



2020

Annual Safety & Fire Report



ST.FRANCIS COLLEGE

www.sfc.edu



ANNUAL SECURITY & FIRE SAFETY REPORT

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¹ St. Francis College does not have “on campus” housing. St. Francis College is proactively issuing this report.



ANNUAL SECURITY & FIRE SAFETY REPORT

Message from the President

On behalf of the administrators and faculty of St. Francis College, we are committed to supporting your academic and career aspirations. In order to achieve this, the College strives to provide a safe and trusting environment. We are committed to ensuring the safety and security of all students while maintaining a Franciscan and welcoming environment. We are proud to be one of the safest colleges in an urban setting. We work hard at this. As a member of the college community you play an integral role in maintaining the safety and security on campus. Please review this annual security report as well as the complete Emergency Action Plan. If you have any questions regarding safety and security on campus, please do not hesitate to contact the Assistant Director of Campus Security at (718)-489-2022 and or (718)-489-5222.

Sincerely,

Miguel Martinez-Saenz
President



The Clery Act

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, more commonly known as the Clery Act, requires, among other things, colleges and universities to:

- Publish an annual report every year by October 1 that contains three years of campus crime and fire safety statistics.
- Disclose certain crime statistics for the campus and public areas immediately adjacent to or running through the campus; and certain non-campus facilities.
- Provide timely warning notices of crimes that have occurred and pose an ongoing “threat to students and employees”;
- Implement emergency notification procedures if there is an immediate threat to the health or safety of students or employees on campus;
- Disclose in a public crime log any Clery crime that occurred within Clery geography or within the patrol jurisdiction of the campus security department and is reported to the police or St. Francis College;
- Maintain a record of any fire that occurred in an on-campus student housing facility; and
- Publish missing student notification procedures for students residing in on-campus student housing facilities.

About this Report

The St. Francis College Office of Campus Security prepares this Report in compliance with the Clery Act.

This report is prepared in cooperation with the local law enforcement agencies surrounding our campus, the Office of Student Affairs, and the Office of College Relations. Each entity provides updated information on their educational efforts and programs.

The Report contains important information and policies regarding campus security as well as statistics for certain crimes occurring at St. Francis within the Clery geography for the last three calendar years. Campus crime, arrest, and referral statistics include incidents reported to local law enforcement agencies, campus security officers, and designated campus officials, including but not limited to student life, residence life, and coaches.

St. Francis College keeps records of all alleged criminal incidents, including non-Clery Act crimes, reported to the Campus Security Office, regardless of how much time has passed since the alleged incident occurred. A formal police report or investigation is not necessary in order for a reported crime to be included in the crime statistics in the Report. All crimes reported in any calendar year will be included in the Report for that calendar year, regardless of the calendar year in which the crime actually occurred.



The Counseling Center informs their clients of the procedures to report crime to the Assistant Director of Campus Security on a voluntary or confidential basis, should they feel it is in the best interest of the client. A procedure is in place to anonymously capture crime statistics disclosed confidentially during such sessions.

Prior to October 1 of each year, the College will distribute an email notification to all students and employees alerting individuals of the availability of the Report. The College will also inform prospective students and employees of the availability of the Report. The College will provide a copy of the report upon request.

The College currently has a variety of policies and procedures and it expressly reserves the right to modify them or adopt additional policies or procedures, in its sole and absolute discretion, at any time without notice. Such changes may appear in future issues of this report.

The statistics discussed in this report can be obtained from the St. Francis College Right to Know Report on the Safety & Security page (<http://www.sfc.edu/studentlife/Safety>). Information on the College's administrative regulations and programs to educate the College community regarding security and crime prevention are also available here. The U.S. Department of Education website for campus crime statistics is <http://ope.ed.gov/security>.

In addition, St. Francis maintains a daily crime log, available online at www.sfc.edu which includes a brief summary of the nature of the crime, the date and time the crime occurred, the general location of the crime, and the disposition of the complaint, if known. Hard copies of the individual incident reports are kept in the Office of Campus Security. Multiple employees are trained to maintain the log and it is available to the public.

Required entries are, except when disclosure of such information is prohibited by law or would jeopardize the confidentiality of the victim, open to public inspection within two days of the report being made. New information will also be added within two days after the information becomes available to the police or campus security. If there is clear and convincing evidence that the release of such information would jeopardize an ongoing criminal investigation or the safety of an individual, cause a suspect to flee or evade detection, or result in the destruction of evidence, such information may be withheld until that damage is no longer likely to occur from the release of such information. The crime log for the most recent 60-day period is open to public inspection during normal business hours. Any portion of the log older than 60 days will be available within two business days of a request for public inspection.

Clery Act Geography

In accordance with the Clery Act, data included in this Report is presented to review crime on campus, in or on a noncampus building or property, on public property, and in dormitories or other residential facilities for students on campus. A breakdown of offenses occurring in the St. George Residence Hall appears under the "Non-Campus Building or Property" category. The following definitions, as stated in the Clery Act Appendix for FSA Handbook (Oct. 2020) and 28 CFR 668.46, are provided:

Campus: (i) Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a



manner related to, the institution's educational purposes, including residence halls; and (ii) any building or property that is within or reasonably contiguous to the area identified in paragraph (i) of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).

The St. Francis College's On Campus buildings or property consists of five interconnecting buildings with the main entrance geographically located at 182 Remsen Street.

Public Property: All public property that is within the same reasonably contiguous geographic area of the institution, such as a sidewalk, a street, other thoroughfare, or parking facility, and is adjacent to a facility owned or controlled by the institution if the facility is used by the institution in direct support of, or in a manner related to the institution's educational purposes.

St. Francis College's Public Property consists of the sidewalks, streets, and sidewalks on the opposing side of the street, in the four blocks surrounding the Campus: Remsen Street, Joralemon Street, Court Street and Clinton Street.

Non-campus Buildings and Property: (i) any building or property owned or controlled by a student organization officially recognized by the institution; or (ii) any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

St. Francis College's only Non-Campus Building or Property is the St. George Hotel, 55 Clark Street

At St. Francis, student organizations are not permitted to have off-campus facilities, and therefore, St. Francis College does not have a policy concerning the monitoring and recording, through local police agencies, of criminal activity in which students engage at off campus locations of student organizations officially recognized by the institution.

Clery Geography: includes (A) Buildings and property that are part of the institution's campus; (B) The institution's noncampus buildings and property; and (C) Public property within or immediately adjacent to and accessible from the campus.



Reporting Crimes or Emergencies

St. Francis College encourages all students and members of the college community to be fully aware of the safety issues on campus and to take action to promptly report any illegal or inappropriate activities. Personal awareness and applying personal safety practices are the foundation of a safe community.

To report a crime in progress or an emergency, please contact 911. Then please call (718) 489-5222, the College's dedicated emergency line. Reporting crimes to the College Security Desk ensures inclusion in the annual crime statistics and aids in providing timely warning notices to the community, when appropriate.

In response to a call, a security guard will take action she/he deems appropriate; she/he will also log non-emergency reports that will be submitted to the Assistant Director of Campus Security who will review the reports. An internal report that involves a student, submitted by a security officer, will be forwarded to the Dean of Students. The Dean of Students or a designee is responsible for reviewing all reports and will determine whether the case will be referred for internal adjudication. If necessary, the security officer will call the New York Police Department (NYPD) or the New York City Fire Department (NYFD) to respond to the scene. Campus Security is responsible for reviewing and classifying all incident reports for inclusion in the campus crime log and Annual Security Report.



As per New York Education Law, Article 129-A and 129-B, St. Francis College adopted and implemented a plan providing for the investigation of any violent felony offense occurring at or on the grounds of its campus. The plan provides for the coordination of the investigation of such crimes and reports with the NYPD. The College will immediately notify 911 and the 84th precinct. All College personnel will cooperate fully with police authorities in investigating the alleged offense. If a sexual assault or rape should occur, please follow the policy regarding sexual misconduct reporting procedures included in this Report. This Report contains information about on-campus and off-campus resources. That information is made available to provide St. Francis College Community members with specific information about resources that are available in the event they become the victim of a crime. The information about “resources” is not provided to infer those resources are “reporting entities” for St. Francis College.

Reporting Policies:

- All reports of incidents including criminal reports should be made to the Campus Security Desk, located in the lobby of 180 Remsen Street and available at (718) 489-5222. Everyone on campus (including students, faculty, staff and visitors) is encouraged to report immediately any and all potentially criminal activity to Campus Security and/or the New York City Police Department, even when the victim of a crime elects to, or not to make such a report, or is unable to do so. Individuals reporting to the College who wish to file a complaint with the New York City Police Department will be provided assistance. Crimes may also be reported to the following college officials:

Edward Evans, Assistant Director of Campus Security, E: eevans3@sfc.edu | (347)-216-5436

David Loutfi, Assistant Director of Special Events & Community Partnerships, E: dloutfi@sfc.edu | (718) 489-5271

Ruben Gonzalez, Assistant Dean of Students, E: rgonzalez132@sfc.edu | (347)-538-0509

Students who have experienced harassment or who have friends who have been harassed may find it helpful to discuss the situation with someone. Confidential counseling services are available at the Student Counseling Center in Room 2310 or via phone at (718) 489-5335 / (718) 489-2035. Students can also contact various administrators in the College, or a discrimination complaint may be filed with the New York City Human Rights Commission at 311 or (212) 416-0197 or online at <https://www1.nyc.gov/site/cchr/about/report-discrimination.page>. Students are encouraged to report hate or bias incidents.



Confidential Reporting and Policy on Counselors***

****With the exception of sexual misconduct crimes*

If you are the victim of a crime and do not want to pursue action within the College system or the criminal justice system, you may still want to consider making a confidential report. With your permission, a designee of St. Francis College can file a report on the details of the incident without revealing your identity. The purpose of a confidential report is to comply with your wish to keep the matter confidential, while taking steps to ensure the future safety of yourself and others. With such information, the College can keep an accurate record of the number of incidents involving students, determine where there is a pattern of crime with regard to a particular location, method, or assailant, and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crime statistics for the institution.

- The Dean of Students using the FBI Uniform Crime Reporting Definitions will classify reports.
- When alleged perpetrators are identified as students, with the cooperation of the victim, the case will be adjudicated in accordance with the Faculty Committee on Student Behavior. Criminal investigation, arrest and prosecution can occur independently, before, during or after the campus judicial process.

Under St. Francis policy, all potential criminal activity, including any allegation of criminal sexual abuse, that is brought to the attention of any member of the College, should be reported to the Security Desk at (718) 489-5222 (with a specific, limited exemption for pastoral and professional counselors). Sexual Misconduct crimes must be reported to the College's Title IX Coordinator, at (718) 489-5370 or lwerbel@sfc.edu.

A priest or a brother who has a crime disclosed during sacrament of confession may not reveal anything that has been disclosed in the sacrament. The priest or brother, however, will encourage and work with the penitent to find appropriate services both on and off campus. Pastoral counselors or brothers who have a crime disclosed to them outside of the sacrament of confession are required to report the crime in accordance with this policy.

Every member of the faculty, administration and staff of St. Francis College acting in his or her capacity as an employee of the College is obligated to immediately report any incident of sexual assault, rape, sexual coercion, sexual exploitation, dating violence, domestic violence, and stalking or other forcible sexual offense against any member of the College community upon learning of the incident. All reports must be made to the Title IX Coordinator at (718) 489-5370 or lwerbel@sfc.edu. Even when the individual requests confidentiality of the incident, the employee has a mandatory responsibility to report it, though even College offices and employees who cannot guarantee confidentiality will maintain an individual's privacy to the greatest extent possible.

Pastoral Counselor

A "pastoral counselor" is an employee of an institution, who is associated with a religious order or denomination and is recognized by that religious order or denomination as someone who provides confidential counseling and who is functioning within the scope of that recognition as a pastoral counselor.



Professional Counselor

A “professional counselor” is an employee of an institution whose official responsibilities include providing mental health counseling to members of the institution’s community and who is functioning within the scope of his or her license or certification.

- St. Francis College has a confidential program for students, providing individual and group counseling, focused problem solving, consultations and workshops. Problems are identified, options are reviewed, and assistance is offered. Referral services are available when needed. A safe, confidential environment to discuss areas of life that are troublesome or cause you concern.

The SFC Counseling Center
Room 2310
(718) 489-5335 / (718) 489-2035

Student Health Services
Room 2310
Phone: (718) 489-5366

- Confidentiality is the cornerstone of the program. (*Note exceptions to confidentiality: Exceptions include unusual circumstances, such as a court subpoena or information regarding imminent danger to self or someone else.*)

St. Francis College hopes that, if needed, students will avail themselves of this service. No problem is too small.

Security Personnel at St. Francis College

St. Francis College employs contracted security officers with the authority to ask for identification and remove individuals who do not have lawful business at St. Francis College. Security officers do not possess arrest power. The jurisdiction of the security officers is to secure, report and deter crimes on campus and its adjacent property. Criminal incidents are referred to the local police who have jurisdiction on the campus.

St. Francis College has a memorandum of understanding with the New York City Police Department (NYPD) with respect to the investigation of violent crimes.

St. Francis College maintains a highly professional working relationship with the New York City Police Department. All crime victims and witnesses are strongly encouraged to immediately report crimes to the Security Desk and the NYPD, even if the victim is unable or unwilling to file a report. Prompt reporting will assure timely warning notices on-campus and timely disclosure of crime statistics.



Timely Warnings - Public Safety Advisory

St. Francis issues timely warning notices, called Public Safety Advisories, whenever a Clery crime occurring within Clery geography reported to campus authorities is considered to pose a serious or continuing threat to students and employees.

The Assistant Director of Security Dean of Students and if necessary the Title IX Coordinator reviews all reports made to Campus Security to determine if there is a serious or continuing threat and if a campus wide Public Safety Advisory is warranted. Under no circumstances will the advisory contain information regarding the identity of the victim of any crime. The Advisory will be issued through the college's email system to students, faculty, and staff, and will also be posted on the St. Francis College web site.

Depending on the particular circumstances of the crime, especially in situations that could pose an immediate threat to the community and individuals, the Assistant Director of Security may also issue an emergency text and voice message alert through SFC- Alerts, the college's emergency notification system.

These "Public Safety Advisories" are intended to enhance the safety of the members of the College community and may be updated if new or more accurate information becomes available during the course of the investigation. They do not present, nor are they intended to present, a complete picture of a crime on campus. Anyone with information concerning the information set forth in a Public Safety Advisory should contact the College Security Desk either in person at 180 Remsen Street or via phone at (718) 489-5222.

Emergency Response and Evacuation Procedures

The health and safety of all our students, faculty, administration, staff and visitors is of paramount concern at St. Francis College. The College recognizes the critical importance of being prepared and has designed a comprehensive program that ensures the security of the College community in the event of a crisis. The College's Emergency Action Plan is attached as **Appendix D**. It includes the full Emergency Action Plan chain of command.

If there is an immediate threat to the health or safety of students or employees occurring on campus, the College will follow its emergency notification procedures.

New York City Office of Emergency Management

To ensure St. Francis College is aware of potential hazardous or emergency situations that may affect the College community within the New York City area, the College administration maintains direct contact with the New York City Office of Emergency Management as well as the New York City Police and Fire Departments.

The New York City Office of Emergency Management also supplies a wide range of emergency and preparedness-related topics at <http://www.nyc.gov/html/oem/html/home/home.shtml>.

Policy for Bias Related/Hate Crimes

The College believes that all members of the College should be part of a Franciscan campus environment that respects differences of culture, gender, religion, race, age, lifestyle, or ability. These expectations are communicated in our creed, Living the Franciscan Spirit. In accordance with this spirit, the College has established policies and procedures for preventing and adjudicating bias related crimes occurring on the College's property, including student occupied housing, or any other property on which a College activity takes place.



Federal Law

Under the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (the Clery Act), 20 U.S.C. § 1092(f), the College is required to disclose, in its Annual Security Report, all bias related/hate crimes. These statistics can be found on the College's Safety and Security webpage located here: <https://www.sfc.edu/studentlife/safety>. The corresponding regulations to the Clery Act define hate crimes as criminal offenses "that manifest evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. For purposes of this section, the categories of bias include the victim's actual or perceived race, religion, gender, gender identity, sexual orientation, ethnicity, national origin, or disability." 34 CFR 668.46(a).

New York Law

The New York Penal Code provides that "[a] person commits a hate crime when he or she commits a specified offense and either: (a) intentionally selects the person against whom the offense is committed or intended to be committed in whole or in substantial part because of a belief or perception regarding the race, color, national origin, ancestry, gender, gender identity or expression, religion, religious practice, age, disability or sexual orientation of a person, regardless of whether the belief or perception is correct, or (b) 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, gender identity or expression, religion, religious practice, age, disability or sexual orientation of a person, regardless of whether the belief or perception is correct." N.Y. Penal Law § 485.05(1).

The "specified offenses" mentioned above are: assault in the third degree; assault in the second degree; assault in the first degree; aggravated assault upon a person less than eleven years old; menacing in the first degree; menacing in the second degree; menacing in the third degree; reckless endangerment in the second degree; reckless endangerment in the first degree; strangulation in the second degree; strangulation in the first degree; manslaughter in the second degree; manslaughter in the first degree; murder in the second degree; stalking in the fourth degree; stalking in the third degree; stalking in the second degree; stalking in the 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 degree; aggravated sexual abuse in the first degree; unlawful imprisonment in the second degree; unlawful imprisonment in the first degree; kidnapping in the second degree; kidnapping in the first degree; coercion in the third degree; coercion in the second degree; coercion in the first degree; criminal trespass in the third degree; criminal trespass in the second degree; criminal trespass in the first degree; burglary in the third degree; burglary in the second degree; burglary in the first degree; criminal mischief in the fourth degree; criminal mischief in the third degree; criminal mischief in the second degree; criminal mischief in the first degree; arson in the fourth degree; arson in the third degree; arson in the second degree; arson in the first degree; petit larceny; grand larceny in the fourth degree; grand larceny in the third degree; grand larceny in the second degree; grand larceny in the first degree; robbery in the third degree; robbery in the second degree; robbery in the first degree; harassment in the first degree; aggravated harassment in the second degree; soliciting or providing support for an act of terrorism in the second degree; soliciting or providing support for an act of terrorism in the first degree; making a terroristic threat; crime of terrorism; hindering prosecution of terrorism in the second degree; hindering prosecution of terrorism in the first degree; criminal possession of a chemical weapon or biological weapon in the third degree; criminal possession of a chemical weapon or biological weapon in the second degree; criminal possession of a chemical weapon or biological weapon in the first degree; criminal use of a chemical weapon or biological weapon in the third degree; criminal use



of a chemical weapon or biological weapon in the second degree; criminal use of a chemical weapon or biological weapon in the first degree; or any attempt or conspiracy to commit any of the foregoing offenses. N.Y. Penal Law § 485.05(3).

Reporting Hate Crimes

A member of the College community who feels that he or she has been the victim of a hate crime, or may have witnessed such an incident, should contact the College's Security Desk located in the lobby of 180 Remsen Street and available at (718) 489-5222. In all cases where a hate crime is alleged to have occurred on the College's property, including student occupied housing, or any other property on which a College activity takes place, the College will investigate the matter and if necessary facilitate or initiate the process of reporting the incident to the New York City Police Department's 84th Precinct. All College personnel will cooperate fully with police authorities in investigating the alleged offense.

Additionally, any reported allegations of a hate crime against a student will be investigated promptly, thoroughly, and impartially by the Dean of Students or a designee at his or her discretion. The investigation may include individual interviews with the parties involved and, where necessary, with individuals who may have observed the alleged conduct or may have other relevant knowledge. Students charged with committing a hate crime will be subject to the disciplinary sanctions and procedures outlined in The Cord under Sanctions for Misconduct.

Penalties

The New York Hate Crimes Act of 2000 provides for enhanced penalties when the commission of a specified offense is determined to be a hate crime. Therefore, when the predicate offense is a class C, D, or E felony or a misdemeanor, the crime for which the individual is convicted is "deemed to be one category higher than the specified offense" and "the offense level applicable to the defendant's conviction for an attempt or conspiracy to commit a specified offense." N.Y. Penal Law § 485.10(2). When the specified offense is deemed a violent felony offense, the hate crime shall also be deemed a violent felony offense. N.Y. Penal Law § 485.10(1).

Internal College sanctions can range from written or verbal reprimands to suspension or expulsion. A full list of penalties is set forth in The Cord under Sanctions for Misconduct.

Hate Crime Prevention Information

Bias related/hate crimes can occur under any circumstance and in any environment. In order to promote the safety and security of all members of the College community the College provides the following:

Each section of *Introduction to Sociology* will feature a unit on hate crimes. This practice has been in place since the College's Fall 2014 semester. *Introduction to Sociology* is part of the SFC core curriculum, and is required to be taken by every student. This unit is a part of the section on Prejudice, Discrimination, and Racism. Students will be exposed to the ideas of racism and discrimination at the macro-level and micro-level, in terms of structural discrimination (e.g. education, housing, and employment) and at the micro-level (e.g. racism and discrimination against individuals in terms of personal attitudes and behavior). The section on micro-level racism addresses the causes and consequences of hate crimes, as well as notable New York City cases involving hate crime incidents. The Sociology/Criminal Justice Department will distribute a handout to all students during this unit, with a list of resources for students who are victims of hate crimes or sexual assault.



Availability of Counseling

Victims of or witnesses to a hate crime can obtain counseling and support services by contacting the College's **Counseling Center at 718-489-5335**. Additionally, victims may seek assistance through community resources, including:

Ambulance / Police / Fire Department -	Call 911
Emergency Medical Service -	718-416-7000
Emergency Dental Service -	212-582-4065
The Brooklyn Hospital Center -	718-250-8000
Brookdale University Hospital and Medical Center -	718-240-5000
SUNY Downstate Medical Center -	718-270-1000
New York Methodist Hospital -	718-780-3000
New York Presbyterian Hospital -	212-746-5454
Brooklyn's Women's Services -	718-748-1234

For updates concerning security procedures, students should refer to the College's Emergency Action Plan, Annual Security Report, SFCAlerts, or the College's Safety and Security webpage.

Building Access and Maintenance/Guest Policy

The College campus is for the use of the students, faculty, staff and their invited guests and those on official business. The entrance of St. Francis College is located at 180 Remsen Street. All members of the College community must swipe their identification card at the bollards upon arrival.

All guests, including former employees and alumni, must present identification and register with our Security and Concierge Team. Guests will then be directed to their place of business. The Security Team covers the front desk, 24 hours a day, 7 days a week. Additionally, security cameras monitor all exits and entrances in addition to other areas on campus.

Students, faculty, staff and visitors are encouraged to report needed repairs to the Facilities Department. The Campus Security Office, daily checks the Security system that is included in the daily log book.

Policies and Procedures for Safe Access to Buildings

Keys are only issued to authorized faculty, staff and students.

Problems caused by people in buildings after hours should be reported to Campus Security immediately at extension 5222.

Policies and Procedures for Safe Access to Residence Halls

Please see Educational Housing rules and regulations attached as Exhibit E.

Sex Offender Registry and Access to Related Information:

Incarceration may remove a sex offender from the streets but it does nothing to prevent the offender from committing another crime when released.



St. Francis College is required 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, or is a student.

In the State of New York convicted high risk sex offenders must register with the *Sex Offender Registry*. The Registry was established pursuant to Chapter 192 of the Laws of 1995. The *Sex Offender Registration Act (SORA)* (Correction Law Article 6-C) established a Sex Offender Registry within the New York State Division of Criminal Justice Services. SORA was enacted to assist local law enforcement agencies to protect communities by: 1) requiring sex offenders to register with the State; and, 2) providing information to the public about certain sex offenders living in their communities.

As part of the Registry, SORA requires the Division of Criminal Justice Services to maintain a Subdirectory of High-Risk (Level 3) Sex Offenders and moderate-risk (level 2) sex offenders. The Registry also contains information on low-risk (level 1). This site provides public access to the *Subdirectory* of High-Risk level 3 and moderate-risk level 2 offenders only.

To request information, you must be at least 18 years old and must provide your name, address and telephone number. The information line is open Monday through Friday from 8:00 a.m. to 4:30 p.m.; it is not open on legal holidays. There is no fee for a call.

To learn the status of an individual, a caller must have the individual's name and at least one of the following identifiers: the individual's exact address (i.e. street address and apartment number), driver's license, social security number, or date of birth.

Sex Offender Registry Information Line - 1-800-262-3257

Sex Offender Registry DCJC website -
https://www.criminaljustice.ny.gov/SomsSUBDirectory/search_index.jsp

Missing Student Notification Policy and Procedures

It is the policy of St. Francis College to investigate any report of a missing student who resides in College-designated housing. The College is committed to maintaining a safe and secure environment for its students and has created the following procedures to be followed in the event a student is reported or believed to be missing. This policy applies to students residing in College-designated housing.



Confidential Contact

Students residing in College-designated housing will have the opportunity to register a confidential emergency contact to be notified in the event the student is reported missing. Any contact information provided by the student is confidential and will not be disclosed except to authorized campus officials and law enforcement personnel in furtherance of a missing person investigation. If a student is under the age of 18 and not an emancipated minor, the College must and will notify the student's custodial parent(s) or legal guardian in addition to any listed confidential emergency contact information.

Reporting Procedures

Any person who has reason to believe that a student may be missing should immediately contact the Dean of Students, located in Room 2000 of 180 Remsen Street and available at (718) 489-5215 or, outside of normal business hours (9:00 a.m. to 5:00 p.m.), at (347)538-0509. The Dean of Students, the Dean will refer the report immediately to Campus Security, and, in conjunction with Campus Security, will investigate each report and make an informed determination as to whether the student is considered missing in accordance with this policy. This investigation may include, without limitation: (i) contacting the student's cell phone or campus phone; (ii) speaking with the student's roommates, individuals residing in the student's building, and any other known associate(s) of the suspected missing student; (iii) reviewing the student's class schedule and access card history; and (iv) undertaking whatever other action is deemed appropriate, under the circumstances, to be in the best interest of the suspected missing student. If the Dean of Students determines that the student has been missing for 24 hours, the Dean of Students will immediately contact the New York City Police Department's 84th Precinct, the College's local precinct. Additionally, within 24 hours of making the determination that the student is missing, the College will notify the student's confidential emergency contact. If the student is under the age of 18 and not an emancipated minor, the College must and will also contact the student's custodial parent(s) or legal guardian within such 24-hour period. Nothing in this policy prevents the College from contacting other individuals if deemed necessary by the Dean of Students to prevent harm to a student or others, necessary to the investigation, or otherwise appropriate under the circumstances.

Policies Concerning Law Enforcement

A. Security staff are New York State certified Security Officers, not sworn peace officers.

B. Campus Security works closely with the New York City Police Department, and State and Federal law enforcement agencies to track and respond to campus criminal activity. Annually, the Assistant Director of Security formally requests crime statistics from the 84 Precinct (NYPD) in preparation for submission to the United States Department of Education. The statistics will then be included in the Annual Security Report.



C. Report all crime immediately: All criminal activity on campus should be reported immediately to Campus Security and the New York City Police Department (911).

- The College will assist in completing criminal reports.
- The College will accept the third-party reports in certain cases, like sex offenses. The College prefers to receive reports from the victim because the detail from the victim is often more accurate.
- Persons that would like to report criminal activity or crime conditions occurring on campus, but would like to report on a voluntary confidential basis may be assured that the College will not disclose the reported information, but will include the incident without specifics, if applicable, in the annual disclosure of crime statistics.

Such confidential reports can be called into the Office of Special Events (718) 489-5271 and or "Office of Campus Security 718-489-2022, during business hours, 9AM to 5PM, Monday through Friday (excluding holiday schedules).

- Preserve all physical evidence. Do not wash off or destroy evidence that may be critical.

D. Report as much detail as possible. If you are a victim of a crime, your immediate recall is often the best. Write down as much information as you can after a crime. If there is a criminal case stemming from these notes, they may need to be turned over to the prosecution and or defense. If you cannot identify the perpetrator by name, list as many details as possible, including:

- Gender
- Approximate age
- Height
- Weight/build
- Description of face including eye color, hair color, hair style (short, curly, etc.), nose
- Dress/clothing
- Facial hair
- Glasses
- Distinguishing walk
- Voice



Programs To Educate The College Community Regarding Security And Inform The College Community About Preventing Crime

A. Educational Programming on Campus:

- Through SFC 1001, a required course of all freshmen students, the college's safety and security procedures and basic crime prevention techniques will be discussed for part of one class period. Sociology 1001, a course that most freshmen students are required to take includes lessons on sexual assault prevention. The Office of Special Events in association with the Counseling Center provides assistance in presenting programs on campus security and safety. Together they assist in presenting educational programs in the area of crime prevention, sexual assault awareness, personal safety, fire prevention, etc. College Relations will also work with the New York City Police Department in presenting needed safety programs. These programs will begin at student orientation and are reinforced throughout their time at St. Francis.

At the beginning of each semester, the Student Affairs department will distribute educational brochures to all students with content covering crime prevention and safety awareness, sexual assault prevention, and drug and alcohol abuse prevention. Likewise the same material will be annually distributed and discussed at the first faculty meeting of each academic year. This will also be incorporated into the orientation provided to new staff by the Office of Human Resources. The College's Counseling Center will provide aid to students in coping with alcohol and drug abuse.

B. Educational Programming in Residence Halls:

At the beginning of each academic year, residence hall staff will review security and safety procedures with the students living in the residence hall.



Personal Security Recommendations

Campus security is available to assist you. However, only you can protect yourself by being aware of your surroundings and taking appropriate steps to prevent crime.

Security staff normally patrols the building 24 Hours a day. The Campus Security Desk, (718) 489-5222, is located in the lobby at 182 Remsen Street.

A. Protect your room or office.

- Lock your door – even if you are only going out for a short time or only going a short distance. It only takes 8 seconds to walk into your room to steal your valuables.
- Do not prop open locked doors. These doors are locked for your protection.
- Never open doors for strangers or nonresidents. Always escort your guests to and from the main entrance.
- Do not loan your keys to anyone – even classmates or friends. They may not be careful and may misplace them, giving the wrong person access.
- Do not leave your keys in public places or in your jacket pocket when you are not wearing it.
- Do not put your name or address on key rings; this may give the wrong person access to your room.

B. Protect your property:

- Personal property (purses, briefcases, calculators, etc.) should never be left unattended. Take them with you when leaving the office, classroom or residence hall room.
- Lock your door whenever you leave your room or office. Always lock your door when sleeping. Always lock your car doors.
- Never open doors to strangers or non-residents. Always escort your guests to and from the main entrance.
- Protect all valuables in your room or office. Do not leave valuables in plain view.
- Take valuables home with you during vacations.
- You are encouraged to open a saving or checking account rather than having large sums of money in your room. If you have a checking account, remember the number of the last check written. Theft of a check can go undetected until you receive the bank statement.



C. Protect yourself at night:

- Do not walk alone.
- Do not take shortcuts; walk where there is plenty of light and traffic.

D. Protect yourself walking and jogging:

- Do not walk or jog alone after dark.
- Walk along well-lit routes.
- Be aware of your surroundings. If you think you are being followed, go in a different direction or to the other side of the street and yell for help. Quickly go to a lighted area or to a group of people.
- Have your keys ready when returning to your room and keep your personal or valuable items concealed and close to your body.

E. Help us protect you:

Watch for suspicious persons in and around buildings and parking lots. Do not pursue them; call Security immediately.

A. Suspicious activity:

- If you see any suspicious activity or people on or near campus, call Campus Security immediately.
- Do not assume the person is a visitor or College staff member.

B. Suspicious people may be:

- Loitering about at unusual hours and locations; running, especially if something of value is being carried.
- Exhibiting unusual mental or physical symptoms. Person(s) could be under the influence of drugs or may need medical or psychiatric assistance.
- Carrying property that might be suspicious, depending on the circumstances, going from room to room trying door handles.

Door-to-door soliciting is not permitted in Educational Housing Services housing. Rule of violations should be reported to a Resident Advisor immediately.

**Report all thefts and property losses immediately to Campus Security.
Be Security conscious at all times.**



Policies Regarding Illegality of Alcohol and Drugs on Campus

Policy of Drug-Free Workplace

The federal Drug-Free Workplace Act of 1988 requires that the College certify that it has accomplished certain actions which will keep our campus workplace drug-free. Among the actions required is a statement of the College's basic policy on this matter. That policy is as follows:

1. The unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited at St. Francis College.
2. Any employee who violates this prohibition shall be subject to discipline up to and including dismissal from the College's service, for cause.
3. It is required that, as a condition of initial and continuing employment, each employee agrees to abide by the terms of this statement and to notify the Executive Director of Human Resources of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days following such conviction. [Employees should be aware that it is the College's obligation to notify the Department of Education of such conviction within ten (10) days.]

Employers are also advised that the College considers drug abuse in the workplace to be extremely dangerous and inimical to our purposes as an institution of higher learning.

Any employee who believes him or herself to be suffering from a drug abuse problem may contact, in confidence, the Human Resources Department/Employee Assistance Program, for a prompt referral to an appropriate community counseling or rehabilitation agency.

Originally adopted May 1, 1989

Amended as of January 1, 2000

Drug-Free Policy

The unlawful possession, use, or distribution of illicit drugs, prescription medication, and alcohol by students and employees of St. Francis College is prohibited on the College's property, student-occupied housing, or any other property on which a College activity takes place, or as part of any of the College's activities.

Allegations of any violation of this standard by a St. Francis College student or employee shall be dealt with in accordance with the Judicial Process applicable to all alleged violations of the College's Standards of Conduct Expected of Students and Employees. The handbook respectively states that, students and employees are advised that disciplinary sanctions will be applied following a finding of guilt, and that these may include expulsion from the College.

All members of the College community are further advised that the College may, in addition to imposing its own penalties, refer to appropriate authorities any case involving a violation of the standard of conduct pertaining to drug and alcohol abuse, wherein a finding of guilt is rendered.



Drug and Alcohol Counseling

Treatment and Rehabilitation Programs Available to Employees and Students

The resources listed below are agencies with which the College has developed a good working relationship. Students who believe that they might benefit from any of the services provided below should see the Dean of Students, who will be glad to facilitate a referral, in confidence. Similarly, employees should contact the Director of Human Resources.

- (1) **Daytop Village**
500 8th Avenue
New York, NY 10018
(212)904-1500
Services:
(a) Counseling, treatment, and rehabilitation for abusers of all drugs. (non methadone).
(b) In- and out-patient treatment.
(c) Job training.
- (2) **Alcoholics Anonymous**
Hotline: (718)339-4777
- (3) **Neighborhood Counseling Center**
7701 13th Ave (Dyker Heights)
(718)232-1351
- (4) **Community Affairs Liaison**
84th Precinct, NYPD
(718)875-6850
- (5) **SAFE Horizon**
2 Lafayette Street
New York, New York
(212)577-7700
Hotline (24 hours a day) – (212)577-7777

Additional Resources

For additional information, please contact The National Institute on Drug Abuse Hotline, 1-800-662-4357, an information and referral service that distributes Department of Education publications about drug and alcohol prevention programs.

In addition, the College's Student Health Center, 718-489-5366, and Counseling Center, 718-489-5335, is stocked with literature and other materials concerning illicit drugs and alcohol abuse treatment resources frequently used by students in the vicinity of the College. Students and employees are encouraged to take advantage of this valuable in-house resource with the assurance that any inquiry will be treated in the strictest confidence.



Legal Sanctions Concerning Alcohol and Drugs

A. Federal Law: The Federal Controlled Substances Act prohibits the knowing, intentional, and unauthorized manufacture, distribution, or dispensing of any controlled substance or the possession of any controlled substance with intent to manufacture, distribute, or dispense. Federal law also prohibits the knowing, intentional, and unauthorized creation, distribution, dispensing, or possession with intent to distribute or dispense a “counterfeit substance.”

Simple possession carries a penalty of up to one (1) year imprisonment and a fine of not less than \$1,000. Maximum penalties for narcotic trafficking violations range from twenty (20) years to life imprisonment. Certain violations carry mandatory minimum prison sentences of either five (5) years or ten (10) years. For example, the possession with intent to distribute one (1) kilogram or more of a substance containing a detectable amount of heroin carries a term of imprisonment of not less than ten (10) years and up to life imprisonment. Possession with intent to distribute five hundred (500) grams or more of a mixture or a substance containing a detectable amount of cocaine carries a sentence of not less than five (5) years and not more than forty (40) years imprisonment.

Penalties are increased for certain specific drug crimes under federal law, including the following:

- the distribution of narcotics to persons under 21 years of age;
- the distribution or manufacturing of narcotics near schools and colleges;
- the employment of juveniles under the age of 18 years in drug-trafficking operations;
- the distribution of controlled substances to pregnant women.

Penalties for the violation of federal narcotic statutes vary greatly and depend upon two principal factors: the type of drug involved and the quantity of the drug involved. More severe penalties are imposed if a firearm is used in the commission of a drug trafficking crime. If a drug offense results in death or serious bodily injury to a person who uses the drug, the penalties are increased.

B. New York Law: The use, possession, and sale of controlled substances are subject to severe sanctions under New York law. The specific criminal sanctions are set forth in the New York State Penal Law and the severity of each offense is contingent upon the type and quantity of the illegal substance as well as the intent of the holder, such as personal use or distribution. For example, knowingly and unlawfully possessing a narcotic drug with the intent to sell it is a class B felony subject to up to nine (9) years imprisonment. Criminally using drug paraphernalia, including gelatine capsules, capsules, glassine envelopes, vials, or any other material suitable for the packaging of individual quantities of narcotic drugs or stimulants under circumstances evincing an intent to use evincing knowledge that some person intends to use the same for the purpose of unlawfully manufacturing, packaging or dispensing of any narcotic drug or stimulant is considered a class A misdemeanor and is subject to up to one year imprisonment.

Additionally, under New York State laws, the sale or distribution of alcoholic beverages to a person under the age of 21 is deemed a misdemeanor and punishable by a fine of up to \$1,000 and imprisonment for up to one year. New York has a Zero Tolerance Law for individuals under the age of 21 who operate a motor vehicle after consuming alcohol, irrespective of whether the individual’s blood alcohol content exceeds the legal limits for intoxication. Under the Zero Tolerance Law an individual can be subject to various penalties including fines and license revocation or suspension.



Health Risks Concerning Alcohol and Drugs

For further information, please visit the website [here](#).

Legal Sanctions –Laws Governing Alcohol

The State of New York sets 21 as the minimum age to purchase or possess any alcoholic beverage. Specific ordinances regarding violations of alcohol laws, including driving while intoxicated, are available from the Office of Director of Compliance. State laws regarding alcohol include the following:

- Persons under age 21 found possessing alcohol may be given a maximum fine of \$50 and/or completion of an alcohol awareness program and/or up to thirty hours of community service.
- Anyone convicted of fraudulently using a driver's license to buy or attempt to buy alcohol may have his/her driver's license suspended for up to 90 days for a first violation.
- Persons convicted of buying alcohol through fraudulent means face a possible \$100 fine and/or being required to do up to 30 hours of community service work and/or completion of an alcohol awareness program for a first violation.

A violation of any law regarding alcohol is also a violation of the College's Student Code of Conduct and will be treated as a separate disciplinary matter by the College.

The College seeks to promote healthy living in community and individual life. The College recognizes that the misuse and abuse of alcohol and other chemicals is a serious health problem affecting every aspect of human life. Therefore St. Francis College accepts the responsibility to provide education about alcohol and other drug use. In situations where individuals are losing control of their chemical use and/or where that use is harming them and others in any way. The College will intervene to help out of concern for both the individual and the College community.

The College is also committed to providing alternatives to chemical use through social and recreational opportunities. Therefore, the possession, use, and/or sale of alcohol or illegal chemicals by any person or group using College facilities will not be permitted. Students possessing or using alcoholic beverages or illegal chemicals on campus or in College owned housing, and students selling illegal chemicals or persuading others to use them will be subject to disciplinary action.

In instances where College officials are informed that St. Francis College students have caused a disturbance off campus in connection with the use of alcohol or that St. Francis students have been found to be in possession, using or distributing illegal chemicals off campus, the College reserves the right to take disciplinary action.



The College enforces the New York State drinking laws, including the prohibition of use by persons less than 21 years of age, and the College's policy. *The College prohibits possession or consumption of alcohol on campus and student possessing or using alcohol will be subject to disciplinary action.* Disciplinary action includes monetary fines.

The College enforces both New York State and Federal drug laws regarding the use, possession, and sale of illegal drugs.

Drug and Alcohol Abuse Policy

The purpose of this policy is to set forth the College's policy regarding alcohol and other drug use, including unlawful drug use or abuse in the workplace in accordance with the Drug Free Workplace Act of 1988 (Public Law 100-690, Title V, Subtitle D) and the Drug Free Schools and Communities Act Amendments of 1989 (Public Law 101-226). The College recognizes the existence of chemical dependency and is aware of its occasional presence in the College community. Counseling and prevention programs are provided to the College community.

The Dean of Students is the adjudication authority for any violation of the drug and alcohol rules and procedures or any infraction committed by students. The Dean of Students, or his/her designee, has the authority and ability to adjudicate situations on a case-by-case basis and impose a penalty as is seen fit by the office to include exclusion from institutional use in the future. Human Resources is the adjudication authority for violation of drug and alcohol rules by employees.

The College provides reasonable assistance to any student, faculty or staff member seeking information on chemical dependency or treatment. Various offices on campus, including Health Services, and Human Resources provide information and prevention programs for those seeking help with substance abuse. The College counselors make off-campus referrals to area agencies and professionals specializing in chemical dependency.

St. Francis College Student Counseling Center- Wellness Center

Room 2310 - 718-489-5335

Monday – Friday 9am – 5pm



Daytop Village
401 State Street
Brooklyn, NY
(718) 625-1388

Services:

- (a) Counseling, treatment and rehabilitation for abusers of all drugs (non-methadone)
- (b) In and out patient treatment
- (c) Job training

National Institute on Drug Abuse Hotline (301) 460-2600

Alcoholics Anonymous

What Is Provided: Support for people with alcoholism

For Whom: Anyone who wants to stop drinking

Contact: Call (212) 647-1680 or visit www.alcoholics-anonymous.org

Narcotics Anonymous

What Is Provided: Support for people with drug problems

For Whom: Anyone who wants to stop using drugs

Contact: Call (212) 929-6262 or visit www.na.org

New York City Al Anon

What Is Provided: Support for individuals and families whose loved ones have alcoholism

Contact: Call (212) 941-0094 or visit www.nycalanon.org/

On-Campus Drug and Alcohol Education Programs:

Under the Influence is an online alcohol education course designed by 3rd Millennium Classrooms. Its course content includes attitude and behavioral surveys, self-assessments, law reviews and discussions on alcohol and/or drug abuse. Course completion is mandated of all first-time alcohol offenders. Program overseers include the Offices of Student Activities, Residence Life, and Dean of Students.

Marijuana 101 represents a marijuana online education course designed by 3rd Millennium Classrooms. Its interactive course content orients students on drug consequences, law and self-help tools to reduce and stop drug usage. Course completion is mandated of all first-time marijuana offenders. Program overseers include the Offices of Student Activities, Residence Life, and Dean of Students.



Alcohol Wise represents an online alcohol education course designed by 3rd Millennium Classrooms. Its target population is first-year dormitory students. Course content includes presentations on alcohol use, consumption and impact on academic and social behaviors. Course completion is required of all incoming dorm students within their first month of moving into our off-site dormitory. Moreover, students are also called on to complete a post-course evaluation tool that is based on assessment of student entered data and decision making. Program overseers included the Offices of Residence Life and the Dean of Students.

Greek Wise represents an evidence-based online course tutorial aimed at all members of SFC Greek Life. Its course content includes an introduction and review of hazing, alcohol use, sexual assault and legal definitions. Course completion is mandated of Greek members during the fall of each academic school year. Program overseers include the Offices of Student Activities and Dean of Students.

NYPD Community Affairs – At the start of each new school year, SFC will host members of our local Community Affairs Division to conduct campus and off-campus (dormitories) tabling events that introduce campus safety. Moreover, the college will also disseminate attached literature, promotional materials and media communications.

If You Are a Victim of Sexual Assault:

If you are a victim of a sexual assault at this institution, your first priority should be to get to a place of safety. You should then obtain necessary medical treatment. It is strongly advocated that a victim of sexual assault report the incident in a timely manner. Time is a critical factor for evidence collection and preservation. An assault should be reported directly to the New York City Police Department and/or Campus security officer.

Promptly filing a police report will:

- ensure that a victim of sexual assault receives the necessary medical treatment and tests, at no expense to the victim
- provide the opportunity for collection of evidence helpful in prosecution, which cannot be obtained later (ideally a victim of sexual assault should not wash, douche, use the toilet, or change clothing prior to a medical/legal exam)
- assure the victim has access to free confidential counseling specifically trained in the area of sexual assault crisis intervention.

When a sexual assault victim contacts the NYPD, the New York City Police Sex Crimes Unit will be notified as well. A representative from the Office of Student Affairs will also be notified. The victim of a sexual assault may choose for the investigation to be pursued through the criminal justice system and or the College's judicial system; there could be a victim who declines to participate in the college process but who may want to notify the NYPD as an option. A College representative will guide the victim through the available options and support the victim in his or her decision. The Title IX Coordinator will be accessible to the alleged victim. Various counseling options are available from the College's Wellness Counseling Center. Counseling and support services outside the College system can be obtained through the Rape and Sexual Abuse Hotline at 212-267-7273.



Whenever sexual violence occurs, be it on or off campus, it is strongly recommended that the victims report the incident to the police and to Campus Security. Victims are advised that the College will assist and support them in reporting the incident to the police. At the direction of the police, the College will assist in obtaining, securing and maintaining evidence. The victim can report an incident to the police even if she/he does not wish to have charges filed. Whether or not criminal charges are filed depends, first and foremost, upon the wishes of the victim and secondly upon the decision by the District Attorney on whether or not there are sufficient grounds to prosecute. If the accused is a member of the campus community, the College will investigate the complaint and initiate appropriate disciplinary action against the accused, even in cases also being handled by authorities. The College will also, at the victim's request, shield him/her from unwanted contact with the alleged assailant by providing, if available and feasible, alternative College housing and alternative classes.

The process for reporting the incident to the College and the procedures for institutional disciplinary action are discussed in the Sexual Misconduct Policy. These proceedings will provide a prompt, fair, and impartial investigation and resolution. Those who report sexual misconduct will be given a copy of the sexual misconduct policy.



ST. FRANCIS COLLEGE POLICY AND PROCEDURES FOR REPORTS OF STUDENT SEXUAL MISCONDUCT

(Adopted Fall 2013, Amended August 2019)

PART 1: RESOURCES AND DEFINITIONS

I. INTRODUCTION

Notice of Nondiscrimination and Statement on Sexual Misconduct

The health, safety, and well-being of all members of the St. Francis College (“College”) community are the College’s primary concerns. In furtherance of the Franciscan Spirit, and in accordance with Title IX of the Education Amendments of 1972 (“Title IX”), the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (the “Clery Act”), as amended by the Violence Against Women Act/Campus Sexual Violence Act (“Campus SaVE Act”), and Article 129-B of the New York State Education Law (“Article 129-B”), the College is committed to maintaining a community free from all forms of sex discrimination, including sexual misconduct. In accordance with Title IX, the College does not discriminate on the basis of sex in its education programs and activities. Under Title IX, discrimination on the basis of sex includes sexual harassment and sexual violence.

Sexual misconduct, as defined herein, includes a broad range of behaviors that will not be tolerated in the College’s education programs or activities. Sexual harassment, sexual violence, sexual assault, sexual coercion, sexual exploitation, dating violence, domestic violence, and stalking are all forms of sexual misconduct that are strictly prohibited by the College. Sexual misconduct can occur between strangers, acquaintances, or people who know each other well, including those who are involved in an intimate or sexual relationship, and can be committed by anyone regardless of sex, gender, or gender identity. The College does not tolerate any form of sexual misconduct as defined herein.

Questions regarding Title IX, the Campus SaVE Act and/or Article 129-B may be referred to the College’s Title IX Coordinator or to the U.S. Department of Education’s Office for Civil Rights, 400 Maryland Avenue, SW Washington, DC 20202-1100 or call the OCR main numbers (800) 421-3481 FREE, TDD or (800) 877-8339 FRE or email the OCR’s New York office ocr.newyork@ed.gov or by telephone at 646-428-3800.

The Title IX Coordinator:

Linda Werbel Dashefsky
 Vice President for Government and Community Relations and Title IX Coordinator
 180 Remsen Street, Room 7304
 Brooklyn, NY 11201
 Phone: (718) 489-5370 or, if on campus, extension 5370
 Email: lwerbel@sfc.edu

The Title IX Coordinator’s responsibilities include, but are not limited to, overseeing the College’s response to complaints of sexual misconduct, coordinating investigations into allegations of sexual misconduct, and identifying and addressing any patterns or systemic problems of sexual misconduct that arise during the investigation of a complaint of sexual misconduct.



This Policy and Procedures for Reports of Student Sexual Misconduct (the “Policy”) governs sexual misconduct involving College students, and applies to such students regardless of sex, race, religion, national origin, disability, part-time/full-time status, marital status, creed, genetic disposition, or carrier status, sexual orientation, gender identity, or other protected status. Complaints of discrimination or harassment on the basis of sex/gender that do not involve sexual misconduct are governed by the College’s Non-Discrimination and Anti-Harassment Policy located on the St. Francis College web site at

https://www.sfc.edu/uploaded/documents/pdf/consumer_info/Non-Discrimination_and_Anti-Harassment_Policy.pdf

If the respondent is a College employee or other person doing business with the College, the investigation and disciplinary processes described in the College’s Policy and Procedures for Reports of Employee Sexual Misconduct will apply available on the College web site at

https://www.sfc.edu/uploaded/documents/pdf/consumer_info/SexualMisconductComplaintsEmployees.pdf

For information about this policy, please contact the Title IX Coordinator.

This Policy applies to any allegation of sexual misconduct that takes place on College property, including student-Housing, or any other property on which a College program or activity takes place. This Policy also covers conduct that takes place off of College property, or has a reasonable connection to the College.

This Policy:

- i. sets forth the Students’ Bill of Rights;
- ii. describes programs implemented by the College to educate and increase awareness among the College community regarding sexual misconduct;
- iii. sets forth available resources and reporting options for victims of sexual misconduct;
- iv. defines prohibited conduct;
- v. describes the College’s formal and informal procedures for responding to complaints of sexual misconduct, including the investigation, hearing, sanctioning and appeal process.

II. STUDENTS’ BILL OF RIGHTS

All students have the right to:

1. Make a report to local law enforcement and/or state police;
2. Have disclosures of domestic violence, dating violence, stalking, and sexual assault treated seriously;
3. Make a decision about whether or not to disclose a crime or violation and participate in the judicial or conduct process and/or criminal justice process free from pressure from the College;
4. Participate in a process that is fair, impartial, and provides adequate notice and a meaningful opportunity to be heard;
5. Be treated with dignity and to receive from the College courteous, fair, and respectful health care and counseling services, where available;
6. Be free from any suggestion that the reporting individual is at fault when these crimes and violations are committed, or should have acted in a different manner to avoid such crimes or violations;
7. Describe the incident with as few College representatives as practicable and not be required to unnecessarily repeat a description of the incident;



8. Be protected from retaliation by the College, any student, the accused and/or respondent, and or their 31 friends, family and acquaintances within the jurisdiction of the College;
9. Access to at least one level of appeal of a determination;
10. Be accompanied by an advisor of choice who may assist and advise a reporting individual, accused or respondent throughout the judicial or conduct process including during all meetings and hearings related to such process;
11. Exercise civil rights and practice of religion without interference by the investigative, criminal justice or judicial or conduct process of the College.

III. PREVENTION AND AWARENESS EDUCATION PROGRAMS

Creating a safe and respectful environment is the responsibility of all members of the College's Franciscan community. To promote and maintain this environment, the College engages in comprehensive educational programming to prevent sexual misconduct (including sexual harassment, domestic violence, dating violence, sexual assault, stalking, and retaliation). The College provides primary prevention and awareness programs for all incoming students and employees, and ongoing prevention and awareness campaigns for all students and employees.

The College educates the student community about sexual misconduct through its mandatory freshman orientation program, certain required courses, and ongoing programming initiatives throughout the students' time at the College. Such programming and courses provide students with information about safety and security procedures, the College's procedures for responding to reports of sexual misconduct, options for safe and positive bystander intervention, and information on risk reduction to recognize warning signs of abusive behavior and how to avoid potential attacks. For additional information about the College's sexual misconduct prevention and awareness programming, please contact the Title IX Coordinator.

Public Awareness and Advocacy Events: If an individual discloses information through a public awareness event such as candlelight vigils, protests, or other public events, the College is not obligated to begin an investigation based on such information. The College will use the information provided at such an event to inform its efforts for additional education and prevention efforts.

IV. RESOURCES AND REPORTING OPTIONS FOR VICTIMS

A. Immediate Medical Assistance and Counseling

If you or someone you know is or may be the victim of any form of sexual misconduct, the College strongly urges you to seek immediate assistance. Assistance is available 24 hours a day, 7 days a week, from:

- Local Police (84th Precinct) and Emergency Assistance – Call 911
- Campus Security – (718) 489-5222 or, if on campus, extension 5222
- Safe Horizon Rape and Sexual Assault Hotline – (866) 689-HELP (4357)
- Safe Horizon Domestic Violence Hotline – (800) 621-HOPE (4673)
- Beth Israel Hospital Emergency Room, First Avenue and 16th Street Manhattan
- Maimonides Medical Center Emergency Rm – 4802 10th Ave., Brooklyn, NY, 11219, (718) 283-7222
- NYPD Sex Crimes Report Hotline – (212) 267-7273
- Brooklyn District Attorney's Office Special Victims Bureau – (718) 250-3170
- New York City Gay and Lesbian Anti-Violence Project – (212) 714-1141



- St. Luke's Hospital Crime Victim Treatment Center – (212) 523-905
- Center Against Domestic Violence – (718) 254-9134
- New York State Office of Victim Services Toll Free Number – (800) 247-8035 * can report anonymously
- New York State Police – (844) 845-7269
- New York State Domestic Violence and Sexual Assault Hotline, provides crisis intervention, shelter services, and referrals(800)-942-6906

B. Sexual Assault Forensic Examiners

Victims of sexual assault should receive immediate medical attention. Sexual Assault Forensic Examiners (SAFE) are considered the best and most appropriate medical professionals to conduct such an examination.

- The College has an MOU with Beth Israel Hospital (Manhattan)
- St. Luke's Hospital (Manhattan)
- Roosevelt Hospital (Manhattan)
- Bellevue Hospital (Manhattan)
- Mount Sinai (Manhattan)
- New York Presbyterian – Weill Cornell (Manhattan)
- Woodhull Hospital (Brooklyn)
- Coney Island (Brooklyn)
- King's County Hospital (Brooklyn)

C. College Counseling Resources

Regardless of whether an individual makes an official complaint of sexual misconduct, various counseling options are available at the College.

Student Health Services
180 Remsen Street, Room 2310
Brooklyn, NY 11201
Phone: (718) 489 - 5366
Monday – Friday 9AM – 5PM

The SFC Counseling Center 180
Remsen Street, Room 2310
Brooklyn, NY 11201
Phone: (718) 489 – 5335 or, if on campus, extension 5335

V. REPORTING OF INCIDENTS OF SEXUAL MISCONDUCT

A. Law Enforcement Notification

If you are the victim of sexual misconduct, the College strongly encourages you to promptly report the incident to the police. Timing is a critical factor in collecting and preserving evidence that may assist in proving that the alleged misconduct occurred or may be helpful in obtaining a protection or restraining order from the police. College representatives are available to assist you in notifying law enforcement of an incident of sexual misconduct and in contacting law enforcement or legal service organizations to learn about these remedies. You may also decline to notify law enforcement.



The College is committed to providing a prompt, fair, and impartial investigation and resolution to all allegations of sexual misconduct. The College also encourages the reporting of sexual misconduct to a College representative in a timely manner. Incidents of sexual misconduct can be reported to the Title IX Coordinator or the Dean of Students.

Ruben Gonzalez Dean of Students 180
Remsen Street Room 3307
Brooklyn, NY 11201
Office Phone: (718) 489-5215
Cell Phone: (347) 538-0509
Email: rgonzalez132@sfc.edu

Linda Werbel Dashefsky
Vice President of Government and Community Relations and Title IX Coordinator 180
Remsen Street Room 7304
Brooklyn, NY 11201
Phone: (718) 489-5370 or, if on campus, extension 5370
Email: lwerbel@sfc.edu

Except for those employees designated as confidential, as set forth herein, any incident of sexual misconduct reported to a College employee, must be reported by the employee to the Title IX Coordinator.

When the College receives a report from a student that he or she has been the victim of sexual misconduct including dating violence, domestic violence, sexual assault or stalking, whether the offense occurred on or off campus, the College will provide the reporting individual with a written explanation of his or her rights and options regarding existing counseling, health, mental health, victim advocacy, legal assistance, student financial aid and other services available both within the College and in the community. If the reporting individual is not the complainant, and the identity of the complainant is made known to the College, the College will provide written notification to the complainant.

A reporting individual will have emergency access to the Title IX Coordinator, or his or her designee, who is trained in interviewing victims of sexual misconduct. The Title IX Coordinator, or other designated College official will be available to provide the reporting individual with information regarding his or her options to proceed, and other important information about his or her rights under College policy and the law.

At the first instance of disclosure by a reporting individual to a representative, the following information shall be presented to the reporting individual: "You have the right to make a report to campus police or campus security, local law enforcement, and/or state police or choose not to report; to report the incident to your institution; to be protected by the institution from retaliation for reporting an incident; and to receive assistance and resources from your institution."

The College will seek consent from reporting individuals prior to conducting an investigation. Declining to consent to an investigation shall be honored unless the College determines in good faith that failure to investigate does not adequately mitigate a potential risk of harm to the reporting individual or other members of the College community. Honoring such a request may limit the College's ability to meaningfully investigate and pursue conduct action against a respondent. Factors used to determine whether to honor such a request include but are not limited to:



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

A reporting individual may withdraw a complaint or report from the College at any time. The College may, however, still have an obligation to investigate and/or take action. This is further addressed in the Confidentiality section below.

C. Reports of Sexual Misconduct from Anonymous Sources

If the College receives a report of alleged sexual misconduct by someone other than the complainant (e.g., friend or roommate) or from an anonymous source, the Title IX Coordinator will promptly notify the complainant of the report and inform the complainant of the available resources and assistance. The College will respond to the report of sexual misconduct as if the complainant had made the initial report and an investigation will commence.

D. Time for Reporting

There is no time limit for reporting sexual misconduct. Nevertheless, any member of the College community who believes that he or she has been a victim of sexual misconduct is encouraged to report the alleged sexual misconduct immediately in order to maximize the College's ability to conduct a thorough, impartial, and reliable investigation.

Under no circumstances will the College allow an impending graduation to compromise its resolution of a sexual misconduct complaint. The conferral of a degree may, therefore, be withheld, if necessary, until proper resolution of any sexual misconduct charges, provided that an opportunity will be scheduled for the earliest practicable date that can accommodate the parties and their witnesses.

E. Timely Warnings

The College is obligated to issue timely warnings of crimes enumerated in the Clery Act occurring within relevant geography that represents a serious or continuous threat to students and employees, except in those circumstances where issuing such a warning may compromise current law enforcement efforts or when the warning itself could potentially identify the reporting individual.

F. Bad Faith Reporting

Submitting a false report of sexual misconduct or providing false or misleading information in bad faith in connection with an incident of sexual misconduct is prohibited and subject to disciplinary action, up to and including dismissal from the College. This provision does not apply to reports made or information provided in good faith, even if the facts alleged in the report are determined not to be accurate.



VI. CONFIDENTIALITY

The College understands that, for many victims of sexual misconduct, confidentiality is a primary concern. However, certain College employees are required by state and federal laws to share information from a report of sexual misconduct with the College or governmental agencies. Even College employees who cannot guarantee confidentiality will maintain the privacy of the reporting individual to the greatest extent possible. The information that the reporting individual provides to a non-confidential resource will be relayed only as necessary for the Title IX Coordinator to investigate and/or seek a resolution. When reporting crimes for the purposes of Clery Act compliance, the College will not release identifying information of the victim. The ability of College employees to maintain confidentiality is as follows:

A. Professional and Pastoral Counselors

Professional, licensed counselors and pastoral counselors (ordained clergy) whose official responsibilities include providing mental-health counseling to College students, including those who act in that role under the supervision of a licensed counselor, are not required to report any information about an incident of sexual misconduct to the Title IX Coordinator. The following is a list of the College's professional and pastoral counselors:

The SFC Counseling Center 180 Remsen
Street, Room 2310
Brooklyn, NY 11201
Phone: (718) 489 – 5335 or, if on campus, extension 5335

B. Non-Professional Counselors and Advocates

Non-professional counselors and advocates may be found in the College's Student Health Services and Counseling Center. These individuals may maintain a victim's confidentiality while reporting the nature, date, time, and general location of the incident to the Title IX Coordinator.

C. Responsible Employees

A "responsible employee" is a College employee who: (i) has the authority to redress sexual misconduct; (ii) has been given the duty to report incidents of sexual misconduct or any other misconduct by students, faculty or staff to the Title IX coordinator or other appropriate College official; or (iii) a student could reasonably believe has this authority or duty. This definition encompasses virtually every College employee, including all faculty, staff and administrators, except those who are acting as pastoral and professional counselors and non-professional counselors and advocates.

A responsible employee must immediately report all relevant details about the alleged sexual misconduct shared by the reporting individual to the Title IX Coordinator. A responsible employee will strive to maintain privacy and information reported to the responsible employee will be shared only with those having a need to know such information in order to respond in accordance with College policy.

D. Requests for Confidentiality/Inaction

The College is obligated by law to address all allegations of sexual misconduct regardless of whether the complainant wishes to file a complaint. If a complainant reports an incident of sexual misconduct but wishes to remain anonymous or requests that no investigation into the incident be conducted, the College will weigh that



request against the College's obligation under the law to provide a safe, nondiscriminatory environment for all members of the College community, including the complainant. If the College honors the request for confidentiality, the complainant must understand that the College's ability to effectively investigate the incident and pursue disciplinary action against the respondent may be limited. In certain circumstances, the College may not be able to honor a complainant's request for confidentiality when doing so would jeopardize the College's responsibility to provide a safe, non-discriminatory environment to all community members. 36

Under all circumstances, the Title IX Coordinator is notified of alleged sexual misconduct. When weighing a complainant's request for confidentiality or the need to continue to pursue the investigation, the Title IX Coordinator will consider a range of factors, including, but not limited to, the following:

- whether there have been other sexual misconduct complaints about the same respondent;
- whether the respondent has a history of arrests or records from a prior school indicating a history of violence;
- whether the incident represents an escalation in and unlawful conduct on behalf of the respondent from previously noted behavior;
- whether there is an increased risk that the respondent will commit additional acts of violence;
- whether the sexual misconduct was committed by multiple respondents;
- whether the complainant's report reveals a pattern of perpetration (e.g., via illicit use of drugs or alcohol) at a given location or by a particular group;
- whether the alleged sexual misconduct was perpetrated with a weapon or force;
- the age of the complainant (whether the reporting individual is a minor);
- whether the College has other means to obtain relevant evidence (e.g., security cameras or personal, physical evidence).

After considering these factors, the College may be compelled to investigate the alleged sexual misconduct and, if appropriate, pursue disciplinary action in a manner that may require the College to disclose the complainant's identity to the respondent. If the College determines that an investigation is required, the College will inform the complainant and take immediate action necessary to protect and assist the complainant.

If, after considering these factors, the College determines that it is able to respect the complainant's request for confidentiality, the College will nevertheless take all reasonable steps to respond to the complaint consistent with the complainant's confidentiality request, and will determine whether interim measures are appropriate or necessary. The College will also consider broader remedial action, such as increased monitoring, supervision of security at locations where the reported sexual misconduct occurred, increasing training, education and prevention efforts, and conducting climate surveys

E. Clery Reporting

Reports of certain crimes occurring in specific geographic locations shall be included in the College's Annual Security Report pursuant to the Clery Act, 20 U.S.C. § 1092 (f), in an anonymized manner that identifies neither the specifics of the crime nor the identity of the reporting individual.

F. FERPA

FERPA, 20 U.S.C. § 1232g, permits institutions to share information with parents when:

(i) there is a health or safety emergency or (ii) when the student is a dependent on either parent's prior year federal income tax return. Generally, the College will not share information about a report of domestic violence, dating violence, stalking, or sexual assault with parents without the permission of the reporting individual.



Certain members of the College community who interact with, supervise, chaperone, or otherwise oversee minors in programs or activities at the College or sponsored by the College are required to report immediately to the New York State Maltreatment Hotline if they have reasonable cause to suspect abuse or maltreatment of individuals under the age of 18. If there is suspected abuse or maltreatment of a minor on campus, contact the College's Security Desk at (718) 489-5222, the Title IX Coordinator and call the New York State Child Maltreatment Hot-line at 800-342-3720.

For more information on minors in general and reporting obligations in instances involving minors, please refer to St. Francis College Minors on Campus Policy located on the St. Francis College web site: https://www.sfc.edu/uploaded/documents/pdf/consumer_info/Minors_on_Campus_Policy_.pdf

VII. COLLEGE AMNESTY POLICY

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

VIII. INTERIM MEASURES AND ACCOMMODATIONS

Any individual who has been the victim of sexual misconduct may request assistance in changing academic, housing, living, transportation, employment, working or other applicable situations in order to help ensure safety, prevent retaliation and avoid an alleged ongoing hostile environment. The College will grant such accommodations, provided they are reasonable and available, regardless of whether the student chooses to report the incident to law enforcement and regardless of whether the student chooses to formally report and/or participate in the College's investigation or conduct process. When taking such steps to separate the complainant and the respondent, the College will, to the extent practicable, minimize the burden on the complainant.

Upon notice of alleged sexual misconduct, and to ensure the safety and well-being of the parties, the Title IX Coordinator may take any protective action that he or she deems appropriate concerning the interaction of the parties before the final outcome of the investigation, if any. Such actions may include, but are not limited to, providing increased security, supervision or monitoring at location or activities where the alleged misconduct occurred, moving a student's residence, adjusting a student's academic or College work schedule, and issuing a "no-contact" order.

Requests for accommodations in connection with incidents of sexual misconduct should be made to the Title IX Coordinator. The College will provide information about the student's request for accommodations only to those having a need to know such information in order to implement the accommodations. Both the complainant and the respondent may ask the College to review the need for and terms of any interim measures or accommodations that directly affects him or her and may submit evidence in support of his or her request. Any such requests should be submitted to the Title IX Coordinator. Upon such request, the Title IX Coordinator, or his or her designee, will notify the other party and conduct a prompt review of the need for and terms of any interim measures or accommodations.



A. No Contact Order

Interim measures may also include no contact orders. As defined herein, a no contact order is a directive prohibiting contact between or among designated individuals through any means, direct or indirect, including personal contact, email, telephone, text message, social media, or by means of a third party. All no contact orders will be mutual – i.e. neither student involved will be permitted to contact the other student -- unless the College determines, in its discretion, that a non-mutual order is appropriate. If the respondent and complainant observe each other in a public place, it shall be the responsibility of the respondent to leave the area immediately and without directly contacting the complainant.

The complainant or respondent may request a review of the need for, and terms of, the no-contact order, including potential modification, and may submit evidence in support of his or her request. Any such requests should be submitted to the Title IX Coordinator. The Title IX Coordinator, or his or her designee, will notify the other party and conduct a prompt review in response to such request.

B. Interim Suspension

When the respondent is a College student and is determined to present a continuing threat to the health and safety of the College community, the respondent may be subject to interim suspension pending the outcome of the resolution process, described herein. In determining whether interim suspension is appropriate, the Title IX Coordinator, or his or her designee, consider, *inter alia*, the following factors: whether there have been other sexual misconduct complaints about the same respondent; whether the incident involves a weapon or violence; whether the respondent has a history of arrests or disciplinary records; whether the incident represents an escalation in and unlawful conduct on behalf of the respondent from previously noted behavior; and whether there is an increased risk that the respondent will commit additional acts of violence. In the event the College imposes an interim suspension on the respondent, the complainant or respondent may request a review of the need for, and terms of, an interim suspension, reasonable under the circumstances, including potential modification, and may submit evidence in support of his or her request to the Title IX Coordinator. Any such requests should be submitted to the Title IX Coordinator. Upon such request, the Title IX Coordinator, or his or her designee, will notify the other party and conduct a prompt review.

IX. ORDERS OF PROTECTION

The College may also assist an eligible complainant in acquiring a New York State court order of protection. If an order of protection is granted, the complainant and the respondent have the right to receive a copy of the order of protection when the order is received by the College. Both parties will also have the opportunity to have an appropriate College employee explain the order, the consequences for violating the order, and answer any questions about the order. Additionally, if the respondent violates the order of protection, the complainant may receive assistance from the College in calling local law enforcement to inform them of the violation.

X. ANTI-RETALIATION POLICY

The College prohibits retaliation against any person who reports sexual misconduct or participates in the investigation of any allegation of sexual misconduct. Retaliation complaints should be reported promptly to the Title IX Coordinator. Reports of retaliation will be investigated in accordance with the appropriate College policy, and such conduct may result in disciplinary action independent of the sanction(s) or interim measures imposed in response to the underlying allegations of sexual misconduct.



“Bystander” means a person who observes a crime, impending crime, conflict, potentially violent or violent behavior or conduct that is in violation of rules or policies of the College.

“Complainant” means the individual who experienced the sexual misconduct, regardless of whether such individual reports such sexual misconduct to the College or participates in the College’s conduct process for responding to complaints of sexual misconduct described herein.

“Confidentiality” may be offered by an individual who is not required by law to report known incidents of sexual assault or other crimes to institution officials, in a manner consistent with state and federal law, including but not limited to 20 U.S.C. 1092 (f) and 20 U.S.C. 1681 (a). Licensed mental health counselors, medical providers and pastoral counselors are examples of College employees who may offer confidentiality.

“Consent” must be affirmative. Affirmative consent is a knowing, voluntary and mutual decision among all participants to engage in sexual activity. Consent can be given by words or actions, as long as those words or actions create clear permission regarding willingness to engage in sexual activity. Silence or lack of resistance, in and of itself, does not demonstrate consent. The definition of consent does not vary based upon a participant’s sex, sexual orientation, gender identity, or gender expression.

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

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

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

“Intimidation” means implied threats or acts that reasonably cause another to fear for his/her safety or well-being.

“Privacy” may be offered by an individual when such individual is unable to offer confidentiality under the law but shall still not disclose information learned from a reporting individual or bystander to a crime or incident more than necessary to comply with this and other applicable laws or College policy, including informing appropriate College officials.



“No-Contact Order” means a directive prohibiting contact between or among designated individuals through any means, direct or indirect, including personal contact, email, telephone, text message, social media, or by means of a third party. 40

“Reporting Individual” means any individual who reports a violation of this Policy to the College.

“Respondent” means the individual alleged to have committed acts constituting sexual misconduct.

“Retaliation” means taking any adverse action or attempting to take adverse action, including intimidating, threatening, coercing, or in any way discriminating against an individual because of the individual’s complaint of sexual misconduct or participation in an investigation or proceeding related to alleged sexual misconduct.

Definitions of Gender-Based Misconduct

“Sexual Misconduct” means a range of unwelcome behavior of a sexual nature that is committed without consent or by intimidation, coercion, threat or force. Sexual Misconduct includes, but is not limited to, sexual harassment, sexual violence, sexual assault, sexual coercion, sexual exploitation, dating violence, domestic violence, and stalking.

“Sexual Activity” includes any “sexual act” or “sexual contact.”

- A “sexual act” means (a) contact between the penis and vulva or the penis and the anus where penetration occurs, however slight; (b) contact between the mouth and the penis, the mouth and the vulva, or the mouth and the anus; (c) the penetration, however slight of the anal or genital opening of another by hand or finger or by any object, with an intent to abuse, humiliate, harass, degrade, or arouse or gratify the sexual desire of any person; or (d) the intentional touching, not through the clothing of the genitalia of another person who has not attained the age of 16 years with an intent to abuse, humiliate, harass, degrade, or arouse or gratify the sexual desire of any person;
- “Sexual contact” means the intentional touching, either directly or through the clothing of the genitalia, anus, groin, breast, inner thigh, or buttocks of any person with an intent to abuse, humiliate, harass, degrade or arouse or gratify the sexual desire of any person.

“Sexual Assault” includes non-consensual sexual intercourse and non-consensual sexual contact.

- “Non-consensual sexual intercourse” means any form of sexual penetration or intercourse (vaginal, anal, or oral), however slight, with any object by an individual upon another individual without consent and/or by force. Intercourse means: vaginal or anal penetration by a penis, object, tongue, or finger; and oral copulation (mouth to genital contact or genital to mouth contact).
- “Non-consensual sexual contact” means any intentional sexual touching, however slight, with any body part or object by an individual upon another individual without consent. Intentional sexual contact includes contact with the breasts, buttocks, or groin, or touching another with any of these body parts; making another person touch any of these body parts; and any

intentional bodily contact in a sexual manner.

“Sexual Coercion” is the application of unreasonable pressure, including emotionally or physically manipulative actions or statements, or direct or implied threats, in order to compel the person to engage in sexual activity.

“Sexual Exploitation” means abuse or non-consensual sexual advantage of another person’s sexuality without consent, for the perpetrators own advantage or benefit, or for the benefit or advantage of anyone other than the one being exploited. Sexual exploitation includes, without limitation, causing or attempting to cause the



incapacitation of another person in order to gain a sexual advantage over that person; causing the prostitution of another person; electronically recording, photographing, or transmitting intimate or sexual utterances, sounds or images of another person; allowing third parties to observe sexual acts; engaging in voyeurism; distributing intimate or sexual information about another person; and/or knowingly transmitting a sexually transmitted infection, including HIV, to another person.

“Sexual Harassment” means unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, graphic or physical conduct of a sexual nature, when:

- (1) submission to, or rejection of, such conduct is made either explicitly or implicitly a term or condition of an individual’s employment, education or campus life activities, or used as the basis of any academic, student life or employment decision (quid pro quo); or
- (2) such conduct is sufficiently severe, persistent or pervasive such that it limits an individual’s ability to participate in, or benefit from, the College’s education or work programs or activities (hostile environment).

“Dating Violence” means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the victim’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. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.

“Domestic Violence” means felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of New York, or 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 New York.

“Sexual Violence” refers to physical sexual acts perpetrated against a person’s will or where a person is incapable of giving consent (e.g., due to the student’s age or use of drugs or alcohol, or because an intellectual or other disability prevents the student from having the capacity to give consent). A number of different acts fall into the category of sexual violence, including rape, sexual assault, sexual battery, sexual abuse, and sexual coercion. Sexual violence can be carried out by school employees, other students, or third parties. All such acts of sexual violence are forms of discrimination prohibited by Title IX.

“Stalking” means engaging in a **course of conduct** directed at a specific person that would **cause a reasonable** person to: (1) fear for his or her safety or the safety of others; or (2) **suffer substantial emotional distress**.

- “Course of conduct” means two or more acts, including, but not limited to, acts in 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.
- “Substantial emotional distress” means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.
- “Reasonable person” means a person under similar circumstances and with similar identities to the victim.



Conduct that violates College policy may also violate New York State laws and subject the respondent to criminal prosecution. Sex Offenses under New York law are described in Sections 130.00 to 130.96 of the New York State penal Code, available at <http://public.leginfo.state.ny.us/menugetf.cgi?COMMONQUERY=LAWS> 42

PART 2: PROCEDURES FOR RESPONDING TO A COMPLAINT OF SEXUAL MISCONDUCT

The College is committed to providing a prompt, fair, and impartial investigation and resolution of all allegations of sexual misconduct. Any incident of sexual misconduct reported to a College employee, except for those employees designated above as confidential, must be reported to the Title IX Coordinator.

XII. INITIAL STEPS

A. Intake Meeting with Complainant

Upon notice of any allegation of sexual misconduct, the Title IX Coordinator or his or her designee will schedule an individual intake meeting with the complainant. At the intake meeting, the Title IX Coordinator or his or her designee will provide the complainant with a general understanding of this Policy, and identify forms of support or immediate assistance available to the complainant (e.g., referrals to appropriate law enforcement agencies; referrals for medical treatment at local hospitals and trauma centers). The Title IX Coordinator or his or her designee will also provide the complainant with a written explanation of his or her rights and options with respect to his or her report of sexual misconduct. The intake meeting may also involve a discussion of any interim accommodations that may be appropriate.

At the initial intake meeting or at a subsequent time thereafter, the Title IX Coordinator or his or her designee will seek to determine how the complainant wishes to proceed, i.e., whether the complainant wishes to pursue Formal Resolution, Informal Resolution, or does not wish to pursue resolution of any kind. The College seeks to resolve every report of sexual misconduct within 60 calendar days of the initial report, excluding any appeal. The time frames included in this Policy may vary depending on a variety of factors, such as the details of the complaint and, in some cases, the time of the academic year (e.g., during College breaks or final exams). The College may extend any time frame for good cause, provided the complainant and respondent are given a written explanation as to the reason for such extension.

If the complainant does not wish to pursue Formal Resolution or Informal Resolution, and either requests that his or her complaint remain confidential, or refuses to participate in the initial intake meeting with the Title IX Coordinator, the Title IX Coordinator will inform the complainant that the College's ability to respond may be limited. In such scenarios, Title IX and Article 129-B nevertheless require the College to evaluate the complainant's request(s) for no action in the context of the College's commitment to provide a reasonably safe and non-discriminatory environment for the entire College community.

B. Intake Meeting with the Respondent

If the complainant wishes to proceed with either Formal Resolution or Informal Resolution, or the College believes it is otherwise necessary, the Title IX Coordinator will ascertain the name of the respondent, and the date, location, and nature of the alleged sexual misconduct, and, in a timely fashion, will schedule an individual intake meeting with the respondent. The College will notify the respondent that a complaint has been filed and provide the date, time, location and factual allegations concerning the alleged violation, and possible sanctions. At the intake meeting, the Title IX Coordinator or his or her designee will provide the respondent with a general understanding of this Policy and identify forms of support or immediate assistance available to the respondent. The intake meeting may also involve a discussion of any interim accommodations.



C. Effect of Criminal Proceedings

Sexual misconduct may constitute a violation of both law and College policy. The College encourages students to report alleged sexual misconduct promptly to local law enforcement agencies. Criminal investigations may be useful in the gathering of relevant evidence, particularly forensic evidence. The standards for finding a violation of criminal law are different from the standards for finding a violation of this Policy. Therefore, criminal investigations or reports are not determinative of whether sexual misconduct under this Policy, has occurred. In other words, conduct may constitute sexual misconduct under this Policy even if law enforcement agencies lack sufficient evidence of a crime and decline to prosecute.

The filing of a complaint of sexual misconduct under this Policy is independent of any criminal investigation or proceeding. The College will not wait for the conclusion of a criminal investigation or proceedings to commence its own investigation or to take any necessary interim measures to protect the complainant and the College community. However, the College may temporarily delay its investigation to enable law enforcement to gather evidence and to engage in a preliminary investigation of sexual misconduct matters that may also violate the state criminal code.

D. Advisors

Both the complainant and the respondent will have the right to be accompanied by an advisor of choice who may assist and advise the student throughout the conduct process under this Policy, including during all meetings and hearings. At the complainant's or respondent's request, the Title IX Coordinator will appoint to each party an advisor who has been formally trained on issues relating to sexual misconduct. Advisors will not be permitted to speak on behalf of students and the College will not permit the presence of advisors to interfere with the resolution process.

XIII. FORMAL RESOLUTION PROCESS

A. Investigation

The College will notify the respondent that a complaint has been filed and will include notice of the allegations. The complainant and respondent will be given the opportunity to meet separately with the Title IX Coordinator, or his or her designee. During all phases of the Formal Resolution Process, the parties will be provided with advance notice of any meeting they are required or eligible to attend.

The Title IX Coordinator, or his or her designee, will collect and review evidence deemed necessary or helpful to the investigation. The Title IX Coordinator may designate a specially trained investigator or investigators to conduct the interviews and/or investigation. The investigation will include individual interviews with the parties involved and with individuals who may have observed the alleged conduct or may have other relevant knowledge. The investigation may also include examination of medical records, surveillance video, cell phone and other electronic records, and other evidence.

In response to the investigation, both the complainant and the respondent will be given the opportunity to submit a written statement. The written statement will be provided to the Title IX Coordinator, the opposing party, as well as members of the Hearing Committee.



If the complainant wishes to proceed with Formal Resolution, or the College otherwise deems it necessary to protect the College community, the Title IX Coordinator will promptly prepare a formal letter to the Faculty Committee on Student Behavior (“Hearing Committee”) notifying the Hearing Committee of the initiation of a formal process. The letter will provide the Hearing Committee with the names of the complainant and respondent and the date, location, and nature of the alleged sexual misconduct.

The Hearing Committee is comprised of at least three College faculty members, all of whom receive training, at least annually, on the issues relating to sexual misconduct, including sexual harassment, dating violence, domestic violence, sexual assault, and stalking. They will also be trained on how to conduct an investigation and on a hearing process that promotes accountability and protects the safety of complainants and the rights of respondents; including the right to a presumption that the respondent is “not responsible” until a finding of responsibility is made under this Policy. The Hearing Committee Chair will select the Hearing Committee members who will participate in the hearing and will either serve as the presiding chair of the hearing or will appoint the presiding chair.

C. The Hearing

The College will provide written notice at least five business days before the hearing date to both parties stating the date, time, and place of the hearing and the name and contact information of the Hearing Committee Chair.

A party wishing to challenge the participation of any member appointed to the Hearing Committee must notify the Hearing Committee Chair, in writing, within three business days of receipt of the notice of hearing, stating the specific reason(s) for the party’s objection. The Hearing Committee Chair will determine whether the challenge has merit, and reserves discretion to make changes in the composition of the Hearing Committee at any time.

A party wishing to challenge the participation of the Hearing Committee Chair must notify the Title IX Coordinator, in writing, within three business days of receipt of the notice of hearing, stating the specific reason(s) for the party’s objection. The Title IX Coordinator will determine whether the challenge has merit and reserves discretion to instruct the Hearing Committee to designate a new Hearing Committee Chair.

Pre-Hearing Submissions

In addition to the written statements submitted by the parties, the parties will provide the Title IX Coordinator with a list of witnesses they wish the Hearing Committee to call, copies of documents, and a description of any other information they propose to present at the hearing at least three business days prior to the hearing. The Title IX Coordinator will determine whether such witnesses and documents are deemed relevant to the hearing. The Title IX Coordinator will provide each party with a copy of the list of witnesses and copies of documents or other information submitted by each party.

In the absence of good cause, as determined by the Hearing Committee, the parties may not introduce witnesses, documents, or other information at the hearing that were not provided by this deadline.

Conduct of the Hearing

The hearing will take place on the date and time specified in the notice of hearing. If circumstances arise that require a change in the hearing date or time, the College will provide both parties with written notice explaining



the reason for such change. The College will arrange for the hearing to be recorded and may arrange for the preparation of any transcript of the recording that the College deems appropriate. 45

As a non-adversarial process, the hearing will not follow a courtroom model, and formal rules of evidence will not be observed. The Hearing Committee will determine the order of the witnesses and resolve any questions of procedure arising during the hearing. The College will ask for all necessary witnesses to be present, or to have provided written statements in lieu of attending the hearing. This may be done as necessary to accommodate a witness who cannot be present, or whom the Hearing Committee determines may remain anonymous.

Only the Hearing Committee may question the individual parties and any witnesses, unless permission is granted to modify the questioning process. After all witnesses have been questioned, each party may make a closing statement.

In order to comply with the Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99), and to provide an orderly process for the presentation and consideration of relevant information without undue intimidation or pressure, the hearing process is not open to the general public. Accordingly, the College will not disclose documents prepared in anticipation of the hearing, documents, testimony, or other information introduced at the hearing, and any transcript of the hearing itself may not be disclosed outside of the hearing proceedings, except as may be required or authorized by law and/or College policy.

Both the complainant and the respondent may have advisors present to support and assist them during any meeting, the hearing and appeal stages of the Formal Resolution process. An advisor may not direct questions to the Hearing Committee or witnesses at the hearing. The Hearing Committee will not allow an advisor's presence to inhibit the parties' sharing of information or the conduct of the hearing.

The parties are expected to cooperate at the hearing. If either party fails to appear at the scheduled hearing, the Hearing Committee may postpone the proceedings if there is a legitimate documented reason for the absence, or proceed and determine the complaint on the basis of the evidence available, provided the absent party was duly notified of the scheduled hearing date.

In general, any information or questioning about the prior sexual history of the complainant or respondent with individuals other than the other party is precluded and will not be admitted at the hearing. Additionally, any information or questioning about either party's mental health history diagnosis, and/or treatment is precluded and will not be admitted at the hearing. Past findings of domestic violence, dating violence, stalking, or sexual assault may be admissible in the disciplinary stage that determines sanctions. After all witnesses have been questioned, each party may make a closing statement.

If the Hearing Committee determines that unresolved issues exist that would be clarified by the presentation of additional information, the Hearing Committee may suspend the hearing and reconvene it in a timely manner to receive such information. A delay may not be based on the failure of witnesses to appear without good cause or on the proposed introduction of documents, which were readily available at the time of the hearing.

D. Determination

The Hearing Committee will evaluate the allegations under a "preponderance of the evidence" standard. A preponderance of the evidence means that information shows it is "more likely than not" that the respondent violated this Policy. The respondent will be found to be responsible for the alleged sexual misconduct if the Hearing Committee concludes, based upon careful review of all information presented, that such sexual misconduct more likely than not occurred in violation of the Policy. The Hearing Committee shall provide a written statement of such determination to the Vice President for Academic Affairs.



Within five business (5) days of the conclusion of the hearing, both the complainant and respondent will be given access to the record of the hearing and offered an opportunity to provide an impact statement to the Vice President for Academic Affairs while he or she is deliberating on the appropriate sanctions. The record of the hearing may not be copied.

The impact statement may be up to five (5) pages single spaced. The impact statement is an opportunity for the student to discuss his or her experience, and the incident in question, as well as respond to how the investigation and hearing was conducted and any areas of agreement or/disagreement with the investigation or hearing, or determination of the Hearing Committee.

This impact statement must be provided to the Title IX Coordinator who will provide it to the opposing party as well and the Vice President for Academic Affairs, and all members of the Hearing Committee.

F. Sanctions

The Vice President for Academic Affairs may consider suspending or expelling any student found responsible for sexual misconduct; however, he or she may impose any of the following sanctions that are determined to be fair and proportionate to the violation:

- Reprimand or warning
- Changing the respondent's academic schedule
- Disciplinary probation
- Revocation of honors or awards
- Restricting the respondent's access to College facilities or activities
- Community service
- Issuing a "no-contact" order to the respondent or requiring that such an order remain in place
- Changing the respondent's housing assignment
- Dismissal from or restricting or reassignment of College employment
- Removing the respondent from student housing
- Suspension (limited time or indefinite)
- Expulsion

In determining appropriate sanctions, the Vice President for Academic Affairs will consider any record of past violations of College policies, as well as the nature and severity of such past violation(s). The Vice President for Affairs will consider as part of the deliberations whether the respondent poses a continuing risk to the complainant and/or the College community. Any sanction imposed will be explained and supported in the written decision of the Vice President for Academic Affairs.

Within seven (7) business days from the determination of the Hearing Committee, the Vice President for Academic Affairs will simultaneously issue a determination letter to the respondent and the complainant, which will contain only the following information: (i) the name of the respondent; (ii) whether the respondent has been found responsible or not responsible for specific violation(s) of this Policy; (iii) a list of the possible sanctions imposed, if any; (iv) the sanctions actually imposed; (v) the rationale for the sanctions imposed, if any; (vi) the College's appeal process; (vii) any change to the results that occur prior to the time that the results become final; and (viii) when the results become final.



If a respondent is found responsible through the College's conduct process for crime(s) of violence, including, but not limited to Sexual Violence, defined as crimes that meet the reporting requirements pursuant to the Clery Act, the College will make one of the following notations on the transcript of such student.

- “suspended after a finding of responsibility for a code of conduct violation.”; or
- “expelled after a finding of responsibility for a code of conduct violation.”
- If a student withdraws from the College while such conduct charge(s) is pending and declines to complete the disciplinary process, the College will note on the student's transcript that he or she “withdrew with conduct charges pending.”

For more information on transcript notations, please see the College's Transcript Notation Policy, which can be located here:

https://www.sfc.edu/uploaded/documents/pdf/Transcript_Notation_Policy_for_Violent_Crimes.pdf.



G. Appeal Process

Either party may appeal the Hearing Committee's determination and/or the sanction imposed by the Vice President for Academic Affairs. A party has three grounds under which to appeal the College's determination: (i) the Hearing Committee committed procedural errors that had an impact on the complaint's decision, (ii) there is new evidence that was not reasonably available at the time of the hearing, or (iii) the sanctions are not consistent with past practices or the severity of the alleged sexual misconduct.

Final sanctions are in effect until any timely appeal of the decision is resolved. The Vice President for Academic Affairs may suspend the determination pending exhaustion of appeal, allow the student to attend classes or other activity on a supervised or monitored basis, or make such other modifications to the determination as may be advisable. Interim measures will remain in effect until the appeal is resolved.

The procedure to file an appeal is as follows:

1. A party wishing to appeal must file a notice of intent to appeal within five business days of the date the party is notified of the Hearing Committee's finding and/or the Vice President for Academic Affairs' sanctions. The notice of intent to appeal must be submitted in writing (either email or hard copy) to the Title IX Coordinator. The notice of intent to appeal must contain the party's grounds for the appeal. The Title IX Coordinator will notify the party who did not request the appeal about the notice of intent to appeal.
2. Within seven (7) business days of filing a notice of intent to appeal, the party's formal appeal must be filed. The party should submit copies of any and all material the party wishes to provide as evidence for his/her appeal.
3. The Title IX Coordinator will notify the party who did not request the appeal in writing and that party will have seven (7) business days from the date of notification to submit a response to the formal appeal.
4. A committee made up of three full-time faculty members ("Appeals Committee"), which shall not include the Vice President for Academic Affairs or members of the Hearing Committee, will be assembled by the Title IX Coordinator. Except for appeals brought under (ii) above, the Appeal Committee's entire review process will be based on the party's appeal, the response of the other party, if applicable, and the Hearing Committee's record of the case. Otherwise, no additional evidence is allowed, and no witnesses may be heard.
5. The Appeals Committee will make a final determination. The Appeals Committee shall render its decision regarding the appeal within 20 calendar days of receipt of the formal appeal, response to the formal appeal (if applicable), record of the case, and/or if applicable, any new evidence pursuant to above.
6. Within three business days of the Appeals Committee's determination, the Appeals Committee will issue a final determination letter to the respondent and the complainant. Both parties, concurrently, will receive a copy of this final determination letter.

XIV. INFORMAL RESOLUTION

If all parties voluntarily agree to participate in an informal resolution and the College determines that the complaint is appropriate for such a process, the College may facilitate an informal resolution of the complaint. While the Informal Resolution process is not as structured as the Formal Resolution process, it can be an effective and appropriate means to deal with certain complaints. The Informal Resolution procedure is not available for complaints of sexual violence.

If the complainant wishes to proceed with Informal Resolution the Title IX Coordinator will ascertain the name of the respondent, and the date, location, and nature of the alleged sexual misconduct, and, within two business days, or as soon as possible, will schedule an individual intake meeting with the respondent in order to provide him or her with a general understanding of this Policy.



The College will notify the respondent that a complaint has been filed and will include notice of the allegations. The complainant and respondent will be given the opportunity to meet separately with the Title IX Coordinator, or his or her designee. The complainant and the respondent each may bring an advisor to any meeting that is held pursuant to the Informal Resolution process. Advisors are subject to the same restrictions for advisors in Formal Resolution, as set forth above. During all phases of the Informal Resolution Process, the parties will be provided with advance notice of any meeting they are required or eligible to attend.

The Title IX Coordinator or designee will preside over the Informal Resolution and may elect to be assisted by another member of the senior staff of the College or outside expert. Alternative, informal resolution is designed to obtain an expedient, mutually acceptable solution without the necessity for conducting further investigation or Hearing Committee.

If, in the course of the Informal Resolution, the respondent admits to violating this Policy, that admission will serve as a finding of responsibility after an independent investigation into the matter by the College. The College will not impose sanctions on the basis of an admission without an independent investigation into the alleged misconduct. The Vice President of Academic Affairs will recommend one or more sanctions, which the respondent can accept or reject. The sanctions that may be imposed as the result of the Informal Resolution process are the same as those outlined in the Formal Resolution process above. If the Vice President for Academic Affairs' recommended sanction is accepted, the process is concluded. If it is rejected, the complaint will proceed to the Formal Resolution process.

Informal Resolution may result in the imposition of protective actions agreed upon by the parties, or (with or without such agreement) based on information derived from the Informal Resolution taken together with any other relevant information known to the College at the time of the Informal Resolution.

Participation in the Informal Resolution process is voluntary. The College will not compel a complainant or a respondent to engage in Informal Resolution and will allow a complainant or respondent to withdraw from the Informal Resolution process at any time. The College may, at any time, elect to end such proceedings and initiate Formal Resolution instead. Pursuing Informal Resolution does not preclude later use of Formal Resolution if the Informal Resolution fails to achieve a resolution acceptable to the parties and the College. Statements or disclosures made by the parties in the course of the Informal Resolution may be considered in the Formal Resolution.

XV. DESIGNATION

The College may, at its discretion, designate another trained and experienced person(s) to act in the place of the investigator and / or adjudicator in this Policy. If there is such a designation, the parties involved will be informed.



St. Francis College Identification Card

Your St. Francis College Identification Card:

- Allows you recognition as a St. Francis College student, faculty member, administrator, or staff member.
 - Serves as your library card.
 - Provides access to College facilities, events, and activities.
 - Must be presented when asked for by Security personnel or any other college official
- To obtain your picture ID Card, please go to the office of Student Activities.

Fire Safety

This report contains information related to fire safety in off campus housing at the St. George, located at 55 Clark Street, operated by Educational Housing Services (EHS). In cooperation with EHS, St. Francis College voluntarily issues this report annually to promote the safety of all members of the St. Francis community. EHS also maintains the daily crime and fire log in the Public Safety Office. The fire log includes the nature, date, time, and general location of each fire. Please report fires in the dorm to the Security desk at EHS. Any questions regarding fire safety should be directed to publicsafety@studenthousing.org

Floor plans and diagrams for emergency staircases and exits are posted in public areas on all floors as well as the back of every room door. Residents and guests should familiarize themselves with these maps to exit promptly during fire drills or actual emergencies.

¹ St. Francis College does not have “on campus” housing. St. Francis College is proactively issuing this report.

Fire Safety Systems

St. George is St. Francis’ only *off campus residential facility. The building has the following fire safety systems:

There is a public address system.

The fire safety system is monitored by the Fire Safety Directors. There are sprinklers throughout the building.

There are fire extinguishers, smoke detectors, carbon monoxide detectors, fire alarm pull boxes, emergency lights, and emergency exits.

There is at least one fire drill per year. Records of each test will be maintained by The Director of Community Partnerships.

The FDNY will test all fire warning systems in accordance with NYC regulations.

*In May 2020, St. Francis College has terminated its contract with the St. George Hotel residence facility. As of Fall 2020, 97 Columbia Heights is the only off campus residential facility.



Procedures for Evacuation of EHS residence in Case of Fire

In the event of a fire or other emergency, notify security immediately. Act promptly for the safety of all residents. Do not try to fight a fire, but take action to get residents out of the building. If a fire alarms sounds, please follow the following standard procedures:

If the Fire is In Your Room:

All persons are to vacate the room immediately. Before leaving your room, and only if you can, make sure you do the following:

Close all windows and open shades.

Turn on lights.

Close the door of the room behind you.

Take your identification and keys with you.

Close all room doors.

Alert other people by yelling “Fire Fire Fire” on your way out.

Use the nearest stairway to exit, NEVER use the elevator.

Assemble across the street and await instructions.

Wait until the appropriate officials indicate that you can re-enter the building.

If the Fire is not in your room:

Try to exit your room, first feel your room door and doorknob for heat. If they are not hot, open the door slightly and check the hallway for smoke, heat or fire.

If you can exit your room safely, follow the instructions above for a fire in a room.

If you cannot safely exit your room or building, call 911 and then provide them with appropriate information (name, address, location, etc.).

If you are unable to safely leave your room, seal the floor in your room with wet towels or sheets and seal air ducts or other openings where smoke may enter.

Open windows a few inches unless flames and smoke are coming from below.

Do not break any windows.

If condition in the room appears life threatening, open a window and wave a towel or sheet to attract the attention of firefighters.

If smoke conditions worsen before help arrives, get down on the floor and take short breaths through your nose.

If you ever see fire or smoke, or smell smoke, do not hesitate to pull the alarm nearest to your room. Turning in a false fire alarm is against the law. Residents will be evicted and are subject to punishment to the fullest extent of the law. As a resident, you are strongly advised to maintain fire/theft insurance. You can usually add your possessions to your parents’ homeowner’s or tenant homeowner’s insurance policy through a rider.

Tips to avoid triggering smoke detectors and alarms:

- If using a microwave, toaster oven, or other food heating device, use lower time intervals and continue to reheat your food until it is ready, as opposed to leaving something in for long periods of time which may cause a fire or excessive smoke.
- Never leave cooking food unattended.
- Do not smoke in the building. All residences are smoke-free environments.
- Remove all prohibited items (toasters, hot plates, grills) from your room.

Fire Safety Education and Training Programs

All SFC security staff members are trained according to the fire safety plans established by St. Francis College. All EHS security staff are trained according to the fire safety plans established by EHS.



Appendix A:

Reporting of Fire Safety Information and Chain of Command:

All fire safety concerns in the academic building should be reported to the Director of Operations at 718-489-5275. After calling 911, emergencies should be reported to 718-489-5222. Any questions regarding fire safety in the student residence should be directed to EHS's Public Safety Office at 212-977-7622 extension 3624. If a member of the SFC community finds evidence of a fire that has been extinguished and the person is not sure whether the Public Safety/Security has already responded, the community member should immediately notify campus safety. For incidents at St. George, notify EHS at 212-977-7622. For incidents on campus, notify security at 718-489-5222.

Fire Statistics for: St. George 55 Clark Street

2017

Residential Facility Name and Address	Total Fires	Fire #	Cause of Fire	# of Injuries	# of Deaths	Value of Property Damage
St. George 55 Clark St.	0	0	Na	0	0	0

2018

Residential Facility Name and Address	Total Fires	Fire #	Cause of Fire	# of Injuries	# of Deaths	Value of Property Damage
St. George 55 Clark St.	0	0	Na	0	0	0

2019

Residential Facility Name and Address	Total Fires	Fire #	Cause of Fire	# of Injuries	# of Deaths	Value of Property Damage
St. George	0	0	Na	0	0	0



Appendix B:

Crime Statistics - 2017,2018,2019

OC = On Campus

NC = Non Campus

PP = Public Property

	2017			2018			2019		
	OC	NC	PP	OC	NC	PP	OC	NC	PP
Criminal Offenses									
Murder/Non-negligent manslaughter	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Sex Offenses - Forcible	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Sex Offenses - Non-Forcible	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
*Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Hate Crimes	0	0	0	0	0	0	0	0	0
Murder/Non-negligent manslaughter	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0
Larceny Theft	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0
Destruction/Damage/Vandalism of Property	0	0	0	0	0	0	0	0	0
VAWA Offenses	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0
*Dating Violence	0	0	0	0	0	0	0	1	0
Stalking	0	0	0	0	0	0	1	0	0
Arrests	0	0	0	0	0	0	1	0	0
Illegal Weapons Possessions	0	0	0	0	0	0	0	0	0
Drug Abuse Violations	0	0	0	0	0	0	0	0	0
Liquor Law Violations	0	0	0	0	0	0	0	0	0
Disciplinary Actions	0	0	0	0	49	0	0	7	0
Illegal Weapons possessions	0	0	0	0	0	0	0	0	0
Drug Abuse Violations	0	0	0	0	31	0	0	4	0
Liquor Law Violations	0	0	0	0	18	0	0	3	0
Unfounded Crimes	0	0	0	0	0	0	0	0	0
Total Unfounded Crimes	0	0	0	0	0	0	0	0	0



APPENDIX C

IMPORTANT CONTACT INFORMATION

Ambulance/ Police / Fire Department		911
Emergency Medical Service		718-416-7000
Emergency Dental Service		212-582-4065
The Brooklyn Hospital Center		718-250-8000
Brookdale Hospital Medical Center		718-240-5000
Downstate Medical Center		718-270-1000
New York Methodist Hospital		718-780-3000
New York Presbyterian Hospital		212-746-5454
Brooklyn's Women's Center		718-748-1234
Safe Horizon Hotline	212-227-3000 or 212-577-7777	
NYU Langone Cobble Hill Emergency Department		646-754-7900
Beth Israel Emergency Room* for sexual assault forensic exams		212-677-2157
Maimonides Medical Center ER 4802 10th Avenue Brooklyn		718-283-6000
Poison Control Center	800-222-1222 or 212-764-7667	
Rape and Sexual Abuse Hotline		212-267-7273
VIRS (Domestic Violence, Rape & Sexual Assault)		800-656-4673
New York State AIDS Hotline		800-541-2437
SFC Disabilities Coordinator		718-489-3485
AA Hotline		212-647-1680
NA Hotline		212-929-6262
Suicide Hotline "Response"		800-LIFENET
"Crisis" Hotline (suicide prevention)		212-673-3000
Security	security@sfc.edu	718-489-5222
Title IX	lwerbel@sfc.edu	718-489-5370
Dean of Students	rgonzalez132@sfc.edu	718-489-5315
Health and Wellness	nedwards2@sfc.edu	718-489-2035

