



**Annual Campus Safety and Security Report
&
Annual Fire Safety Report
Published Fall 2017**

Containing statistics for 2014, 2015, 2016

Union College
807 Union St.
Schenectady, New York 12308

The Campus Safety and Security Report is available online at
<http://www.union.edu/offices/safety/reports/clery/index.php> and in hard copy
(call Campus Safety at 518-388-6358.)

A Message from the Director of Campus Safety

Dear Members of the Campus Community,

Please take a few moments to review this important material about the college's efforts and experience in the areas of campus safety and security. You will note the College's safety record is exceptionally good. It is an example of what can be accomplished when a community is committed to working together with a common purpose.

The Union College Campus Safety department has been proactive in promoting safety and the prevention of crime. The department has developed a number of outreach programs designed to protect, educate, and better serve the members of the campus community.

I encourage you to be an active member of the Union College community. If you have any questions or would like more information regarding campus safety and security, please contact Campus Safety and Security at (518) 388-6358.

Sincerely,

A handwritten signature in black ink, appearing to read "Christopher Hayen". The signature is fluid and cursive, with a large initial "C" and "H".

Christopher Hayen
Director, Safety and Security

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Introduction

Union College has issued this report to inform the Union College community, campus visitors, and the general public of the College's policies and procedures for campus safety and security. Union College has made a solid commitment to maintain a safe campus environment in which to live, learn, and work. Though emergencies and incidents of serious crime are relatively few at Union, it is crucial that all members of the campus community know how to report such situations and have an understanding of our security operation. Union's security programs include awareness seminars for all students, training of residential-life staff, and a professional campus security force. The Department of Campus Safety emphasizes open communication with students and employees, and has a close working relationship with local, county, and state law enforcement agencies.

Union College is located in Schenectady, New York. A multi-ethnic city with a population of approximately 64,913, it is the ninth largest city in New York. Schenectady is known for its commitment to the arts and its rich history. In 1887, Edison Machine Works moved to Schenectady. In 1892, Schenectady became the headquarters of the General Electric Company. Union's center campus consists of roughly 100 acres and spreads to the city adjacent areas on the west, south and east edges outside the campus border. The college has a larger accumulation of student housing along the west side city streets that adjoin to a large campus dining and housing facility which holds the office of Campus Safety. Union College is only blocks from the downtown area. The College has an enrollment of approximately 2,200 students.

Annual Campus Safety and Security Report

The annual Union College Campus Safety and Security report includes statistics for the previous three years concerning reported crimes that occurred on campus; in certain non-campus buildings owned or controlled by Union College; and on public property within, or immediately adjacent to and accessible from, the campus. The report also includes institutional policies concerning campus security, such as policies concerning sexual assault, alcohol and drug use, crime prevention, the reporting of crimes, bias-related crime, provide the "timely warning" policy for crimes that have occurred and "pose an ongoing threat to students and employees and other matters. Campus Security will provide, upon request, all campus crime statistics as reported to the U.S. Department of Education. You can obtain a copy of this report by contacting Campus Safety at (518) 388-6358 or on the Web at: <http://www.union.edu/offices/safety/reports/clery/index.php>.

Union College Department of Campus Safety

Union College maintains its own campus safety department, providing security services twenty-four hours a day, seven days a week. The community is encouraged to report all crimes or violations of College policy whether actual, attempted or suspected, as well as any other emergency situation, to the Campus Safety department or to local law enforcement. Outdoor emergency telephones are installed on campus, providing direct contact with the campus safety department at all times.

Union College employs a security force of consisting of 12 sworn and 19 non-sworn full time campus officers and 4 part-time officers. All members of Campus Safety receive extensive training, and many have had prior police training and experience. The director of Campus Safety is in charge of the department. He and the associate director share the responsibility of being on call 24 hours a day, 365 days a year. Between them, their police and security experience total over 50 years. In case of a serious crime or emergency, the on-call director is notified immediately and then supervises the investigation.

Campus Safety personnel are all New York State-licensed security guards empowered by the College to enforce the institution's rules and regulations, with the authority to make citizen's arrests. The campus safety officers receive annual training that includes first aid, CPR / AED, diversity, sexual assault response, crime prevention, and college policies. The officers provide campus patrols 24 hours a day and are responsible for enforcing safety rules and regulations, supervising fire and safety drills, and handling all emergency situations on campus. In addition, they work closely with the residential-life staff, facilities services staff, and the Student Government Association to address quality-of-life issues on the campus.

Enforcement powers for Campus Safety Officers derive from NYS penal code section S 140.30.

1. Arrest without a warrant; by any person; when and where authorized.
Subject to the provisions of subdivision two, any person may arrest another person
 - (a) for a felony when the latter has in fact committed such felony, and
 - (b) for any offense when the latter has in fact committed such offense in his presence.
2. Such an arrest, if for a felony, may be made anywhere in the state. If the arrest is for an offense other than a felony, it may be made only in the county in which such offense was committed.

The Public Safety personnel have received Department of Criminal Justice Services (DCJS) approved academy training. The 327 hours of training equip the officers with the knowledge and ability to enforce the laws of New York State on the Union College campus.

Enforcement powers for Public Safety Officers derive from New York Education Law § 6435.

Appointment of private college security officers - See more at:

<http://codes.findlaw.com/ny/education-law/edn-sect-6435.html>

1. Security guards appointed as such campus security officers may exercise within their geographic area of authority as defined hereinafter any or all of the following powers:
 - a) To make a warrantless arrest of a person (i) for any offense when he or she has reasonable cause to believe that such person has committed such offense in his or her presence and (ii) for a crime when he or she has reasonable cause to believe that such person has committed such crime, whether in his or her presence or otherwise, and follow such person in continuous close pursuit into public places beyond the geographic area of authority to make such warrantless arrest; provided, however, that such campus security officers shall comply with the post-arrest procedures set forth in section 140.40 of the criminal procedure law and shall not interfere with an ongoing criminal investigation conducted by any police officer;
- To become eligible for appointment as a private college campus security officer a security guard must first successfully complete a course of instruction in public and private law enforcement approved by the municipal police training council, the security guard advisory council, or the department of state or other comparable course offered or recognized by a department or agency of the state of New York as providing appropriate training for the exercise of the powers enumerated in this section.

Relationship with Local Agencies

Campus Safety works closely with local, county, and state law enforcement agencies, both in the investigation of crimes and in crime prevention. The department is in frequent contact with all area law enforcement agencies regarding crimes and the collection of information that may impact the College and/or may be reported. The College has a written Memorandum of Understanding with the Schenectady Police Department that outlines proper response and investigation of alleged serious crimes and missing persons.

An additional Memorandum of Agreement is in place that focuses an extra patrol surrounding the college main campus and adjacent city streets during weekend late evening to early night hours.

The department director meets with the county camera group to review and research monitoring needs for the area cities.

The department director and the associate director are members of the Local Emergency Planning Committee, along with County and City Emergency Responders, Red Cross, and various local businesses and schools.

Security and Access to Campus Facilities

All Union buildings are equipped with exterior locks, and many buildings have electronic anti-intrusion devices. All residence halls are locked 24 hours a day. All student rooms in residence halls are equipped with locks. Campus Safety patrols the campus 24 hours a day, checking all campus buildings, and placing special emphasis on residence halls during the late-night and early-morning hours. Safety personnel conduct regular fire and safety checks on building floors of residence halls. The campus is monitored with the assistance of 42 exterior cameras on various locations of the campus grounds and 35 interior cameras.]

The campus provides blue emergency phones that connect directly to Campus Safety for immediate assistance. The blue phones are marked with blue lights that become flashing strobes when the phone is activated. A map to the emergency phone locations can be found by following the link on the Campus Safety homepage. <https://www.union.edu/offices/safety/>

We encourage new staff and students to familiarize themselves with the locations on campus.

Residence halls are open only to residents and their invited guests and are so posted. During evening and early morning hours, those seeking admittance are required to be escorted by a resident. As of July 1, 2000, entrances to most campus residence halls are equipped with card reader identification systems, which provide access only to residents and approved staff for maintaining and monitoring hall activity.

Academic, administrative, student life, and recreational facilities are open during regular business hours. Access policies in academic buildings, during hours when classes are not in session, are established by the individual academic department and Campus Safety.

As part of the safety and security sessions held for students, students are reminded that it is not permissible to prop open the doors of campus buildings. The hours that administrative and classroom buildings are open vary depending on scheduled usage for the specific buildings and the needs of students and employees.

During the academic year, Schaffer Library is open to the Union College Community until 2 a.m. Sunday through Thursday and until 12 midnight on Friday and Saturday (extended hours are offered at the library during exam time). The building is open only to the Union College community after 6 pm by use of the assigned ID/access card. Contact information for escorts is located at various on-campus locations. Campus Safety offers the service to any member of the campus community who requests it.

The College has a maintenance staff on duty during business hours and varying hours outside of business hours. This crew has radio contact with Campus Safety and is available to carry out building maintenance or repairs related to security and safety. In addition, all maintenance jobs

with security and/or safety ramifications are given a special priority designation. The personnel are also trained to assist with emergency response needs.

The student Campus Safety Relations Group meets to complete safety reviews with the Campus Safety team. This entails walk throughs of the grounds in the evening to check for lighting concerns or other safety issues. The recommendations lead to addressing possible environmental safety issues or additional emergency phones or lighting installations.

ID cards are issued to all members of the Union College community. This is done, among other reasons, to identify you as a member of the community and as proof of your authorization to be on campus, and to allow you access to dining services and to your residence hall. You must carry your ID card with you and you are required to produce it upon request of a member of the Campus Safety Department or other authorized agents of the College. Refusal or failure to produce your ID card may result in conduct charges. The Access Control office, located in the Campus Safety Office at College Park Hall, issues all Union College identification cards. Lost cards must be reported to the Campus Safety Department in person. Dining Services must also be notified. A fee of \$25.00 is assessed for each occasion a card is reported as lost or stolen. Any malfunctioning ID card can be returned to the Campus Safety office for a replacement at no cost to you.

Loss of a room or apartment key may be reported in person to Campus Safety, or to the resident advisor on duty for the student's residence. A fee of \$50.00 is assessed for key replacement.

Facilities Services provides support to all areas within the Union College community. They take on the responsibility of the stewardship of the campus buildings and grounds. Their departments are structured in a way that provides flexibility to construct, maintain, and repair anything required to keep the campus to its highest standards.

To file a work order, a campus community member may call Facilities directly (518-388-6181) or login to the work order system. For urgent issues discovered outside the regular business hours of Facilities Services, you may also contact Campus Safety at 518-388-6911.

Student Walking Partner

A student escort service operates on foot through the evening and early morning hours when classes are in session. The service is in radio contact with the Campus Safety department, which monitors its activities. To request an escort, call extension 6386 from a campus phone, or 518-388-6386 from a non-campus phone line.

Professional Standards

The Campus Safety Department's relationship with the community is vital to a safe and secure campus. All members of the Union College community should expect to be treated in a courteous and professional manner by members of our department. The Campus Safety Department will not tolerate unprofessional behavior by an employee.

We do wish to recognize instances where our employees have been especially helpful or have exceeded your expectations in the service they have provided. The quality of our service is dependent in part on feedback from the community. The Campus Safety Department has a process in place to respond to community complaints and concerns. The department also has various ways in which we are able to recognize outstanding performance by our employees.

Please help us improve our department by bringing your compliments and concerns to our attention by contacting the business office Monday – Friday by phone at (518) 388-6358 or by email to campussafety@union.edu; or speaking to a supervisor, available 24 hours a day at (518) 388-6911.

Reporting Crimes and Emergencies

Witnesses and victims of a campus crime or emergency, as well as anyone who is suspicious of people or situations on campus, are urged to contact Campus Safety or local authorities immediately.

Campus Safety can be reached at campus extension 911 from any campus phone line (for emergencies) and 6911 or 6178 (for non-emergencies or concerns), or from an outside line at (518) 388-6911. Police Department assistance can be reached at 911 from an outside campus line for emergencies and Schenectady Police Department at 518-630-0911 for non-emergencies.

In 2016 the New York Public Service Commission approved an all-services overlay for the 518 area code, which covers all or part of 17 counties in eastern upstate New York. Effective August 19, 2017, a new dialing procedure requires callers to dial the **area code + telephone number** for all local calls within the area served by the 518 area code and the new 838 area code. This means that calls that are currently dialed with seven digits will need to be dialed using the area code (518 or 838) plus the seven digit telephone number.

Each residence hall room is equipped with a campus telephone outlet; a phone is also located at the main entrances of most residence halls and blue phones as stated above and outlined on the linked campus map. One can also report incidents in person to Campus Safety, located at College Park Hall front lobby or a separate office in the east wing of College Park Hall.

If a person is unable to contact Campus Safety directly to report an emergency, that person should notify a coach, administrator in charge, or residence hall staff member, who, in turn, will contact Campus Safety. In the case of any reportable offenses covered under the Clery Act, an incident is reported resulting in that incident being listed in campus crime statistics.

Any official of the institution who has significant responsibility for student and campus activities is considered a Campus Security Authority (CSA) and must report all offenses. This includes housing and disciplinary staff (e.g., Dean of Students, Director of Greek Affairs, Resident Advisors, and Residence Directors), the athletic director and coaches, and faculty advisers to student groups.

The College has an agreement with local police who will monitor any criminal activity at off campus student organizations which are recognized by the College, including student organizations with off campus housing facilities. Union College currently has no college recognized organizations, such as fraternities or sororities that reside off campus. In addition, local police will reach out for additional local and state police resources as needed.

Response to Reports of Crimes and Incidents

If a crime or incident is reported to Campus Safety, the following steps are taken:

- An officer is dispatched immediately to assess the situation and secure the scene, if needed. (The campus officers are trained to attend to the needs of victims and to take control of the situation.) If the incident warrants, outside services such as the police, EMS, and / or fire department are called. At the scene, the campus officer is responsible for maintaining order, interviewing victims and witnesses, and preserving evidence until local police arrive on scene if warranted (as stipulated in the MOU to be any violent felony crime or if requested).
- In the case of injury or illness, the individual may be cared for at the College's health services facility during hours of operation, or may choose care at the Ellis Hospital emergency room.
- Either the director or associate director of Campus Safety, or their designee, notifies the appropriate Union officials of the incident as needed in accordance with the College's emergency communications plan.
- The investigating officer files a written incident report that is forwarded to the appropriate College officials. The Schenectady Police Department is informed of serious crimes occurring on campus and these may be further investigated by the Schenectady Police Department, New York State Police, or the Schenectady County Sheriff.
- If an incident is considered serious and poses an immediate threat to people and/or property, a safety alert will be posted. Communication systems such as email and text may be utilized when appropriate for immediate notification. Fliers are posted when

deemed necessary at specified locations on campus to alert the campus community. The information is also provided to the student newspaper.

Dispatchers are available 24 hours a day to answer your calls. The Campus Safety Department's procedures include an immediate response to emergency calls. Campus Safety works closely with the full range of City and County first responders to assure a complete and timely response to all emergency calls. Priority response is given to crimes against persons and personal injuries.

In response to a non-emergency call, Campus Safety will take the required action, either dispatching an officer or asking the victim to report to Campus Safety to file an incident report.

Special services include experienced investigators as well as the generous availability of local, state, and federal law enforcement agencies in providing support and assistance. Outside law enforcement incident information involving students is forwarded to the Dean of Students' Office for potential action, as appropriate.

Awareness Programs

Union College offers many programs specifically designed to inform members of the campus community about security procedures and policies, personal safety, and crime prevention. In addition to a number of programs tailored for students, the College offers this information to employees through the employee handbook, the Human Resources orientation and the Union policy manual. The residence hall staff undergoes extensive training each fall in preparation for their responsibilities. As part of this training, staff members must attend a series of workshops focusing on such issues as security and safety, disciplinary procedures for infractions of rules, fire safety, sexual harassment, diversity, and sexual assault. They are also advised of their reporting requirements according to the Clery Act. The residence hall staff in turn holds sessions each fall in their buildings to inform the general student body about security and safety issues—one meeting for the entire residence hall and then smaller meetings on individual floors.

Campus officers are also involved with many of these informational meetings. These sessions are complemented by a special session in each residence hall conducted by Campus Safety, which reviews crime prevention, fire safety, and the College's policies and procedures regarding safety issues.

The Union College Student Handbook is made available to each new student. (found online at <http://www.union.edu/offices/dean/handbook/>) It presents information on fire prevention and campus security issues, as well as Union's policies on alcohol and drugs.

A weekly "Campus Incident Report" feature in the student newspaper, the *Concordiensis*, is an important element of our crime prevention efforts. Keeping the community informed and

aware of the nature and volume of criminal offenses reported on campus constitutes one of our most valuable crime prevention efforts.

In the event of a serious crime, Crime Awareness Bulletins are also issued by the Dean of Students Office and the Campus Safety Department.

Relationship with the Office of Dean of Students and the Office of Residential Life

The Campus Safety department maintains a close working relationship with the office of the Dean of Students and the office of Residential Life. Campus officers refer cases to the campus judicial system. It is the policy of the Campus Safety department to fully inform victims of all of their options, through college and noncollege judicial entities.

Emergency Response and Evacuation

- The College has an Emergency Response group that meets regularly to prepare up to date practices to respond to an emergency that may occur on campus.
- The College has an Emergency Management group to meet and prepare procedures.
- The College will immediately notify the campus community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or staff. Warnings will only be withheld if they would compromise efforts to contain the emergency.
- When an emergency situation occurs on campus, safety officers are dispatched to assess and render aid. Additionally, local and state police, fire and EMS resources are immediately requested depending on the emergency.
- When it is confirmed that a serious emergency or dangerous situation exists, relevant information will be disseminated to the College community by one or all of a variety of means. These include; a siren system, loudspeakers, emergency cellular text messaging system, emails, Web site postings, and personal contact.
- Communication systems are tested on every third Wednesday of each month at 1pm. Students and staff are also provided instruction and training in emergency procedures, including evacuation drills throughout each year.
- When a sexual assault is reported to one of the College's designated officials, or otherwise comes to the attention Campus Safety, the College initiates an investigation and informs victims of their options for having the investigation handled by Union's judicial system, the criminal justice system of the State of New York, or both. The College and/or the victims may file formal charges through Union's judicial system (when the alleged assailant is a Union student), and either party may also file criminal charges with local or state police. When appropriate, Union College issues a campus

safety alert and uses other means of communication to inform all members in the Union community. Union's resources (e.g., medical, legal, and counseling options) are available whether or not the alleged assailant is a member of the Union community.

Timely Warnings

The Campus Crime Alert ("Alert") is provided to give students, faculty, and staff timely notification of crimes that may represent a serious or ongoing threat to the campus community and to heighten safety awareness. The Alert also seeks information that may lead to arrest and conviction of the offender when violent crimes against persons or substantial crimes against property have been reported. The alert will withhold the victim(s) name(s) as confidential. Campus Safety is responsible for issuing a Campus Crime Alert when a crime is reported to or brought to the attention of the Campus Safety or other campus security authorities and that crime represents a serious or ongoing threat to the safety of members of the campus community. Information for an Alert may also come from other law enforcement agencies. Every attempt will be made to distribute the Alert promptly; however, the release is subject to the availability of accurate facts concerning the incident. Alerts are created and distributed by Campus Safety and/or the Vice President for Student Affairs and Dean of Students or his/her designee with the assistance of Telecommunications and/or Communications in compliance with the Jeanne Clery Act, 20 U.S.C. § 1092(f) et seq. Jeanne Clery Act, 20 U.S.C. § 1092.

Timely Warning Procedure

The director of Campus Safety, with assistance as needed from the Associate Vice President for Planning, and the Associate Vice President for Student Affairs and Dean of Students, determine when and how to issue timely warning notices and emergency notifications. Without delay and taking into account the safety of the college community, they determine the content of the notification and initiate the notification system, unless issuing a notification, in the professional judgment of responsible authorities, compromises efforts to assist a victim or to contain, respond to, or otherwise mitigate an emergency.

Campus Safety will prepare a Campus Crime Alert whenever a report is received of a violent crime against a person or a substantial crime against property on or near campus that represents a serious or ongoing threat to the safety of students, faculty, and staff. Alerts are assigned the same number as the corresponding Campus Safety report and provide details of the crime, a description of the suspect (if known), information on whom to contact with information.

Campus Crime Alerts will be emailed and/or texted as quickly as possible to faculty, staff, and students and provided to the campus media. When appropriate further notification may be

posted on the Union College website, and, if appropriate, using loudspeakers, siren, voice mail messaging and/or posted in campus and/or off-campus areas frequented by students. Whenever the Schenectady Police Department informs Union College about an off-campus crime that represents a serious or ongoing threat to the safety of students, faculty, and staff, the College will assist in publicizing the crime on campus.

Campus Crime Alerts typically include the following information:

1. A statement of the incident.
2. Any connection to previous incidents.
3. Physical description and/or composite drawing of the suspect, if appropriate.
4. Date and time the Alert was released.
5. Other relevant and important information.
6. Appropriate safety tips.

Emergency Level definitions:

Limited Emergency

A campus emergency with limited impact that does not affect the overall operation and function of the College. Examples would include a minor hazardous material incident, small fire, or temporary limited power outage. A Limited Emergency will not normally entail notification of the Emergency Management Team except through routine communications.

General Emergency

A local emergency that has disrupted or potentially may disrupt significant operation of the College or adversely impact a major population of the community. Examples include serious crimes on campus, major fires, death(s), or partial infrastructure failure. A General Emergency may entail Union College Emergency Response Alerts.

Major Emergency

A community-wide emergency that potentially disrupts the operations of the College and involves major damage or systems failure. Major Emergencies impact not only the College, but possibly the surrounding community and beyond. Examples include tornadoes, widespread extended power outage, severe natural disasters, or serious acts of terrorism. A Major Emergency will entail Union College Emergency Response Alerts.

Text messaging

Union College has collected more than 2,300 cell-phone numbers from students, faculty and staff to allow text-message alerts to be sent in the event of an emergency. A system is in place

to allow people to update or voluntarily provide their cell-phone number if they wish to receive the alerts. Although we will continue to use email alerts in an emergency, we encourage the entire campus community to participate in the text-alert system.

Additional email addresses and U.S. cell phone numbers may be added to student and staff contacts at <https://www.getrave.com/login/union>. Users with a Union College email account may sign in in through the Identity Provider Login.

Emergency siren

An emergency siren is installed on the roof of the Reamer Campus Center. In the event of a Major Emergency of the campus, or complete disruption pertaining to an emergency, the siren will alert members of the campus community to seek additional information through the email, text messaging, College's Web site (www.union.edu), WRUC (89.7 FM) and UC-TV (Channel 21).

Website

The main Union College home page (www.union.edu) may be modified in a Major Emergency to post critical information as quickly as possible.

Public address system

A public address system is in place on campus buildings, and most interior academic buildings. The College tests these emergency communications and notification systems on a monthly basis.

Missing Person Protocol

Upon receipt of a report of a missing person, the Campus Safety Department will conduct a thorough and timely investigation to determine the safety and current location of the person. If the missing person is a student, the investigating officer will contact and help coordinate the investigation with the Schenectady Police Department or other local law enforcement. Once a police or security department's investigation determines that a student is missing, the institution will within 24 hours of the determination notify an emergency contact identified by the student and local law enforcement. If the missing student is younger than 18 years of age and not an emancipated minor, the institution will notify his/her custodial parent or guardian in addition to the emergency contact person identified by the student within 24 hours of determining the student is missing.

In addition to registering an emergency contact, students have the option to identify a confidential contact to be contacted by Union College Campus Safety in the event the student is determined to be missing for more than 24 hours. If a student has identified such an individual, Union College Campus Safety will notify that individual no later than 24 hours after the student is determined to be missing.

A student who wishes to identify a confidential contact may do so by coming to the Campus Safety Office and filling out a missing student contact form. A student's confidential contact information will be accessible only by authorized campus officials and law enforcement as appropriate. Parents of those students under the age of 18 will be notified if the person is missing for more than 24 hours.

An individual will be considered missing if a roommate, classmate, faculty member, family member, or other campus person has not seen the person in a reasonable amount of time. A reasonable amount of time may vary with the time of day and information available regarding the missing person's daily schedule, habits, punctuality, and reliability. Individuals will also be considered missing immediately, if their absence has occurred under circumstances that are suspicious or cause concerns for their safety. If the initial report that a person is missing is made to a department other than the Campus Safety department, the staff member receiving the report will ensure that the Campus Safety department is contacted immediately.

Detailed procedures for the implementation of these policies by the College through the Campus Safety Department are available for review upon request.

Not later than 24 hours after determining a student is missing, the Campus Safety department will notify the following college officials:

- Dean of Students
- Director of Residential Life
- Director of Campus Safety

Bias-Related Incidents (NY State Hate Crimes Act of 2000)

Union College informs incoming students about bias-related crime and prevention measures through programs that include workshops, seminars, discussion groups, and orientation sessions. The purpose of these programs is to disseminate information about bias-related crime, promote discussion, encourage reporting of incidents of such crime, and facilitate prevention.

Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, as amended by The Violence Against Women Reauthorization Act of 2013

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

Union College's commitment to diversity and inclusiveness is grounded in providing an environment that is free from all prohibited discrimination, harassment, misconduct (including sexual assault, stalking, and relationship violence), bias activity, and retaliation. Union's commitment is intended to prevent negative actions that are directed at a member or group of the Union community because of that individual's or group's actual or perceived age, color, creed, disability, ethnicity, gender, gender identity or expression, marital status, national origin, race, religion, sexual orientation, military status, genetic predisposition, domestic violence victim status, and any other factors prohibited by applicable law. Acts of prohibited discrimination, harassment, misconduct (including sexual assault, stalking, and relationship violence), and retaliation constitute violations of federal and state law.

The sexual misconduct policy prohibits all forms of sexual or gender-based discrimination, harassment, and misconduct, including sexual assault, non-consensual sexual contact, intimate partner violence, sexual exploitation, and stalking. This Policy also prohibits retaliation against a person who reports, complains about, or who otherwise participates in good faith in, any matter related to this Policy.

For a complete copy of Union College's policy governing sexual misconduct, visit <https://www.union.edu/offices/title-IX/sexual-misconduct-policy/>

A. Definitions

Affirmative Consent

Governor Andrew Cuomo introduced an amendment to NYS Education Law on July 7, 2015 to define 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. The definition of consent does not vary based upon a participant's sex, sexual orientation, gender identity, or gender expression."

Sexual Assault

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

Rape

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

Fondling

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

Incest

Is defined as non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Statutory Rape

Is defined as non-forcible sexual intercourse with a person who is under the statutory age of consent (in New York State, a person under the age of 17). Sexual contact with a person less than 17 years old is a crime even if the minor wanted to engage in the sexual act.

Domestic Violence

The term "domestic violence" means

1) 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.

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

NY Code - Article 6-A: DOMESTIC VIOLENCE PREVENTION ACT

[N.Y. Code Social Services § 459-a : NY Code - Section 459-A: Definitions](#)

As used in this article:

1. "Victim of domestic violence" means any person 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 an act which would constitute a violation of the penal law, including, but not limited to acts constituting disorderly conduct, harassment, menacing, reckless endangerment, kidnapping, assault, attempted assault, or attempted murder; and
 - (i) such act or acts have resulted in actual physical or emotional injury or have created a substantial risk of physical or emotional harm to such person or such person's child; and
 - (ii) such act or acts are or are alleged to have been committed by a family or household member.
2. "Family or household members" mean the following individuals:
 - (a) persons related by consanguinity or affinity;
 - (b) persons legally married to one another;
 - (c) persons formerly married to one another regardless of whether they still reside in the same household;
 - (d) persons who have a child in common regardless of whether such persons are married or have lived together at any time;
 - (e) unrelated persons who are continually or at regular intervals living in the same household or who have in the past continually or at regular intervals lived in the same household; or
 - (f) any other category of individuals deemed to be a victim of domestic violence as defined by the department in regulation.
3. "Parent" means a natural or adoptive parent or any individual lawfully charged with a minor child's care or custody.

Article 120 - NY Penal Law

S 120.00 Assault in the third degree.

A person is guilty of assault in the third degree when:

1. With intent to cause physical injury to another person, he causes such injury to such person or to a third person; or
2. He recklessly causes physical injury to another person; or
3. With criminal negligence, he causes physical injury to another person by means of a deadly weapon or a dangerous instrument.

S 120.05 Assault in the second degree.

A person is guilty of assault in the second degree when:

1. With intent to cause serious physical injury to another person, he causes such injury to such person or to a third person; or
2. With intent to cause physical injury to another person, he causes such injury to such person or to a third person by means of a deadly weapon or a dangerous instrument;

S 120.10 Assault in the first degree.

A person is guilty of assault in the first degree when:

1. With intent to cause serious physical injury to another person, he causes such injury to such person or to a third person by means of a deadly weapon or a dangerous instrument; or
2. With intent to disfigure another person seriously and permanently, or to destroy, amputate or disable permanently a member or organ of his body, he causes such injury to such person or to a third person; or
3. Under circumstances evincing a depraved indifference to human life, he recklessly engages in conduct which creates a grave risk of death to another person, and thereby causes serious physical injury to another person; or
4. In the course of and in furtherance of the commission or attempted commission of a felony or of immediate flight therefrom, he, or another participant if there be any, causes serious physical injury to a person other than one of the participants.

S 120.13 Menacing in the first degree.

A person is guilty of menacing in the first degree when he or she commits the crime of menacing in the second degree and has been previously convicted of the crime of menacing in the second degree or the crime of menacing a police officer or peace officer within the preceding ten years.

S 120.14 Menacing in the second degree.

A person is guilty of menacing in the second degree when:

1. He or she intentionally places or attempts to place another person in reasonable fear of physical injury, serious physical injury or death by displaying a deadly weapon, dangerous instrument or what appears to be a pistol, revolver, rifle, shotgun, machine gun or other firearm; or
2. He or she repeatedly follows a person or engages in a course of conduct or repeatedly commits acts over a period of time intentionally placing or attempting to place another person in reasonable fear of physical injury, serious physical injury or death; or
3. He or she commits the crime of menacing in the third degree in violation of that part of a duly served order of protection, or such order which the defendant has actual knowledge of because he or she was present in court when such order was issued, pursuant to article eight of the family court act, section [530.12](#) of the criminal

procedure law, or an order of protection issued by a court of competent jurisdiction in another state, territorial or tribal jurisdiction, which directed the respondent or defendant to stay away from the person or persons on whose behalf the order was issued.

S 120.15 Menacing in the third degree.

A person is guilty of menacing in the third degree when, by physical menace, he or she intentionally places or attempts to place another person in fear of death, imminent serious physical injury or physical injury.

S 120.20 Reckless endangerment in the second degree.

A person is guilty of reckless endangerment in the second degree when he recklessly engages in conduct which creates a substantial risk of serious physical injury to another person.

S 120.25 Reckless endangerment in the first degree.

A person is guilty of reckless endangerment in the first degree when, under circumstances evincing a depraved indifference to human life, he recklessly engages in conduct which creates a grave risk of death to another person.

Article 240 - NY Penal Law

S 240.25 Harassment in the first degree.

A person is guilty of harassment in the first degree when he or she intentionally and repeatedly harasses another person by following such person in or about a public place or places or by engaging in a course of conduct or by repeatedly committing acts which places such person in reasonable fear of physical injury. This section shall not apply to activities regulated by the national labor relations act, as amended, the railway labor act, as amended, or the federal employment labor management act, as amended.

S 240.20 Disorderly conduct.

A person is guilty of disorderly conduct when, with intent to cause public inconvenience, annoyance or alarm, or recklessly creating a risk thereof:

1. He engages in fighting or in violent, tumultuous or threatening behavior; or
2. He makes unreasonable noise; or
3. In a public place, he uses abusive or obscene language, or makes an obscene gesture; or
4. Without lawful authority, he disturbs any lawful assembly or meeting of persons; or
5. He obstructs vehicular or pedestrian traffic; or
6. He congregates with other persons in a public place and refuses to comply with a lawful order of the police to disperse; or
7. He creates a hazardous or physically offensive condition by any act which serves no legitimate purpose.

Dating Violence

The term “dating violence” means violence committed by a person

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

For the purposes of this definition-

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

New York State does not specifically define “dating violence.” However, under New York Law, intimate relationships are covered by the definition of domestic violence when the act constitutes a crime listed elsewhere in this document and is committed by a person in an “intimate relationship” with the victim.

Stalking:

The term “stalking” means

1) Engaging in a course of conduct directed at a specific person that would cause a reasonable person to—

fear for the person’s safety or the safety of others; or
Suffer substantial emotional distress.

2) 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.

Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

Reasonable persons means a reasonable person under similar circumstances and with similar identities to the victim.

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

New York Stalking Laws

Stalking in the fourth degree:

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; or

(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; or

(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.

(Effective October 21, 2014: For purposes of subdivision two (2), "following" includes the unauthorized tracking of such person's movements or location through the use of global positions system or other device.)

Stalking in the third degree:

When a person:

(1) commits the crime of stalking in the fourth degree against any person in three or more separate transactions, for which the actor has not been previously convicted; or

(2) commits the crime of stalking in the fourth degree against any person, and has previously been convicted, within the preceding ten years of a specified predicate crime and the victim of such specified predicate crime is the victim, or an immediate family member of the victim, of the present offense; or

(3) with an 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 or serious physical injury, the commission of a sex offense against, or the kidnapping, unlawful imprisonment or death of such person or a member of such person's immediate family; or

(4) commits the crime of stalking in the fourth degree and has previously been convicted within the preceding ten years of stalking in the fourth degree.

Stalking in the second degree:

When a person:

(1) commits the crime of stalking in the third degree and in the course of and furtherance of the commission of such offense:

- (a) displays, or possesses and threatens the use of, a firearm, pistol, revolver, rifle, sword, billy, blackjack, bludgeon, plastic knuckles, metal knuckles, chuka stick, sand bag, sandclub, slingshot, slungshot, shirken, "Kung Fu Star," dagger, dangerous knife, dirk, razor, stiletto, imitation pistol, dangerous instrument, deadly instrument or deadly weapons; or
- (b) displays what appears to be a pistol, revolver, rifle, shotgun, machine gun or other firearm; or
- (2) commits the crime of stalking in the third against any person, and has previously been convicted, within the preceding five years, of a specified predicate crime, and the victim of such specified predicate crime is the victim, or an immediate family member of the victim, of the present offense; or
- (3) commits the crime of stalking in the fourth degree and has previously been convicted of stalking in the third degree; or
- (4) being 21 years of age or older, repeatedly follows a person under the age of 14 or engages in a course of conduct or repeatedly commits acts over a period of time intentionally placing or attempting to place such person who is under the age of 14 in reasonable fear of physical injury, serious physical injury or death; or
- (5) commits the crime of stalking in the third degree, against ten or more persons, in ten or more separate transactions, for which the actor has not been previously convicted.

Stalking in the first degree:

When a person commits the crime of stalking in the third degree or stalking in the second degree and, in the course and furtherance thereof, he or she intentionally or recklessly causes physical injury to the victim of such crime.

http://www.opdv.ny.gov/professionals/criminal_justice/stalking.html

Union College Definitions

Consent, Force, Intimidation, Coercion, Incapacitation, Alcohol and other Drugs

Consent

Under New York law, affirmative consent means: 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 express.

- 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.
- Consent is required regardless of whether the person initiating the act is under the influence of drugs and/or alcohol.
- Consent may be initially given but withdrawn at any time.
- Consent cannot be given when a person is incapacitated, which occurs when an individual lacks the ability to knowingly choose to participate in sexual activity. Incapacitation may be caused by the lack of consciousness or being asleep, being involuntarily restrained, or if an individual otherwise cannot consent. Depending on the degree of intoxication, someone who is under the influence of alcohol, drugs, or other intoxicants may be incapacitated and therefore unable to consent.
- Consent cannot be 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.

Force

Is the use or threat of physical violence or intimidation to overcome an individual's freedom of will to choose whether or not to participate in sexual activity. For the use of force to be demonstrated, there is no requirement that a complainant resists the sexual advance or request. However, resistance by the complainant will be viewed as a clear demonstration of non-consent.

Intimidation

Is the use of implied threats to overcome an individual's freedom of will to choose whether or not to participate in sexual activity or provide consent. Consent obtained by intimidation is not valid.

Coercion

Is the improper use of pressure to compel another individual to initiate or continue sexual activity against his/her will. Coercion can include a wide range of behaviors, including intimidation, manipulation, threats and blackmail. A person's words or conduct are sufficient to

constitute coercion if they wrongfully impair another individual's freedom of will and ability to choose whether or not to engage in sexual activity. Examples of coercion include threatening to "out" someone based on sexual orientation, gender identity or gender expression and threatening to harm oneself if the other party does not engage in the sexual activity.

Incapacitation

Is a state where an individual cannot make an informed and rational decision to engage in sexual activity because he/she lacks conscious knowledge of the nature of the act (e.g., to understand the "who, what, when, where, why or how" of the sexual interaction) and/or is physically helpless. An individual is incapacitated, and therefore unable to give consent, if he/she is asleep, unconscious, or otherwise unaware that sexual activity is occurring.

Incapacitation may result from the use of alcohol and/or drugs. Consumption of alcohol or other drugs alone is insufficient to establish incapacitation. The impact of alcohol and other drugs varies from person to person, and evaluating incapacitation requires an assessment of how the consumption of alcohol and/or drugs impact an individual's:

- Decision-making ability;
- Awareness of consequences;
- Ability to make informed judgments; or
- Capacity to appreciate the nature and the quality of the act.

Evaluating incapacitation also requires an assessment of whether a respondent knew, or should have known, that the complainant was incapacitated.

Alcohol and Other Drugs

In general, sexual contact while under the influence of alcohol or other drugs poses a risk to all parties. Alcohol and other drugs impair a person's decision-making capacity, awareness of the consequences, and ability to make informed judgments. It is especially important, therefore, that anyone engaging in sexual activity be aware of the other person's level of intoxication. If there is any doubt as to the level or extent of the other individual's intoxication or impairment, the prudent course of action is to forgo or cease any sexual contact or activity.

Being intoxicated or impaired by alcohol or other drugs is never an excuse for sexual misconduct, relationship violence, sexual harassment, or stalking and does not diminish one's responsibility to obtain consent.

B. Education and Prevention Programs

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

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

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

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

The College has developed an annual educational campaign¹ consisting of presentations that include distribution of educational materials to new students; participating in and presenting information and materials during new employee orientation;

¹ Under the 2013 Reauthorization of the Violence Against Women Act, institutions must implement “primary prevention and awareness programs for all incoming students and new employees” AND “ongoing prevention and awareness campaigns for students and employees” that include a-f above under section B. While “campaign” is yet

The College offered the following primary prevention and awareness programs for all incoming students in 2016:

Name of Program	Date Held	Location Held	Which Prohibited Behavior Covered?
1st Year Orientation Gender Awareness	September 4, 2016	Memorial Chapel	SA, DV, Bystander, Stalking
Safer Union Starts with U	September 5, 2016	RCC Auditorium	SA, DV, Bystander, Stalking
No Offense	September 5, 2016	Memorial Chapel	SA, Bystander
Four Stages of Drinking	September 5, 2016	Memorial Chapel	Bystander
Safety Day	September 27, 2016	Library Plaza	SA, DV, Bystander, Stalking

DV means Domestic Violence & Dating Violence, SA means Sexual Assault and S means Stalking

The College offered the following ongoing awareness and prevention programs for students in 2016:

Name of Program	Date Held	Location Held	Complied with Section B a-e?	Which Prohibited Behavior Covered?
Safe Space Training	January 22, 2016	CPH	a,b,c,d,e,f	SA, DV, Bystander, Stalking
Not Just a Number	February 10, 2016	RCC	a,d,e	SA, DV, Bystander, Stalking
Sexual Assault in the Criminal Justice System	February 24, 2016	Old Chapel	a,b,c	SA
Sexual Assault Discussion	February 28, 2016	Rights House	a,c,d,e	SA, DV, Bystander, Stalking
Awareness Banquet	March 18, 2016	CPH	a,c,d,e	SA, DV, Bystander, Stalking

to be defined, examples of “primary prevention programs” as they relate to incoming students may be found here: <http://www.justice.gov/sites/default/files/ovw/legacy/2008/01/11/campus-minimum-standards-orientation.pdf>

Take Back the Night	March 27, 2016	Campus Grounds	a,c,d,e	SA, DV, Bystander Stalking DV, Bystander, Stalking
Dining and Discussion Sexual Assault	April 13, 2016	Minerva	a,c,e	SA, DV, Bystander, Stalking
Denim Day	April 27, 2016	Campus Proper	a,c,d,e	SA, DV, Bystander, Stalking
RESIST	May 2, 2016	CPH	a,c,d,e	DV, Bystander, Stalking

DV means Domestic Violence & Dating Violence, SA means Sexual Assault and S means Stalking

The College offered the following primary prevention and awareness programs for all incoming employees in 2016:

Name of Program	Date Held	Location Held	Which Prohibited Behavior Covered?
Ally Training	March 1, 2016	RCC	Bystander
New Employee Orientation	April 18, 2016	Library	a,c,d
New Employee Orientation	May 16, 2016	Library	a,c,d
Title IX	August 19, 2016	Webinar	SA, DV, Bystander, Stalking
New Employee Orientation	September 19, 2016	Library	a,c,d
LGBTQ Opening Reception	September 30, 2016	Nott Memorial	SA
New Employee Orientation	October 17, 2016	Library	a,c,d
RESIST	October 3, 2016	CPH	DV, Bystander, Stalking
Personal Safety & Awareness	October 17, 2016	CPH	Bystander, Stalking
New Employee Orientation	November 14, 2016	Library	a,c,d

DV means Domestic Violence & Dating Violence, SA means Sexual Assault and S means Stalking

The College offered the following ongoing awareness and prevention programs for employees in 2016:

Name of Program	Date Held	Location Held	Complied with Section B a-e?	Which Prohibited Behavior Covered?
Safe Space Training	January 22, 2016	CPH	a,b,c,d,e,f	SA, DV, Bystander, Stalking
Sexual Assault in the Criminal Justice System	February 24, 2016	Old Chapel	a,b,c	SA
Clery Training w SaVe & VAWA	February 22, 2016	CPH	a,b,c,d,e,f	SA, DV, Bystander, Stalking
Awareness Banquet	March 18, 2016	CPH	a,c,d,e	SA, DV, Bystander, Stalking
Denim Day	April 27, 2016	Campus Proper	a,c,d,e	SA, DV, Bystander, Stalking
RESIST	May 2, 2016	CPH	a,c,d,e	DV, Bystander, Stalking
Take Back the Night	May 2, 2016	Campus Grounds	a,c,d,e	SA, DV, Bystander, Stalking
Not Just a Number	May 5, 2016	Hale House	SA, DV, Bystander, Stalking	Not Just a Number
Take Back The Night	May 16, 2016	Library Plaza	SA, DV, Bystander, Stalking	Take Back The Night
Judicial Training	September 11, 2016	Karp Hall	SA, DV, Bystander, Stalking	Judicial Training
Judicial Training	September 18, 2016	Karp Hall	SA, DV, Bystander, Stalking	Judicial Training
RESIST	October 3, 2016	CPH	DV, Bystander, Stalking	RESIST
Personal Safety & Awareness	October 17, 2016	CPH	Bystander, Stalking	Personal Safety & Awareness

DV means Domestic Violence & Dating Violence, SA means Sexual Assault and S means Stalking

C. Procedures for Reporting a Complaint

The College has procedures in place that serve to be sensitive to those who report sexual assault, domestic violence, dating violence, and stalking, including informing individuals about their right to file criminal charges as well as the availability of counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance and other services on and/or off campus as well as additional remedies to prevent contact between a complainant² and an accused party, such as housing, academic, transportation and working accommodations, if reasonably available. The College will make such accommodations, if the victim requests them and if they are reasonably available, regardless of whether the victim chooses to report the crime to Campus Safety or local law enforcement. Employees and students should contact Melissa Kelley for questions or assistance and may contact Residence Life or Campus Safety for any inquiries.

After an incident of sexual assault and domestic violence, the victim should consider seeking medical attention as soon as possible at Ellis Hospital located on 1101 Nott St Schenectady, NY. In New York State evidence may be collected even if you chose not to make a report to law enforcement.³ It is important that a victim of sexual assault not bathe, douche, smoke, change clothing or clean the bed/linen/area where they were assaulted if the offense occurred within the past 96 hours, so that evidence may be preserved that may assist in proving that the alleged criminal offense occurred/or is occurring or may be helpful in obtaining a protection order.

In circumstances of sexual assault, if victims do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted disease. Victims of sexual assault, domestic violence, stalking, and dating violence are encouraged to also preserve evidence by saving text messages, instant messages, social networking pages, other communications, and keeping pictures, logs or other copies of documents, if they have any, that would be useful to College hearing boards / investigators or police.

Although the College strongly encourages all members of its community to report violations of this policy to law enforcement, it is the victim's choice whether or not to make such a report and victims have the right to decline involvement with the police. The College will assist any victim with notifying local police if they so desire. The Schenectady Police Department may also be reached directly by calling 518-630-0911, or in person at 531 Liberty Street, Schenectady, NY 12305. Additional information about the Schenectady Police department may be found online at: <http://www.schenectadypd.com/index.php>.

² This document will use "victim" and "complainant", and "accused party" and "respondent" interchangeably.

³ Under the Violence Against Women and Department of Justice Reauthorization Act of 2005, starting in 2009, states must certify that they do not "require a victim of sexual assault to participate in the criminal justice system or cooperate with law enforcement in order to be provided with a forensic medical exam, reimbursement for charges incurred on account of such an exam, or both."

If you have been the victim of domestic violence, dating violence, sexual assault, or stalking, you should report the incident promptly to the Title IX Coordinator⁴, Dr. Melissa Kelley, at 403E Reamer Campus Center, 807 Union Street, Schenectady NY 12308-3103, Phone: 518-388-6865, email kelleym2@union.edu by calling, writing or coming into the office to report in person.

Responsible Employee Reporting:

A Responsible Employee includes any employee who has the authority to take action to redress the harassment, has the duty to report to appropriate school officials sexual harassment or any other misconduct by students or employees; or a student could reasonably believe has the authority or responsibility to take action.

All responsible employees are required to report to the Title IX Coordinator all reports of domestic violence, dating violence, sexual assault or stalking. The information will be shared for statistical purposes with the Director of Campus Safety.

The Campus Safety Department will alert the Title IX Coordinator if a complainant does choose to report directly to the Campus Safety department. The College will provide the same resources, on campus / off campus or both, to include medical, health, to persons who have been victims of sexual assault, domestic violence, dating violence, or stalking, and will apply appropriate disciplinary procedures to those who violate this policy. The procedures set forth below are intended to afford a prompt response to charges of sexual assault, domestic or dating violence, and stalking, to maintain confidentiality and fairness consistent with applicable legal requirements, and to impose appropriate sanctions on violators of this policy.

Anonymous Reporting

Any individual may make an anonymous report concerning an act of sexual misconduct, relationship violence, sexual harassment, or stalking. An individual may report the incident without disclosing his/her name, identifying the respondent or requesting any action. Depending on the extent of information available about the incident or the individuals involved, however, the College's ability to respond to an anonymous report may be limited. The Anonymous Reporting Form can be found at:

https://cm.maxient.com/reportingform.php?UnionCollege&layout_id=9

The form must be submitted to Campus Safety or the Title IX Coordinator who will determine any appropriate steps, including individual or community remedies as appropriate, and in consultation with the Director of Campus Safety, compliance with all Clery Act obligations.

⁴ The Title IX Coordinator is regarded as a "Responsible Employee" under Title IX and also a "Campus Security Authority" under the Clery Act. Statistical information, less the victim's identifying information, will be provided to campus public safety or whomever at the institution compiles the annual crime statistics even if the victim chooses not to alert campus public safety personally.

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

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

Incident Being Reported:	Procedure Institution Will Follow:	Evidentiary Standard
Sexual Assault	<ol style="list-style-type: none"> 1. Depending on when reported (immediate vs delayed report), institution will provide complainant with access to medical care 2. Institution will assess immediate safety needs of complainant 3. Institution will assist complainant with contacting local police if complainant requests AND complainant provided with contact information for local police department 4. Institution will provide complainant with referrals to on and off campus mental health providers 5. Institution will assess need to implement interim or long-term protective measures, such as housing changes, change in class schedule, "No Contact" directive between both parties 6. Institution will provide a "No trespass" (PNG) directive to accused party if deemed appropriate 7. Institution will provide written instructions on how to apply for Protective Order 8. Institution will provide a copy of the Sexual Misconduct 	Preponderance of the evidence

	<p>Policy to complainant and inform the complainant regarding timeframes for inquiry, investigation and resolution</p> <p>9. Institution will inform the complainant of the outcome of the investigation, whether or not the accused will be administratively charged and what the outcome of the hearing is</p> <p>10. Institution will enforce the anti-retaliation policy and take immediate and separate action against parties that retaliate against a person for complaining of sex-based discrimination or for assisting in the investigation</p>	
Stalking	<ol style="list-style-type: none"> 1. Institution will assess immediate safety needs of complainant 2. Institution will assist complainant with contacting local police if complainant requests AND complainant provided with contact information for local police department 3. Institution will provide written instructions on how to apply for Protective Order 4. Institution will provide written information to complainant on how to preserve evidence 5. Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate 6. Institution will provide a "No trespass" (PNG) directive to accused party if deemed appropriate 	Preponderance of the evidence
Dating Violence	<ol style="list-style-type: none"> 1. Institution will assess immediate safety needs of complainant 2. Institution will assist complainant with contacting local police if complainant requests AND complainant 	Preponderance of the evidence.

	<p>provided with contact information for local police department</p> <p>3. Institution will provide written instructions on how to apply for Protective Order</p> <p>4. Institution will provide written information to complainant on how to preserve evidence</p> <p>5. Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate</p> <p>6. Institution will provide a “No trespass” (PNG) directive to accused party if deemed appropriate</p>	
Domestic Violence	<p>1. Institution will assess immediate safety needs of complainant</p> <p>2. Institution will assist complainant with contacting local police if complainant requests AND complainant provided with contact information for local police department</p> <p>3. Institution will provide written instructions on how to apply for Protective Order</p> <p>4. Institution will provide written information to complainant on how to preserve evidence</p> <p>5. Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate</p> <p>6. Institution will provide a “No trespass” (PNG) directive to accused party if deemed appropriate</p>	Preponderance of the evidence.

D. Assistance for Victims: Rights & Options

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

Right to Certain Kinds of Compensation and Assistance

The New York State Office of Victim Services may be able to reimburse you for your direct out-of-pocket expenses caused by the crime.

Right to be Notified of Judicial Proceedings

If you have provided a current address and telephone number to the appropriate official (such as the District Attorney) you have the right to be notified of the accused's:

- arrest;
- first appearance before a judge;
- release from jail while the criminal proceeding is pending;
- entry of a guilty plea;
- trial;
- sentencing;
- maximum and minimum terms of imprisonment if the defendant is sentenced to prison.

Rights During Judicial Proceedings

The victims of certain felony offenses shall be consulted by the DA in order to obtain the views of the victim regarding disposition of the criminal case by dismissal, plea of guilty or trial

Right to be Free from Intimidation:

Crime victims have the right to be protected from threats, physical injury, or other kinds of intimidation. The police, sheriff's department, or DA can offer advice regarding appropriate measures. If necessary, the court can issue an Order of Protection.

Right to Submit a Victim Impact Statement:

The "pre-sentence report" is prepared by the county probation department when the defendant has been convicted of a felony, or a misdemeanor when the sentence includes probation or more than ninety days imprisonment. A pre-sentence report may contain a "**victim impact statement**" in which your version of the offense and the extent of your injury, out-of-pocket and other economic losses are summarized for the court. The victim impact statement sets forth your views on the disposition of the criminal case, and the amount of restitution and reparation you seek.

Right to Restitution:

Restitution is compensation paid to a victim by the perpetrator of a criminal offense for the losses or injuries incurred as a result of the criminal offense.

General Rights:

- a. A victim of a crime, including a victim of identity theft, can get, without charge, a copy of the police report of the crime.

-Statutory reference: Executive Law Section 646.
- b. The victim has the right to the prompt return of property held for evidence unless there is a compelling reason for holding it.

..... Statutory reference: Executive Law Section 642(3).

Rights of Domestic Violence Victims

Victims of domestic violence who are “members of the same family or household” can go to either Criminal Court or Family Court to obtain an order of protection.

Rights of Rape/Sexual Assault Victims

If you are the victim of a sex offense, the law enforcement officer must inform you in writing, of the name, address and telephone number of the nearest rape crisis center. In addition, all police departments, DAs and presentment agencies (agencies that prosecute juvenile delinquents or persons in need of supervision) must provide a private setting for interviewing rape/sexual assault victims.

Additional information and a link to the NYS pamphlet may be found here:

<https://ovs.ny.gov/help-crime-victims>.

In order to facilitate domestic violence victims' access to protective and prosecutorial resources, New York family courts and criminal courts have concurrent jurisdiction over "family offenses" such as assault, sexual misconduct or abuse, stalking, menacing, and strangulation. As a result, victims of domestic violence may bring civil charges in family court, criminal charges in criminal court, or simultaneous actions in both courts. Victims may also apply for an order of protection from either court, including an order that the defendant stay away from the victim and the children involved. Although New York criminal law does not differentiate between domestic-violence related crimes and other offenses, it nonetheless criminalizes several violent acts which may occur between spouses, former spouses, parent and child, or members of the same household in an intimate relationship. An aggressor may be convicted of assault depending on the physical harm he or she intends to inflict as well as the actual harm suffered by the victim. One form of first-degree assault occurs when the aggressor intends to cause serious physical injury to another person and does injure the intended victim or a third person using a deadly weapon or dangerous instrument. Third-degree assault occurs when the aggressor (a) intends to cause physical injury to another person and injures either the intended victim or a third person; (b) recklessly causes injury to another person; or (c) with criminal negligence, causes physical injury to another person using a deadly weapon or dangerous instrument. New York also criminalizes stalking, which occurs when an aggressor intentionally and for no legitimate purpose engages in a course of conduct directed at the victim while knowing that his or her conduct is likely to cause or does cause material harm to the victim's mental or emotional health; a reasonable fear of material harm to the victim's physical health, safety or property or that of the victim's immediate family; or a reasonable fear that the victim's employment, business or career is threatened. Menacing is another prohibited crime. An aggressor engages in menacing when he or she intentionally places - or attempts to place - another person in reasonable fear of physical injury or death by displaying a deadly weapon or dangerous instrument; or repeatedly follows the victim, engages in a course of conduct, or commits acts over a period of time that are intended to place the victim in reasonable fear of

physical injury or death. The crimes of strangulation - described as the criminal obstruction of breathing or blood circulation resulting in the victim's physical or serious physical injury - and the lesser offense of criminal obstruction of breathing or blood circulation are also punishable by law. - See more at: <http://statelaws.findlaw.com/new-york-law/new-york-domestic-violence-laws.html>

Further, Union College complies with New York State law in recognizing orders of protection. Any person who obtains an order of protection should provide a copy to Campus Safety and the Office of the Title IX Coordinator. A complainant may then meet with Campus Safety to develop a Safety Action Plan, which is a plan for Campus Safety and the victim to reduce risk of harm while on campus or coming and going from campus. This plan may include, but is not limited to: escorts, special parking arrangements, providing a temporary cellphone, or changing classroom location. The College cannot apply for a legal order of protection, no contact order or restraining order for a victim from the applicable jurisdiction(s). The victim is required to apply directly for these services. Protection from abuse orders may be available through Schenectady City Court or Family Court with an originating arrest and a report to the Schenectady Police Department. The College may issue an institutional no contact order if deemed appropriate or at the request of the victim or accused. To the extent of the victim's cooperation and consent, College offices will work cooperatively to ensure that the complainant's health, physical safety, work and academic status are protected, pending the outcome of a formal College investigation of the complaint. For example, if reasonably available, a complainant may be offered changes to academic, living, or working situations in addition to counseling, health services, visa and immigration assistance and assistance in notifying appropriate local law enforcement. Additionally, personal identifiable information about the victim will be treated as confidential and only shared with persons with a specific need to know who are investigating/adjudicating the complaint or delivering resources or support services to the complainant (for example, publicly available record-keeping for purposes of Clery Act reporting and disclosures will be made without inclusion of identifying information about the victim. Further, the institution will maintain as confidential, any accommodations or protective measures provided to the victim to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.

The College does not publish the name of crime victims nor house identifiable information regarding victims in the Campus Safety Department's Daily Crime Log or online. Victims may request that directory information on file be removed from public sources by request to Christopher Hayden, Director of Campus Safety.

Resources for victims of Domestic Violence, Dating Violence, Sexual Assault & Stalking

On-Campus Resources

Counseling	Counseling Center (518) 388-6161
Health	Health Services (518) 388-6120
Mental Health	Counseling Center (518) 388-6161
Victim Advocacy	Sexual Assault Resource Hotline (518) 388-6600
Legal Assistance	None on campus
Visa and Immigration Assistance	Shelly Shinebarger Director of Student Support Services (518) 388-8003 Lara Atkins Director of International Programs (518) 388-6002

Off Campus Resources

Counseling	Sexual Assault and Crime Victims Services (518) 346-2266
Health	Ellis Hospital Emergency Room (518) 243-4121
Mental Health	Schenectady County Sexual Assault Support Services (518) 346-2266 Ellis Hospital Emergency Room (518) 243-4121
Victim Advocacy	Sexual Assault and Crime Victims Services (518) 346-2266 Rape Crisis Services (Planned Parenthood) of Schenectady County (518) 374-5353
Legal Assistance	District Attorney's Office (518) 388-4364
Visa and Immigration Assistance	Whiteman, Osterman & Hanna, LLP One Commerce Plaza Albany, NY 12260 Phone: (518) 487-7642 Fax: (518) 487-7777 Email: SLeech@woh.com Website: www.woh.com
Other	YWCA of Schenectady Domestic and Relationship Violence 24 Hour Crisis Hotline (518-) 374-3386

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

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

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

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

Confidential resources specific to faculty and staff include:

Employee Assistance Program (EAP)* (800) 828-6025

Additional resource contact information may be found at <https://www.union.edu/offices/title-IX/resources/>.

How to be an Active Bystander

Bystanders play a critical role in the prevention of sexual and relationship violence. They are “individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it.”⁵

We want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. We may not always know what to do even if we want to help. Below is a list⁶ of some ways to be an active bystander.

Further information regarding bystander intervention may be found. If you or someone else is in immediate danger, dial 911. This could be when a person is yelling at or being physically abusive towards another and it is not safe for you to interrupt.

Tips for intervening

In a situation potentially involving sexual assault, relationship violence, or stalking:

- Approach everyone as a friend
- Do not be antagonistic
- Avoid using violence
- Be honest and direct whenever possible
- Recruit help if necessary
- Keep yourself safe
- If things get out of hand or become too serious, contact the police

⁵ Burn, S.M. (2009). A situational model of sexual assault prevention through bystander intervention. *Sex Roles, 60*, 779-792.

⁶ Bystander intervention strategies adapted from Stanford College’s Office of Sexual Assault & Relationship Abuse.

The Bystander Intervention Playbook

These tips may be useful.

- **Defensive Split** Step in and separate two people. Let them know your concerns and reasons for intervening. Be a friend and let them know you are acting in their best interest. Make sure each person makes it home safely
- **Pick and Roll** Use a distraction to redirect the focus somewhere else: “Hey, I need to talk to you.” or “Hey, this party is lame. Let’s go somewhere else.”
- **The Option** Evaluate the situation and people involved to determine your best move. You could directly intervene yourself, or alert friends of each person to come in and help. If the person reacts badly, try a different approach.
- **Full Court Press** Recruit the help of friends of both people to step in as a group.
- **Fumblerooski** Divert the attention of one person away from the other person. Have someone standing by to redirect the other person’s focus (see Pick and Roll). Commit a party foul (i.e. spilling your drink) if you need to.

Risk Reduction

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

1. Be aware of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
2. Try to avoid isolated areas. It is more difficult to get help if no one is around.
3. Walk with purpose. Even if you don’t know where you are going, act like you do.
4. Trust your instincts. If a situation or location feels unsafe or uncomfortable, it probably isn’t the best place to be.
5. Try not to load yourself down with packages or bags as this can make you appear more vulnerable.
6. Make sure your cell phone is with you and charged and that you have cab money.
7. Don't allow yourself to be isolated with someone you don't trust or someone you don't know.
8. Avoid putting music headphones in both ears so that you can be more aware of your surroundings, especially if you are walking alone.
9. When you go to a social gathering, go with a group of friends. Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.
10. Trust your instincts. If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).

11. Don't leave your drink unattended while talking, dancing, using the restroom, or making a phone call. If you've left your drink alone, just get a new one.
12. Don't accept drinks from people you don't know or trust. If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don't drink from the punch bowls or other large, common open containers.
13. Watch out for your friends, and vice versa. If a friend seems out of it, is way too intoxicated for the amount of alcohol they've had, or is acting out of character, get him or her to a safe place immediately.
14. If you suspect you or a friend has been drugged, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.). Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).
15. If you need to get out of an uncomfortable or scary situation here are some things that you can try:
 - a) Remember that being in this situation is not your fault. You did not do anything wrong, it is the person who is making you uncomfortable that is to blame.
 - b) Be true to yourself. Don't feel obligated to do anything you don't want to do. "I don't want to" is always a good enough reason. Do what feels right to you and what you are comfortable with.
 - c) Have a code word with your friends or family so that if you don't feel comfortable you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come to get you or make up an excuse for you to leave.
 - d) Lie. If you don't want to hurt the person's feelings it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use are: needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.
16. Try to think of an escape route. How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby?
17. If you and/or the other person have been drinking, you can say that you would rather wait until you both have your full judgment before doing anything you may regret later.

E. Adjudication of Violations

This Policy applies to all Union community members, including students, faculty, administrators, staff, volunteers, vendors, contractors, visitors, and individuals regularly or temporarily employed, conducting business, studying, living, visiting, or having any official capacity with the College or on its property.

This policy applies to conduct that occurs on any part of Union's campus or property. It also applies when students, staff, or faculty travel off-campus as part of a College activity, team, organization, event, or College sponsored study abroad programs.

For students, Union College has the discretion to discipline behavior that occurs off campus, in the City, and/or during a time when the College is not in session.

For staff and faculty, Union College has the discretion to discipline behavior that occurs off campus. In making these determinations, the appropriate administrator or Title IX Team member considers whether the alleged action took place during a Union College sponsored event or activity or uses College property in a way to commit the alleged action.

Additionally, any action taking place off site, for example, but limited to an email or communication from a home computer or behavior that affects the employment relationship may be considered a violation of this policy.

A complainant is encouraged to report misconduct regardless of where the incident occurred or who committed it. Even if the College does not have jurisdiction over the respondent, the College will still take prompt action to provide for the safety and wellbeing of the complainant and the broader community.

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

The specific procedures for reporting, investigating, and resolving prohibited conduct are based upon the nature of the Respondent's relationship to the College (Student, Staff, Faculty member or Third Party). Each set of procedures referenced below is guided by the same principles of fairness and respect for Complainants and Respondents.

A Student, Staff, or Faculty member determined by the College to have committed an act of prohibited conduct is subject to disciplinary action, up to and including separation from the College.

Third Parties who commit prohibited conduct may have their relationships with the College terminated and/or their privileges of being on College premises withdrawn in accordance with the Rules of Public Order. Additionally, Union College will cooperate and participate with outside law enforcement as needed.

The Sexual Misconduct Policy provides that:

1. The complainant and the respondent student each have the opportunity to attend a hearing before a properly trained hearing board that protects the safety of complainant and promotes accountability;
2. The complainant and the respondent will have timely notice for meetings at which the complainant or respondent, or both, may be present;
3. The institution will allow for timely access to the complainant, the respondent and appropriate officials to any information that will be used after the fact-finding investigation but during formal and informal disciplinary meeting and hearings;
4. The institutional disciplinary procedures will not be conducted by officials who have a conflict of interest or bias for or against the complainant or the accused;
5. The institution provides the complainant and respondent the same opportunities to have others present during an institutional disciplinary proceeding. The complainant and the respondent student each have the opportunity to be advised by a personal advisor of their choice, at their expense, at any stage of the process and to be accompanied by that advisor at any meeting or proceeding. An advisor may only consult and advise his or her advisee, but not speak for the advisee at any meeting or hearing;
6. A student conduct decision is based on the preponderance of evidence standard, i.e. "more likely than not to have occurred" standard. In other words, the conduct process asks: "is it more likely than not that the respondent student violated the College's Student Conduct Code?" ;
7. The complainant and the respondent will be notified simultaneously in writing of the result of any disciplinary proceeding, as well as any changes to those result or disciplinary actions prior to the time that such results become final; and
8. The complainant and the respondent each have the right to appeal the outcome of the hearing by submitting an appeal to the Dean of Students office and will be notified simultaneously in writing, of any change to the result prior to the time that it becomes final and of the final result after the appeal is resolved.
9. A person alleging sexual assault, domestic violence, dating violence, or stalking may also utilize the complaint and investigatory procedures set forth in the College's policy against Sexual Harassment available online or printed copy may be obtained at the Dean of Students' office in order to remedy any hostile environment.
10. All conduct proceedings against students, however, will be resolved through the Conduct Code Board.

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

Confidentiality

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

Sanctions and Protective Measures

Sanctions

In all cases, investigations that result in a finding of more likely than not that a violation of the Sexual Assault Policy occurred will lead to the initiation of disciplinary procedures against the accused individual. These are later explained in detail.

- Educational Programs
- Expulsion
- Interim Restrictions
- Loss of Privileges
- Denial of specified privileges for a designated period of time.
- Physical Restrictions
- Probation
- Residence Reassignment
- Residence Termination
- Suspension
- Suspension with Academic Delay
- Withholding the Granting of a Degree or Revocation of a Degree

Protective Measures

The College may implement protective measures following the report of domestic violence, dating violence, sexual assault and/or stalking which may include some or all of the following actions: In cases involving allegations of sexual harassment, sexual assault, sexual misconduct, relationship violence, or sexual exploitation, the Dean of Students (or designee), regardless of whether the complainant wishes to pursue a formal or informal resolution or no resolution, after making a reasonable effort to meet with the parties involved, if appropriate to do so, may issue a “no contact” directive. A “no contact” directive 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. The Dean of Students (or designee) shall make the “no contact” directive available to the parties as soon as it is issued. In the event the Dean of Students (or designee) is notified of a violation of the terms of a “no contact” directive, the party in alleged violation of the “no contact” directive shall be provided an opportunity to review the matter with the Dean of Students (or designee). If the Dean of Students (or designee), based upon the information available, decides that the “no contact” directive has been violated, the Dean of Students (or designee) may suspend the

party temporary pending the resolution of the underlying complaint. The Dean of Students (or designee) may also take further protective action that he/she deems appropriate concerning the interaction of the parties pending the hearing, if any, including without limitation directing the Dean of Studies to alter the student's academic schedule and/or the Director of Campus Housing to alter the student's housing. For students, sexual assault, domestic violence, dating violence, and stalking are violations of the Student Conduct Code. Employees who violate this policy will be subject to discipline, up to and including termination of employment. Sexual assault, domestic violence, dating violence, and stalking are criminal acts which also may subject the perpetrator to criminal and civil penalties under federal and state law.

The Title IX Coordinator or their designee will determine whether interim interventions and protective measure should be implemented, and, if so, take steps to implement those protective measures as soon as possible. Examples of interim protective measures include, but are not limited to: a College order of no contact, residence hall relocation, adjustment of course schedules, a leave of absence, or reassignment to a different supervisor or position. These remedies may be applied to one, both, or multiple parties involved.⁷ Violations of the Title IX Coordinator's directives and/or protective measures will constitute related violations that may lead to additional disciplinary action. Protective measures imposed may be temporary pending the results of an investigation or may become permanent as determined by Union College. The College will, upon written request, disclose to the alleged victim of a crime of violence, or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by such institution against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as the result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph.

Sex Offender Registration

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

Campus Sex Crimes Prevention Act of 2000 (Jacob Wetterling Act)

For Information concerning registered sex offenders that may be enrolled in or employed by this institution, information may be accessed through:

⁷ Applicable law requires that, when taking such steps to separate the complainant and the accused, the College must minimize the burden on the complainant and thus should not, as a matter of course, remove the complainant from his or her job, classes or housing while allowing the accused to remain.

Sex Offender Registry Information Line 1-900-288-3838. Requirements – 18 years of age, \$.50 per call, up to 5 searches per call, you must provide the individual's name and one of the following identifiers: address, driver's license number, social security number, or birth date. Limited information on the Sex Offender Registry (level 3-most serious) may be accessed on the web at http://www.criminaljustice.ny.gov/SomsSUBDirectory/search_index.jsp. The Schenectady Police Department may also provide Sex Offender Registry Information – SPD contact is Detective Division 518-382-5245.

Sexual Health Programs and Policies

Rape (including date and acquaintance rape) and other sexual offenses are serious concerns of this community. Anyone committing such an act could face suspension or dismissal from the College if found guilty under the campus judicial structure. Such individuals also face penalties associated with a conviction for the criminal offense, should a criminal complaint be filed.

Recognizing its responsibility to uphold the tenets inherent in this policy, the College thus establishes the following procedures and guidelines designed to educate and inform students relative to:

- (1) the rights of the victim and the accused;
- (2) the definition of sexual misconduct and sexual harassment; and
- (3) procedures for filing and resolving related complaints.

A comprehensive sexual misconduct policy for Union College students and employees is published at <https://www.union.edu/offices/title-IX/sexual-misconduct-policy/>.

Violence and Intervention

Union College Sexual Assault/Misconduct Policy:

The Union College administration offers programs and services that promote a balance of physical, emotional, social, intellectual and spiritual health. It encourages students to respect the dignity and rights of others, while developing a strong sense of their personal self-esteem and development. This includes building healthy sexual relationships, developing communication skills and reducing interpersonal violence.

Filing a Complaint

The College recognizes that deciding whether or not to make a report, either to the College or law enforcement, and choosing how to proceed can be difficult decisions. Making a report means telling someone in authority what happened -- in person, by telephone, in writing or by email. At the time a report is made, a complainant does not have to decide whether or not to request any particular course of action, nor does a complainant need to know how to label what happened. Choosing to make a report, and deciding how to proceed after making the report, can be a process that unfolds over time. The College provides support that can assist each individual in making these important decisions, and to the extent legally possible will

respect an individual's autonomy in deciding how to proceed. In this process, the College will balance the individual's interest with its obligation to provide a safe and non-discriminatory environment for all members of the College community.

A student who wants to make a complaint alleging that he or she has been the victim of sexual misconduct may contact either the Dean of Students or his/her designee at 518-388-6116, the Title IX Coordinator at 518-388-6865, or Campus Safety at 518-388-6911. The individual who receives the complaint will review with the complainant the options available to address the incident.

The College offers both informal and formal resolution options. Generally, the College seeks to follow the complainant's wishes as to which procedure to pursue. However, there may be a situation in which, due to the nature of the allegations, informal resolution is inappropriate. This decision will be based on factors such as the egregiousness of the allegations (e.g., complaints alleging a sexual assault), whether the accused student is a repeat offender, or whether there is otherwise reason to believe that the safety or interests of the campus community demand adjudication. In those instances, the College will apply the formal procedure only.

Informal Resolution Procedures

Informal procedures are designed to assist the parties in reaching a mutually agreeable resolution. An individual wishing to employ informal procedures in the resolution of a complaint will meet with the Senior Associate Dean of Students and Title IX coordinator who will explain the process and options available to the student.

Resolution (not to be used for complaints of sexual misconduct)

Resolution sessions will be held only if the complainant and the accused both agree to a resolution and if the Dean of Students or designee determines that a resolution is appropriate under the circumstances. The Dean of Students or designee will act as mediator or will designate another person to act as mediator. The goal of resolution is to facilitate the parties' discussions with each other such that a mutually acceptable resolution can be reached. At any point in the process, or if no mutual resolution is reached, the complaining party may move the complaint to the formal adjudication process described above.

Contractual Agreement

In certain situations, a formal understanding is reached between the parties. This agreement is formalized in writing and is subject to approval by the Dean of Students or designee. The terms may include a pledge that the parties will have no further contact with each other, known as a "No Contact Agreement." Once a student has signed a contractual agreement, it may not be revoked, and the terms may not be appealed. A student's failure to adhere to any term of the

agreement may result in referral to the Dean of Students Office for an Administrative Review or Conduct Code hearing as described in Union College’s Conduct Code found within the Student Handbook. <https://www.union.edu/offices/dean/handbook/>

Formal Adjudication Procedure

Formal procedures are designed to determine the merits of the allegations through adjudication in accordance with the Student Conduct Code and, where appropriate, to determine a disciplinary consequence for the accused student. An up-to-date version of the Union College Conduct Code is available in the Student Handbook.

Formal Statement

Initial Title IX Assessment

Upon receipt of a report, the College, through the coordinated efforts of the Title IX Team. The Title IX Team may include the Senior Associate Dean of Students, the Director of Campus Safety, the Dean of Faculty or designee, and/or a representative from Human Resources. Collectively, the Title IX Coordinator and the individuals supporting the Coordinator are defined as the “Title IX Team.” The Title IX Team is a small circle of individuals who have a “need to know” of any alleged prohibited conduct to effectuate this Policy. The Title IX Team will conduct an initial Title IX assessment.

The first step of the assessment will usually be a preliminary meeting between the complainant and the Title IX Team. The purpose of the preliminary meeting is to gain a basic understanding of the nature and circumstances of the report; it is not intended to be a full forensic interview. At this meeting, the complainant will be provided with information about resources, procedural options and interim remedies.

- Assess the nature and circumstances of the allegation.
- Address immediate physical safety and emotional well-being needs.
- Notify the complainant of his/her right to contact law enforcement and seek medical treatment, including the importance of preservation of evidence.
- Enter the report into the College’s daily crime log.
- Provide the complainant with information about:
 - On- and off-campus resources including intervention, mental health counseling, and medical services, which shall include information on whether such resources are available at no cost or for a fee.

- Sexually transmitted infections, sexual assault forensic examinations, and resources available through the New York State Office of Victim Services (found at <https://ovs.ny.gov/>)
- The range of interim accommodations and remedies.
- An explanation of the procedural options, including Informal Resolution and Formal Resolution and the process for filing a Formal Complaint
- Assess for pattern evidence or other similar conduct by respondent.
- Discuss the complainant's expressed preference for manner of resolution and any barriers to proceeding.
- Explain the College's policy prohibiting retaliation.

This initial review will proceed to the point where a reasonable assessment of the safety of the individual and of the campus community can be made. Thereafter, an investigation may continue depending on a variety of factors, such as the complainant's wish to pursue disciplinary action (Formal Complaint), the complainant's request to maintain confidentiality, the risk posed to any individual or the campus community by not proceeding, and the nature of the allegation.

If the complainant elects to file a disciplinary or Formal Complaint, a complainant's Statement, in addition to other forms, is required to initiate the action.

At the conclusion of the Title IX assessment, the Title IX Team will determine the appropriate manner of resolution and, if appropriate, refer the report for further Investigation, Informal Resolution or Formal Resolution.

The determination as to how to proceed will be communicated to the complainant in writing. Depending on the circumstances and requested resolution, the respondent may or may not be notified of the report or resolution. A respondent will be notified when the College seeks action that would impact a respondent, such as protective measures that restrict his/her movement on campus, the initiation of an investigation or the decision to involve the respondent in Informal Resolution.

Investigation

Once the Fact Finding Investigation has been completed, the Investigator(s) will evaluate the information obtained during this process. The Investigator(s) will prepare a report summarizing and analyzing the relevant facts received through the Investigation, noting any supporting documentation or statements. The Investigation Report may include assessments regarding the credibility of witnesses and reliability of documentation. The Investigator(s) will present the Investigation Report to the Senior Associate Dean of Students/Director of Student Conduct and, if the case goes to a hearing, the Judicial Board. Under ordinary circumstances, the Investigation Report should be submitted to the Senior Associate Dean of Students/Director of Student Conduct within fifteen (15) days after the completion of the Fact Finding Investigation.

Hearing

The Senior Associate Dean of Students/Director of Student Conduct will send a copy of a written Notification Letter to both the complainant and the respondent. The Notification Letter provides each party with a brief summary of the conduct at issue and the specific provisions of the policy that are alleged to have been violated.

Pre-Hearing Meeting with Complainant and Respondent

Following the Notification Letter, the Senior Associate Dean of Students/Director of Student Conduct will contact the complainant and respondent to schedule separate meetings with each party. At this pre-hearing meeting, each party will receive an explanation of the hearing process, be provided a list of potential Judicial Board members, and have the opportunity to ask any questions.

The complainant and the respondent may submit a written request to the Senior Associate Dean of Students/Director of Student Conduct that a member of the hearing panel be removed. The request must clearly state the grounds to support a claim of bias, conflict of interest or an inability to be fair and impartial. This challenge must be raised within two (2) business days of pre-hearing meeting. All objections must be raised prior to the commencement of the hearing. Failure to object within two (2) business days of the Pre-Hearing Meeting or prior to the hearing will forfeit one's ability to appeal the outcome based on perceived or actual bias.

If the complainant and/or respondent have elected to have advisors throughout the hearing process, the advisor is encouraged to accompany the complainant/respondent to this initial meeting.

Notice of Hearing

Once each party has met with the Senior Associate Dean of Students/Director of Student Conduct, a Notice of Hearing is sent to the complainant and the respondent. In addition, the Notice provides the parties with the date, time, and place of the hearing, as well as the name(s) of the person(s) hearing the case.

In general, the hearing will be scheduled within ten (10) business days of the date of the Notice of Hearing. Under extenuating circumstances, this time frame may be extended.

Sanctions

A Judicial Board that finds a respondent responsible for a violation of this Policy may consider the impact statements of the complainant and respondent, if submitted, and recommend appropriate sanctions that may include, but are not limited to, those set forth below. Sanctions may be issued individually, or a combination of sanctions may be imposed. The complainant and respondent will each have one (1) business day from being notified of a finding of a violation to present a written statement about impact and/or requested sanctions. The Judicial

Board will review these statements only if the respondent has been found responsible for one or more violation.

New York State law requires that any student determined to have committed sexual assault may receive a sanction ranging from suspension to expulsion. A student returning from suspension will return on probation, with 8 points.

Any student who is determined to have committed non-consensual sexual contact or any other prohibited form of conduct may receive 2-9 points and a sanction ranging from conduct warning to expulsion.

The Senior Associate Dean of Students/Director of Student Conduct may deviate from the range of recommended sanctions, based upon a full consideration of the following factors:

- The respondent's prior discipline history;
- How the College has sanctioned similar incidents in the past;
- The nature and violence of the conduct at issue;
- The impact of the conduct on the complainant;
- The impact of the conduct on the community, its members, or its property;
- Whether the respondent has accepted responsibility for his/her actions;
- Whether the respondent is reasonably likely to engage in the conduct in the future;
- The need to deter similar conduct by others; and
- Any other mitigating or aggravating circumstances, including the College's values.

In appropriate cases, a Judicial Board may determine that the conduct was motivated by bias, insofar as a complainant was selected on the basis of his or her race, color, ethnicity, national origin, religion, age, disability or other protected class as defined in federal and/or state laws. Where the Judicial Board determines that student misconduct was motivated by bias, the panel may elect to recommend an increase in the sanction imposed as a result of this motivation.

The Judicial Board will make a recommendation about the appropriate sanction(s). The Senior Associate Dean of Students/Director of Student Conduct may affirm or modify the recommended sanction(s). The Senior Associate Dean of Students/Director of Student Conduct will review the Judicial Board's recommendations and take reasonable steps to foster consistency with similar violations and circumstances.

Upon a finding of proscribed conduct, points ranging from 0-10, accompanied by sanctions including but not limited to those listed below, may be imposed.

Sanctions (Student)

Educational Programs

Requirement that the respondent take part in a required educational program on or off campus. The Judicial Board may require respondent to participate in an online educational program that addresses particular issues.

Expulsion

Permanent separation from the College including loss of student status; reinstatement or readmission is not possible.

Interim Restrictions

Imposition on an interim basis of any sanction or sanctions listed in this section.

Loss of Privileges

Denial of specified privileges for a designated period of time. These may include loss or housing privileges or opportunity to participate in term abroad, or in sports.

Physical Restrictions

A directive given to the respondent that does not permit him/her/them to be in specified locations on College Premises.

Probation

The next violation is likely to result in Suspension or Expulsion.

Residence Reassignment

Relocation to another living space on campus.

Residence Termination

Removal from campus housing.

Suspension

Separation from the College community for a defined period of time, usually no fewer than two (2) Academic Terms. Additional stipulations or conditions for reinstatement may be assigned. Reinstatement is contingent upon a positive administrative review. A student under suspension is not allowed to transfer in credit for courses taken at other institutions during the defined period of time of the suspension.

Suspension with Academic Delay

The student will be suspended from the College, but the commencement of the suspension will be deferred and the student will be permitted to remain enrolled in classes until the end of the term. However, if the student fails to comply with any interim restriction which may be imposed during the deferral period (e.g., fails to comply with a “no contact” order), violates the

Student Conduct Code while in the deferral period and is found responsible, or fails to complete the assigned sanctions by the given deadline(s), the student will be immediately suspended. During the deferral period, the student is not considered to be in good standing with the College and may not represent the College on any athletic team other than intramurals, hold an office in any student organization registered with the College, represent the College in any extracurricular activity or official function, or participate in any study abroad program.

Withholding the Granting of a Degree or Revocation of a Degree

Action by the College to revoke a student's degree or to withhold it for a specified amount of time.

More than one of the sanctions listed above may be imposed for any single violation.

Sanctions (Faculty)

Educational Programs

Requirement that the respondent take part in a specified educational program on or off campus. The Faculty Hearing Board may recommend a sanction that requires respondent to participate in an online educational program that addresses particular issues.

Probation

The next violation is likely to result in Dismissal.

Physical Restrictions

A directive given to the respondent that does not permit him/her to be in specified locations on College Premises.

Suspension Without Pay

Dismissal

Dismissal from the College. If the sanction recommended is dismissal or termination of appointment, the President shall inform the Board of Trustees for final action based upon the recommendation of the President.

Sanctions (Staff)

Discipline

Individuals who commit such acts may be removed from the premises and may be subject to disciplinary action such as:

Educational Programs

Requirement that the respondent take part in a required educational program on or off campus. The Title IX Team may require respondent to participate in an online educational program that addresses particular issues.

Suspension/Separation

Permanent or temporary separation from the College.

Interim Restrictions

Imposition on an interim basis of any restrictions.

Loss of Privileges

Denial of specified privileges for a designated period of time.

Physical Restrictions

A directive given to the respondent that does not permit him/her/them to be in specified locations on College Premises.

Termination

Is normally undertaken when an employee is not performing satisfactorily his/her assigned duties or is exhibiting unacceptable behavior, has been warned about his/her performance or behavior, and has been provided an opportunity to improve. Termination may be immediate for more serious or extreme situations.

OR criminal penalties, or both.

Appeal Process

Students

Both the Complainant and Respondent are entitled to appeal a Panel's decision issued through the Sexual Misconduct Adjudication Process. The Complainant and Respondent are both entitled to only one appeal. The person filing the appeal is called the appellant. An appeal must be filed, in writing, and provided to the Title IX Coordinator using the Notice of Appeal form within seven (7) days of the notice of decision. The Notice of Appeal form can be obtained by emailing: kelleym2@union.edu or it may be accessed from <http://www.union.edu/titleix>.

The Notice of Appeal should be submitted to:

Melissa Kelley
Title IX Coordinator
Reamer 403E
KelleyM2@union.edu

The point of an appeal is not to provide Complainant and/or Respondent with a new adjudication process nor is it intended to provide Complainant and/or Respondent with the opportunity to simply declare that the Panel's decision was wrong. The Complainant and Respondent may appeal the decision of the Panel based only upon the grounds outlined below with respect to the each of the violation(s) found to have occurred. Appeals are heard by an Appeals Panel, overseen and appointed by the Title IX Coordinator, and is comprised of three (3) impartial, trained persons: a senior administrator appointed by the President or his/her designee, who acts as the chair of the Panel, and two trained panel members, who are part of the Adjudication Panel pool of members and were not part of the original decision making process. The imposition of sanctions remain in effect during the period of the appeal proceedings. The opposing party will be notified that an appeal has been filed and will receive a copy of the Notice of Appeal. The opposing party has two (2) days to respond to the appeal in writing. This response should be submitted to the Title IX Coordinator and will be reviewed by the appellate panel. In some situations, both the Complainant and the Respondent may file an appeal. In this situation, the appellate panel will consider and review both appeals together. In considering the appeal, the appellate panel will be given the Notice of Appeal form, any and all documents provided at the Pre-Decision Conferences, including but not limited to the statements from the Complainant and Respondent, the investigative report, the supplemental investigative report (if any), and any other documentation provided to the Panel at the time they made their decision. The appellate panel will receive the Adjudication Panel's outcome letter as well as the Senior Associate Dean of Student's letter outlining the sanction and rationale. Additionally, the appellate panel will receive any response received from the opposing party by the Title IX Coordinator within the allotted two (2) day timeframe. The appellate panel may consult with the Panel Chair regarding questions of process and with the Senior Associate Dean of Students/Director of Student Conduct regarding questions of appropriateness of the sanction(s).

Appeals shall be submitted based on the student's ability to demonstrate that one or more of the grounds listed below for appeal are meritorious:

- **Procedural Error:** The Appellant alleges that there was a deviation or change from the procedures outlined in the Sexual Misconduct Adjudication Process and that deviation had an adverse impact on the outcome of the complaint against the appellant. If the appellate panel determines that there was a procedural error which would have altered the outcome of the case, the appeal will be submitted to the original decision making panel for a determination regarding the impact of the procedural error on the outcome of the complaint.

- **New Information:** The Appellant alleges that, subsequent to the issuing of the Panel's decision, new information became available which would have impacted the outcome of the disciplinary complaint. The Appellant must: (i) present the new information; (ii) show why it was unavailable prior to the Panel's decision; and (iii) show that the new information would have altered the outcome of the complaint. If the appellate panel determines that there is new information that meets these three (3) requirements, the appeal will be submitted to the original Panel for review in light of new information. At the original Panel's discretion, additional investigation of the new information can be requested.
- **Severity of The Disciplinary Action:** The Appellant alleges that the disciplinary action issued by the Senior Associate Dean of Students/Director of Student Conduct is unduly harsh or lenient. If the Appeals Panel determines that that disciplinary action was unduly harsh or lenient, it will remand the matter to the Senior Associate Dean of Students/Director of Student Conduct for reconsideration. The decision of the Senior Associate Dean of Students/Director of Student Conduct after reconsideration is final.

The foregoing are the only grounds for appeal.

The appeals process will usually be completed within fifteen (15) days of filing the Notice of Appeal. In the event that the appeals process exceeds the fifteen (15) day time frame, the Title IX Coordinator will advise all parties in writing of the delay and offer an explanation.

A written decision will be rendered by the Chief of Staff or designee and will be provided to each party by either being mailed to the parties at their local addresses (or another address if a student has no local address) or emailed to the parties at the email addresses that the College has provided the students (or another email address a student has provided the College). The outcome of the appeal is final.

Staff

Both the complainant and respondent are entitled to appeal the decision issued through the Sexual Misconduct Adjudication Process. The complainant and respondent are both entitled to only one appeal. The person filing the appeal is called the appellant. An appeal must be filed, in writing, and provided to the Title IX Coordinator using the Notice of Appeal form within seven (7) days of the notice of decision. The Notice of Appeal form can be obtained by emailing: kelleym2@union.edu or it may be accessed from <http://www.union.edu/titleix>.

The Notice of Appeal should be submitted to:

Dr. Melissa Kelley
Title IX Coordinator
Reamer 403E
kelleym2@union.edu

The point of an appeal is not to provide complainant and/or respondent with a new adjudication process nor is it intended to provide complainant and/or respondent with the opportunity to simply declare that the decision was wrong. The complainant and respondent may appeal the decision based only upon the grounds outlined below with respect to the each of the violation(s) found to have occurred.

Appeals are considered by the appropriate Vice President or Senior Staff Member in consultation with the Title IX Coordinator. The imposition of sanctions remain in effect during the period of the appeal proceedings. The opposing party will be notified that an appeal has been filed and will receive a copy of the Notice of Appeal. The opposing party has two (2) days to respond to the appeal in writing. This response should be submitted to the Title IX Coordinator and will be reviewed by the appellate officer. In some situations, both the complainant and the respondent may file an appeal. In this situation, the appellate officer will consider and review both appeals together.

In considering the appeal, the appellate officer will be given the Notice of Appeal form, any and all documents including but not limited to the statements from the complainant and respondent, the investigative report, and any other documentation provided to the Title IX Team at the time they made their decision. The appellate officer will receive the outcome letter as well as the sanction and rationale. Additionally, the appellate officer will receive any response received from the opposing party by the Title IX Coordinator within the allotted two (2) day timeframe. The appellate officer may consult with the Title IX Team.

Appeals shall be submitted based on the one's ability to demonstrate that one or more of the grounds listed below for appeal are meritorious:

- **Procedural Error:** The Appellant alleges that there was a deviation or change from the procedures outlined in the Sexual Misconduct Adjudication Process and that deviation had an adverse impact on the outcome of the complaint against the appellant. If the appellate officer determines that there was a procedural error which would have altered the outcome of the case, the appeal will be submitted to the original decision making body for a determination regarding the impact of the procedural error on the outcome of the complaint.
- **New Information:** The Appellant alleges that, subsequent to the issuing of the decision, new information became available which would have impacted the outcome of the disciplinary complaint. The Appellant must: (i) present the new information; (ii) show why it was unavailable prior to the decision; and (iii) show that the new information would have altered the outcome of the complaint. If the appellate officer determines that there is new information that meets these three (3) requirements, the appeal will be submitted to the original administrative team for review in light of new information. An additional investigation of the new information can be requested.
- **Severity of The Disciplinary Action:** The Appellant alleges that the disciplinary action issued by Human Resources is unduly harsh or lenient. If the appellate officer determines that that disciplinary action was unduly harsh or lenient, it will remand the

matter to the appropriate administrator for reconsideration. The decision of the Vice President of Human Resources after reconsideration is final.

The foregoing are the only grounds for appeal.

The appeals process will usually be completed within fifteen (15) days of filing the Notice of Appeal. In the event that the appeals process exceeds the fifteen (15) day time frame, the Title IX Coordinator will advise all parties in writing of the delay and offer an explanation.

A written decision will be rendered by the appropriate Vice President or designee and will be provided to each party. The outcome of the appeal is final.

Faculty

The point of an appeal is not to provide complainant and/or respondent with a new hearing nor is it intended to provide complainant and/or respondent with the opportunity to simply declare that the President's decision was wrong. The complainant and respondent may appeal the decision of the President based only upon the grounds outlined below with respect to the each of the violation(s) found to have occurred. The party filing the appeal is the Appellant.

Appeals of hearing decisions must be submitted to the Executive Committee of the Board of Trustees ("Appeals Panel") in writing within ten (10) days of written notification of the President's decision. The imposition of sanctions remain in effect during the period of the appeal proceedings.

The opposing party will be notified that an appeal been filed and receive a copy of the appeal. The opposing party may submit a written response to the appeal within two (2) days of receiving the notice of the appeal. In some situations, both the complainant and the respondent may file an appeal. In this situation, the Appeals Panel will consider and review both appeals together.

The Appeals Panel may review all materials presented at the hearing, the recording or transcript of the hearing, the Faculty Hearing Board's determination of responsibility and (if applicable) recommended sanction(s), and the President's decision; and may consult with the Chair of the Faculty Hearing Board on questions of judicial procedure and with the President on questions of appropriateness of the sanction(s). The Appeals Panel standard of review will be based upon "substantial evidence" defined as follows: was there sufficient evidence to support the finding / action below.

Appeals shall be submitted based on the party's ability to demonstrate that one or more of the grounds listed below for appeal are meritorious:

- Procedural Error: The Appellant alleges that there was a deviation or change from the procedures outlined in the Sexual Misconduct Policy which adversely impacted the

outcome of the matter. If the Appeals Panel determines that there was a procedural error which likely altered the outcome of the case, the matter will be remanded to the Faculty Hearing Board for a determination regarding the impact of the procedural error on the outcome of the complaint. The Faculty Hearing Board's determination on whether there was an impact on the outcome of the complaint will be conveyed to the President who will make a final decision. The President will notify complainant and respondent in writing of the final decision, with a copy to the Appeals Panel, Faculty Hearing Board, Vice President for Academic Affairs, and Title IX Coordinator. All records will be forwarded to the Vice President for Academic Affairs with a copy to the Title IX Coordinator.

- **New Evidence:** The Appellant alleges that, subsequent to the issuing of the Faculty Hearing Board's decision, new evidence became available which would have impacted the outcome of the disciplinary complaint. The Appellant must: (i) present the new evidence; (ii) show why it was unavailable prior to the Faculty Hearing Board's decision; and (iii) show that the new evidence would have altered the outcome of the complaint. If the Appeals Panel determines that there is evidence that warrants a new hearing, it will remand the matter to the Faculty Hearing Board.
- **Severity of The Disciplinary Action:** The Appellant alleges that the disciplinary action issued by the President is unduly harsh or lenient. If the Appeals Panel determines that that disciplinary action was unduly harsh or lenient, it will remand the matter to the President for reconsideration. The decision of the President after reconsideration is final. The President will notify complainant and respondent in writing of the final decision, with a copy to the Appeals Panel, Faculty Hearing Board, Vice President for Academic Affairs, and Title IX Coordinator. All records will be forwarded to the Vice President for Academic Affairs with a copy to the Title IX Coordinator.

The foregoing are the only grounds for appeal.

The written appeal must specifically state the grounds under which the appeal has been filed. The appeal must set forth the information and evidence to support the appeal.

A written appeal decision will be rendered by the Chair of the Board of Trustees and provided to each party by either being mailed to the parties at their local addresses (or another address if a student has no local address) or emailed to the parties at the email addresses that the College has provided the students (or another email address a student has provided the College), ordinarily within thirty (30) days of receipt of the appeal. A copy of the appeal decision will be conveyed to the President, Faculty Hearing Board, Vice President for Academic Affairs, and Title IX Coordinator.

The outcome of the appeal is final. All records will be forwarded to the Vice President for Academic Affairs with a copy to the Title IX Coordinator.

Concerns about the Implementation of this Policy

The College has appointed a Title IX Coordinator to oversee all aspects of the College's Title IX compliance efforts. An individual who believes that any aspect of this policy has not been properly followed should contact the Title IX Coordinator at 518-388-6865 or pursue a complaint by contacting the Title IX Coordinator in accordance with the College's Discrimination Grievance Procedures contained in the Student Handbook. Retaliation against any person who files a complaint of alleged discrimination is prohibited.

Resources

Union's Sexual Assault Support Number: (518) 388-6600

Union College Student Handbook at <http://www.union.edu/offices/dean/handbook/>

Sexual Assault Support Services confidential hotline (518) 346-2266

Rape Crisis Services (Planned Parenthood) of Schenectady County (518) 374-5353

(confidentiality does not apply in cases of incest or when suicidal or homicidal tendencies are expressed)

Employee Assistance Program (EAP)* (for faculty and staff) (800) 828-6025

For Homophobic Harassment:

LGBTQ Ally program at <http://www.union.edu/offices/residential-life/lgbtq/>

Pride Center of the Capital Region at <http://www.capitalpridecenter.org/>

LGBTQ hotline: 1-800-784-2433 or 1-800-273-8255 (24 hours a day)

Additional Resources may be found at <https://www.union.edu/offices/title-IX/resources/>

Campus Sexual Assault Victim Bill of Rights

Complainant

If you file a report of sexual misconduct, relationship violence, sexual harassment, or stalking (the complainant), you have the right to:

- Make a report to a College official with knowledge about the College Sexual Misconduct Policy, reporting options, and resources.
- Obtain assistance from College officials to make a report to local law enforcement and/or state police.
- Information about on and off campus resources including intervention, mental health counseling, and medical services, which shall include information on whether such resources are available at no cost or for a fee.
- Information about sexually transmitted infections, sexual assault forensic examinations, and resources available through the New York State Office of Victim Services (found at <https://ovs.ny.gov>)

- Information about the range of interim accommodations and remedies.
- Have disclosures of sexual misconduct, relationship violence, sexual harassment, or stalking treated seriously.
- 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 by the College.
- Participate in a process that is fair, impartial, and provides adequate notice and a meaningful opportunity to be heard.
- Be treated with dignity and to receive from the College courteous, fair, and respectful health care and counseling services, where available.
- Be free from any suggestion that you are at fault when these crimes and violations are committed, or should have acted in a different manner to avoid such crimes or violations.
- Describe the incident to as few College representatives as practicable and not be required to unnecessarily repeat a description of the incident.
- Be protected from retaliation by the College, any student, the respondent, and/or his/her friends, family, and acquaintances within the jurisdiction of the College.
- Access to at least one level of appeal of a determination.

Respondent

As a student accused of sexual misconduct, relationship violence, sexual harassment, or stalking (the respondent), you are entitled to:

- Be treated with dignity and respect by College officials.
- Be afforded the right to a presumption of not responsible until a finding of responsibility is made in accordance with the procedures defined in this policy.
- Receive from the College campus support resources (Counseling Services, the Office of Religious and Spiritual Life, and Health Services).

Both Parties

The complainant and respondent have the following rights:

- To be able to exercise their civil rights and practice religion without interference by the investigative, criminal justice, or judicial or conduct process of the College.
- To request a campus “no contact order” against the other
- To have an advisor of their choice (including legal counsel who they have retained) to assist in, and/or offer advice on, reporting and filing a complaint (if the complainant) and responding to a complaint (if the respondent); and to be present throughout the investigative process (while meeting with investigators), during informal resolution discussions with the Dean of Students or designee, and/or throughout critical stages of the Formal Complaint Resolution process, as requested.
- To have the rights set forth under the Formal Resolution Procedures.

Voluntary & Confidential Reporting

Occasionally, victims of crime wish to report a crime but do not want to give their name and/or do not want to pursue action through the criminal justice or college judicial systems. If a victim of a crime does not want to pursue action within the college conduct system or the criminal justice system, they may still want to consider making an anonymous report. A report on the details of the incident without revealing identity can be filed. The purpose of an anonymous report is to comply with the wish to keep the matter anonymous, while taking steps to ensure the future safety of the community.

As allowed by the Clery Act, pastoral and professional counselors may receive confidential reports and are not required to report those crimes to Campus Safety for inclusion into the annual disclosure of crime statistics or for the purpose of a timely warning. These positions are defined as follows:

Pastoral Counselor - a person who is associated with a religious order or denomination, is recognized by that religious order or denomination as someone who provides confidential counseling, and is functioning within the scope of that recognition as a pastoral counselor.

Professional Counselor - a person whose official responsibilities include providing mental health counseling to members of the institution's community and who is functioning within the scope of his or her license or certification.

Pastoral counselors and professional counselors, if and when they deem it appropriate, are encouraged to inform the persons they are counseling of the procedures to a report crime to the Union College Campus Safety Department for inclusion in the annual disclosure of crime statistics.

Policies for Possession, Use & Sale of Alcoholic Beverages

New York State law states that no person under the age of 21 years may possess or consume alcoholic beverages. While Union College complies with New York State Alcohol Beverage Control laws, campus policy goes beyond mere compliance by defining acceptable behavior with regard to alcohol and by placing emphasis on individual responsibility and educational awareness. Violations of the College's alcohol policy are considered and are subject to appropriate campus disciplinary action. Key points of the College alcohol policy are given below:

1. No person under the age of 21 shall possess or consume any alcoholic beverage on campus.
2. At all events where alcoholic beverages are served, non-alcoholic beverages shall also be made available throughout the event.

3. All mass-consumption containers (kegs, beer balls, containers of punch, etc.) are permitted only at sponsored all-College events and only in those College facilities where such containers are not banned.

Drug Policies

In compliance with the Drug-Free Schools and Communities Act, Union College prohibits the unlawful possession, use, or distribution of illicit drugs and alcohol on the campus or as part of any of its sponsored activities. The law requires mandatory compliance with these standards of conduct. Therefore, this statement serves notice that disciplinary sanctions (consistent with local, state, and federal law), up to and including suspension/dismissal, termination of employment, prosecution, and/or referral to an appropriate rehabilitation or treatment program, will be imposed on those who violate the College's drug and alcohol policies. (Source: The Union College Student Handbook.)

Drug and Alcohol Awareness and Education

Union College provides educational programs and activities, which are designed to provide information about the effects of alcohol and illicit drug use on the individual and on the life of the community. Educational programming begins with New Student Orientation and is further promoted by joint programming sponsored by the Office of the Dean of Students and various student organizations as well as the Office of Residence Life. Students found in violation of the Alcohol and Drug Policy are required to attend an Alcohol and Substance Abuse awareness Program.

Preparing the Campus Safety and Security Report

Campus Safety compiles the annual statistics for crimes that are included in this report. The information included is acquired from various sources, including Campus Safety, local police agencies, and all officials of the College who have significant responsibility for student and campus activities. These officials include residential-life staff, student affairs staff, faculty advisors, and athletic team coaches.

In addition, Union accepts confidential reporting of crimes and encourages mental-health and pastoral counselors to report statistics regarding these violations of law. These statistics contain crimes for the calendar year in which they are reported.

The following statistics represent all official reports of these crimes on the Union campus and are reported in compliance with the "Clery Act." They conform to the FBI Uniform Crime Reporting System. (Crime and sex offense definitions are listed below.)

Crime Definitions from the Uniform Crime Reporting Handbook

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 means likely to produce death or great bodily harm. (It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could and probably would result in serious personal injury if the crime was successfully completed.)

Arson

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

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 felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.

Criminal Homicide - Manslaughter by Negligence

The killing of another person through gross negligence.

Criminal Homicide - Murder and Non-negligent Manslaughter

The willful (non-negligent) killing of one human being by another.

Motor Vehicle Theft

The theft or attempted theft of a motor vehicle.

Robbery

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

Sex Offense Definitions from the National Incident-Based Reporting System Edition of the Uniform Crime Reporting Program.

Sex Offenses

Rape

The carnal knowledge of a person, forcibly and/or against that person's will, or not forcibly or against the person's will, where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity (or because of his/her youth).

Sodomy

Oral or anal sexual intercourse with another person, forcibly and/or against that person's will, or not forcibly against the person's will, where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

Sexual Assault with an Object

The use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person's will, or not forcibly or against the person's will, where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

Fondling

The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will, or not forcibly or against the person's will, where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

Sex Offenses - Non-forcible

Incest

Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Statutory Rape

Non-forcible sexual intercourse with a person who is under the statutory age of consent.

Hate Crimes

Any of the aforementioned offenses and larceny-theft, simple assault, intimidation, and destruction, damage, or vandalism of property, and of other crimes involving bodily injury that manifests evidence that the victim was intentionally selected because of the actual or perceived race, gender, religion, sexual orientation, ethnicity or disability of the victim that are reported to campus security authorities or local police agencies.

Weapon Law Violations

The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; and all attempts to commit any of the aforementioned.

Drug Abuse Violations

Violations of state and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine).

Liquor Law Violations

The violation of laws or ordinances prohibiting: the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to a minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; and all attempts to commit any of the aforementioned. (Drunkenness and driving under the influence are not included in this definition.)

Location Definitions from the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act:

On-Campus:

(1) Any building or property which is owned or controlled by an institution within the same reasonably contiguous geographic area and is used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and (2) Any building or property that is within or reasonably contiguous to the area identified in paragraph (1), that is owned by the institution, but controlled by another person, is frequently used by students and supports institutional purposes (examples include food or retail vendor).

Non-Campus Building Or Property:

(1) Any building or property owned or controlled by a student organization that is officially recognized by the institution; or (2) Any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

Public Property:

All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus or immediately adjacent to and accessible from the campus.

Residential Facilities:

Dormitory and apartment residences at Union College. These are a subset of the on-campus properties and the numbers in this location are also listed in the on-campus location.

The crime statistics reflect those offenses mandated by the “Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act” that have been compiled by the Union College Campus Safety Department and reporting authorities on campus.

Statistics for 2014, 2015, 2016

Offense (Reported By Hierarchy)	Year	On Campus	Non-Campus	Public Property	Total	Residential Facilities*	Unfounded Crimes
Murder/Non Negligent Manslaughter	2014	0	0	0	0	0	0
	2015	0	0	0	0	0	0
	2016	0	0	0	0	0	0
Manslaughter by Negligence	2014	0	0	0	0	0	0
	2015	0	0	0	0	0	0
	2016	0	0	0	0	0	0
Rape	2014	3	0	0	3	3	0
	2015	1	0	0	1	1	0
	2016	4	0	0	4	4	0
Fondling	2014	2	0	0	2	2	0
	2015	0	0	0	0	0	0
	2016	1	0	0	1	1	0
Incest	2014	0	0	0	0	0	0
	2015	0	0	0	0	0	0
	2016	0	0	0	0	0	0
Statutory Rape	2014	0	0	0	0	0	0
	2015	0	0	0	0	0	0
	2016	0	0	0	0	0	0
Robbery	2014	0	0	2	2	0	1
	2015	1	0	0	1	0	0
	2016	2	0	0	2	0	0
Aggravated Assault	2014	2	0	1	3	0	0
	2015	0	0	0	0	0	0
	2016	2	0	1	3	0	0
Burglary	2014	4	0	0	4	3	0
	2015	1	0	0	1	0	0
	2016	1	0	0	1	1	0
Motor Vehicle Theft	2014	1	0	0	1	0	0
	2015	0	0	0	0	0	0
	2016	1	0	0	1	0	0
Liquor Law Arrests	2014	0	0	0	0	0	0
	2015	0	0	0	0	0	0
	2016	0	0	0	0	0	0
Drug Law Arrests	2014	0	0	0	0	0	0
	2015	0	0	0	0	0	0
	2016	0	0	0	0	0	0
Weapons Law Arrests	2014	0	0	0	0	0	0
	2015	1	0	0	1	0	0
	2016	0	0	0	0	0	0
Liquor Law Violations Referred for Disciplinary Action	2014	208	0	10	218	204	0
	2015	493	0	0	493	482	0
	2016	418	0	0	418	405	0
Drug Law Violations Referred for Disciplinary Action	2014	28	0	0	28	7	0
	2015	123	0	0	123	107	0
	2016	70	0	0	70	64	0
Weapons Law Violations Referred for Disciplinary Action	2014	0	0	0	0	0	0
	2015	0	0	0	0	0	0
	2016	0	0	0	0	0	0

Offense (Crimes Not Reported By Hierarchy)	Year	On Campus	Non-Campus	Public Property	Total	Residential Facilities*	Unfounded Crimes
Arson	2014	0	0	0	0	0	0
	2015	2	0	0	2	2	0
	2016	1	0	0	1	1	0
Domestic Violence	2014	0	0	0	0	0	0
	2015	1	0	0	1	0	0
	2016	0	0	0	0	0	0
Dating Violence	2014	2	0	0	2	2	0
	2015	0	0	0	0	0	0
	2016	6	0	0	6	5	0
Stalking	2014	1	0	0	1	1	0
	2015	1	0	1	2	1	0
	2016	6	0	0	6	6	0

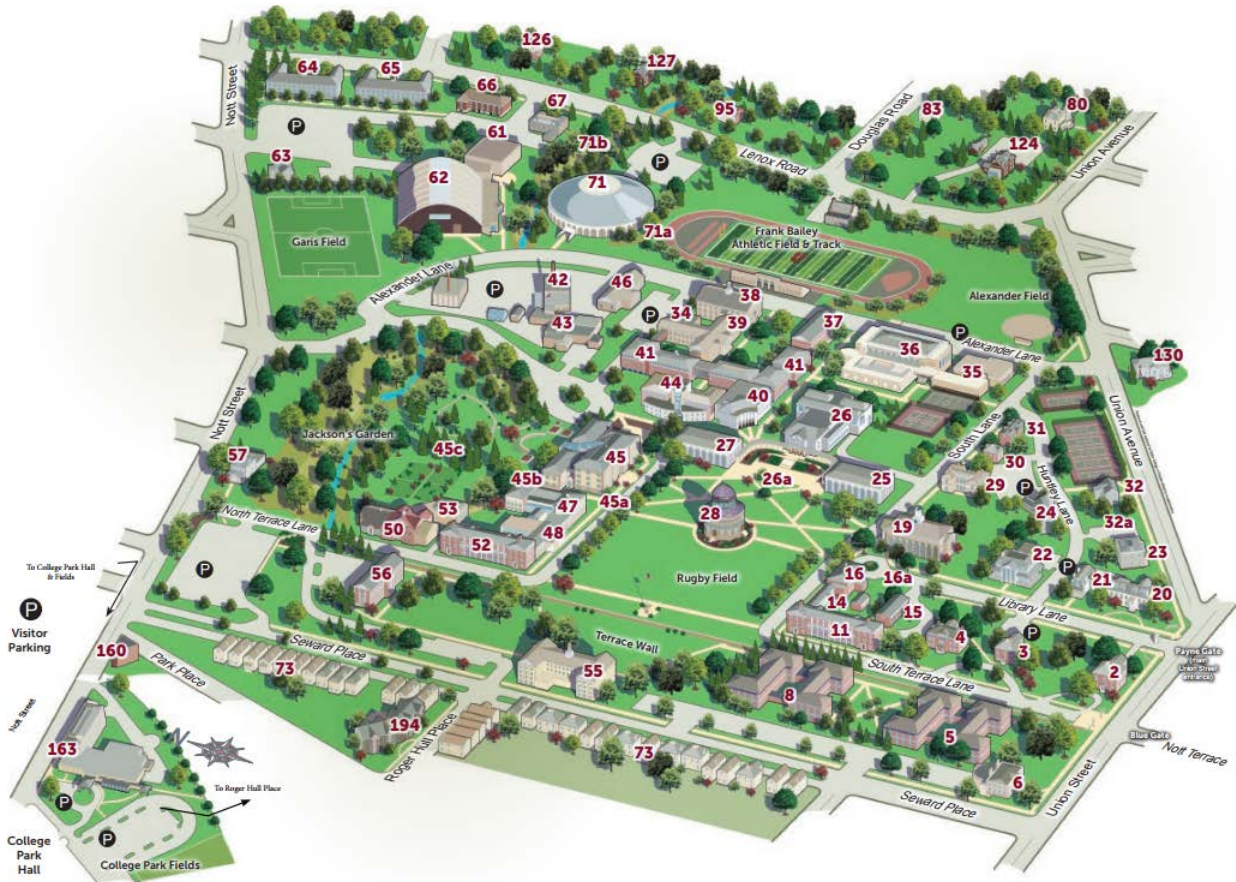
**Note: Residential Facility Crime Statistics are a subset of the On Campus Category, i.e. they are counted in both categories.*

HATE CRIME REPORTING:

There were no hate crimes reported for 2014, 2015, or 2016.

MAP OF COLLEGE

<http://www.union.edu/maps/> offers multiple map formats; a pdf visitor map with index including disability access information, and a link to the campus Google map.



Important Telephone Numbers

Union Department of Campus Safety

Location: College Park Hall, 450 Nott Street, Schenectady, NY 12308

Phones: Emergency: ext. 6911, 911
 Non-emergency: ext. 6178
 From off campus: (518) 388-6911

Website:

<http://www.union.edu/offices/safety/>

Hours: 24 hours a day

Director: Christopher Hayen

Associate Director: Thomas Constantine

Other Important Phone Numbers

Campus Safety Department: (518) 388-6911

Escort Service: (518) 388-6386

Emergencies, Crimes in Progress, Fire, Medical: 911

Campus Safety Administration: (518) 388-6358

Counseling: (518) 388-6161

Marcus Hotaling, Director

Dean of Students Office: (518) 388-6116

Steven Leavitt, Dean of Students

Trish Williams, Sr. Associate Dean

Kate Schurick, Dean of First Year Students

Health Services: (518) 388-6120

Angela Stefanatos, Director

Schenectady Police Department:

518-630-0911 (non-emergencies)

Schenectady Fire Department:

911 (Fire or medical emergency)

Union College Sexual Assault Confidential Reporting

518-388-6600

Title IX Coordinator: 518-388-6865

Dr. Melissa Kelley

Ellis Hospital Emergency Room Nott Street: (518) 243-4121

HEOA Fire Safety Reporting Information

Union College Life Safety Office – Environmental Health & Safety

Calendar year 2016 Data

The Union College Office of Life Safety is responsible for programs related to fire safety. Life Safety works closely with the Department of Campus Safety in obtaining its data with respect to fire alarms and actual fire conditions reported. Since Union College maintains and provides student housing, we are providing this data as required under the Higher Education Opportunity Act.

Contents:

- Number and causes of each fire on campus.
- Number of fire related incidents that resulted in treatment at a medical facility.
- Number of fire related deaths.
- Value of property damage caused by a fire.
- Description of each campus housing facility fire safety system, including sprinkler systems.
- The number of mandatory supervised fire drills.
- Policies or rules on portable electrical appliances, smoking, open flames, evacuation procedures, and fire safety education.
- Plans for future improvements in fire safety, if necessary.
- Campus log of all campus student housing fires, including the nature, date, time and general location of each fire.
- Information provided annually to students and on the Life Safety web page as well as the student handbook.

Data pages for calendar year 2016 include fire alarm / sprinkler system data for each residence hall as well as reportable fires, causes, damages, injuries, deaths.

FIRE DRILLS:

- Union College conducts four (4) annual fire drills during the academic year. Drills are conducted within the first three (3) weeks of the fall term and during the middle of the spring term. A table listing building fire drills follows the data pages.
- Additional fire drills are conducted for summer classes and special events as needed.
- Documentation of such fire drills is available for review at the Life Safety Office, located at Silliman Hall.

UNION COLLEGE POLICIES:

Electrical Appliance Fixtures Prohibited:

- Microwave ovens that are not part of a micro fridge combination

- Water Coolers
- Air Conditioners (for non-health related use)
- Electric heaters
- Toaster Ovens
- Toasters
- George Foreman style grills
- Waffle Irons
- Sandwich makers
- Other electrical or heat producing devices not listed.
- Halogen type lamps
- Paper Lanterns
- String Lighting
- Lava lamps

Candles / Open Flame Policy:

- All types of candles that can be burned are prohibited within all Union College buildings. The actual display of candles is also prohibited, regardless of use.
- Fireworks, incense and any other flame or burn devices are prohibited in Union College Residence Halls.

Smoking Policy (effective July 1, 2016)

- All areas of the College campus, all campus properties, and all campus vehicles are designated as smoke/tobacco free.
- For the purpose of this policy, smoking and tobacco use is defined as using any type of tobacco product including, but not limited to, cigarettes (commercial, handmade, or electronic), cigars, cigarillos, pipes, hookahs, vape pens, oral tobacco (spit and spitless, smokeless, chew, snuff), or any other similar smoking material or delivery device including anything that simulates smoking.

Evacuation Policy:

Evacuation of all Union College residences should be made in a safe and orderly fashion. The Office of Residential Life has compiled an evacuation plan for each building with respect to relocation and placement of students when an evacuation is necessary. Upon the activation of a fire alarm, the Schenectady Fire Department is notified as well as Campus Safety Officers and/or EHS Officers. Campus Safety conducts a preliminary check of the building to ensure evacuation is in progress. The Residential Life (RA) staff assists with evacuation as necessary.

- Evacuate the building promptly, assisting those who may not be able to get out.
- Shut your room door as well as doors that you pass through.
- Do not worry about your belongings. They can be replaced, you cannot.
- If the alarm has not sounded, activate a fire alarm pull station.
- Know your exits and always two ways out.

Education/Training:

At the beginning of the academic year, the student RA staff and Greek/Minerva staff are provided a 3 hour training program that is sponsored by the New York State Office of Fire Prevention and Control and the Union College EHS Office. Students are provided with the basics of fire safety and what to do in an actual emergency condition, and are afforded the opportunity to train on using a fire extinguisher or evacuating a building under simulated smoke conditions during the annual Safety Day event. Throughout the course of the academic year, the EHS Office offers various types of training programs as well as newsletter related to fire safety. Faculty and Staff are provided various levels of training with respect to fire, workplace, lab and radiation safety. Facilities personnel are provided with more advanced training geared to specific job functions.

Fire Safety Improvements:

Union College is committed to providing a safe learning environment. Each year we complete upgrades to our fire alarm and sprinkler system network, which includes upgrades to existing fire protection systems as well as an annual inspection and test of all residential fire alarm/sprinkler systems by an outside licensed alarm company. In the summer of 2017, sprinkler systems were installed in Raymond House, Potter House, and Hickok House.

Campus Safety and Security Survey
2014, 2015, 2016 data

Summary of Fires												
Name of Facility	Fire Alarm	Sprinkler	Coverage	2014			2015			2016		
				Fires	Injuries	Deaths	Fires	Injuries	Deaths	Fires	Injuries	Deaths
Beuth House	Notifier	Yes	Full	0	0	0	1	0	0	0	0	0
Breazzano House	Notifier	Yes	Full	0	0	0	0	0	0	0	0	0
College Park Hall	Notifier	Yes	Full	0	0	0	0	0	0	0	0	0
Davidson Hall	Notifier	No		0	0	0	1	0	0	1	0	0
Edwards House	Notifier	Yes	Full	0	0	0	0	0	0	0	0	0
Fero House	Notifier	Yes	Full	0	0	0	0	0	0	0	0	0
Fox Hall	Notifier	No		0	0	0	0	0	0	0	0	0
Golub House	Notifier	Yes	Full	0	0	0	0	0	0	0	0	0
Hickok House	Notifier	Yes	Full	0	0	0	0	0	0	0	0	0
North College	Notifier	Yes	Full	0	0	0	0	0	0	0	0	0
Potter House	Notifier	Yes	Full	0	0	0	0	0	0	0	0	0
Raymond House	Notifier	Yes	Full	0	0	0	0	0	0	0	0	0
Richmond House	Notifier	Yes	Full	0	0	0	0	0	0	0	0	0
Smith House	Notifier	Yes	Full	0	0	0	0	0	0	0	0	0
South College	Notifier	Yes	Full	0	0	0	0	0	0	0	0	0
Webster House	Notifier	No		0	0	0	0	0	0	0	0	0
Wells House	Notifier	Yes	Full	0	0	0	0	0	0	0	0	0
West College	Notifier	No		0	0	0	0	0	0	0	0	0
1294 Lenox Road	Notifier	Yes	Full	0	0	0	0	0	0	0	0	0
1480 Lenox Road	OnGuard	No		0	0	0	0	0	0	0	0	0
201 Seward Place	Notifier	Yes	Full	0	0	0	0	0	0	0	0	0
203 Seward Place	Notifier	Yes	Full	0	0	0	0	0	0	0	0	0
207 Seward Place	Notifier	Yes	Full	0	0	0	0	0	0	0	0	0
209 Seward Place	Notifier	Yes	Full	0	0	0	0	0	0	0	0	0
215 Seward Place	Notifier	Yes	Full	0	0	0	0	0	0	0	0	0
217 Seward Place	Notifier	Yes	Full	0	0	0	0	0	0	0	0	0
219 Seward Place	Notifier	Yes	Full	0	0	0	0	0	0	0	0	0
221 Seward Place	Notifier	Yes	Full	0	0	0	0	0	0	0	0	0
233 Seward Place	Notifier	Yes	Full	0	0	0	0	0	0	0	0	0
248 Park Place	Local Devices	No		0	0	0	0	0	0	0	0	0
301 Seward Place	Notifier	Yes	Full	0	0	0	0	0	0	0	0	0
303 Seward Place	Notifier	Yes	Full	0	0	0	0	0	0	0	0	0
305 Seward Place	Notifier	Yes	Full	0	0	0	0	0	0	0	0	0
309 Seward Place	Notifier	Yes	Full	0	0	0	0	0	0	0	0	0
311 Seward Place	Notifier	Yes	Full	0	0	0	0	0	0	0	0	0
313 Seward Place	Notifier	Yes	Full	0	0	0	0	0	0	0	0	0
315 Seward Place	Notifier	Yes	Full	0	0	0	0	0	0	0	0	0
317 Seward Place	Notifier	Yes	Full	0	0	0	0	0	0	0	0	0

Campus Safety and Security Survey
2014, 2015, 2016 data

	Fire Alarm	Sprinkler	Coverage	2014			2015			2016		
319 Seward Place	Notifier	Yes	Full	0	0	0	1	0	0	0	0	0
321 Seward Place	Notifier	Yes	Full	0	0	0	0	0	0	0	0	0
323 Seward Place	Notifier	Yes	Full	0	0	0	0	0	0	0	0	0
325 Seward Place	Notifier	Yes	Full	0	0	0	0	0	0	0	0	0
327 Seward Place	Notifier	Yes	Full	0	0	0	0	0	0	0	0	0
700 Roger Hull Place	Notifier	Yes	Full	0	0	0	0	0	0	0	0	0
702 Roger Hull Place	Notifier	Yes	Full	0	0	0	0	0	0	0	0	0
704 Roger Hull Place	Notifier	Yes	Full	0	0	0	0	0	0	1	0	0
706 Roger Hull Place	Notifier	Yes	Full	1	0	0	0	0	0	0	0	0
708 Roger Hull Place	Notifier	Yes	Full	0	0	0	0	0	0	0	0	0
710 Roger Hull Place	Notifier	Yes	Full	0	0	0	0	0	0	0	0	0
712 Roger Hull Place	Notifier	Yes	Full	0	0	0	0	0	0	0	0	0
32 Union Avenue	OnGuard	Yes	Full	0	0	0	0	0	0	0	0	0
Garnet Commons	Notifier	Yes	Full	-	-	-	0	0	0	0	0	0
219 Park Place	OnGuard	Yes	Full	-	-	-	0	0	0	0	0	0
Total				1	0	0	3	0	0	2	0	0

Full = Full Sprinkler coverage includes sleeping areas, hallways, stairwells, common areas, kitchens and basements.

Unless otherwise noted, all Union College fire alarm systems within residential buildings contain smoke detection in each sleeping area, hallway, and common area. These devices are tied into a central fire alarm panel within the building and transmitted to a central monitoring station that is manned 24 hours a day by Union College Campus Safety.

As per New York State Fire Code, Union College notifies the local Fire Department upon receiving a general building fire alarm. In addition to our 911 link, Union College has direct radio communication abilities with the Schenectady Fire Department.

Reportable Fires				
Building	Room	Cause	Date / Time	Damage Costs
Davidson Hall	basement Loading Dock	Arson - contents of box lit on fire	5/14/16 3:00 AM	\$100 - \$999
704 Roger Hull Place	1st fl kitchen	Fire - oven mitts caught fire in bottom drawer of stove	9/10/16 12:28 PM	\$100 - \$999
Davidson Hall	basement laundry	Arson - clothing lit on fire	4/26/15 11:01 PM	under \$100
Beuth House	1st floor	Burned Poster	4/27/15 11:15 AM	under \$100
319 Seward Place	1st fl kitchen	Grease fire while cooking	11/12/15 4:58 PM	under \$100
706 Roger Hull Place	1st floor kitchen	Grease fire while cooking	12/14/14 6:00 PM	None

Summary of Fire Drills	
Calendar Year 2016 Name of Facility	Number of supervised drills
Beuth House	4
Breazzano House	4
College Park Hall	4
Davidson Hall	4
Edwards House	4
Fero House	4
Fox Hall	4
Golub House	4
Hickok House	4
North College	4
Potter House	4
Raymond House	4
Richmond House	4
Smith House	4
South College	4
Webster House	4
Wells House	4
West College	4
1294 Lenox Road	4
1480 Lenox Road	4
201 Seward Place	4
203 Seward Place	4
207 Seward Place	4
209 Seward Place	4
215 Seward Place	4
217 Seward Place	4
219 Seward Place	4

Calendar Year 2016 Name of Facility	Number of supervised drills
221 Seward Place	4
233 Seward Place	4
248 Park Place	4
301 Seward Place	4
303 Seward Place	4
305 Seward Place	4
309 Seward Place	4
311 Seward Place	4
313 Seward Place	4
315 Seward Place	4
317 Seward Place	4
319 Seward Place	4
321 Seward Place	4
323 Seward Place	4
325 Seward Place	4
327 Seward Place	4
700 Roger Hull Place	4
702 Roger Hull Place	4
704 Roger Hull Place	4
706 Roger Hull Place	4
708 Roger Hull Place	4
710 Roger Hull Place	4
712 Roger Hull Place	4
32 Union Avenue	4
Garnet Commons	4
219 Park Place	4

Fire drills were conducted on these dates in 2016.
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19-Apr-16
13-Sep-16
25-Oct-16
15-Nov-16