



**2013-2014**

**Annual Security**  
**& Fire Safety Report**

**Amherst Campus**

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## **ABOUT THE ANNUAL SECURITY & FIRE SAFETY REPORT**

The Medaille College Department of Public Safety and Office of Student Affairs, under the direction of the Vice President of Business and Finance, are 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.medaille.edu/security-and-fire-report-2013.pdf> and each member of the Medaille College community receives an email annually that describes the report and provides its web address. The report is also made available to prospective students and employees. A copy of the report can be obtained any time at the Public Safety office.

## **ABOUT THE DEPARTMENT OF CAMPUS PUBLIC SAFETY**

The Medaille College Campus Public Safety Department shall provide a safe and secure campus environment for a diverse community of students, faculty, staff and visitors while maintaining and encouraging an atmosphere of learning. This shall be accomplished by establishing a liaison and partnership with all segments of the campus community. Lines of communication will be set up with all student and faculty associations, internal campus departments as well as outside community groups, organizations and neighborhood associations. It will be the primary responsibility of the Campus Public Safety Department to work proactively with the students, faculty and staff to identify report, reduce and remove the opportunity of crime and criminal activity before it should occur.

The Medaille College Campus Public Safety Department, located at 2 Agassiz Circle, is open 24 hours a day providing around-the-clock services to the campus community. Officers are on duty 24 hours a day, seven (7) days a week, 365 days a year. The office aids in enforcement of federal, state, and local statutes and Medaille College Policies and Regulations.

All Medaille College Public Safety officers complete a New York State Peace Officer Equivalency Training Course and are AED/CPR certified. However, they do not have law enforcement arrest powers; they have the same arrest powers and authority as that of an average citizen. Under the New York State Penal law, every citizen has a right to make an arrest for a criminal offense without a warrant if the arrested person has committed a felony in his/her presence or if the arrested person has committed a felony offense outside the presence of the officer, but the arresting person has reasonable cause to believe that a felony has been committed.

Medaille College has submitted a Memorandum of Understanding with the Town of Amherst Police Department. This agency has primary responsibility and jurisdiction, to investigate crimes and respond to emergencies, on the Medaille College Campus. The Public Safety Department maintains a close working relationship with all local law enforcement agencies, all College and School Security, Safety and University Police agencies in Western New York.

We have assisted in the establishment of a Western New York Coalition of University and College Law Enforcement Professionals in the greater Buffalo and Rochester communities. Regular meetings are held to exchange information, enhance communication, provide training and assist each other with the development of proactive approaches to crime and criminal activity.

The primary objective of the Public Safety Department is to encourage a safe and healthy experience that enhances the campus learning experience and complements the College's educational mission. The Public Safety Department provides support services tailored to meet the needs of the College Community and advocates a law enforcement, security and emergency response for crimes on campus.

Some of the services we offer are:

- Issue school IDs for all students, faculty and staff
- Register and provide parking permits for students, faculty and staff
- Monitor security and safety systems in all campus buildings and facilities
- Provide OSHA safety inspections for all campuses
- Maintain key maintenance and control for entire college
- Schedule and provide transportation for campus activities
- Establish and implement Emergency Notification Systems
- Patrol all campus buildings, grounds and facilities
- Investigate all violations of law and school policies
- Investigate minor motor vehicle accidents and minor vehicle problems

- Test and maintain all security and fire-prevention equipment and alarms
- Inspect buildings for safety compliance
- Maintain a lost-and-found department

A number of well-marked emergency (**RED**) telephones are located throughout the campus. These telephone boxes are easily identified and connect directly to the Public Safety Department when lifting the receiver. They can be used to report a criminal incident, fire or any other type of emergency. Additionally, emergency telephones are located at the main entrance of both residence hall facilities. Emergency (**BLUE LIGHT**) phones are located on the exterior of the Public Safety Office at 2 Agassiz and the rear of Huber Hall. These telephone boxes are easily identified and connect directly to the Public Safety Department when pushing the receiver button.

To reach the Public Safety Department from off-campus or from a cell phone, dial (716) 880 – 2911. From an on-campus networked phone dial, extension 2911 to reach Public Safety.

## GENERAL CONDUCT POLICIES

Medaille 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 declared by Medaille College for conducting its own affairs.

Listed below are some of the basic rules governing a person's behavior on campus, non-campus property used by the college and at functions sponsored by the college or any group affiliated with the college. 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 dismissal from the college. The following is **PROHIBITED** and is considered disorderly conduct:

1. Violence, including assault, or the threat of violence, against any person.
2. Intimidation or harassment which has the intent or effect of preventing a person from performing his/her legitimate role at Medaille College, to include, but not 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 MEDAILLE COLLEGE ALCOHOL and DRUG ABUSE POLICY <http://www.medaille.edu/policy-handbooks>. 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 drug 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 immediate disciplinary action by college officials. Prohibited drugs are defined as including, but not limited to:
  - Marijuana
  - Cocaine/crack
  - LSD
  - Barbiturates
  - Mescaline
  - Opiates
  - Amphetamines
  - Psilocybin
  - Tranquilizers
5. While on campus or participating in Medaille 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 for any reason.
7. 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 Medaille College.
8. Disregard of the rights of other members of the campus community and/or their guests.
9. Failure to follow the directive of an official of the college or his/her representative.

10. Giving false information to any college official or office.
11. Gambling in any form, except legal raffles, lotteries or casino gambling conducted by recognized student organizations and approved by the college.
12. Destruction, damage, or defacement of college property or that of students, vendors or guests of the college.
13. The use, possession, sale or purchase of alcoholic beverages by students under the legal age of 21.
14. Violation of any other college policies, procedures and/or regulations.

## **CRIME REPORTING PROCEDURES/POLICY**

Medaille 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, and trustees – who observes criminal activity on the Medaille Amherst campus or at any off-campus instructional or athletic site is expected to report such conduct promptly to the police and to campus 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, immediately contact the Medaille College Public Safety Department at 716.880.2911 and follow their directives. In case of an emergency during off-site athletic practices or games, students are to report to the attending Public Safety Officer.

In addition, there are occasions when minors (persons under 18 years of age) are on the Medaille College campus or involved in college events. Any person, who observes the sexual abuse of a minor or has reasonable suspicion of such abuse, should immediately notify Medaille College Public Safety and the local police authorities (call 911). A call may also be placed to the NYS Child Abuse Hotline at 1.800.342.3720.

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 not be any form of retaliation within the Medaille College community against any person making a good faith report of suspected criminal activity.

If you wish to voluntarily report a crime confidentially you may do so via a counselor or pastor at the Medaille College Counseling Center at 716.880.2339. These reports will be included confidentially as part of the statistical disclosure to the Department of Education but will remain confidential. Professional counseling or pastoral staff will maintain confidentiality unless there is a court order or a life threatening situation.

All felony offenses reported to the College and/or Public Safety, occurring on campus, at a College sponsored event or on College owned/controlled property, will be reported to the Amherst Police for further investigation.

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 include:

<b>Medaille College Public Safety.....</b>	<b>716.880.2911</b>
<b>Director, Campus Public Safety.....</b>	<b>716.880.2485</b>
<b>Amherst Police Department.....</b>	<b>716.689.1322</b>
<b>Title IX Coordinator.....</b>	<b>716.880.2345</b>

### **Timely Warning for Reported Crimes**

In an effort to provide timely notice to the Medaille College community, and in the event of a serious incident which may pose an on-going threat to members of the Medaille College community, a Safety Alert is sent to all students and employees. The alerts are generally written and distributed, via campus email, by the Director of Public Safety and Vice President of Business and Finance. In addition to the campus email system notices will be posted on the college’s website, bulletin boards in strategic locations around campus and/or sent via the college’s emergency notification system (text and/or PA system). Incidents of aggravated assault and sex offense cases are considered on a case by case basis, depending on the facts of the case and whether there is a continuing danger to the campus community. For example, if an assault occurs between two students who have a disagreement, there may be no on-going threat to the Medaille College community members and a Safety Alert would not be distributed. The Director of Public Safety or designee, in consultation with appropriate campus personnel, reviews all reports to determine if there is an on-going threat to the community and if the distribution of a Safety Alert is warranted. Safety Alerts may also be issued for other crime

classifications, as deemed necessary.

## **SECURITY OF AND ACCESS TO CAMPUS FACILITIES, INCLUDING RESIDENCES**

Medaille College facilities are available for use by students, employees, alumni, invited visitors and those having direct business with the college. Renters who have made the appropriate arrangements to use college facilities may do so during the approved hours and using approved procedures for doing so. Medaille College academic and student services buildings are open from 6am-12am Monday through Friday with limited access on weekend and holidays. After hours buildings are locked and secured and only accessible by authorized personnel.

The Medaille College Residence Hall buildings (North Residence Hall and South Residence Hall) are permanently locked and secured, the only means of entrance is by use of an encoded student identification swipe card presented at the entrance to the building. Medaille College Residence Life houses students in varied accommodations ranging from single to double/triple dormitory-style rooms. Services and programs intended to enhance the quality of life and to assure the security and safety of the resident student body is a priority for the residence life administration and presented to residents on an on-going basis. All facilities are served by live-in residence directors and resident assistants. At least one professional staff member is on duty at all times, 24 hours a day, 7 days a week. Security and safety policies and procedures, especially regarding locking individual rooms and building doors and related precautions, are discussed with residents in crime prevention seminars, in routine floor meetings conducted by the residence life staff and in printed material that is posted and distributed by the staff.

Security and college officials maintain the authority to ask those on college property for proper identification and to escort unwanted visitors off campus property and if needed refer to the Amherst Police for possible arrest for criminal trespass.

## **CRIME PREVENTION AND SECURITY AWARENESS PROGRAMS**

### **Crime Prevention Measures**

Most on-campus crime can be prevented if rules are followed and common sense safety tips are observed. The college is extremely committed to maintaining safe and secure working, learning and studying environments for all members of the college community. Members of the college community can assist this effort by adhering to the following safety tips and other common sense rules:

- Travel with a companion whenever possible.
- Use the escort service provided by our Public Safety Officers. Call 716.880.2911 to request an escort.
- Never lend your cell phone to a stranger.
- Follow parking regulations. Park in lighted areas of the parking lots if you will be leaving class after dark.
- Keep your gas tank full.
- Store items in the trunk of your car. Do not keep items in plain view.
- Always lock your car, when you are in it and 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 or 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 and 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 and be familiar with the schedule to avoid long waits. Choose an occupied subway car if possible when riding the subway.
- Tell your friends where you are going and when you expect to return.
- Report all suspicious persons seen on campus to: Campus Public Safety 716.880.2911 and/or Amherst Police 911
- Carry a noise maker (whistle or other device) when out after dark.
- The Director of Public Safety also distributes a monthly security report to the college community via email summarizing campus security issues and/or responses to calls on campus, along with safety tips for the college community.

## Resident Students

- Keep the door to your room/apartment locked and closed when you leave the room for any reason, even if it's for just a few minutes!
- Don't allow anyone that you do not know into the building. Individuals can wait outside for their host/hostess.
- Never prop open exterior doors.
- Report all suspicious persons to security and to the RA on duty.

Generally, close adherence to the crime prevention measures, using the security escort service and being aware of your surroundings will help reduce the risk of crime against individuals and on campus. Reduce the risk of "date rape" by keeping in mind that many cases involve the use of alcohol and/or drugs by the victim, the perpetrator or both.

Public Safety Officers conduct comprehensive surveys of exterior lighting, exterior doors and grounds. Officers consistently survey buildings for any maintenance issue which may cause a security or safety hazard. Such concerns are reported without delay to the Facilities department.

## SEXUAL OFFENSES, SEXUAL ASSAULT and SEXUAL HARASSMENT

Medaille College does not discriminate on the basis of sex in its educational programs. Sexual harassment and sexual violence are types of sex discrimination. Other acts can also be forms of sex-based discrimination and are also prohibited whether sexually based or not and include dating violence, domestic violence, and stalking. As a result, Medaille College issues this statement of policy to inform the community of our comprehensive plan addressing sexual misconduct, educational programs, and procedures that address sexual assault, domestic violence, dating violence, and stalking, whether the incident occurs on or off campus and when it is reported to a College official. In this context, Medaille College prohibits the offenses of domestic violence, dating violence, sexual assault and stalking and reaffirms its commitment to maintain a campus environment emphasizing the dignity and worth of all members of the university community.

Sexual assault/harassment is illegal under both federal and state law and is also a form of sex discrimination which is also illegal under federal laws Title VII (employees) and Title IX (students) and the New York State Human Rights Law. Both, harassment or discrimination, may involve unwelcome sexual advances, requests for sexual favors, and other verbal/non-verbal or physical contact of a sexual nature such as sexual assault or acts of sexual violence. The Title IX coordinators may be reached at [pmcdonald@medaille.edu](mailto:pmcdonald@medaille.edu) or 716.880.2345.

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:

- Submission to such conduct is explicitly or implicitly a term or condition of an individual's education or employment.
- Submission to or rejection of such conduct by an individual is used as the basis for academic or employment decisions affecting the individual.
- 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.

### DEFINITIONS:

**Sexual Assault** "Sexual assault" means an offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting system. A sex offense is any act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

**Rape** is defined as the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

**Fondling** is defined as the touching of the private parts of another person for the purposes of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

**Incest** is defined as nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

**Statutory Rape** is defined a nonforcible sexual intercourse with a person who is under the statutory age of consent.

New York State Penal Law definitions regarding sexual assault can be found by at the following site.

<http://public.leginfo.state.ny.us/LAWSSEAF.cgi?QUERYTYPE=LAWS+&QUERYDATA=@SLPEN0P3THA130+&LIST=LAW+&BROWSER=BROWSER+&TOKEN=59557045+&TARGET=VIEW>

**Domestic Violence:** The term “domestic violence” means

- 1) Felony or misdemeanor crimes of violence committed:
  - i) By a current or former spouse or intimate partner of the victim;
  - ii) By a person with whom the victim shares a child in common;
  - iii) By a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner;
  - iv) By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or
  - v) By any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.
- 2) For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

<http://ovs.ny.gov/helpforcrimevictims.html>

**Dating Violence:** The term “dating violence” means violence committed by a person

- 1) who is or has been in a social relationship of a romantic or intimate nature with the victim and
- 2) The existence of such a relationship shall be based on the reporting party’s statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

For the purposes of this definition-

- 1) Dating Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
- 2) Dating violence does not include acts covered under the definition of domestic violence.

For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

**Stalking:** The term “stalking” means

- 1) Engaging in a course of conduct directed at a specific person that would cause a reasonable person to—
  - a) fear for the person’s safety or the safety of others; or
  - b) Suffer substantial emotional distress.
- 2) For the purposes of this definition
  - a) Course of conduct means two or more acts, including, but not limited to, acts which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person’s property.
  - b) Substantial emotional distress means significant mental suffering or anguish that may, but does not

- necessarily, require medical or other professional treatment or counseling.
- c) Reasonable persons mean a reasonable person under similar circumstances and with similar identities to the victim.
- 3) For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

New York State definitions for Stalking can be found at the following site.

<http://public.leginfo.state.ny.us/LAWSSEAF.cgi?QUERYTYPE=LAWS+&QUERYDATA=@SLPEN0P3THA120+&LIST=LAW+&BROWSER=BROWSER+&TOKEN=44106718+&TARGET=VIEW>

## Education and Prevention Programs

Medaille College engages in comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to end dating violence, domestic violence, sexual assault and stalking that:

- Are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research, or assessed for value, effectiveness, or outcome; and
- Consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community and societal levels.

Educational programming consists of primary prevention and awareness programs for all incoming students and new employees and ongoing awareness and prevention campaigns for students and employees that:

- Identifies domestic violence, dating violence, sexual assault and stalking as prohibited conduct;
- Defines using definitions provided both by the Department of Education as well as state law what behavior constitutes domestic violence, dating violence, sexual assault, and stalking;
- Defines what behavior and actions constitute consent to sexual activity in the State of New York and/or using the definition of consent found in the Student Code of Conduct if state law does not define consent;
- Provides a description of safe and positive options for bystander intervention. Bystander intervention means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene;
- Information on risk reduction. Risk reduction means options designed to decrease perpetration and bystander inaction and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence.
- Provides an overview of information contained in the Annual Security Report in compliance with the Clery Act.

Medaille College has developed an annual educational campaign consisting of presentations that include distribution of educational materials to new students; participating in and presenting information and materials during new employee orientation.

Medaille College offered the following **primary prevention and awareness programs for all incoming students, new employees, current students and current employees** in 2013: Initial orientations, Behind Closed Doors Skits, Sexual Education Week, Equality, "Sex Discussed Here," Series on Healthy Sexuality, Sexual Assault Risk Reduction presentations, Bystander Intervention training and Take Back the Night: Speak out Against Violence.

## Procedures for Reporting a Complaint

Medaille College has procedures in place that serve to be sensitive to those who report sexual assault, domestic violence, dating violence, and stalking, including informing individuals about their right to file criminal charges as well as the availability of counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance and other services on and/or off campus as well as additional remedies to prevent contact between a complainant and an accused party, such as housing, academic, transportation and working accommodations, if reasonably available. Medaille College will make such accommodations, if the victim requests them and if they are reasonably available, regardless of whether the victim chooses to report the crime to the Campus Public Safety or the Amherst Police Department. Students and employees should contact the Dean of Students at 716.880.2224 or the Title IX Coordinator at 716.880.2345.

After an incident of sexual assault and domestic violence, the victim should consider seeking medical attention as soon as possible at either Women and Children's Hospital, 219 Bryant Street, Buffalo, NY 14222 or Erie County Medical Center, 462 Grider Ave., Buffalo, NY 14215. In New York State evidence may be collected even if you chose not to make a report to law enforcement. It is important that a victim of sexual assault not bathe, douche, smoke, change clothing or clean the bed/linen/area where they were assaulted if the offense occurred within the past 96 hours so that evidence may be preserved that may assist in proving that the alleged criminal offense occurred/or is occurring or may be helpful in obtaining an order of protection. In circumstances of sexual assault, if victims do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted disease. Victims of sexual assault, domestic violence, stalking, and dating violence are encouraged to also preserve evidence by saving text messages, instant messages, social networking pages, other communications, and keeping pictures, logs or other copies of documents, if they have any, that would be useful to Medaille College hearing boards/investigators or police. Although the Medaille College strongly encourages all members of its community to report violations of this policy to law enforcement, it is the victim's choice whether or not to make such a report and victims have the right to decline involvement with the police. Medaille College will assist any victim with notifying the Amherst Police if they so desire.

If you have been the victim of domestic violence, dating violence, sexual assault, or stalking, you should report the incident promptly to the Title IX Coordinator, Patrick McDonald at [pmcdonald@medaille.edu](mailto:pmcdonald@medaille.edu) or by calling 716.880.2345, or writing or coming into the office to report in person and Public Safety (if the victim so desires). Medaille College will provide resources, on campus off campus or both, to include medical, health, to persons who have been victims of sexual assault, domestic violence, dating violence, or stalking, and will apply appropriate disciplinary procedures to those who violate this policy. The procedures set forth below are intended to afford a prompt response to charges of sexual assault, domestic or dating violence, and stalking, to maintain confidentiality and fairness consistent with applicable legal requirements, and to impose appropriate sanctions on violators of this policy.

As time passes, evidence may dissipate or become lost or unavailable, thereby making investigation, possible prosecution, disciplinary proceedings, or obtaining protection from abuse orders related to the incident more difficult. If a victim chooses not to make a complaint regarding an incident, he or she nevertheless should consider speaking with Public Safety or other law enforcement to preserve evidence in the event that the victim changes her/his mind at a later date.

If a report of domestic violence, dating violence, sexual assault or stalking is reported to Medaille College, the below are the procedures that Medaille College will follow as well as a statement of the standard of evidence that will be used during any judicial hearing on campus arising from such a report:

Incident Being Reported:	Procedure Institution Will Follow:	Evidentiary Standard
<b>Sexual Assault</b>	<ol style="list-style-type: none"> <li>1. Depending on when reported (immediate vs delayed report), institution will provide complainant with access to medical care</li> <li>2. Institution will assess immediate safety needs of complainant</li> <li>3. Institution will assist complainant with contacting local police if complainant requests AND complainant provided with contact information for local police department</li> <li>4. Institution will provide complainant with referrals to on and off campus mental health providers</li> <li>5. Institution will assess need to implement interim or long- term protective measures, such as housing changes, change class schedule, “No Contact” directive between both in parties</li> <li>6. Institution will provide a “No trespass” (PNG) directive to accused party if deemed appropriate</li> <li>7. Institution will provide written instructions on how to apply for Protective Order</li> <li>8. Institution will provide a copy of the Sexual Misconduct Policy to complainant and inform the complainant regarding timeframes for inquiry, investigation and resolution</li> <li>9. Institution will inform the complainant of the outcome of the investigation, whether or not the accused will be administratively charged and what the outcome of the hearing is</li> <li>10. Institution will enforce the anti-retaliation policy and take immediate and separate action against parties that retaliate against a person for complaining of sex-based discrimination or for assisting in the investigation</li> </ol>	

<p><b>Stalking</b></p>	<ol style="list-style-type: none"> <li>1. Institution will assess immediate safety needs of complainant</li> <li>2. Institution will assist complainant with contacting local police if complainant requests AND complainant provided with contact information for local police department</li> <li>3. Institution will provide written instructions on how to apply for Protective Order</li> <li>4. Institution will provide written information to complainant on how to preserve evidence.</li> <li>5. Institution will assess need to implement interim or long- term protective measures to protect the complainant, if appropriate</li> <li>6. Institution will provide a “No trespass” (PNG) directive to accused party if deemed appropriate</li> </ol>	<p>Preponderance of the evidence</p>
<p><b>Dating Violence</b></p>	<ol style="list-style-type: none"> <li>1. Institution will assess immediate safety needs of complainant</li> <li>2. Institution will assist complainant with contacting local police if complainant requests AND complainant provided with contact information for local police department</li> <li>3. Institution will provide written instructions on how to apply for Protective Order</li> <li>4. Institution will provide written information to complainant on how to preserve evidence</li> <li>5. Institution will assess need to implement interim or long- term protective measures to protect the complainant, if appropriate</li> <li>6. Institution will provide a “No trespass” (PNG) directive to accused party if deemed appropriate</li> </ol>	<p>Preponderance of the evidence.</p>

<b>Domestic Violence</b>	<ol style="list-style-type: none"> <li>1. Institution will assess immediate safety needs of complainant</li> <li>2. Institution will assist complainant with contacting local police if complainant requests AND complainant provided with contact information for local police department</li> <li>3. Institution will provide written instructions on how to apply for Protective Order</li> <li>4. Institution will provide written information to complainant on how to preserve evidence</li> <li>5. Institution will assess need to implement interim or long- term protective measures to protect the complainant, if appropriate</li> <li>6. Institution will provide a “No trespass” (PNG) directive to accused party if deemed appropriate</li> </ol>	Preponderance of the evidence.
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### Assistance for Victims: Rights & Options

Regardless of whether a victim elects to pursue a criminal complaint or whether the offense is alleged to have occurred on or off campus, Medaille College will assist victims of sexual assault, domestic violence, dating violence, and stalking and will provide each victim with a written explanation of their rights and options. In New York State, a victim of domestic violence, dating violence, sexual assault or stalking has the following rights:

<http://ovs.ny.gov/helpforcrimevictims.html> Further, Medaille College complies with New York State law in recognizing orders of protection from every other state. Copies should be provided to Public Safety and the Office of the Title IX Coordinator. A complainant may then meet with Public Safety to develop a Safety Action Plan, which is a plan for Public Safety and the victim to reduce risk of harm while on campus or coming and going from campus. This plan may include, but is not limited to: escorts, special parking arrangements, providing a temporary cell phone, changing classroom location or allowing a student to complete assignments from home, etc.) Medaille College cannot apply for a legal order of protection, no contact order or restraining order for a victim from the applicable jurisdiction(s). The victim is required to apply directly for these services via the Amherst Police Department. Medaille College may issue an institutional no contact order if deemed appropriate or at the request of the victim or accused. To the extent of the victim’s cooperation and consent, Medaille College offices will work cooperatively to ensure that the complainant’s health, physical safety, work and academic status are protected, pending the outcome of a formal investigation of the complaint. For example, if reasonably available, a complainant may be offered changes to academic, living, or working situations in addition to counseling, health services, visa and immigration assistance and assistance in notifying appropriate local law enforcement. Additionally, personal identifiable information about the victim will be treated as confidential and only shared with persons with a specific need to know who are investigating/adjudicating the complaint or delivering resources or support services to the complainant (for example, publicly available record-keeping for purposes of Clery Act reporting and disclosures will be made without inclusion of identifying information about the victim, as defined in 42 USC1395 (a) (20).) Further, the institution will maintain as confidential, any accommodations or protective measures provided to the victim to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures. Medaille College does not publish the name of crime victims nor house identifiable information regarding victims in the Public Safety office or the Daily Crime

Log or online. Victims may request that directory information on file be removed from public sources by request via Human Resources.

## Victim Support

The college is committed to assisting victims as much as possible and in accordance with the wishes of the victim. In an effort to maintain sensitivity to the needs of the victim and to assist law enforcement as best as possible with their investigation the college works with various on and off campus offices and agencies. Support agencies, on and off campus, include the following:

- Crisis Services – Victims Advocate Program: 716.834.3131
- Medaille Wellness Center: 716.880.2112 or 716.880.2339
- Police: 911
- Erie County Medical Center: 716.898.3000
- Visa and Immigration Assistance: 1.901.767.2424
- Women and Children’s Hospital: 716.878.7000
- Amherst Police 716.689.1322
- Erie County Sheriff/Dept. of Family Offenses: 716.858.6102
- Erie County District Attorney/CARR Unit: 716.858.2525

Other resources available to persons who report being the victim of sexual assault, domestic violence, dating violence, or stalking, include:

<http://www.rainn.org> – Rape, Abuse and Incest National Network

<http://www.ovw.usdoj.gov/sexassault.htm> - Department of Justice

<http://www2.ed.gov/about/offices/list/ocr/index.html> Department of Education, Office of Civil Rights

## How to be an Active Bystander

Bystanders play a critical role in the prevention of sexual and relationship violence. They are “individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it.” We want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. We may not always know what to do even if we want to help. Below is a list of some ways to be an active bystander. Further information regarding bystander intervention may be found. If you or someone else is in immediate danger, dial 911. This could be when a person is yelling at or being physically abusive towards another and it is not safe for you to interrupt.

- 1) Watch out for your friends and fellow students/employees. If you see someone who looks like they could be in trouble or need help, ask if they are ok.
- 2) Confront people who seclude, hit on, and try to make out with, or have sex with people who are incapacitated.
- 3) Speak up when someone discusses plans to take sexual advantage of another person.
- 4) Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
- 5) Refer people to on or off campus resources listed in this document for support in health, counseling, or with legal assistance.

## Risk Reduction

With no intent to victim blame and recognizing that only rapists are responsible for rape, the following are some strategies to reduce one's risk of sexual assault or harassment (taken from Rape, Abuse, & Incest National Network, [www.rainn.org](http://www.rainn.org))

- 1) **Be aware** of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
- 2) Try to **avoid isolated areas**. It is more difficult to get help if no one is around.
- 3) **Walk with purpose**. Even if you don't know where you are going, act like you do.
- 4) **Trust your instincts**. If a situation or location feels unsafe or uncomfortable, it probably isn't the best place to be.
- 5) **Try not to load yourself down** with packages or bags as this can make you appear more vulnerable.
- 6) **Make sure your cell phone is with you** and charged and that you have cab money.
- 7) **Don't allow yourself to be isolated** with someone you don't trust or someone you don't know.
- 8) **Avoid putting music headphones in both ears** so that you can be more aware of your surroundings, especially if you are walking alone.
- 9) **When you go to a social gathering, go with a group of friends**. Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.
- 10) **Trust your instincts**. If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).
- 11) **Don't leave your drink unattended** while talking, dancing, using the restroom, or making a phone call. If you've left your drink alone, just get a new one.
- 12) **Don't accept drinks from people you don't know or trust**. If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don't drink from the punch bowls or other large, common open containers.
- 13) **Watch out for your friends, and vice versa**. If a friend seems out of it, is way too intoxicated for the amount of alcohol they've had, or is acting out of character, get him or her to a safe place immediately.
- 14) **If you suspect you or a friend has been drugged, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.)**. Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).
- 15) If you need to get out of an uncomfortable or scary situation here are some things that you can try:
  - a) **Remember that being in this situation is not your fault**. You did not do anything wrong, it is the person who is making you uncomfortable that is to blame.
  - b) **Be true to yourself**. Don't feel obligated to do anything you don't want to do. "I don't want to" is always a good enough reason. Do what feels right to you and what you are comfortable with.
  - c) **Have a code word with your friends or family** so that if you don't feel comfortable you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come to get you or make up an excuse for you to leave.

- d) **Lie.** If you don't want to hurt the person's feelings it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use are: needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.

16) **Try to think of an escape route.** How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby?

17) **If you and/or the other person have been drinking,** you can say that you would rather wait until you both have your full judgment before doing anything you may regret later.

## Adjudication of Violations

Whether or not criminal charges are filed, a person may file a complaint with Medaille College alleging that a student or employee violated Medaille College policy on sexual harassment and/or assault. Describes each type of disciplinary proceeding used by the institution to include (answer these specific questions for each type of proceeding that you list here):

Medaille College will not tolerate the discrimination against or the harassment (sexual or otherwise) of students or employees by College students, faculty, administrators, staff members and other persons acting in official College capacities. Students and employees are legally protected from such activity by both state and federal legislation and are asked to report any occurrence without fear of retaliation as follows:

Individuals who believe that they have been harassed or discriminated against should address their concerns to the appropriate administrative official at the College as set forth below:

Complainant Appropriate Administrator

Faculty Members .....Director of Human Resources

Staff Members (including Administrative Staff) .....Director of Human Resources

Students .....Dean of Students

If the appropriate administrator is the subject of the harassment or discrimination allegations, or the complainant is otherwise uncomfortable approaching a designated administrator, the complainant shall direct the complaint to one of the other appropriate administrators.

Official allegations of harassment or discrimination are to be made to the appropriate administrator in writing as soon as possible. The complaint must include the following information: name, address, and telephone number of the complainant; the nature of the complaint; date(s) and location(s) of the alleged occurrences(s); evidence on which the complaint is based; and the redress sought by the complainant. The appropriate administrator shall have 20 calendar days in which to conduct an investigation of a written complaint. The appropriate administrator may act as investigator or may arrange for another individual to act as investigator in the matter. The investigator shall be familiar with the appropriate sanctions that might be imposed against the individual against whom the complaint is made in the event that harassment or discrimination is found to have occurred. The investigator's report will be provided to a College officer or supervisor with the requisite authority to impose such sanctions.

The purpose of the investigation is to establish: (1) whether there is a reasonable basis for believing that the alleged violation of the policy has occurred; (2) the factual circumstances surrounding the claim; and (3) the appropriate sanction to be imposed on an individual found to have engaged in prohibited conduct. The investigator shall promptly provide the person against whom the complaint is made with a copy of the formal complaint and shall notify the appropriate College officer or supervisor of the nature of the complaint and of the identity of the parties.

In conducting the investigation, the investigator may interview the complainant, the person against whom the complaint is made, and any other persons believed to have relevant factual knowledge. At all times, the investigator shall make an effort to maintain confidentiality except where and to the extent that disclosure of information is necessary in the investigation. The parties and any notified College officer or supervisor shall maintain strict confidentiality... The investigator shall be in communication with the complainant until the complaint is resolved.

Upon the expiration of the 20 calendar day period the investigator shall have an additional 10 calendar days to produce a written report summarizing the findings of fact and providing recommendations as to the appropriate administrative action to be taken. This report will be provided to the parties, to the appropriate College officer or supervisor. If sanctions are imposed, this report will become a part of the personnel file of the individual against whom the complaint was made.

Recommended sanctions may include, but are not limited to, written reprimand of the person against whom the complaint is made, suspension or dismissal of the person against whom the complaint is made, a change of grade or other academic record, a change of course section, a change of reporting line for an employee, or any other appropriate sanction(s) under the circumstances. Sanctions will be imposed in accordance with the provisions set forth in Volume IV (Faculty Policies), Volume V (Administrative and Staff Policies), and Volume VII, (Student Life and Development Policies), as applicable.

A complaint may also be brought by a person outside the College community if the alleged offense occurred with regard to application for admission as a student, to inquiry or application for employment, to bidding for contracts by individuals or company representatives, or to any other official action by a member of the College community. The appropriate administrative official to whom such a complaint should be directed will be determined by the position the individual was attempting to obtain at the College.

Reports of all domestic violence, dating violence, sexual assault and stalking made to Campus Public Safety will automatically be referred to the Title IX Coordinator for investigation regardless of if the complainant chooses to pursue criminal charges.

The Medaille College disciplinary process is consistent with the institution's policy and will include a prompt, fair, and impartial investigation and resolution process transparent to the accuser and the accused. Usually, the resolution of complaints of sexual misconduct are completed within 60 days of the report, however the proceedings timeframe allows for extensions for good cause with notice to the accuser and the accused of the delay and the reason for the delay. Investigators and hearing board members are trained annually on the issues related to domestic violence, dating violence, sexual assault, and stalking and taught how to conduct an investigation and hearing process that protects the safety of the victim and promotes accountability.

1. The accuser and the accused student each have the opportunity to attend a hearing before a properly trained hearing official that protects the safety of victims and promotes accountability;
2. The accuser and the accused will have timely notice for meetings at which the accuser or accused, or both, may be present;
3. The institution will allow for timely access to the accuser, the accused and appropriate officials to any information that will be used after the fact-finding investigation but during formal and informal disciplinary meeting and hearings;
4. The institutional disciplinary procedures will not be conducted by officials who have a conflict of interest or bias for or against the accuser or the accused;
5. The institution provides the accuser and accused the same opportunities to have others present during an institutional disciplinary proceeding. The accuser and the accused student each have the opportunity to be advised by a personal advisor of their choice, at their expense, at any stage of the process and to be accompanied by that advisor at any meeting or proceeding. An advisor may only consult and advise his or her advisee, but not speak for the advisee at any meeting or hearing;
6. A student conduct decision is based on the preponderance of evidence standard, i.e. "more likely than not to have occurred" standard. In other words, the conduct process asks: "is it more likely than not that the accused student violated the Medaille College Student Conduct Code?" ;
7. The accuser and the accused will be notified simultaneously in writing of the result of any disciplinary proceeding, as well as any changes to those result or disciplinary actions prior to the time that such results become final; and
8. The accuser and the accused each have the right to appeal the outcome of the hearing in writing and will be notified simultaneously in writing, of any change to the result prior to the time that it becomes final and of the final result after the appeal is resolved.

A person alleging sexual assault, domestic violence, dating violence, or stalking may also utilize the complaint and investigatory procedures set forth in the Medaille College policy against Sexual Harassment <http://www.medaille.edu/policy-handbooks> in order to remedy any hostile environment. All conduct proceedings against students, however, will be resolved through the College Student Judicial System.

When a complainant does not consent to the disclosure of his or her name or other identifiable information to the alleged perpetrator, Medaille College's ability to respond to the complaint may be limited.

## **Confidentiality**

Medaille College will protect the identity of persons who report having been victims of sexual assault, domestic violence, dating violence, or stalking to the fullest extent of the law and as previously mentioned in this document.

## **Sanctions and Protective Measures**

In all cases, investigations that result in a finding of more likely than not that a violation of college policy occurred will lead to the initiation of disciplinary procedures against the accused individual. Medaille College sanctions including, for students, sexual assault, domestic violence, dating violence, and stalking are violations of the Student Conduct Code. Employees who violate this policy will be subject to discipline, up to and including termination of employment. Sexual assault, domestic violence, dating violence, and stalking are criminal acts which also may subject the perpetrator to criminal and civil penalties under federal and state law may be imposed upon those determined to have violated this policy. Medaille College may implement protective measures following the report of domestic violence, dating violence, sexual assault and/or stalking.

The Title IX Coordinator or their designee will determine whether interim interventions and protective measure should be implemented, and, if so, take steps to implement those protective measures as soon as possible. Examples of interim protective measures include, but are not limited to: a Medaille College order of no contact, residence hall relocation, adjustment of course schedules, a leave of absence, or reassignment to a different supervisor or position. These remedies may be applied to one, both, or multiple parties involved. Violations of the Title IX Coordinator's directives and/or protective measures will constitute related violations that may lead to additional disciplinary action. Protective measures imposed may be temporary pending the results of an investigation or may become permanent as determined by Medaille College

Medaille College 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 such institution against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as the 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.

## **Counseling Services**

Counseling services are available both on and off campus for any victim of sexual assault and/or harassment. On Buffalo Campus counseling services are available through the Medaille College Wellness Center, which is located at 117 Humboldt Parkway. Off campus counseling services may be accessed by contacting Crisis Services – Victims Advocate Program, at 716.834.3131.

## **Sex Offender Registry**

The federal Campus Sex Crimes Prevention Act, enacted on October 28, 2000, requires institutions of higher education to issue a statement advising the campus community where law enforcement agency information provided by a State concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a State to provide notice, as required under State law, of each institution of higher education in that State at which the person is employed, carries on a vocation, volunteers services or is a student.

In New York State, convicted sex offenders must register with the New York State Division of Criminal Justice. You can link to this information, which appears on the New York State Division of Criminal Justice Services website, by accessing the Sex Offender Registry at <http://www.criminaljustice.ny.gov/nsor/> or from an independent website [www.parentsformeganslaw.com](http://www.parentsformeganslaw.com)

## **Policy Prohibiting Sexual Harassment and Other Unlawful Harassment**

Medaille College will not tolerate the discrimination against or the harassment (sexual or otherwise) of students or employees by College students, faculty, administrators, staff members and other persons acting in official College capacities. Students and employees are legally protected from such activity by both state and federal legislation and are asked to report any occurrence without fear of retaliation as follows:

Individuals who believe that they have been harassed or discriminated against should address their concerns to the appropriate administrative official at the College as set forth below:

Complainant Appropriate Administrator

Faculty Members .....Director of Human Resources

Staff Members (including Administrative Staff) .....Director of Human Resources

Students .....Dean of Students and Title IX Coordinator

If the appropriate administrator is the subject of the harassment or discrimination allegations, or the complainant is otherwise uncomfortable approaching a designated administrator, the complainant shall direct the complaint to one of the other appropriate administrators.

Official allegations of harassment or discrimination are to be made to the appropriate administrator in writing as soon as possible. The complaint must include the following information: name, address, and telephone number of the complainant; the nature of the complaint; date(s) and location(s) of the alleged occurrences(s); evidence on which the complaint is based; and the redress sought by the complainant. The appropriate administrator shall have 20 calendar days in which to conduct an investigation of a written complaint. The appropriate administrator may act as investigator or may arrange for another individual to act as investigator in the matter. The investigator shall be familiar with the appropriate sanctions that might be imposed against the individual against whom the complaint is made in the event that harassment or discrimination is found to have occurred. The investigator's report will be provided to a College officer or supervisor with the requisite authority to impose such sanctions.

The purpose of the investigation is to establish: (1) whether there is a reasonable basis for believing that the alleged violation of the policy has occurred; (2) the factual circumstances surrounding the claim; and (3) the appropriate sanction to be imposed on an individual found to have engaged in prohibited conduct. The investigator shall promptly provide the person against whom the complaint is made with a copy of the formal complaint and shall notify the appropriate College officer or supervisor of the nature of the complaint and of the identity of the parties.

In conducting the investigation, the investigator may interview the complainant, the person against whom the complaint is made, and any other persons believed to have relevant factual knowledge. At all times, the investigator shall make an effort to maintain confidentiality except where and to the extent that disclosure of information is necessary in the investigation. The parties and any notified College officer or supervisor shall maintain strict confidentiality.. The investigator shall be in communication with the complainant until the complaint is resolved.

Upon the expiration of the 20 calendar day period the investigator shall have an additional 10 calendar days to produce a written report summarizing the findings of fact and providing recommendations as to the appropriate administrative action to be taken. This report will be provided to the parties, to the appropriate College officer or supervisor. If sanctions are imposed, this report will become a part of the personnel file of the individual against whom the complaint was made. Recommended sanctions may include, but are not limited to, written reprimand of the person against whom the complaint is made, suspension or dismissal of the person against whom the complaint is made, a change of grade or other academic record, a change of course section, a change of reporting line for an employee, or any other appropriate sanction(s) under the circumstances. Sanctions will be imposed in accordance with the provisions set forth in Volume IV (Faculty Policies), Volume V (Administrative and Staff Policies), and Volume VII, (Student Life and Development Policies), as applicable. A complaint may also be brought by a person outside the College community if the alleged offense occurred with regard to application for admission as a student, to inquiry or application for employment, to bidding for contracts by individuals or company representatives, or to any other official action by a member of the College community. The appropriate administrative official to whom such a complaint should be directed will be determined by the position the individual was attempting to obtain at the College.

## **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/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/her relatives, friends, or associates, and which:

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

Any harassment of Medaille 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.

## **Title IX Statement: Nondiscrimination & Equal Opportunity Policy**

Medaille College is committed to compliance with its obligations under Title IX of the Educational Amendments of 1972, Title VI and Title 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 the college to provide all students, applicants and employees 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 predispositions, 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. This includes administrators, faculty, staff, students, contractors and vendors.

Any questions concerning this policy and any complaints of discrimination should be communicated to the appropriate Title IX Coordinator at: pmcdonald@medaille.edu 716.880.2345.

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 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

## **EMERGENCY RESPONSE AND EVACUATION POLICY**

### **Emergency Management Plan**

This document outlines the college's general emergency procedures and crisis management procedures. It is recommended that each member of the campus community familiarize themselves with this important information. The plan may be accessed on the college's website at <http://www.medaille.edu/alert/plan> and hard copies are available upon request via the Director of Public Safety.

### **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 an incident. Public Safety should be contacted immediately, 716.880.2911 and alerted as to the location of the incident. Emergency Evacuation maps are posted on every floor in each academic building and in the residence halls.

### **Immediate Notification**

If the appropriate college officials determine there is an emergency or dangerous situation that poses an immediate threat to the health or safety of some or all members of the college community, some or all of the systems described in the Timely Warning section of this document will be used to communicate the threat or danger to the Medaille community.

## **Missing Student Policies**

The following policy and procedure has been established to assist in locating Medaille College students living in college on-campus housing who, based on the facts and circumstances known to the college are determined to be missing. This policy has been established as required by the Higher Education Opportunity Act (HEOA) and the Jeanne Clery Disclosure of Campus Security Policy and Campus Statistics Act, referred to as the Clery Act.

### **Designation of a Contact Person(s)**

Each year every resident has the option to identify a contact person(s) whom the college shall notify within 24 hours of determination that the student is missing. The contact person can be anyone and, if the student elects, may be someone other than the person that the student has designated as his/her emergency contact person for other purposes.

This contact information is considered confidential and will be maintained separately by the Residence Life Office and will only be shared with the appropriate college officials involved in a missing person investigation. This is including, but not limited to, the Dean for Student Affairs, the Assistant Dean for Student Affairs, the Director of Public Safety and the Vice President for Business and Finance.

A resident student who is less than 18 years of age and not officially emancipated by his/her parents or guardian may designate a contact person; however, the student's custodial parent or guardian will also be notified within 24 hours of a determination that the student is missing.

### **Notification Procedures for Missing Resident Students**

Anyone who suspects that a residential student is missing should immediately contact the Assistant Dean for Student Affairs or appropriate designee (i.e. Resident Director of Residence Life) in the event the director is off campus at the time the report is being made. The Assistant Dean for Student Affairs will immediately notify the Director of Public Safety. Once such notice is received the Offices of Public Safety and Residence Life will begin an investigation to include, but not limited to, the following:

- Call the student's cell phone and have the Resident Advisor check the student's room.
- Contact the student's roommate(s) if applicable.
- Access student's vehicle information to locate and distribute to local authorities if necessary.
- Access student's class schedule and seek information in regards to the last sighting or other contact information.
- Access reports to determine the last time the student used a meal card or accessed the residence hall.
- Security may use the student's ID photograph to assist in identifying the missing student.

### **Actions Regarding a Missing Student**

If the above investigatory steps are unsuccessful in locating a student who has been missing for 24 hours or it is apparent sooner that the student may be endangered, the college will take the following actions within 24 hours:

- The local police department and other law enforcement agencies as necessary will be contacted and report that the student is a missing person. The Director of Public Safety will assist external authorities with investigations as requested.
- The Dean for Student Affairs or the Resident Director of Residence Life will notify the designated contact person and the student's parent/guardian will be notified for an un-emancipated student.

### **Campus Communications about Missing Students**

Notifications to the campus community will be coordinated by the Director of Public Safety and the Dean for Student Affairs. Media communications will be coordinated by the college's Director of Public Relations. Information will not be released unless authorized by the Dean for Student Affairs. All media requests will be directed to the Vice President for College Relations.

### **Commuter Students**

Reports of commuter students who are missing will be referred to the Director of Public Safety and the appropriate police agency.

# **ALCOHOL AND OTHER DRUG POLICIES**

## **Medaille College Drug and Alcohol Abuse Prevention Policy**

Medaille College complies with federal, state and local laws regarding the possession, use and sale of alcoholic beverages and controlled substances. The college's policies pertain to students and employees and include the following **PROHIBITED** actions:

- Distribution, possession or use of any illegal drug or controlled substance or drug paraphernalia.
- The misuse and/or sharing of prescription drugs and other products being used other than as intended.
- Providing alcoholic beverages to individuals under the age of 21.
- Possession or consumption of alcoholic beverages by individuals under the age of 21.
- Illegal possession of an open container of an alcoholic beverage.
- Unauthorized consumption of alcoholic beverages in public space.
- Public intoxication.

### **Residence Halls**

The use of alcohol in residence halls is subject to Federal, New York State laws and Medaille College policies. Refer to the Medaille College Student Life and Residence Policy Handbook for specific policies and regulations pertaining to the possession and consumption of alcohol in the residence halls.

### **Drugs**

One of the College's primary objectives has always been to provide a safe, healthy and pleasant environment for College employees, students and visitors. Among other things, this means that all College employees must be in suitable mental and physical condition at all times while on premises or doing College work. The work environment must be kept completely free of substance abuse and its harmful and dangerous effects.

The sale, possession, manufacturer, transfer or purchase of illegal drugs on College property or while performing College business is strictly prohibited. Such action will be reported to the appropriate law enforcement officials. The use, manufacture, sale or possession of an illegal drug, alcohol or controlled substance while on duty is cause for disciplinary action up to and including termination. No prescription drug may be brought on College property by any person other than the one for whom it is prescribed.

If any employee has a drug or alcohol problem, which could put the employee in conflict with College rules, the employee must do whatever is necessary to see that this does not happen. The College does not wish to dictate its employees' private life-style choices, but it cannot permit anyone's involvement with drugs or alcohol to affect the work environment.

The College recognizes drug and alcohol dependency is an illness and a major health problem, and it will provide information about this issue to try to help employees avoid the problem or seek professional treatment if needed. In the last analysis, however, it is the responsibility of the individual employee to obtain whatever assistance may be needed to control a substance abuse problem and keep drugs and alcohol out of the work environment. Every employee must ensure that personal activities do not result in a violation of College rules, and/or any federal, state or local law or regulation.

## **CRIME STATISTICS**

In accordance with the Clery Act, a copy of the Crime Statistics Report is available to all members of the campus community. The procedures for preparing the annual disclosure of crime statistics include collecting statistics from the Medaille College Public Safety Office, Campus Security Authorities and local police municipalities. Medaille College submits the annual crime statistics to the Department of Education (Dept. of ED) and is available to the public through the Dept. of ED website ([www.ed.gov](http://www.ed.gov)). The college also sends an email to every enrolled student and current employee on an annual basis. The email also includes the address for the Medaille College website where the Annual Security and Fire Safety Report may be found online. A physical copy of the report may be obtained by making a request to the college's Public Safety Office.

## Definitions of Reportable Crimes in the Clery Act

1. Murder and Non-Negligent Manslaughter is defined as the willful 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 is defined as incidents of unlawful, non-forcible sexual intercourse. Only two types of offenses are included in this definition.
5. Robbery is defined as 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 defined as 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 defined as 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 defined as the theft or attempted theft of a motor vehicle.
9. Arson is defined as 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. Included 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 who are in possession of deadly weapons; and attempts to commit any of the above.
12. Drug Law Violations are defined as the violation of laws or ordinances 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 and/or synthetic drug or narcotic substance. Arrests may be made for violations of federal, state and local laws; specifically those relating to the unlawful possession, sale, use, growing, manufacturing and making of such drugs.
13. Liquor Law Violations are defined as the violation of federal, 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. Included 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 public conveyance; and attempts to commit any of the above.

More detailed definitions and examples may be found at <http://www.2.ed.gov/admins/lead/safety/handbook.pdf>

## Bias 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 Medaille 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 a 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 the crime:

- Medaille College Public Safety 716.880.2911
- Amherst Police 716.689.1322 or 911
- Counselors, Public Safety Officers and members of Student Affairs staff are available to assist you.

**Applicable Laws, Ordinances and Regulations on Bias Related Crimes: 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/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 as 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.
- 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 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 that 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 defendant 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.

## **ANNUAL FIRE SAFETY PROCEDURES AND REPORT**

### **Annual Fire Safety Report – 2013 (January 1, 2013 through December 31, 2013)**

#### **Introduction**

The Higher Education Opportunity Act (HEOA) was signed into law in August 2008 and contains several crucial campus safety components. One of the main provisions of the HEOA is the Campus Fire Safety Right-to-Know Act. This provision calls for all Title IV eligible institutions that participate in Title IV programs and maintain on-campus student housing facilities to publish an annual fire safety report that outlines fires safety systems, policies, practices, and statistics. The following report discloses all information required by HEOA as it relates to Medaille College.

#### **Definitions:**

**Fire:** Any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner.

**Fire drill:** A supervised practice of a mandatory evacuation of a building for a fire.

**Cause of Fire:** The factor or factors that give rise to a fire. The causal factor may be, but is not limited to, the result of an intentional or unintentional action, mechanical failure or act of nature.

**Fire-related injury:** Any instance in which a person is injured as a result of a fire, including an injury sustained from a natural or accidental cause while involved in fire control, attempting rescue, or escaping from the dangers of the fire. The term person may include students, employees, visitors, firefighters, or any other individuals.

**Fire-related death:** Any instance in which a person is killed as a result of a fire, including death resulting from a natural or accidental cause while involved in fire control, attempting rescue, or escaping from the dangers of a fire. Dies within 1 year of injuries sustained as a result of a fire.

**Fire safety system:** Any mechanism or system related to the detection of a fire, the warning resulting from a fire, or the control of a fire. This may include sprinkler systems or other fire extinguishing system, fire detection devices, stand-alone smoke alarms, devices that alert one to the presence of a fire, such as horns, bells, or strobe lights; smoke-control and reduction mechanisms; and fire doors and walls that reduce the spread of fire.

**Value of Property Damage:** The estimated value of the loss of the structure and contents, in terms of the cost of replacement in like kind and quality. This estimate should include contents damaged by fire, and related damages cause by smoke, water, and overhaul; however, it does not include indirect loss, such as business interruption.

#### **FIRE SAFETY POLICIES**

**Fire Drills –** Fire drills are an important aspect of student safety in the residences and will be executed quarterly during the school year in accordance with New York State Law, and all residents are expected to participate. Students may not disregard a fire alarm or refuse to evacuate a building in which an alarm is sounding, regardless of its nature (drill, false alarm, or actual alert). When the notice is given, all persons in Residence are to evacuate the building immediately, according to an established evacuation plan. Failure to leave the building during a fire alarm/drill is a serious violation of

College policy and may result in disciplinary sanctions. During January 1, 2013 and December 31, 2013 there were four scheduled fire drills in the on-campus housing units.

**Appliances** - All electrical appliances such as lamps, radios, and televisions must be U.L. approved. No heating or cooking equipment, with the exception of small microwaves, are to be used in student rooms for reasons of safety, health, and sanitation. In addition, halogen lamps are not permitted in resident student rooms/apartments. Appliances not approved for use in student rooms will be removed.

**Smoking** - Smoking is not permitted in any resident house or hall, nor is it permitted in front of the buildings. There are designated smoking areas outside where students, faculty and staff are permitted to smoke.

**Fire Hazards** - The following items are not permitted in rooms and/or housing facilities since they are in violation of local safety codes: natural Christmas trees, flammable substances hung on walls or ceilings, heaters, hot plates, electric frying pans, high intensity lamps (Halogen), air conditioners, large refrigerators, candles, incense and crock pots. Residents should review the housing contract for additional information regarding fire hazards. Medaille College considers the construction of lofts in apartment rooms a fire hazard.

**Tampering with Fire Safety Equipment** – The unauthorized use of or tampering with any piece of fire prevention equipment (such as smoke detectors, alarms and extinguishers) is a serious threat to student life. These acts constitute a significant violation of College policy and may result in residence hall suspension and/or dismissal from the College.

## **FIRE SAFETY PROCEDURES**

Medaille College will consistently abide by and enforce all fire safety policies. Students living in residence halls are subject to the following procedures with regards to fire safety:

### **Fire Alarms and Evacuation**

The Medaille College Emergency Management Plan evacuation policy is as follows:

- Know the location of fire exits and alarm systems in your area and know how to use them.
- If you discover a minor fire, IMMEDIATELY contact the Department of Public Safety.
- Activate the building alarm (fire alarm) on your way out of the building.
- If you are in a room when the alarm sounds-FEEL THE DOOR FOR HEAT.
- If the door is not hot – evacuate.
- If the door is hot – DO NOT OPEN IT. Go to a phone or window and contact someone for help. Place wet towels under the door and stay low where the air is better.
- Close all doors to confine the fire and reduce oxygen available to it. DO NOT LOCK DOORS.
- When the building evacuation alarm is sounded, assume an emergency exists. Walk quickly to the nearest marked exit and alert others to do the same.
- ASSIST THE DISABLED IN EXITING THE BUILDING! DO NOT USE ELEVATORS DURING A FIRE. Smoke is the greatest danger in a fire, so stay near the floor, where the air will be less toxic.
- Once outside, move to a clear area away from the affected building to the designated assembly area. Keep the streets, fire lanes, hydrants and walkways clear for emergency vehicles and crews. (Emergency Assembly Points will be developed in the near future).
- If requested, assist with emergency crews as necessary.
- A Temporary Command Post may be set up near the emergency site. Keep clear of the Command Post unless you have official business.
- DO NOT RETURN TO AN EVACUATED BUILDING unless told to do so by a College Official.

\*NOTE: If you become trapped in a building during a fire and a window is available, place an article of clothing (i.e. a shirt, coat, etc.) outside the window. It will act as a marker for rescue crews. If there is no window, stay near the floor where the air will be less toxic. Be sure to shout at regular intervals to alert emergency crews of your location, but DO NOT JUMP! Response time by the Buffalo Fire Department is excellent. If necessary, place wet towels under doorways.

## **FIRE SAFETY EDUCATION & TRAINING**

Medaille College conducts in depth fire safety training with the Residence Life staff. During annual summer Resident Assistant (RA) training, sessions are held covering emergency response, fire safety, fire evacuation protocol, and the role of an RA in any fire emergency. The RAs are then responsible for training their residents on fire and emergency

evacuation protocol in their floor meetings at the beginning of the year. Each semester, the RAs play an active role in the fire drills conducted by the Department of Public Safety.

The Department of Public Safety periodically distributes Fire Safety information and flyers out to residents, faculty and staff.

Medaille College's Emergency Management Plan states the college's policy on Fire Safety. Beginning in 2008, faculty, students and staff have received training on this policy. The policy is currently being revised and new training will begin after the revisions have been completed.

**In the event of a fire, the following individuals (Organizations) should be notified:**

1. Amherst Town Police Emergency 911 or 716.689.1322
2. Department of Public Safety – (716) 880-2911

**In reporting that a fire has occurred for the purpose of including the statistics in the annual fire safety report, the following individuals (organizations) should be notified:**

1. OSHA/FIRE Safety Officer - (716) 880-2911
2. NYS Bureau of Fire Prevention –(716) 847-3320
3. Residence Life Department – (716) 880-2449
4. Operations/Facilities – (716) 880-2527

**FIRE LOG:**

Institutions must maintain a fire log that reflects the nature of the fire, date, time and general location of each fire in on-campus student housing facilities. Medaille College complies with this rule by including all fire-related incidents in the Daily Fire Log.

The Department of Public Safety maintains a Fire Log of all incidents reported. This log includes the incident type, date incident is reported, date and time of occurrence, general location of each reported incident type and the disposition of the incident if that information is known. The Department of Public Safety posts specific incidents in the Fire Log within two (2) business days of receiving a report of an incident and reserves the right to exclude reports from a log in certain circumstances as permitted by law. The most current 60 days of information is available in the Office of Public Safety located at 2 Agassiz Circle, on the college's Main Campus.

**FIRE LOG – January 1, 2013 through December 31, 2013**

**Fire # 1**

<b><u>DATE/TIME</u></b>	10/8/13	<b><u>NATURE OF INCIDENT:</u></b> Fire in a small garbage can – found smoking debris in trash can
<b><u>I/R#</u></b>	1:19am	2013-000091
<b><u>LOCATION</u></b>		South Residence Hall room 4021

**Fire # 2**

<b><u>DATE/TIME</u></b>	12/9/13	<b><u>NATURE OF INCIDENT:</u></b> Fire on stove while cooking- bacon grease
<b><u>I/R#</u></b>	10:45pm	2013-000145
<b><u>LOCATION</u></b>		North Residence Hall room 224

## FUTURE IMPROVEMENTS

### Plans for future improvements in fire safety:

The College is in the process of reviewing the emergency evacuation plans and installation of evacuation maps in all residences and buildings.

Fire Safety Training will be made available to a larger portion of the student body throughout the school year.

## REPORTS AND STATISTICS

### Fire Statistics – 2011 (January 1, 2011 through December 31, 2011)

Residential Housing Facilities	Total Fires in each building	Fire Number	Date/Time of Fire	Cause of Fire	Number of Fire-related Injuries	Number of Fire-related Deaths	Value of Property Damage caused by Fire	Incident Report Number
South Residence Hall	0	0	0	0	0	0	0	0
North Residence Hall	0	0	0	0	0	0	0	0
95 Humboldt	0	0	0	0	0	0	0	0
103 Humboldt	0	0	0	0	0	0	0	0

### Fire Statistics – 2012 (January 1, 2012 through December 31, 2012)

Residential Housing Facilities	Total Fires in each building	Fire Number	Date/Time of Fire	Cause of Fire	Number of Fire-related Injuries	Number of Fire-related Deaths	Value of Property Damage caused by Fire	Incident Report Number
South Residence Hall	0	0	0	0	0	0	0	0
North Residence Hall	1	1	11/17/2012 10:40pm	Cooking	0	0	\$300	2012-01898

95 Humboldt	0	0	0	0	0	0	0	0
103 Humboldt	0	0	0	0	0	0	0	0

**Fire Statistics – 2013 (January 1, 2013 through December 31, 2013)**

Residential Housing Facilities	Total Fires in each building	Fire Number	Date/Time of Fire	Cause of Fire	Number of Fire-related Injuries	Number of Fire-related Deaths	Value of Property Damage caused by Fire	Incident Report Number
South Residence Hall	1	1	10/8/13 1:19am	Smoking	0	0	\$7	2013-000091
North Residence Hall	1	2	12/9/13 10:45pm	Cooking	0	0	\$350	2013-000145

**Fire Safety Systems** for on-campus student housing facilities:

During 2013, Medaille College owned and operated four on-campus housing facilities at the Buffalo campus. They are as follows:

- South Residence Hall, 18 Agassiz Circle, Buffalo, NY 14214
- North Residence Hall, 18 Agassiz Circle, Buffalo, NY 14214
- There are no housing facilities at Medaille’s Amherst and Rochester campuses.

See Table Next Page:

# FIRE SAFETY SYSTEMS

## On-campus Student Housing Facilities

Residential Housing Facilities	Fire Alarm Monitoring (off site)	Full Sprinkler System	Smoke Detectors	Horns, Bells, Strobe light Devices	Fire Extinguisher Devices	Fire Doors	Emergency Lighting	Illuminated Exit Signs	Emergency Notification System	Number of Evacuation (fire) drills each academic year
South Residence Hall	X	X	X	X	X	X	X	X	X	4
North Residence Hall	X	X	X	X	X	X	X	X	X	4

# APPENDICES

## THE JEANNE CLERY DISCLOSURE OF CAMPUS SECURITY POLICY AND CAMPUS CRIMES STATISTICS ACT FOR MEDAILLE COLLEGE

CATEGORY	VENUE	2011	2012	2013	
<b>CRIMINAL HOMICIDE:</b> Murder & Non-Negligent Manslaughter	On Campus ***	0	0	0	
	In dormitories or other residential facilities	0	0	0	
	In or on a non-campus building or property	0	0	0	
	On public property	0	0	0	
	Negligent Manslaughter	On Campus	0	0	0
		In dormitories or other residential facilities	0	0	0
		In or on a non-campus building or property	0	0	0
On public property		0	0	0	
<b>SEX OFFENSES:</b> Forcible	On Campus ***	0	0	0	
	In dormitories or other residential facilities	0	0	0	
	In or on a non-campus building or property	0	0	0	
	On public property	0	0	0	
	Nonforcible	On Campus ***	0	0	0
		In dormitories or other residential facilities	0	0	0
		In or on a non-campus building or property	0	0	0
		On public property	0	0	0
<b>ROBBERY</b>	On Campus ***	0	0	0	
	In dormitories or other residential facilities	0	0	0	
	In or on a non-campus building or property	0	0	0	
	On public property	0	0	0	
<b>AGGRAVATED ASSAULT</b>	On Campus ***	0	0	0	
	In dormitories or other residential facilities	0	0	0	
	In or on a non-campus building or property	0	0	0	
	On public property	0	0	0	
<b>BURGLARY</b>	On Campus ***	0	0	0	
	In dormitories or other residential facilities	0	0	0	
	In or on a non-campus building or property	0	0	0	
	On public property	0	0	0	

**THE JEANNE CLERY DISCLOSURE OF CAMPUS SECURITY POLICY AND CAMPUS CRIMES STATISTICS ACT FOR MEDAILLE COLLEGE**

CATEGORY	VENUE	2011	2012	2013
<b>ARSON</b>	On Campus ***	0	0	0
	In dormitories or other residential facilities	0	0	0
	In or on a non-campus building or property	0	0	0
	On public property	0	0	0
<b>LARCENY</b>	On Campus ***	0	0	0
	In dormitories or other residential facilities	0	0	0
	In or on a non-campus building or property	0	0	0
	On public property	0	0	0
<b>MOTOR VEHICLE THEFT</b>	On Campus ***	0	0	0
	In dormitories or other residential facilities	0	0	0
	In or on a non-campus building or property	0	0	0
	On public property	0	0	0
<b>ARREST FOR: Liquor law violations</b>	On Campus ***	0	0	0
	In dormitories or other residential facilities	0	0	0
	In or on a non-campus building or property	0	0	0
	On public property	0	0	0
<b>ARREST FOR: Drug related violations</b>	On Campus	0	0	0
	In dormitories or other residential facilities	0	0	0
	In or on a non-campus building or property	0	0	0
	On public property	0	0	0
<b>ARREST FOR: Weapons possession</b>	On Campus ***	0	0	0
	In dormitories or other residential facilities	0	0	0
	In or on a non-campus building or property	0	0	0
	On public property	0	0	0
<b>DISCIPLINARY REFERRALS: Liquor law violations</b>	On Campus ***	0	0	0
	In dormitories or other residential facilities	0	0	0
	In or on a non-campus building or property	0	0	0
	On public property	0	0	0

**THE JEANNE CLERY DISCLOSURE OF CAMPUS SECURITY POLICY AND CAMPUS CRIMES STATISTICS ACT FOR MEDAILLE COLLEGE**

CATEGORY	VENUE	2011	2012	2013
<b>DISCIPLINARY REFERRALS: Drug Related violations</b>	On Campus ***	0	0	0
	In dormitories or other residential facilities	0	0	0
	In or on a non-campus building or property	0	0	0
	On public property	0	0	0
<b>DISCIPLINARY REFERRALS: Weapons possession</b>	On Campus ***	0	0	0
	In dormitories or other residential facilities	0	0	0
	In or on a non-campus building or property	0	0	0
	On public property	0	0	0

**CAMPUS SAFETY DISCLOSURE  
PUBLIC LAW 110-315  
HATE CRIMES**

**The Higher Education Opportunity Act (Public Law 110-315) requires all colleges and universities to report separately on all hate crimes in the following categories.**

<b>CATEGORY</b>	<b>VENUE</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>
<b>CRIMINAL HOMICIDE: Murder &amp; Non-Negligent Manslaughter</b>	On Campus ***	0	0	0
	In dormitories or other residential facilities	0	0	0
	In or on a noncampus building or property	0	0	0
	On public property	0	0	0
<b>Negligent Manslaughter</b>	On Campus	0	0	0
	In dormitories or other residential facilities	0	0	0
	In or on a noncampus building or property	0	0	0
	On public property	0	0	0
<b>SEX OFFENSES: Forcible</b>	On Campus ***	0	0	0
	In dormitories or other residential facilities	0	0	0
	In or on a noncampus building or property	0	0	0
	On public property	0	0	0
<b>Nonforcible</b>	On Campus ***	0	0	0
	In dormitories or other residential facilities	0	0	0
	In or on a noncampus building or property	0	0	0
	On public property	0	0	0
<b>ROBBERY</b>	On Campus ***	0	0	0
	In dormitories or other residential facilities	0	0	0
	In or on a noncampus building or property	0	0	0
	On public property	0	0	0
<b>AGGRAVATED ASSAULT</b>	On Campus ***	0	0	0
	In dormitories or other residential facilities	0	0	0
	In or on a noncampus building or property	0	0	0
	On public property	0	0	0
<b>BURGLARY</b>	On Campus ***	0	0	0
	In dormitories or other residential facilities	0	0	0
	In or on a noncampus building or property	0	0	0
	On public property	0	0	0
<b>ARSON</b>	On Campus ***	0	0	0
	In dormitories or other residential facilities	0	0	0
	In or on a noncampus building or property	0	0	0
	On public property	0	0	0

**CAMPUS SAFETY DISCLOSURE  
PUBLIC LAW 110-315  
HATE CRIMES**

<b>CATEGORY</b>	<b>VENUE</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>
<b>LARCENY-THEFT</b>	On Campus***	0	0	0
	In dormitories or other residential facilities	0	0	0
	In or on a non-campus building or property	0	0	0
	On public property	0	0	0
<b>BODILY INJURY</b>	On Campus***	0	0	0
	In dormitories or other residential facilities	0	0	0
	In or on a non-campus building or property	0	0	0
	On public property	0	0	0
<b>SIMPLE ASSAULT</b>	On Campus***	0	0	0
	In dormitories or other residential facilities	0	0	0
	In or on a non-campus building or property	0	0	0
	On public property	0	0	0
<b>INTIMIDATION (HARRASSMENT)</b>	On Campus***	0	0	0
	In dormitories or other residential facilities	0	0	0
	In or on a non-campus building or property	0	0	0
	On public property	0	0	0
<b>VANDALISM</b>	On Campus***	0	0	0
	In dormitories or other residential facilities	0	0	0
	In or on a non-campus building or property	0	0	0
	On public property	0	0	0

## **Judicial Review Board**

The Judicial Review Board (JRB) of Medaille College is designed to assure the student due process when his/her rights as a student at Medaille College are affected.

The Judicial Review Board shall have appellate jurisdiction over a decision rendered at the appropriate administrative level, as prescribed by the organizational chart of the college, and those of the Student Conduct Committee. The JRB is composed of members of the Medaille College community and includes students, faculty and administrators and operates under the preponderance of evidence standard. The bylaws for the JRB are located in the office of the Dean of Students in Office of Student Affairs.

## **Student Conduct Committee**

The Student Conduct Committee (SCC) exists as part of the college's judicial system. The SCC hears complaints of alleged violations of nonacademic policies. An administrator, faculty member, other employee of the college or any student within the Medaille community may initiate such complaints. Complaints will be processed through the college adjudication officer. The SCC is composed of members of the Medaille community and includes students, faculty and administrators, and operates under the preponderance of evidence standard. The bylaws for the SCC are located in the office of the Dean of Students in Office of Student Affairs.