



# **2008 SECURITY REPORT**

*The College of Saint Rose*

*Department of Safety and Security*

*Albany, NY.*

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## **Purpose of Annual Security Report**

This report is intended to inform all students, faculty and staff about the College's security and related policies. The report also details how to report crimes and other incidents on-campus and off-campus. This report is being compiled in accordance with the Federal Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) of 1998. The College of Saint Rose has one of the best safety records of Colleges of its size in New York State. Together, we can maintain a safe and secure campus environment.

### Jeanne Clery Act

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act is a federal law that requires Colleges and universities to disclose information about crime on and around their campuses. The act is named in memory of Jeanne Clery, a 19-year-old Lehigh University freshman who was assaulted and murdered in her residence hall room on April 5, 1986.

### Clery Mission Statement

The College of Saint Rose is concerned about the safety and welfare of all campus members and guests and commits itself to promoting a safe and secure environment. It is nearly impossible for a campus to completely isolate itself from crime. The College of Saint Rose has developed a series of policies and procedures designed to ensure that every possible precaution is taken to protect the campus community.

The College of Saint Rose, in accordance with state and federal regulations, provides its campus crime statistics to the U.S. Department of Education. To access our statistics, as well as those of all other Institutions of higher education go to <http://ope.ed.gov/security>. The Annual security Report is prepared by specially trained Officers in the College of Saint Rose Department of Safety and Security.

The College's Advisory Committee on Campus Safety will provide upon request all campus crime statistics as reported to the U.S. Department of Education. To request this information please contact The Director of Safety and Security, either by visiting the Office of Safety and Security or by calling 454-5187. A copy of the statistics will be mailed to the requestor within 10 days.

*A copy of the College of Saint Rose's Annual Security report is available online by following the link below:*

1. [Annual Security Report](#)
2. You may request a printed copy at the Security Office upon request during regular business hours or request one to be mailed by calling (518-454-5187)
3. By writing to:

The College of Saint Rose  
Department of Safety and Security  
432 Western Avenue  
Albany, NY 12203

### *Clery Mandated Policy Disclosures*

In accordance with federal regulations The College of Saint Rose has established and provides access to policies regarding the following topics:

- On campus judicial processes
- Freedom from harassment
- Use and possession of alcoholic beverages
- Use and possession of illicit drugs
- Use and possession of weapons
- Access to campus facilities
- Crime reporting
- Procedures for dealing with bias crimes
- Sexual assault policies and procedures
- Timely warning of potential danger/hazards to the campus community
- Clery crime statistics
- Emergency notification and evacuation procedures
- Missing person response

## **Student Conduct Process**

The student conduct process outlined here applies to student conduct and behavior other than that associated with academic regulation, performance or standing. The College of Saint Rose has established regulations and procedures which it considers to be consistent with its purpose as an educational institution within the society at large. In the spirit of fairness, the disciplinary process is intended to be as flexible as possible and chiefly concerned with the best interest of both the student involved and the College community. The process was designed to guarantee a student's rights while assuring responsibility for one's own actions.

Students who are charged with violating a College policy are subject to a hearing and possible disciplinary action. The student conduct coordinator will assign a hearing officer to adjudicate student conduct charges.

### ***Student Conduct Coordinator***

The student conduct system at The College of Saint Rose is under the direction of the student conduct coordinator. The student conduct coordinator is charged with the responsibility of seeing that students who allegedly have violated College policy are assured individual rights and fairness. To accomplish this task, the Student Conduct Coordinator:

- Acts as an officer and supervises other Student Conduct Officers. The Student Conduct Coordinator assigns judicial cases among the Judicial Officers.
- Receive reports concerning individual students for alleged violations of College policy.
- Maintains the official student conduct records.

### ***Student Conduct Officers***

- Receive cases referred by the student conduct coordinator for adjudication.
- Establish a time, date, and location for administrative hearings or offers mutual settlement for students to determine if College policy has been violated.
- Determines appropriate sanction in cases of College policy violations.
- Notifies student in writing of alleged College policy violation and result of hearing or mutual settlement.
- Act as an appeal officer as designated by the student conduct coordinator. The appeal officer will review each appeal request and determine if certain criteria have been met to warrant further investigation.

### ***Mutual Settlement without Hearing***

At any time up to two business days before the hearing, the judicial officer may offer or accept mutual settlements of any violation. Students agreeing to a mutual settlement must accept responsibility for the violation and must meet with the judicial officer to review the settlement.



### ***Judicial Referral***

Any person may refer a student for judicial action when it is believed that the student has violated a College policy. Referrals are made to the Student Conduct Coordinator by completing an Incident Report on which the alleged offense will be described in detail. The form will be signed by the individual initiating the report.

1. The Judicial Coordinator will assign the case to a Judicial Officer.
2. The Student Conduct Officer sends a written letter of notification of alleged policy violation to the student. Hearing date, time and location are included as well as a copy of the Incident Report. If the student is unable to attend due to a scheduled class, he/she must contact the judicial officer within 24 hours, to reschedule. Failure to do so will result in a hearing being conducted in his/her absence.
3. The Student Conduct Officer conducts the hearing following the guidelines set forth by the College.
4. Decisions regarding alleged policy violation will be communicated in written form by the Student Conduct Officer, including sanctions if warranted.
5. Student may appeal the decision of the Student Conduct Officer to designated appeal officer only if appeal criteria are met.

## *Individual Rights*

The following guidelines are intended to assure individual rights and fairness. Deviations should be carefully considered to allow for unique and individual needs. The referred individual has a right to and thus may request:

- Notice of specific charges.
- The names of individual making charges and witnesses.
- Prepare and present defense in his/her behalf.
- Obtain legal counsel in an advisory, non-representative capacity.
- Make a verbatim record of the hearing (not deliberations) at his/her own expense.
- Decisions and sanctions, if any.
- An appeal, if criteria are met.

In addition:

- 1) Consideration may be made to bypass any or all above when:
  - a) The charge is criminal in nature and is referred to local, state or federal officials.
  - b) There is concern for the personal safety of others.
  - c) The persons making the referral may select procedures outside the College.
  - d) The case is particularly sensitive, i.e., involving confidential materials; sexual harassment/assault.
- 2) Hearings are closed. Individuals having a bearing on the case will be called as needed.
- 3) The hearing officer may question referred individual and witnesses either together, in groupings, or individually as the officer deems appropriate.
- 4) Regular channels are not available during the summer and vacations.

### *Victims' Rights*

- An explanation of all procedures.
- Be accompanied by an advisor throughout all proceedings.
- Provided a comfortable waiting area prior to the hearing.
- Remain in the hearing throughout the proceedings.
- Request that discussion of past history or behavior be limited to that which is relevant to the case.
- **We cannot disclose the outcome of the hearing, but we can inform victims that the incident went through the judicial process.**

### *Appeals*

Any student may appeal the outcome of a student conduct hearing if the student reviews criteria for appeal and identifies grounds for an appeal based on those criteria.

### Appeal Criteria

- Student was not accorded his/her rights as outlined in the Referred Individual Rights, and this failure significantly affected the student's right to a fair hearing.
- Failure by the hearing officer to follow established procedures.
- New evidence has appeared subsequent to the initial hearing which could have affected the original findings.
- The sanction is grossly inappropriate to the proven violation.

The student requests an appeal, in writing, within two working days of receipt of judicial decision letter. Appeals will only be considered if the letter contains specific reasons and justification based on the criteria for appeal.

The Student Conduct Coordinator will determine if the appeal will be reviewed by an individual appeal officer or the Appeals Hearing Board. The

Board consists of 3 members (1 Faculty, 1 Student, and 1 Administrator). They will only handle appeals concerning sanctions of removal from housing, suspension or dismissal from the College. The assigned appeal officer or board will review the written appeal request, the incident file, and the decision letter. Following this review, the appeal officer or board may elect to (a) uphold the judicial decision, (b) modify the decision, or (c) conduct a formal hearing and render a decision that upholds the original decision, modifies the original decision, or dismisses the case.

All appellate decisions are final.

### ***Disciplinary Sanctions***

When students are found in violation of College regulations, sanctions shall be imposed. The purpose of sanctioning is to educate a student as to why her/his behavior is inappropriate, as well as to make the student aware of and sensitive to all the possible consequences of the behavior in question. Sanctions for misconduct will be determined on a case by case basis, utilizing three main criteria: a) the nature of the offense; b) the precedent established at the College for similar offenses, and; c) the previous disciplinary history of the student, as well as the student's attitude and behavior throughout the disciplinary process. Sanctions may be comprised of two components: a) an inactive sanction or written sanction (Censure, Disciplinary Probation, Disciplinary Suspension, or Disciplinary Dismissal), as well as; b) an active sanction or educational sanction, requiring the student to complete some form of service or assignment requiring the student's active participation. Exceptions may be granted when students are found to have only violated College policy.

The following sanctions may be imposed upon any student found to have violated the Code:

### **Technical**

Technical violations are an official statement that the student has inadvertently violated a College regulation.

### **Censure**

Censures are an official statement that the student has violated a College policy, and serves as a formal reprimand. Censures also indicate that future violations will likely result in a more serious level of sanctioning.

### **Disciplinary Probation**

Disciplinary Probation is a serious encumbrance on the student's good standing in the College community, and serves as a near removal status. Disciplinary Probation will last at least one semester and any subsequent violations during the probationary period will be viewed as both a violation of College regulations and a violation of the probation. No more than three Disciplinary Probation sanctions shall be imposed on a student prior to that student being removed from the College community, though the student may be removed prior to this condition.

### **Removal from College Housing**

Removal from College housing is a loss of the privilege of living in campus housing. Removal will be for a fixed period of time (but not less than the remainder of the semester). The student may petition the Director of Residence Life for restoration of the right to apply for campus housing.

### **Interim Suspension**

When the College determines that the continued presence of a student poses a substantial threat to himself, herself, others, or to the stability and continuance of normal College functions, the judicial coordinator may suspend the student for an interim period. An interim suspension becomes effective immediately without prior notice. The judicial coordinator may terminate the suspension at any time prior to the outcome of disciplinary proceedings.

### **Disciplinary Suspension**

Disciplinary Suspension establishes a fixed period of time during which the student may not participate in any academic or other activities of the College. At the end of the suspension period, the student may be readmitted only upon the recommendation of the Assistant Vice President for Student Affairs.

### **Disciplinary Dismissal**

Disciplinary dismissal denies the student the right to participate in any academic or other activities of the College. This is a permanent exclusion from the College community.

### **Restrictions**

Restrictions remove a privilege that the student may or may not otherwise have had, including but not limited to:

- The ability to host guests on campus
- The ability to attend athletic and extracurricular events
- The ability to possess a stereo in a residence hall room

- The ability to have contact with specified individuals or organizations in the College community
- The ability to attend the room reservation process

Judicial hearing officers are strongly encouraged to impose active and educational sanctions that promote learning and understanding. Among the previously established educational sanctions are:

- Alcohol Education Program and/or Assessment
- Anger management program
- Attendance at educational programs
- Behavioral contract
- Conflict management training
- Educational service hours
- Placement of a hold on College records
- Reflective exercises

In some instances, a student may be restricted from all College owned or controlled properties, or from any section of those properties. Such instances are forwarded in the form of a request to the Vice President of Student Affairs, who is authorized to make the final decision on these requests. The following are guidelines for determining sentencing:

- More than one sanction may be imposed for any violation
- The hearing officer may impose other restrictions, such as restriction from class registration and other academic activities as is deemed necessary.
- In cases of academic dishonesty, it is recommended that the minimum sanction imposed be disciplinary probation.
- In cases where it is determined that a student has been involved in

the sale and/or distribution of illegal or controlled drugs or substances, it is strongly recommended that the minimum sanction imposed be disciplinary suspension for at least one calendar year. As well as probation for at least one calendar year and a fine.

## **Freedom from Harassment Policy**

The College of Saint Rose is committed to the fundamental belief that all people should be treated with dignity and respect. Harassment will not be tolerated in any context, whether in a faculty/student, faculty/faculty, supervisor/employee, employer/employee, student/student, employee/student or other relationship. All members of the College community have a basic right to work and learn in a comfortable environment, free from derogatory remarks, unwelcome sexual advances and any other verbal or physical conduct constituting harassment on the basis of race, color, religion, sex, age, national origin, marital status, sexual orientation, disability, veterans status or any other category covered under federal, state and local law.

To encourage employees, faculty and students experiencing alleged harassment to come forward, the College provides several channels of communication and both informal and formal complaint resolution procedures. Individuals found to have violated the College's Freedom from Harassment Policy will be appropriately disciplined, up to and including termination. (See COMPLAINT RESOLUTION PROCEDURES FOR HARASSMENT COMPLAINTS.)

## ***Prohibited Conduct***

Harassment consists of unwelcome conduct, whether verbal/written



or physical, which degrades or shows hostility toward an individual because of race, color, religion, sex, age, national origin, marital status, disability, veterans status or other categories as covered under state and local laws. The College of Saint Rose will not tolerate harassment of any type for any reason, specifically, that which affects employment or academic conditions or which creates a hostile, offensive work or academic environment.

Sexual harassment deserves special mention. Unwelcome sexual advances, requests for sexual favors and other verbal/written or physical conduct of a sexual nature constitute sexual harassment when:

- submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or academic advancement;
- submission to or rejection of such conduct by an individual is used as a basis for employment or academic decisions affecting such individual; or
- such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance or creating an intimidating, hostile or offensive working or academic environment.

Examples of conduct, which might create an intimidating, hostile or offensive working or academic environment include, but are not limited to:

- unwelcome sexual flirtation, physical contact, advances or propositions.
- suggestive or lewd remarks.
- jokes of a sexual or suggestive nature.

- graphic or suggestive comments about an individual's appearance.
- the display of sexually suggestive material, objects or pictures.
- sexually degrading words used to describe an individual.

Relationships which appear to be entirely voluntary and welcome sexual relationships between individuals in an unequal power relationship may constitute sexual harassment within the definitions of this policy. Persons who engage in sexual relationships with anyone over whom they have any degree of power or authority must recognize the extent to which such relationships are not legally recognized as truly mutually consensual. Implicit in the concept of professionalism is the recognition by those in positions of authority that their relationships with students or reporting staff include an element of power. It is incumbent on those with authority not to abuse, nor seem to abuse, the power with which they are entrusted. The initiation of or consent to romantic or sexual relationships between faculty members and students or between supervisors and employees for whom the faculty members or supervisors have direct professional responsibility is unacceptable. More broadly stated, any relationship between members of the College community, where direct professional responsibility is present, is unacceptable and is subject to the procedures outlined in this policy. Examples of direct professional responsibility include, but are not limited to: supervising, evaluating, teaching, advising, awarding financial aid, disciplining, and writing recommendations.

The initiation of romantic or sexual relationships is strongly discouraged even where there is not a direct professional responsibility. These situations may still contain an element of power or authority. Also, changes in the situation may establish direct professional responsibility between the individuals. Such romantic or sexual relationships can negatively impact students or employees (i.e. third parties), who share a work or classroom environment with the involved parties.

***Responsibilities:*****Employees, Faculty and Students:**

If members of the College community believe that they have been subject to harassment or any unwanted sexual attention, they should:

- Make their unease and/or disapproval directly and immediately known to the harasser (unless the unwelcome attention or actions are threatening or intimidating);
- Make a written record of the date, time, and nature of the incident and the names of any witnesses; and
- Report the incident to the appropriate designated official, a human resources associate or supervisor.

All incidents of harassment or inappropriate sexual conduct must be reported regardless of their degree of seriousness. However, publicizing information about alleged harassment without following the reporting procedures or filing a formal complaint might be considered evidence of questionable intent on the part of the accuser.

***Supervisors, Area Heads:***

Supervisors and area heads must deal expeditiously and fairly with allegations of harassment within their departments whether or not there

has been a written or formal complaint. Supervisors must ensure that harassment or inappropriate sexually oriented conduct is reported to the appropriate designated official.

Supervisors who knowingly allow or tolerate harassment are in violation of this policy and are subject to discipline.

***Designated Officials:***

For the purpose of this policy, specific administrative officials are designated to receive harassment complaints and, if appropriate, to investigate formal harassment complaints. The Assistant Vice President for Human Resources and Risk Management generally will handle charges against administrative or support staff employees. The Associate Dean of Student Affairs generally will handle complaints made against students and the Dean of the School of Business generally will handle complaints made against faculty members.

These designated officials are responsible for:

- ensuring that both the individual filing the complaint (hereafter referred to as the complainant) and the accused individual (hereafter referred to as the respondent) are aware of the seriousness of a harassment complaint;
- explaining The College of Saint Rose's Harassment Policy and investigation procedures to the complainant and to the respondent at an appropriate time consistent with the investigatory process;
- exploring informal means of resolving harassment complaints;
- referring the complainant and/or the respondent to The College of Saint Rose's Counseling Center and/or Campus Ministry for

- counseling and referral services, if necessary;
- notifying The Department of Safety and Security if criminal activities are alleged; and
- arranging for an investigation of the alleged harassment and the preparation of a written report.

### ***Complaint Resolution Procedures for Harassment Claims***

1. Information and advice: Members of the College community seeking general information or guidance about harassment may be concerned about the privacy of the information they are sharing. The designated officials and all supervisors/area heads are resources for this purpose. Any member of the College community may request information regarding the Freedom from Harassment Policy or guidance from these individuals with the assurance of total privacy. If details of a specific instance of harassment are disclosed to a person obligated to investigate, the College will follow-up as outlined in this Policy.

2. Informal Resolution Procedures: Once an individual discloses identifying information about an alleged case of harassment to a designated official or supervisor/area head, she/he will be considered to have filed an informal complaint with the College. (At this point, specific complaints brought to supervisors/area heads will be referred to a designated official.) In many instances, informal discussion, counseling and mediation will be adequate to resolve perceived instances of harassment. However, because the College is obligated to act to eliminate harassment from the College community, the designated official has the responsibility to determine when any situation warrants further action.

If mediation is successful, written documentation of the mediation agreement between the parties and of the procedures established to

monitor compliance should be retained by the appropriate designated official. A copy of the documentation will be provided to the Assistant Vice President for Human Resources and Risk Management, who will act as a central repository of documents where identifying information about an alleged harasser has been disclosed (whether or not the harassment was found to be substantiated). Additionally, all parties to the agreement will receive copies of appropriate documents.

If the complaint cannot be resolved informally, the designated official assists the complainant in filing a written harassment complaint.

3. Formal Resolution Procedures: All incidents of harassment or inappropriate sexually oriented conduct should be reported as provided in the section titled, "RESPONSIBILITIES - Employees, Faculty and Students." To initiate a formal investigation into an alleged violation of this policy, complainants file a harassment complaint with the appropriate designated official.

Complaints should be filed promptly after an incident of alleged harassment. To ensure the prompt and thorough investigation of a harassment complaint, the complainant should provide as much of the following information as possible:

- the name, department and position of the person or persons allegedly causing the harassment;
- a description of the incident, including the date, location, and the presence of any witnesses;
- the alleged effect of the incident on the complainant's position, salary, benefits, promotional opportunities, academic standing or

- other terms or conditions of employment/enrollment (student status);
- the names of other individuals who might have been subject to the same or similar harassment;
  - the steps the complainant has taken to try to stop the harassment; and
  - any other information the complainant believes to be relevant to the harassment complaint.

#### 4. Investigation:

The designated official is responsible for ensuring that an impartial investigation begins within ten working days after a complaint has been filed. The College of Saint Rose attempts to complete investigations within twenty working days. In certain circumstances the investigation time frames may need to be extended. In such instances, all parties to the complaint will be notified.

In most cases, the designated official conducts the investigation. However, the designated official might work cooperatively with another designated official. In any case, a second person - possibly an individual from the Human Resources Department - should accompany the primary investigator during all interviews with the complainant, respondent and witnesses so that information obtained during the interviews can be corroborated. In certain cases, the College may appoint a third party to conduct the investigation. Witnesses will be directed not to disclose the fact that they have been interviewed or the nature of the inquiry to others. Violation of this directive shall be a basis for disciplinary action or other sanctions as may be determined by the College.

The investigator contacts the respondent, gives him or her a copy of the complaint, solicits the respondent's account of the alleged incidents and informs the respondent that a report will be prepared.

5. Report: The designated official or designated investigator prepares a written report following the completion of the investigation. Except in certain circumstances, the report should be completed within twenty working days after the completion of the investigation.

The report, at a minimum, must include:

- a summary of the complaint.
- a summary of the response by the individual charged with the harassment.
- a summary of the statements and evidence obtained during the investigation.
- a recommendation on whether a violation of this policy occurred and an explanation supporting the finding. If a violation occurred, the recommendation must include a statement about the severity of the violation.
- a summary of prior settlements or substantiated complaints against the respondent.
- a recommendation as to the disciplinary action to be taken, if appropriate.



In the case of complaints against administrative or support staff employees, the report will be forwarded to the Vice President for Finance and Administration for review and the determination of disciplinary action, if warranted. The Provost/Vice President for Academic Affairs will issue a final decision in complaints against non-tenured faculty or against tenured faculty, if the recommended disciplinary action is not termination. The Associate Dean of Student Affairs will issue a decision in complaints against students. The investigatory processes outlined in this Freedom from Harassment Policy are consistent with the Judicial Process outlined in the *Student Handbook*. (If a student appeals the decision of the Associate Dean of Student Affairs, the appeal will be handled as outlined in the *Student Handbook* in the section titled Judicial Process.)

6. **Monitoring Compliance:** The supervisor/area head of an individual found to have violated this policy is responsible for monitoring the individual's future compliance with the Freedom from Harassment Policy.

7. **Confidentiality:** All inquiries, complaints and investigations are treated confidentially. Information is revealed strictly on a need-to-know basis.

Information contained in a formal complaint is kept confidential. However, the identity of the complainant and respondent usually is revealed to the respondent and witnesses. The designated official takes adequate steps to ensure that the complainant is protected from retaliation during the period of the investigation.

A copy of the investigation report and the final decision is included in the human resources or student file of the respondent only if the investigation concludes that the respondent engaged in prohibited conduct.

All information pertaining to a harassment complaint or investigation is maintained by the appropriate designated official and the Assistant Vice President for Human Resources and Risk Management in secure files. These secure files will be kept separate from all other human resources or student files maintained by the College. No record of a complaint is kept in the complainant's human resources or student file, unless the investigation concludes that the complaint was reckless or frivolous.

In cases where complaints against tenured faculty members are found to have merit and where dismissal is the recommended disciplinary action, the Provost/Vice President for Academic Affairs will assist the complainant in forwarding the complaint to the Faculty Mediation Committee (FMC) for possible further action as outlined by the *Procedural Standards for Dismissal of a Tenured Faculty Member (PSFDTFM)*. The investigatory processes outlined in this Freedom from Harassment Policy are a part of the 'extensive efforts' which the College is expected to undertake to determine the facts and achieve informal resolution under the PSFDTFM. The investigatory report shall be provided to the Faculty Mediation Committee (FMC) under Section 5(c) of the PSFDTFM, which procedures shall thereafter govern in cases of respondents who are tenured faculty members.

***Non-Retaliation:***

Under no circumstances will an individual's refusal to submit to sexual advances adversely impact employment or academic conditions, including performance evaluation, grading, compensation, advancement, assignments, career development or other opportunities. Any employee responsible for such discrimination will be subject to disciplinary action up

to and including termination.

- Retaliation against individuals for filing a complaint, reporting an incident of harassment or for participation in an investigation under this policy will be cause for disciplinary action.

- Similarly, complainants found to have made intentionally false allegations or to have made allegations maliciously will be subject to disciplinary action.

## **Alcohol and Drug Policy**

The College of Saint Rose prohibits the unlawful possession, use or distribution of alcohol and illicit drugs by students and employees on its property or as part of any of its activities.

- Possessing, consuming or distributing alcoholic beverages by students under the age of 21 is prohibited. Furnishing or selling any alcoholic beverage to any person under the age of 21 is prohibited.
- A student under the age of 21, in the presence of alcohol, is prohibited.
- Small amounts of alcohol (no more than a six pack of beer, a liter of wine, or half liter of alcohol) for personal consumption are allowed in a student's bedroom if the student is at least 21 years of age. The beverage may not be consumed if any underage person is present.
- Kegs, beer balls, or large quantities of alcohol are prohibited.
- Alcohol is not allowed in any common area of the residence

halls including suite living rooms and kitchens.

All unauthorized alcohol will be confiscated and disposed of. The collection, displaying or storing of empty containers is prohibited. Resident students will be removed from campus housing after their third violation of the alcohol policy.

### ***On-Campus Events Serving Alcohol***

- Student and other College groups, including offices cannot serve alcoholic beverages at events at which students will be present without prior approval from the Assistant Vice President for Student Affairs. Alcohol beverage request forms should be completed a week prior to the event. Alcohol shall not be provided to individuals who are underage, appear to be intoxicated or under the influence of other psychoactive drugs.
- Individuals or groups having events in a facility covered by the NYS liquor license serving The College of Saint Rose may not legally bring alcoholic beverages into those areas; therefore, such beverages must be ordered from Campus Dining.
- Saint Rose community members are responsible for the alcohol-related actions of their guests, including any related damage.
- Neither the advertisement nor emphasis of an event can promote alcoholic beverage as the sole or main purpose of that event. In addition no specials for alcoholic beverages are allowed.
- Whenever an alcoholic beverage is served, a non-alcoholic beverage and food must also be available.
- No member of the College community may possess an open container in common areas, such as the lawn, lounges, hallways, kitchens etc.
- Proofing is to be done at the entrance to the drinking area and only one alcoholic beverage is given to any one person.

### ***Student Sponsored Events Serving Alcohol***

- For student sponsored events a designated area for the serving and consumption of alcohol must be utilized. Only those of age with appropriate proof may enter the area and no one may take beverages out.
- It is the responsibility of the Campus Dining Services staff to proof, enforce and report violations of the College alcohol policy. The sponsoring group is equally responsible to enforce the College alcohol policy and to report violations to the Associate Dean of Student Affairs.

### ***Proof of Age***

- Saint Rose identification cards are not valid for proof of age. Governmental proof, such as a driver's license, passport or original birth certificate is required.
- The Saint Rose identification is also necessary to identify you as a member of the College community since we have a NYS club license.

### ***College Sanctions for Alcohol and Illegal Drug Violations***

Students found in violation of the College policy of alcohol and illicit drugs are subject to a hearing and possible disciplinary action. Sanctions will be assigned in accordance with the judicial procedures of the College and may vary depending upon the particular circumstances surrounding an infraction, up to and including suspension or expulsion.

### *New York State Alcoholic Beverage Control Law*

The use of alcoholic beverages is subject to the New York State Alcoholic Beverage Control Law and certain provisions of the New York Penal Law. It is important to understand these laws clearly, as they pertain to the possession, sale or serving of alcoholic beverages.

- It is illegal for individuals under the age of 21 to possess alcoholic beverages. Underage drinkers are subject to a \$50 fine.
- An underage drinker who uses fraudulent identification is guilty of a violation punishable by a fine of up to \$100 and community service of thirty hours. If the fraudulent identification is a New York State Driver License, the revocation of the license will be added to the above penalty.
- No person may sell, deliver or give any alcoholic beverage to a person under the age of 21 (the law does not apply to the parent of a minor). Individuals violating this law are guilty of a "Class B misdemeanor," and may be subject to a fine not exceeding \$500 and a term of imprisonment not to exceed three months.
- A person who misrepresents the age of a person under 21 for the purpose of inducing the sale of alcohol to the "underage" person is guilty of an offense and is subject to a fine of not more than \$200 and imprisonment not to exceed five days, or both.
- Any person who shall be injured in person, property, means of support or otherwise by reason of intoxicated person, or by reason of the intoxication of any person who shall, by unlawfully selling to or unlawfully assisting in procuring liquor to such intoxication; and any such person shall have the right to recover actual damages.
- Any person who shall be injured in person, property, means of support or otherwise by reason of intoxication or impairment of any person under the age of 21 years old shall have a right of action against any person who knowingly causes such intoxication or impairment by unlawfully furnishing to or assisting in procuring

alcohol for such a person with knowledge or cause to believe that such person was under the age of 21 years.

- Any event or function at which alcoholic beverages are being sold or, an admission fee or donation is charged or requested, requires a license from the state.

### ***New York State Controlled Substance Law***

#### **Marijuana**

Article 221 of the Penal Law of the State of New York is a special section of the law dealing with offenses involving marijuana. In total, there are 12 subsections which deal with the definition, possession and sale of marijuana. Possession of marijuana in any amount is illegal. Sale of marijuana will, at minimum, be considered a misdemeanor and, at maximum, will be considered a "Class C felony," carrying with it a minimum jail sentence from five to 15 years. Keep in mind that being convicted under these statutes results in a permanent criminal record which may have a serious impact on a person's future educational or professional plans.

#### **Controlled Substances**

Controlled Substances Section 220 of the Penal Law defines those drugs considered "Controlled Substances," including narcotic drugs, narcotic preparation, hallucinogens (LSD, "hallucinogenic mushrooms," etc.), stimulants, depressants and concentrated forms of cannabis. Individual statutes deal with the criminal possession or sale of these substances and are categorized as misdemeanors or felonies depending on the specific substance, the amount of the substance in question, or the circumstances surrounding the possession or sale of the substance. Possession or sale (or possession with intent to sell) of even a very small amount of some substances is considered a felonious offense and may result in a lengthy jail sentence. In fact, with the exception of "criminal possession of a controlled substance in the seventh degree," which is considered a misdemeanor, all other statutes in Section 220 of the Penal Law are felonies. In New York State, felonies are ranked from category A-1, the most serious, to category E, the least serious. First offenders convicted

of a category A-1 felony are subject to a minimum sentence of from 15-25 years and a maximum of life imprisonment. At the other end of the scale, for the first offender, category E felony convictions carry with them a jail sentence of from one to three years, with a maximum of three to four years. First-degree criminal sale or possession of controlled substances is placed in the same category as first degree arson, first degree kidnapping, or first-or-second degree murder.

### ***Substance Abuse Prevention Program***

The College has developed the Student/Employee Assistance Program(S/EAP). The goal of the program is to help you and, when necessary, your family to resolve issues which may have a negative impact on your job or school performance. It is a completely confidential and voluntary service designed for the use of employees and students at Saint Rose. The S/EAP provides early identification, motivation, referral to treatment and follow-up of employees and students experiencing a deterioration of work and school performance. The S/EAP can address such issues as alcoholism, alcohol/substance abuse, emotional problems, stress, depression and marital/family problems. Resource people may be able to help on their own or may refer you to a specialized professional agency. The S/EAP is a voluntary program. It is up to you to come forward for help. When you decide to see them, there are resource people at your disposal. They are the College counseling center staff, the campus ministry staff and Assistant Vice President for Human Resources. Certainly these people cannot solve your problems for you. However, if you're willing to take the "first step," these resource people will help you find the solution.

The S/EAP is completely voluntary, confidential and free of charge. While you may be responsible for charges for the services you receive at an outside agency, your medical insurance may cover part of those costs. There will be no charge for services at Saint Rose.

### **Campus Access Policy**

During business hours, The College of Saint Rose (excluding certain housing facilities) will be open to students, parents, employees, contractors,



guests, and invitees. Outside of normal business hours, access to all College facilities is by key, card key, or by admittance via the Department of Campus Safety or Residence Life staff.

- Residence halls are secured 24 hours a day. Over extended breaks, the doors of all halls will be secured around the clock, and will be equipped with a lock separate from the regular key issued to resident students.
- Some facilities may have individual hours, which may vary at different times of the year. Examples are the library, the fitness center, and all campus dining facilities. In these cases, the facilities will be secured according to schedules developed by the department responsible for the facility.

Emergencies may necessitate changes or alterations to any posted schedules.

## **Campus Law Enforcement Policy**

### ***Security Office Information***

The Department of Safety and Security, reports to the Vice President for Finance and Administration of the College. The Department of Safety and Security works closely with all departments of the College to ensure that safety policies and procedures are uniformly executed and conveyed in a clear and consistent manner to all members of the College community.

The Department of Safety and Security office is located at **340 Western Avenue**. The office is open 24 hours per day year round. Uniformed Security Officers, Security Sergeants and Command Staff provide around-the-clock patrol and services to the College community.

### ***Enforcement Authority***

All Security Officers are licensed by the State of New York as unarmed private security officers and are trained in basic first aid, CPR, and the use of AED's. Security Officers are responsible for a full range of safety services to The College of Saint Rose community, including responding to crime reports, medical emergencies, fire emergencies, traffic accidents, and enforcement of all College policies including those relating to alcohol use, drug use, and weapons possession. Officers submit incident reports on all crimes and incidents of note on campus which are reported to the department.

The College of Saint Rose Safety and Security Officers have the authority to ask any person on the property of the College for identification to determine whether the individual has lawful business at the College. Our Security Officers have the authority to issue parking tickets, which must be paid or appealed. Security Officers do not possess arrest power beyond that of any other individual citizen.

Criminal incidents are referred to the Albany Police Department or The State University of New York at Albany Police both of whom have jurisdiction on the campus. The Department of Safety and Security at The College of Saint Rose maintains a highly professional working relationship with the Albany Police Department and The University at Albany Police.

In conjunction with the Albany Police and The University at Albany Police, The College of Saint Rose Department of Safety and Security implements "Operation Safe Corridor". This joint endeavor is conducted nightly to ensure safe passage on selected streets for students and neighborhood residents. Recent security enhancements include:

- Supplementary patrol routes
- Lighting improvements
- Video surveillance
- Additional emergency blue light call-boxes

- Card Access

## **Safety Awareness Programs**

The College of Saint Rose crime prevention programming is based on the dual concept of minimizing criminal opportunities whenever possible and encouraging individuals to be responsible for their own security, and the security of others. Safety presentations are made throughout the year to various campus constituencies, including resident and commuter students, Resident Assistants, and employees of the College. In addition, any department can request that the Department of Safety and Security give a safety presentation. Programs are presented by the Director of Security and the Assistant Director of Security.

Safety both on and off campus, crime prevention and fire prevention programs for resident students are held in each residence hall at the beginning of the fall semester. These programs are mandatory and resident students must sign an attendance sheet. The programs are held again during the spring semester and are mandatory for new students only. Fire drills are conducted in each residence hall at least four times each semester.

Campus safety and crime prevention programs for commuter students are conducted each semester during daytime and evening class hours. The training reaches both full-time and part-time undergraduate and graduate students.

Residence Life staff members undergo thorough safety and security

awareness, crime prevention and fire prevention training provided by the Department of Safety and Security at least once each academic year. In addition, the Albany Police Department and the Albany Fire Department provide the College's student Resident Assistants with supplemental training in these areas.

All employees are required to attend a mandatory workshop on Sexual Assault/Harassment and also are required annually to sign a statement testifying that they have read and understand the College's Freedom from Harassment Policy. In addition, employees may request that The Department of Safety and Security give a presentation in their area about general or specific safety and security issues. In addition, Security provides presentations at employee constituency meetings.

## Security Services

- **Escort Service-** Security Officers provide campus escorts 24 hours a day, seven days a week to students and employees upon request. Members of the campus community may also contact Campus Security from off-campus to arrange for an escort when they arrive at the College.
- **Shuttle You Home-** In addition to on demand escort services the Department of Safety and Security operates the “Shuttle You Home” service. Students may sign up to be driven home by the security shuttle after their on campus activities.
- **Emergency Blue Light Phones-** These phones are located on campus walkways and in parking lots. They can be used to contact Campus Security in an emergency situation or to request a security escort.
- **Operation Safe Corridor-** A joint venture undertaken by the Albany Police Department, The University at Albany Police and The College of Saint Rose Department of Safety and Security to

increase the safety of the areas pedestrian thoroughfares during the evening hours.

### *Crime Prevention*

Selected campus facilities are protected by a series of intrusion and burglar alarms that are set and monitored by the Department of Safety and Security. In addition, card and key access systems are used to limit accessibility to certain facilities including all residence halls. The security department maintains two fixed posts located in the lobbies of the freshman dormitories: Lima and Brubacher halls. The security officers at these posts monitor all visitors to the buildings.

Security Officers conduct 24-hour patrols. The doors of all buildings are checked regularly to determine if they are secure and any suspicious activity is investigated.

Each semester, a group of students and College administrators including the President and the Vice President for Finance and Administration, conduct inspections of exterior lighting, exterior doors and campus grounds to ensure that they meet the College's rigorous safety standards. These reports are given to the Director of Security and, with the cooperation of the Director of Facilities, improvements and replacements are promptly made.

In addition, Security responds to reports of potential safety and security hazards, such as broken windows and locks. Members of the Saint Rose community are encouraged to report to Facilities and/or Security any areas that they feel present a security risk, including individual offices and residence rooms.

## How to Report a Crime

The primary function of The Department of Safety and Security is to insure the safety and security of the College community. **The College community is encouraged to report all crimes, emergencies, accidents/injuries and unusual occurrences to Security immediately with the absolute assurance that the appropriate authorities will be notified when necessary.**

Incidents within residence halls can also be reported by contacting a **Resident Assistant** or **Resident Director**. Incidents involving students can be reported by contacting the **Office of Student Affairs**. Incidents involving employees can be reported to **Human Resources**.

Criminal incidents or emergencies may also be reported directly to the **Albany Fire Department** or the **Albany Police Department**. When a criminal act or emergency is reported to Campus Security or the Residence Life Office, the appropriate law enforcement or emergency agency is notified and immediate action is taken.

The College requires that all accidents or unusual occurrences on-campus be reported to The Department of Safety and Security. The security office maintains accident/injury reports and utilizes these records to develop strategies to reduce crime and unsafe conditions on campus. Accident/injury reports are reviewed regularly by the Campus Safety Committee and crime/incident reports are reviewed regularly by the Security Advisory Committee.

## *Security Advisory Committee*

The security advisory committee is comprised of administrators, faculty, staff and student representatives that meet regularly to review the security policies and procedures. The committee makes recommendations to the President of the College in effort to maintain the safest campus environment possible.

## *Contacting Security during an Emergency*

- Dial **911** from any campus extension
- Press the security button from any campus phone
- Call **518-454-5187** or extension **5187** from a campus phone
- Press the red button on an emergency blue light phone

Emergencies and criminal incidents can also be reported directly to the Albany Police and Fire dispatcher by calling:

- 518-438-4000
- 911 from any non campus phone
- Dial 9911 from a campus extension

You can report being the victim of a crime confidentially by contacting the Counseling Center at **518-454-5200**.

The Department of Safety and Security is committed to working with The College community to resolve all criminal matters in a timely fashion. Cooperation from all partners in the College community will create a safe and secure environment.

### ***What to Do if you Are the Victim of a Crime***

- Report the incident to Security and/or the police if you feel comfortable doing so.
- File a complaint following the campus judicial process if the perpetrator is a member of The College of Saint Rose Community. An investigation for appropriate disciplinary action under the College prohibition against bias related crimes will occur.
- Report the crime soon to avoid forgetting details.
- Professional counseling is available, free of charge, through the counseling center. Counseling can be beneficial as you work through your reaction to being the victim of a crime.

### ***Voluntary Confidential Reporting***

If you are the victim of a crime you do not have to pursue action with the College or with the criminal justice system. However, you may report the occurrence confidentially to the College through any one of the campus reporting avenues. All staff are instructed to abide by your desire to file a report without revealing your identity.

The importance of disclosing all criminal incidents to the proper authorities is critical in keeping accurate records of the number of incidents, tracking crime patterns and ultimately being able to alert the campus community of a possible threat. Reports field in this manner are included in the annual crime statistics for the institution.

Victims or witnesses to crimes may report incidents on a confidential basis, at the reporter's request, directly to the following College administrators: Director of Safety and Security, Asst. Director of Safety and Security, Vice President for Student Affairs, Assoc. Dean of Students, and Director of Residence Life. The information contained in these reports will be used for timely warnings and statistical purposes only.



Students or employees in possible violation of a campus regulation are subject to a hearing and possible disciplinary action (see Judicial Process, All College Regulations). The Assistant Vice President for Student Affairs or the Director of Residence Life will be the hearing officer for grievances brought by students against students. The Assistant Vice President for Human Resources will serve as the hearing officer for grievances brought by students or employees against an employee. The Vice President for Finance and Administration may appoint a different hearing officer if so requested by the Assistant Vice President for Human Resources.

All counseling through the Office of Counseling and Psychological Services as well as the Office of Spiritual Life is kept strictly confidential in accordance with established professional and legal guidelines and pastoral and professional counselors do not file incident reports. However, The College of Saint Rose encourages pastoral and professional counselors employed by the College; if and when the counselor deems it appropriate, to inform the person being counseled of any procedures to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics.

## **Procedures for Dealing with Bias Related Crimes**

Bias related crimes include any activity or action on the part of an individual or group that constitutes a bias related crime will not be tolerated. A biased related crime is any activity or action taken against another based on race, religion, ethnicity, gender, sexual orientation, national origin, age, or disability. Violation of the College's policy on bias crime may result in strict disciplinary action including possible suspension or dismissal from the College.

## **Sexual Assault**

All forms of sexual assault, including rape and other unwanted sexual contact, will not be tolerated by the College. The College of Saint Rose is committed to fostering and maintaining a safe environment for all of its

students. Violation of the College's policy on sexual assault may result in strict disciplinary action including possible dismissal or suspension from the College.

### ***Sexual Assault Definitions***

Sexual assault isn't about love or lust—sexual assault is a crime. It is sexual violence directed at an individual. It involves the use of force or coercion or involves the threat of force to the point an individual feels physically or emotionally powerless. Sexual assault is an expression of hostility, aggression and dominance. It is any sexual act that is committed against an individual without the person's consent

**New York State Law-** Article 130 of the New York State Penal Code defines sexual offenses. It lists the sections and degrees of sex crimes. Sexual assault is a criminal act carrying a penalty of varying degrees.

**Sexual Misconduct-** Sexual misconduct is defined as engaging in sexual intercourse with a female without her consent or engaging in deviate sexual intercourse (sodomy) with another person without that person's consent. *Penalties--The maximum penalty is a \$1,000 fine and/or one year in jail.*

**Rape and Sodomy-**Rape is defined as engaging in sexual intercourse or deviate sexual intercourse (sodomy) by forcible compulsion or by engaging in such action with a person who is incapable of consent. *Penalties--Rape and sodomy are classified as felonies with penalties of up to 25 years imprisonment and/or a fine of up to \$5,000.*

**Sexual Abuse and Aggravated Sexual Abuse-**Sexual abuse and aggravated sexual abuse are defined as subjecting another person to sexual contact by forcible compulsion or subjecting another person who is incapable of consent to sexual contact. *Penalties--The penalty for a sexual abuse offense may range from three months imprisonment and/or a \$500 fine to 25 years imprisonment and/or a \$5,000 fine. Some types of sexual abuse may be classified a felony.*

**Date or Acquaintance Rape-** The most common form of sexual assault on College campuses is date/acquaintance rape. Date rape occurs when

your date forces you to have unwanted sexual activity. This may include touch, penetration, forcing you to touch him/her or being forced to pose for sexually explicit photos. While date rape involves sexual activity, it is used as a means to gain power and control. If you find yourself in a situation that is making you uncomfortable, listen to your instincts. Get to a safe place right away. Sexual assault is not isolated to women. Men can be raped. A man's body will respond to stimuli. This does not mean that the experience was enjoyable, but only that the body responded to the touches. Rape or sexual misconduct is no less a crime when it happens to a man.

**Verbal Assault-** without accompanying physical contact, is not sexual assault, but may fit the criteria for sexual harassment. Sexual harassment is also prohibited by the College's Code of Conduct.

### ***Information and Workshops***

The College offers a number of programs throughout the academic year, addressing sexual assault and related topics. Specific programs are presented to all new incoming students during summer orientation. Further programming is offered by various offices and student organizations including residence life, the counseling center, and the Department of Safety and Security. Pursuant to federal law, students and employees will be educated and updated about security procedures, personal safety, crime prevention and sexual assaults in all ways that are necessary and appropriate to alert the College community. This may include: posting appropriate flyers, mass e-mail messages, placing articles in the student newspaper, classroom announcements and emergency meetings.

### ***How to Protect Yourself***

There are some practical steps you can take that may decrease the risk of sexual assault.

- Express your expectations and limits clearly before you get into a sexual situation.

- Limit alcohol and drug use. They make it more difficult for you to be in control. Never ride with someone who has used alcohol or drugs.
- Avoid meeting in secluded places and walking alone. If you are concerned, ask campus security to escort you.
- Try to be aware of attitudes that your date expresses concerning women or men: hostility, unrealistic views of women or men and/or viewing people as "sex objects."
- Use assertive language such as, "I feel uncomfortable when you don't listen to me or when you touch me like that." Scream "fire" (rather than "rape" or "help"), if you need assistance.
- Be alert to what is happening around you.

### ***Procedures for Dealing with Sexual Offenses On-Campus***

Students who are in possible violation of an all-campus regulation is subject to a hearing and possible disciplinary action via the College's Judicial Process. Refer to the Judicial Process Section for a complete explanation of this process. The Assistant Vice President for Student Affairs or the Director of Residence Life will be the hearing officer for grievances brought by students against students.

### ***Procedures for Dealing with Sexual Offences off-Campus***

Any student who is a victim of sexual assault has an independent right to file a complaint with the Albany Police Department. The College, by way of the Department of Safety and Security or Student Affairs will support and assist the student's decision to pursue off-campus legal action.

### ***Anonymous Reporting***

If the victim does not want to pursue action within the College system or the criminal justice system at this time, she/he may still want to consider having an anonymous report made. A member of the Counseling Center or Campus Ministry can report the details of the incident to the Department of Safety and Security without revealing the identity of the victim. The victim

will be asked to sign a Complaint Acknowledgement Form, which protects their right to pursue action at a later time, if they so choose. The purpose of an anonymous report is to comply with the victim's wish to keep the matter private while taking steps to ensure future safety for the victim and others.

With such information, the College can keep accurate records about the number of assaults involving students, determine whether there is a pattern of assaults with regard to particular location, method, or assailant, and alert the campus community to potential danger.

### ***Non-Retaliatio***

Retaliation against individuals for filing a complaint, reporting an incident of sexual assault, or for participation in an investigation under this policy will be cause for independent disciplinary action.

### ***Campus Resources***

Unfortunately, sexual assault is a frightening reality for anyone to have to face alone. But, you are not alone. There are resources available to assist you through this traumatic event. The College of Saint Rose is concerned about your physical and mental well-being, and will be ready to assist you in dealing with the aftermath of a sexual assault. Any victim may request a change to their academic or living arrangements through the Assistant Vice President for Student Affairs. The College will honor such a request as long as such other arrangements are reasonably available. Also, the Counseling Center is available if a student desires to process what has occurred and seek professional assistance in coping with the effects of an assault.

### ***Reporting Agencies***

- Department of Safety and Security- 518-454-5187. Security will assist the victim in contacting the appropriate law enforcement agency department if the victim so desires.
- Albany Police Department- 518-438-4000 or 911

- State University at Albany Police Department- 518-442-3130

### Confidential Counseling, Assistance and Referral

- Counseling Center- 518-454-5200/454-5298/458-5389
- Residence Life 454-5295
- Campus Ministry 454-5250
- Health Service 454-5244
- Crime Victims Assistance Program of Albany County 447-5500
- Rape Crisis Center of Albany County 447-7716

### ***Sex Offender Information***

The State of New York requires sex offenders to be listed in the Sex Offenders Registry. The State makes this information available to law enforcement agencies in the jurisdiction in which they reside. This information is available to the public at the local police department. For information on sex offenders in Albany please visit the New York State Sex Offender Registry at- <http://criminaljustice.state.ny.us/nsor/>

### **Timely Warning Policy**

In the event that there is a situation, either on or off campus which, in the judgment of College officials, poses a potential ongoing threat to members of the campus community, the Department of Safety and Security will issue a Security Advisory. This advisory will be distributed:

- Campus-wide email system
- On Blackboard
- On special red bulletin boards located in various campus locations
- At the Security Office

### ***Crisis Management Team***

When a situation is assessed and deemed to be a crisis by the Director of Security the Crisis Management Team, which is comprised of administrators from the College community, is called to assess the situation, design and implement a crisis plan of action. The Crisis Management Team reconvenes once the crisis is over to evaluate the process and a report is prepared for the President outlining the history, facts, analysis and recommendations as well as the location and contents of all files regarding the incident.

## **Annual Disclosure of Crime Statistics Requirement**

### **Daily Crime Log**

The Department of Safety and Security maintains a daily crime log that lists all reported crimes. The log outlines the logistics of the crime (date, time, and location), the nature of the crime, and how the crime was handled.

### **Crime Statistics**

The Department of Safety and Security, under the direction of the Director or his or her designee, gathers and compiles the crime statistics for The College of Saint Rose. In addition to the crimes reported to Security, the Director also solicits information from the Office of the Dean of Students. Crime statistics in this report from off-campus venues and adjacent streets were compiled in collaboration with the Albany Police Department and the State University at Albany Police Department.

These crime statistics are substantiated by the Department of Safety and Security in collaboration with the Dean of students, the Director of Safety and Security and the Albany Police Department. Double counting of these crimes is avoided by an oversight process conducted by the Clery Compliance Officer.

It should be noted that the Campus Security Act was amended in 1998. Any marked increase across years or in the revised statistics from previous years can be accounted for by the fact that the geographic boundaries for reporting were greatly expanded in 1998, and reporting of drug, alcohol, and weapons violations was also broadened to include not only arrests but also disciplinary referrals.

### ***Crime Definitions***

Murder- The willful (non-negligent) killing of a human being by another

Manslaughter- The killing of another person through gross negligence

Sex Offenses (Force)- Any sexual act against another person without the other person's consent (Includes attempts)

Sexual intercourse with another person without the other person's consent.

b. Sodomy with another person without the other person's consent.

c. Oral copulation (vaginal, anal) with another person without the other person's consent.

d. Rape with a foreign object (vaginal, anal) of another person without the other person's consent.

e. Sexual battery is the touching of the intimate parts of another person for the purpose of sexual gratification, without the other person's consent.

Sex Offenses (No force)- Any unlawful, but consensual sex act with another person. (Includes attempts)

a. Incest--consensual sexual intercourse between persons who are related to one another within the degrees wherein marriage is prohibited.

b. Unlawful sexual intercourse, (statutory rape), consensual



intercourse with a person who is under the age of consent.

Robbery- The taking of personal property in the possession of another, from his/her immediate presence, and against his/her will, accomplished by means of force or fear.

Aggravated Assault- An unlawful assault upon the person of another with a firearm, deadly weapon, object, instrument or by any means or use of force likely to produce great bodily harm. (Includes attempts, whether or not an injury occurred)

Simple Assault- An unlawful assault upon the person of another where no weapon was used and which did not result in a serious or aggravated injury to the victim. (Includes attempts, whether or not an injury occurred)

Burglary- The unlawful entry into a defined structure with the intent to commit a theft or any felony

Vehicle Theft- The taking of a vehicle (as defined) without the consent of the owner with the intent to either permanently or temporarily deprive the owner of title or possession of the vehicle.

Arson- The willful and malicious setting of a fire to burn or who burns or causes to be burned or who aids, counsels, or procures the burning of any structure, forest land or property.

Narcotics/Drug Offenses- The unlawful possession, sale, use, transportation, cultivation, manufacturing or maintaining an unlawful place. (Does not include driving while under the influence, and/or being under the influence of narcotic/illegal drugs)

Alcohol Offenses- The unlawful possession, sale, transportation, manufacturing, furnishing alcohol to a minor (under 21 years), and maintaining an unlawful drinking place. (Does not include public drunkenness or driving while under the influence)

Weapon Offenses- With certain exceptions, the possession or control of any firearm, deadly weapon, illegal knife or explosive device while on this property will be considered a violation of College Policy. Our residential policy prohibits the possession or control of any fireworks, Pellet or BB guns, switch blade knives, nunchakus, billy clubs or any other deadly

weapon.

### ***Hate Crimes***

A criminal act motivated by bias against any person or group of persons, or the property of any person or group of persons because of the ethnicity, race, national origin, religion, gender, sexual orientation, or disability of the person or group, or bias based upon the perception that the person or group has one or more of those characteristics.

#### Applicable Laws

A person commits a hate crime when he or she commits a specified criminal offense and either:

- (1) 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, religion, religious practice, age, disability or sexual orientation. of a person, regardless of whether the belief or perception is correct, or
- (2) intentionally commits the act or acts constituting the offense in whole or in substantial part because of a belief or perception regarding the race, color, national origin, ancestry, gender, religion, religious practice, age, disability or sexual orientation of a person, regardless of whether the belief or perception is correct.

See New York Penal Law 485.05

Examples of hate crimes may include, but are not limited to: threatening phone calls, hate mail, (including electronic mail), physical assaults, vandalism, destruction of property, and fire bombings.

## Clery Crime Statistics

### COLLEGE OF SAINT ROSE Campus Security Report 2008

2008 Criminal Offenses	ON CAMPUS		ON CAMPUS (Total)	NON CAMPUS	PUBLIC PROPERTY
	Student Housing	Other			
<b>CRIMINAL HOMICIDE</b>					
MURDER/NONNEGLIGENT MANSLAUGHTER	0	0	0	0	0
NEGLIGENT MANSLAUGHTER	0	0	0	0	0
<b>SEX OFFENSES</b>					
SEX OFFENSES: FORCIBLE SEX OFFENSES	1	0	1	1	0
SEX OFFENSES: NONFORCIBLE SEX OFFENSES	0	0	0	0	0
ROBBERY	0	0	0	0	0
AGGRAVATED ASSAULT	0	0	0	1	1
BURGLARY	7	5	12	0	0
MOTOR VEHICLE THEFT	0	0	0	0	0
ARSON	0	0	0	0	0

2007 Criminal Offenses	ON CAMPUS		ON CAMPUS (Total)	NON CAMPUS	PUBLIC PROPERTY
	Student Housing	Other			
<b>CRIMINAL HOMICIDE</b>					
MURDER/NONNEGLIGENT MANSLAUGHTER	0	0	0	0	0
NEGLIGENT MANSLAUGHTER	0	0	0	0	0
<b>SEX OFFENSES</b>					
SEX OFFENSES: FORCIBLE SEX OFFENSES	2	0	2	0	0
SEX OFFENSES: NONFORCIBLE SEX OFFENSES	0	0	0	0	0
ROBBERY	0	0	0	0	3
AGGRAVATED ASSAULT	0	0	0	0	4
BURGLARY	7	13	20	1	1
MOTOR VEHICLE THEFT	0	0	0	0	1
ARSON	0	0	0	0	1

2006 Criminal Offenses	ON CAMPUS		ON CAMPUS (Total)	NON CAMPUS	PUBLIC PROPERTY
	Student Housing	Other			
<b>CRIMINAL HOMICIDE</b>					
MURDER/NONNEGLIGENT MANSLAUGHTER	0	0	0	0	0
NEGLIGENT MANSLAUGHTER	0	0	0	0	0
<b>SEX OFFENSES</b>					
SEX OFFENSES: FORCIBLE SEX OFFENSES	0	0	0	0	3
SEX OFFENSES: NONFORCIBLE SEX OFFENSES	0	0	0	0	0
ROBBERY	0	0	0	0	2
AGGRAVATED ASSAULT	1	1	2	0	5
BURGLARY	19	12	31	0	6
MOTOR VEHICLE THEFT	0	1	1	0	1
ARSON	0	0	0	0	8

COLLEGE OF SAINT ROSE  
Campus Security Report 2008

2008	Arrests and Judicial Referrals	ON CAMPUS		ON CAMPUS (total)	NON CAMPUS	PUBLIC PROPERTY
		Student Housing	Other			
<b>ARRESTS</b>						
	LIQUOR LAW VIOLATIONS	0	0	0	0	0
	DRUG LAW VIOLATIONS	0	0	0	0	1
	ILLEGAL WEAPONS POSSESSION	0	0	0	0	0
<b>JUDICIAL REFERRALS</b>						
	LIQUOR LAW VIOLATIONS	226	0	226	0	0
	DRUG LAW VIOLATIONS	17	0	17	0	0
	ILLEGAL WEAPONS POSSESSION	0	0	0	0	0
2007	Arrests and Judicial Referrals	ON CAMPUS		ON CAMPUS (total)	NON CAMPUS	PUBLIC PROPERTY
		Student Housing	Other			
<b>ARRESTS</b>						
	LIQUOR LAW VIOLATIONS	0	0	0	0	2
	DRUG LAW VIOLATIONS	2	0	2	0	6
	ILLEGAL WEAPONS POSSESSION	0	0	0	0	0
<b>JUDICIAL REFERRALS</b>						
	LIQUOR LAW VIOLATIONS	283	1	284	0	2
	DRUG LAW VIOLATIONS	28	0	28	0	0
	ILLEGAL WEAPONS POSSESSION	0	1	1	0	0
2006	Arrests and Judicial Referrals	ON CAMPUS		ON CAMPUS (total)	NON CAMPUS	PUBLIC PROPERTY
		Student Housing	Other			
<b>ARRESTS</b>						
	LIQUOR LAW VIOLATIONS	0	0	0	0	3
	DRUG LAW VIOLATIONS	1	0	1	0	5
	ILLEGAL WEAPONS POSSESSION	0	0	0	0	0
<b>JUDICIAL REFERRALS</b>						
	LIQUOR LAW VIOLATIONS	177	0	177	0	1
	DRUG LAW VIOLATIONS	14	0	14	0	0
	ILLEGAL WEAPONS POSSESSION	1	0	1	0	0

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## ON CAMPUS

Clery Bias Crime Statistics

2008	ON CAMPUS	Category of Bias					
Clery Act Reportable Offenses	Race	Gender	Religion	Sexuality	Ethnicity	Disabilit	
MURDER/NONNEGLIGENT MANSLAUGHTER	0	0	0	0	0	0	
NEGLIGENT MANSLAUGHTER	0	0	0	0	0	0	
SEX OFFENSES: FORCIBLE SEX OFFENSES	0	0	0	0	0	0	
SEX OFFENSES: NONFORCIBLE SEX OFFENSES	0	0	0	0	0	0	
ROBBERY	0	0	0	0	0	0	
AGGRAVATED ASSAULT	0	0	0	0	0	0	
BURGLARY	0	0	0	0	0	0	
MOTOR VEHICLE THEFT	0	0	0	0	0	0	
ARSON	0	0	0	0	0	0	
ANY OTHER CRIME INVOLVING BODILY INJURY	0	0	0	0	0	0	
<b>Totals</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	

2007	ON CAMPUS	Category of Bias					
Clery Act Reportable Offenses	Race	Gender	Religion	Sexuality	Ethnicity	Disabilit	
MURDER/NONNEGLIGENT MANSLAUGHTER	0	0	0	0	0	0	
NEGLIGENT MANSLAUGHTER	0	0	0	0	0	0	
SEX OFFENSES: FORCIBLE SEX OFFENSES	0	0	0	0	0	0	
SEX OFFENSES: NONFORCIBLE SEX OFFENSES	0	0	0	0	0	0	
ROBBERY	0	0	0	0	0	0	
AGGRAVATED ASSAULT	0	0	0	0	0	0	
BURGLARY	0	0	0	0	0	0	
MOTOR VEHICLE THEFT	0	0	0	0	0	0	
ARSON	0	0	0	0	0	0	
ANY OTHER CRIME INVOLVING BODILY INJURY	0	0	0	0	0	0	
<b>Totals</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	

2006	ON CAMPUS	Category of Bias					
Clery Act Reportable Offenses	Race	Gender	Religion	Sexuality	Ethnicity	Disabilit	
MURDER/NONNEGLIGENT MANSLAUGHTER	0	0	0	0	0	0	
NEGLIGENT MANSLAUGHTER	0	0	0	0	0	0	
SEX OFFENSES: FORCIBLE SEX OFFENSES	0	0	0	0	0	0	
SEX OFFENSES: NONFORCIBLE SEX OFFENSES	0	0	0	0	0	0	
ROBBERY	0	0	0	0	0	0	
AGGRAVATED ASSAULT	0	0	0	0	0	0	
BURGLARY	0	0	0	0	0	0	
MOTOR VEHICLE THEFT	0	0	0	0	0	0	
ARSON	0	0	0	0	0	0	
ANY OTHER CRIME INVOLVING BODILY INJURY	0	0	0	0	0	0	
<b>Totals</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	

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## NON CAMPUS

Clery Bias Crime Statistics

2008 Clery Act Reportable Offenses	Category of Bias					
	Race	Gender	Religion	Sexuality	Ethnicity	Disabilit
MURDER/NONNEGLIGENT MANSLAUGHTER	0	0	0	0	0	0
NEGLIGENT MANSLAUGHTER	0	0	0	0	0	0
SEX OFFENSES: FORCIBLE SEX OFFENSES	0	0	0	0	0	0
SEX OFFENSES: NONFORCIBLE SEX OFFENSES	0	0	0	0	0	0
ROBBERY	0	0	0	0	0	0
AGGRAVATED ASSAULT	0	0	0	0	0	0
BURGLARY	0	0	0	0	0	0
MOTOR VEHICLE THEFT	0	0	0	0	0	0
ARSON	0	0	0	0	0	0
ANY OTHER CRIME INVOLVING BODILY INJURY	0	0	0	0	0	0
<b>Totals</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

2007 Clery Act Reportable Offenses	Category of Bias					
	Race	Gender	Religion	Sexuality	Ethnicity	Disabilit
MURDER/NONNEGLIGENT MANSLAUGHTER	0	0	0	0	0	0
NEGLIGENT MANSLAUGHTER	0	0	0	0	0	0
SEX OFFENSES: FORCIBLE SEX OFFENSES	0	0	0	0	0	0
SEX OFFENSES: NONFORCIBLE SEX OFFENSES	0	0	0	0	0	0
ROBBERY	0	0	0	0	0	0
AGGRAVATED ASSAULT	0	0	0	0	0	0
BURGLARY	0	0	0	0	0	0
MOTOR VEHICLE THEFT	0	0	0	0	0	0
ARSON	0	0	0	0	0	0
ANY OTHER CRIME INVOLVING BODILY INJURY	0	0	0	0	0	0
<b>Totals</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

2006 Clery Act Reportable Offenses	Category of Bias					
	Race	Gender	Religion	Sexuality	Ethnicity	Disabilit
MURDER/NONNEGLIGENT MANSLAUGHTER	0	0	0	0	0	0
NEGLIGENT MANSLAUGHTER	0	0	0	0	0	0
SEX OFFENSES: FORCIBLE SEX OFFENSES	0	0	0	0	0	0
SEX OFFENSES: NONFORCIBLE SEX OFFENSES	0	0	0	0	0	0
ROBBERY	0	0	0	0	0	0
AGGRAVATED ASSAULT	0	0	0	0	0	0
BURGLARY	0	0	0	0	0	0
MOTOR VEHICLE THEFT	0	0	0	0	0	0
ARSON	0	0	0	0	0	0
ANY OTHER CRIME INVOLVING BODILY INJURY	0	0	0	0	0	0
<b>Totals</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

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## PUBLIC PROPERTY

Clery Bias Crime Statistics

2008 Clery Act Reportable Offenses	Category of Bias					
	Race	Gender	Religion	Sexuality	Ethnicity	Disabilit
MURDER/NONNEGLIGENT MANSLAUGHTER	0	0	0	0	0	0
NEGLIGENT MANSLAUGHTER	0	0	0	0	0	0
SEX OFFENSES: FORCIBLE SEX OFFENSES	0	0	0	0	0	0
SEX OFFENSES: NONFORCIBLE SEX OFFENSES	0	0	0	0	0	0
ROBBERY	0	0	0	0	0	0
AGGRAVATED ASSAULT	0	0	0	0	0	0
BURGLARY	0	0	0	0	0	0
MOTOR VEHICLE THEFT	0	0	0	0	0	0
ARSON	0	0	0	0	0	0
ANY OTHER CRIME INVOLVING BODILY INJURY	0	0	0	0	0	0
<b>Totals</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

2007 Clery Act Reportable Offenses	Category of Bias					
	Race	Gender	Religion	Sexuality	Ethnicity	Disabilit
MURDER/NONNEGLIGENT MANSLAUGHTER	0	0	0	0	0	0
NEGLIGENT MANSLAUGHTER	0	0	0	0	0	0
SEX OFFENSES: FORCIBLE SEX OFFENSES	0	0	0	0	0	0
SEX OFFENSES: NONFORCIBLE SEX OFFENSES	0	0	0	0	0	0
ROBBERY	0	0	0	0	0	0
AGGRAVATED ASSAULT	0	0	0	0	0	0
BURGLARY	0	0	0	0	0	0
MOTOR VEHICLE THEFT	0	0	0	0	0	0
ARSON	0	0	0	0	0	0
ANY OTHER CRIME INVOLVING BODILY INJURY	0	0	0	0	0	0
<b>Totals</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

2006 Clery Act Reportable Offenses	Category of Bias					
	Race	Gender	Religion	Sexuality	Ethnicity	Disabilit
MURDER/NONNEGLIGENT MANSLAUGHTER	0	0	0	0	0	0
NEGLIGENT MANSLAUGHTER	0	0	0	0	0	0
SEX OFFENSES: FORCIBLE SEX OFFENSES	0	0	0	0	0	0
SEX OFFENSES: NONFORCIBLE SEX OFFENSES	0	0	0	0	0	0
ROBBERY	0	0	0	0	0	0
AGGRAVATED ASSAULT	0	0	0	0	0	0
BURGLARY	0	0	0	0	0	0
MOTOR VEHICLE THEFT	0	0	0	0	0	0
ARSON	0	0	0	0	0	0
ANY OTHER CRIME INVOLVING BODILY INJURY	0	0	0	0	0	0
<b>Totals</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

## Other Reported Hate Crimes

	2006	2007	2008
Larceny/Theft	0	0	0
Pocket Picking	0	0	0
Purse Snatching	0	0	0
Shoplifting	0	0	0
Theft from Building	0	0	0
Theft from coin operated machine	0	0	0
Theft from motor vehicle	0	0	0
Theft of motor vehicle parts or accessories	0	0	0
All other Larceny	0	0	0
Simple Assault	0	0	0
Intimidation	0	0	0
Destruction/Damage/Vandalism of Property	0	0	0



## Campus Preparedness: Emergency Response Plan

One measure of an organization's strength is its ability to respond well in an emergency. Since every scenario cannot be predicted, an emergency response plan must be able to quickly adapt to events as they unfold. The following Emergency Response Plan (ERP) designates areas of responsibility and defines for The College of Saint Rose the framework necessary to respond to emergency situations. It is divided into two sections - administrative framework and response framework. It is imperative that individual operations departments develop response plans for unique situations under their purview. The College response must be quick, professional, supportive, and designed to meet the emerging demands of any incident, emergency, or crisis situation. Response time to an actual emergency may be slow, unorganized, or non-existent if planning, training, and preparation for emergencies are not rehearsed.

The College is committed to providing a safe educational and work environment. The purpose of an ERP is to provide an effective means of communicating contingency and emergency plan responses and evacuation procedures to all campus constituencies in the event of natural, man-made, or other disasters and potential emergencies. The implementation of an emergency action plan is essential to ensuring the safety and well-being of students, faculty, staff, and visitors. Unforeseen events of all types occur despite all efforts to prevent them; therefore, it is necessary to develop effective emergency procedures to respond to these situations.

Effective disaster management includes interaction between campus officials and local emergency responders. Emergency plans should be in place and rehearsed internally through “tabletop” exercises with key campus personnel and local emergency responders to ensure their ability to function in the event of an actual emergency or disaster. Campus officials and responding organizations should know what is expected of them when emergency responses are necessary. Being aware of one’s responsibility in the event of an emergency will increase the likelihood of responding to critical situations effectively and efficiently.

### ***Emergency Management Team***

The Emergency Management Team (EMT) would function in the same roles that a Multi-Agency Coordination Group does under the National Incident Management System (NIMS) framework. The group will receive information from the Emergency Operations Group and make policy determinations regarding response actions.

The EMT members are the Vice President for Finance & Administration, Vice President for Student Affairs, Provost, Director of Safety & Security, Assistant Vice President of Public Relations, Dean of Spiritual Life and the Chair of The Emergency Operation's Group (as needed or available)

Role

- Brief the College President at regular intervals during the incident;
- Approve overall priorities & strategies;
- Approves public information reports & instructions;
- Provides for counseling and spiritual intervention; and
- Liaison with governments & external organizations.

### ***Emergency Notifications***

The College will immediately notify the campus community of any immediate or impending danger to their health and welfare. The safety of the community is the primary motivator for this notification and it will occur without delay save for instances where, in the professional opinion of emergency services or Security personnel, the notification would compromise efforts to assist victims, contain, respond to or mitigate the emergency.

In the event that an emergency is reported, the Security Office will confirm its existence and scope. From this intelligence notifications will be made to those members of the campus community likely to be immediately impacted by it. This determination will be made by the ranking Officer in charge at the scene in the Security Department.

Notification of Emergencies is achieved through a variety of methods to ensure that the greatest number of community members receive the message.

## **Notifications**

### **Broadblast**

Messages are sent via cellular telephones, voicemails, text messages and e-mail systems.

### **Axis TV Digital Signage:**

Messages posted to several Large screen TVs in strategic locations around campus.

### **Campus Public Address System**

Alerts are broadcast over the Emergency Blue Light Call boxes.

### **The College Emergency Operation's Information Telephone Line**

518-454-4321

### **Public Media**

Alerts are sent via local television and radio stations.

## Missing Residential Student Policy and Procedure

### *Policy*

In compliance with federal law 20 U.S.C. §1092j The College of Saint Rose (The College) has adopted the following policy and procedure for the community regarding the reporting, investigation and required emergency notification when a Residential Student is deemed to be missing. This policy is designated for those students living within on-campus housing under a housing contract who are currently enrolled at The College. This policy, with its accompanying procedures, establishes a framework for cooperation among members of The College community aimed at locating and assisting students who are reported missing. A student shall be deemed missing when he or she is absent from The College for more than 24 hours without any known reason and a preliminary investigation fails to locate the student. All reports of missing students shall be directed to the Department of Safety and Security which shall investigate each report and make a determination whether the student is missing in accordance with this policy. All students shall have the opportunity to identify an individual to be contacted by the College in case a student is determined missing. If a missing student is under 18 years of age and not emancipated the Department of Safety and Security is required to notify the parent or guardian of the missing student not later than 24 hours after the determination by Security that the student is missing. The Department of Safety and Security will also notify the Albany Police Department not later than 24 hours after it determines that the student is missing. The Vice President for Student Affairs shall have the responsibility of making the provisions of this policy and the procedures set forth below available to students.

### *Procedure*

Any report of a missing student, from whatever source, should immediately

be directed to the Department of Safety and Security.

Upon receipt of such a notification the Department of Safety and Security will initiate an investigation.

The Security Department will notify the Director of Residence Life and the Vice President for Student Affairs. The Vice President for Student Affairs, in consultation with the Director of Safety and Security, shall initiate whatever action he or she deems appropriate under the circumstances in the best interest of the missing student.

A representative from Residence Life will normally accompany Security Officers to the student's on campus residence in order to ascertain the validity of the report. Security Officers may also conduct an investigation which may include any of the following:

- Checking the residence of the student and talking with known associates

- Searching on campus public locations

- Contacting known friends, family or faculty members for last sighting or additional contact information

- Student Affairs or academic departments may be contacted to seek information on last sighting or other contact information

- Security may access card access logs to determine last use of the card and track the card for future uses

- Security may access vehicle registration information for vehicle location and distribute to authorities

- College Network logs may be looked up for last login and the use of the College's email system

Should this preliminary investigation fail to yield the location of the student the pre-arranged emergency contact person for the student will be contacted. If the missing student is under the age of 18 and not emancipated the student's custodial parent or guardian as contained in the records of The College will be notified within 24 hours of the determination that the student is missing.

Should this contact fail to yield the location of the student, a missing person's report will be filed with the Albany Police Department.

Staff members will immediately report any suspicious findings to the Albany Police Department during any step of this process.

### ***Emergency Contact Information***

All students shall have the opportunity to identify an individual to be contacted by The College in case a student is determined to be missing. This information is confidential but may be released to staff or the Albany Police Department as necessary to carry out the purposes of this policy.

At any point during a student's enrollment he or she may choose to register or change their Emergency Contact. The student is responsible for ensuring that the contact information is up-to-date and accurate. Emergency Contact forms are located at the Student Affairs office and will be kept on file with both Safety and Security and Residence Life.