

# 2011-2012 Annual Security & Fire Safety Report

*For Lakewood NJ 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 LAKEWOOD, NJ CAMPUS

Located at Bnos Bais Yaakov, 155 Oberlin Avenue N., Lakewood Township, NJ 08701, Daemen College, in partnership with Testing & Training International (TTI), offers classes on Sundays for the purpose of providing members of the Chasidic Jewish community with a M.S. Alternative Teacher Certification (Trans-B) in Early Childhood/Early Childhood Special Education (Birth to Grade 2) and Childhood/Childhood Special Education (Grades 1-6). Bnos Bais Yaakov, a High School for Jewish girls, is rented by TTI and only used by Daemen College/TTI on Sundays, when classes are offered to our teacher candidates, and on some Tuesdays. On Sunday, when classes are offered to the graduate teacher candidates, security is offered to Daemen College/TTI faculty, staff and students in order to ensure the safety of all individuals who are in the building. TTI contracts with an individual who has served as the Tuesday night guard when the student teaching seminars and writing courses are held. He also services TTI's undergraduate department and is therefore experienced in the field.

## 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 main 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 security guard, at **848-210-3157**. Any crime directly involving a member of the off-site campus community, whether as victim or alleged perpetrator, should also be brought to the prompt attention of the Office of the President.

In addition, there are occasions when minors (persons under 18 years of age) may be on the off-site 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 security and the local police authorities (call 911). A call may also be made to the NJ Child Abuse Hotline at 877-NJABUSE (652-2873). Any such conduct involving a Daemen student or employee should also be brought to the attention of the 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 disclosures are:

Emergency	911
Lakewood Township Police Department in	732-363-0200
Ocean County Sheriff's Department	732-929-2044
On-campus Security Guard	848-210-3157
Director of Alternative Certification Programs	716-839-8352
Director of Lakewood Daemen College/TTI Program	732-664-3759 or 732-942-6460
Vice President of Student Affairs	716-839-8519
Associate Vice President of 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

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 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 Crisis Management Procedures on page 12 of this document.*

### **SECURITY OF AND ACCESS TO CAMPUS FACILITIES**

The Daemen College off-site instructional facility at Bnos Bais Yaakov High School, 155 Oberlin Avenue N., Lakewood Township, NJ 08701, is generally not open to the public on Sundays or on some Tuesday evenings. However, access is available to our teacher candidates, staff, and faculty during the hours from 8:00am to 5:00pm on every Sunday classes are in session as well as on select evenings when student teaching seminars or orientation is being held.

Daemen College does not offer any residence halls at the Lakewood, NJ 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 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:

- o Travel with a companion whenever possible.
- o Follow parking regulations. Park in lighted areas of the parking lots if you will be leaving class after dark.
- o Keep your gas tank full.
- o Always lock your car -- both when you are in it and when you are out of it.
- o Have your keys ready when you go to unlock your car. Be sure no one is inside your car as you enter.
- o Never hitchhike nor pick up hitchhikers.
- o Drive to a police station, fire station, or other very public place if you think a person is following you.
- o When on an elevator, stay near the controls. Push every button at the first sense of an attack.
- o 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.
- o Do not ride with someone you do not know.
- o 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.
- o Tell your friends where you are going and when you expect to return.
- o Report all suspicious persons seen to the security on site at 917-549-4812/917-804-8753 (Cope Education & Bais Yaakov of 18th Avenue Campuses) or 718-438-0155, Ext 115 (Montauk Campus).
- o 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 security at 848-210-3157 and to Lakewood Township NJ 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 the Mental Health Association of NJ, Lakewood Township, at 1-800-367-8850 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 Program Director, and/or the designated representative, in consultation with and the approval of the Vice President for Student Affairs has the 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 Program 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 Program 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 and College Offices**

Behavioral Healthcare of Catholic Charities	732-350-4120
Brighter Days Self-Help Center	732-534-9960

Contact of Ocean & Monmouth Counties	
24 Hour Crisis Listening Hotline	732-240-6100
South Jersey	609-693-5834
Seashore Family Services of NJ	
Brick	732-920-2700
Toms River	732-244-1600
Hatzolah (in lieu of 911 for health emergencies)	732-370-3600
Kimball Medical Center, (PESS)	
Psychiatric Emergency Screening Services	732-886-4474
	866-904-4474
Mental Health Association	732-914-1546
NAMI Ocean County, Inc.	732-244-4401
NJ Mental Health Cares	866-202-HELP
Ocean Mental Health Services	732-349-5550
O.C. Mental Health Board	732-506-5374
Preferred Behavioral Health of NJ	732-367-4700
CHEMED	732-364-2144.
St. Barnabas Behavioral Health Center	800-300-0628
St. Francis Counseling Service	609-494-1554

Campus Student Counseling Services in Amherst:	
Dr. Anne Gilles-Thomas	716-839-8337
Nick Gazzoli	716-913-7501
Deloris Fields	716-837-7878
Student Affairs Staff or Dean of Students	716-839-8332

<b>ENFORCEMENT AGENCIES:</b>	<b>PHONE</b>
Ocean County Prosecutor's Office	732-929-2027
Ocean County Sheriff's Department	732-929-2044
Lakewood Township Police	732-363-0200
Emergency	911

**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 or the local police department.

For further information, contact the Health & Insurance Services Office, Wick Center at the Main Campus in Amherst, NY (716-839-8446), or call one of the following counselors directly:

Nick Gazzoli, M.S.	Anne Gilles-Thomas, Ph.D.	Deloris Fields, L.M.S.W.
716-913-7501	716-839-8337	716-837-7878

**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 (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 VPAA/Title IX Coordinator. Alternatively, you may initially discuss the matter with any other employee of the College such as your Program 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 (campus extension 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 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's procedures were substantially complied with. 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 Lakewood, NJ Campuses' 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:

- o If it is of a serious nature that requires police, rescue squad and/or ambulance, dial 911 immediately.
- o Always call Security at 848-210-3157. Apprise them of your precise location and the name of the individual(s) involved. Security will assist medical authorities in finding their way around the building. It is imperative that Security is alerted to any emergency.
- o If the emergency involves a student, Security will alert the local agencies for assistance. Only essential information will be released. Confidentiality of health records is safeguarded at all times.
- o 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.
- o 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.

The designated exit for leaving the building in the case of an imminent emergency is the side exit, which is on the west side of the building and is adjacent to the parking lot which faces Oberlin Avenue. This is also the most logical place for a person who is handicapped to wait for assistance, since it is the exit closest to the classrooms and the entrance/exit is flush to the doorway and the sidewalk.

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

### **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 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 Program Director 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 on-going 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 email. 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.

**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 Bnos Bais Yaakov, 155 Oberlin Avenue N., Lakewood Township, 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)

The designated exit for leaving the building in the case of an imminent emergency is the side exit, which is on the west side of the building and is adjacent to the parking lot which faces Oberlin Avenue. This is also the most logical place for a person who is handicapped to wait for assistance, since it is the exit closest to the classrooms and the entrance/exit is flush to the doorway and the sidewalk.

**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 Lakewood, NJ Campus:**

**Executive Team:** the President and all Cabinet members (Vice Presidents for Business Affairs, Academic Affairs, External Relations, Student Affairs, and Enrollment Management), plus designated Board of Trustees liaison.

**Crisis Team:**

Associate Dean for the Education Department  
Coordinator of Alternative Certification, Lakewood, NJ (on-site)  
Director of Alternative Certification  
Director of Academic Computing Services  
Director of Web Communications  
Director of College Relations  
Director of Health & Insurance Services (and counseling staff if needed)  
Associate Vice President of the College (and appropriately skilled faculty and academic support staff to assist as needed)  
Personnel Director  
Switchboard Operator

Members of the campus community may obtain further detail on crisis management policy and procedures on request from the Vice President of Student Affairs and Dean of Students, 716-839-8332.

## MISSING PERSON POLICY

Daemen College's Lakewood, NJ Campus does not offer resident 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

Comment [DC1]: Kim, do you know the NJ law?

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 Jersey 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 16 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 Lakewood, NJ Campus Program 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 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.

Bais Yaakov of 18th Avenue Campus Crime Statistics

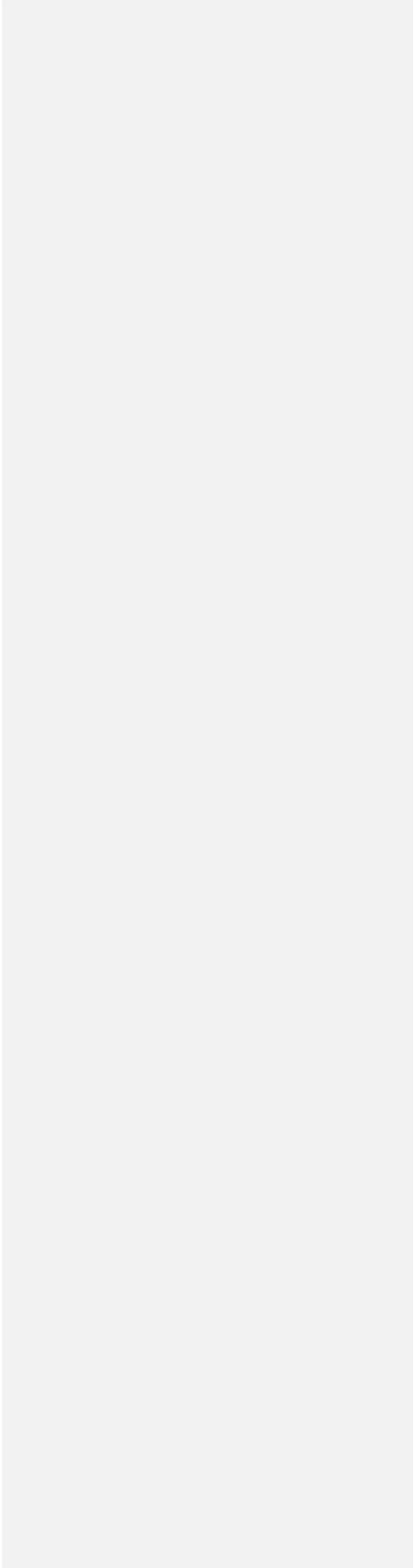
OFFENSE	YEAR	ON-CAMPUS PROPERTY	ON-CAMPUS STUDENT HOUSING FACILITIES	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
MURDER / NON-NEGLIGENT MANSLAUGHTER	2009	0	0	0	0
	2010	0	0	0	0
	2011	0	0	0	0
NEGLIGENT MANSLAUGHTER	2009	0	0	0	0
	2010	0	0	0	0
	2011	0	0	0	0
SEX OFFENSES, FORCIBLE	2009	0	0	0	0
	2010	0	0	0	0
	2011	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

Cope Education 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

**Montauk Campus Crime Statistics**

**Bais Yaakov of 18th Avenue Campus Hate Crime Statistics**





Montauk Campus Hate Crimes Statistics

### 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-campus Security Guard 848-210-3157
- Director of Lakewood Daemen College/TTI Program 732-664-3759 or 732-942-6460
- Director of Alternative Certification Programs 716-839-8352
- Lakewood Township Police Department in 732-363-0200
- 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

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 Campuses does not offer resident housing, and therefore does not list a fire safety report.