis Management Procedures:

In the event of a major emergency which physically, or emotionally, disrupts normal campus operations, the Site Director, or his designee from IAA, may direct that the campus operates 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 location of area of refuge for Manhattan Campus is listed below.
- During an emergency, we ask that you confirm your location and need for assistance (or not) to the Site Director, or his designee from IAA, 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.

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

- For both floors utilized at the Manhattan Campus it has been deemed that the main stairwell (adjacent to the passenger elevator) will be used as the area of refuge.

Definition of a Crisis

A crisis includes, but is not limited to, events such as the following:

- An on-campus event posing immediate or potentially immediate risk to human safety, such as (i) fire, (ii) dispersion of hazardous substance (e.g., chemical, biological), (iii) explosion, (iv) bomb or similar threat, (v) human activity posing risk to safety (e.g., weapons involvement, hostage-taking), (vi) communicable disease epidemic.
- An on-campus event involving or posing the immediate risk of significant property damage.
- Loss of basic resources (e.g., power, water) of breadth or duration sufficient to imperil the well-being and safety of the campus community.
- An off-campus event posing significant risk or threat of risk to human safety or campus property, or otherwise causing grave human concern sufficient to disrupt normal operations (e.g., terrorist attack, declaration of disaster by civil authorities).

Campus emergencies such as, but not limited to, the following will not ordinarily trigger declaration of a crisis:

- Events restricted to a specific location and capable of being brought under control without significant risk to human safety.
- Incidents, with or without injury, involving a small number of persons and susceptible to intervention and control by appropriate professionals (e.g., security staff, paramedics, firefighters, police).
- Power or water outages of limited duration and/or scope.

Crisis Management Contacts for the Manhattan Campus:

Director – Daemen Manhattan Campus (on-site)
President, IAA (on site)
Chief Operating Officer, IAA (on site)
Director of NY/Brooklyn Accounting Programs (Main campus)

MISSING PERSON POLICY

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

ALCOHOL AND OTHER DRUG POLICIES

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.

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 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 three 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 (DWAI) (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 one year imprisonment; Mandatory 6-month minimum license revocation. Two violations within ten years can result in jail for up to four years and a one 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). 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, get a professional license and impair your ability to travel.

Daemen College Sanctions

Members of the College community who violate this policy will be subject to discipline. 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 15 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 Manhattan Campus Site Director, 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 (<http://www.daemen.edu/security>) and a physical copy may be obtained by making a request to the Daemen College Office of Student Affairs located in the Wick Center (716-839-8519).

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. **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.
6. **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.
7. **Burglary** is the unlawful entry of a structure to commit a felony or a theft. The 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.
8. **Motor Vehicle Theft** is the theft or attempted theft of a motor vehicle.
9. **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.
10. **Arrest**, for Clery Act purposes, is defined as persons processed by arrest, citation or summons.
11. **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.

12. **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).
13. **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 a still; furnishing liquor to a minor or intemperate person; underage possession; using a vehicle for illegal transportation of liquor; drinking on a 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.

Manhattan Campus Crime Statistics

OFFENSE	YEAR	ON-CAMPUS PROPERTY	ON-CAMPUS STUDENT HOUSING FACILITIES	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
MURDER / NON-NEGLIGENT MANSLAUGHTER	2009	0	0	0	0
	2010	0	0	0	0
	2011	0	0	0	0
NEGLIGENT MANSLAUGHTER	2009	0	0	0	0
	2010	0	0	0	0
	2011	0	0	0	0
SEX OFFENSES, FORCIBLE	2009	0	0	0	0
	2010	0	0	0	0
	2011	0	0	0	0
SEX OFFENSES, NON-FORCIBLE	2009	0	0	0	0
	2010	0	0	0	0
	2011	0	0	0	0
ROBBERY	2009	0	0	0	0
	2010	0	0	0	0
	2011	0	0	0	0
AGGRAVATED ASSAULT	2009	0	0	0	0
	2010	0	0	0	0
	2011	0	0	0	0
BURGLARY	2009	0	0	0	0
	2010	0	0	0	0
	2011	0	0	0	0
MOTOR VEHICLE THEFT	2009	0	0	0	0
	2010	0	0	0	0
	2011	0	0	0	0
ARSON	2009	0	0	0	0
	2010	0	0	0	0
	2011	0	0	0	0
ARRESTS: WEAPONS: CARRYING, POSSESSING, ETC.	2009	0	0	0	0
	2010	0	0	0	0
	2011	0	0	0	0
DISCIPLINARY REFERRALS: WEAPONS: CARRYING, POSSESSING, ETC.	2009	0	0	0	0
	2010	0	0	0	0
	2011	0	0	0	0
ARRESTS: DRUG ABUSE VIOLATIONS	2009	0	0	0	0
	2010	0	0	0	0
	2011	0	0	0	0
DISCIPLINARY REFERRALS: DRUG ABUSE VIOLATIONS	2009	0	0	0	0
	2010	0	0	0	0
	2011	0	0	0	0
ARRESTS: LIQUOR LAW VIOLATIONS	2009	0	0	0	0
	2010	0	0	0	0
	2011	0	0	0	0
DISCIPLINARY REFERRALS: LIQUOR LAW VIOLATIONS	2009	0	0	0	0
	2010	0	0	0	0
	2011	0	0	0	0

Manhattan Campus Hate Crime Statistics

2009	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	

2010	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	

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	

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:

- Daemen Manhattan Site Director, at 646-366-8500 ext. 23 or 917-991-4790 after hours, the IAA Staff (646-366-8500) and the Building manager at 212-302-3000.
- Associate Vice President for Academic Affairs, 716-839-8301, kboone@daemen.edu, Duns Scotus, Room 102
- Vice President for Student Affairs, 716-839-8332, Wick Center
- New York City Police Department [Midtown South Precinct] 212-239-9811

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 Daemen 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 Manhattan Campus does not offer residence housing and therefore does not list a fire safety report.