



**Annual Campus Safety and Security Report  
&  
Annual Fire Safety Report**  
Published September 30, 2022

Containing statistics for 2019, 2020, 2021

Union College  
807 Union St.  
Schenectady, New York 12308

The Campus Safety and Security Report is available online at  
<https://www.union.edu/campus-safety/clery-act/annual-security-fire-report>  
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](tel:5183886358).

Sincerely,

Thomas Constantine  
Interim 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 city with a population of approximately 66,107, it is the ninth largest city in New York. Schenectady is known for its commitment to the arts and its rich history. Union's center campus consists of roughly 130 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 contains an office of Campus Safety. An additional Campus Safety office is now located at the north side of campus. 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 calendar 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](tel:5183886358), by email at [campussafety@union.edu](mailto:campussafety@union.edu), or on the Web at: <https://www.union.edu/campus-safety/clery-act/annual-security-fire-report>.

## **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 consisting of 12 sworn and 18 non-sworn full-time campus officers and 3 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 NY criminal procedure law 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: <https://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's 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 interim director is a member 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 College 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 more than 54 exterior cameras on various locations of the campus grounds and 38 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/campus-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. 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 available 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 available 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 am Sunday through Thursday, and until midnight on Friday and Saturday. At this time, the building is open only to members of the Union College community after 6 pm weekdays. Access is by use of the individual's assigned ID/access card after that time and on weekends.

Escort services are available. 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 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. These 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. They 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](tel:518-388-6181)) or login to the work order system from the link at <https://www.union.edu/facilities-services>. For urgent issues discovered outside the regular business hours of Facilities, you may also contact Campus Safety at [518-388-6911](tel: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](tel:518-388-6386) from a non-campus phone line. Campus Safety will continue the service when student escort is not available.

### ***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 the Schenectady Police Department at [518-630-0911](tel: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 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 at 645 Nott Street.

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. In addition, local police will reach out for additional local and state police resources as needed.

## ***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](tel:5183886358) or by email to [campussafety@union.edu](mailto:campussafety@union.edu); or speaking to a supervisor, available 24 hours a day at [\(518\) 388-6911](tel:5183886911).

## ***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 or nearby Urgent Care centers.
- 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. 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. (available online at <https://www.union.edu/dean-students/student-handbook>) It presents information on fire prevention and campus security issues, as well as Union's policies on alcohol and drugs.

A weekly "Campus Crime 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 the 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 of 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 the 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/or 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 Vice President for Student Affairs (or designee), 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), and 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 Notifications**

Under the Clery Act, colleges and universities use timely warnings and emergency notifications to inform the campus community of potential threats against which they can take preventive measures. These ongoing disclosure requirements, when implemented, can help to create and promote a safe campus environment.

**Emergency notifications** are triggered by a far broader range of potential threats — any significant **emergency** or dangerous situation involving an immediate threat to the health or safety of students or employees on the campus. Emergency notification messages will have a close out message informing the community the emergency is over / resolved.

### ***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>. You will be redirected through the college's single sign-on. Users with a Union College email account may sign in through your Union College Application Dashboard account.

## ***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 email, text messaging, College's Website ([www.union.edu](http://www.union.edu)), and / or WRUC (89.7 FM.)

## ***Website***

The main Union College home page ([www.union.edu](http://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.

## ***Emergency Alert Tests***

The College tests all or parts of 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)**

The Bias related categories expanded in 2009.

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.

Bias-related crimes are criminal activity motivated by the perpetrator's bias or attitude against an individual victim or group based on perceived or actual personal characteristics, such as their race, religion, ethnicity, gender, sexual orientation, disability, or other protected classes. Hate/bias crimes have received renewed attention in recent years, particularly since the passage of the Federal Hate/Bias Crime Reporting Act of 1990 and the New York State Hate Crimes Act of 2000 (Penal Law Article 485). In addition to preventing and assisting in the investigation for adjudication of hate/bias crimes, Campus Safety also assists in addressing bias-related activities that do not raise to the level of a crime. These activities are referred to as bias incidents and may be addressed through college policy, including the campus conduct code. [Policy Prohibiting Bias Acts](#) and the [Discrimination, Harassment, and Retaliation](#) web pages outline the college's policies in detail.

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

Union does not discriminate on the basis of sex in its educational, extracurricular, athletic or other programs or in the context of admissions or employment. Sexual misconduct is a form of sex discrimination. This Policy prohibits all forms of sexual and gender-based misconduct, including harassment, sexual assault, non-consensual sexual contact, stalking, and intimate partner violence ("Sexual Misconduct").

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.

Union also prohibits other forms of discrimination and harassment, including discrimination and harassment on the basis of race, color, national origin, ancestry, age, religious belief, marital status, physical or mental disability, medical condition, veteran status, or any other characteristic protected by federal, state, or local law. Such prohibited conduct is addressed in other College policies prohibiting discrimination, harassment and retaliation based on protected status.

Although bias activity may not rise to the level of a federal violation, it is prohibited by state law. Union College equally condemns such activity and aims to respond to such incidents when they occur.

Sexual misconduct is a form of sex discrimination. This Policy prohibits all forms of sexual and gender-based misconduct, including harassment, sexual assault, non-consensual sexual contact, stalking, and intimate partner violence (“Sexual Misconduct”). The College strives to cultivate a culture of reporting and shared responsibility for responding to incidents of Sexual Misconduct. To this end, 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/title-ix>.

## Definitions

### **New York - 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.”

### **Union College - 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. Whenever the word “consent” is used in this policy, it should be understood to mean affirmative consent as defined here.

According to New York State law, an individual cannot give valid consent if the individual is under 17 years old.

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

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

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

**Incest** is defined as 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 a 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).

**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.

# Union College Definitions

## *Consent, Force, Coercion, Incapacitation, Alcohol and other Drugs*

### **Affirmative Consent**

Affirmative consent is the basis of this Policy. 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. Whenever the word "consent" is used in this policy, it should be understood to mean affirmative consent as defined here.

- Relying solely upon non-verbal communication can lead to miscommunication. It is important not to make assumptions and if confusion or ambiguity on the issue of consent arises anytime during the sexual interaction it is essential that each person stops and clarifies, verbally, willingness to continue.
- 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 cannot otherwise consent. Depending upon 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.
- According to New York State law, an individual cannot give valid consent if the individual is under 17 years old.

**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.

## 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.
- 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 campaign<sup>1</sup> consisting of presentations that include distribution of educational materials to new students; participating in and presenting information and materials during new employee orientation.

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<sup>1</sup> 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 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>

All incoming new students participate in Orientation programming which covers the topics of alcohol and drug use, consent, bias, sexual misconduct including sexual assault, stalking, dating violence, and domestic violence. New employees participate in a multiday Orientation program which includes the topics of alcohol and drug use, sexual misconduct including sexual assault, stalking, dating violence, and domestic violence. Ongoing programming includes poster presentations around campus, events open to both students and employees, such as a Sexual Misconduct Town Hall, and Chew, Chat & Chill Open House events on Diversity and Challenges.

If you have been the victim of domestic violence, dating violence, sexual assault, or stalking, you should report the incident promptly to the Title IX Coordinator<sup>2</sup>, Mary Simeoli, at 306 Reamer Campus Center, 807 Union Street, Schenectady NY 12308-3103, Phone: 518-388-6865, email [titleix@union.edu](mailto:titleix@union.edu) by calling, writing or coming into the office to report in person.

### **Responsible Employee Reporting:**

The College encourages all students, staff, and faculty to report misconduct to College staff members or a College employee whom the Reporting Party trusts and feels comfortable with. In general, most College employees do not have legally protected confidentiality. Under Title IX, a College is required to take immediate and corrective action if a Responsible Employee knew or, in the exercise of reasonable care, should have known about sexual misconduct.

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 the sexual harassment or other misconduct by students or employees; or
- A student could reasonably believe has the authority or responsibility to take action.

Using this lens, employees with supervisory and leadership responsibilities on campus are considered Responsible Employees. This includes, for example, faculty, coaches, administrators, Resident Directors, and Resident Advisors.

The College requires that all Responsible Employees share a report of misconduct with the Title IX Coordinator or the Director of Campus Safety. For more information regarding Responsible Employees and their responsibilities, please visit: [www.union.edu/titleix](http://www.union.edu/titleix).

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

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<sup>2</sup> 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.

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.

## Title IX Reporting

To respect the autonomy of a person who has experienced sexual harassment, Title IX regulations do not require an institution to investigate sexual harassment allegations until that person files, or the Title IX Coordinator signs, a formal complaint.

Title IX does, however, require institutions to offer supportive measures to the persons involved when the Title IX Coordinator or an "official with authority" has actual notice of sexual harassment allegations. Officials with authority are those employees who can institute corrective measures when a student or employee reports sexual harassment, and "actual notice" means either by direct knowledge or someone reporting an incident.

Under Title IX, school policies may also designate additional employees who "may, must, or must only with a student's consent," report information about possible incidents of sexual harassment or violence, intimate partner violence, or stalking to the Title IX coordinator or other appropriate designee.

Supportive measures are provided to ensure that equal access to educational programs and activities is preserved for the person who reports being sexually harassed, assaulted, abused, or stalked, as well as provide any appropriate supportive measures for the person accused of sexual harassment.

The person making the report will also be provided information about:

- Protection against retaliation (for example, intimidation, coercion, threats, or discrimination) for reporting misconduct, or participating in an investigation or grievance process
- The school's responsibilities regarding orders of protection, including mutual and one-way no-contact orders, and restraining orders
- How the school will protect the complainant's and other parties' confidentiality or privacy in any publicly available record-keeping, protective measures taken, and grievance disciplinary process

Questions regarding Title IX or prohibited sexual misconduct may be referred to our Title IX coordinator or to the Department of Education's [Office for Civil Rights](#).

It is important to understand the grievance process prescribed by the U.S. Department of Education for determining an employee's or a student's responsibility for committing sexual harassment that violates Title IX.

A school's policies may have additional rules for Title IX hearings — such as limiting the introduction of evidence not produced prior to the hearing or rules requiring respectful cross-examination of witnesses — provided that they apply equally to both parties.

If a formal complaint is filed by a person alleging sexual harassment (the "complainant ") or signed by a Title IX Coordinator, the proceedings must:

- Be reasonably prompt, fair, and impartial
- Be conducted by unbiased officials who are trained on investigating sexual harassment and conducting grievance or disciplinary proceedings

- Provide both the complainant and the person accused of committing sexual harassment (the "respondent") equal opportunities to:
- Access information that will be used at formal and informal meetings or hearings, and review any evidence obtained during the investigation
- Present witnesses and other evidence
- Have an advisor or other support person present during the grievance process
- Allow advisors to cross-examine witnesses and parties, and either party to request that they be in separate rooms with technology enabling them to see and hear a witness or party answer questions
- Both complainant and respondent must be notified at the same time of:
- A statement of, and rationale for, the result of the proceedings and any sanction imposed against the respondent
- Information on how to exercise the right to appeal
- Any change to the result
- When the result becomes final

### ***After A Report Occurs***

When a report occurs, the primary questions driving the Title IX and Equal Opportunity team are is the person(s) who experiences harm within our community safe and are they well? The primary objectives in report are to ensure our community members understand their rights and are connected to appropriate support services. When a report is made, the party experiencing the harm will be giving as much autonomy as possible in making a determination about how a report is addressed or adjudicated. We can never require a student or employee to serve as the complainant in a formal adjudication, even where the College may be required by law to intervene.

Please be advised that as a reporting party, if you are not the party alleging to have experienced misconduct you are likely not going to be notified of the decisions made by the party or privy to confidential information relative to the report, which may include case outcomes.

Reporting is not the same as, nor does it automatically trigger, an investigation. The outcomes of a discriminatory case may result in a wide-range of outcomes, all of which prioritize the autonomy of the complainant, the health, safety, and wellness of our community, and our ability to remedy harm.

For more information on what comes after a report visit: <https://www.union.edu/titleix/policies-and-procedures>

## ***PROCEDURES FOR ADDRESSING COMPLAINTS WITHIN THE SCOPE OF TITLE IX***

The Office of Title IX is responsible for the oversight of investigations of conduct prohibited by Title IX wherein the person alleged of committing the misconduct (the Respondent) is a student, student group or employee of the College or third-party contractor.

i. Persons Involved in the Procedures for Addressing Complaints within the Scope of Title IX: Advisor of Choice (“Advisor”): at stages under these procedures, students or employees participating as Complainant or Respondent may be accompanied by an Advisor of Choice to any meeting or hearing to which they are required or are eligible to attend.

Advisors may be any person, including an attorney. The Advisor is not an advocate, except where explicitly stated by this Policy or its procedures, Advisors may not speak on the party’s behalf, participate directly in the process, or otherwise interfere with meetings or proceedings. Advisors may help the party prepare written submissions, during hearings may confer with the party, and are responsible for conducting the cross-examination of the opposing party and witness(s) on behalf of the party. If a student does not have an advisor, one will be provided by the College.

Hearing Facilitator: the Title IX Coordinator, or their designee, will serve as the Hearing Facilitator. The Hearing Facilitator is a non-witness, non-voting representative of the Office of Title IX who is responsible for administrative functions during the course of the hearing including but not limited to coordinating attendance of parties, panelists and witnesses, admission of parties or witnesses into meeting space, timing breaks, managing the meeting recording, and communicating with witness and parties. The Hearing Facilitator will be present for all or part of the hearing, as needed, but will not attend or participate in the Hearing Panel’s deliberations.

Hearing Panel: appointed by the Title IX Coordinator, or their designee, the Hearing Panel is responsible for participating in hearings, reviewing relevant evidence, and participating in deliberations to determine the findings (responsible or not responsible).

Hearing Panel Chair: appointed by the Title IX Coordinator, or their designee, the Hearing Panel Chair is responsible for hearing matters proceeding under the applicable procedures for resolution of reports of conduct within the scope of Title IX. The Hearing Panel Chair may be internal (employee of the College) or external (outside person hired by the College). The Hearing Panel Chair is responsible for facilitating hearings in compliance with state and federal laws. The Hearing Panel Chair is responsible for determining the relevance of questions, statements and/or evidence through the hearing procedure.

Investigator: appointed by the Title IX Coordinator after a Formal Complaint has been signed to meet with primary parties and witnesses to facilitate investigative interviews. Investigators are responsible for collecting evidence and drafting an investigative report. Investigator(s) may be

internal (employees of the College), external (outside persons hired by the College), or a combination of both.

ii. Evidentiary Considerations in the Investigation:

The investigation does not consider: 1) incidents not directly related to the possible violation, unless they evidence a pattern; 2) the character of the parties; or 3) questions and evidence about the Complainant's sexual predisposition or prior sexual behavior, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent, or where permissible or required under New York State law.

iii. Joint Hearings:

In hearings involving more than one Respondent or in which two (2) or more Complainants have accused the same individual of substantially similar conduct, the default procedure will be to hear the allegations jointly.

However, the Title IX Coordinator may permit the investigation and/or hearings pertinent to each Respondent to be conducted separately if there is a compelling reason to do so. In joint hearings, separate determinations of responsibility will be made for each Respondent with respect to each alleged policy violation.

iv. Recording Hearings:

Hearings (but not deliberations) are recorded by the College for purposes of review in the event of an appeal. The parties may not record the proceedings and no other unauthorized recordings are permitted.

The panel, the parties, their Advisors, and appropriate administrators of the College will be permitted to listen to or watch the recording in a controlled environment determined by the Title IX Coordinator. No person will be given or be allowed to make a copy of the recording without permission of the Title IX Coordinator.

v. Standard of Proof:

The panel will deliberate in closed session to determine whether the Respondent is responsible or not responsible for the policy violation(s) in question. If a panel is used, a simple majority vote is required to determine the finding. The preponderance of the evidence standard of proof is used.

## **SANCTION GUIDELINES**

Any student found responsible for violating the policy provisions on sexual harassment will receive a sanction up to and including expulsion, depending on the severity of the incident and taking into account any prior disciplinary history. Recommended sanctions for violation of the policy relative to any charge of sexual harassment, including but not limited to those previously mentioned, include but are not limited to: disciplinary probation, loss of privileges, relocation of

residence, restriction from facilities or activities, temporary or permanent residence hall suspension, mandated assessment and/or counseling, educational project, withholding of degree, suspension and/or expulsion.

The standard sanction for forcible rape is suspension or expulsion. The Title IX Coordinator reserves the right to broaden or lessen any range of recommended sanctions in the case of serious mitigating or aggravating circumstances with notice to the parties. Neither the initial decision-maker nor the appeal officer will deviate from the range of recommended sanctions unless compelling justification exists to do so.

Union College shall make a notation on the transcript of students found responsible after a conduct process that they were “suspended after a finding of responsibility for a code of conduct violation” or “expelled after a finding of responsibility for a code of conduct violation.” An appeal in writing may be submitted to the Vice President of Student Affairs seeking removal of a transcript notation for a suspension, provided that such notation shall not be removed prior to one year after conclusion of the suspension. While notations for expulsion shall not be removed, if a finding of responsibility is vacated for any reason, any such transcript notation shall be removed.

## **NEW YORK STATE STUDENT’S BILL OF RIGHTS**

The rights listed below are afforded to all students reporting sexual violence, as well as all students accused of sexual violence, regardless of race, color, national origin, religion, creed, age, disability, sex, gender identity or expression, sexual orientation, familial status, pregnancy, predisposing genetic characteristics, military status, status as a domestic violence victim, or criminal conviction.

All students have the right to:

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

10. Be accompanied by an advisor of choice who may assist and advise a reporting individual, accused, or respondent throughout the judicial or conduct process including during all meetings and hearings related to such process; and
11. Exercise civil rights and practice of religion without interference by the investigative, criminal justice, or judicial or conduct process of the institution.

## **OTHER PROVISIONS**

### **1. Amnesty for Minor Violations**

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

### **2. Attendance Expectations**

To enable the most accurate and fair review of the facts, the Respondent is expected to attend and participate in meetings during the course of an investigation under this Policy. If an individual chooses not to attend one or more meetings, the charges will be reviewed on the basis of the information and evidence available, and a decision will be made. Although no inference may be drawn against a student for failing to attend a meeting or remaining silent, the process will proceed and the conclusion will be based on the evidence presented. No decision shall be based solely on the failure of the Respondent to attend one or more meetings, to participate in such meeting(s), or to answer the charges.

### **3. History of The Principle Parties**

### **4. Sexual History**

Neither the past sexual history nor sexual character of either party will be considered in the investigation or any other proceeding unless such information is determined by the Title IX Coordinator, Deputy Title IX Coordinator, or Hearing Chair to be specifically and directly relevant to a pending charge, or necessary and appropriate under federal or New York State law.

## ***TITLE IX COMPLAINTS AND CRIMINAL PROCEEDINGS***

### **REPORTING TO LAW ENFORCEMENT**

1. Criminal report may be made by:
  - In an emergency, call 911,
  - For non-emergency reporting call the Union College Campus Safety Department at (518) 388-6911, or
  - Contacting local police in the city where the misconduct took place.
  
2. The College will not notify law enforcement when it receives a report of conduct prohibited by Title IX unless:
  - A primary party of the report is a minor, and such report is required by law and the alleged
  - conduct is of a criminal nature;
  - The reported conduct is of a violent and ongoing nature, putting the entire community at risk; or
  - The Complainant, in reporting an allegation to the College, requests that a copy of the report be shared with law enforcement.

A person filing a Title IX complaint may elect to go through the process for addressing conduct prohibited by Title IX as outlined in this Policy, file a report with law enforcement independently, or engage in both processes, either in succession or simultaneously.

When someone chooses to engage in a formal Title IX investigation at the College, that person cannot be required or compelled to report to law enforcement. The College recognizes that the decision to go through one or both processes is highly personal and can be difficult. The College Campus Safety Department will work to communicate ongoing processes for those engaged in a criminal complaint, and support measures will be offered by the College to all students involved in a criminal matter, as necessary, even when the criminal matter is not being pursued through the College 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](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.

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.

Reports of domestic violence, dating violence, sexual assault or stalking that are received by College employees are referred to the Title IX Coordinator. The Title IX Coordinator, or their designee, will facilitate an intake with the complaining party to assess immediate mental and physical health and well-being, providing the reporting party with applicable resources, including on and off-campus resources. The Title IX Coordinator will review with the reporting party their right to pursue criminal charges, and will refer, if requested, the party to the New York State Police Campus Sexual Assault Unit and/or local police. If the accused in the report received is a member of the Union College community, the Title IX Coordinator will assess the report to determine the applicable policy and correlating procedures.

If the report is determined to be conduct within the scope of Title IX the applicable policies can be found on the [Title IX policies and procedures page](#). Separate policies exist for [students](#), [faculty](#), and [staff](#).

If the accused is a student, and the reporting party requests a formal adjudication, the report will be adjudicated in accordance with [Appendix A: Procedures for the Resolution of Reports of Conduct by Students Within the Scope of Title IX](#).

If the accused is an employee of the College (either faculty or staff), and the reporting party requests a formal adjudication, the report will be adjudicated in accordance with [Appendix B: Procedures for the Resolution of Reports of Conduct by Employees Within the Scope of Title IX](#).

If the report of domestic violence, dating violence, sexual assault or stalking is determined to be outside of the scope of Title IX, it will be evaluated by the Title IX Coordinator to determine if it

falls within the scope of the Gender-based Misconduct Policy or the [Policy Prohibiting Discrimination, Harassment, Bias and Retaliation in Employment](#).

If the report is determined to fall within the scope of the Gender-based Misconduct Policy, the accused is a student, and the reporting party requests a formal adjudication, the report will be adjudicated in accordance with the Procedures for the Resolution of Reports of Gender-based Misconduct Against Students.

Procedures for the Resolution of Reports of Gender-based Misconduct Against Students can be obtained from the Title IX website or from the Title IX coordinator.

If the report is determined to be within the scope of the Policy Prohibiting Discrimination, Harassment, Bias and Retaliation in Employment and the accused is an employee of the College the report will be adjudicated in accordance with the [Policy Prohibiting Discrimination, Harassment, Bias and Retaliation in Employment](#).

Findings are determined using a preponderance of the evidence standard in all reports of domestic violence, dating violence, sexual assault and stalking which are adjudicated by the College.

If the accused is not a member of the Union College community, reporting parties shall be referred to applicable state and/or local police, community safety, and wellness resources.

## 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 & options:

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 cell phone, 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 Thomas Constantine, Interim 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	Ami Hwang Coordinator of International Students (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: <a href="http://www.woh.com">www.woh.com</a>
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

<https://www.justice.gov/ovw/sexual-assault> - Department of Justice

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

## ***How to be an Active Bystander***

Bystanders play a critical role in the prevention of sexual and relationship violence. They are “individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it.”<sup>3</sup>

We want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. We may not always know what to do even if we want to help. Below is a list<sup>4</sup> 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

### **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.

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<sup>3</sup> Burn, S.M. (2009). A situational model of sexual assault prevention through bystander intervention. *Sex Roles, 60*, 779-792.

<sup>4</sup> Bystander intervention strategies adapted from Stanford College’s Office of Sexual Assault & Relationship Abuse.

## ***Risk Reduction***

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

1. Be aware of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
2. Try to avoid isolated areas. It is more difficult to get help if no one is around.
3. Walk with purpose. Even if you don't know where you are going, act like you do.
4. Trust your instincts. If a situation or location feels unsafe or uncomfortable, it probably isn't the best place to be.
5. Try not to load yourself down with packages or bags as this can make you appear more vulnerable.
6. Make sure your cell phone is with you and charged and that you have cab money.
7. Don't allow yourself to be isolated with someone you don't trust or someone you don't know.
8. Avoid putting music headphones in both ears so that you can be more aware of your surroundings, especially if you are walking alone.
9. When you go to a social gathering, go with a group of friends. Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.
10. Trust your instincts. If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).
11. Don't leave your drink unattended while talking, dancing, using the restroom, or making a phone call. If you've left your drink alone, just get a new one.
12. Don't accept drinks from people you don't know or trust. If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don't drink from the punch bowls or other large, common open containers.
13. Watch out for your friends, and vice versa. If a friend seems out of it, is way too intoxicated for the amount of alcohol they've had, or is acting out of character, get him or her to a safe place immediately.
14. If you suspect you or a friend has been drugged, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.). Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).
15. If you need to get out of an uncomfortable or scary situation here are some things that you can try:
  - a) Remember that being in this situation is not your fault. You did not do anything wrong, it is the person who is making you uncomfortable that is to blame.
  - b) Be true to yourself. Don't feel obligated to do anything you don't want to do. "I don't want to" is always a good enough reason. Do what feels right to you and what you are comfortable with.
  - c) don't want to" is always a good enough reason. Do what feels right to you and what you are comfortable with.

- d) 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.
  - e) Lie. If you don't want to hurt the person's feelings it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use are: needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.
16. Try to think of an escape route. How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby?
17. If you and/or the other person have been drinking, you can say that you would rather wait until you both have your full judgment before doing anything you may regret later.

## **Adjudication of Violations**

When a Responsible Employee at Union College becomes aware of an incident of domestic violence, dating violence, sexual assault, or stalking, it is reported to the Title IX coordinator regardless of the reporting party's intention or wish to pursue criminal charges. In compliance with New York State Education Law 129-B, the Title IX coordinator reviews the reporting party's rights to pursue criminal and/or institutional processes.

### **Students**

The Title IX Policy governs all members of the Union College community for conduct defined as Title IX sexual harassment. This policy and its associated procedures will be utilized if the Title IX Coordinator determines that the conduct reported falls within its scope. The Title IX Policy is in compliance with Title IX of the 1972 of the Education Amendments. The jurisdiction of this policy encompasses all forms of Title IX sexual harassment which occur on Union College's campus or property.

The Title IX Policy can be found at the following link: <https://www.union.edu/titleix/student-policies-and-procedures>

Appendix A: Procedures for the Resolution of Reports of Conduct by Students Within the Scope of Title IX can be found at the following link: <https://www.union.edu/sites/default/files/titleix/202209/union-college-title-ix-proceduresfa2022.pdf>

The Gender-based Misconduct Policy governs reports of gender-based misconduct by students as defined by state and federal law as well as conduct the Union College community has deemed inconsistent with its community standards. This policy and its associated procedures will be utilized if the Title IX Coordinator determines that the conduct reported falls within its scope.

The Gender-based Misconduct Policy has jurisdiction over misconduct which occurs on and off campus, including during Union College sanctioned travel or study abroad and off-campus housing, if such conduct affects the reporting party on-campus.

The Gender-based Misconduct Policy can be found at the following link:

<https://www.union.edu/sites/default/files/titleix/202108/gender-based-misconduct-policy-august10-2021.pdf>

The Procedures for the Resolution of Reports of Gender-based Misconduct Against Students can be found at the following link:

<https://www.union.edu/sites/default/files/titleix/202108/gender-based-misconduct-policy-august10-2021.pdf>

### **Employees**

The Title IX Policy governs all members of the Union College community for conduct defined as Title IX sexual harassment. This policy and its associated procedures will be utilized if the Title IX Coordinator determines that the conduct reported falls within its scope. The Title IX Policy is in compliance with Title IX of the 1972 of the Education Amendments. The jurisdiction of this policy encompasses all forms of Title IX sexual harassment which occur on Union College's campus or property.

The Title IX Policy can be found at the following link: <https://www.union.edu/titleix/staff-policies-and-procedures>

**Appendix B: Procedures for the Resolution of Reports of Conduct by Employees Within the Scope of Title IX** can be found at the following link:

<https://www.union.edu/sites/default/files/titleix/202203/appendix-bemployee-conduct-within-scope-title-ix-1.pdf>

The **Policy Prohibiting Discrimination, Harassment, Bias and Retaliation in Employment** governs all employees of the Union College. This policy and its associated procedures will be utilized if the Title IX Coordinator & Equal Opportunity Specialist determines that the conduct reported falls within its scope. The Policy Prohibiting Discrimination, Harassment, Bias and Retaliation in Employment is in compliance with state and federal nondiscrimination and equal opportunity laws.

The Policy Prohibiting Discrimination, Harassment, Bias and Retaliation in Employment, which includes procedures for the adjudication of matters within its jurisdiction, can be found at the following link: [THE POLICY PROHIBITING DISCRIMINATION, HARASSMENT ...](#)

On May 19, 2020, the U.S. Department of Education issued a Final Rule under Title IX of the Education Amendments of 1972 that1:

- Defines the meaning of "sexual harassment" (including forms of sex-based violence)
- Addresses how this institution must respond to reports of misconduct falling within that definition of sexual harassment, and

- Mandates a grievance process that this institution must follow to comply with the law in these specific covered cases before issuing a disciplinary sanction against a person accused of sexual harassment.

In accordance with the final rule, the College must narrow both the geographic scope of its authority to act under Title IX and the types of “sexual harassment” that it must subject to its Title IX investigation and adjudication process. These procedures apply only to reports against an employee falling within the Final Rule’s definition of sexual harassment.

Union College remains committed to addressing any violations of its policies, even those not meeting the narrow standards defined under the Title IX Final Rule. Other forms of discrimination, including acts of sexual harassment that fall outside the jurisdiction of Title IX and this procedure, are addressed in other College policies, including the Policy Prohibiting Discrimination, Harassment & Retaliation in Employment (“Policy Prohibiting Discrimination, Harassment and Retaliation in Employment”).

All reports of sexual harassment that are brought against an employee, whether reported under this Policy or under the Policy Prohibiting Discrimination, Harassment and Retaliation in Employment will be reviewed by the Title IX Coordinator & Equal Opportunity Specialist or designee and the Associate Director of HR Compliance & Training to determine whether the conduct alleged falls under this Policy, the College’s Policy Prohibiting Discrimination, Harassment and Retaliation in Employment and/or other College policies.

To the extent that alleged prohibited conduct falls outside these procedures, or misconduct falling outside these procedures is discovered in the course of investigating prohibited conduct covered by these procedures, the College retains authority to investigate and adjudicate the allegations under these procedures or under the procedures set forth in the Policy Prohibiting Discrimination, Harassment and Retaliation in Employment or other applicable College policies or procedures through a separate grievance proceeding.

### ***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.

**Timely Warning.** If a report of misconduct discloses a serious or continuing threat to the Union College community, the College may issue a campus wide timely warning (which can take the form of an email to campus) to protect the health or safety of the community. The timely warning will not include identifying information about the Reporting Party. Even where there is no imminent threat, the College may send campus-wide e-mail notifications on all reported sexual misconduct.

At no time will the College release the name of the Reporting Party to the general public without the express consent of the Reporting Party. The release of the responding party's name, if a student, to the general public is guided by Family Educational Rights and Privacy Act (FERPA) and the Clery Act.

All College proceedings are conducted in good faith compliance with the requirements of FERPA, the Clery Act, Title IX, Article 129-B of the New York State Education Law, and other federal laws. No information shall be released from such proceedings except as required or permitted by law and College policy.

### ***Training of Adjudicators***

The Violence Against Women Act amendments to the Clery Act require that certain college officials charged with responding to sexual assault, domestic violence, dating violence, and stalking be trained annually in a number of areas. Union College is a member of several professional and developmental organizations including the SUNY Student Conduct Institute. As part of the membership, covered officials who investigate or conduct proceedings to address allegations of dating violence, domestic violence, sexual assault and stalking receive at least eight hours of training annually through attendance at the SUNY Student Conduct Institute's Basic Compliance Training and/or live Advanced Trainings and/or digital Basic or Advanced Trainings. These in-person and digital courses address topics including how to determine the relevancy of evidence and use it during the proceeding, proper techniques for questioning witnesses, basic procedural rules for conducting a proceeding, and avoiding actual and perceived conflicts of interest. These trainings also address how to conduct an investigation and hearing process that protects the safety of victims, properly employs trauma-informed practice, and promotes accountability, while protecting the due process rights of the respondent. Finally, these trainings provide comprehensive reviews of federal and state laws and regulations on point as well as relevant court and administrative opinions.

Additionally, Union College is a member of NASPA. Through NASPA the College's Title IX coordinator completed a 31-hour certification. This track covered the requirements under the new regulations for hearing proceedings; an overview of informal resolution options; and the development of policies, procedures, and practice that are compliant with the new regulations. The adjudication panel chairs who facilitate hearings on alleged acts of dating violence, domestic violence, sexual assault and stalking completed a 20-hour certification. This track covered the development of policies, procedures, and practices that comply with the new regulations; Title IX hearing proceedings; evidentiary standards; and informal resolution as well as the adjudication of sexual misconduct for matters not governed by the Title IX Policy. The Title IX investigators completed a 12-hour certification which covered interview techniques, constructing a report, and evidentiary standards used in Title IX cases.

## ***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 measures 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.<sup>5</sup> 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)***

The Campus Sex Crimes Prevention Act requires sex offenders, who must register under state law, to provide notice of enrollment or employment at any institution of higher education (IHE) in that state where the offender resides, as well as notice of each change of enrollment or employment status at the IHE.

Limited information on the Sex Offender Registry (level 2 or 3) may be accessed on the web at [http://www.criminaljustice.ny.gov/SomsSUBDirectory/search\\_index.jsp](http://www.criminaljustice.ny.gov/SomsSUBDirectory/search_index.jsp).

Information about offenders of all risk levels, including those whose risk levels are pending, is available by calling 518-457-5837 or 1-800-262-3257.

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<sup>5</sup> 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.

- Callers must have an individual's name and one of the following – an exact address, date of birth, driver's license number, or Social Security number – to learn if the individual is on the Registry.

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.

Links to comprehensive sexual misconduct policies for Union College community members may be found below.

- Students <https://www.union.edu/titleix/student-policies-and-procedures>
- Faculty <https://www.union.edu/titleix/faculty-policies-and-procedures>
- Staff <https://www.union.edu/titleix/staff-policies-and-procedures>

## **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.

### **Scope of Policy**

The College strongly encourages all members of our community to take action to maintain and facilitate a safe, welcoming, and respectful environment on campus. In particular, the College expects that all Union community members will take reasonable and prudent actions to prevent or stop Sexual Misconduct. This Policy applies to all reports of Sexual Misconduct occurring on or after the effective date of this Policy. Where the date of the reported Prohibited Conduct precedes the effective date of this Policy, the definitions of misconduct in existence at the time of the report will be used. The Grievance Process under this Policy,

however, will be used to investigate and resolve all reports made on or after the effective date of this Policy, regardless of when the incident(s) occurred.

When used in this Policy, “Reporting Party” refers to the individual who is identified as the recipient of Prohibited Conduct. “Responding Party” refers to the individual alleged to have engaged in Prohibited Conduct. A “Third-Party” refers to any other participant in the process, including a witness or an individual who makes a report on behalf of a Reporting Party.

### **Persons Covered**

This Policy applies to all Union community members including students, faculty, administrators, staff, volunteers, vendors, contractors, visitors, and individuals paid or unpaid, regularly or temporarily employed, interns, conducting business, studying, living, visiting, or having any official capacity with the College or on its property (collectively referred to as "any person covered").

The College strongly encourages reports of Sexual Misconduct regardless of who engaged in the conduct. Even if the College does not have jurisdiction over the Responding party, the College will take prompt action to provide for the safety and well-being of the Reporting Party and the broader campus community.

### **Locations Covered**

College policies apply to conduct that occurs on any part of Union’s campus or property as well as when students, staff, or faculty travel off-campus as part of a College activity, team, organization, event, or College sponsored study abroad programs.

The policy also covers conduct that occurs off-campus, in the City, and/or during a time when the College is not in session when the behavior impacts the campus environment (as would be the case, for example, if one student sexually assaults another student in an off-campus apartment or overseas during a term abroad, or if a student sends another student lewd and threatening sexual emails while at home during the term break). The Title IX Coordinator will consult with the Dean of Students in making this determination. In understanding this aspect of Union’s expectations for student behavior, it may be helpful to think of student status as “portable” and therefore operative even when students are not on Union’s campus or property.

Similarly, for staff and faculty, this policy covers conduct that takes place off campus when it impacts the work environment. In making this determination, the Title IX Coordinator or appropriate administrator will consider whether the alleged action took place during a Union College sponsored event or activity, used College property in a way to commit the alleged action, or affects the employment relationship. For example, an email or communication from a home computer or behavior that takes place off campus between employees that affects the employment relationship may be considered a violation of this policy.

A Reporting Party 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 responding party, the College will still take prompt action to provide for the safety and well-being of the Reporting Party and the broader community.

## **Conduct Covered**

This Policy covers Sexual Misconduct, a form of sex discrimination. To report other forms of sex discrimination, such as disparate treatment, or discrimination based on other protected statuses, please refer to the Student Code of Conduct, Faculty Manual, and/or Employee Manuals.

## **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. Below is information related to making a report that may be helpful to consider:

- Making a report means telling someone in authority what happened -- in person, by telephone, in writing, or by email.
- Making a report does not automatically trigger the College's formal grievance procedures. In response to a report, the College will provide support that can assist individuals in deciding how to proceed. To the extent legally possible, the College will respect the wishes of the Reporting Party regarding how and if to move forward.
- Under certain circumstances, the College will have to move forward. These circumstances are limited to when the College has weighed the request for confidentiality or not to proceed under the College's formal grievance procedures against the following factors: the seriousness of the alleged misconduct, any potential threats to community safety, the respective ages and positions of the Reporting Party and Responding Party, whether there have been other complaints against the Responding Party, and the Responding Party's right to receive information under applicable law.
- The health and safety of every student at Union College is of utmost importance, therefore, the College provides amnesty for alcohol or other drug use by students in the course of an incident of sexual misconduct. The College recognizes that students who have been drinking alcohol and/or using other drugs (whether such use is voluntary or involuntary) at the time that sexual misconduct occurs may be hesitant to report such incidents due to fear of potential consequences for their conduct. Union College strongly encourages students to report sexual misconduct to College officials. A bystander acting in good faith or a reporting individual acting in good faith that discloses any incident of sexual misconduct to College officials or law enforcement will not be subject to Union College's Code of Conduct action for violations of alcohol and/or other drug use policies occurring at or near the time of the sexual misconduct

incident.

- The College will not tolerate intentional false reporting of incidents. The College takes the accuracy of information very seriously as a charge of sexual misconduct may have severe consequences. A good-faith complaint that results in a finding of not responsible is not considered a false or fabricated accusation of sexual misconduct. However, when a Reporting Party or third party witness is found to have fabricated allegations or given false information with malicious intent or in bad faith, the Reporting Party or third party witness may be subject to disciplinary action. It is a violation of the Code of Student Conduct to make an intentionally false report of any policy violation, and it may also violate state criminal statutes and civil defamation laws.

All covered persons shall have the right to emergency access to the Title IX Coordinator or other trained official who shall be available upon the first instance of disclosure by a Reporting Party to provide information regarding options to proceed and, where applicable, the importance of preserving evidence and obtaining a sexual assault forensic examination as soon as possible, as well as other pertinent information.

If the accused is an employee of the College, the Reporting Party shall have the right to report the incident to the College's Human Resources Department or may request that a confidential or private employee assist in reporting to the appropriate human resources authority.

Reporting Parties also have the right to receive assistance from appropriate institution representatives in initiating legal proceedings in family court or civil court.

The specific procedures for investigating, and resolving Sexual Misconduct are based upon the nature of the Responding Party'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 the Reporting Party and Responding party.

The College applies the preponderance of the evidence standard when determining whether this policy has been violated. Preponderance of the evidence means that it is more likely than not that a policy violation occurred.

### ***Initial Title IX Assessment***

Unless a report is made directly to the Title IX Coordinator or Deputy Title IX Coordinator, reports received by the Title IX Coordinator from private reporting resources or responsible employees will result in a request by the Title IX Coordinator or Deputy Title IX Coordinator to meet with the Reporting Party. The purpose of the preliminary meeting is to gain a basic understanding of the nature and circumstances of the report in order to conduct an initial assessment; it is not intended to be a full forensic interview.

As part of the initial assessment of the report, the College will:

- 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/help-crime-victims>)
  - 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 the respondent.
- Discuss the Reporting Party's expressed preference for manner of resolution and any barriers to proceeding.
- Discuss the role of an Advisor and offer suggestions for obtaining one if desired.
- 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.

**Timely Warning.** If a report of misconduct discloses a serious or continuing threat to the Union College community, the College may issue a campus wide timely warning (which can take the form of an email to campus) to protect the health or safety of the community. The timely warning will not include identifying information about the Reporting Party. Even where there is no imminent threat, the College may send campus-wide e-mail notifications on all reported sexual misconduct.

At no time will the College release the name of the Reporting Party to the general public without the express consent of the Reporting Party. The release of the responding party's name, if a student, to the general public is guided by Family Educational Rights and Privacy Act (FERPA) and the Clery Act.

All College proceedings are conducted in good faith compliance with the requirements of FERPA, the Clery Act, Title IX, Article 129-B of the New York State Education Law, and other federal laws. No information shall be released from such proceedings except as required or permitted by law and College policy.

**Coordination with Law Enforcement.** Upon receipt of a report, Campus Safety will comply with any legal requirements to notify local law enforcement if a violent felony is suspected to have occurred. To the fullest extent permitted by law, the identity of the Reporting Party will not be disclosed without his/her express permission being given. Physical evidence must be properly documented and stored by local law enforcement to maintain the ability for it to be presented as evidence and used in a legal case if a complaint is filed by the Reporting Party with

local law enforcement.

The College encourages a Reporting Party to pursue criminal action for incidents of sexual misconduct, relationship violence, sexual harassment, and stalking that may also be crimes under New York law. The College, through Campus Safety, will assist a Reporting Party in making a criminal report and cooperate with law enforcement agencies if the Reporting Party decides to pursue the criminal process to the extent permitted by law.

The College's Sexual Misconduct Policy may contain provisions, including definitions, burden of proof, and standards that differ from New York criminal law. A Reporting Party may seek recourse under this policy and/or pursue criminal action. Neither law enforcement's determination whether or not to prosecute a responding party nor the outcome of any criminal prosecution are determinative of whether a violation of this policy has occurred. Proceedings under this policy may be carried out prior to, simultaneously with, or following civil or criminal proceedings off campus.

At the request of law enforcement, the College may agree to defer its Title IX fact-gathering until after the initial stages of a criminal investigation, but the College is not obligated to make such deferral. The College will nevertheless communicate with the Reporting Party regarding Title IX rights, procedural options, and the implementation of interim measures to assure safety and well-being. If the College defers its Title IX fact-gathering, the College will promptly resume its Title IX fact gathering as soon as it is informed that law enforcement has completed its initial investigation or once it decides to stop deferring fact-gathering during a criminal investigation.

**Requests for Confidentiality/No Further Action.** When a Reporting Party requests that their name or other identifiable information not be shared with the Responding Party or that no formal action be taken, the Title IX Team will balance this request with its dual obligation to provide a safe and non-discriminatory environment for all College community members and to remain true to principles of fundamental fairness that require notice and an opportunity to respond before action is taken against a Responding Party. In making this determination, the College may consider the following factors, including but not limited to:

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

The College will take all reasonable steps to investigate and respond to the complaint consistent with the request for confidentiality or request not to pursue an investigation, but its

ability to do so may be limited based on the nature of the request by the Reporting Party. Where the College is unable to take action consistent with the request of the Reporting Party, a member of the Title IX Team will inform the Reporting Party about the chosen course of action, which may include the College seeking disciplinary action against a Responding Party. Alternatively, the course of action may also include steps to limit the effects of the alleged misconduct and prevent its recurrence that do not involve formal disciplinary action against a Responding Party or revealing the identity of the Reporting Party.

**Requests to File a Formal Report/Complaint.** When a Reporting Party wishes to file a formal complaint, the Initial Title IX Assessment will include review of the information gathered from the Reporting Party and determination by the Title IX Team whether the information collected gives reasonable cause to believe a violation of this Policy may have occurred and warrants further investigation under the College's grievance procedures.

At the conclusion of the Title IX assessment, and in consultation with the Reporting Party, the Title IX Coordinator will determine the appropriate manner of resolution and, if appropriate, refer the report for further Investigation, Informal Resolution or Formal Resolution.

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

### **Interim Measures, Remedies, and Accommodations**

Upon receipt of a report, the College will impose reasonable and appropriate interim measures designed to eliminate the hostile environment and protect the parties involved. The College will make reasonable efforts to communicate with the parties to ensure that all safety, emotional, and physical well-being concerns are being addressed. Interim measures may be imposed regardless of whether formal disciplinary action is sought by the Reporting Party or the College.

A Reporting Party or Responding Party may request a No Contact Order/Agreement (see information about such requests, below) or other protection, or the College may choose to impose interim measures at its discretion to ensure the safety of all parties, the broader College community and/or the integrity of the process.

All individuals are encouraged to report concerns about failure of another individual to abide by any restrictions imposed by an interim measure to the Title IX Coordinator or Campus Safety. The College will take immediate and responsive action to enforce a previously implemented measure.

The Responding Party and the Reporting Party, upon written request to the Title IX Coordinator, shall have the right to:

- Request a review of the need for, and terms of, interim measures including No Contact Orders/Agreements which were imposed in accordance with the Sexual Misconduct Policy; and/or request modifications to the terms of the interim measures.
- The Responding Party and the Reporting Party shall be allowed to submit evidence in support of their request. The request must be initiated within five (5) days of the imposition of the interim measures.
- The Title IX Coordinator shall review the request and supporting evidence, if submitted, promptly. A decision will be issued within three (3) days of receipt of the written request. The decision is final.

**Interim measures.** Any measure will be implemented at the discretion of the College. Potential remedies, which may be applied to the Reporting Party and/or the Responding Party, include:

- Access to counseling services and assistance in setting up initial appointment, both on and off campus.
- Imposition of campus No Contact Order or No Contact Agreement.
- Rescheduling of exams and assignments (in conjunction with appropriate faculty).
- Providing alternative course completion options (with the agreement of the appropriate faculty).
- Change in class schedule, including the ability to take an “incomplete,” drop a course without penalty or transfer sections (with the agreement of the appropriate faculty and/or Dean of Studies).
- Change in work schedule or job assignment (with the agreement of the Chief of Human Resources and/or responsible Vice President).
- Change in on-campus housing.
- Arranging to dissolve a housing contract and pro-rating a refund in accordance with campus housing policies.
- Assistance from College support staff in completing housing relocation for students.
- Limit an individual or organization’s access to certain College facilities or activities pending resolution of the matter.
- Voluntary leave of absence.
- Providing an escort to ensure safe movement between classes and activities.
- Providing student medical services.
- Providing academic support services.
- Interim suspension or College-imposed leave.
- Any other remedy that can be tailored to the involved individuals to achieve the goals of policy.
- To seek an Order of Protection from a court of competent jurisdiction; the College will enforce the order of protection, once notified by the Reporting Party of its existence and terms, or request local law enforcement to make an arrest.

## ***Sanctions (Student)***

The Hearing Panel may impose one or more of the following sanctions and remedies:

- Measures similar in kind to the Supportive Measures specified under these procedures;
- Appropriate educational steps (such as alcohol or drug education, reflection papers, counseling, or directed study);
- Restrictions or loss of specified privileges at the College for a specified period of time;
- Oral warnings;
- Written reprimands;
- Disciplinary probation for a stated period;
- Suspension from the College for a stated period not to exceed five (5) years, or indefinitely with the right to petition the Hearing Panel in writing at any time for readmission after the academic term following the academic term in which the suspension occurred.
- Such petition will be submitted to the Title IX Coordinator no later than April 1 if the petition is for readmission for the fall trimester; by November 1 if the petition is for readmission for the winter trimester; and, January 1 if the petition is for readmission for the spring trimester
- If the Title IX Coordinator agrees with the Respondent's petition, after consulting with appropriate professional colleagues and receiving approval of the Hearing Chair, the Title IX Coordinator may permit the readmission without the petition being considered by the Hearing Panel.
- If the Hearing Panel denies the petition, the Respondent may not petition again until the next trimester and, in any event, may not petition for readmission for the same trimester denied by the Hearing Panel.
- While on such suspension, the student may not obtain academic credit at Union or elsewhere toward the completion of a Union degree.
- Dismissal (i.e., expulsion) from the College.

## **Appeal Process**

### **Students**

Each party may appeal (1) the dismissal of a Formal Complaint or any included allegations and/or (2) a determination regarding responsibility. To appeal, a party must submit their written appeal to the Title IX coordinator within ten (10) calendar days of being notified of the decision, indicating the grounds for the appeal.

The Notice of Appeal should be submitted to:

Mary Simeoli  
Title IX Coordinator  
Reamer 306  
[titleix@union.edu](mailto:titleix@union.edu)

The limited grounds for appeal available are as follows:

- Procedural irregularity that affected the outcome of the matter (i.e. a failure to follow the institution's own procedures);
- New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter;
- The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against an individual party, or for or against Complainants or Respondents in general, that affected the outcome of the matter;
- The sanctions or remedies are not commensurate with the injury/violation or are unjust.

The appeal statement must set forth:

- the determination(s) being appealed,
- the specific ground(s) for the appeal, and
- the facts supporting the grounds.

The appeal statement will be limited to 3500 words. Appeals should be submitted in electronic form using ARIAL or TIMES NEW ROMAN, 12-point font, and single-spaced. Appeals should use footnotes, not endnotes. Appeals that do not meet these standards may be returned to the party for correction, but the time for appeal will not be extended unless there is evidence that technical malfunction caused the appeal document not to meet these standards. Failure to submit an appeal within the ten (10) calendar days or any approved extension constitutes waiver of the right to appeal.

If a party appeals, the institution will as soon as practicable notify the other party in writing of the appeal, however the time for appeal shall be offered equitably to all parties and shall not be extended for any party solely because the other party filed an appeal. Appeals will be decided by an Appeals Panel appointed by the Title IX Coordinator who will be free of conflict of interest and bias, and will not serve as investigator(s), Title IX Coordinator, or Hearing Panel Chair in the same matter.

The Appeal Panel will establish a reasonable schedule for issuing a written decision, typically no later than ten (10) business days after receipt of the parties' submission or the time for submission has expired. Any decision will be based solely upon the hearing record and, in appropriate cases, upon a showing of new evidence relevant to the grounds for appeal. The decision must be by a majority vote of the Appeal Panel and will include the rationale for the Appeal Panel's decision.

The Appeal Panel may affirm the decision of the Hearing Panel or sustain any of the above-specified grounds for appeal, in which case the Appeal Panel may:

- reverse a finding;
- change a sanction or remedy;
- remand a case to the original Hearing Panel if possible, for a new hearing or remand a case to a newly composed Hearing Panel if there were procedural violations; or

- remand a case to the original investigator(s) if possible, for a new investigation or remand a case to a new investigator if there were procedural violations in the investigation.

If the Appeal Panel calls for the admission of new evidence, if possible, it will remand the case to the Hearing Panel from which it originated for a new hearing. Upon remand from the Appeal Panel, as necessary and possible, a Hearing Panel may remand a case to the investigator(s) from which it originated for further investigation. Outcome of appeal will be provided in writing simultaneously to both parties and include rationale for the decision.

### ***Sanctions (Faculty / Staff)***

In determining sanctions and remedies, the sanctioning body will consider:

- the severity of the prohibited conduct;
- the circumstances of the prohibited conduct;
- the impact of the prohibited conduct and sanctions and remedies on the complainant;
- the impact of the prohibited conduct and sanctions and remedies on the community;
- the impact of the prohibited conduct and sanctions and remedies on the responding party ;
- prior misconduct or disciplinary record of the Respondent and any criminal convictions;
- the goals of the College's Title IX Policy and these procedures; and
- any other mitigating, aggravating, or compelling factors.

### **Discipline**

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

### **Sanctions (Staff)**

When the Respondent is a staff member or administrator, the Adjudicator may recommend one or more of the following sanctions and remedies: discussion, recommendation for counseling or mentoring, monitoring of the situation, support for self-help as well as more serious disciplinary action. These may include (but are not limited to) a verbal or written warning or letter in the personnel file for a period of time or permanently, withholding of salary increases or stipends, removal from the classroom, suspension (with or without pay) or separation from the College.

### **Sanctions (Faculty)**

When the Respondent is a faculty member, the FSP may impose one or more of the following sanctions and remedies: reduction in salary; embargo on the consideration of salary increases for a specified period of time; prohibition of proposing, through the College, some or all sponsored research or other grants for a specified period of time; censure; or dismissal. If the FSP believes that dismissal is the appropriate sanction, the FSP shall recommend the dismissal to the President, who shall accept and impose or reject the recommendation of dismissal from the FSP, or the President may impose a sanction they deem appropriate. The President shall present their decision in writing to both parties setting forth the grounds for said decision. If

the Respondent is a faculty member with tenure and the President imposes the sanction of dismissal, the President will seek the approval of the Board of Trustees in accordance with the College's Bylaws and subject to the appeals provision for faculty members set forth below.

## **Appeal Process for employees**

Each party may appeal (1) the dismissal of a formal complaint or any included allegations; (2) a determination regarding responsibility; and/or (3) sanctions imposed. To appeal, a party must submit their written appeal within ten (10) calendar days of being notified of the decision, indicating the grounds for the appeal.

The limited grounds for appeal available are as follows:

- Procedural irregularity that affected the outcome of the matter (i.e., a failure to follow the institution's own procedures);
- New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made and that could affect the outcome of the matter;
- The Title IX Coordinator, investigator(s), or Adjudicator(s) had a conflict of interest or bias for or against an individual party, or for or against complainants or respondents in general, that affected the outcome of the matter.
- The sanctions or remedies are not commensurate with the injury/violation or are unjust.

The appeal statement must set forth:

- the determination(s) being appealed,
- the specific ground(s) for the appeal, and
- the facts supporting the grounds.

The appeal statement will be limited to 3500 words. Appeals should be submitted in electronic form using ARIAL or TIMES NEW ROMAN, 12 point font, and single-spaced. Appeals should use footnotes, not endnotes. Appeals that do not meet these standards may be returned to the party for correction, but the time for appeal will not be extended unless there is evidence that technical malfunction caused the appeal document not to meet these standards.

Failure to submit an appeal within the ten (10) calendar days or any approved extension constitutes waiver of the right to appeal.

The submission of appeal stays any sanctions for the pendency of an appeal. Supportive measures and remote learning opportunities remain available during the pendency of the appeal.

If a party appeals, the institution will as soon as practicable notify the other party in writing of the appeal; however, the time for appeal shall be offered equitably to all parties and shall not be extended for any party solely because the other party filed an appeal.

Appeals for staff will be decided by an Appeal Panel consisting of the Vice President for Finance & Administration, or their designee, and another panelist. Appeals for faculty will be decided by an Appeal Panel consisting of the Vice President for Academic Affairs, or their designee, and the Chair and Secretary of the Faculty Executive Committee ("FEC"). The Appeal Panel will not include the Adjudicator, investigators, or Title IX Coordinator.

The Appeal Panel will establish a reasonable schedule for issuing a written decision, typically no later than ten (10) business days after receipt of the parties' submission or the time for submission has expired.

Any decision will be based solely upon the hearing record and, in appropriate cases, upon a showing of new evidence relevant to the ground for appeal.

The decision must be by a majority vote of the Appeal Panel and will include the rationale for the Appeal Panel's decision.

The Appeal Panel may affirm the decision of the Adjudicator or sustain any of the above-specified grounds for appeal, in which case the Appeal Panel may:

- reverse a finding;
- change a sanction or remedy;
- remand a case to the original Adjudicator if possible for a new hearing or remand a case to a newly composed Adjudicator if there were procedural violations; or
- remand a case to the original investigator if possible for a new investigation or remand a case to a new investigator if there were procedural violations in the investigation.

If the Appeal Panel calls for the admission of new evidence, if possible, it will remand the case to the Adjudicator from which it originated for a new hearing.

Upon remand from the Appeal Panel, as necessary and possible, an Adjudicator may remand a case to the investigator from which it originated for further investigation.

Outcome of appeal will be provided in writing simultaneously to both parties, and include rationale for the decision.

#### 1. Appeal of the President's Decision of Dismissal of a faculty member

When the Respondent is a faculty member and the sanction of dismissal is imposed by the President, the President will notify both parties, and upon request of the Respondent, shall transmit to the Board of Trustees the transcript of the case and the appeal. Both parties are permitted to present written arguments to the Board of Trustees. The Board of Trustees' review will be based on the transcript of the case and the written argument(s). The decision of the President will either be sustained by the Board of Trustees or the Board of Trustees may make a reasoned determination for a less severe sanction or exonerate the Respondent.

#### XXI. Request for a Stay Pending Appeal

The Appeal Panel has discretion to stay any sanctions pending a final decision on the appeal. It may, but is not required to, stay a sanction where the appealing party demonstrates the need for a stay by a clear showing.

An application for a stay must be submitted to the Title IX Coordinator. The Title IX Coordinator will provide a copy of the stay application to the Appeal Panel and the other party, who is entitled to respond to the stay application by submitting to the Title IX Coordinator a written response.

The Appeal Panel will set a reasonable timeline for handling the stay application, including a deadline for the other party to respond to the stay application.

The Appeal Panel has discretion to reconsider its decision on a stay at any time during the appeal. The stay expires at the conclusion of the appeal.

The Notice of Appeal should be submitted to:

Mary Simeoli  
Title IX Coordinator  
Reamer 306

***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](tel:5183886600)

Union College Student Handbook at <https://www.union.edu/dean-students/student-handbook>

Website based reporting at

[https://cm.maxient.com/reportingform.php?UnionCollege&layout\\_id=9](https://cm.maxient.com/reportingform.php?UnionCollege&layout_id=9)

Sexual Assault Support Services confidential hotline [\(518\) 346-2266](tel:5183462266)

Rape Crisis Services (Planned Parenthood) of Schenectady County [\(518\) 374-5353](tel:5183745353)

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

For Homophobic Harassment:

LGBTQ Ally program at <https://www.union.edu/intercultural-affairs/lgbtq-union>

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)

## 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/help-crime-victims>.)

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 report a 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.)

On March 31, 2021, the state of New York [signed into legislation](#) the legalization of adult-use cannabis for those 21-years of age and older.

### **What does this mean for New York state?**

Under the law, New York will implement a comprehensive plan that covers medical cannabis, adult-use cannabis, and the sale of hemp flowers.

Notably, marijuana is still illegal to possess, consume, or distribute under federal law, and categorized as an illicit substance ([Drug Enforcement Agency Schedule I](#)) under the Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Amendments of 1989.

## **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. (Drunkness 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. This may include term abroad spaces and short stay-away trips and additional campus space such as The Kelly Adirondack Center and Shuttleworth Park as examples. For COVID social distancing and short term housing Washington Square and the Stockade Inn were used in the fall of 2020. These are both outside the area considered to be contiguous to campus.

***Public Property:*** All public property, including thoroughfares, streets, sidewalks, and parking facilities, which is within the campus or immediately adjacent to and accessible from the campus.

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.

***Residential Facilities:*** Dormitory and apartment residences at Union College

## Statistics for 2019, 2020, 2021

Offense (Reported By Hierarchy)	Year	On Campus	Non-Campus	Public Property	Total	Residential Facilities*
Murder/Non Negligent Manslaughter	2019	0	0	0	0	0
	2020	0	0	0	0	0
	2021	0	0	0	0	0
Manslaughter by Negligence	2019	0	0	0	0	0
	2020	0	0	0	0	0
	2021	0	0	0	0	0
Rape	2019	<b>12</b>	0	0	<b>12</b>	<b>12</b>
	2020	<b>4</b>	0	0	<b>4</b>	<b>3</b>
	2021	<b>5</b>	0	0	<b>5</b>	<b>5</b>
Fondling	2019	<b>2</b>	0	0	<b>2</b>	<b>1</b>
	2020	<b>1</b>	0	0	<b>1</b>	<b>1</b>
	2021	<b>1</b>	0	0	<b>1</b>	<b>1</b>
Incest	2019	0	0	0	0	0
	2020	0	0	0	0	0
	2021	0	0	0	0	0
Statutory Rape	2019	0	0	0	0	0
	2020	0	0	0	0	0
	2021	0	0	0	0	0
Robbery	2019	0	0	<b>1</b>	<b>1</b>	0
	2020	0	0	0	0	0
	2021	0	0	0	0	0
Aggravated Assault	2019	0	0	0	0	0
	2020	0	0	0	0	0
	2021	<b>4</b>	0	0	<b>4</b>	<b>4</b>
Burglary	2019	<b>1</b>	0	0	<b>1</b>	<b>1</b>
	2020	<b>1</b>	0	0	<b>1</b>	<b>1</b>
	2021	<b>1</b>	0	0	<b>1</b>	<b>1</b>
Motor Vehicle Theft	2019	<b>2</b>	0	0	<b>2</b>	0
	2020	<b>2</b>	0	0	<b>2</b>	0
	2021	<b>1</b>	0	0	<b>1</b>	0
Liquor Law Arrests	2019	0	0	0	0	0
	2020	0	0	0	0	0
	2021	0	0	0	0	0
Drug Law Arrests	2019	0	0	0	0	0
	2020	0	0	0	0	0
	2021	0	0	0	0	0
Weapons Law Arrests	2019	0	0	0	0	0
	2020	0	0	0	0	0
	2021	0	0	0	0	0
Liquor Law Violations Referred for Disciplinary Action	2019	<b>251</b>	0	<b>18</b>	<b>269</b>	<b>248</b>
	2020	<b>289</b>	<b>18</b>	0	<b>307</b>	<b>282</b>
	2021	<b>242</b>	<b>28</b>	9	<b>279</b>	<b>233</b>
Drug Law Violations Referred for Disciplinary Action	2019	<b>41</b>	0	0	<b>41</b>	<b>41</b>
	2020	<b>4</b>	0	0	<b>4</b>	<b>4</b>
	2021	<b>9</b>	0	1	<b>10</b>	<b>7</b>
Weapons Law Violations Referred for Disciplinary Action	2019	0	0	0	0	0
	2020	0	0	0	0	0
	2021	0	0	0	0	0

Offense (Crimes Not Reported By Hierarchy)	Year	On Campus	Non-Campus	Public Property	Total	Residential Facilities*
Arson	2019	0	0	0	0	0
	2020	0	0	0	0	0
	2021	0	0	0	0	0
Domestic Violence	2019	1	0	0	1	0
	2020	0	0	0	0	0
	2021	0	0	0	0	0
Dating Violence	2019	0	0	0	0	0
	2020	0	0	0	0	0
	2021	7	0	0	7	4
Stalking	2019	3	0	0	3	0
	2020	0	0	0	0	0
	2021	3	0	0	3	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:**

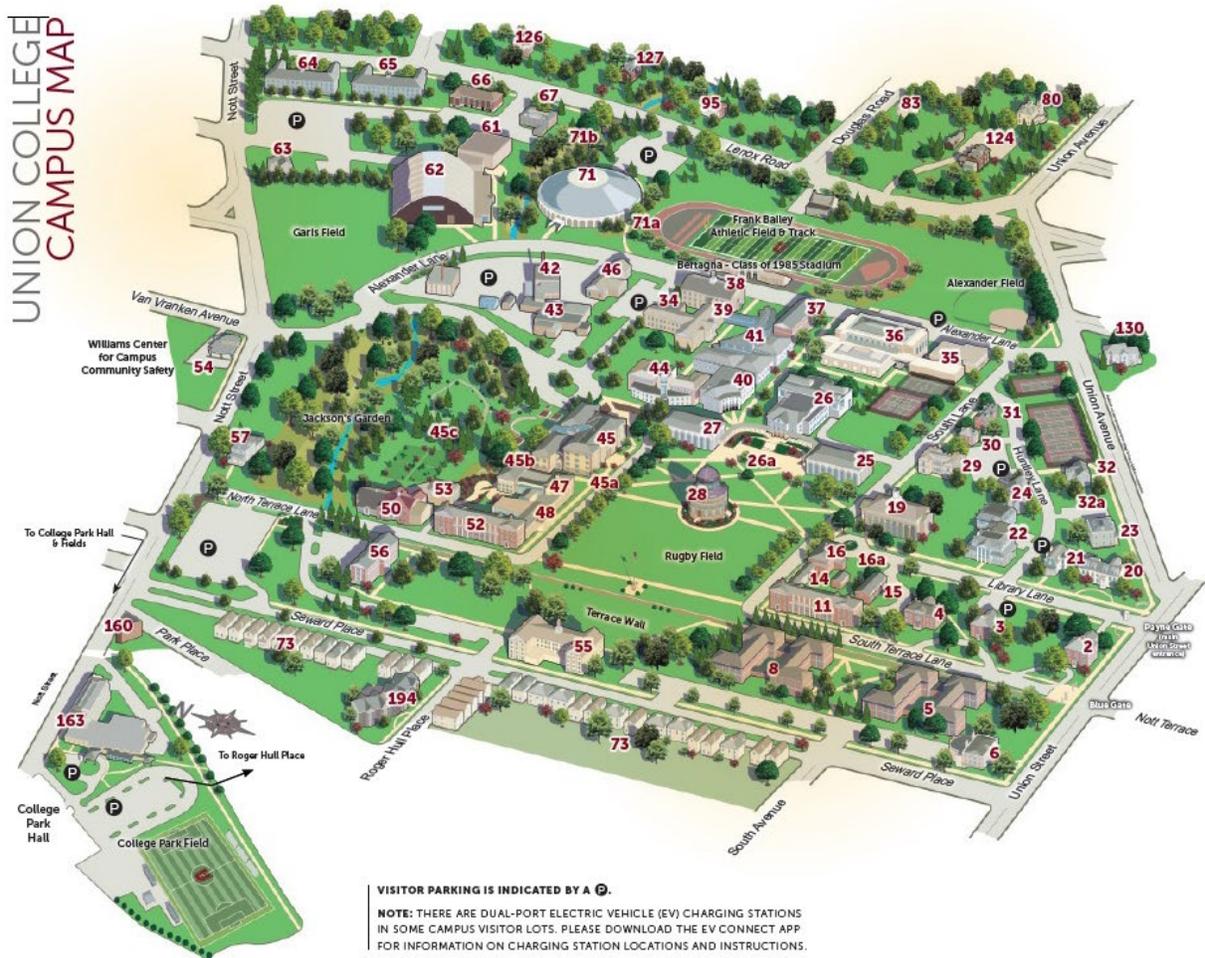
There were no hate crimes reported for 2019. In 2020 there was one report of Intimidation with sexual orientation bias. No hate crimes were reported in 2021.

#### **UNFOUNDED CRIMES:**

There were no unfounded crimes in 2019, 2020, or 2021.

# MAP OF COLLEGE

<https://www.union.edu/about/area/maps-directions> 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](tel:5183886911)

**Business Office:** Williams Center, 645 Nott Street, Schenectady, NY 12308

**Website:**

<https://www.union.edu/campus-safety>

**Hours:** 24 hours a day

**Interim Director:** Thomas Constantine

## **Other Important Phone Numbers**

**Campus Safety Department:** [\(518\) 388-6911](tel:5183886911)

**Escort Service:** [\(518\) 388-6386](tel:5183886386)

**Emergencies, Crimes in Progress, Fire, Medical:** 911

**Campus Safety Administration:** [\(518\) 388-6358](tel:5183886358)

**Counseling:** [\(518\) 388-6161](tel:5183886161)

Marcus Hotaling, Director

**Dean of Students Office:** [\(518\) 388-6116](tel:5183886116)

Ryan Keytack, Interim Dean of Students

Ryan Ribeiro, Director of Community Standards

Kate Schurick, Dean of First Year Students

**Health Services:** [\(518\) 388-6120](tel:5183886120)

Angela Stefanatos, Director

**Schenectady Police Department:**

[518-630-0911](tel:5186300911) (non-emergencies)

**Schenectady Fire Department:**

911 (Fire or medical emergency)

**Union College Sexual Assault Confidential Reporting**

[518-388-6600](tel:5183886600)

**Title IX Coordinator:** [518-388-6865](tel:5183886865)

Mary Simeoli

**Ellis Hospital Emergency Room Nott Street:** [\(518\) 243-4121](tel:5182434121)

# **HEOA Fire Safety Reporting Information**

Union College Life Safety Office – Environmental Health & Safety

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 2021 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 the Integrated Science and Engineering Complex, room 183.

## ***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 2019, sprinkler systems were installed in West College, Fox Hall, and Webster House. In 2022, fire alarm systems in 319, 321, and 323 Seward Place houses, along with 702 Roger Hull Place, were replaced. Future renovations and updates will continue as budgets and circumstances allow.

Fire statistics 2019 - 2021

**Fire alarm systems in residential buildings** - Full Sprinkler coverage includes sleeping areas, hallways, stairwells, common areas, kitchens and basements.

Name of Facility	Fire Alarm System	Sprinkler	Coverage
Beuth House	Notifier	Yes	Full
Breazzano House	Notifier	Yes	Full
College Park Hall	Notifier	Yes	Full
Davidson Hall	Notifier	Yes	Full
Edwards House	Notifier	Yes	Full
Fero House	Notifier	Yes	Full
Fox Hall	Notifier	Yes	Full
Golub House	Notifier	Yes	Full
Hickok House	Notifier	Yes	Full
North College	Notifier	Yes	Full
Potter House	Notifier	Yes	Full
Raymond House	Notifier	Yes	Full
Richmond House	Notifier	Yes	Full
Smith House	Notifier	Yes	Full
South College	Notifier	Yes	Full
Webster House	Notifier	Yes	Full
Wells House	Notifier	Yes	Full
West College	Notifier	Yes	Full
1294 Lenox Road	Notifier	Yes	Full
1480 Lenox Road	OnGuard	No	
201 Seward Place	Notifier	Yes	Full
203 Seward Place	Notifier	Yes	Full
207 Seward Place	Notifier	Yes	Full
209 Seward Place	Notifier	Yes	Full
215 Seward Place	Notifier	Yes	Full
217 Seward Place	Notifier	Yes	Full
219 Seward Place	Notifier	Yes	Full
221 Seward Place	Notifier	Yes	Full
233 Seward Place	Notifier	Yes	Full
301 Seward Place	Notifier	Yes	Full
303 Seward Place	Notifier	Yes	Full
305 Seward Place	Notifier	Yes	Full
309 Seward Place	Notifier	Yes	Full
311 Seward Place	Notifier	Yes	Full
313 Seward Place	Notifier	Yes	Full
315 Seward Place	Notifier	Yes	Full
317 Seward Place	Notifier	Yes	Full
319 Seward Place	Notifier	Yes	Full
321 Seward Place	Notifier	Yes	Full
323 Seward Place	Notifier	Yes	Full
325 Seward Place	Notifier	Yes	Full
327 Seward Place	Notifier	Yes	Full
700 Roger Hull Place	Notifier	Yes	Full
702 Roger Hull Place	Notifier	Yes	Full
704 Roger Hull Place	Notifier	Yes	Full

Fire statistics 2019 - 2021

706 Roger Hull Place	Notifier	Yes	Full
708 Roger Hull Place	Notifier	Yes	Full
710 Roger Hull Place	Notifier	Yes	Full
712 Roger Hull Place	Notifier	Yes	Full
32 Union Avenue	OnGuard	Yes	Full
Garnet Commons	Notifier	Yes	Full
219 Park Place	OnGuard	Yes	Full

Fire statistics 2019 - 2021

<b>2019 Statistics</b>	<b>Fires</b>	<b>Injuries</b>	<b>Deaths</b>
Beuth House	0	0	0
Breazzano House	0	0	0
College Park Hall	0	0	0
Davidson Hall	1	0	0
Edwards House	0	0	0
Fero House	0	0	0
Fox Hall	0	0	0
Golub House	0	0	0
Hickok House	0	0	0
North College	0	0	0
Potter House	0	0	0
Raymond House	0	0	0
Richmond House	0	0	0
Smith House	0	0	0
South College	0	0	0
Webster House	0	0	0
Wells House	0	0	0
West College	0	0	0
1294 Lenox Road	0	0	0
1480 Lenox Road	0	0	0
201 Seward Place	0	0	0
203 Seward Place	0	0	0
207 Seward Place	0	0	0
209 Seward Place	0	0	0
215 Seward Place	0	0	0
217 Seward Place	0	0	0
219 Seward Place	0	0	0
221 Seward Place	0	0	0
233 Seward Place	0	0	0
301 Seward Place	0	0	0
303 Seward Place	0	0	0
305 Seward Place	0	0	0
309 Seward Place	0	0	0
311 Seward Place	0	0	0
313 Seward Place	0	0	0
315 Seward Place	0	0	0
317 Seward Place	0	0	0
319 Seward Place	0	0	0
321 Seward Place	0	0	0
323 Seward Place	0	0	0
325 Seward Place	0	0	0
327 Seward Place	0	0	0
700 Roger Hull Place	0	0	0
702 Roger Hull Place	0	0	0
704 Roger Hull Place	0	0	0
706 Roger Hull Place	0	0	0
708 Roger Hull Place	0	0	0
710 Roger Hull Place	0	0	0
712 Roger Hull Place	0	0	0
32 Union Avenue	0	0	0

Fire statistics 2019 - 2021

Garnet Commons	0	0	0
219 Park Place	0	0	0
<b>Totals</b>	<b>1</b>	<b>0</b>	<b>0</b>

Fire statistics 2019 - 2021

2020 Statistics	Fires	Injuries	Deaths
Beuth House	0	0	0
Breazzano House	0	0	0
College Park Hall	0	0	0
Davidson Hall	2	0	0
Edwards House	0	0	0
Fero House	0	0	0
Fox Hall	0	0	0
Golub House	0	0	0
Hickok House	0	0	0
North College	0	0	0
Potter House	0	0	0
Raymond House	0	0	0
Richmond House	0	0	0
Smith House	0	0	0
South College	0	0	0
Webster House	0	0	0
Wells House	0	0	0
West College	0	0	0
1294 Lenox Road	0	0	0
1480 Lenox Road	0	0	0
201 Seward Place	0	0	0
203 Seward Place	0	0	0
207 Seward Place	0	0	0
209 Seward Place	0	0	0
215 Seward Place	0	0	0
217 Seward Place	0	0	0
219 Seward Place	0	0	0
221 Seward Place	0	0	0
233 Seward Place	0	0	0
301 Seward Place	0	0	0
303 Seward Place	0	0	0
305 Seward Place	0	0	0
309 Seward Place	0	0	0
311 Seward Place	0	0	0
313 Seward Place	0	0	0
315 Seward Place	0	0	0
317 Seward Place	0	0	0
319 Seward Place	0	0	0
321 Seward Place	0	0	0
323 Seward Place	0	0	0
325 Seward Place	0	0	0
327 Seward Place	0	0	0
700 Roger Hull Place	0	0	0
702 Roger Hull Place	0	0	0
704 Roger Hull Place	0	0	0
706 Roger Hull Place	0	0	0
708 Roger Hull Place	0	0	0
710 Roger Hull Place	0	0	0
712 Roger Hull Place	0	0	0
32 Union Avenue	0	0	0

Fire statistics 2019 - 2021

Garnet Commons	0	0	0
219 Park Place	0	0	0
<b>Totals</b>	<b>2</b>	<b>0</b>	<b>0</b>

Fire statistics 2019 - 2021

<b>2021 Statistics</b>	<b>Fires</b>	<b>Injuries</b>	<b>Deaths</b>
Beuth House	0	0	0
Breazzano House	0	0	0
College Park Hall	0	0	0
Davidson Hall	0	0	0
Edwards House	0	0	0
Fero House	0	0	0
Fox Hall	0	0	0
Golub House	0	0	0
Hickok House	0	0	0
North College	0	0	0
Potter House	0	0	0
Raymond House	0	0	0
Richmond House	0	0	0
Smith House	0	0	0
South College	0	0	0
Webster House	0	0	0
Wells House	0	0	0
West College	0	0	0
1294 Lenox Road	0	0	0
1480 Lenox Road	0	0	0
201 Seward Place	0	0	0
203 Seward Place	0	0	0
207 Seward Place	0	0	0
209 Seward Place	0	0	0
215 Seward Place	0	0	0
217 Seward Place	0	0	0
219 Seward Place	0	0	0
221 Seward Place	0	0	0
233 Seward Place	0	0	0
301 Seward Place	0	0	0
303 Seward Place	0	0	0
305 Seward Place	0	0	0
309 Seward Place	0	0	0
311 Seward Place	0	0	0
313 Seward Place	0	0	0
315 Seward Place	0	0	0
317 Seward Place	0	0	0
319 Seward Place	0	0	0
321 Seward Place	0	0	0
323 Seward Place	0	0	0
325 Seward Place	0	0	0
327 Seward Place	0	0	0
700 Roger Hull Place	0	0	0
702 Roger Hull Place	0	0	0
704 Roger Hull Place	0	0	0
706 Roger Hull Place	0	0	0
708 Roger Hull Place	1	0	0
710 Roger Hull Place	0	0	0
712 Roger Hull Place	0	0	0

Fire statistics 2019 - 2021

32 Union Avenue	0	0	0
Garnet Commons	0	0	0
219 Park Place	0	0	0
<b>Totals</b>	<b>1</b>	<b>0</b>	<b>0</b>

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
708 Roger Hull Pl	2nd floor	Toaster oven fire - forgotten cooking,	3/10/2021, 2:00 PM	Under \$100
Davidson House	Kappa	Fire - unattended pan of oil ignited	2/3/2020, 8:22 PM	No damages
Davidson House	Basement	Electrical Fire - motor burned out	10/20/2020, 8:30 PM	Under \$100
Davidson House	2 <sup>nd</sup> floor	Incense ignited plastic on fire in trash	11/8/2019, 3:43 PM	Under \$100