MANHATTAN UNIVERSITY

Annual Security and Fire Safety Report 2026

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Message from the Director of Public Safety

I am pleased to present you with the Manhattan University Annual Security and Fire Safety Report for 2025/2026. The Department of Public Safety prepares this report in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act). It is an excellent source of information about campus security, containing three years of crime and fire statistics and information on the following - crime prevention, fire safety, and policies on alcohol, drugs, sexual misconduct, dating violence, domestic violence, and stalking.

Manhattan University is located in Riverdale, New York. Our 23-acre campus provides a safe environment for our community, including 17 academic, administrative and residence hall buildings. The safety of our campus is paramount, and security protocols are regularly reviewed and modified as needed.

The Department of Public Safety endeavors to provide a safe, secure and welcoming environment for the University community, its visitors and guests. Our goal is to support the Lasallian heritage and educational mission of the University by fostering a sense of respect, cooperation, and ethical behavior among the members of our community. The Department of Public Safety remains diligent in its efforts to maintain order on campus while promoting a setting free of crime, fear, and lawlessness.

Please remember, everyone at Manhattan University has a responsibility to help keep our campus safe. I encourage you to take some time to read this information and be a partner in the safety and security of our campus. Public Safety is committed to working collaboratively with all members of our community to promote an environment that is safe for our students, faculty, staff and guests.

William Cook
Director, Public Safety

General Policy for Reporting the Annual Disclosure of Crime Statistics

In accordance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) and related amendments of the education laws of New York State, Manhattan University ("Manhattan University" or "University") acquaints our students and employees with these regulations and University security procedures by way of this Annual Report, the Student Code of Conduct, the Employee Handbook, and other informative handouts. These documents include University policy on sexual assault and prevention, statistics concerning specific crimes reported to Public Safety, legal definitions, and the consequences of sex offenses and hate crimes.

This report is prepared by the Department of Public Safety with cooperation from the New York City Police Department. Campus crime, arrest, and referral statistics include those reported to Public Safety, the NYPD and designated campus officials. Each year an e-mail notification is sent to all current students and employees regarding the availability of this report. It provides mandatory information to inform current and prospective students, their families, and current and prospective employees about reported crime on campus. Members of Manhattan University, prospective students and prospective employees may obtain a copy of this report by contacting the Director of Public Safety at 718-862-7240 or online at https://content.manhattan.edu/public-safety-files/annual-security-report.pdf.

Security and Access of Campus Facilities

Students and employees have access to academic, recreational and administrative facilities on campus during regular hours of operation. The public can attend cultural and recreational events on campus with limited access to the facilities where these events are held. It is the policy of Manhattan University to maintain an academic community that is open and accessible to our students, faculty, staff, local community and invited guests. Members and guests are reminded the University is private property, and the University retains the right to restrict access due to safety and security concerns relating to our students, faculty, staff, visitors and facilities. The University employs card access, security cameras and emergency "blue-light" phones that are installed throughout campus buildings and grounds, and Public Safety officers are posted at various buildings and patrol the campus grounds 24 hours daily.

Students and employees must obtain and carry a Manhattan University ID card all times while on University property and present such when requested by University authority. ID cards can be obtained at the ID Card Office in Thomas Hall, 2nd floor, room 202. Lost ID cards must be reported immediately to the ID Card office.

Security in the Residence Halls

The Director of Residence Life works closely with residence life staff, Public Safety, and the physical plant department to develop and maintain safe student housing. The University has four residence halls: Jasper, Chrysostom, Horan and Lee Hall. Statistics include Overlook Manor which was occupied until May 2023. Overlook Manor was sold in May 2023 to a private real estate company.

All the halls operate on card access, have security camera systems, and student apartments have locking doors and windows. Residents must produce their ID every time they enter the hall and scan in. Students are strongly urged to always keep their apartment doors locked, whether they are home or not, and to not share their apartment passcodes or keys with anyone. Residence hall students should always be alert to their surroundings, especially when traveling to and from campus buildings.

Horan and Lee Hall are staffed 24 hours a day by Public Safety, and all the halls are patrolled by Public Safety 24 hours daily. Officers assigned to the halls check identification cards and register guests and visitors in compliance with residence life policy.

The Residence Life Staff and the Director of Residence Life supervise the halls. Resident Assistants (RAs) are students assigned to each residence building. They receive training in safety and security policies, awareness of safety hazards, and awareness instruction regarding drug and alcohol use. Public Safety and Residence Life are committed to providing a safe environment in the halls. Students are advised of safety concerns and provided with information on crime prevention through brochures, pamphlets and floor meetings with RAs. While there are many safeguards in place for residence hall students, each must do their part to help maintain a safe and secure environment by adhering to related policies and procedures.

Security Considerations in the Maintenance of Campus Facilities

The Physical Plant Department maintains campus buildings and grounds with a concern for safety and security. It inspects campus facilities regularly, makes repairs if needed, and responds to reports of potential safety hazards. Safety and security maintenance requests receive priority over non-safety and non-emergency work orders. Security considerations are factored into the maintenance of University facilities, including locks, keys, lighting, and renovations or construction to campus facilities. Those with concerns about campus grounds can call the Physical Plant at 718-862-7480, Monday through Friday, 8:00AM to 4:30PM.

Public Safety

The responsibility of the Public Safety Department is to promote a safe environment for the students, employees and visitors of the University. These responsibilities are within the framework of University regulations, local, state and federal law. Public Safety reports to the Vice President for Student Life and is comprised of a Director, Associate Director, and NYS licensed security officers and supervisors.

Members of Public Safety *do not have arrest authority or police/peace officer status* as defined in the New York State Criminal Procedure Law. They are security officers, trained, certified, and registered in compliance with the New York State Security Act of 1992. They receive supplemental training including, but not limited to, first aid, CPR, the use of AEDs and fire safety. Officers conduct patrols of the campus on foot and in vehicles 24 hours a day. They respond to service calls, control building access, conduct building patrols and investigate complaints. The jurisdiction of officers is limited to Manhattan University property. They have the authority to question persons on campus, request identification, determine if persons have lawful business at the University, and issue parking citations on campus.

Public Safety maintains a highly professional working relationship with the New York State Police and the New York City Police Department (NYPD 50th Precinct) that provide service to University facilities. Manhattan University *does* have a formal written Memorandum of Understanding (MOU) with the NYPD. The investigation of any crime committed on campus falls under NYPD jurisdiction and Public Safety works closely with the NYPD relative to such investigations.

Daily Crime and Fire Log

Public Safety maintains a daily log of crimes and fires that occur on campus. Information is recorded by date, time, location, and disposition of the complaint. The most recent 60-day period of the log is available to the public at the Public Safety Office, Jasper Hall, Monday-Friday, 9am to 4:30pm. Log entries older than 60 days are available within two business days after request. Entries or updates are generally made within two business days after an incident has occurred. The Director of Public Safety may decide to classify an incident as confidential. This would be done to avoid jeopardizing a criminal investigation, enabling a suspect to evade detection, result in the destruction of evidence, or to protect the identity or safety of a person. The log does not include the name or other personally identifiable information of any Complainant, witness or alleged perpetrator, and all attempts will be made to support, assist and protect the identity of these individuals.

Crime Reporting

Manhattan University (MU) encourages accurate and prompt reporting of criminal incidents, accidents, and emergencies to Public Safety at 718-862-7333, in person to any Public Safety officer, and to the NYPD by calling 911.

MU fully supports victims of crime by empowering them to make the decision whether and when to report a crime, and by encouraging members of the campus community to report crimes of which they are aware. Public Safety responds to and investigates reported incidents and prepares, classifies and files related reports. The NYPD will be notified in certain cases. Prompt reporting of crimes to Public Safety will assure the issuance of a campus "Timely Warning Notice" if warranted, and timely disclosure of crime statistics on the crime log and in this report.

There are no off-campus / non-campus student organizations or student organization housing facilities affiliated with or recognized by MU, therefore the monitoring or recording through local police of criminal activity by students at these locations is not applicable to MU. Additionally, persons aware of any behavior by an individual or individuals that recklessly or intentionally endangers the mental or physical health of any member of the MU community should report such behavior immediately to Public Safety.

Campus Security Authorities (CSA)

A Campus Security Authority is a University official with significant responsibility for student and campus activities, responsible to report to Public Safety those allegations of Clery Act crimes that they receive, and believe, were made in good faith. CSAs include the following individuals or offices: Athletics Directors, Coaches and Graduate Assistants; the Dean of Students Office; Directors of Health Services, Counseling, Study Abroad, Commuter Services and Outreach; Public Safety staff, Residence Life Directors and Resident Assistants; the Student Engagement Office and the Title IX Coordinator.

As emergencies and crimes in progress should be reported to Public Safety and the NYPD immediately, past crimes or non-emergencies may be reported to a CSA. Crimes reported to a CSA are forwarded to Public Safety for review to determine if there is a serious or continuing threat to the safety of the campus community that would require an alert (i.e., a timely warning or emergency notification) and for timely inclusion on the daily crime log.

Victims may be referred to law enforcement, counseling, health services, or the Dean of Students for follow up. University pastoral or professional counselors, when acting as such, are not considered Campus Security Authorities and *are not required* to report crimes for inclusion into the annual disclosure of crime statistics. As a matter of policy, counselors are encouraged, when they deem it appropriate, to inform persons being counseled of the reasons and procedures to report crimes on a voluntary, confidential basis for investigation and inclusion in this annual report, daily crime log and annual crime statistics.

Unfounded Crimes

Manhattan University may withhold or subsequently remove a reported crime from its crime statistics in rare cases where sworn law enforcement personnel have fully investigated the crime and based their investigation, have made a determination the crime report is false, baseless and therefore "unfounded." Only sworn law enforcement may "unfound" a crime report under this section. The recovery or low value of stolen property, refusal of a victim to cooperate with prosecution, or the failure to make an arrest do not "unfound" a crime report. Manhattan University will report the number of incidents determined through investigation to be "unfounded" within this report and to the US Department of Education. This would include incidents withheld or subsequently removed from Manhattan University annual crime statistics. Documentation of any such crime reports classified "unfounded" will be maintained in compliance with federal law.

Confidential Reporting Procedures

If you are the victim or witness of a crime and do not want to pursue action within the University judicial or the criminal justice system, you may want to consider making a confidential report. With your permission, the Director of Public Safety or designee 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 University can keep an accurate record of the number of incidents involving students, determine if 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 University.

The University will protect the identity of persons who report having been victims of crime, including sexual assault, domestic violence, dating violence, or stalking. Clery Act regulations state a disclosure may not jeopardize the confidentiality of the victim, and this takes precedence over NY State crime log laws. MU will treat any investigation, the identity of victims or other involved parties, accommodations, protective measures, and other information pertaining to any reported incident confidentially. Contact the Director of Public Safety for more information or assistance at 718-862-7240. The University will not share information about a report of a sexual misconduct incident with a student's parents without consent of the student, although the Family Educational Rights and Privacy Act (FERPA) permits the University to share information with a student's parents when there is a health or safety emergency, when the student is listed as a dependent on either parent's prior year federal income tax return or if the student has signed a FERPA Waiver.

Advisory Committee on Campus Security

In compliance with New York State Education Law Article 129A, MU has an Advisory Committee on Campus Security. The committee is comprised of students, faculty, staff, and meets annually. It reviews current campus security policies, makes recommendations for improvement, and reports its findings in writing to the University President each academic year. The committee specifically reviews current policies regarding:

a. Educating the University community, including security personnel and those who advise or supervise students, about sexual assault, domestic violence, dating violence, stalking, and bias related and hate crime offenses.

b. Educating the University community about personal safety and crime prevention.
c. Reporting sexual assault, domestic/dating violence, stalking and assisting victims during investigations.
d. Referring complaints to the appropriate authorities and counseling victims.
e. Responding to inquiries from concerned persons.

Missing Student Notification Procedures

The Clery Act and NY State Education Law Chapter 129A, section 6434 requires colleges to adopt and implement plans for the investigation of reports of missing students occurring on college grounds. For the purpose of this plan, the term "missing student" refers to any Manhattan University student residing in a facility owned or operated by the University and who is reported missing for 24 hours.

1. *Any instance of a missing student must be reported immediately to Public Safety*. The Dean of Students and residence life staff may also be notified, who will in turn notify Public Safety.
2. When a resident student cannot be located with no reasonable explanation for their absence, the Directors of Public Safety, Residence Life, and the Dean of Students will commence an investigation. This process will include interviews, (friends, roommates, family, etc.) a check of University records and a search of facilities.
3. If after these efforts the resident is not located or contacted, the NYPD will be notified within 24 hours of the report to conduct an official police investigation. This applies whether the student is over 18, an emancipated minor, or has registered a confidential contact person. Manhattan University will assist in any such police investigations.
4. Every student living in a Manhattan University residence hall has an option to register a confidential contact person thru the Department of Residence Life. This individual will be notified within 24 hours if the resident is deemed missing, and only authorized University officials and law enforcement will have access to this information, only in furtherance of a missing person investigation.
5. Manhattan University will notify a custodial parent or guardian within 24 hours if a missing student is less than 18 years of age and not emancipated in addition to any additional contact person designated by the student.

Weapons on Campus

Should you ever observe or become aware of anyone on campus with a weapon notify Public Safety at 718-862-7333 and the NYPD by calling 911. The following is applicable to any person on Manhattan University property:

1. The possession or use of any firearm, dangerous weapon or dangerous instrument on campus is strictly prohibited.
2. The following items are illegal in NY State (NYS Penal Law Article 265) and prohibited on campus - firearms, electronic dart/stun gun, gravity, switchblade, pilum-ballistic or metal knuckle knife, cane sword, billy, blackjack, bludgeon, plastic or metal knuckles, chukka sticks, sand bag, sand club, wrist-brace type slingshot or slingshot, shuriken or "Kung Fu Star".
3. The following items are also prohibited on campus: ammunition; imitation/replica firearms, bladed weapons, knives; mace, chemical, or pepper spray; BB, pellet, air or paintball guns, crossbows, slingshots; fireworks, explosives, combustibles, flares, flammable liquids/substances; OR *any other object that may appear as a weapon or can be used to inflict bodily harm.*
4. The use or possession of replica guns for educational, theatrical or other purposes is prohibited without prior approval from the Director of Public Safety.
5. Policy exceptions include sworn law enforcement legally permitted to carry weapons on campus or an individual who has received prior written authorization from the Director of Public Safety. Written authorization will only be granted to a person employed at the University as a school resource officer, police officer, peace officer or as a security guard issued a special armed guard registration card as defined in section 89-f of the NY State General Business Law.

Investigation of Violent Felony Offenses

New York State Education Law Chapter 129A, section 6434, requires Colleges and Universities to adopt and implement plans for the investigation of any hate crime or violent felony offenses (as defined by NYS Penal Law section 70.02) occurring on the grounds of the University. Upon notification to Public Safety that a hate crime or violent felony offense has occurred the primary and immediate objectives are:

- The well-being of the victim and other members of the University community.
- Prompt medical attention for any individual if needed.
- Notification to the Director(s) of Public Safety and local law enforcement (NYPD-within 24 hours).
- Such reporting requirement shall take into consideration applicable federal law, including, but not limited to, the federal Campus Sexual Assault Victims' Bill of Rights under Title 20 U.S. Code Section 1092(f), which gives the victim of a sexual offense the right on whether or not to report such offense to local law enforcement.

Other Objectives

1) Identification and interview of witnesses and the apprehension of individual(s) responsible.
2) Preservation of any crime scene and the safeguarding of evidence. Public Safety officers are responsible for these measures until arrival by the NYPD, who will then assume command of the incident.
3) Public Safety will assist as requested and act as the liaison between the police and the University community.
4) Victims will be advised of available options - filing a police report, University incident report, both, or neither.
5) The University will render reasonable assistance and support in whatever decision is made. Refusal of the victim to file a police report does not prevent the University from continuing the investigation in cooperation with law enforcement.
6) No representative of MU may compel the victim of a crime to file a police report or pursue remedies within the Criminal Justice System.

Manhattan University will follow the procedures set forth in its investigation plan to comply with the Education Law whenever the University receives a report of a hate crime as defined in section 485.05 or a violent offense as defined in subdivision one of Section 70.02 of the Penal Law, occurring at or on the grounds of the University, or a report that a student who resides in a facility owned or operated by the University is missing from their residence. This includes promptly notifying the NYPD of such incidents and assisting assigned members of the NYPD. The NYPD, upon receiving such a report from the University, will investigate such crime or report in accordance with its procedures. The University and the NYPD each agree to cooperate fully with the other and to coordinate their investigations regarding any such incident.

Building Lockdowns

MU wants you to be safe and needs you to be prepared. In the event a dangerous situation develops that poses a serious threat to the University community, (active shooter, armed assailant) you must be ready to protect yourself and may need to either evacuate a building or lockdown. All members of the MU community will need to exercise their best judgment to stay safe during any such event, and both options are dependent on your specific situation. In an emergency, staying calm and thinking clearly will help you reduce personal risk.

Remember

Always be aware of your environment and any potential dangers. Take note of the two nearest exits in any facility you visit, and have an escape route in mind should you need to get out.

Lock Down

- If evacuating a building safely is not possible, you will need to lockdown.
- A lockdown means to lock yourself in a secure area that will help protect you.
- Seek shelter and hide in the nearest room or other similarly protected area.
- Avoid seeking shelter in any room with glass doors or walls.
- Lock or barricade doors if possible; use all available room furnishings to barricade the door.
- Stay away from windows and doors and remain silent – stay out of sight.
- Turn off lights and silence all electronic devices.
- Take a seated position on the floor next to an interior solid wall and out of view from any door window.
- Put your cell phone on silent - not on vibrate. Monitor it for information from MU e2Campus.
- Do not respond to a fire alarm during a lockdown unless imminent signs of fire are observed.
- Do not respond to directives to open the door or exit the room.
- Do not leave a locked room; wait for official notification from e2Campus that it is safe, or for the NYPD or Public Safety to remove you.

Building Evacuations

Everyone on campus needs to be familiar with building evacuation protocols and fire safety procedures. Evacuating means getting out and away from a threat or danger. Be familiar with the buildings you attend classes in, work or reside in and know how to get out safely during an emergency. A building evacuation will occur if the fire alarm system is activated or for a reported gas leak, chemical spill or other situation where it would be best for occupants to evacuate.

Be Prepared

Building occupants should be familiar with the buildings they attend classes in, work or reside in. Know how to get out safely during an emergency, evacuation routes, and assembly areas. Determine in advance the nearest exit from your work location,

classroom, or dorm room, and the route you will follow to that exit in an emergency. Establish an alternate route to be used in the event your primary route is blocked or unsafe.

Building Assembly Areas

Be familiar with building assembly areas and know where to go when evacuating. In the event of a building evacuation report to an assembly area and await instructions from Public Safety officers or emergency responders. These locations are subject to change dependent on incident conditions. Plan ahead – if you know you will have difficulty evacuating a building in an emergency, notify Public Safety in advance so accommodations can be made to assist you.

Directives for the MU Community

In the event of a building evacuation:

1. Don't panic. Quickly secure your ID, keys, and evacuate calmly, quickly and safely.
2. Evacuation should be made via the nearest safe exit. Visualize your escape route before beginning to move.
3. Do not use the elevators; you could become trapped or the car may stop on a floor that is not safe.
4. If you are supervising students instruct them to remain together and exit calmly.
5. Assist others who need assistance. Advise Public Safety of the location of anyone who has not evacuated.
6. Proceed to the closest building assembly area and await further instruction.
7. *Stay away - keep building access, streets and sidewalks clear for responding emergency personnel.*
8. Follow instructions from Public Safety personnel or emergency responders.
9. Do not re-enter a building that has been evacuated until Public Safety officers advise it is safe to do so.

If You Need Assistance or are Unable to Evacuate

1. Don't panic – remain calm and stay in your office, classroom or dorm room.
2. Call Public Safety for assistance at 718-862-7333 and provide your name, phone number and location.
3. Notify those evacuating of your situation so they can alert Public Safety of your location.

Shelter in Place

"Sheltering in Place" protective measures are a response to potentially dangerous environmental conditions or building structural emergencies. Sheltering in place means to find a safe room within a building and taking refuge there, preferably an interior room with no or few windows. If you are told to shelter in place, follow the instructions of University authority.

Why you might need to Shelter in Place

- Chemical, biological or radiological contaminants have been released into the air, or air quality is otherwise unsafe.
- A serious facilities emergency occurs in or outside of the building.
- Severe weather conditions are anticipated or present.

How to Shelter in Place

- Students, staff and faculty should seek shelter in the nearest room or other similarly protected area.
- If in a residence hall, students should return to their respective rooms.
- Close all doors and windows. Once inside a room, stay away from the doors and windows.
- Keep hallways clear. Remain in protected areas until advised otherwise by University or local authority.

Timely Warning Notices (TWN)

All of us want to be alerted to potentially dangerous criminal incidents so we have both the time and information necessary to take appropriate precautions. In the event an emergency or dangerous criminal incident occurs on or near campus that in the judgment of the Director of Public Safety or designee *poses an ongoing or continuing threat* to the health and safety of the University community, a campus "Timely Warning Notice" will be issued. MU will issue a TWN if it becomes aware of such an incident occurring on campus, on public property immediately adjacent to the campus, or on non-campus buildings or property controlled by the University.

Timely Warning Notices are normally distributed for the following crimes as defined by the Clery Act and the FBI National Incident Based Reporting System: arson, homicide, burglary, robbery, sex offenses, aggravated assault, motor vehicle theft, domestic violence, dating violence, stalking, hate crimes, hazing, or for other crimes if deemed necessary by the Director of Public Safety.

A TWN will be issued or not based on the facts of the incident and the amount of information known by Public Safety. Considerations will be made on a case-by-case basis, including whether the alleged crime represents a serious or continuing threat to the University community, the nature of the incident; where and when the incident occurred, and when it was reported. If there is insufficient information available to determine if the incident represents a continuing threat to the University community a TWN will be issued and it will note the University does not have enough information to evaluate the threat completely.

The Director of Public Safety in conjunction with the VP for Student Life will determine if a TWN will be issued. If the Director or VP are not available, the determination will be made by a member of the University's Emergency Response Team. The reasons for issuing or not issuing a TWN will be documented and maintained by Public Safety for (7) years. A TWN is not required in cases of crimes reported to pastoral or professional counselors.

The Director of Public Safety or designee will develop and distribute the TWN and make efforts to consult with the Vice President for Student Life or designee regarding the content of the TWN. Time permitting, additional input may be garnered from other members of the Emergency Response Team and/or the University's Title IX Coordinator as appropriate. For purposes of this policy, "timely" means as soon as reasonably practicable, and generally not more than 48 hours after a serious incident has been reported to Public Safety, MU campus security authorities or the police agencies having jurisdiction.

The TWN will include, if available, the date, time and nature of the offense, a brief overview of circumstances, a physical description of the perpetrator(s), law enforcement actions, a request and method for witnesses to contact law enforcement, and where appropriate, cautionary advice to promote safety and aid in the prevention of similar occurrences. In developing the content of the TWN the University will take all reasonable efforts not to compromise ongoing law enforcement efforts or the identity of any victim. Public Safety will e-mail the TWN to the University community and it will be posted on the University website. TWNs will treat the names of all reporters confidentially; they will not be identified and no personally identifiable information would be included.

Did you know?

The Manhattan University Emergency Response Guide can help you stay safe during an emergency.

Take time to review this information and be familiar with emergency response guidelines, located here –

Emergency Response Guide

Did You Know?

Register now for text and email *Emergency Alerts* via **e2Campus**!

All members of the University community are urged to sign up for e2Campus messaging to stay informed in the event of an emergency incident at MU.

Go to the Public Safety webpage, click on ALERTS and follow the prompts.

Emergency Response, Evacuations and Notifications

This policy summarizes Manhattan University's emergency response and evacuation procedures, including protocols for emergency notifications to the University community. The University will, without delay and taking into account the safety of the campus community, determine the content of the notification and initiate the notification system. This complies with the emergency notification requirements of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act as amended by the Higher Education Opportunity Act of 2008 and applicable Department of Education regulations.

Emergency Response Plan

The University's Emergency Response Team (ERT) and Emergency Management Team (EMT) are responsible for the planning and response to campus emergencies or those locally or regionally affecting the campus. MU utilizes an emergency plan to prevent, mitigate, respond to and recover from a range of emergency incidents.

Emergency Notifications to the Campus Community

1. MU is committed to ensuring the campus community receives timely, accurate information in the event of a *currently occurring emergency on campus or locally that poses a risk or immediate threat* to the health and safety of the campus community.

2. Information will be sent to all members of the campus community utilizing e2Campus, the University's emergency communication system, which allows sending time sensitive information via text messaging and/or email.

3. The decision to send an alert will be made by the Director of Public Safety, VP for Student Life, or members of the ERT. The alert will advise conditions, actions to stay safe, and follow up messages to keep the University community informed.

4. Information and updates may also be sent via email and posted on the University webpage to help disseminate information to the larger University community. An alert will not be sent if it will, in the professional judgment of responsible University officials, compromise efforts to assist victims, or contain, respond to, or otherwise mitigate the emergency.

Confirming the Existence of an Emergency or Dangerous Situation

1. The report of a significant emergency or dangerous situation involving an immediate threat to the health or safety of the University community, occurring locally or on campus, will be investigated promptly by Public Safety personnel. This investigation may include conferrals with other University professionals, local officials, including the NYPD and FDNY, and will aid in determining the content of the notification.

2. Upon confirmation of such an emergency or dangerous situation, the entire campus community will be notified without delay utilizing the e2Campus notification system.

3. The University's Emergency Operations Guide (EOG) is a resource used to direct incident response. MU will utilize components of the National Incident Management System (NIMS) and the Incident Command System (ICS) structure to respond to an emergency. This includes the MU Emergency Response Team (ERT) and Emergency Management Teams (EMT), comprised of an Incident Commander, Director(s) of Public Safety and other University professionals who will coordinate the University's response to the incident.

Emergency Drills

To ensure plans remain current and actionable, MU conducts an emergency management exercise at least annually. The ERT and EMT meet regularly throughout the year to review procedures and conduct exercises that may include tabletop drills and emergency operations planning exercises.

Unannounced building evacuation drills are conducted multiple times annually for all campus buildings. *Announced tests* of the e2Campus emergency messaging system are conducted each semester and members of the University are notified in advance via email announcements. Drills are planned in advance, evaluated and documented for review. In conjunction with emergency drills and notifications, MU provides the University community emergency response and building evacuation procedures annually via email.

Policy on Drugs and Alcohol

Manhattan University complies with all state and federal laws relative to drugs and alcohol on campus. Manhattan University is not a sanctuary from civil authorities. Where appropriate or as necessary, the University will fully cooperate with law enforcement relative to any such investigations.

Additionally, any actions taken by an individual or individuals that involves the forced consumption of alcohol or drugs for the purpose of initiation or affiliation with any group or organization, or for any other reason, is a violation of NYS law and a serious violation of University policy. Anyone in need of assistance with alcohol or drug use should contact the MU Counseling Center at 718-862-7394**.**

Drug Policy

1. The unlawful possession, sale, or distribution of marijuana, drugs or other illegal substances, including, but not limited to narcotics, depressants, stimulants or hallucinogens is a violation of the Student Code of Conduct as well as NY State and federal law.
2. The use of prescription drugs without a prescription or inconsistent with the prescribed dosage is prohibited.
3. Possession or distribution of synthetic or herb-based drugs is prohibited.
4. The possession of drugs or illegal substances in significant quantities may, by itself, indicate intent to distribute such substances. Evidence of sale and/or distribution may be reported to local law enforcement agencies.

Standard Minimum Sanctions

1. First time offenders will generally receive parental notification, mandatory educational programming, revocation of privileges, and fines. Second time offenders will generally receive more intensive counseling referral, parental notification, revocation of privileges, residence probation and a fine.
2. Chronic offenders (three or more offenses in an academic year) can lead to mandatory medical leave, involuntary leave of absence, mandatory substance abuse assessment, suspension and/or expulsion from the residence halls and/or the University. Chronic drug offenders may be required to participate in mandatory drug testing at the student's expense.

Alcohol

Manhattan University students are expected to comply with the alcohol laws of New York State, especially as they relate to underage drinking. Under New York State law, individuals under 21 years of age may not possess or consume alcoholic beverages, nor may individuals over 21 years of age furnish alcoholic beverages to those less than 21 years of age.

Alcohol Policy

1. People less than 21 years old may not possess or consume alcoholic beverages on campus.
2. No member of the University community may serve or furnish alcoholic beverages to people less than 21 years old.
3. No person under the age of 21 may possess or present evidence of age that is false for the purpose of purchase or possession of alcoholic beverages.
4. All students in private residence hall rooms where alcoholic beverages are being consumed must be 21 years old.
5. Possession or use of alcohol serving equipment, including but not limited to beer pong tables, beer ball containers, kegs, taps, funnels and bars, is prohibited.
6. Drinking games are prohibited, including standard drinking games being played without alcohol present.
7. Any quantity of alcoholic beverages brought into a residence hall or possessed on campus by a student under the age of 21 will be confiscated and disposed of without reimbursement.
8. Students may not bring alcoholic beverages into any unauthorized areas.
9. Being in a state of intoxication is a violation of the Student Code of Conduct.

Standard Minimum Sanctions

Depending upon the severity of the incident(s):

- First time offenders will generally receive parental notification, mandatory educational programming, revocation of privileges and fines.
- Second time offenders will generally receive more intensive counseling referral, parental notification, revocation of privileges, residence probation and a fine.
- Chronic offenders (three or more offenses in an academic year) can lead to mandatory medical leave, involuntary leave of absence, mandatory substance abuse assessment, suspension and/or expulsion from the residence halls and/or the University or any combination of the above.
- A decision to impose a mandatory medical leave will be made only after consultation with qualified mental health and/or addiction specialists.

Counseling and Support Programs (Drugs and Alcohol)

The University educates students annually about alcohol and drug use through specific programs in the residence halls and through published information and services offered by the Counseling Center. Students who wish to discuss issues confidentially, related to drug and alcohol abuse, are encouraged to contact the Counseling Center at 718-862-7394. The Counseling Center supports the academic mission of the University by providing a range of counseling services that includes developmental, preventive, and remedial approaches to student development. It offers a wide range of services to full-time undergraduate Manhattan University students, including short-term individual therapy, crisis intervention, substance abuse screenings, consultation, psychological education and referrals. The Counseling Center clinicians are licensed psychologists, social workers and mental health counselors from different cultural and theoretical backgrounds. They guide students through the therapeutic process to increase awareness and develop healthy coping strategies around issues.

The Counseling Center is committed to substance abuse prevention and reduction of alcohol and other drugs through education, interventions and assessment. Students have access to trained alcohol and substance abuse clinicians. Students who are involved in drug/alcohol infractions on campus are sent for a mandated assessment to the Alcohol and Drug Counselor.

Alcohol and/or Drug Use Amnesty

The health and safety of every student at the University is of utmost importance. The University 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 University strongly encourages students to report domestic violence, dating violence, stalking, or sexual assault to institution officials.

A bystander acting in good faith or a reporting individual acting in good faith that discloses any incident of dating violence, domestic violence, sexual assault, or stalking to the University's officials or law enforcement will not be subject to the University's 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. Although students who report dating violence, domestic violence, sexual assault, or stalking will not be charged with violating the Alcohol or Drug policies of the University related to that violation, the student may be referred without conduct charges to the Alcohol and Drug Counselor available through the University Counseling Center to support their health and well-being. In a crisis, students are encouraged to seek assistance by contacting the Public Safety Department at 718-862-7333 or the University's Counseling Center at 718-862-7394.

Bystander Intervention

What is bystander intervention? It's when someone observes sexual misconduct, assault, domestic violence, dating violence, stalking, and may be able to help the victim. Bystanders play a critical role in the prevention of sexual and relationship violence. They are not directly involved but have the choice to intervene, speak up, or do something about it.
It's important you do so in a positive and safe manner that keeps you and the victim safe. Appropriate interventions will depend on the situation. Even small interventions can make a big difference in a questionable situation. *Never put yourself in a dangerous situation - contact Public Safety or call 911 if needed.*

Safe Options for Bystanders

1. Choose what form of assistance you can use to intervene.
2. Have someone with you if you intervene or just call for help.
3. Dialing 911 or calling Public Safety if you or someone else is in danger.
4. If you see someone who looks like they could be in trouble or needs help, ask if they are ok. You can help prevent a sexual assault before it occurs, as many university sexual assaults involve the consumption of alcohol and/or drugs.
5. If you are out with friends and someone is intoxicated – don't leave them alone with strangers or others.
6. Don't just passively observe or walk away. Simply checking in with someone can stop the momentum of something bad happening. If you can do so safely, remove them from that situation or just speak up.

Campus Sexual Violence Elimination Act (VAWA) - Sexual Assault, Domestic and Dating Violence, Stalking

On March 7, 2013, the Violence Against Women Reauthorization Act of 2013 (VAWA) was signed into law, including the Campus Sexual Violence Elimination Act (Campus SaVE). This law amended the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) which affords additional rights to campus victims of sexual assault/violence, dating violence, domestic violence, and stalking.

Manhattan University Statement of Policy

Manhattan University does not discriminate on the basis of sex, and sexual harassment and sexual violence, are forms of sex discrimination. In furtherance of the University's commitment to maintaining a community free of sex discrimination, the University issues this statement of policy, and the information contained herein, to inform the community of its comprehensive plan to combat sexual misconduct within the Manhattan University community, including educational programs and reporting/adjudication procedures pertaining to dating violence, domestic violence, sexual assault, and stalking. Manhattan University prohibits and condemns the crimes of dating violence, domestic violence, stalking, and sexual assault, and strongly encourages the reporting of such to campus administrators.

The University will not tolerate retaliation against any individual who reports, is a victim, or participates in the process assisting an individual who is making a claim, cooperating with an investigation or acting as a witness. Retaliation, or the threat of, is a violation of this policy. Violators are subject to disciplinary action including, but not limited to, termination of employment, expulsion, and/or termination of existing contractual relationships with the University. Retaliation should be reported immediately to the Affirmative Action Officer and/or the Vice President for Human Resources for investigation.

Sexual Assault - Violence Against Women Act

Sexual assaults are offenses that meet the definition of rape, fondling, incest, or statutory rape as used in the FBI Uniform Crime Report Program (see definitions below). A sex offense is any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

Definitions in Accordance with the FBI's Uniform Crime Report Program-2024

On June 23, 2025, the FBI updated its National Incident-Based Reporting System User Manual, which includes updates on how certain sex offenses are defined and reported. However, Manhattan University is continuing to collect and report data as directed by the text of the Clery regulations, which still requires institutions to compile the crime statistics for fondling, incest, and statutory rape as those crimes were defined at the time the regulations were enacted.

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

Criminal Sexual Contact
The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or temporary/permanent mental incapacity.

Incest
Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Statutory Rape
Sexual intercourse with a person who is under the statutory age of consent.

Sexual Assault - NY State Law

NY State Law does not specifically define sexual assault. However, pursuant to Federal Law, sexual assault includes offenses that meet the definitions of fondling, incest, or statutory rape as used in the FBI Uniform Crime Report Program. Sections 130 and 255 of the New York Penal Law address these crimes.

College Campuses and Sexual Assault
The majority of college students sexually assaulted are victimized by someone they know. Although assaults by strangers do occur, acquaintance rape is far more prevalent among college students. The vast majority of sexual assaults experienced by college students occur in situations involving drinking by the victim, the assailant, or both. The following information is provided by RAINN (Rape, Abuse & Incest National Network), the nation's largest anti-sexual violence organization.

- College age adults are at high risk for sexual violence.
- Nearly every minute someone is sexually assaulted in this country.
- Approximately 13% of all college students experience rape or sexual assault.
- 85% to 90% of victims know their abuser with approximately half of those incidents occurring during a date.

Sexual Assault by an Acquaintance - Risk Reduction
Date or acquaintance sexual assaults occur when someone is forced or manipulated into having sex against their will by a friend or acquaintance. Be aware of the impact of alcohol and other drugs have on your judgment and that of others. These drugs often play a role in sexual assault. *Help protect yourself. Remember:*

- ***Don't go to a secluded place with someone you've just met or don't know well;*** meet or stay in public places.
- Do not go with them to an apartment or invite them to yours if you are just getting acquainted.
- Check in with your friends when out or at a party; make sure everyone leaves together.
- Never leave a drink unattended or accept one from someone you don't know. Date rape drugs are easily added to any beverage. They are prescription, or illegal drugs that produce various effects on the body, most often sedative

or depressing, and are used often in sexual assault crimes. They are odorless, colorless, and tasteless. Common date rape drugs include Gamma Hydroxy Butyrate (GHB), Rohypnol, MDMA (Ecstasy) and Ketamine.

Sexual Assault by a Stranger - Risk Reduction

Make it a practice to be aware of your surroundings. You can try to avoid putting yourself in an unsafe situation by practicing the following tips. *Help protect yourself. Remember:*

- ***Walk in a group or with a friend you know well, especially after late night classes.***
- Be alert and aware of your surroundings, both inside buildings and on the street.
- If you feel unsafe or uncomfortable get to an occupied store or location where there are people present.
- Use elevators, stairs and restrooms in well-trafficked areas.
- Avoid deserted areas, parking lots, laundry rooms, and other poorly lit locations.
- Keep apartment doors and windows locked. Always close your shades or blinds at night.

Domestic Violence - Violence Against Women Act

Domestic violence can affect anyone regardless of age, race, religion, sexual orientation, and harms the physical and/or mental well-being of the victim. Domestic violence is rarely an isolated incident, it's a pattern of behavior intended to exert control and domination by the offender over the victim. The term "domestic violence" includes 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 the jurisdiction in which the crime of violence occurred
- 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 the jurisdiction in which the crime of violence occurred

Domestic Violence - NY State Law

There is no specific New York State law definition for domestic violence. Domestic violence would include violations of the NY State Penal Law, including, but not limited to, disorderly conduct, harassment, aggravated harassment, sexual misconduct, forcible touching, sexual abuse, stalking, criminal mischief, menacing, reckless endangerment, kidnapping, assault, attempted murder, criminal obstruction of breathing or blood circulation, or strangulation; and such acts have created a substantial risk of physical or emotional harm to a person, a person's child or have been committed by a family member. The victim can be anyone over the age of sixteen, any married person or any parent accompanied by his or her minor child or children in situations in which such person or such person's child is a victim of the act. Members of the same family or household include persons related by consanguinity or affinity; legally married to one another; formerly married to one another regardless of whether they still reside in the same household; persons who have a child in common whether such persons have been married or have lived together at any time; and persons who are not related by consanguinity, affinity or have been in an intimate relationship regardless of whether such persons have lived together at any time.

Dating Violence - Violence Against Women Act

Dating Violence can affect anyone regardless of age, race, religion or sexual orientation. Dating violence is violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. Any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

1. The existence of such a relationship shall be based on the reporting party's statement with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
2. For the purposes of this definition dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence.

Dating Violence - NY State Law

NY State Law does not specifically define "dating violence".

Domestic and Dating Violence - Risk Reduction

Help protect yourself. Abuse is any behavior used to intimidate or control you. Abuse can be emotional, physical, sexual, or financial. A victim is never at fault for any kind of abusive behaviors. Remember….

- Have a plan - a safety plan is a personalized, practical plan that includes ways to remain safe while in a relationship, planning to leave, or after you leave. Safety planning involves how to cope with emotions, tell friends and family about the abuse, take legal action, and more.

- A protective order can help protect you by legally keeping your partner from physically coming near you, harming you, or harassing you, your children or your family members. This legal documentation to keep your abusive partner away from you can often contain provisions related to custody, finance and more.

- Seek help – the National Domestic Violence Hotline operates around the clock, seven days a week, confidential and free of cost. It provides lifesaving tools and immediate support to enable victims to find safety and live lives free of abuse. Callers to the Hotline at 1-800-799-SAFE (7233) can expect trained, experienced advocates to offer compassionate support, crisis intervention information, educational services and referral services in more than 200 languages.

Stalking- Violence Against Women Act

The term "stalking" means engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety, the safety of others or to suffer substantial emotional distress. For the purposes of this definition:

- Course of conduct means two or more acts, including, but not limited to, acts which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person's property.
- Reasonable persons means a reasonable person under similar circumstances and with similar identities to the victim.
- Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily require medical or other professional treatment or counseling.

Stalking - NY State Law

New York law defines stalking as when a person intentionally and for no legitimate purpose, engages in a course of conduct directed at a specific person and knows or reasonably should know that such conduct:

1. Is likely to cause reasonable fear of material harm to the physical health, safety or property of such person, a member of such person`s immediate family or a third party with whom such person is acquainted;
2. Causes material harm to the mental or emotional health of such person, where such conduct consists of following, telephoning or initiating communication or contact with such person, a member of such person's immediate family or a third party with whom such person is acquainted, and the actor was previously clearly informed to cease that conduct;
3. Is likely to cause such person to reasonably fear that his or her employment, business or career is threatened, where such conduct consists of appearing, telephoning or initiating communication or contact at such person`s place of employment or business, and the actor was previously clearly informed to cease that conduct; or
4. With intent to harass, annoy or alarm a specific person, intentionally engages in a course of conduct directed at such person which is likely to cause such person to reasonably fear physical injury, kidnapping, unlawful imprisonment or death of such person or a member of such person`s immediate family.

Stalking – Risk Reduction

Stalking can be dangerous, harmful, intrusive, and can occur during, after, or in the absence of a relationship. If you believe you are being stalked:

- Notify Public Safety and file a police report.
- Document all incidents of possible stalking.
- Keep a log of incidents, dates, times, what happened, and the names of any witnesses.
- Keep e-mails, letters, faxes, texts, messages, or items left for you for evidentiary purposes.
- If you decide not to pursue prosecution, you may change your mind in the future.
- Documentation of every incident makes for a stronger case.
- If you have an Order of Protection make several copies, carry a copy with you at all times and notify Public Safety about the order; provide a photo of the stalker if you have one.

Consent - NY State Law

You must have consent to engage in any and all sexual behaviors with your partner. Consent is more than just the absence of "no". Consent requires a clear "yes" through words or actions. It's the LAW. It is an element of every sex offense defined in Article 130 of the NY State Penal Law that the sexual act was committed without consent of the victim. Lack of consent results from:

1. Incapacity to consent; or
2. where the offense charged is sexual abuse or forcible touching, *any circumstances* in addition to forcible compulsion or incapacity to consent in which the victim does not expressly or impliedly acquiesce in the actor's conduct; or
3. where the offense charged is rape in the third degree or criminal sexual act in the third degree, in addition to forcible compulsion, circumstances under which, at the time of the act of intercourse, oral sexual conduct or anal sexual conduct, the victim clearly expressed that he or she did not consent to engage in such act, and a reasonable person in the actor's situation would have understood such person's words and acts as an expression of lack of consent to such act under all the circumstances. A person is incapable of consent when he or she is: (i) less than 17 years old; (ii) mentally disabled; (iii) mentally incapacitated; (iv) physically helpless; or (v) committed to the care and custody of the state department of correctional services, a hospital, the office of children and family services and is in residential care, or the other person is a resident or inpatient of a residential facility operated by the office of mental health, the office for people with development disabilities, or the office of alcoholism and substance abuse services, and the actor is an employee, not married to such person, who knows or reasonably should know that such person is committed to the care and custody of such department or hospital.

Sex and Stalking Offenses - NY State Law

The following is a list of sex offenses from the NY State Penal Law and the penalties for the commission of these crimes. All crimes are punishable by imprisonment, fines or both:

Section		Incarceration Sentences
130.20	Sexual Misconduct	up to 1 year
130.25	Rape in the third degree	up to 4 years
130.30	Rape in the second degree	up to 7 years
130.35	Rape in the first degree	6-25 years
130.40	Criminal Sexual Act in the third degree	up to 4 years
130.45	Criminal Sexual Act in the second degree	up to 7 years
130.50	Criminal Sexual Act in the first degree	up to 25 years
130.52	Forcible touching	up to 1 year
130.53	Persistent sexual abuse	up to 4 years
130.55	Sexual abuse in the third degree	up to 3 months
130.60	Sexual abuse in the second degree	up to 1 year
130.65	Sexual abuse in the first degree	up to 7 years
130.65a	Aggravated sexual abuse fourth degree	up to 4 years
130.66	Aggravated sexual abuse third degree	up to 7 years
130.67	Aggravated sexual abuse second degree	up to 15 years
130.70	Aggravated sexual abuse first degree	up to 25 years
130.75	Course of sexual conduct against a child, 1st degree	up to 25 years
130.80	Course of sexual conduct against a child, 2nd degree	up to 7 years
130.85	Female genital mutilation	up to 4 years
130.90	Facilitating a sex offense w/a controlled substance	up to 7 years
130.91	Sexually motivated felony	1.5 to 25 years
130.95	Predatory sexual assault	10 to 25 years
130.96	Predatory sexual assault against a child	10 to 25 years
255.25	Incest in the third degree	up to 4 years
255.26	Incest in the second degree	2 1/3 to 7 years
255.27	Incest in the first degree	5-25 years

Stalking Offenses:

120.45	Stalking in the fourth degree	up to 3 months
120.50	Stalking in the third degree	up to 1 year
120.55	Stalking in the second degree	up to 4 years
120.60	Stalking in the first degree	up to 7 years

Campus Sex Crimes Prevention Act - Sex Offender Registry Information Line

On July 25, 1995 the Sex Offender Registration Act (SORA) also known as Megan's Law was enacted. This law established a Sex Offender Registry within the NY State Division of Criminal Justice Services. This legislation assists local law enforcement protect communities by requiring sex offenders to register with the State and provides information to the public about offenders residing in their communities. The NY State Sex Offender Registration Act established a phone line the public can call to determine if an individual is a convicted sex offender. To request information:

1) Call the SEX OFFENDER REGISTRY INFORMATION LINE at 1-800-262-3257.
2) You must be 18 years old and provide your name, address and phone number.
3) You must have the individual's name and at least one of the following identifiers: the individual's street address and apartment number, driver's license number, social security number, or birth date.
4) You are also able to check a sub-directory of High Risk Sex Offenders on-line via the New York State Sex Offender website at http://www.criminaljustice.ny.gov/nsor/.

NYS Education Law 129-B – "Enough is Enough"

On July 7, 2015, Article 129-B of New York State's Education Law was enacted. This legislation, also known as "Enough is Enough", is intended to encourage victims and witnesses of sexual misconduct to report such incidents and imposes policy and reporting requirements for all higher education institutions. The provisions of Article 129-B are incorporated into the Manhattan University Community Standards and Student Code of Conduct. The provisions of Article 129-B supplement existing obligations required by Title IX of the Education Amendments of 1972, the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, and the Violence Against Women Act/Campus Sexual Violence Act. The law provides a path to combat campus sexual assault and a course of action for victims, including:

- A NY State definition of Affirmative Consent:
  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 the sexual activity. Silence or lack of resistance, in and of itself, does not demonstrate consent. This definition does not vary based upon a participant's sex, sexual orientation, gender identity, or gender expression.
- An alcohol/drug use amnesty policy providing that when reporting instances of sexual misconduct in good faith, students or bystanders will not be subject to alcohol and/or drug use policy violations occurring during the time of the alleged incident.
- A Students' Bill of Rights, which informs students of their rights in situations involving sexual misconduct.
- Sexual assault training for university administrators, staff, students, student leaders, and student athletes, including new student orientation programs.
- Student onboarding and ongoing education to educate the institution's community about domestic violence, dating violence, stalking, and sexual assault, in compliance with applicable federal laws, including the Clery Act with specified education topics for first-year and transfer students.
- Established a requirement for no contact orders, campus climate assessments, and relationships with community-based organizations providing rape crisis and other victim support.

TITLE IX/ SEXUAL MISCONDUCT POLICY

Manhattan University is committed to providing an environment not impaired by sexual misconduct, including sex discrimination and sexual harassment. The University's Sexual Misconduct Policy "SM Policy" addresses allegations of sex discrimination, including sexual harassment, in accordance with Title IX of the Education Amendments of 1972, the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, as amended by the Violence Against Women Act of 2013, Article 129-B of the New York State Education Law, the New York State Labor Law, the New York State Human Rights Law, Title VII of the Civil Rights Act of 1964, the New York City Human Rights Law, the New York City Stop Sexual Harassment Act, and all other applicable law. In accordance with Title IX and its implementing regulations, the University does not discriminate on the basis of sex in its education programs and activities, including in admissions and employment. Sexual misconduct and related retaliation are

prohibited by the University. Students, employees, applicants, and other members of the University community (including without limitation, vendors, visitors, and guests) may not be subject to discrimination, harassment, or otherwise treated adversely based upon their sex. The University will not tolerate harassing, violent, intimidating, or discriminatory conduct by its students, employees, or any other member of or visitor to the University community. Any person who believes they been subject to sex discrimination or related retaliation should immediately contact the Title IX Coordinator, Public Safety, Dean of Students, Human Resources or local law enforcement.

A copy of the University's Sexual Misconduct Policy can be viewed by clicking the following link Sexual Misconduct Policy.

Definitions of dating violence, domestic violence, sexual assault, stalking, as well as related definitions, as set forth in the University Sexual Misconduct Policy, are as follows:

- Dating Violence (non-Title IX): Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the Complainant. The existence of such a relationship shall be determined based on a consideration of the following factors: (i) the length of the relationship; (ii) the type of the relationship; and (iii) the frequency of interaction between the persons involved in the relationship.

- Domestic Violence (non-Title IX): Violence committed by a current or former spouse or intimate partner of the Complainant, by a person with whom the Complainant shares a child in common, by a person who is cohabitating with or has cohabitated with the Complainant as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under New York domestic or family violence laws, or by any other person against an adult or youth Complainant who is protected from that person's acts under New York domestic or family violence laws.

- Sexual Assault (non-Title IX): Engaging in the following sexual acts without affirmative consent, including instances where the victim is incapable of giving consent: (i) vaginal, anal, or oral sexual intercourse with another person; (ii) inserting an object or instrument, however slight, into the genital or anal openings of the body of another person; (iii) intentionally touching the sexual or intimate body parts of another person, directly, through material, or through the use of an object, or making a person touch their own sexual or intimate body parts or those of another person, for the purpose of sexual arousal, sexual gratification, humiliation, degradation, or abuse; or (iv) intentionally touching another person's body, or making a person touch themselves or another person, for the purpose of sexual arousal, sexual gratification, humiliation, degradation, or abuse.

- Stalking (non-Title IX): Engaging in a course of conduct directed at a specific person that would cause a reasonable person to: (i) fear for their safety or the safety of others; or (ii) suffer substantial emotional distress. As used in this definition: "course of conduct" means two or more acts, including acts in which the Respondent, directly, indirectly, or through third parties, by any method monitors, observes, follows, surveils, threatens, or communicates to or about a person or interferes with a person's property; "reasonable person" means a reasonable person under similar circumstances and with similar identities to the Complainant; and "substantial emotional distress" means significant mental anguish or suffering that may, but does not necessarily, require professional treatment or counseling.

- Title IX Sexual Harassment: Conduct on the basis of sex, occurring in an education program or activity of the University against a person in the United States, that satisfies one or more of the following: (i) an employee of the University conditioning the provision of an aid, benefit, or service of the University on an individual's participation in unwelcome sexual conduct; (ii) unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the College's education program or activity; or (iii) "Sexual assault" as defined in 20 U.S.C § 1092(f)(6)(A)(v), "dating violence" as defined in 34 U.S.C. § 12291(a)(10), "domestic violence" as defined in 34 U.S.C. § 12291(a)(8), or "stalking" as defined in 34 U.S.C. § 12291(a)(30). At the time of filing a formal complaint for Title IX Sexual Harassment, a Complainant must be participating in or attempting to participate in the education program or activity of the University.

- Affirmative Consent: 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 the 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. The following six principles, along with the above definition, will be used to evaluate whether affirmative consent was given: (i) consent to any sexual act or prior consensual sexual activity between or with any party does not necessarily constitute consent to any other sexual act; (ii) consent is required regardless of whether the person initiating the act is under the influence of drugs and/or alcohol; (iii) 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; (iv) incapacitation may be caused by the lack of consciousness or being asleep, being involuntarily restrained, or if an individual otherwise cannot consent; (v) 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; and (vi) consent cannot be given when it is the result of any coercion, intimidation, force, or threat of harm. When consent is withdrawn or can no longer be given, sexual activity must stop.

- Children under 17 years of age cannot legally consent under New York State Law to having sex or sexual contact with an adult (i.e., someone who is 17 years of age or older). Any sexual contact in New York between a child under 17 and an adult is a crime, and any such illegal behavior between a University student under 17 and a University employee or employee of a contracted service provider to the University will be reported to an appropriate law enforcement agency. Other jurisdictions may have different standards, and any illegal behavior in such jurisdiction also will be reported to the appropriate law enforcement agency.

- Complainant: The individual who is alleged to be the victim of conduct that could constitute sexual misconduct or related retaliation.

- Grievance Process: the process by which formal complaints and complaints are resolved and includes both the Informal Resolution Process and the Formal Resolution Process.

- Parties: refers to all Complainants and Respondents involved in the case. The singular term "Party" refers to any one of these individuals.

- Respondent: the individual who has been reported to be the perpetrator of conduct that could constitute sexual misconduct or related retaliation, as defined herein, regardless of whether such individual has entered into the University's Grievance Process for responding to a formal complaint or complaint.

- Sexual Misconduct: Discrimination on the basis of sex, gender, sexual orientation, gender identity, and/or gender expression. Sexual misconduct therefore includes, for example, sex- or gender-based discrimination, sex- or gender-based harassment, sexual harassment, sexual assault, dating violence, domestic violence, stalking, and any other form of non-consensual sexual activity. 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. Sexual misconduct can be committed by anyone and anyone can experience sexual misconduct.

<u>Reporting Sexual Misconduct (including dating violence, domestic violence, sexual assault, and stalking)</u>
Individuals have the right to make a report of sexual misconduct, including sexual assault, domestic violence, dating violence, and/or stalking, to the Title IX Coordinator, University security, local law enforcement and/or state police. Individuals also have the right to choose not to report. A person may report an incident either externally or internally, or both. Reporting parties have the right to disclose the incident to a University representative who can offer privacy or confidentiality, as appropriate, and can assist in obtaining resources for reporting individuals. The University will take all steps available to protect the individual from retaliation for reporting an incident and will provide assistance and resources to support the individual. At the first instance of disclosure by a reporting individual to a University representative, the reporting individual shall be reminded of these rights and be informed that "You have the right to

make a report to University police or campus security, local law enforcement, and/or state police or choose not to report; to report the incident to the University; to be protected by the University from retaliation for reporting an incident; and to receive assistance and resources from the University."

Who to Contact

In an emergency, call 911 or Public Safety at 718-862-7333 (24/7).
Other reporting contacts are as follows:

• Title IX Coordinator	718-862-7724	Miguel Hall rm. 205; titleix@manhattan.edu
• Dean of Students' Office	718-862-7438	Thomas Hall rm. 514
• Human Resources Office	718-862-7392	Memorial Hall rm. 303
• Resident Director / Assistants	718-862-7438	Residence Halls
• Public Safety Department	718-862-7333	Jasper Hall, 1st floor
• NYPD's 50th Precinct	718-543-5700	3450 Kingsbridge Avenue, Bronx NY
• NYPD Sex Crimes Report Line	212-267-7273	
• New York State Police	844-845-7269	

Medical Attention

Getting medical attention after a sexual assault is very important. SAFE HORIZON is the nation's leading non-profit victim assistance organization providing services to crime victims throughout New York's five boroughs. As an option, their Rape and Sexual Assault Hotline is available 24-Hours a day at 212-227-3000.

1. You should seek medical attention without delay. One option is to go to a hospital emergency room to be checked and have any injuries treated. Some people choose this option because they are worried about pregnancy or sexually transmitted infections (STIs).
2. At the hospital you may be offered pregnancy, HIV, and STI (sexually transmitted infection) prevention medication. The sooner you go the more likely you can get medicine to help you.
3. If you decide to go to the hospital you can call 311 or the Rape, Sexual Assault, and Incest Hotline at 212-227-3000. You can also ask the police about going to a SAFE Center. SAFE stands for "Sexual Assault Forensic Exam". A SAFE Center is a place where the staff is specially trained to provide sensitive care to victims of sexual assault.
   The location of local SAFE Centers can be found at the end of this report under "Resources".
4. Going to the hospital is a way you can have evidence gathered in case you want to report what happened to the police. You can decide whether to report to the police before you go to the hospital, when you get there, or afterwards. It is your choice.
5. Physical evidence can be preserved in case you decide to report it later. If you want evidence collected it will be more complete if you go to the hospital as soon as possible. Try to go before washing, brushing your teeth, or taking a shower. If you have already showered or washed you can still go to the hospital and have evidence gathered. Bring a full change of clothing to the hospital as clothes worn at the time of the attack may be kept as evidence.
6. You have the right to stop or refuse any medical procedure you don't want to have, and you don't have to go alone. Having someone with you during the exam may help you feel supported during the procedures. If you want, hospital staff or a Safe Horizon Community Program may be able to arrange for an advocate to accompany you. If you decide to seek medical attention, you can ask the medical professional to explain the process step by step so you know what to expect.
7. If you suspect you were drugged you should be tested within 24 hours of ingestion. Advise the police or medical staff of this possibility.
8. Another option for you is to talk to a counselor or therapist, someone who has been trained in supporting people who have been sexually assaulted. If you decide to seek counseling you might find it will help you to feel better. You get to decide whether counseling is something you want or not.

Sexual Assault Forensic Examiners

In instances involving physical injury or sexual assault, the University strongly encourages the reporting individual to obtain a medical examination to determine the extent of injuries. It is also important to understand that physical evidence collected in a rape examination (i.e., a rape kit) is a way to preserve evidence should anyone want to pursue criminal charges with the police or a local prosecutor at a later time. A hospital, with the reporting individual's permission, will collect physical evidence in a sexual offense evidence collection kit. The University community has access to Sexual Assault Nurse Examiners via the Domestic & Other Violence Emergencies (DOVE) Program at New York Presbyterian Hospital/Columbia University Medical Center, available via: Tel: 347-504-3726**,** Fax: 212-305-6196**,** and Email: dove@nyp.org**.**

Confidentiality of Disclosures Regarding Sexual Misconduct

The University understands that reporting individuals may wish to talk about alleged sexual misconduct with the assurance that the discussion will be confidential. Reporting individuals have the right to disclose confidentially an incident of sexual misconduct to University representatives, who may offer confidentiality pursuant to applicable laws and can assist in obtaining services for reporting individuals. Reporting individuals also have the right to disclose confidentially an incident and obtain services from the state or local government. Confidentiality may be offered by an individual who is not required by law to report known incidents of sexual assault or other crimes to University officials. Licensed mental health counselors, medical providers, and pastoral counselors are examples of University employees who may offer confidentiality.

Confidential University Resources

Certain University employees who serve in a privileged professional capacity (e.g. rape crisis counselors, medical service providers, licensed mental health counselors, and the clergy) are not required by the University to report disclosures of sexual misconduct except as required by law. To speak with someone at Manhattan University on a confidential basis, the following options are available:

The Counseling Center	Miguel Hall, Room 501 (718) 862-7394
The Health Services	Alumni Hall, Room 104 (718) 862-7217
The Campus Chaplain	Miguel Hall, Room 209

Students may speak with these resources free of charge. Employees have access to our EAP, ACI Specialty Benefits, which can be accessed at 885-775-4357. The EAP benefits are provided at no additional cost to employees.

Employee Reporting Requirement

Other than the Confidential University Resources outlined above, all University employees are considered mandated reports, and if informed of possible sexual misconduct, must report it to the Title IX Coordinator. Employees **must** report all relevant details (obtained directly or indirectly) about the alleged sexual misconduct to the Title IX Coordinator. Such information includes dates, times, locations, and names of parties and witnesses. Even University offices and employees who cannot guarantee confidentiality will maintain privacy to the greatest extent possible. The information you provide to a non-confidential resource will be relayed only as necessary for the Title IX Coordinator to investigate and/or seek a resolution. Upon receipt of a report of possible sexual misconduct, the Title IX Coordinator, those assisting with an investigation, and those participating in any disciplinary proceedings, will make all reasonable efforts to maintain the privacy of those involved. The University understands that reports of this nature can be difficult, emotional, and stressful. Therefore, the University will only share information as is needed to conduct a prompt, thorough, and effective grievance process. All members of the University community should understand even if the Complainant declines to file an formal complaint or complaint and asks the University not to pursue an investigation, the University may still need to investigate the allegations and address the conduct.

FERPA

The Family Educational Rights and Privacy Act ("FERPA") allows the University to share information with a student's parents if there is a health or safety emergency or if the student is listed as a dependent on either parent's prior year federal tax income form. However, the University will generally not share information about a report of domestic violence, dating violence, stalking, or sexual assault with parents without the permission of the reporting individual or Complainant.

Sexual Assault Public Awareness Events and Climate Surveys

The University is not obligated to and will not begin an investigation based on information that a person chooses to share during public awareness events such as candlelight vigils, "Take Back the Night," protests, or other public events. The University will conduct a campus climate assessment at least every other year that meets the requirements of Article 129-B. The University will take steps to ensure that answers to climate surveys remain anonymous and that no individual is identified. Results of the survey will be published on the University website provided that no personally identifiable information or information which can reasonably lead a reader to identify an individual shall be shared. Information discovered or produced as a result of the climate survey will not be subject to discovery or admitted into evidence in any federal or state court proceeding or considered for other purposes in any action for damages brought by a private party

against the University, unless, in the discretion of the court, any such information is deemed to be material to the underlying claim or defense.

Clery Reporting

The University will make reports of certain crimes occurring in specific geographic locations that shall be included in the University's Annual Security Report pursuant to the Clery Act, 20 USC § 1092(f), in an anonymized manner that identifies neither the specifics of the crime nor the identity of the reporting individual, including a Complainant. The University is obligated to and will issue timely warnings to the University campus community of crimes enumerated in the Clery Act occurring within relevant geography that are reported to campus security or local police agencies and that represent a serious or continuing 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 or Complainant. A reporting individual or Complainant will not be identified in a timely warning.

Reporting Sexual Misconduct Externally

There are multiple ways to report sexual misconduct, both internal and external to the University. A person may report an incident externally or internally, or both. Complainants have the right to notify proper law enforcement authorities, including on-campus and local police, be assisted by campus authorities in notifying law enforcement authorities if the Complainant so chooses, and decline to notify such authorities.

Law Enforcement Notification

The University strongly encourages the prompt reporting of alleged incidents of sexual misconduct to the police. It is important to preserve evidence as may be necessary to the proof of criminal charges. Law enforcement can help ensure the preservation of evidence and facilitate a timely investigation and response. University representatives are available to assist in notifying law enforcement of an incident of sexual misconduct and in contacting law enforcement or legal service organizations to learn about these remedies. An individual may also choose not to report an incident to law enforcement. Except in instances where the victim is under the age of 18, the University will respect a reporting individual's decision regarding whether to report an incident to local law enforcement. Where an incident involves the suspected abuse of a minor, certain individuals at the University may have an obligation to report to law enforcement under New York State Law.

NYPD Sex Crimes Report Line	212-267-7273
New York State Police	1-844-845-7269

Orders of Protection

An individual has the right to request the assistance of the University in obtaining an order of protection from the court. If an order of protection is granted, the parties will have the right to receive a copy of the order of protection when the order is received by the University. The parties will also have the opportunity to meet or speak with an appropriate University employee who can explain the order and the consequences for violating the order and answer any questions about the order. Additionally, if the order of protection is violated, the individual may receive assistance from the University in calling local law enforcement to inform them of the violation.

Criminal Proceedings

Sexual misconduct may constitute a violation of both state law and University policy. This Policy and the criminal justice system work independently from one another and the filing of a complaint of sexual misconduct under this policy is independent of any criminal investigation or proceeding Thus, a law enforcement determination of whether to prosecute a Respondent is not determinative of whether the University will conduct an investigation under this Policy. Proceedings under this Policy may be carried out prior to, simultaneously with, or following civil or criminal proceedings. The University will not wait for the conclusion of any criminal investigation or proceedings to commence its own investigation or to take any necessary interim measures to protect the Complainant and the University community. However, the University 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. This delay should not last longer than 10 days unless law enforcement specifically requests a longer delay.

Civil Proceedings

A Complainant and/or reporting individual has the right to receive assistance from appropriate University representatives in initiating legal proceedings in family court or civil court.

External Enforcement Agencies

An individual who has experienced sex discrimination, including sexual harassment, may report or file a complaint with the University, a complaint with an external enforcement agency, or both. Reporting or filing a Complaint internally with the University does not extend the time to file with an external enforcement agency or in court. One does not need an attorney and there is no cost to file a complaint with an external enforcement agency.

Reporting Sexual Misconduct to the University

All members of the University community, including students, employees, members of Public Safety, vendors, and visitors who experience, witness, or hear about sexual misconduct, including sexual harassment, are encouraged to immediately contact the Title IX Coordinator:

Title IX Coordinator
Manhattan University
Memorial Hall, Room 101
Manhattan College Parkway
Bronx, NY 10463 718-862-7724
titleix@manhattan.edu

A reporting individual also has the right to disclose, if the accused is an employee of the University, the incident to the University's human resources authority or the right to request that a confidential or private employee assist in reporting to the appropriate human resources authority. Reports of sexual misconduct may be made verbally or in writing. Any person may report sex discrimination, including sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment), in person, by mail, by telephone, or by electronic mail, using the contact information listed above for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. Such a report may be made at any time (including during non-business hours) by using the telephone number or electronic mail address, or by mail to the office address, listed above for the Title IX Coordinator.

An individual making a report will have emergency access to a Title IX Coordinator or other appropriate official trained in interviewing victims of sexual assault. These personnel shall be available upon the first instance of disclosure to provide information regarding options to proceed, and, where applicable, the importance of preserving evidence and obtaining a sexual assault forensic examination as soon as possible. This individual will also detail that the criminal justice process utilizes different standards of proof and evidence and that any questions about whether a specific incident violated the penal law should be addressed to law enforcement or to the district attorney. This individual will also explain whether he or she is authorized to offer the reporting individual confidentiality or privacy and will inform the reporting individual of other reporting options. The University will keep confidential the identity of sexual misconduct reporters, Complainants, individuals who have been reported to be perpetrators of sexual misconduct, including Respondents, and witnesses, except as permitted by FERPA, as required by law, or as required to carry out the purposes of 34 CFR Part 106, including the conducting of any investigation, hearing, or grievance proceedings arising under these policies and procedures.

Anonymous Reporting

If the University receives a report of alleged sexual misconduct or related retaliation from an anonymous source, the University's Title IX Coordinator will promptly notify the alleged Complainant of the report and inform him/her of the availability of supportive measures and assistance. In cases in which a report is made anonymously, this policy will apply in the same manner as if the Complainant had made the initial report. A known Complainant in a matter involving a formal complaint of Title IX Sexual Harassment cannot remain anonymous regardless of who, the Complainant or the Title IX Coordinator, files the formal complaint. If a report is filed anonymously and the Complainant is not identified, the Title IX Coordinator may still proceed with filing a complaint or formal complaint, should circumstances warrant. However, the University's ability to respond to the complaint or formal complaint may be limited.

Response to a Report

Once the University has received a report of alleged sexual misconduct, the Title IX Coordinator will promptly contact the Complainant to discuss the availability of supportive measures, consider the Complainant's wishes with respect to supportive measures, inform the Complainant of the ability to request supportive measures with or without the filing of an formal complaint or complaint, and explain to the Complainant the process of filing an formal complaint or complaint (a formal complaint for allegations of Title IX Sexual Harassment or a complaint for allegations of all other sexual misconduct and related retaliation). The Complainant will have an intake meeting with the Title IX Coordinator to discuss these and other

topics, such as a Complainant's rights, sexually transmitted infections, resources for the Complainant, and the University's processes under the SM Policy. The Complainant should be as specific as possible during the intake meeting and should clearly describe the alleged incident(s), when and where they occurred, and the desired remedy sought. The Title IX Coordinator, or his or her designee, will provide the Complainant with a general understanding of the University's SM Policy, and identify forms of support or immediate assistance available to the Complainant.

The University will provide the reporting individual, who may or may not be the Complainant, with a written explanation of his or her rights under various laws, including the Clery Act, and options. The University will provide the reporting individual with written notification regarding existing counseling, health, mental health, victim advocacy, legal assistance, student financial aid and other services available for victims both within the University and in the community. If the reporting individual is not the Complainant, and the identity of the Complainant is made known to the University, the University will provide such written notification to the Complainant. Reports shall be investigated in accordance with the SM Policy. A reporting individual has the right to withdraw a report or involvement from the University process at any time. A report alone will not initiate the grievance process. A Complainant who wishes to pursue formal action by the University must file a formal complaint or complaint (a formal complaint for allegations of Title IX Sexual Harassment or a complaint for allegations of all other sexual misconduct and related retaliation).

Timeframe for Making a Report

There is no time limit on how long after an incident you can make a report of sexual misconduct. However, the University's ability to respond to a report may be hindered by the length of time between the alleged misconduct and the report itself. Therefore, members of the University community are encouraged to make a report as soon as possible after the incident has occurred.

Good Faith Reporting

An individual who, in good faith, makes a reasonable report and/or formal complaint or complaint regarding a suspected violation of the SM Policy will not be subject to discipline even if the report or formal complaint or complaint is found to be erroneous or the Respondent is ultimately found not responsible for a SM Policy violation.

False or Malicious Reporting

Members of the University community are prohibited from knowingly making a false, malicious, or frivolous report or formal complaint or complaint and knowingly making false statements or submitting false information during the grievance process, including during the investigation, adjudication, or appeal. Such conduct will not be tolerated and may be subject to disciplinary actions under Manhattan University's Community Standards and Student Code of Conduct.

Amnesty for Alcohol and Drug Use

The health and safety of every student at the University is of utmost importance. The University 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 University strongly encourages students to report domestic violence, dating violence, stalking, or sexual assault to institution officials. A bystander acting in good faith or a reporting individual acting in good faith that discloses any incident of domestic violence, dating violence, stalking, or sexual assault to the University's officials or law enforcement will not be subject to the University's 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. The University will provide students with the resources to respond to high-risk drinking and other drug abuse. Although students who report sexual assault, domestic or dating violence, and stalking will not be charged with violating the Alcohol or Drug policies of Manhattan University related to that violation, the student may be referred without conduct charges to the Alcohol and Drug Counselor available through the Manhattan University Counseling Center to support their health and well-being. In a crisis, students are encouraged to seek assistance by contacting the Public Safety Department at 718-862-7333 or the University's Counseling Center at 718-862-7394.

Reports Involving Minors

The University is committed to the prevention of child abuse. Child abuse includes both the physical and sexual abuse of minors under the age of eighteen. All University employees are directed to bring all reasonable suspicions, beliefs, and allegations of child abuse immediately to the attention of the Title IX Coordinator, who will then make the appropriate report to the New York State Child Abuse Hotline (State Central Register). Reports can be made directly to the Child Abuse Hotline at (800) 342-3720. Additional information about reporting is available at http://ocfs.ny.gov/main/cps/.

Supportive Measures

Supportive measures are non-disciplinary, non-punitive individualized services offered, free of charge, by the University to the Complainant or the Respondent as appropriate and reasonably available. Participating in the grievance process, including an investigation, and/or reporting the incident to University Security or local law enforcement is not required to obtain supportive measures. Supportive measures may be offered before or after the filing of a formal complaint or complaint or when a report is made but no formal complaint or complaint is ever filed. They are designed to restore or preserve equal access to the University's education program or activity without unreasonably burdening the other party and include measures designed to protect the safety of all Parties or the University's educational environment or deter sexual misconduct.

Supportive measures are available regardless of whether a Complainant pursues a formal complaint or complaint under this Policy. When the University receives a report of alleged sexual misconduct, the Title IX Coordinator will promptly contact the Complainant to discuss and offer supportive measures. The Complainant will be informed of their right to request supportive measures with or without the filing of a formal complaint or complaint. The Title IX Coordinator will consider the Complainant's wishes when determining which supportive measures to implement. Any supportive measures that are punitive or which restrict the rights of the Respondent require a finding of responsibility via the Grievance Process prior to their implementation.

Supportive measures will also be available to Respondents. The Title IX Coordinator will reach out to Respondents to offer supportive measures once a formal complaint or complaint has been filed and a Notice of Allegations has been sent.

Supportive measures range from services such as counseling or medical services to withdrawals or leaves of absence. Supportive measures may include but are not limited to:

- modifications in class schedule, housing arrangements, and/or work arrangements This may include remote or hybrid class work
- extensions of deadlines or other course-related adjustments
- campus escort services
- mutual No-Contact Orders
- academic, counseling, or medical services
- allowing the parties to retake or withdraw from a course without penalty
- providing leaves of absence
- changing academic, living, transportation, and working situations

The University will provide information about provided supportive measures only to those having a need to know such information to implement the supportive measures; otherwise, any supportive measures provided to the Complainant or Respondent are confidential. Faculty generally must permit the supportive measures approved by the Title IX Coordinator absent or showing of infeasibility.

The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures. The Respondent and/or the Complainant will, upon request, be afforded a prompt review, reasonable under the circumstances, of the need for and terms of any supportive measure that affects them, including potential modification. The Respondent and/or Complainant will be allowed to submit evidence in support of his or her request. Upon receipt of such a request, Title IX Coordinator will inform the other party of the request and allow the other Party to respond in writing and to submit evidence relevant to the request if desired. Violation(s) of the Title IX Coordinator's directives and/or protective actions will constitute related offenses that may lead to additional disciplinary action.

No Contact Orders

The University may impose a No Contact Order, which typically will include a directive that the parties refrain from having contact with one another, directly or through proxies, whether in person or via electronic means, pending the investigation and, if applicable, the hearing. All No Contact Orders will be mutual – i.e., neither party involved will be permitted to contact the other party - unless the University determines, in its discretion and after a fact-specific analysis, that a non-mutual order is appropriate. The Title IX Coordinator will issue any no-contact order in writing, specifying the terms of the no-contact order, including the parties' responsibilities. The parties may request a prompt review, reasonable under the circumstances, of the need for and terms of the No Contact Order, including potential modification, and may submit evidence in support of the request. This request should be made in writing to the Title IX Coordinator. Upon receipt of such a request, Title IX Coordinator will inform the other party of the request and allow the other Party to respond in writing and

to submit evidence relevant to the request if desired. The University will conduct a prompt review, reasonable under the circumstances, in response to such request. An individual who wishes to report a violation of a No Contact Order can contact the Title IX Coordinator. Individuals who violate a No Contact Order issued pursuant to the SM Policy may be subject to discipline. Sanctions may include, but are not limited to, expulsion or termination from the University.

Emergency Removal

In the event the Respondent is determined to present a continuing threat to the health and safety of the community, the Respondent may be subject to emergency removal. A Respondent may be removed from the University's education program or activity on an emergency basis, if, after an individualized safety and risk analysis, the Title IX Coordinator, in consultation with other University officials, including members of Public Safety, as necessary, determines that there is an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual misconduct that justifies removal. The Respondent will be provided with notice and an opportunity to challenge the decision immediately following the removal. The parties will be afforded a prompt review, reasonable under the circumstances, of the need for and terms of the emergency removal, including potential modification, and shall be allowed to submit evidence in support of such request. A student Respondent who wishes to challenge the emergency removal decision may do so by submitting a written request via email to the Vice President of Student Life, who will then conduct a review of the emergency removal decision and issue a decision on the challenge. An employee Respondent who wishes to challenge the removal decision may do so by submitting a written request via email to the Assistant Vice President & Affirmative Action Officer, who will then conduct a review of the emergency removal decision and issue a decision on the challenge. Those reviewing the challenges may consult with other University officials, including members of Public Safety, as necessary when making their decision. The University may also place a non-student employee Respondent on administrative leave at its discretion and/or in accordance with federal and state laws. Removal of employees will be in accordance with applicable collective bargaining agreements and employee handbooks. Individuals who fail to comply with an emergency removal order or any other interim measures may be subject to discipline. Sanctions may include, but are not limited to, expulsion or termination from the University.

Filing a Formal Complaint or Complaint

To initiate the Grievance Process (which includes both the Informal Resolution Process and the Formal Resolution Process), a formal complaint or complaint must be filed. A formal complaint or complaint means either a formal complaint of Title IX Sexual Harassment or a complaint of any other sexual misconduct or related retaliation. The filing procedure for a formal complaint and a complaint is the same; the only difference is the name of the formal document that is filed to initiate proceedings. The Title IX Coordinator can aid the Complainant in filing the document. A complaint or formal complaint may be filed with the Title IX Coordinator at any time (even during non-business hours) in person, by mail, or by electronic mail. Once a complaint or formal complaint is received by the University, it will be reviewed by the Title IX Coordinator. If a complaint or formal complaint is submitted that does not contain the requisite information and/or signature, the Title IX Coordinator will reach out to the Complainant to explain the deficiencies and instruct the Complainant regarding the process and information needed to properly file a complaint or formal complaint.

Requests for Confidentiality

If a reporting individual, who may or may not be the Complainant, discloses an incident to a non-confidential University employee, but wishes to maintain confidentiality or does not consent to the University's request to initiate an investigation, the Title IX Coordinator will weigh the request against the University's obligation to provide a safe, non-discriminatory environment for all members of its community.

In certain circumstances, the University may not approve a request to not investigate. A request to not proceed with the grievance process will be honored unless the Title IX Coordinator determines in good faith that: (1) failure to investigate the allegations would not adequately mitigate a potential risk of harm to the reporting individual or the community; or (2) for Title IX Sexual Harassment only, not filing a formal complaint would be clearly unreasonable in light of the known circumstances.

When determining whether a request for confidentiality can be honored, 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 there is an increased risk that the Respondent will commit additional acts of violence;
- whether the Respondent has a history of conviction from a prior school indicating a history of violence;

- whether the University has other means to obtain relevant evidence (e.g., security cameras or personal, physical evidence).
- whether the incident represents an escalation in unlawful conduct on behalf of the Respondent from previously noted behavior;
- 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; and
  the age of the Complainant.

If, after considering these factors, the University determines that an investigation is required, the Title IX Coordinator will sign a complaint or formal complaint, as appropriate, and the University will inform the Complainant and/or reporting individual and take immediate action necessary to protect and assist the Complainant and/or reporting individual. The University will take all reasonable steps to investigate and respond to the complaint while maintaining the Complainant's privacy to the greatest extent possible.
A Complainant is entitled to supportive measures regardless of whether the grievance process, including an investigation, is pursued; however, no disciplinary sanctions or other actions that are not supportive measures may be imposed on a Respondent prior to a finding of responsibility.

A Complainant who initially declined to pursue the grievance process may later initiate the grievance process by filing a complaint or formal complaint. Likewise, a Complainant who began the grievance process is under no obligation to continue with that process and may withdraw the complaint or formal complaint at any time.

Filing a Formal Complaint for Allegations of Title IX Sexual Harassment
"Title IX Sexual Harassment" means conduct on the basis of sex, occurring in an education program or activity of the University against a person in the United States, that satisfies one or more of the following:

1) An employee of the University conditioning the provision of an aid, benefit, or service of the University on an individual's participation in unwelcome sexual conduct;
2) Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the University's education program or activity; or
3) "Sexual assault" as defined in 20 U.S.C § 1092(f)(6)(A)(v), "dating violence" as defined in 34 U.S.C. § 12291(a)(10), "domestic violence" as defined in 34 U.S.C. § 12291(a)(8), or "stalking" as defined in 34 U.S.C. § 12291(a)(30).

To initiate the grievance process for allegations of Title IX Sexual Harassment, a formal complaint must be filed. At the time of filing a formal complaint, a Complainant must be participating in or attempting to participate in the education program or activity of the University.

A formal complaint is a document filed by a Complainant (meaning a document or electronic submission (such as e-mail or through Maxient, the University's online portal) that contains the Complainant's physical or digital signature, or otherwise indicates that the Complainant is the person filing the formal complaint) or signed by the Title IX Coordinator alleging Title IX Sexual Harassment against a Respondent and requesting that the University investigate the allegation(s) of Title IX Sexual Harassment. A formal complaint may be filed with the Title IX Coordinator in person, by mail, by electronic mail, or digitally through Maxient, the University's online portal. If the Title IX Coordinator signs a formal complaint, the Title IX Coordinator does not become a Complainant or a party.

The University's digital formal complaint form is located at **TITLE IX COMPLAINT FORM**.

Filing a Complaint for Allegations of All Other Sexual Misconduct and Related Retaliation

To initiate the grievance process for allegations of sexual misconduct other than Title IX Sexual Harassment or for allegations of related retaliation, a complaint must be filed. A complaint is a document filed by a Complainant (meaning a document or electronic submission (such as e-mail or through Maxient, the University's online portal) that contains the Complainant's physical or digital signature, or otherwise indicates that the Complainant is the person filing the formal complaint) or signed by the Title IX Coordinator alleging sexual misconduct (other than Title IX Sexual Harassment) and/or related retaliation against a Respondent and requesting that the University investigate the allegation(s). A complaint may be filed with the Title IX Coordinator in person, by mail, by

electronic mail, or digitally through Maxient, the University's online portal. If the Title IX Coordinator signs a complaint, the Title IX Coordinator does not become a Complainant or a party. The University's digital complaint form is located at **TITLE IX COMPLAINT FORM**.

Consolidation of Complaints

If two or more complaints or formal complaints are reported pertaining to the same or related sets of facts and circumstances, the Title IX Coordinator may determine that the cases should be consolidated and investigated and adjudicated by the same Investigator(s), Hearing Panel, and Appeal Panel, subject to the limits of applicable law including but not limited to FERPA. The University may do this as to allegations of sexual misconduct, including Title IX Sexual Harassment, or related retaliation for claims against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one party against another party, where the allegations of sexual misconduct or related retaliation arise out of the same facts or circumstances.

Grievance Process - General Information

The grievance process applies to all formal complaints and complaints. In other words, the same processes are used to resolve formal complaints of Title IX Sexual Harassment and complaints of all other sexual misconduct and related retaliation. During the grievance process, students have the rights outlined in the Students' Bill of Rights. The grievance process allows for the prompt and equitable resolution of formal complaints and complaints. Under Title IX, the University's response to reports or formal complaints of Title IX Sexual Harassment must treat Complainants and Respondents equitably by offering supportive measures to a Complainant, and by following a Grievance Process that complies with Title IX before the imposition of any disciplinary sanctions or other actions that are not supportive measures against a Respondent. The University extends this to all formal complaints and complaints and allegations of sexual misconduct and related retaliation.

Presumption and Expectations

There is a presumption that the Respondent is not responsible for the alleged conduct unless a determination regarding responsibility is made at the conclusion of the Grievance Process. Parties whose participation is invited or expected at a hearing, investigative interview, or other meeting will be provided written notice of the date, time, location, participants, and purpose of said event prior to the event. The University encourages all members of the University community to cooperate with the University during the various processes outlined in the Policy, however individuals will not be penalized by the University for declining to participate in the processes. The University does, however, expect all members of the University community to respond in a timely manner to requests from the Title IX Coordinator or Investigator, even if that response is to inform them that you are declining to participate in the process. Further, individuals are expected to provide information in good faith; knowingly providing false information or making false allegations is strictly prohibited and is subject to discipline.

Standard of Evidence

The standard for decisions under this Policy is a preponderance of the evidence, meaning that it is reasonable to conclude, based on the evidence presented, that it is more likely than not that a violation of this Policy occurred. The burden of proof as well as the burden to gather evidence sufficient to reach a determination regarding responsibility rests on the University and not the Parties.

Timeframe

Unless there is good cause for temporary delay(s) or limited extension(s), the University will promptly conclude aspects of the grievance process within the following timeframes:

1. The Formal Resolution Process, including the investigation, hearing, and finding of responsibility but excluding time spent on informal processes or appeal, will be concluded within 90 business days of the complaint or formal complaint being filed.
2. Appeals will be concluded within 30 business days of the filing of an appeal.
3. Informal resolutions will be concluded within 30 business days of receiving both Parties' voluntary, written consent to the informal resolution process.

Good cause may include, but is not limited to, absence or unavailability of a party, advisor, or witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities. In the case of a temporary delay of the grievance process or a limited extension of time frames for good cause, the University will provide the Complainant and Respondent with written notice of such delay or extension and the reasons for the action.

While the University must attempt to accommodate the schedules of parties and witnesses throughout the grievance process in order to provide parties with a meaningful opportunity to exercise the rights granted to them under Title IX, the University is also obligated to meet its designated timeframes and may proceed with and conclude the grievance process even in the absence of a party or witness.

Advisors

Throughout the process, each party has the right to have an advisor of their choosing who can be, but is not required to be, an attorney. If a party retains an attorney at their own expense as their advisor, the attorney is still limited to the role of advisor under the SM Policy, namely supporting their party and asking questions during a hearing. One party having an attorney as an advisor does not require the other party to also retain an attorney as an advisor, although they are free to do so if they wish. While parties are not restricted from discussing the allegations and may consult with multiple individuals, only one (1) individual may be designated an advisor for the purpose of this SM Policy. The advisor can attend pre-meetings and meetings where the parties would like them present, but they are limited in what they can say throughout the meetings. The choice of whether to invite an advisor is solely that of the Complainant and Respondent, though both Parties may be accompanied by their respective advisors at any meeting or proceeding related to the investigation and resolution of a formal complaint or complaint under the SM Policy. Advisors may consult with the party, as reasonable and in private, during the meeting or proceeding. Advisors cannot actively participate or speak on behalf of the Complainant or Respondent, with the exception of in a hearing. If any advisor's conduct is not consistent with these guidelines, he or she may be excluded from the grievance process. Advisors are permitted to cross-examine the other parties and witnesses during the live hearing; Parties are not permitted to personally conduct cross-examinations. If a party does not have an advisor for a hearing, the University will appoint one (who can be, but is not required to be, an attorney) free of charge to conduct cross-examinations on behalf of that party. If a party selects an advisor, the party should inform the Title IX Coordinator as soon as possible of (1) the full name and title of the advisor of choice; and (2) contact information for the advisor of choice (phone, email, and address).

Conflicts of Interest, Bias, and Training

The Title IX Coordinator, Investigators, Hearing Panel members, and Appeal Panel members, as well as any person who facilitates the Informal Resolution Process, are trained to serve impartially and must be free from conflicts of interest and bias against Complainants or Respondents generally or an individual Complainant or Respondent. These individuals also receive training in accordance with federal, state, and local law, including topics set forth in the Clery Act, Article 129-B (N.Y. Educ. Law § 6444(5)(c)(ii)) and Title IX (34 C.F.R. § 106.45 (b)(1)(iii)).

Disclosure of Information and Outcomes

The University considers matters of sexual misconduct to be sensitive and private. Unless required by the law, the University does not publicly release underlying information regarding investigations or resolutions. The University also restricts access to information about investigations and resolutions, except as required or permitted by law. During an investigation, participants will be requested to maintain confidentiality to the extent possible to protect the integrity of the investigation and generally refrain from discussing the matter during the pending investigation. However, Parties are not restricted from discussing the allegations under investigation or gathering and presenting relevant evidence. After the parties are provided with the determination of responsibility, Parties may choose to disclose or discuss the outcome of the Formal Resolution Process. The University does not provide witnesses with the determination of responsibility.

Grievance Process Procedures

The grievance process applies to all formal complaints and complaints. In other words, the same processes are used to resolve formal complaints of Title IX Sexual Harassment and complaints of all other sexual misconduct and related retaliation. The Grievance Process will provide a prompt, fair, and impartial investigation and resolution. The University will promptly and equitably respond to all allegations involving sexual misconduct or related retaliation.

Notice of Allegations

Once the University receives a formal complaint or complaint, written notice of the following information will be sent to parties who are known:

- A copy of the SM Policy, including the grievance process;
- the specific provision(s) of the SM Policy or laws alleged to have been violated;
- the allegations of conduct potentially constituting sexual misconduct, including Title IX Sexual Harassment, containing sufficient details known at the time and with sufficient time to prepare a response before any

initial interview (sufficient details include the identities of the Parties involved in the incident, if known, the conduct allegedly constituting the sexual misconduct, and the date, time, and location of the alleged incident, if known);

- the sanction or sanctions that may be imposed on the Respondent;
- the Respondent is presumed not responsible for the alleged conduct and a determination regarding responsibility is made at the conclusion of the Grievance Process;
- the Parties may have an advisor of their choice, who may be, but is not required to be, an attorney, and may inspect and review evidence;
- any provision in the University's code of conduct that prohibits knowingly making false statements or knowingly submitting false information during the Grievance Process; and
- the University's prohibition against retaliation.

If, during the investigation, the University decides to investigate allegations about the Complainant or Respondent that are not included in the original notice described above, the University will provide notice of the additional allegations to the Parties whose identities are known.

Review of Formal Complaint or Complaint

Once a Notice of Allegations has been sent to the known Parties, the Title IX Coordinator will review the formal complaint or complaint to determine if the grievance process will proceed further. Formal complaints or complaints must or may be dismissed in certain circumstances, outlined further below.

Dismissal of a Formal Complaint

There are certain circumstances where a formal complaint must or may be dismissed from the grievance process. Dismissal of a formal complaint from the grievance process does not preclude action under the SM Policy via a complaint or action under another University policy.

A dismissal of a formal complaint, or certain allegations therein, from the grievance process is **mandatory** when:

1. The conduct alleged in the formal complaint would not constitute Title IX sexual harassment, even if proved;
2. the conduct alleged in the formal complaint did not occur in the University's education program or activity;
3. the conduct alleged in the formal complaint did not occur against a person in the United States; or
4. the Complainant is not participating in or attempting to participate in the University's education program or activity at the time of filing a formal complaint.

The University is **permitted, but not required**, to dismiss a formal complaint, or any allegations therein, from the grievance process if at any time during the investigation or hearing:

1. A Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the formal complaint or any allegations therein;
2. the Respondent is no longer enrolled at or employed by the University; or
3. specific circumstances prevent the University from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

If a formal complaint and/or any allegations therein are dismissed, the Title IX Coordinator will promptly and simultaneously send written notice of the dismissal and the reason(s) therefore to the parties. A dismissal may be appealed. The parties are still entitled to supportive measures, even if the formal complaint is dismissed.

Dismissal of a Complaint

There are certain circumstances where a complaint must or may be dismissed from the Grievance Process. Dismissal of a complaint from the Grievance Process does not preclude action under the SM Policy via a formal complaint or action under another University policy.

A dismissal of a complaint, or certain allegations therein, from the Grievance Process is **mandatory** when:

1. The conduct alleged in the complaint must be addressed via a formal complaint;
2. the conduct alleged in the complaint would not constitute sexual misconduct or related retaliation, even if proved; or
3. the conduct alleged in the complaint falls outside of the scope of this policy.

The University is **permitted, but not required**, to dismiss a complaint, or any allegations therein, from the Grievance Process if at any time during the investigation or hearing:

1. A Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the complaint or any allegations therein;
2. the Respondent is no longer enrolled at or employed by the University; or
3. specific circumstances prevent the University from gathering evidence sufficient to reach a determination as to the complaint or allegations therein.

If a complaint and/or any allegations therein are dismissed, the Title IX Coordinator will promptly and simultaneously send written notice of the dismissal and the reason(s) therefore to the parties. A dismissal may be appealed. The parties are still entitled to supportive measures, even if the complaint is dismissed.

Informal Resolution Process

Parties who do not wish to proceed through the Formal Resolution Process may choose to resolve a formal complaint or complaint through the Informal Resolution Process. Generally, the Informal Resolution Process is less time intensive than an investigation and hearing process while still allowing an opportunity for members to address their concerns and actively participate in the resolution of their complaint.

A formal complaint or complaint must be filed before an Informal Resolution Process can begin. The Informal Resolution Process is not available for formal complaints alleging Title IX Sexual Harassment where the Respondent is an employee and the Complainant is a student. All other formal complaints and complaints are eligible for Informal Resolution if the Parties voluntarily consent to the Informal Resolution Process. The University does not require as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right, waiver of the right to an investigation and adjudication of complaints of sexual misconduct or formal complaints of Title IX Sexual Harassment. The University does not require either party to undergo an informal resolution.

The informal resolution will be conducted by a member of the University's Title IX Team, who is well-trained on such processes. The facilitator will not have a conflict of interest or bias. An informal resolution may encompass a broad range of conflict resolution strategies, including, but not limited to, arbitration, mediation, shuttle diplomacy, or restorative justice. The informal process does not necessarily require the parties to meet or directly interact with each other. The Complainant and the Respondent each may be accompanied by an advisor during the Informal Resolution Process.

The Title IX Coordinator will be responsible for determining whether the Informal Resolution Process is appropriate by assessing the totality of the circumstances including, but not limited to, the severity of the alleged sexual misconduct, the parties' wishes, and the potential risks to the campus community. If a formal complaint or complaint is eligible for the Informal Resolution Process, the process may begin at any time prior to a determination regarding responsibility being reached. Prior to beginning the process, the University must:

1. Provide to the parties a written notice disclosing: the allegations; the requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations, provided, however, that at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the Grievance Process with respect to the formal complaint or complaint; and
   any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared; and
2. obtain the parties' voluntary, written consent to the Informal Resolution Process.

Any party may, at any point, choose to withdraw from the Informal Resolution Process and resume the Formal Resolution Process.

Formal Resolution Process

Investigation:

The University must investigate the allegations in a formal complaint or complaint. The investigation will be conducted in an impartial, prompt, thorough, fair, timely, and respectful manner. Notice of the commencement of an

investigation will be provided in accordance with the policy. Throughout the investigation, the Respondent is presumed "Not Responsible" for violating the SM Policy.

After the Notice of Allegations has been sent, the Title IX Coordinator will assign an appropriately trained investigator(s) to conduct the investigation (the "Investigator"). Where circumstances warrant, the Title IX Coordinator may determine that an individual external to the University will be assigned as the Investigator(s). The Title IX Coordinator may also serve as the Investigator. A party wishing to challenge the selection of the Investigator must notify the Title IX Coordinator, in writing, within two business days of receipt of the name and contact information of the Investigator, 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 make changes to the individual(s) assigned as the Investigator(s).

The Investigator(s) will meet with the Complainant and the Respondent to gather as much information as possible. The Investigator(s) will also meet with any witnesses or individuals who the Investigator(s) determine may have relevant information about the conduct at issue. The University will notify the parties in writing prior to any meeting they are required or eligible to attend. The role of the Investigator(s) is to interview all Parties and witnesses, collect any evidence, and create an Investigative Report to submit to the Title IX Coordinator. The Investigator(s) will not offer any recommendations on responsibility or sanctions, simply serve as a fact finder.

During the investigation, the University has the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility. The University cannot access, consider, disclose, or otherwise use in the Grievance Process a Party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the Party, unless the University obtains voluntary, written consent from that Party (or, if the Party is not an eligible student, that Party's parent) to do so. Questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege are not permitted in the Grievance Process unless the person holding such privilege has waived that privilege. Both Parties may also exclude any prior sexual history with persons other than the parties involved in the current conduct process.

Neither Party is restricted from discussing the allegations or gathering and presenting evidence. While the burden of gathering evidence related to the allegation lies with the University, it is important for Parties to preserve all evidence associated with the conduct or that might help others understand what happened. Such evidence can include text messages, Facebook or Instagram posts, photos, voicemails, emails, or items of clothing. If relevant evidence is destroyed by a Party, the Hearing Panel can take that into account in assessing the credibility of the Parties and the weight of evidence in the case.

Both Parties have the right to provide evidence to the Investigator, present information in the context of the investigation, recommend fact and expert witnesses, and present other inculpatory or exculpatory evidence. Both Parties will have an equal opportunity to inspect and review any evidence as part of the investigation that is directly related to the allegations in a formal complaint or complaint, including the evidence upon which the University does not intend to rely on reaching a determination regarding responsibility, and inculpatory or exculpatory evidence whether obtained from a Party or other source. Both Parties have the right to review and present available evidence in the case file, or otherwise in the possession or control of the institution, and relevant to the case. Both the Respondent and the Complainant will be updated throughout the investigation process.

At the close of an investigation, the Investigator(s) will prepare a case file, which will include all collected evidence that is directly related to the allegations raised in the formal complaint or complaint, including the evidence upon which the University does not intend to rely in reaching a determination of responsibility and any inculpatory or exculpatory evidence, whether obtained from a Party or other source as part of the investigation. The Investigator(s) will also prepare a draft investigation report that fairly summarizes relevant evidence. Prior to finalizing the investigative report, each Party and their advisor, if any, will be sent the evidence subject to inspection and review in an electronic format or a hard copy, and will have 10 business days to submit a written response.7 The Investigator will consider these responses prior to finalizing the investigative report. Once the investigative report is finalized, an electronic or hard copy of the final investigative report will be sent to each Party and their advisor, if any, at least 10 business days prior to the hearing for their review and written response. Parties must submit their written responses at least 5 days before the hearing. The Parties and their advisors, if any, will be provided with the other Party's written

response to the final investigative report, if any, in electronic format or hard copy prior to the hearing. If the matter proceeds to a live hearing as described below, the Title IX Coordinator will forward the case file, the final investigation report, and the Parties' responses to the investigative report to the Hearing Panel for their review prior to the hearing.

Hearing Process:
A live hearing is required. The Title IX Coordinator will appoint a Hearing Panel comprised of three (3) members to preside over the hearing. The Hearing Panel will be chosen from a pool of designated and trained faculty and staff at the University and is charged with fairly, promptly, and impartially determining, based upon a preponderance of evidence, whether it is more likely than not that the SM Policy has been violated. Where circumstances warrant, the Title IX Coordinator may determine that an individual external to the University will be assigned to the Hearing Panel. The Hearing Panel members will not have a conflict of interest or bias. Neither the Title IX Coordinator nor the Investigator are permitted to serve as members of the Hearing Panel.

The Title IX Coordinator will provide written notice at least five (5) business days before the hearing date to the Parties. The written notice will include, at a minimum:

- The date, time, and place of the hearing;
- the participants in the hearing (including but not limited to the Parties, witnesses, etc.);
- the purpose of the hearing; and
- the name and contact information of the Hearing Officer.

The Respondent and the Complainant have the right to challenge the choice of members on the Hearing Panel. A Party wishing to challenge the participation of a member of the Hearing Panel must notify the Title IX Coordinator, in writing, within three (3) 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 make changes to the assigned Hearing Panel members at any time.

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 Title IX Coordinator will provide both Parties with written notice explaining the reason for such change.

If Parties would like to have witnesses who are not listed on the hearing notice as participants appear at the hearing on their behalf, the names of the additional witnesses must be submitted to the Title IX Coordinator within 3 days of receiving the hearing notice described above. The Hearing Panel will ultimately determine which witnesses will be called at the hearing. If necessary, a revised hearing notice will be issued.

The live hearing may be in person, virtual, or a combination of both, as long as participants can simultaneously see and hear each other. At either Party's request, the University will allow the Parties to be in separate rooms during the hearing with technology that enables the Hearing Panel and Parties to simultaneously see and hear the Party or the witness answering questions and each other. The hearing will be audio and/or video recorded.

To comply with the Family Educational Rights and Privacy Act ("FERPA"), 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 public. Participants in the live hearing are inclusive of:

- the parties (Complainants and Respondents)
- the Parties' advisors
- witnesses (if any)
- the Hearing Panel
- the Title IX Coordinator

The University 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 University policy.

Individuals attending the hearing are subject to the University's Rules of Decorum. The Hearing Panel is responsible for maintaining an orderly, fair, and respectful hearing and will have broad authority to respond to disruptive or harassing behaviors, including adjourning the hearing or excluding the offending individual, regardless of whether that individual is a Party, witness, or advisor.

Should a Party fail to attend the hearing, the hearing may continue in their absence, provided the absent Party was duly notified of the scheduled hearing date. During any hearing, the University will make all evidence subject to the Parties' inspection and review available to give each party an equal opportunity to refer to the evidence during the hearing.

The Order of the Hearing

Both parties will be given the opportunity to make a brief opening statement (approximately 5 mins). If both parties wish to make an opening statement, the Complainant will go first.

The witnesses, including the Parties, will then be questioned. The order of the witnesses is left to the discretion of the Hearing Panel. Parties will first be asked questions by the Hearing Panel, then by their own advisor. Parties will then be subject to cross-examination by the other Party's advisor. Any additional witnesses will also first be questioned by the Hearing Panel. Witnesses will then be questioned by the advisor of the Party that requested their presence at the hearing, followed by the other Party's advisor. If the witness was requested by the Hearing Panel, the Hearing Panel will determine which Party's advisor will question the witness first.

Once all witnesses have been questioned, both Parties will be given the opportunity to make a brief final statement (approximately 5 minutes). If both parties wish to make a final statement, the Complainant will go first.

Any relevant evidence may be considered by the Hearing Panel in making their decision regarding a finding of responsibility. While Parties are expected to be present for the entirety of the hearing prior to deliberations, witnesses are permitted to attend only as is necessary to answer questions, including on cross-examination, and are not permitted to attend the hearing otherwise.

Cross Examination and Questioning of Witnesses

During the hearing, Parties must speak on their own behalf to give testimony; however, an advisor must conduct cross-examinations. Each Party's advisor is permitted to ask the other Party or Parties and any witnesses all relevant questions and follow up questions, including those challenging credibility, as part of cross-examination. Cross-examination must be conducted directly, orally, and in real time by the advisor; Parties are not permitted to personally conduct cross-examination. Thus, both the Complainant and Respondent must be accompanied by an advisor for at least this portion of the live hearing, though advisors are permitted to be present for the entire hearing. If a Party does not have an advisor present at the hearing, then an advisor will be appointed by the University, free of charge, for the purposes of conducting cross-examination.

Only relevant cross-examination and other questions may be asked of a Party or witness. Before a Complainant, Respondent, or witness answers a cross-examination or other question, the Hearing Panel, via the Hearing Chair selected by the Hearing Panel, shall determine whether the question is relevant and comports with the rules of decorum, state a finding for the record, and explain any decision to exclude a question. The Hearing Panel may decline to allow any question that is duplicative of information already gathered or asked, irrelevant, or otherwise determined to be unnecessary or inappropriate. Additional information on relevance is included in below. If the Hearing Panel determines that a question is not relevant or does not comport with the rules of decorum, the Hearing Panel may instruct the advisor to rephrase the question. If the advisor is not so instructed, the witness will not answer the question and the advisor must move on to the next question.

The Hearing Panel may still rely upon prior statements made by a Party or witness who is not subject to cross-examination for purposes of determining responsibility. However, the Hearing Panel cannot draw an inference regarding responsibility based solely on a Party's or witness's absence from the hearing and/or their refusal to be subject to cross-examination and/or answer any other questions.

Relevant Information and Questions

As noted above, before any question is asked of a witness by an advisor, the Hearing Panel must determine if the question is relevant. Relevant information and questions are those that tend to make an allegation more or less likely to be true.

Both Parties have the right to exclude their own mental health diagnosis and/or treatment from admittance in the hearing. Medical and psychological records are also excluded unless a Party voluntarily waives that privilege and consents to the records being used. Both Parties also have the right to exclude their own prior sexual history with persons other than the other Party in the judicial or conduct process, subject to the exceptions in 34 CFR § 106.45(6)(i), which states that questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant unless such questions and evidence about the Complainant's prior sexual behavior are (1) offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant or (2) if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.

A Party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the Party, cannot be utilized during the hearing unless the University has obtained voluntary, written consent from that Party (or, if the Party is not an eligible student, that Party's parent) to do so. Questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege are also not permitted in the hearing unless the person holding such privilege has waived that privilege.

Questions asked about or seeking information in violation of the above will be deemed irrelevant. Additionally, questions that are duplicative of information already gathered or asked or are otherwise determined to be unnecessary or inappropriate may be deemed irrelevant.

Rules of Decorum

Questions must be asked and answered in a respectful, civil, and proper manner. The University reserves the right to remove a witness, including a Party, or an advisor from a hearing if they have been warned at least once that they are not following the Rules of Decorum and continue to ignore the Rules of Decorum. The removal of an advisor may require an adjournment to the hearing as advisors are a requirement for cross-examination.

Impact Statements

The Parties will have the opportunity to submit an impact statement for the Hearing Panel's consideration regarding sanctions. The purpose of the impact statement is to allow the parties an opportunity to describe how the alleged violation and hearing has impacted them. The impact statement may not seek to introduce new evidence. Impact statements will not be given to the other Parties absent an appeal. The Parties must submit their impact statements within five (5) business days of the conclusion of the hearing to the Title IX Coordinator. The impact statement can only be used by the Hearing Panel to help determine an appropriate sanction(s), if any. The Title IX Coordinator will provide the impact statements to the Hearing Panel only once the Hearing Officer is deliberating on appropriate sanctions. Impact Statements cannot and will not be considered by the Hearing Panel when reaching a determination of responsibility.

Hearing Panel's Determination

After the hearing, the Hearing Panel will deliberate. The Hearing Panel will evaluate the evidence under a "preponderance of evidence" standard. The Respondent will be found responsible for the alleged sexual misconduct if the Hearing Panel concludes, based upon careful and objective review of all information presented, that such sexual misconduct more than likely occurred. In reaching this decision, all relevant evidence must be objectively evaluated, and credibility determinations may not be based on a person's status as a Complainant, Respondent, or witness. The Hearing Panel cannot defer to any conclusions in the investigative report and must make an independent determination of responsibility.

If the Hearing Panel determines that the Respondent committed a violation of the SM Policy, they will also determine the appropriate sanctions. The possible sanctions are described in Section XV below. If the Hearing Panel concludes that the Respondent is responsible for a violation of the SM Policy, then the Hearing Panel shall receive the Respondent's disciplinary record (i.e., any previous disciplinary action or other violation of University Policy,

including the SM Policy, for which the Respondent was found responsible), and the Party impact statements to consider, as appropriate, in determining sanctions.

The Complainant and the Respondent will simultaneously be notified in writing of the Hearing Panel's determination and any sanction imposed via a written determination. The written determination must include:

1) Identification of the allegations potentially constituting sexual misconduct;
2) a description of the procedural steps taken from the receipt of the formal complaint or complaint through the determination, including any notifications to the Parties, interviews with Parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
3) findings of fact supporting the determination;
4) conclusions regarding the application of the University's Policy to the facts (including the decision regarding responsibility);
5) as to each allegation, a statement of, and rationale for, the result, including the determination regarding responsibility, any disciplinary sanctions the University imposes on the Respondent, and whether remedies designed to restore or preserve equal access to the University's education program or activity will be provided by the University to the Complainant;
6) the University's procedures for appeal and permissible bases for the Complainant and Respondent to appeal; and
7) when the determination becomes final.

The University will simultaneously notify the Parties of any changes to the results that occurs prior to the time that the determination becomes final. The University must wait to act on the determination regarding responsibility, including implementing sanctions or remedies, until the determination becomes final. The determination becomes final either on the date that the University provides the Parties with the written determination of the result of the appeal, if an appeal is filed, or, if an appeal is not filed, the date on which an appeal would no longer be considered timely.

If the Respondent is an employee, certain University policies or contracts (such as a Collective Bargaining Agreement [CBA] or the policies and procedures in the Faculty Handbook) may require the University take additional steps before certain sanctions (such as termination) can be imposed. If an employee is covered by such a policy or contract, the Grievance Process will still proceed as outlined herein and the Hearing Panel (and Appeal Panel, if applicable) can still impose any sanction permitted by the SM Policy. Any sanction imposed that does not trigger additional procedures will become effective once the determination becomes final. The determination becomes final either on the date that the University provides the Parties with the written determination of the result of the appeal, if an appeal is filed, or, if an appeal is not filed, the date on which an appeal would no longer be considered timely. If a sanction is imposed on a covered employee that triggers additional procedures under another University policy or contract, the University will go through those processes before that particular sanction takes effect. However, the University's disciplinary action under the SM Policy will be considered complete on the date that the determination becomes final, even if the additional procedures have not yet been completed.

The Title IX Coordinator is responsible for effective implementation of any remedies. Both Parties have the right to choose whether to disclose or discuss the outcome of the Grievance Process.

<u>Appeal</u>

Both the Complainant and the Respondent have the right to appeal the Hearing Panel's determination of responsibility and/or sanction or the dismissal of an formal complaint or complaint or allegations therein. Appeals will be reviewed by a three-person Appeal Panel appointed by the Title IX Coordinator. The Appeal Panel will be comprised of individuals who are fair, impartial, and will not include individuals with a conflict of interest or bias. An individual who was involved in the investigation, hearing, or Informal Resolution Process, who made the determination of responsibility or determination of dismissal, or who is the Title IX Coordinator cannot be part of the Appeal Panel.

An appeal may be made only on the following bases:

1) A procedural irregularity affected the outcome of the matter (finding of responsibility or sanction);
2) new evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter (finding of responsibility or sanction);

3) the Title IX Coordinator, Investigator(s), or Hearing Panel had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that affected the outcome of the matter (finding of responsibility or sanction); or
4) the sanction is not proportionate to the findings of fact.

Appeals must be made in writing, include all the grounds of the appeal and the supporting evidence, and be received by the Title IX Coordinator within five (5) business days of receipt of the Hearing Panel's written determination. Please note that except for appeals brought under (2) above, no new evidence may be relied on for the appeal.

The Title IX Coordinator will determine if the appeal meets the grounds for appeal and is timely. The original finding and sanction will stand if the appeal is not timely or substantively eligible, and the decision is final.

If the appeal has standing, the non-appealing Party or Parties will be notified that an appeal has been filed and be provided with a copy of the appeal. All non-appealing Parties will then have the opportunity to submit a statement in response to the appeal, accompanied by supporting evidence, supporting or challenging the outcome. This response statement must be submitted to the Title IX Coordinator within five (5) business days of the Party receiving the copy of the appeal. Once the five (5) business day period expires, the appeal and any response statements will be forwarded to the Appeal Panel.

Except for appeals brought under (2) above, the Appeal Panel's entire review process will be based on the Party's appeal, the non-appealing Party's response to the appeal, if any, and the record of the case. Otherwise, no additional evidence is allowed, and no witnesses may be heard. The Appeal Panel will not meet with either party. The standard used in an appeal is preponderance of the evidence.

The Appeal Panel will issue a decision on the appeal within 30 business days of the appeal being filed. The decision will include the result of the appeal (whether the appeal is granted or denied, in whole or in part), the rationale for the result, and, if the appeal is granted, any changes to the Hearing Panel's determination and/or the remedies decided on by the Appeal Panel. The Appeal Panel will either affirm the finding of responsibility, modify the finding, or reverse the finding. The Appeal Panel can also modify the sanctions from an appeal. The Complainant and Respondent will be simultaneously notified in writing of this decision. This decision is final.

Disciplinary Sanctions and Remedies

If the Hearing Panel finds the Respondent responsible for violating the SM Policy, the Hearing Panel may impose disciplinary sanctions on the Respondent and/or provide remedies to the Complainant. Alternatively, disciplinary sanctions and remedies may be imposed as a result of an Informal Resolution Agreement. Remedies, sanctions, or other actions that are not supportive measures cannot be imposed on the Respondent prior to a finding of responsibility through either the completion of the Formal Resolution Process or the Informal Resolution Process.

Disciplinary sanctions that may be imposed range from a reprimand or warning through expulsion/termination. Supportive remedies, which can include the supportive measures discussed in Section IX above, range from services such as counseling or medical services to withdrawals or leaves of absence; punitive or corrective remedies range from a reprimand or warning up to and including expulsion/termination.

The Hearing Panel may impose any of the following disciplinary sanctions that are determined to be fair and proportionate to the violation of the SM Policy:

- Reprimand or warning;
- Changes to the Respondent's class or work schedule;
- Reassignment of housing, office, and/or transportation;
- Reassignment of University employment;
- Disciplinary probation;
- Revocation of honors or awards;
- Restriction of Respondent's access to University facilities or activities;
- Exclusion from certain University buildings, classes, residence halls, property, and University events;
- Forfeiture of a benefit, honor, leadership position, or other privilege enjoyed by virtue of the person's membership as adjunct faculty, staff, or administration;
- Community service;

- Issuance of a No-Contact Order to the Respondent or requirement that such an order remain in place;
- Demotion or forfeiture of promotion or salary increase;
- Dismissal from, limitation on, or reassignment of University employment;
- Notification to employers of third-party vendors or contractors of all charges and disciplinary outcomes;
- Suspension (limited time or indefinite, with or without pay (for employees));
- Expulsion;
- Termination;
- Training;
- Revocation of degree;
- Any other actions agreed to by the Parties in an Informal Resolution Agreement; and/or
- Any other actions deemed appropriate.

Transcript Notations

In accordance with New York State Education Law, Article 129-B, Section 6444 (B)(6), students suspended or expelled as a result of being found responsible for committing an act of sexual assault, domestic violence, dating violence, stalking or a "violent crime," as defined by the Clery Act (20 USC 1092(f)(1)(F)(i)(I)-(VIII)), will have a notation placed on their transcript as follows: "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 Respondent withdraws from the University while such conduct charges are pending and declines to complete the disciplinary process, the following notation will be placed on his/her transcript: "withdrew with conduct charges pending."

In the event of a suspension, a student has the right to appeal such transcript notation to request its removal, however a transcript notation will not be removed prior to one year after conclusion of the suspension. Expulsion notations will not be removed in any case. Appeals seeking removal of a transcript notation may be addressed to the Title IX Coordinator. If a finding of responsibility is vacated
for any reason, a corresponding transcript notation will be removed.

For more information on the transcript notation policy, please contact the Title IX Coordinator.

Record Keeping

The University will maintain records generated in connection with reports, investigations, Grievance Processes, and appeals in confidential files for at least seven years. Only those with a right and need to know are permitted access. The Parties will have access to a full and fair record of the hearing in which they were involved and have the right to have all information obtained during the course of the Grievance Process be protected from public release until the Appeal Panel makes a final determination unless otherwise required by law. For additional information about maintenance and accessibility to student records, please contact the Title IX Coordinator.

The University will maintain the following materials for seven (7) years:

- Investigation records, including determination regarding responsibility, any disciplinary sanctions imposed on the Respondent, and any remedies provided to the Complainant designed to restore or preserve equal access to University's education program or activity;
- any audio or audiovisual recording or transcript of any hearing;
- any appeal and the outcome of the appeal;
- records of any Informal Resolution Process, including Informal Resolution Agreements; and
- materials used to train the Title IX Coordinator, Investigators, Hearing Panel members, Appeal Panel members, and Informal Resolution Process facilitators (these training materials will be publicly available on the University website).

Additionally, the University must create, and maintain for a period of seven years, records of any actions, including any supportive measures, taken in response to a report or formal complaint or complaint. In each instance, the University must document the basis for its conclusion that its response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to the University's education program or activity. If the University does not provide a Complainant with supportive measures, then the University must document the reasons why such a response was not clearly unreasonable in light of the known circumstances.

Sex Discrimination Prevention and Education for the Campus Community

The University strives to create and maintain an area free from sexual misconduct. The University engages in comprehensive educational programming to prevent sexual misconduct, including training to promote the awareness of rape, acquaintance rape, domestic violence, dating violence, sexual assault, and stalking. The University gives primary prevention and awareness programs for all incoming students and employees and continues with ongoing prevention and awareness campaigns throughout the year for all students and employees; the content of these programs complies with the requirements of the Clery Act and Article 129-B. The University also provides mandatory training for leaders and officers of student organizations and student-athletes that complies with Article 129-B. Additionally, the University provides annual training, and training to new staff as soon as possible after hire, on the protections against gender-based harassment as required by the Stop Sexual Harassment Act in NYC (NYC Local Law 96 (2018)). The University also provides information on sexual misconduct prevention with parents of enrolling students. The University uses a variety of training mechanisms to ensure the campus community has various interactions with prevention and awareness (see "Education and Awareness Prevention"). This includes an online learning component, in person workshops, and collaborations for events with internal and external partners. This programming material provides the campus community with information about the Title IX policy and procedures, options for reporting, and information on bystander intervention. The University hosts public awareness events, such as "Take Back the Night," where students do not have to report, but have an opportunity to continue education and prevention measures. The University's Title IX Coordinator may be contacted for additional information regarding the policies, procedures, and education and prevention efforts.

Manhattan University Students' Bill of Rights

All Manhattan University 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 institution.
4. Participate in a process, from the initial investigation to the final result, 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 institution 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 to as few institutional representatives as practicable and not to be required to unnecessarily repeat a description of the incident.
8. Be free from retaliation by the institution, the accused and/or the Respondent, and/or their friends, family and acquaintances within the jurisdiction of the institution.
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 University.

Hate Crimes

Manhattan University is committed to promoting an inclusive campus community. For most students, college is the first time they may have extensive contact with individuals from different cultures and backgrounds. This is especially true in residence halls, where students now live with a new, large extended family. Malicious behavior, writing on someone's door, leaving inappropriate phone messages, or committing other crimes in conjunction with a bias related slur are classic examples of hate crimes committed on college campuses.

A Hate Crime is a criminal offense that manifests evidence the victim was intentionally selected because of the perpetrator's bias, actual or perceived, against the victim. Under federal law (*Clery Act)* Hate Crimes include any of the following offenses motivated by bias - murder and non-negligent manslaughter, sexual assault, robbery, aggravated assault, burglary, motor vehicle theft, arson, larceny-theft, simple assault, intimidation, destruction, damage, or vandalism of property.

If You Are a Victim of a Hate Crime

Hate crimes are investigated by the NYPD's Hate Crime Task Force. If you are the victim of a hate crime, seek help and report it. No matter where the incident occurred, support and referral resources are available. A victim of a hate crime occurring on campus should report the incident to a Public Safety officer or by calling 718-862-7333, if the incident occurred off campus call 911. MU will investigate any hate crime occurring on campus and will assist any student making notifications to the proper authorities if requested.

Categories of Bias
Federal law (the *Clery Act*) identifies the following eight categories of bias in hate crimes-

Race
A preformed negative attitude toward a group of persons who possess common physical characteristics, e.g., color of skin, eyes, and/or hair; facial features, etc., genetically transmitted by descent and heredity which distinguish them as a distinct division of humankind, e.g., Asians, blacks or African Americans, whites.

Religion
Preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being, e.g., Catholics, Jews, Protestants, atheists.

Sexual Orientation
Preformed negative opinion or attitude toward a group of persons based on their actual or perceived sexual orientation. Sexual Orientation is the term for a person's physical, romantic, and/or emotional attraction to members of the same and/or opposite sex, including lesbian, gay, bisexual, and heterosexual (straight) individuals.

Gender
A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender, e.g., male or female.

Gender Identity
A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender identity, e.g., bias against transgender or gender non-conforming individuals. Gender non-conforming describes a person who does not conform to the gender-based expectations of society, e.g., a woman dressed in traditionally male clothing or a man wearing makeup. A gender non-conforming person may or may not be a lesbian, gay, bisexual, or transgender person but may be perceived as such.

Ethnicity
A preformed negative opinion or attitude toward a group of people whose members identify with each other, through a common heritage, often consisting of a common language, common culture (often including a shared religion) and/or ideology that stresses common ancestry. The concept of ethnicity differs from the closely related term "race" in that "race" refers to a grouping based mostly upon biological criteria, while "ethnicity" also encompasses additional cultural factors.

National Origin
A preformed negative opinion or attitude toward a group of people based on their actual or perceived country of birth. This bias may be against people that have a name or accent associated with a national origin group, participate in certain customs associated with a national origin group, or because they are married to or associate with people of a certain national origin.

Disability
A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced age or illness.

NY State Law
A person commits a hate crime when they commit a *SPECIFIED OFFENSE*, larceny-theft, simple assault, intimidation or destruction/damage/vandalism of property and either: intentionally selects the person against whom the offense is committed or intentionally commits the act or acts constituting the offense because of a belief or perception regarding the race, color, national origin, ancestry, gender identity, religion, religious practice, age, disability or sexual orientation of a person, regardless of whether the belief/perception is correct.

The following crimes (*Specified Offenses*) fall under the Hate Crimes statute in NY State: Assault 1st, 2nd, 3rd degree; Aggravated assault upon a person less than eleven years old; Menacing 1st, 2nd, 3rd, degree; Reckless endangerment 1st, 2nd degree; Manslaughter 2nd degree, sub.1, 1st degree sub. 1,2,3,4; Murder 2nd degree; Stalking 1st, 2nd, 3rd, 4th degree; Rape 1st degree, sub.1; Criminal sexual act 1st degree; Sexual abuse 1st degree; Aggravated sexual abuse 1st degree, sub.1a, 2nd degree, sub.1; Unlawful imprisonment 1st, 2nd degree; Kidnapping 1st, 2nd degree; Coercion 1st, 2nd degree; Criminal trespass 1st, 2nd, 3rd degree; Burglary 1st, 2nd, 3rd degree; Criminal mischief 1st, 2nd, 3rd, 4th degree; Arson 1st, 2nd, 3rd, 4th degree; Petit larceny, Grand larceny 1st, 2nd, 3rd, 4th degree; Robbery 1st , 2nd, 3rd degree; Harassment 1st degree; Aggravated harassment, sub. 1, 2, 4, or any attempt/conspiracy to commit any of the foregoing offenses.

Penalties for the Commission of Hate Crimes

The following are the penalties in NY State for conviction of a Hate Crime-

1) If the specified offense is a violent felony offense as defined in Section 70.02, the hate crime shall be deemed a violent felony offense.
2) If the specified offense is a misdemeanor or a class C, D, or E felony, the hate crime shall be deemed one category higher than the specified offense the defendant committed, or one category higher than the offense level applicable to the defendant's conviction for an attempt or conspiracy to commit a specified offense, whichever is applicable.
3) If the *specified offense* is a class B felony:

Maximum Term	Penal law Section
6 years	70.00
8 years	70.02
12 years	70.04
4 years	70.05
10 years	70.06
20 years	any A1 felony

Sanctions

Violators are subject to disciplinary actions including possible suspension or termination of employment for University employees, ejection from campus for visitors, and suspension or separation from the University for students. Violators are also subject to penalties in accordance with federal and state law.

Hazing

Manhattan University ("University") is committed to fostering a safe, respectful, and inclusive environment for all members of its community. Hazing in any form is contrary to the University's values and is strictly prohibited. The University's Hazing policy sets forth the University's definition of hazing, reporting procedures, investigation processes, sanctions, prevention efforts, and transparency measures in compliance with the Stop Campus Hazing Act of 2024.

Hazing: is any intentional, knowing, or reckless act committed by a person (whether individually or in concert with other persons) against another person or persons regardless of the willingness of such other person or persons to participate, that:

1. Is committed in the course of an initiation into, an affiliation with, or the maintenance of membership in, a student organization; and

2. Causes or creates a risk, above the reasonable risk encountered in the course of participation in the institution of higher education or the organization (such as the physical preparation necessary for participation in an athletic team), of physical or psychological injury including –

- whipping, beating, striking, electronic shocking, placing of a harmful substance on someone's body, or similar activity;
- causing, coercing, or otherwise inducing sleep deprivation, exposure to the elements, confinement in a small space, extreme calisthenics, or other similar activity;
- causing, coercing, or otherwise inducing another person to consume food, liquid, alcohol, drugs, or other substances;
- causing, coercing, or otherwise inducing another person to perform sexual acts;
- any activity that places another person in reasonable fear of bodily harm through the use of threatening words or conduct;
- any activity against another person that includes a criminal violation of local, State, Tribal, or Federal law; and

- any activity that induces, causes, or requires another person to perform a duty or task that involves a criminal violation of local, State, Tribal, or Federal law.

This definition is compliant with New York State law. Under New York State Penal Law, a person may be charged with hazing if, during another person's initiation into or affiliation with any organization, they intentionally or recklessly engage in conduct that creates a substantial risk of and/or causes physical injury to another person. A criminal charge of hazing may result in a misdemeanor or violation. NYS Section 120.16 - Hazing in the first degree, NYS Section 120.17 Hazing in the second degree.

Student Organization: is an organization at the University (such as a club, society, association, varsity or junior varsity athletic team, club sports team, fraternity, sorority, band or student government) in which two or more of the members are students enrolled at the University whether or not the organization is established or recognized by the University. This definition may cover both individual and organizational charges.
Statistics for Hazing will be recorded on the 2026-2027 ASR.

Education and Awareness Prevention Programs

Manhattan University engages in comprehensive programming and initiatives to promote the awareness of dating and domestic violence, sexual assault and stalking on campus. The University prohibits these crimes as defined in the Clery Act and New York State law. During freshman orientation, students are informed of the laws and penalties relating to these crimes. They are advised of the procedures at MU for dealing with such offenses, including reporting, the availability of counseling and support for victims.

Ongoing prevention and awareness campaigns means programming, initiatives and strategies sustained over time, and a focus on increasing understanding of relevant topics and skills for addressing dating and domestic violence, sexual assault and stalking, using a range of strategies with audiences throughout the university. University staff and outside professionals present primary prevention and awareness programs for incoming and matriculated students and new or tenured employees. Programs are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, assessed for value, effectiveness, or outcome, and consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community and societal levels. Programs present options designed to decrease perpetration and bystander inaction and to increase empowerment for victims in order to promote safety and help individuals and communities address conditions that facilitate violence.

Education programs include, but are not limited to:

a) MU's prohibition against domestic and dating violence, sexual assault, stalking, hate crimes and applicable definitions;
b) Safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or intervene when there is a risk of domestic or dating violence, sexual assault, or stalking against another person;
c) Information on risk reduction options designed to decrease perpetration, bystander inaction, warning signs of abusive behavior and how to avoid potential attacks;
d) Informing students of personal safety services on campus, including mental health services;
e) The laws, penalties, reporting, and availability of counseling relating to hate crimes.

Employee Programing

1. Human Resources coordinates programing at employee orientations for staff, faculty and administrators.
2. Employees are provided a copy of the Manhattan University Annual Security and Fire Safety Report as well as the MU Emergency Response Guide. These documents detail safety and emergency response guidelines on campus, campus security policies, sexual misconduct, sexual assault prevention and reporting, the Violence Against Women Act, reporting crime and various other topics.
3. All new employees receive training on Title IX, Equal Employment Opportunity (EEO), the Federal Education Rights Privacy Act (FERPA) and Sexual Harassment.

Title IX

Training is provided *annually* by the Office of the Director of Equity, Diversity/Chief Title IX Coordinator, and includes:

1. Sexual Harassment for all employees, including reporting procedures (online). In person training includes Title IX application, mandatory reporting, and reporting of discrimination and discriminatory harassment.
2. Title IX and consent training for all students.
3. Sexual assault training for all student athletes (online).

4. NCAA training for Athletes and Coaches.
5. Mandatory reporting training for resident assistants (RAs).
6. Mandatory reporting training for faculty chairs.
7. Additional training for new employees includes:
    - Diversity, discrimination and sexual misconduct foe new employees.
    - Title IX and mandatory reporting training for new faculty.

Counseling Center

The Counseling Center is committed to substance abuse prevention and the reduction of alcohol and drug use through education, interventions and assessment. Students have access to trained alcohol and substance abuse clinicians. All incoming undergraduate students complete the Alcohol-Wise program, a one-hour online course about alcohol abuse prevention designed specifically for college students. Additional programs include-

1. Adjustment to College Group – this program addresses alcohol use, dating safety and consent.
2. One Love- this program addresses dating violence and related issues.

Primary Prevention Programs

Initiatives and strategies intended to stop dating violence, domestic violence, sexual assault and stalking before they occur through the promotion of positive and healthy behaviors that foster healthy, mutually respectful relationships and sexuality. Encouraging safe bystander intervention and seeking to change behavior and social norms in healthy and safe directions.

Take Back the Night (Student Engagement)

An annual student-coordinated event with the mission of ending sexual violence in all forms. The intent is to participate in protest and take direct action against rape and other forms of sexual violence. It raises awareness about gender-based violence and supports survivors. The Take Back the Night Committee meets throughout the year to brainstorm practices that support survivors.

Fundamentals for Freshman; First Year Student Orientation (Title IX)

Annual training on consent with respect to sexual activities, which is required of all incoming students both freshmen and transfers. This mandatory training program, which takes place at the beginning of the school year, educates students on the importance of affirmative consent prior to engaging in any sexual activities, as required by New York Education Article 129-B, through the use of slides, videos, and audience participation.

Sexual Harassment (Title IX)

Online sexual harassment training for new employees and new students that educates them on appropriate behavior in the workplace. Additionally, online and in-person sexual harassment training required of *all* employees by the State of New York's new sexual harassment law. This training covers the definition of sexual harassment under both federal and New York State Law, reporting procedures, who is required to report, and supervisory responsibilities.

Sex and Excess (Athletics)

Annual training provided by the Athletics Department for student athletes. This training program educates students on the use and abuse of alcohol and drugs, consent, sexual activities and bystander intervention.

Athletics and Title IX (Athletics)

Annual training conducted in person or online by the Athletics Department for coaches and staff. This training program educates athletics department employees about Title IX compliance to meet New York State and the National Collegiate Athletic Association (NCAA) requirements.

Awareness Programs

Community-wide or audience-specific programming, initiatives and strategies that increase audience knowledge and share information and resources to prevent violence, promote safety and reduce perpetration.

Manhattan University Club Training (Student Engagement)

The Student Government Association's Office of Club Administration has implemented annual training sessions for students of all University clubs and organizations. This training includes Title IX, sexual harassment, sexual assault, domestic violence, dating violence, and stalking information. Students receive hard copies of policies and electronic copies are provided if requested. It is required that all club and organization student members attend these training sessions.

The Clothesline Project- (Student Engagement)
A program for all students that builds campus awareness of sexual and gender-based violence by inviting survivors to create t-shirts that reflect their experience, or honor another's experience, of sexual or gender-based violence. By creating space for survivors to name their own experience, and displaying these shirts on a clothesline in the Quad, community awareness is enhanced about the pervasiveness and the effects of sexual and gender-based violence.

Department of Residence Life Programs
Programs in the residence halls are both passive (bulletin boards) and active, and range from alcohol education to drug use and abuse.

RA Training
Resident Assistants receive training annually on the following:
1) The recognition, use, abuse, and response protocols regarding illegal/prescription drugs.
2) Smart Decisions – Sanctions for alcohol and drug offenses include a one-on-one response-based meeting exploring the impact of drug and alcohol use on the student, family, relationships, community, and uses motivational interviewing and harm reduction techniques to discuss how the student makes their decisions around drugs and alcohol.

Crime Prevention, Security Awareness Information and Programs
Keeping Manhattan University safe is everyone's business. All members of the campus community have a responsibility for their own safety as well as the safety of others. Public Safety encourages the campus community to review security awareness information that is provided and available to the campus community as follows -
1) Sent annually via University email;
2) Thru literature available at the Public Safety office (Jasper Hall, 1st floor);
3) From the Public Safety Department webpage;
4) By contacting Public Safety directly with any questions or concerns.

Information and Lectures
Provided upon request for students, faculty, administrators and staff about various safety and security issues, including active shooter, sexual assault, domestic and dating violence, stalking, bias crimes and any other requested topics.

Jasper Safe
Jasper Safe is a community safety program that embodies the University's mission through the Department of Public Safety by ensuring a commitment to the safety and welfare of our students, staff, faculty and visitors both on campus and along our campus perimeter. Jasper Safe is a partnership with our local neighborhood businesses to provide a safe haven for students, faculty and staff in the event they feel unsafe at any particular time. Individuals who see a business with a Jasper Safe sticker in the entryway will know that this business is a member of this partnership. Upon entering the business, the individual can inform the business staff that they are a member of the Manhattan University community and need Public Safety's assistance. The staff will contact the Department of Public Safety to either escort them to campus or ensure their safety by contacting NYPD for further assistance.

Active Shooter Response Seminar
Public Safety Administration present a training session on active shooter response protocols to all incoming students aswell as transfer students. This is an interactive session including a power point presentation and an opportunity for attendees to ask questions. Public Safety schedules other active shooter presentations for both employees and students in conjunction with the FBI.

Operation ID
Operation Identification participants provide police with the serial numbers of their electronic devices, which are recorded in an NYPD database. If any of the registered items are stolen, police may be able to recover the devices through the recorded serial numbers or through activating locator software built into the device. For more information, contact the 50th Precinct Crime Prevention Officer at 718-543-3816.

Bicycle Registration Program (NYPD)
The NYPD provides a bike registration program free of charge upon request. This program discourages theft of bicycles by engraving a serial number on the bike in a discreet location and affixing a decal to the bicycle identifying it as registered with the NYPD. If the decal fails to prevent theft, removal of the decal leaves behind the word "void" which alerts police that the bicycle has been stolen. Police are then able to track down the owner through the engraved serial number. For more information contact the 50th Precinct Crime Prevention Officer at 718-543-3816.

Combat Auto Theft (CAT) (NYPD)
The NYPD provides this program upon request. It allows community members to register their motor vehicles with the NYPD to protect those vehicles from being stolen. When a vehicle is registered, police affix a decal to a rear side window that authorizes police officers to stop the vehicle if it is seen in operation between 1:00 AM and 5:00 AM. Car owners who do not ordinarily use their vehicles during the hours the program is in effect may find this useful. For more information contact the 50th Precinct Crime Prevention Officer at 718-543-3816.

VIN Etching Program (NYPD)
This program entails police officers etching a vehicle's identification number onto its windows. The program is a strong deterrent to thieves. For more information contact the 50th Precinct Crime Prevention Officer at 718-543-3816.

Safety Tips
The following information can help you stay safe at home, work or on a college campus. Make staying safe a priority. Always remain alert and be aware of your surroundings, whether on or off campus. Public Safety can provide additional information on various crime prevention topics to help protect you and your property. Share these tips with your family and friends.

Residence Hall Safety
- ***ALWAYS lock your door, whether you are in your apartment or out.***
- ***Report suspicious activity immediately to Public Safety.***
- *Do not give out your key or combo to anyone – report it immediately if you lose it.*
- *Do not leave your door unlocked or let strangers into your room or your residence hall building.*
- Avoid posting personal information on-line or on social networking sites.
- Don't prop doors open (it's both a fire and security hazard).
- Avoid keeping valuables in your room (even if they are hidden).
- Consider purchasing a small dorm security safe with a security cable for valuables and a laptop security cable.
- *Keep electronic devices with you at all times – do not leave them unattended.* Have your devices registered with the NYPD (available thru Public Safety).

Living Off Campus
- ***ALWAYS lock your door whether you are in your apartment or out.***
- Be prepared to enter your apartment without complications. *Have the key in your hand.*
- If you live in an apartment building close the lobby door behind you when entering, especially if a stranger is near.
- Never let strangers inside your building or apartment for any reason.
- Insure proper locks and a door viewer are installed and use them to stay safe.
- If a window or door has been forced or broken - don't go in - call 911immediately.
- Never leave your keys in a mailbox or under a doormat.
- Use only last names on mailboxes, doorbells and phone listings.
- Use drapes and blinds for privacy. Make sure all windows have locks; keep them locked.
- Don't answer the door automatically. Request ID from any expected repair or delivery personnel.
- Avoid going to a basement or laundry room alone. Have a neighbor or friend accompany you if possible.

Security Surveys are provided free of charge by the NYPD to alert renters to any security vulnerabilities associated with their homes and to suggest corrective actions. Officers evaluate locks, doors, lighting, windows, landscaping, and alarm systems. For more information contact the 50th Precinct Crime Prevention Officer at 718-543-3816.

Elevator Safety

- When waiting for an elevator leave the lobby/hallway if someone there makes you feel uncomfortable.
- Avoid entering an elevator if occupied by a lone stranger.
- If someone makes you feel uneasy, either don't get in or get off on the next floor.
- Stand near the control panel and the door should you need to get out quickly.
- If you are accosted, push as many buttons as possible, scream for help, defend yourself.

Ride Share Safety

Many students and employees use rise share services (Lyft, Uber, etc.) to get around. If you use these services there are things you can do to help stay safe. Remember –

1. Request your ride inside
   Minimize the time you're standing outside by yourself with your phone in your hand. Instead, wait inside until the app shows your driver has arrived. An indoor location reduces time spent waiting on the street. Choose a pickup spot where your driver can easily pull over. (This means no bus stops or other no-stopping zones.) Give yourself enough time to make sure it's the right car.

2. Check Your Ride
   Every time you take a trip make sure you're getting into the right car with the right driver by matching the license plate, car make and model, and driver photo with what's provided in your app. Have the driver confirm your name. ***NEVER*** *get in a car where the vehicle or driver identity doesn't match what's displayed in your app.*

3. Share your trip info with loved ones
   They'll see your location in real-time. You can also check your driver's route in your app to see how you're getting to your destination.

4. Be a back-seat rider
   Whenever possible sit in the back seat, especially if you're riding alone. This helps ensure you can safely exit on either side of the vehicle to avoid moving traffic, and it gives you and your driver some personal space. Remember to always wear your seat belt – it is the most effective way to save lives and reduce injuries related to car crashes.

5. Follow your intuition
   Trust your instincts and use your best judgment. If you ever feel you're in a dangerous situation call 911 or use the emergency button located in your app, if available.

6. Exit curbside and exit safely – check for traffic (vehicles, bicycles, scooters) before exiting the vehicle; make sure you haven't left anything behind, such as your phone, keys, etc.

In Your Car

- Park in a highly visible, well-lighted area and be mindful of suspicious activity.
- Look around before exiting or entering your car. Have your keys ready to unlock the door and enter without delay.
- Check the interior of the car before entering; *lock car doors* as soon as you get in and while driving.
- Don't leave valuables or packages visible in your car.
- Don't stop for a stranded motorist - call the police for assistance if needed.
- If you think you are being followed drive to the nearest police station or call 911 for help.
- Never leave house keys attached to car keys at service station or parking lots.

Out in Public Places

- ***To enhance personal safety, especially after an evening class, walk with friends or someone you know well.***
- Always be aware of your surroundings. *Stay alert.*
- *Keep your head up. Don't be preoccupied with cell phones or other electronic devices.*
- Walk on the side of the street facing traffic.
- Try to avoid isolated areas. It's difficult to get help if no one is around.
- Avoid walking close to shrubbery, doorways and other places of concealment.
- Travel on well-lighted areas and avoid shortcuts such as alleyways.
- Be aware of where campus blue-light emergency callboxes are located; use one if you feel unsafe or need help.

- If someone makes you feel uncomfortable or unsafe call 911; don't be embarrassed to attract attention to yourself – run away, scream or yell for help.
- Try to let someone know where you are going and the time you expect to return home.
- *Never leave purses or valuables unattended, especially in public places or over the back of your chair in any establishment.*

ATM's

We all use ATM's regularly. Be alert when using an ATM and only use those at legitimate banking locations.

- Use ATMs in well-lit, well-populated locations.
- Avoid ATM vestibules that have unlocked doors or ATMs located directly on the street.
- Be aware of suspicious people near the entrance. Use mirrors positioned at the ATM to see behind you.
- Block a bystander's view when entering your pin number; cover the keypad with your hand to do so.
- Don't let anyone into a bank vestibule with you; they should gain entry with their own bank card.
- Put your money, card and receipt away *before* exiting an ATM.
- Be aware of "Skimming" devices on ATMs. This is a phony card-reading device used to capture the financial information from your card. These devices are usually attached with two-sided tape and can be discovered by simply tugging on areas where the card is swiped.

Public Transportation Safety

Cell phones and other electronic devices are prime targets for thieves who snatch these items right from the victim's hands as train or bus doors close, leaving you helpless and without your device! To reduce your risk please consider the following tips –

Subways

- Be ready. Have your metro card, access device or money available and ready for use.
- Whenever possible travel with a friend.
- *Refrain from using your electronic devices onboard the train or station platforms – keep them OUT of VIEW.*
- Wait for the train near the station booth during non-rush hours. Many stations have off-hour waiting areas.
- Stand away from the edge of the platform. Wait and walk close to the wall.
- Ride in the conductor's car, especially during off-peak hours.
- Avoid cars that are significantly less crowded and *remain awake on the train*.
- Sit in the center of the car and away from the doors to avoid a purse, phone or chain snatch.
- Keep money and jewelry hidden. Hold your handbag and other possessions securely.
- Keep bags closed and zipped/fastened shut. Be aware of your wallet or purse to avoid being pickpocketed.

Buses

In addition to the aforementioned, remember-

- Wait for the bus on the sidewalk away from the curb.
- Sit near the front of the bus and the driver if possible.

Personal Safety and Sexual Assault

The following are some strategies to help reduce one's risk of sexual assault -

- Be aware of your surroundings and trust your instincts. If a situation feels unsafe or uncomfortable, it probably is.
- When you go out socially, go with a group of friends. Arrive together, check in with each other throughout the evening, and leave together. If a friend needs help or is intoxicated, get them to a safe place.
- Make sure your cell phone is with you, charged and you can pay for a cab if needed.
- *Never* leave a bar or club with a stranger. Do not allow yourself to be isolated with someone you don't know.
- Don't accept drinks from people you don't know and don't leave your drink unattended for any period of time.
- At parties, don't drink from punch bowls or other large, common open containers.
- Let someone know where you are going and who you are with. Have a code word with friends so if you feel uncomfortable you can call them, communicate your discomfort, and have them come get you or make up an excuse for you to leave.

Clery Act Geography
In accordance with the "Campus Safety Act", data included in this document represents reported crime on campus and on the streets immediately adjacent to the campus. The following definitions explain the geographic locations used in classifying reported crime at Manhattan University.

On Campus
Any building or property owned or controlled by the University within the same reasonably contiguous geographic area, and used in direct support of, or in a manner related to, the University's educational purposes, including residence halls. Also, any building or property within or reasonably contiguous to the area identified in paragraph (1) of this definition, owned by the University but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor). All University buildings fall under this classification of "on campus".

Residence Halls
Any student housing facility owned or controlled by the University, or is located on property that is owned or controlled by the University, and is within the reasonably contiguous geographic area that makes up the campus is considered an on-campus
student housing facility. All campus residence halls fall under this category. Crimes reported in this category are a subset of the "On Campus" category in the crime statistics section.

Public Property
Includes all public property including thoroughfares, streets, sidewalks, parking facilities, within or immediately adjacent to and accessible from the campus; this includes the public sidewalk, street, and opposite sidewalk. The following streets near campus fall under this category – Broadway, Corlear Avenue, Manhattan University Parkway, Post Road, Tibbett Avenue, Waldo Avenue, W.238 Street, W.240 Street, and Brust Park.

Clery Act Definitions of Reportable Crime
The following definitions are from the *FBI's Uniform Crime Reporting Program and Handbook*. Campus crime statistics include hate crimes, arrests and disciplinary referrals made to campus authorities for alcohol, drug and weapon possession. A disciplinary referral is when a student is formally reported in writing to a University officer for possible sanctions.

Criminal Homicide - Murder and Non-Negligent Manslaughter
The willful (non-negligent) killing of one human being by another.

Negligent Manslaughter
The killing of another person through gross negligence.

Robbery
The taking or attempting to take anything of value from the care, custody, or control of a person of persons by force or threat of force or violence and/or by putting the victim in fear.

Aggravated Assault
An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by a means likely to produce death or great bodily harm.

Burglary
The unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes: unlawful entry with intent to commit a larceny or a felony, breaking and entering with intent to commit a larceny, housebreaking, safecracking, and all attempts to commit any of the aforementioned acts.

Motor Vehicle Theft
The theft or attempted theft of a motor vehicle. (Motor vehicle theft is classified as any case where an automobile is taken by a person not having lawful access, even though the vehicle is later abandoned, including joy riding.)

Arson
Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.

Dating Violence

1. Violence committed by a person who is/has been in a social relationship of a romantic/intimate nature with the victim.
2. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
3. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
4. Dating violence does not include acts covered under the definition of domestic violence.

Domestic Violence

A felony or misdemeanor crime of violence committed by:

- a current or former spouse or intimate partner of the victim;
- a person with whom the victim shares a child in common;
- a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
- a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

Stalking

Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety, the safety of others, or suffer substantial emotional distress.

1. "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.
2. Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.
3. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.
4. Any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

Sexual Assault

An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI Uniform Crime Report program. A sex offense is any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

Rape

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

Criminal Sexual Act

The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

Incest

Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Statutory Rape

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

Other Offenses

The following violations can result in a disciplinary referral or arrest. A *disciplinary referral* is *the referral of any person to a university official who initiates a disciplinary action, of which a record is established, and which may result in the imposition of a sanction. Arrests are when an individual is processed by arrest, citation or summons by a law enforcement officer.*

Liquor Law Violations

The violation of State or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages, not including driving under the influence and drunkenness.

Drug Abuse Violations
The violation of laws prohibiting the production, distribution, and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance. Arrests for violations of State and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs.

Weapons Possession
The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons.

Clery Act Hate Crimes Definitions
In addition to the crimes listed above, the following are reportable as Hate Crimes under the Clery Act when evidence suggests the victim was intentionally selected because of their actual or perceived race, gender, religion, sexual orientation, ethnicity, national origin, or disability.

Larceny-Theft
The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another.

Simple Assault
An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.

Intimidation
To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.

Destruction/Damage/Vandalism of Property (Except "Arson")
To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

Hazing Definition

Is any intentional, knowing, or reckless act committed by a person (whether individually or in concert with other persons) against another person or persons regardless of the willingness of such other person or persons to participate, that:

(1) is committed in the course of an initiation into, an affiliation with, or the maintenance of membership in, a student organization; and

(2) causes or creates a risk, above the reasonable risk encountered in the course of participation in the institution of higher education or the organization (such as the physical preparation necessary for participation in an athletic team), of physical or psychological injury including ...

- whipping, beating, striking, electronic shocking, placing of a harmful substance on someone's body, or similar activity;
- causing, coercing, or otherwise inducing sleep deprivation, exposure to the elements, confinement in a small space, extreme calisthenics, or other similar activity;
- causing, coercing, or otherwise inducing another person to consume food, liquid, alcohol, drugs, or other substances;
- causing, coercing, or otherwise inducing another person to perform sexual acts;
- any activity that places another person in reasonable fear of bodily harm through the use of threatening words or conduct;

- any activity against another person that includes a criminal violation of local, State, Tribal, or Federal law; and
- any activity that induces, causes, or requires another person to perform a duty or task that involves a criminal violation of local, State, Tribal, or Federal law.''

This definition is compliant with New York State law. Under New York State Penal Law, a person may be charged with hazing if, during another person's initiation into or affiliation with any organization, they intentionally or recklessly engage in conduct that creates a substantial risk of and/or causes physical injury to another person. A criminal charge of hazing may result in a misdemeanor or violation. NYS Section 120.16 - Hazing in the first degree, NYS Section 120.17 Hazing in the second degree.

Student Organization: is an organization at the University (such as a club, society, association, varsity or junior varsity athletic team, club sports team, fraternity, sorority, band or student government) in which two or more of the members are students enrolled at the University whether or not the organization is established or recognized by the University. This definition may cover both individual and organizational charges.

Manhattan University Crime Statistics

Offense	Year	On Campus	Residence Halls	Public Property	Unfounded
Criminal Homicide, Murder, and Non-Negligent Manslaughter	**2025**	**0**	**0**	**0**	**0**
	2024	0	0	0	0
	2023	0	0	0	0
Negligent Manslaughter	**2025**	**0**	**0**	**0**	**0**
	2024	0	0	0	0
	2023	0	0	0	0
Rape	**2025**	**0**	**0**	**0**	**0**
	2024	0	0	0	0
	2023	0	0	0	0
Criminal Sexual Contact	**2025**	**2**	**2**	**1**	**0**
	2024	0	0	0	0
	2023	1	0	0	0
Statutory Rape	**2025**	**0**	**0**	**0**	**0**
	2024	0	0	0	0
	2023	0	0	0	0
Incest	**2025**	**0**	**0**	**0**	**0**
	2024	0	0	0	0
	2023	0	0	0	0
Robbery	**2025**	**0**	**0**	**1**	**0**
	2024	0	0	1	0
	2023	1	0	5	0
Aggravated Assault	**2025**	**0**	**0**	**0**	**0**
	2024	1	0	0	0
	2023	0	0	0	0

Burglary	**2025**	**2**	**2**	**0**	**0**
	2024	4	1	0	0
	2023	4	0	0	0
Motor Vehicle Theft	**2025**	**0**	**0**	**5**	**0**
	2024	0	0	2	0
	2023	0	0	1	0
Arson	**2025**	**0**	**0**	**0**	**0**
	2024	1	1	0	0
	2023	0	0	0	0
Hate Crimes	**2025**	**1**	**1**	**0**	**0**
	2024	0	0	0	0
	2023	0	0	0	0
Hazing	**2025**	**0**	**0**	**0**	**0**
	2024	0	0	0	0
	2023	0	0	0	0
Offense	Year	On Campus	Residence Halls	Public Property	Unfounded
Stalking	**2025**	**0**	**0**	**0**	**0**
	2024	2	0	0	0
	2023	0	0	0	0
Dating Violence	**2025**	**1**	**1**	**0**	**0**
	2024	2	0	0	0
	2023	1	1	0	0
Domestic Violence	**2025**	**0**	**0**	**0**	**0**
	2024	0	0	0	0
	2023	0	0	0	0

DISCIPLINARY REFERRALS	Year	On Campus	Residence Halls	Public Property	Unfounded
Other Offenses					
Liquor Law Violations	**2025**	**11**	**11**	**0**	**0**
	2024	6	6	0	0
	2023	28	28	0	0
Drug Abuse Violations	**2025**	**11**	**10**	**0**	**0**
	2024	10	10	0	0
	2023	3	2	0	0
Weapons Possession	**2025**	**0**	**0**	**0**	**0**
	2024	1	1	0	0
	2023	0	0	0	0
ARRESTS					
Liquor Law Violations	**2025**	0	0	0	0
	2024	0	0	0	0
	2023	**0**	**0**	**0**	**0**

Drug Abuse Violations	**2025**	0	0	0	0
	2024	0	0	0	0
	2023	**0**	**0**	**0**	**0**
Weapons Possession	**2025**	0	0	0	0
	2024	0	0	0	0
	2023	**0**	**0**	**0**	**0**

ANNUAL FIRE SAFETY REPORT

In accordance with the Higher Education Opportunity Act of 2008, Manhattan University is providing fire safety information as part of this Annual Report. Reports of fires and fire alarms are maintained by the Department of Public Safety. For the purposes of including a fire in the statistics of this report, students and employees must report the instance of any fire on campus to Public Safety.

Fires and Fire Safety

Fires poses a serious risk to everyone on campus. All students and employees of the University need to be familiar with the response procedures for a fire, explosion or fire alarm emergency on campus. Please take ALL FIRE ALARMS seriously. In the event of a fire or explosion, every second counts. You need to know what to do and where to go to be safe.

All members of the campus community play a part in keeping our campus fire safe. Fire safety equipment (smoke detectors, fire extinguishers and fire alarm pull stations) are located in each campus building for your protection. Stay alert and be reminded –

1) *The activation of the fire alarm in any campus building requires a mandatory evacuation by all building occupants.*
2) Do not prop open emergency exit, stairwell or fire doors.
3) Keep doorways, corridors, and stairwells clear and unobstructed.
4) NEVER block emergency exits with any type of obstruction.
5) Make sure that all electrical appliances and cords you use are in good condition and UL approved.
6) Do not overload electrical outlets. Use fuse-protected power strips and extension cords when necessary.
7) Do not park in fire lanes or block a fire hydrant on campus.
8) *Transmitting a false alarm is a serious violation of NY State law and University policy. It endangers the lives of building occupants and responding emergency personnel. Violators are subject to University judicial sanctions and/or arrest.*

Residence Halls

The activation of the fire alarm system in any residence hall requires a mandatory evacuation by all building occupants. Students who fail to comply with fire safety procedures or who otherwise violate rules and regulations related to fire safety are subject to University judicial action and/or criminal sanctions, including expulsion or suspension from residence halls and/or Manhattan University. Violations of MU fire safety regulations, include, but are not limited to –

1. Smoking
2. Tampering with fire alarms, fire extinguishers, smoke detectors, fire doors, sprinklers, etc.;
3. Possession of propane, butane, torches, flammable substances or similar items;
4. Disposing of any burning/smoldering items/products in trash receptacles;
5. Obstruction of emergency exits or propping doors open.
6. Starting or maintaining any open flame on campus.
7. *Fire safety regulations mandate the following items are prohibited in any residence hall:*
    - Barbecue grills
    - Candles, incense, oil lamps, hookahs
    - Decorative/holiday lights
    - Electric blankets
    - Halogen lamps, “spider” lamps
    - Hot plates, George Foreman grills, toaster ovens
    - Non UL-rated electric devices or appliances
    - Plug-in air fresheners

- Space heaters
- Two-prong extension cords

Fire Safety Education and Training

Students are educated on the fire safety plan for their residence halls each semester by Resident Assistants, which includes fire safety information and evacuation procedures. All members of the campus community receive fire safety information annually via University email.

Be Prepared

It is extremely important that all members of the campus community be familiar with building evacuation routes and assembly areas. You should know how to get out and how to be safe.

1. Determine in advance the nearest (2) exits from your work location, classroom or dorm room, and the route you will follow to that exit in an emergency.
2. Establish an alternate route in the event your primary route is blocked or unsafe.
3. Be familiar with the location of fire alarm pull stations near your workspace, classroom or in your residence hall.
4. *Planning ahead is important* - inform Public Safety in advance if you will have trouble evacuating in an emergency.

Assembly Areas

In the event of a building evacuation occupants should report to an assembly area and await instruction from Public Safety or emergency responders. These locations are subject to change dependent on incident conditions. Information about campus safety and building assembly areas can be found within the Manhattan University Emergency Response Guide, available on the Public Safety webpage- . Emergency Response Guide

If the Fire Alarm is Activated

1. *New York law and University policy requires all building occupants to evacuate in the event of a fire alarm activation*.
2. Don't hesitate when you hear the fire alarm sound; exit calmly, quickly and safely.
3. If possible, close doors behind you while exiting. Leave lights on and doors unlocked.
4. Evacuate from the nearest exit if it is safe and clear of smoke or fire.
5. *Do not use the elevators*. You could become trapped or an elevator could open on an unsafe floor.
6. Upon exit, immediately advise Public Safety officers of the location of any persons who have not yet evacuated due to injury or incapacitation.
7. Once outside, move quickly away from the building. Be alert for falling glass or other debris.
8. *Stay clear of the building and roadway***.** Keep building access, streets and sidewalks clear for emergency vehicles and personnel.
9. Proceed to the closest building assembly area and await further instruction from Public Safety personnel or emergency responders.
10. Do not attempt to re-enter the building until you are instructed to do so by Public Safety or FDNY personnel. FDNY will advise when the building is safe and re-entry is permitted.

If You Need Assistance Evacuating

In the event you are unable to exit the building:

1. Don't panic - if you can't exit without assistance stay in a room or office that is safe.
2. Contact Public Safety at (718) 862-7333 and advise them where you are located.
3. Provide your cellphone # and stay on the line with the officer if possible.
4. Notify those evacuating of your situation so they can advise Public Safety of your location.

When Evacuating

1. Check doors for heat before opening.
2. Do not open a door if it's hot or warm; seek another exit if possible.
3. If it's cool, open it slowly; slam it shut if smoke pours through.
4. If you have to escape through smoke, stay close to the floor where the air is less contaminated.

If You See a Fire

1. Pull the nearest fire alarm pull station.
2. Get away from the area; alert others as you are evacuating.
3. Close doors behind you while exiting to contain fire or smoke.

4. Evacuate the building safely and report to an assembly area.
5. Do not attempt to put out a fire – call for help. Report the fire immediately to Public Safety at (718) 862-7333 and 911 as soon as you can do so safely.

Help Others

If you can do so safely, assist those that may need help exiting the building.

1. Alert others on your way out.
2. Avoid transporting others up or down stairwells without the help of emergency personnel.
3. If someone is unable to evacuate and you can do so safely, escort them to a safe position at the nearest stairwell where they will await assistance.
4. ***Notify*** *Public Safety officers or emergency responders on the scene of their location*.
5. If you are supervising students, instruct them to remain together and meet at building assembly areas.
6. Report the names of anyone missing to emergency personnel along with their last known location.

If You are Trapped in a Building Fire

1. If you are unable to evacuate because of fire or smoke in the building, try to remain calm.
2. If smoke, heat or flames block your exit routes stay in a room with doors closed.
3. Try to get into a safe room that has windows.
4. Call Public Safety and 911 to notify them of your location; stay on the line if possible.
5. If possible, put a wet towel or garment under the door to keep out smoke.
6. Open a window and wave a cloth or flashlight to signal for help if possible.

Fire Safety Tips

Following these basic guidelines can help reduce the chance of fire related injuries on campus.

a. *Accidental fires from cooking materials or* ***unattended cooking*** *are the most common fire safety issues in university dorms.* ***Never leave food you are cooking unattended on a stove or in an oven.***
b. Do not hesitate when you hear the fire alarm sound. GET OUT quickly and safely.
c. Identify the (2) closest exits and all potential evacuation routes near your office, classroom and dorm room.
d. Do not prop open emergency exits, stairwell or fire doors.
e. Keep exits, doorways, corridors and stairwells clear and unobstructed.
f. Report damaged or missing fire safety equipment or devices to Public Safety immediately.

Smoking Policy

Effective August 15, 2024, Manhattan University joined a nationwide movement that addresses tobacco use in institutions throughout the U.S. Currently, more than 2,613 colleges and universities nationwide have implemented smoke-free and vape-free policies. Manhattan University's adoption of this new health-related policy will be reinforced by smoke-free and vape-free campus signs. Unlike the previous policy that designated smoking areas on campus, the 100% smoke-free and vape-free policy prohibits the use of all tobacco products, including cigarettes, e-cigarettes, cigars, cigarillos, hookah, smokeless tobacco, and other similar products on any university property. This policy applies to all individuals on campus.

Smoking permitted Off Campus only

Smoking can cause a fire. If you smoke, it is important to know the steps to take to keep yourself, families and others safe from fire. Remember –

1) Do not smoke indoors. Many things in your home or at work can catch on fire if they touch something hot like a cigarette or ashes.
2) Put cigarettes out completely.
3) Do not walk away from lit cigarettes or other smoking materials. To be safe, put water on ashes and butts to make sure they are completely extinguished before putting them in the trash.

E-Mobility Bike/Scooter Policy

Effective September 12, 2024, due to the risk of fire and the New York City Fire Department's (FDNY) safety recommendations regarding lithium-ion batteries used in e-mobility devices, Manhattan University strictly prohibits all electric/battery-powered-scooters, bikes, skateboards, hover boards and the like from all Manhattan University buildings and dormitories. The storage and charging of lithium-ion batteries in residence halls and other university buildings represents a serious hazard, as they may explode, causing injuries and staring fires. Lithium-ion battery fires

are chemical reactions that, once underway, cannot be extinguished like traditional fires, and create toxic gases that can be deadly in enclosed spaces. Fire extinguishers do not work on lithium-ion batteries.

If you commute to campus utilizing an e-mobility device, please secure it with a lock, at your own risk, at one of our bicycle racks located as follows:

- Kelly Commons-Parking Lot
- Lower Forecourt-Parking Lot
- University Garage-3rd Floor
- Horan Hall-front of building

Fire Drills

New York law and University policy requires all building occupants to evacuate in the event of a fire alarm activation or similar emergency. The Public Safety Department coordinates and supervises building evacuation/fire drills throughout the year in all academic, administrative and residence hall buildings.

The purpose of a fire drill is to train, familiarize and reinforce proper evacuation practices with students and employees of the University. The objective is to recognize the sound of the fire alarm and initiate an automatic, safe response by building occupants whenever a fire alarm sounds.

Failing to evacuate a building during a fire alarm activation is a serious offense. Students or employees who fail to evacuate during a fire alarm activation or other emergency are subject to disciplinary action by the University.

Future Fire Safety Improvements

Manhattan University complies with New York City fire safety requirements and implements fire system upgrades as needed or required during building construction or renovation projects. Building fire alarm systems are inspected daily by the Public Safety Department. Any system operational issues are addressed for repair or upgrade as needed by licensed fire alarm system professionals.

Residence Hall Fire Detection, Alarm and Suppression Systems

The following is a description of the fire safety systems in Manhattan University residence halls and the number of mandated supervised fire drills conducted annually.

	Chrysostom Hall	Jasper Hall	Horan Hall	Lee Hall	Overlook Manor
Detection Systems					
Smoke Detectors: Hard Wired	corridors	corridors	corridors	corridors	corridors and rooms
Smoke Detectors: Battery	rooms only	rooms only	rooms only	rooms only	no
Alarm Systems					
Pull Boxes	yes	yes	yes	yes	yes
Local on-campus dialer to Public Safety	yes	yes	no	no	no
Central Station Monitoring	no	yes	yes	yes	yes
Fire Alert Control Panel	yes	yes	yes	yes	yes
Suppression / Escape Systems					
Sprinklers	yes	yes	yes	yes	garage, kitchen, hallways
Standpipe	yes	yes	yes	yes	yes
Fire Extinguishers	yes	yes	yes	yes	yes
Fire Escapes	no	no	no	no	yes
Evacuation Placards (You are here)	yes	yes	yes	yes	yes
Fire Drills & Construction					

Fire Drills During The Year	4	4	4	4	4
Number of Floors	4	6 + basement	11	10	7 + basement
Capacity (Number of Beds)	110	236	728	550	404
Year Constructed	1929	1955	1990	2008	1959

Manhattan University Fire Statistics

These statistics include fires that have occurred in on-campus student housing facilities. A "fire" is defined as any instance of open flame, burning in a place not intended to contain the burning, or burning in an uncontrolled manner.

2025							
Residential Facilities	Total Fires in each Building	Fire Number	Date and Time of Fire	Value of Property Damage Caused by Fire	Number of Injuries Requiring Treatment at a Medical Facility	Number of Deaths Related to Fire	Cause of Fire
Chrysostom Hall - 4513 Manhattan College Parkway	0	0	0	0	0	0	n/a
Horan Hall 4381 Post Road	1	1	2/27/2025 1:34PM	$10	0	0	Burning Pipe in Garbage
Jasper Hall - 4513 Manhattan College Parkway	0	0	0	0	0	0	n/a
Lee Hall - 4455 Manhattan College Parkway	0	0	0	0	0	0	n/a
Overlook Manor 435 W. 238 St.	0	0	0	0	0	0	n/a

2024							
Residential Facilities	Total Fires in each Building	Fire Number	Date and Time of Fire	Value of Property Damage Caused by Fire	Number of Injuries Requiring Treatment at a Medical Facility	Number of Deaths Related to Fire	Cause of Fire
Chrysostom Hall - 4513 Manhattan College Parkway	0	0	0	0	0	0	n/a
Horan Hall 4381 Post Road	1	1	9/05/2024 7:00PM	$10	0	0	Lighting a towel on fire
Jasper Hall - 4513 Manhattan College Parkway	0	0	0	0	0	0	n/a
Lee Hall - 4455 Manhattan College Parkway	0	0	0	0	0	0	n/a
Overlook Manor 435 W. 238 St.	0	0	0	0	0	0	n/a

2023							
Residential Facilities	Total Fires in each Building	Fire Number	Date and Time of Fire	Value of Property Damage Caused by Fire	Number of Injuries Requiring Treatment at a Medical Facility	Number of Deaths Related to Fire	Cause of Fire
Chrysostom Hall - 4513 Manhattan College Parkway	0	0	0	0	0	0	n/a
Horan Hall 4381 Post Road	0	0	0	0	0	0	n/a
Jasper Hall - 4513 Manhattan College Parkway	0	0	0	0	0	0	n/a
Lee Hall - 4455 Manhattan College Parkway	0	0	0	0	0	0	n/a

Overlook Manor 435 W. 238 St.	0	0	0	0	0	0	n/a

Resources

The following on-campus and community resources are available to the Manhattan University community and victims of sexual assault, domestic violence or dating violence. Assistance is available relative to counseling, physical and mental health, victim advocacy, student financial aid, and legal, visa and immigration issues.

Important Phone Numbers

EMERGENCIES

NYPD / FDNY / Emergency Medical Services 911
Public Safety (24 Hr. Emergencies - Main Booth) 718-862-7333

Department of Public Safety

Main Office (M-F, 9am-4:30pm) 718-862-7240
24 Hr. Non-Emergencies - Main Booth 7500
Horan Hall 7389
Lee Hall 7386
MU Garage 7853

Counseling Center	718-862-7394	Miguel Hall rm.501, 5th Floor
Health Services	718-862-7217	Alumni Hall, rm. 104
Physical Plant	718-862-7480	MU Garage, 1st floor
Residence Life	718-862-7438	Thomas Hall 5th Floor
Title IX Coordinator	718-862-7724	Memorial Hall room 101

Immigration, Citizenship, Legal and Counseling Assistance

VISA/Immigration Assistance 311
MU Office of International Students 718-862-7213

New York City Domestic Violence Hotline (24 hours) 800-621-HOPE (4673) or 311
NY State Coalition against Domestic Violence Hotline 800-942-6906 http://www.nyscadv.org/
NY State Sex Offender Registry Information 800-262-3257
NYC Incest/Sexual Assault 24 hour Hotline 212-267-7273
NYC Crime Victims 24 hour Hotline 212-577-7777
NYPD Special Victims 24-Hour Report Line 646-610-7272
Mount Sinai Hospital Sexual Assault/ 212-423-2140

Violence Intervention Program

VINE (Victim Information Notification Everyday) 888-VINE-4-NY
VINE is a 24 hour automated hotline that provides victims with the release date of inmates who are in the custody of New York City or NY State Department of Corrections.

MU Counseling Center 718-862-7394 Miguel Hall, rm. 501
The Counseling Center supports the academic mission of the University by providing a range of counseling services that includes developmental, preventive, and remedial approaches to student development. It offers a wide range of services to full-time undergraduate Manhattan University students, including short-term individual therapy, groups, crisis intervention, substance abuse screenings, consultation, psychological education and referrals.

Domestic & Other Violence Emergencies (DOVE) Program

New York Presbyterian Hospital/Columbia University Medical Center
DOVE Hotline: 212-305-9060 dove@nyp.org
http://www.nyp.org/clinical-services/social-work/domestic-and-other-violence-emergencies
A Memorandum of Understanding (MOU) is in place with the Domestic and Other Violence Emergencies Program ("DOVE") and Manhattan University. The parties share the goals of preventing sexual assault on campus, in the community, and responding appropriately to students and employees who have been victimized. If you are a survivor of domestic violence

or sexual assault, the DOVE Program can help you. *The DOVE Hotline should not be used in case of emergency. If you fear for your life and/or bodily integrity please call 911.*

SAFE-Designated Hospitals

New York State Sexual Assault Forensic Examiner (SAFE) Designated Hospital Programs provide specialized care to sexual assault patients. The following are the local SAFE designated hospitals -

Jacobi Medical Center,
Social Work Department
1400 Pelham Parkway, Room 1E4
South Bronx, NY 10467 718-918-5800

Lincoln Hospital
Emergency Department
234 E. 149th Street
Bronx, NY 10451 718-579-5784

North Central Bronx Hospital
Social Work Department, Room 14A03,
3424 Kossuth Avenue
Bronx, NY 10467 718-519-3013

New York State Sexual Assault Victims Bill of Rights

The 'New York State Sexual Assault Victim Bill of Rights' must be provided to every presenting sexual offense victim before a medical facility commences a physical examination of a sexual offense victim, or a police agency, prosecutorial agency or other law enforcement agency commences an interview of a sexual offense victim. The health care professional conducting the exam, police agency, prosecutorial agency or other law enforcement agency shall inform the victim of the victim's rights by providing a copy of this sexual assault victim bill of rights and offering to explain such rights

NYS SEX OFFENDER Registry 800-262-3257 http://www.criminaljustice.ny.gov/nsor/

RAINN (Rape, Abuse & Incest National Network)

National Sexual Assault Hotline 800-656-4673 rainn.org/

The nation's largest anti-sexual violence organization that created and operates the National Sexual Assault Hotline. At any given moment more than 1,100 trained volunteers are on duty and available to help victims at RAINN-affiliated crisis centers across the country.

Safe Horizon 212-227-3000 / 800-621-4673 https://www.safehorizon.org/get-help/rape-and-sexual-assault/

A victim assistance nonprofit that has been standing with victims of violence and abuse in New York City since 1978. They provide assistance, advocacy and support to victims who have experienced domestic violence, child abuse, sexual assault, stalking, human trafficking, youth homelessness and other crimes.

Sexual Assault and Violence Prevention Program at Mount Sinai Hospital 212-423-2140

Counseling and support for victims of sexual assault, domestic violence and intimate partner violence. Also provides support for friends and families of victims and provides emergency room advocacy, legal advocacy, education and training.

Love is Respect 866-331-9474 http://www.loveisrespect.org/

Designed specifically for teens and young adults. Provides 24/7 phone, text and chat services, and real-time one-on-one confidential support from peer advocates. Text campus to 22522 for help; message and data rates apply on text for help services.

National Domestic Violence Hotline 800-799-7233 http://www.thehotline.org/

Provides 24/7 confidential, one-on-one support. Offers crisis intervention, options for next steps, and direct connection to sources for immediate safety for women, men, children and families affected by domestic violence.

The Trevor Project Helpline 866-488-7386 http://www.thetrevorproject.org
Provides crisis intervention and suicide prevention services to lesbian, gay, bisexual, transgender and questioning (LGBTQ) young people ages 13-24. Help and support are available via phone, chat, text, and online social networking.

National Suicide Prevention Lifeline 800-273-8255
If you or someone you know is suicidal or in emotional distress, contact the National Suicide Prevention Lifeline. Trained crisis workers are available to talk 24 hours a day, 7 days a week. Your confidential and toll-free call goes to the nearest crisis center in the Lifeline national network. These centers provide crisis counseling and mental health referrals.

Suicide Prevention Resources | Suicide Prevention | CDC

Other Resources

Alcoholics Anonymous	212-647-1680	www.nyintergroup.org
Cocaine Anonymous	212-262-2463	www.canewyork.org
Narcotics Anonymous	212-929-6262	https://newyorkna.org/
National Institute on Drug Abuse	301-443-1124	http://www.nida.nih.gov
College Drinking - Changing the Culture		http://www.collegedrinkingprevention.gov

Substance Abuse Treatment Centers

New York State Psychiatric Institute	212-923-3031	http://substanceabuse.columbia.edu/contact.htm
The Addiction Institute of NY	212-523-6491	https://www.mountsinai.org/locations/addiction-institute