



CAMPUS SAFETY

Annual Security and Fire Safety Report



IONA
UNIVERSITY

[Click Here for Table of Contents](#)

**STUDENT LIFE TELEPHONE NUMBERS
ON THE NEW ROCHELLE CAMPUS**

Athletics	(914) 633-2654
Office of Mission and Ministry	(914) 637-2772
Campus Safety Administrative Office	(914) 633-2245
Career Services	(914) 633-2462
Counseling Services	(914) 633-2038
Health Services	(914) 633-2548
Residential Life	(914) 633-2336
Center for Student Engagement	(914) 633-2360
Facilities Management.....	(914) 633-2454

OTHER IMPORTANT TELEPHONE NUMBERS: NEW ROCHELLE CAMPUS

Emergency Police/Fire/Ambulance	911
Local Police, Non-Emergency	(914) 654-2300
Campus Safety 24 Hr. Phone	(914) 633-2560

OTHER IMPORTANT TELEPHONE NUMBERS: BRONXVILLE CAMPUS

Emergency Police/Fire/Ambulance	911
Local Police, Non-Emergency	(914) 337-0500
Campus Safety 24 Hr. Phone	(914) 654-6100

Contacts:

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IONA UNIVERSITY

MISSION STATEMENT

Iona University is a caring academic community, inspired by the legacy of Blessed Edmund Rice and the Christian Brothers, which embodies opportunity, justice, and the liberating power of education.

Iona University's purpose is to foster intellectual inquiry, community engagement, and an appreciation for diversity.

In the tradition of American Catholic Higher Education, Iona University commits its energies and resources to the development of graduates recognized for their ethics, creativity, and problem solving abilities; their independent and adaptable thinking; their joy in lifelong learning; and their enduring integration of mind, body, and spirit.

(Adopted May 2, 2012)

THE CAMPUS SECURITY ACT (also known as the Clery Act)

The Campus Security Act requires colleges and universities to:

- Publish an annual report every year by October 1 that contains three years of campus crime statistics and certain campus security policy statements.
- Publish crime statistics for the campus, public areas immediately adjacent to or running through the campus, and certain non-campus facilities and remote classrooms. (The statistics must be gathered from campus police or security, local law enforcement, and other University officials who have “significant responsibility for student and campus activities.”)
- Publish “timely warning” notices where a crime has occurred on or near campus that, in the judgment of the Director of Campus Safety or Associate Director of Campus Safety, constitutes an ongoing or continuing threat to members of the University community.
- Make available for public inspection a daily public crime log of “any crime that occurred on campus ... or within the patrol jurisdiction of the campus security department ... and is reported to the campus security department.”

The Department of Campus Safety is responsible for preparing and distributing the annual report. The department works with other administrative departments and law enforcement agencies — such as the office of Center for Student Engagement, Title IX and the New Rochelle, Bronxville, and Tuckahoe Police Departments — to compile the information incorporated into the report.

We encourage members of the Iona community to use this report as a guide for safe practices on and off campus. The report is available on the web at: www.iona.edu. Each member of the Iona community receives an email that describes the report and provides its Web address. For more information, contact the Department of Campus Safety at (914) 633-2245 or email anavarrete@iona.edu and/or jhynes@iona.edu.

Security of and Access to Campus Facilities

Access to campus buildings and grounds is a privilege extended to students, faculty, staff, and authorized guests. Iona University encourages an open environment with limited constraints to ensure the reasonable protection of all members of the community. Most campus facilities (except residence halls) are open during weekday business hours. Individuals who wish to access campus facilities during non-business hours or for special events should contact the Department of Campus Safety.

Automated access control systems are also installed in the Hynes Athletics Center, Kelly Center, LaPenta School of Business, LaPenta Student Union, McSpedon Hall (North Entrance), Ryan Library, and Speech Clinic.

Residence Hall Access

All residence halls are equipped with an automated card access control system. Residence halls are accessible to current students and authorized staff and faculty via the system. Guests and other visitors may visit residence halls provided they have been authorized by the Residential Life office. The doors to all residence halls remain locked 24 hours a day and personnel is assigned to cover the front desk of each building lobby.

In addition to the automated card access control system, exterior doors in the residence halls are equipped with an alarm system. The Iona University Facilities Management Department maintains the alarms and works with the Office of Residential Life and the Campus Safety Office for policy guidance.

Security Considerations in the Maintenance of Campus Facilities

Iona University is committed to campus safety and security. The Department of Campus Safety conducts routine checks of lighting on campus during regularly assigned patrol duties. If lights are not working, officers will initiate an immediate work order, which is acted upon by the Facilities Management Department, usually by the next business day. We encourage community members to report any instances of inadequate lighting to the Facilities Department at (914) 633-2454.

The Department of Campus Safety and the Facilities Management Department work together to identify inoperative locking mechanisms, and work to immediately correct these conditions. Maintenance personnel are available to respond to calls for service regarding unsafe facility conditions, or for personal safety and property protection. These conditions also may include unsafe steps or handrails, unsafe roadways on campus, and unsecured equipment.

Solicitation is prohibited on the Iona University campus without prior approval.

POLICY STATEMENTS

POLICY ON A DRUG-FREE COMMUNITY

Iona University recognizes its duty to uphold existing state and federal laws and inform students and staff about the Drug-Free Schools and Communities Act of 1989. This law, by which the University intends to comply fully, was designed to prevent the illegal use of drugs and the abuse of alcohol by students and staff. Iona is a drug-free school and workplace and the University will not protect any member of the community who violates the law. This represents the complete policy on a Drug-Free Community.



Accordingly, any person discovered on campus by University officials who illegally possesses marijuana, hallucinogens or any other drugs prescribed by state or federal laws, will be subject to sanctions up to and including dismissal from the University. It is a violation of the Code of Conduct to fail to comply with the University's regulations and state and federal laws governing the possession, distribution and use of illegal drugs. This includes any paraphernalia used to assist in the possession, distribution or use of illegal drugs either on or off campus. Any student arrested by any governmental authority in connection with illegal possession or use of drugs will be subject to disciplinary action pursuant to the judicial procedures of the University as contained in the Student Handbook.

Should guests, or anyone purporting to be a guest of students or of anyone else in the University community, be actively engaged in the sale, barter, exchange or distribution of an illegal drug on campus, the University will take immediate action by notifying the appropriate governmental authorities. Since the University does not consider itself a "sanctuary" outside the law for its own students, faculty or staff, neither can it be a place of refuge for persons not part of the University community.

New York State penal law states that it is illegal for: persons under the age of 21 to purchase or possess alcoholic beverages with the intent to consume; individuals under the age of 21 to purchase or attempt to purchase an alcoholic beverage through fraudulent means; individuals to furnish alcohol to anyone under 21-years-of-age; individuals to sell, deliver or give away alcoholic beverages to any intoxicated person or any person under the influence of alcohol regardless of the age of the person; and/or individuals to drive while impaired or intoxicated.

Federal law makes it a criminal offense to manufacture, distribute, dispense or possess a controlled substance. (See Title 21 US Code 801, et. seq. Controlled substances are defined by the schedules contained in 812 of Title 21 of the US code.) New York State penal law makes it a criminal offense to possess, possess with intent to sell or actually sell various drugs as listed in the schedules contained in the New York State Public Health Law, 3306 thereof. (See Penal Law Articles 220 and 222.)

New York State has repealed Article 221 in relation to marijuana possession and personal use. However, **marijuana remains illegal under Federal law. Marijuana possession or use is prohibited on campus property.**

The possible sanctions for the violation of federal and state law depend upon the particular offense violated. The various offenses are premised on aggravating factors which include the type and quantity of drugs involved. Depending upon the particular aggravating circumstances involved, violations of said law could result in sanctions from a monetary fine to life imprisonment.

It is a violation of New York State Penal Law 240.40 for a person to appear in public under the influence of narcotics or a drug other than alcohol to the degree that he or she may endanger himself or herself or other persons or property, or annoy persons in the vicinity. A violation of this law could result in imprisonment up to 15 days.

Alcohol and Other Drugs Counseling:

Students who violate the University's Alcohol and Other Drug Policy are referred to the Coordinator of Alcohol and Other Drug Education (AODE) Services. The Coordinator meets with students to provide mandated assessment and educational services. Students first have an individual session with the Coordinator to assess the nature and degree of their substance use. Those students, who are first time violators of University policy, are referred to the CHOICES program. Following their assessment session, they are scheduled to attend an educational seminar, which highlights the risks of binge drinking and illicit drug use, and encourages students to adopt healthier behaviors. Students who are repeat offenders of University policy, or whose violation was particularly egregious, are referred to the BASICS program. Following their assessment session, they are scheduled for a second individual session with the Coordinator. This second session is used to provide students with the following: individualized feedback about the nature and risks of their substance use, how their behavior compares to the norm at Iona, and how to adopt safer strategies and avoid alcohol and other drug-related consequences. Students referred to either the CHOICES or BASICS programs are invited to engage in ongoing counseling specific to substance use with the Coordinator, should they so choose.

AODE Services also provides voluntary, ongoing alcohol and other drug counseling, in addition to the brief intervention services described above. Students are referred by a variety of student services offices across the campus, including but not limited to Residential Life, Student Retention, Off-Campus Housing, and the Center for Student Engagement. Some students choose to engage in voluntary counseling following the completion of a CHOICES or BASICS referral, while others seek out the services provided by AODE because of concerns they have about their substance use or the use of a loved one. Those students who engage in ongoing counseling related to their substance use have the opportunity to:

- reflect on their substance use and its function in their lives
 - examine a variety of factors which influence their use and are also impacted by their use such as: family, social relationships, trauma, stress, psychological disorders, medical/physical health issues, educational/academic problems, etc.
 - develop a plan to increase healthier behaviors to improve overall wellness
 - obtain support in executing their wellness plan, as well as, during times of struggle.
- * Counseling services provided by this office are confidential and within the parameters of the ethical guidelines required of mental health professionals.
- ** Students who may benefit from more intensive substance treatment are referred to outside treatment providers, as appropriate.
- *** The Coordinator provides consultation to parents with concerns about their student's substance use, within the confines of confidentiality, as appropriate.

Violation	Mandatory Fine	Maximum Jail Term	Mandatory Drivers License Action
Aggravated Driving While Intoxicated (AGG DWI)	\$1,000 - \$2,500	1 year	Revoked for at least one year
Second AGG DWI in 10 years (E felony)	\$1,000-\$5,000	4 years	Revoked for at least 18 months
Third AGG DWI in 10 years (D felony)	\$2,000-\$10,000	7 years	Revoked for at least 18 months
Driving While Intoxicated (DWI) or Driving While Impaired by a Drug (DWAI-Drug)	\$500 - \$1,000	1 year	Revoked for at least six months
Second DWI or DWAI-Drug violation in 10 years (E felony)	\$1,000 - \$5,000	4 years	Revoked for at least one year
Third DWI or DWAI-Drug violation in 10 years (D felony)	\$2,000 - \$10,000	7 years	Revoked for at least one year
Driving While Ability Impaired by a Combination of Alcohol/Drugs (DWAI-Combination)	\$500 - \$1,000	1 year	Revoked for at least six months
Second DWAI-Combination in 10 years (E felony)	\$1,000 - \$5,000	4 years	Revoked for at least one year
Third DWAI-Combination in 10 years (D felony)	\$2,000 - \$10,000	7 years	Revoked for at least one year
Driving While Ability Impaired by Alcohol (DWAI)	\$300 - \$500	15 days	Suspended for 90 days
Second DWAI violation in 5 years	\$500 - \$750	30 days	Revoked for at least six months
Third or subsequent DWAI within 10 years (Misdemeanor)	\$750 - \$1,500	180 days	Revoked for at least six months
Zero Tolerance Law	\$125 civil penalty and \$100 fee to terminate suspension	None	Suspended for six months
Second Zero Tolerance Law	\$125 civil penalty and \$100 re-application fee	None	Revoked for 1 year or until age 21
Chemical Test Refusal	\$500 civil penalty (\$550 for commercial drivers)	None	Revoked for at least one year, 18 months for commercial drivers.
Chemical Test Refusal within five years of a previous DWI-related charge/Chemical Test Refusal	\$750 civil penalty	None	Revoked for at least 18 months, one-year or until age 21 for drivers under age 21, permanent CDL revocation for commercial drivers.
Chemical Test Refusal - Zero Tolerance Law	\$300 civil penalty and \$100 re-application fee	None	Revoked for at least 1 year
Chemical Test Refusal - Second or subsequent Zero Tolerance Law	\$750 civil penalty and \$100 re-application fee	None	Revoked for at least 1 year
Driving Under the Influence (Out-of-State)	N/A	N/A	Revoked for at least 90 days. If less than 21 years of age, revoked at least one year.
Driving Under the Influence (Out-of-State) with any previous alcohol-drug violation	N/A	N/A	Revoked for at least 90 days (longer term with certain prior offenses). If less than 21 years of age, revoked at least one year or until age 21 (longest term).

It is a violation of New York State Penal Law 260.20 (d) (4) for a person to give or sell an alcoholic beverage to a person less than 21 years old. A violation of this law could result in imprisonment up to three months. Any person who operates, drives or is in control of a motor vehicle while intoxicated (DWI) or impaired (DWAI) is in violation of Section 1192 of the Vehicle and Traffic Law and if found guilty, is subject to fines, imprisonment and license suspension or revocation. The penalties for DWI and DWAI related to this section are listed in the preceding chart.

A drug is a chemical substance that has an effect upon the body or mind. Alcohol is defined as a drug. Drugs and alcohol are capable of impairing judgment and physical capacity and diminishing individual performance in activities of family living. Problems associated with inappropriate use of drugs and alcohol are complex in nature. One class of drugs is the sedative-hypnotic which relaxes the central nervous system. These include alcohol, barbiturates, tranquilizers (depressants), marijuana and hashish. Alcohol is chemically known as ethyl alcohol, C₂H₅OH, a colorless liquid, and medically is a depressant drug that slows the activity of the brain and spinal cord. Like any drug that affects the mind, alcohol has the potential to be abused.



Alcohol is ingested orally and the average 150 lb person can consume one drink in 1 1/2 hours with no or little accumulation of alcohol in the blood. One drink means the equivalent to 12 oz. of beer, 5 oz. of wine, or 1 1/2 oz. of hard liquor. The legal age for sale and consumption of alcohol is 21 in the State of New York.

Alcohol abuse results in harm or danger to the drinker and other people. The heavy costs of alcohol abuse include drinking and automobile crashes, homicides, arrests, accidents, and loss of productivity, plus the hidden cost of broken families, poor health and alcoholism. About one in 11 drinkers become alcoholics who have lost control over their drinking, resulting in personal, job and family problems. Continued heavy drinking can affect your health and can result in permanent damage. Malnutrition, cancer, heart disease, brain damage and ulcers can be a direct result of prolonged excessive drinking.

Barbiturates and tranquilizers (central nervous system depressants) can cause intoxication and produce such signs as tremors of the hands, lips and tongue, confusion, poor judgment and poor muscular coordination, drowsiness, slurred speech and constricted pupils.

Marijuana and hashish alter mood and perception and produce anxiety, euphoria, talkative behavior, floating feelings and hunger. They interfere with memory, intellectual performance and can impair concentration. Long-term, regular marijuana smoking causes irritation of the respiratory tract and can produce lung disease and possible damage to the heart and immune system.

Nicotine acts as a stimulant on the heart and nervous system. When tobacco smoke is inhaled, the immediate effects on the body are a faster heartbeat and elevated blood pressure. Young smokers may experience shortness of breath and a nagging cough. Some long-term effects of smoking cigarettes are emphysema, chronic bronchitis, coronary heart disease and lung cancer.

Caffeine, one of the oldest and most widely used stimulants, is found in coffee, tea, some soft drinks and some cold medications. Dependence on caffeine generally develops in habitual users, with headaches being the most common symptom of withdrawal.

Cocaine, whether it is smoked (crack), injected or snorted, is risky in all forms. Physical effects include dilated pupils, increased blood pressure, heart rate, breathing and body temperature, and restlessness and anxiety.

Amphetamines increase alertness and activity and are often referred to as speed, uppers, pep pills and diet pills. Mood swings, irritability, nervousness, and muscle pain are some of the effects of continued use. Eventually, hallucinations, paranoia, convulsions, brain damage, heart problems, and death can occur.

Hallucinogens (psychedelics) include PCP, LSD and mescaline. Hallucinogens temporarily distort reality, cause visual hallucinations, perceptual distortion and psychotic experiences and, sometimes, depression and flashbacks.

Dependency causes the deterioration of the moral, physical and intellectual fiber of an individual and abuse impairs the user's health, emotional wellbeing, family life, job performance and friendships. Iona is aware of the stresses associated with daily living, and strongly urges that the entire University community meet these stresses by participating in healthy behaviors. It is the goal of the University to assist in this endeavor by creating an environment that promotes and reinforces healthy and responsible living.

As a condition of employment and in compliance with the Drug-Free Workplace Act of 1988, Iona University employees will abide by the terms of this policy. The use of narcotics, controlled substances and the abuse of alcohol have been a significant problem to business, employees, students and society in general. These substances, when used in the work environment, threaten the safety, morale, productivity and the public image of both the employee and the University. Consequently, the University, in furtherance of the Federal Drug-Free Workplace Act, has established the following policy regarding controlled substances and alcohol.

1. The unauthorized use, possession, unlawful manufacturing, distribution, dispensation or being under the influence, of any controlled substance, narcotic and/or alcohol while on the University premises is strictly prohibited.
2. An employee will notify the University, in writing, of any criminal drug statute conviction for a violation occurring on campus no later than five days after a conviction.
3. In the event the University receives notification from an employee or otherwise of a conviction as described above, the University may take appropriate personnel action against an employee, including termination.

Mission and Ministries, Campus Safety, Counseling Services, Health Services, Residential Life, and/or Center for Student Engagement offer resources, workshops, counseling, and/or referrals for members of the University community regarding substance use and abuse.

Informational pamphlets and handouts are available and workshops, which are open to students, faculty, and staff, provide educational information and encourage preventative attitudes and healthy behaviors. Topics include: creating social alternatives to alcohol-related activities; learning to manage stress without alcohol or drugs; recognizing the warning signs of substance abuse in self and others; intervening when friends or family members appear to be engaged in alcohol or substance abuse; and understanding issues of adult children of alcoholics.

Some of the outside counseling services and agencies are listed below:

SELF-HELP

Alcoholics Anonymous.....	(914) 949-1200
Al-Anon	(914) 946-1748
Substance Abuse and Mental Health Services Administration.....	(800) 662-HELP
Suicide/Crisis Lifeline.....	988 or (800) 273-8255
National Sexual Assault Hotline	(800) 656-4673

DETOX PROGRAMS

St. Johns Riverside Hospital	Yonkers	(914) 964-7537
Westchester Medical Center	Valhalla	(914) 493-7000

INPATIENT REHAB

New York Presbyterian	(914) 682-9100	
St. Vincent's Hospital.....	Harrison	(914) 967-6500

OUTPATIENT COUNSELING

New York Presbyterian	(914) 682-9100	
St. Vincent's Hospital.....	Harrison	(914) 967-6500 x5261
Lexington Center	New Rochelle.....	(914) 235-6633
Phelps Memorial Hospital ATS	Ossining.....	(914) 944-5220
St. Johns Riverside Hospital	Yonkers	(914) 964-7537
The Maxwell Institute.....	Tuckahoe	(914) 337-6033
Richard Pruss Wellness Center	Bronx.....	(855) 322-4357

REFERRAL RESOURCES

Youth Advocate Program	Hastings-on-Hudson	(914) 478-2471
Alcoholism Council of Greater New York ...	Manhattan.....	(212) 252-7001
My Sister's Place		(800) 298-7233

NON-DISCRIMINATION STATEMENT

Iona University does not discriminate in its educational programs or activities on the basis of race, color, national or ethnic origin, ancestry, age, religion or religious creed, disability or handicap, sex or gender (including pregnancy, sexual harassment and other sexual misconduct including acts of sexual violence such as rape, sexual assault, sexual exploitation and coercion), gender identity and/or expression, sexual orientation, military or veteran status, genetic information, marital status, political or social affiliation or any other characteristic protected under applicable federal, state or local law. Retaliation is also prohibited. Iona will comply with state and federal laws such as Title IX, Title VI and Title VII of the Civil Rights Act, the Americans with Disabilities Act, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination in Employment Act, and other similar laws that prohibit discrimination.

Unlawful discrimination has no place at Iona University and offends the University's core values which include a commitment to equal opportunity and inclusion. All Iona employees, faculty members, students and community members are expected to share this commitment.

Any member of the Iona University community has the right to raise concerns or make a complaint regarding discrimination under this policy without fear of retaliation. Please contact the Office of Human Resources at (914) 633-2496 for a copy of the New York State mandated complaint form. Any and all inquiries regarding the application of this statement and related policies may be referred to:

Jennifer Lykins
Title IX Coordinator,
Sr. Director Audit, Compliance & Risk
715 North Avenue
New Rochelle, NY 10801
(914) 633-2455
titleIX@iona.edu

Daneshea Palmer
Director of Student Access
(914) 633-2366
dpalmer@iona.edu

As set forth in our policies, individuals may also file complaints with administrative agencies such as the U.S. Department of Education, Office for Civil Rights ("OCR"). The contact information for the local office of OCR is Region II New York, Office for Civil Rights, U.S. Department of Health and Human Services, Jacob Javits Federal Building, 26 Federal Plaza - Suite 3312, New York, NY 10278 tel. (212) 264-3313. The email address for OCR is https://ocras.ed.gov/contact-ocr?field_state_value=675



HARASSMENT AND DISCRIMINATION POLICY

Section: Employee Conduct & Responsibilities

Responsible Office: Human Resources

Effective Date: 9/1/1996

Revised: 1/1/2013, 9/28/2018, 10/30/20

Iona University is committed to maintaining a workplace free from sexual harassment and discrimination. This Policy is one component of the University's commitment to a discrimination-free work environment.

SCOPE

All members of the University community may use this procedure for complaints and investigations related to Harassment and Discrimination. For the purpose of this policy, the University community includes, but is not limited to, all faculty, staff (including student workers), students, alumni, interns (paid and unpaid), applicants, volunteers and visitors to the University, vendors and service-providers.

Student complaints for sexual misconduct and harassment are covered under the Sexual Misconduct Policy (Part I, II, III and IV). Employee complaints that meet the definition of "covered sexual harassment" in the Final Rule under Title IX of the Education Amendments of 1972 issued by the US Department of Education dated May 19, 2020, are covered under the Title IX Grievance Procedure – For Employees.

DETERMINING JURISDICTION

Upon receipt of a complaint, the Director of Human Resources will determine whether the Harassment and Discrimination Policy or the Title IX Grievance Process for employees should apply to the complaint.

The Title IX Grievance Procedure will apply when all of the following elements are met, in the reasonable determination of the Title IX Coordinator:

- The conduct is alleged to have occurred in Iona University's education program or activity. This includes but is not limited to in-person conduct as well as actions taken virtually, electronically and through social media.
- The conduct is alleged to have occurred on or after August 14, 2020;
- The conduct is alleged to have occurred in the United States;
- The alleged conduct, if true, would constitute covered sexual harassment as defined in the Title IX Grievance Procedure; and
- Complainant is currently participating in, or attempting to participate in, the education programs or activities Iona University.
- Respondent is any individual who has been reported to be the perpetrator of conduct that could constitute covered sexual harassment.
- The Director of Human Resources will advise Complainant of the appropriate procedure to follow.

POLICY

- Iona University complies with applicable provisions of local, state and federal law that prohibit discrimination in employment, in admission or access to its educational or extracurricular programs, activities, or facilities, on the basis of race, color, ethnicity, national origin, religion, sex, sexual orientation, gender identity, age, marital status, service in the armed forces of the United States, or against qualified individuals with disabilities on the basis of disability.
- Harassment and discrimination will not be tolerated by Iona University. Such behavior subverts the mission of the University and threatens the careers, educational experience, and well-being of students, faculty, and staff. In both obvious and subtle ways, harassment and discrimination are destructive to individual students, faculty, staff, and the academic community as a whole. When through fear of reprisal, a student, staff member, or faculty member is subject to harassment or discrimination, the University's ability to carry out its mission is undermined.
- Sexual harassment is a form of workplace discrimination. All employees and students are entitled to work and study in an environment free from sexual harassment and discrimination.
- Harassment and discrimination are especially serious when they threaten relationships between a faculty member and student or supervisor and subordinate. In such situations, harassment and discrimination unfairly exploit the power inherent in a faculty member's or supervisor's position. Through grades or recommendations for graduate work, wage increases or promotions and the like, a faculty member or supervisor can have a decisive influence on a student's, staff member's or faculty member's career at the University and beyond.

- While harassment and discrimination most often take place in situations where there is a power differential between the persons involved, the University also recognizes that harassment and discrimination may occur between persons of the same status or a superior, a subordinate, a coworker or anyone in the workplace including an independent contractor, contract worker, vendor, client, customer or visitor.
- Supervisors, managers and members of the University community are obligated to report harassment or discrimination behaviors as stated below.
- All members of the University community have an obligation to cooperate in the application of this policy and the investigation of complaints of violations of this Harassment and Discrimination policy.

DEFINITIONS OF PROHIBITED HARASSMENT AND DISCRIMINATION

DISCRIMINATION: This includes employment and educational decisions made on the basis of race, religion, color, national or ethnic origin, age, sex (including sexual harassment and sexual violence), sexual orientation, marital status, citizenship status, disability, genetic information, status as a victim of domestic violence or status in the uniformed services of the United States (including veteran status).

DISCRIMINATION-RELATED HARASSMENT: Verbal or physical conduct that creates an unwelcoming and hostile environment for people because of their personal characteristics that are protected by law.

SEXUAL HARASSMENT: means unwelcome conduct of a sexual nature, including but not limited to, sexual advances, requests for sexual favors, and other verbal, nonverbal, graphic or physical conduct of a sexual nature, when:

Submission to, or rejection of, such conduct is made either explicitly or implicitly a term or condition of an individual's employment, education or campus life activities, or used as the basis of any academic, student life or employment decision (quid pro quo); or Such conduct is sufficiently severe, persistent, or pervasive such that it unreasonably interferes with, or limits an individual's ability to participate in, or benefit from, the University's education or work programs or activities (hostile environment). Whether a hostile environment has been created will be evaluated from both a subjective and an objective perspective.

For the purposes of Title IX grievance process, sexual harassment is defined as conduct, **on the basis of sex**, that:

- An employee **conditioning education benefits** on participation in unwelcome sexual conduct (i.e., quid pro quo);
- Unwelcome conduct (by anyone) that a reasonable person would determine is so **severe, pervasive, and objectively offensive** that it effectively denies a personal equal access to the educational institution's education program or activity; or
- **Sexual assault** (as defined in the Clery Act), or **dating violence, domestic violence, or stalking** as defined in the Violence Against Women Act (VAWA)

EXAMPLES OF HARASSMENT AND DISCRIMINATION: Each member of the University community must exercise his or her own good judgment to avoid engaging in conduct that may be perceived by others as harassment. Forms of discrimination related Harassment and sexual harassment include, but are not limited to:

- **Verbal:** Repeated sexual innuendoes, racial or sexual epithets, derogatory slurs, off-color jokes, propositions, threats or suggestive or insulting sounds, phone calls.
- **Visual/Non-Verbal:** Derogatory posters, cartoons, or drawings; suggestive objects or pictures; graphic commentaries; leering; obscene gestures or exhibitionism; transmission of such offensive material through the mail or using any electronic communication medium (e.g. text messages, email, a social networking service or the Internet)
- **Physical:** Unwanted physical contact, including touching, patting, pinching, hugging, brushing against another's body, or interference with an individual's normal physical movements, attempted sexual assault, sexual assault.

DEFINITION OF RETALIATION

The University prohibits Retaliation against any person who reports Harassment or Discrimination, or participates in any proceeding under this Policy, including person has made a complaint or participated in the complaint process or has engaged in any other protected activity. Retaliation should be reported promptly to the Director of Human Resources. Reports of Retaliation will be investigated, and individuals found to have engaged in Retaliation will be subject to disciplinary action independent of the remedial and disciplinary actions imposed in response to the underlying allegations of harassment and discrimination.

COMPLAINT AND INVESTIGATION PROCEDURES

A. Complaint Procedure

The University cannot prevent or remedy harassment or discrimination claims unless it is made aware. Any member of the University community who believes that he or she has experienced prohibited discrimination or discrimination-related harassment or sexual harassment in employment or in the context of academic pursuits should use the Complaint Procedure described herein for the prompt and equitable resolution of complaints. Similarly, any member of the University community who becomes aware of potentially discriminatory or harassing conduct directed at another member of the University community should report such conduct to Human Resources.

- Staff: Report to Immediate Supervisor or Director of Human Resources.
- Faculty: Report to Department Chair or Dean or Director of Human Resources.
- Students: Report to Dean or Dean of Students or Director of Human Resources.

Individuals may also report a complaint directly to the Human Resources located in McSpedon Hall, 2nd Floor, and may be reached at (914) 633-2067.

A complaint form for submission of a written report of harassment or discrimination may be obtained in human resources, and all employees are encouraged to use this complaint form. Employees who are reporting discrimination or harassment on behalf of other employees should use the complaint form and note that it is on another employee's behalf.

Reporting Responsibility:

- a. All supervisors and managers who receive a complaint or information about suspected discrimination or harassment, observe what may be harassing behavior or for any reason suspect that harassment is occurring, are required to report such suspected discrimination or harassment to the Director of Human Resources. Failure to report may subject a manager or supervisor to employment discipline.
- b. All University employees who have the authority to redress sexual misconduct, who have a duty to report incidents of sexual misconduct, or who a student could reasonably believe has this authority or duty are required to report any incident involving sexual harassment or discrimination involving a student to the Director of Human Resources. Every effort will be made to maintain Privacy, and information reported to human resources and will be shared only with those having a need to know such information in order to respond in accordance with University policy.
- c. Members of the University community are encouraged to report any alleged harassment and/or discrimination immediately in order to maximize the University's ability to conduct a thorough, impartial, and reliable investigation. The University's ability to investigate and respond effectively may be reduced with the passage of time. No individual will be precluded from reporting despite the passage of time. Members of the University community who believe they have been a victim of harassment or discrimination may also seek assistance in other available forums, as explained below in the section on Legal Protections.

B. Investigation Procedure

Upon receipt of complaint, the Director of Human Resources or designee will determine whether the Harassment and Discrimination Policy or the Title IX Grievance Process for employees should apply to the complaint. When the Harassment and Discrimination Policy applies, Human Resources will conduct an immediate review of the allegations, and (if appropriate, in consultation with key supervisory personnel) take any interim actions, including interim suspension, as deemed appropriate. If complaint is verbal, the Director or designee will encourage the individual to complete the complaint form in writing. If he or she refuses, the Director will prepare a Complaint Form based on the verbal reporting. The Director or designee will commence an investigation of the complaint in order to make a determination whether there was a violation of this policy. The investigation may consist of the following:

- Gather and review relevant documents including emails, texts, electronic communications or phone records and preserving them.
- Meet with the individual bringing the complaint and with the individual responding to discuss the available procedures and possible avenues for resolution of the complaint.
- Interview all parties involved, including any relevant witnesses.
- Create a written documentation of the investigation.
- Notify the individual who complained and the individual(s) who responded of the final determination and implement any corrective actions identified.
- Inform the individual who complained of their right to file a complaint or charge externally as outlined below.

Timeliness: An investigation of any complaint, information or knowledge of suspected harassment or discrimination will be prompt and thorough, and the University will make an effort to conclude an investigation within a reasonably prompt manner after the filing of the complaint, provided that the process may be extended for a good reason, including but not limited to administrative delay. The University may, at its discretion, extend any of the time limits imposed in this policy. If the Complainant fails to respond within the time limits provided, upon written notice of such failure, the complaint may be deemed to have been withdrawn.

Privacy and Confidentiality: Matters involving harassment or discrimination are particularly sensitive and demand special attention to issues of confidentiality. Dissemination of information relating to the case should be limited to individuals who have a legitimate need to know or who have information. University employees who learn of incidents of harassment or discrimination have an obligation to report and cannot guarantee confidentiality. Their privacy and that of the complainant will be maintained to the greatest extent possible.

Remedial and Disciplinary Action: The Director of Human Resources (and if appropriate, key supervisory personnel) will communicate as appropriate with the individual complaining and the individual responding any resulting remedial action and/or discipline imposed. When the University finds that a violation of this policy has occurred, appropriate and timely disciplinary action will be taken, up to and including separation from the University. The University will follow applicable University procedures including those provided in the Faculty Handbook, in taking any disciplinary action.

EMPLOYMENT AT WILL

This complaint procedure is intended to provide for the prompt and equitable resolution of student and employee complaints alleging harassment and discrimination. It is not intended to create, and does not create, an employment contract or a guarantee of continued employment for any employee. Therefore, the University is free to discharge at-will employees at any time for any reason, just as an employee may resign at any time for any reason. Furthermore, the University may amend or rescind any of the provisions of this policy and the complaint procedure from time to time in its sole discretion.

LEGAL PROTECTIONS AND EXTERNAL REMEDIES

Aside from the internal process employees may also choose to pursue legal remedies with the following governmental entities at any time.

New York State Division of Human Rights (DHR)

The New York State Human Rights Law (HRL) applies to employers in New York State with regard to discrimination and sexual harassment claims. A complaint alleging violation of the Human Rights Law may be filed either with DHR within one year or in New York State Supreme Court within three years. DHR's main office contact information is: NYS Division of Human Rights, One Fordham Plaza, Fourth Floor, Bronx, New York 10458, (718) 741-8400, www.dhr.ny.gov

United States Equal Employment Opportunity Commission (EEOC)

The EEOC enforces federal anti-discrimination laws, including Title VII of the 1964 federal Civil Rights Act (codified as 42 U.S.C. § 2000e et seq.). An individual can file a complaint with the EEOC anytime within 300 days from the harassment. Contact the EEOC at 1-800-669-4000 (1-800-669-6820 (TTY)), www.eeoc.gov or via email at info@eeoc.gov

Westchester County Human Rights Commission

Westchester County enforces laws protecting individuals from sexual harassment and discrimination. An individual may contact the Westchester County HRC at 112 East Post Rd., 3rd Fl. White Plains, NY 10601 or (914) 995-7710.

Office of Civil Rights

The Office for Civil Rights addresses questions concerning sexual harassment, misconduct and discrimination including Title IX of the Educational Amendments of 1972. Questions concerning civil rights may be made to the Office for Civil Rights (OCR), U.S. Department of Education, Lyndon Baines Johnson Department of Education Building, 400 Maryland Avenue, SW Washington, DC 20202-1100 or call the OCR main numbers (800) 421-3481 FREE, TDD or (800) 877-8339 FRE or email the OCR's New York office ocr.newyork@ed.gov or by telephone at 646-428-3800.

Whistleblower Hotline

Employees of Iona may also report instances of harassment or discrimination or any violation of policy to the Whistleblower hotline. Reports made to the hotline will be reviewed internally by Iona personnel. Phone: (877) 472-2110; reports@lighthouse-services.com; Fax: (245) 689-3885; <https://www.lighthouse-services.com/iona>

POLICY ON SEXUAL MISCONDUCT

PART I: TITLE IX POLICY PROHIBITING SEX DISCRIMINATION

Updated: August 1, 2024

A. INTRODUCTION

Statement of Nondiscrimination

The University does not discriminate and prohibits discrimination against any individual based on any category protected under applicable federal, state, or local laws.

Accordingly, the University does not discriminate, and strictly prohibits unlawful discrimination on the basis of sex, sexual orientation, gender identity or expression, age, race, creed, color, national origin, military status, disability, pre-disposing genetic characteristics, familial status, marital status, criminal history, or domestic violence survivor status.

Title IX of the Education Amendments of 1972

The University does not discriminate in its admissions practices except as permitted by law, in its employment practices, or in its educational programs or activities on the basis of sex. As a recipient of federal financial assistance for education activities, the University is required by Title IX of the Education Amendments of 1972 to ensure that all of its education programs and activities do not discriminate on the basis of sex. Discrimination on the basis of sex includes discrimination on the basis of sex stereotypes, gender identity, gender expression, sexual orientation, and pregnancy or related conditions.

The University has obligations under Title IX to provide certain supports and modifications to people experiencing pregnancy or related conditions in order to ensure their equal access to the University's program or activity. For example, the University must treat pregnancy or related conditions in the same manner and under the same policies as any other temporary medical conditions and must allow voluntary leaves of absence. Students, employees, or applicants should contact the Title IX Coordinator for more information. Employees or applicants may also contact Human Resources for more information, because additional workplace laws and policies apply.

Pregnancy or related conditions include pregnancy, childbirth, termination of pregnancy, lactation; medical conditions related to pregnancy, childbirth, termination of pregnancy, or lactation; and recovery from pregnancy, childbirth, termination of pregnancy, lactation, or related medical conditions.

The University also prohibits retaliation against any person opposing sex discrimination or participating in any sex discrimination investigation or complaint process, whether internal or external to the institution. Sex-based harassment, sexual assault, dating and domestic violence, and stalking are forms of sex discrimination, which are prohibited under Title IX and by University policy.

Application of Section 504/Americans with Disabilities Act to this Policy

In both practice and policy, the University adheres to the requirements of the Americans with Disabilities Act of 1990, as amended 2008 (ADAAA); Sections 504 and 508 of the Rehabilitation Act of 1973, as amended; and all other federal and state laws and regulations prohibiting discrimination on the basis of disability. The University is committed to providing individuals with disabilities equal access and opportunity, and strives in its policies and practices to provide for the full participation of individuals with disabilities in all aspects of University life.

Parties may request reasonable accommodations for disclosed disabilities to the Title IX Coordinator at any point relating to the implementation of this policy, including making a disclosure or report, and initiating a resolution procedure. Accommodations will be granted if they are appropriate and do not fundamentally alter the process. The Title IX Coordinator will not affirmatively provide disability accommodations that have not been specifically requested by the parties, even where the parties may be receiving accommodations in other University programs and activities. With the consent of the impacted student or employee, the Title IX Coordinator will work collaboratively with the appropriate office to ensure that approved reasonable accommodations (disability-related) are honored as applicable throughout any process related to this policy.

Purpose of this policy

This policy identifies and defines conduct prohibited under this policy and the process used to respond to allegations of Prohibited Conduct.

The University will act on all notices of allegations of sex discrimination or retaliation. It will take necessary measures to end conduct that is in violation of this policy, prevent its recurrence, and remedy its effect on individuals and the community. Within any process related to this policy, the University provides reasonable accommodations to persons with disabilities and reasonable religious accommodations, when that accommodation is consistent with state and federal law.

The protections in this policy apply 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, domestic violence victim status, or criminal conviction.

Situations involving other conduct that may be in violation of other University student or employee conduct policies should be reported to the Dean of Students office for matters involving students, or Human Resources for matters involving faculty or staff. Situations involving other conduct relating to nonaffiliates should be reported to Campus Safety.

To Whom This Policy Applies

This policy applies to the entire University community, including, but not limited to, students, student organizations, faculty, administrators, and staff, whether on or off campus, and third parties such as guests, visitors, volunteers, invitees, and alumni when they are on campus or participating in University-sponsored activities, including on study abroad. This policy may also pertain to instances in which the conduct occurred outside of the campus or University-sponsored activity if the University determines that the off-campus conduct affects a substantial University interest, including access to the educational program or activity, safety and security, compliance with applicable law, and meeting its educational mission. Any member of the campus community, guest, or visitor who acts to deny, deprive, or limit the educational or employment opportunities and/or benefits of any member of the University community on the basis of sex is in violation of this policy.

This policy applies to all students and employees. This policy also applies to all other individuals participating in or benefitting from University programs or activities, including study abroad, including University-sponsored events that take place off-campus.

Members of the University community are expected to provide truthful information in any report, meeting, or proceeding under this policy.

Any respondent who is not a University student, faculty member, or staff member is generally considered a third party. The University's ability to take appropriate corrective action against a third party may be limited and will depend on the nature of the third party's relationship, if any, to the University. When appropriate, the Title IX Coordinator will refer such allegations against third-party respondents to the appropriate office.

The status of a party may impact which resources and remedies are available to them, as described in this policy.

What is Prohibited by This policy

This policy prohibits sex discrimination, including sex-based harassment, and retaliation as defined below. These acts are also referred to as Prohibited Conduct under this policy:

Discrimination on the Basis of Sex

Discrimination is defined as treating members of a protected category less favorably because of their actual or perceived membership in that category or as having a policy or practice that adversely impacts the members of one protected category more than others.

Discrimination on the basis of sex includes discrimination on the basis of sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity.

Sex-Based Harassment

Sex-based harassment is a form of sex discrimination and means sexual harassment and other harassment on the basis of sex, including on the basis of sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity. Sex-Based Harassment includes the following:

- **Quid pro quo harassment** – An employee, agent, or other person authorized by the University to provide an aid, benefit, or service under the University's education program or activity explicitly or impliedly conditioning the provision of such an aid, benefit, or service on a person's participation in unwelcome sexual conduct.
- **Hostile environment harassment** – Unwelcome sex-based conduct that, based on the totality of the circumstances, is subjectively and objectively offensive and is so severe or pervasive that it limits or denies a person's ability to participate in or benefit from the University's education program or activity (i.e., creates a hostile environment). Whether a hostile environment has been created is a fact-specific inquiry that includes consideration of the following:
 - The degree to which the conduct affected the complainant's ability to access the University's education program or activity;
 - The type, frequency, and duration of the conduct;
 - The parties' ages, roles within the University's education program or activity, previous interactions, and other factors about a party that may be relevant to evaluating the effects of the conduct;
 - The location of the conduct and the context in which the conduct occurred; and Other sex-based harassment in the University's education program or activity.

- **Sexual assault** – An offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation. Specifically, this includes:
 - **Rape** – The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
 - **Fondling** – The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental incapacity.
 - **Incest** – Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
 - **Statutory Rape** – Sexual intercourse with a person who is under the statutory age of consent.

Dating Violence: Violence committed by a person:

- Who is or has been in a social relationship of a romantic or intimate nature with the victim; and
- Where the existence of such a relationship will be determined based on a consideration of the following factors:
 - The length of the relationship;
 - The type of relationship; and
 - The frequency of interaction between the persons involved in the relationship.

Emotional and psychological abuse do not constitute violence for the purposes of this definition.

Domestic Violence: Felony or misdemeanor crimes of violence committed by a person who:

- Is a current or former spouse or intimate partner of the victim under the family or domestic violence laws of the jurisdiction of the University, or a person similarly situated to a spouse of the victim;
- Is cohabitating, or has cohabitated, with the victim as a spouse or intimate partner;
- Shares a child in common with the victim; or
- Commits acts against a youth or adult victim who is protected from those acts under the family or domestic violence laws of the jurisdiction.

Emotional and psychological abuse do not constitute violence for the purposes of this definition.

- **Stalking** – Engaging in a course of conduct, on the basis of sex, 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.
- **Sexual Coercion** – The application of unreasonable pressure, including emotionally or physically manipulative actions or statements, or direct or implied threats, in order to compel the person to engage in sexual activity.
- **Sexual Exploitation** – is the abuse or exploitation of another person’s sexuality without consent, for the perpetrators own advantage or benefit, or for the benefit or advantage of anyone other than the one being exploited. Sexual Exploitation includes, without limitation, causing or attempting to cause the incapacitation of another person in order to gain a sexual advantage over that person; causing the prostitution of another person; electronically recording, photographing, or transmitting intimate or sexual utterances, sounds or images of another person; allowing third parties to observe sexual acts; engaging in voyeurism; distributing intimate or sexual information about another person; and/or knowingly transmitting a sexually transmitted infection, including HIV, to another person.

Retaliation

Retaliation is any materially adverse action taken against an individual because they were involved in the disclosure, reporting, investigation, or resolution of a report of Prohibited Conduct. Retaliation includes threats, intimidation, harassment, coercion, discrimination, violence, or any other conduct against any person by the University, a student, or an employee or other person authorized by the University to provide aid, benefit, or service under the University’s education program or activity, for the purpose of interfering with any right or privilege secured by this policy or by law, including Title IX or its regulations. Adverse action does not include perceived or petty slights, or trivial annoyances.

The prohibition against retaliation applies to any individuals who participate (or refuse to participate) in any manner in an investigation and to any student who refuses to participate in an investigation or proceeding.

Retaliation may occur even where there is a finding of “not responsible” under this policy. Good faith actions lawfully pursued in response to a report of Prohibited Conduct are not Retaliation.

Delegation of Duties Under This policy

Obligations in this policy assigned to a particular title, such as the Title IX Coordinator, may be designated as appropriate by the University, including to external professionals.

Academic Freedom

The University is dedicated to an uncompromising standard of academic excellence and an unwavering commitment to academic freedom, freedom of inquiry, and freedom of expression in the search for truth. This policy and procedures are not intended to inhibit or restrict free expression or exchange of ideas, abridge academic freedom, or prohibit educational content or discussions inside or outside of the classroom that includes germane but controversial or sensitive subject matters protected by academic freedom.

Members of the University community are free to express their views on any academic subject — regardless of whether those viewpoints are provocative or controversial. Before proceeding with or continuing an investigation of any report of harassment or retaliation that involves an individual's speech or other communication, the University will take care to distinguish between protected speech and hostile environment harassment. The Title IX Coordinator will take action as needed to restore or preserve a person's access to the University's education program or activity.

Student Bill of Rights

All University students have the right to:

- Make a report (or decline to report) to local law enforcement and/or state police;
- Have disclosures of Sexual Assault, Domestic Violence, Dating Violence, and Stalking and all other forms of Prohibited Conduct treated seriously;
- Make a decision about whether or not to disclose a crime or violation and participate in the complaint resolution process and/or criminal justice process free from pressure by the institution;
- 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 University courteous, fair, and respectful health care and counseling services, where available;
- Be free from any suggestion that the Complainant is 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 representatives of the University as practicable and not be required to unnecessarily repeat a description of the incident;
- Be protected from retaliation by the University, any student, the Respondent, and/or their friends, family and acquaintances within the jurisdiction of the University;
- Access to at least one level of appeal of a determination;
- Be accompanied by an Advisor of choice who may assist and advise a Complainant or a Respondent during any meetings and hearings under the Policy and procedures; and
- Exercise civil rights and practice of religion without interference by the investigative, criminal justice, or complaint resolution process of the University.

The Role of the Title IX Coordinator

The University is committed to promoting a diverse, equitable, and inclusive working and learning environment free from sex discrimination. The Title IX Coordinator is charged with monitoring compliance with Title IX; providing education and training; and coordinating the University's investigation, response, and resolution of all reports of Prohibited Conduct under this policy. The Title IX Coordinator acts with independence and authority and oversees all resolutions under this policy free from bias and conflicts of interest. The Title IX Coordinator is available to meet with any Student, Employee, or other individual to discuss this policy or the accompanying procedures and can be contacted at:

Jenn Lykins
Title IX Coordinator
jlykins@iona.edu
(914) 633-2455

Conflicts of Interest or Bias

Any individual carrying out any part of this policy will be free from any actual conflict of interest or demonstrated bias that would impact the handling of a matter. Should the Title IX Coordinator have a conflict of interest, the Title IX Coordinator is to immediately notify the Vice President for Human Resources who will either take, or reassign, the role of Title IX Coordinator for purposes of carrying out the handling and finalization of the matter at issue. Should any investigator, Decisionmaker, or Panel have a conflict of interest, the investigator, Decisionmaker, or Panel is to notify the Title IX Coordinator upon discovery of the conflict so that the Title IX Coordinator may reassign the role as appropriate. This policy will note where parties have the opportunity to challenge the participation of any individual implementing this policy based on actual conflict of interest or demonstrated bias.

Crime and Incident Disclosure Obligations

The Clery Act is a federal crime and incident disclosure law. It requires, among other things, that the University report the number of incidents of certain crimes, including some of the Prohibited Conduct in this policy, that occur in particular campus-related locations. The Clery Act also requires the University to issue a warning to the community in certain circumstances. New York state law also requires annual statistical disclosures about reports of Prohibited Conduct.

In the statistical disclosures and warnings to the community, the University will ensure that a complainant's name and other identifying information is not disclosed. New York state also has The Coordinator will refer information to Campus Safety when appropriate for a determination about Clery-related actions, such as disclosing crime statistics or sending campus notifications.

Coordination Among Multiple Institutions

When such conduct involves students or employees from two or more institutions, such institutions may work collaboratively to address the conduct provided that such collaboration complies with the Family Educational Rights and Privacy Act.

B. REPORTING SEX DISCRIMINATION, INCLUDING SEX-BASED HARASSMENT

Employee Reporting Obligations

The University believes it is important to be proactive in taking reasonable steps to identify and prevent incidents of sex discrimination. All employees, with limited exceptions as identified by the University, are required to promptly provide to the Title IX Coordinator all complaints or reports of sex discrimination, including sex-based harassment, to the Title IX Coordinator and share all information reported or made available to the employee. If an employee in a supervisory capacity has direct knowledge of an incident of harassment or discrimination on the part of, or directed toward, any employee of the University community, that supervisor is required to bring the matter to the attention of the Title IX Coordinator.

Researchers conducting an IRB-approved human subjects research study designed to gather information about sex discrimination are not required to report to the Title IX Coordinator disclosures made in the course of that study to the Title IX Coordinator.

The University also encourages employees who themselves experience sex discrimination to bring their concerns to the Title IX Coordinator, though they are not required to do so.

When providing this information to the Title IX Coordinator, the employee must include their own name and contact information, and all known details about an incident, which may include, if known, the dates, times, locations, names of involved individuals and the nature of the incident.

Aside from this reporting obligation, employees will, to the fullest extent possible, maintain the privacy of an individual's information, consistent with FERPA.

In addition, certain employees of the University are considered by law to be mandatory reporters of child abuse, elder abuse or abuse of persons with disabilities. These University employees are required by law to report incidents of abuse consistent with New York state law. A fuller description of the mandatory child abuse reporting obligation and those covered by that obligation can be found at: [mandatory reporting, protection of minors policies if applicable]

Public Awareness Events

Employees are required to report to the Title IX Coordinator information about sex discrimination they learn about at public awareness events such as Take Back the Night. The Title IX Coordinator is not obligated to respond directly to any identified complainant in a report of sex-based harassment disclosed at a public awareness event that takes place on-campus or in a school-sponsored online platform unless there is an imminent and serious threat to someone's health or safety. The Title IX Coordinator must respond to reports of conduct that could constitute sex discrimination other than sex-based harassment if disclosed at public awareness events, wherever they occur. In all cases the University must use the information to inform its efforts to prevent sex-based harassment, including by providing tailored training to address alleged sex-based harassment in a particular part of its education program or activity or at a specific location when information indicates there may be multiple incidents of sex-based harassment.

How to Make a Report to the University

All complaints of violations of this policy will be taken seriously and in good faith. The Title IX Coordinator will provide information and guidance regarding how to file a complaint with the University and/or local law enforcement, as well as information and assistance about what course of action may best support the individual(s) involved and how best to address the complaint.

Every reasonable effort will be made to maintain the privacy of those making a report to the extent possible. In all cases, the University will give consideration to the party bringing forward a report with respect to how the matter is pursued. The University may, when necessary to protect the community, initiate an investigation or take other responsive actions to a report, even when the person identifying a concern chooses not to participate in a resolution process and/or requests that the University not initiate an investigation.

Employees, students, guests, or visitors who believe that this policy has been violated should promptly contact the Coordinator or another member of the Title IX Office as follows:

Jenn Lykins
Title IX Coordinator
jlykins@iona.edu
(914) 633-2455

There is no timeline for making a report of sex discrimination, however, the University encourages the prompt reporting of a complaint as the ability of the University to pursue the complaint to conclusion may be hindered by the passage of time.

Additional information about reporting matters involving conduct by an employee may be found by contacting Human Resources.

Denise Smith
Vice President for Human Resources
dsmith@iona.edu
(914) 633-2067

Policy for Alcohol and/or Drug Use Amnesty

The health and safety of every student at the University is of the utmost importance. The University recognizes that students who have been drinking and/or using drugs (whether such use is voluntary or involuntary) at a time that violence (including but not limited to domestic violence, dating violence, stalking, or sexual assault) occurs may be hesitant to report such incidents due to fear of potential consequences for their own conduct. The University strongly encourages students to report domestic violence, dating violence, stalking, or sexual assault to University officials. A bystander or complainant acting in good faith who discloses any incident of domestic violence, dating violence, stalking, or sexual assault to University officials or law enforcement will not be subject to discipline 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. This policy does not provide amnesty for drug dealers or those who use drugs or alcohol as a weapon or to facilitate Prohibited Conduct. Under this Amnesty provision, personal drug use and possession, whether it is intentional or accidental, will not form the basis of student disciplinary charges. A bystander is someone who observes a crime, impending crime, conflict, potentially violent or violent behavior, or conduct that is in violation of rules or policies of an institution.

Privacy and Confidentiality

The University values the privacy of its students, employees, and other community members. Community members should be able to seek the assistance they need and access this policy without fear that the information they provide will be shared more broadly.

References made to privacy mean the University offices and employees who cannot guarantee confidentiality, but will maintain privacy to the greatest extent possible, relaying information as necessary to investigate or seek a resolution and to notify the Title IX Coordinator or designee, who is responsible for tracking patterns and spotting systemic issues. The University will limit the disclosure as much as practicable.

All activities under these procedures will be conducted with the privacy interests of those involved. While the University will take all reasonable steps to protect the privacy of individuals involved in a complaint, it may be necessary to disclose some information to individuals or offices on campus in order to address a complaint or provide for the physical safety of an individual or the campus. Thus, the University cannot, and does not, guarantee that all information related to complaints will be kept confidential.

In order to maintain the privacy of evidence gathered as part of any resolution process, access to materials under the procedures in this policy will be provided only by a secure method and parties and advisors are not permitted to make copies of any documents shared or make use of the documents outside of the processes described in this policy. Parties may request to review a hard copy of materials, and the University will make that available in a supervised or monitored setting. Inappropriately sharing materials provided during this process may constitute retaliation under this policy. Nothing in this policy prohibits parties from discussing or disclosing the outcome of the matter, consistent with the prohibition on retaliation.

Individuals may speak confidentially with a Confidential Resource. Confidential Resources (e.g., licensed mental health care providers, physicians, clergy) may not report to Title IX Coordinator any identifying information about conduct that may violate the University's policies against sex discrimination without the written consent of the individual who supplied the information, unless required by law. Such disclosures will not be reported to the Title IX Coordinator or initiate any process under this policy.

The University employs two types of employees who are not required to report information about sex discrimination to the Title IX Coordinator:

- Privileged and confidential employees whose communications are privileged or confidential under Federal or State law. The employee must be hired for and functioning within the scope of their duties to which the privilege or confidentiality applies. For example, physicians, clergy, and mental health counselors are all confidential employees. Disclosures made to these employees means that information cannot be disclosed to anyone internal or external to the University without the expressed permission from the individual disclosing the information.

State law requires professional counselors to report: (i) when a patient is likely to engage in conduct that would result in serious harm to the patient or others; (ii) if there is reasonable cause to suspect that a minor has been sexually abused.

- Employees designated by the institution as exempt from reporting known sex discrimination to the Title IX Coordinator, and designated as such for the purpose of providing services to the campus community related to sex discrimination. Such employees must be acting in the scope of that role when they learn of the information about sex discrimination for this exemption to apply. For example, the ombudsperson and sexual violence response counselors may be designated as exempt from internal reporting. Disclosures made to these employees means that information will not be shared with the Title IX Coordinator or anyone within the University, but may be released under legal action or court order without the permission of the individual disclosing the information.

In order to maintain the privacy of evidence gathered as part of any resolution process, access to materials under the procedures in this policy will be provided only by a secure method and parties and advisors are not permitted to make copies of any documents shared or make use of the documents outside of the processes described in this policy. Parties may request to review a hard copy of materials, and the University will make that available in a supervised or monitored setting. Inappropriately sharing materials provided during this process may constitute retaliation under this policy. Nothing in this policy prohibits parties from discussing or disclosing the outcome of the matter, consistent with the prohibition on retaliation.

Reporting to the Police

Some Prohibited Conduct may constitute a violation of both the law and University policy. The University encourages students to report alleged crimes promptly to local law enforcement agencies and/or state police. All persons have the right to file with law enforcement, as well as the right to decline to file with law enforcement. The decision not to file is not considered as evidence that there was not a violation of University policy.

Criminal investigations may be useful in the gathering of relevant evidence, particularly forensic evidence. The standards for finding a violation of criminal law are different from the standards for finding a violation of this policy. Conduct may constitute Prohibited Conduct under this policy even if law enforcement agencies lack sufficient evidence of a crime and decline to prosecute.

Proceedings under this policy may be carried out prior to, simultaneously with, or following civil or criminal proceedings off campus. However, when a complaint is made to the University as well as to law enforcement, University may delay its process if a law enforcement agency requests that the University delay its process for a reasonable amount of time to allow law enforcement to gather evidence of criminal misconduct. These temporary delays should not last more than ten (10) days except when law enforcement specifically requests and justifies a longer delay. Criminal or legal proceedings are separate from the processes in this policy and do not determine whether this policy has been violated.

All investigations and determinations under this policy will be thorough, reliable and impartial, and will seek to collect evidence and names of witnesses to gather information that is directly or substantially relevant to whether the alleged policy violation occurred, and will not be based on the grounds that civil or criminal charges involving the same incident have been filed or that charges have been dismissed or reduced.

In the case of an emergency, where the physical well-being of a member of the University community or the safety of the University as an institution is threatened, any individual with such knowledge should promptly inform Campus Safe. The University may take any immediate steps as may be necessary and appropriate under the circumstances to ensure the well-being of the University community and the University as an institution.

Emergency Access to Information & Resources

At any time, one of the following resources trained in interviewing victims of sexual assault will be available to provide information about options to proceed, and, where applicable, the importance of preserving evidence and obtaining a sexual assault forensic examination as soon as possible, and detailing that the criminal justice process utilizes different standards of proof and evidence and that any questions about whether a specific incident violated the penal law should be addressed to law enforcement or to the district attorney. These individuals will also explain whether they are authorized to offer the reporting individual confidentiality or privacy, and will inform the reporting individual of other reporting options:

Jenn Lykins
Title IX Coordinator
jlykins@iona.edu
(914) 633-2455

Protective Orders

Iona University Campus Safety or other officials will assist members of the campus community in obtaining an order of protection or, if outside of New York state, an equivalent protective or restraining order from any state or federally-recognized tribal court. If University receives an order of protection of equivalent, an institution representative or other appropriate person will reach out and provide a copy of the order. Upon request they can also provide an explanation of the order, including the consequences for violating these orders, and answer questions about it. Campus Safety will provide assistance in effecting an arrest when an individual violates an order of protection.

C. RESPONDING TO A REPORT

The following process will be used following the receipt of a report of sex discrimination.

Initial Contact

Following receipt of a report alleging a potential violation of this policy, the Title IX Coordinator will contact the complainant to meet with the Title IX Coordinator for an initial intake and assessment meeting, and will provide the following:

- An invitation to meet to offer assistance and explain their rights, resources, and options under this policy;
- Access to this policy;
- Information regarding available campus and community resources for counseling, health care, mental health, or victim advocacy. Upon request, information regarding legal assistance, visa and immigration assistance, student financial aid and other available services may be provided;
- The availability of Supportive Measures regardless of whether a complaint is filed and/or any resolution is initiated;
- The options for resolution (no action, prevention, agreement, investigation) and how to initiate such resolution processes;
- The right to notify law enforcement as well as the right not to notify law enforcement;
- The importance of preserving evidence and, in the case of potential criminal misconduct, how to get assistance from Campus Safety or local law enforcement in preserving evidence;
- The right to an advisor of choice during the University proceedings under this policy including the initial meeting with the Title IX Coordinator;
- A statement that retaliation for filing a complaint, or participating in the complaint process, is prohibited;
- Information on how to initiate the Investigation or Resolution-Based Agreement process;
- Ensure that the Complainant receives a written explanation of all available resources and options and is offered the opportunity to meet and discuss the resources and options, including information about STI's, forensic exams, and resources available through NYS Office of Victim Services.

Initial Intake & Assessment

The Initial Assessment process seeks to gather information about the nature and circumstances of the report to determine whether this policy applies to the report and, if so, which resolution process may be appropriate, as well as which section of the resolution procedures apply based on the conduct and the status of the parties. The Title IX Coordinator may also determine that the provision of supportive measures only is the appropriate response under the policy. The initial assessment is not a finding of fact or responsibility. If the individual bringing forward the complaint is not the actual complainant, the Title IX Coordinator will limit communication to general information on policies and processes.

Should the complainant wish to initiate a resolution process, the Title IX Coordinator will determine whether this policy applies and, if so, the appropriate process under this policy. The Title IX Coordinator will communicate to the complainant this determination.

If the information provided does not suggest a potential violation of this policy, the Title IX Coordinator will provide the complainant written notice that the matter is being referred for handling under a different policy, and/or to another appropriate office for handling.

Supportive Measures

The University will offer and coordinate supportive measures as appropriate for the parties as applicable to restore or preserve their access to the University's program or activity or provide support during the University's alternative resolution process or resolution procedures. People who disclose Prohibited Conduct under this policy have the right to request supportive measures from the University regardless of whether they desire to make a complaint or seek alternative resolution.

Supportive measures are individualized measures offered as appropriate, as reasonably available, without unreasonably burdening a complainant or respondent, not for punitive or disciplinary reasons, and without fee or charge to the complainant or respondent to:

- Restore or preserve that party's access to the University's education program or activity, including measures that are designed to protect the safety of the parties or the University's educational environment; or
- Provide support during the University's resolution procedures or during an alternative resolution process.

Supportive measures may include but are not limited to: counseling; extensions of deadlines and other course-related adjustments; campus escort services; increased security and monitoring of certain areas of the campus; restrictions on contact applied to one or more parties; leaves of absence; changes in class, work, housing, or extracurricular or any other activity, regardless of whether there is or is not a comparable alternative; no-contact directives (which may be mutual or unilateral at the discretion of the Title IX Coordinator); and training and education programs related to sex-based harassment. Supportive measures are non-disciplinary and non-punitive. Supportive Measures will also be offered to respondents when they are notified of the allegations.

Any Supportive Measures put in place will be kept confidential, except when doing so impairs the ability of the institution to provide the Supportive Measures.

A party may challenge the University's decision to provide, deny, modify, or terminate supportive measures when such measures are applicable to them. An impartial employee will be designated to consider modification or reversal of the University's decision to provide, deny, modify, or terminate supportive measures. When the individual providing Supportive Measures is a Deputy Title IX Coordinator or other individual identified by the Title IX Coordinator to provide Supportive Measures, the Title IX Coordinator will be designated to consider the challenge regarding supportive measures. The impartial employee will typically respond to the challenge within five (5) days.

The Title IX Coordinator has the discretion to implement or modify supportive measures. Violation of the parameters of supportive measures may violate existing codes or handbooks.

Requests for Confidentiality or No Further Action

When a complainant requests that the University not use their name as part of any resolution process, or that the University not take any further action, the University will generally try to honor those requests. However, there are certain instances in which the University has a broader obligation to the community and may need to act against the wishes of the complainant. In such circumstances, the Title IX Coordinator will notify the complainant in writing of the need to take action. The factors the Title IX Coordinator will consider when determining whether to act against the wishes of a complainant include:

1. The complainant's request not to proceed with initiation of a complaint;
2. The complainant's reasonable safety concerns regarding initiation of a complaint;
3. The risk that additional acts of Prohibited Conduct would occur if a complaint is not initiated;
4. The severity of the alleged Prohibited Conduct, including whether the discrimination, if established, would require the removal of a respondent from campus or imposition of another disciplinary sanction to end the discrimination and prevent its recurrence;
5. The age and relationship of the parties, including whether the respondent is an employee of the University, or whether the impacted person is a minor;
6. The scope of the alleged discrimination, including information suggesting a pattern, ongoing sex discrimination, or sex discrimination alleged to have impacted multiple individuals;
7. The availability of evidence to assist a Decisionmaker in determining whether sex discrimination occurred; and
8. Whether the University could end the alleged sex discrimination and prevent its recurrence without initiating its resolution procedures under this policy.
9. Whether the accused has a history of violent behavior or is a repeat offender;
10. Whether the incidents represents an escalation on the part of the person accused;
11. Whether the accused used a weapon or force;
12. Whether available information reveals a pattern of perpetration at a given location by a particular group;
13. Whether the conduct as alleged presents an imminent and serious threat to the health or safety of the complainant or other persons, or that the conduct as alleged prevents the University from ensuring equal access on the basis of sex to its education program or activity.

Emergency Removal

For sex discrimination and sex-based harassment, the University retains the authority to remove a respondent from the University's program or activity on an emergency basis, where the University (1) undertakes an individualized safety and risk analysis, (2) determines that an immediate and serious threat to the health or safety of a complainant or any student, employee, or other individual arising from the allegations of sex discrimination justifies a removal, and (3) the University provides the respondent with notice of and an opportunity to challenge the decision immediately following the removal.

The respondent may challenge the decision immediately following the removal, by notifying the Title IX Coordinator in writing. The University will designate an impartial individual, not otherwise involved in the case, to consider the challenge to the removal and determine if the emergency removal was reasonable.

For all other Prohibited Conduct, the University may defer to its interim suspension policies for students and administrative leave for employees.

Administrative Leave

The University retains the authority to place an employee respondent on administrative leave during a pending complaint process under this policy, with or without pay as appropriate. Administrative leave may be a supportive measure, emergency removal, or consistent with applicable law. Administrative leave implemented as a supportive measure or as emergency removal is subject to the procedural provisions above, including the right to challenge the decision to implement that measure.

Dismissal of a Complaint

Before dismissing a complaint, the University will make reasonable efforts to clarify the allegations with the complainant.

The University may dismiss a complaint if:

- The University is unable to identify the respondent after taking reasonable steps to do so;
- The respondent is not participating in the University's education program or activity and is not employed by the University;
- The complainant voluntarily withdraws their complaint in writing and the Title IX Coordinator declines to initiate a complaint.
- The complainant voluntarily withdraws some but not all allegations in a complaint in writing, and the University determines that,
- The University determines the conduct alleged in the complaint, even if proven, would not constitute Prohibited Conduct under this policy.

Upon dismissal, the University will promptly notify the complainant in writing of the basis for the dismissal. If the dismissal occurs after the respondent has been notified of the allegations, then the University will notify the parties simultaneously in writing. If a dismissal of one or more allegations changes the appropriate decision-making process under these procedures, the Title IX Coordinator will include that information in the notification.

The University will notify the complainant that a dismissal may be appealed on the basis outlined in the Appeals section. If dismissal occurs after the respondent has been notified of the allegations, then the University will also notify the respondent that the dismissal may be appealed on the same bases. If a dismissal is appealed, the University will follow the procedures outlined in the Appeals section of these procedures.

When a complaint is dismissed, the University will, at a minimum:

- Offer supportive measures to the complainant as appropriate;
- If the respondent has been notified of the allegations, offer supportive measures to the respondent as appropriate; and,
- Take other prompt and effective steps, as appropriate, through the Title IX Coordinator to ensure that sex discrimination does not continue or recur within the University's education program or activity.

A complainant who decides to withdraw a complaint or any portion of it may later request to reinstate it or refile it.

Referrals for Other Misconduct

The University has the discretion to refer complaints of misconduct not covered by this policy for handling under any other applicable University policy or code. As part of any such referral for further handling, the University may use evidence already gathered through any process covered by this policy.

Should there be a conflict between the provision of this policy and other University policies, procedures, rules, regulations, or terms or conditions of employment, the provisions of this policy will govern unless specifically stated otherwise.

This policy and these procedures are separate from the University's] student disciplinary processes, by which the University may bring a discipline charge against a student for violating University policy according to the provisions found in the University code of conduct ([link](#)).

Consolidation of Cases

The University may consolidate complaints under this policy as appropriate: for example, if there are multiple complaints where the allegations of Prohibited Conduct arise out of the same facts or circumstances, or there are multiple complaints with overlapping parties.

The University also reserves the right to use this policy to adjudicate other allegations and conduct charges as defined by policies outside of the scope of this policy in instances when the conduct is associated with an alleged issue of Prohibited Conduct under this policy. The Title IX Coordinator will address these consolidated complaints in collaboration and coordination with other appropriate offices, such as Student Services and Human Resources. Allegations of a violation of a separate policy are not required to be handled using the procedural requirements set forth in this policy.

Student Withdrawal or Employee Resignation while Matters are Pending

If a student or employee respondent permanently withdraws or resigns from the University with unresolved allegations pending, the University will consider whether and how to proceed with the resolution process. The University will continue to address and remedy any systemic issues or concerns that may have contributed to the alleged violation(s) and any ongoing effects of the alleged Prohibited Conduct.

A student respondent who withdraws while the process is pending may not return to the University without first resolving any pending matters. Such exclusion applies to all University campuses and programs. Admissions will be notified that the student cannot be readmitted. They may also be barred from University property or events. If a student respondent withdraws or takes a leave for a specified period of time (e.g., one semester or term), the resolution process may continue remotely and that student is not permitted to return to the University unless and until the matter is fully resolved.

An employee respondent who resigns with unresolved allegations pending is not eligible for rehire with the University and the records retained by the Title IX Coordinator will reflect that status.

PART II: TITLE IX POLICY OPTIONS FOR RESOLUTION

There are multiple ways to resolve a complaint or report of sex discrimination. Whenever possible, the University will utilize the resolution method chosen by the complainant. During the resolution of a complaint, the Title IX Coordinator will determine whether to implement reasonable supportive measures designed to assist all parties (complainants and respondents) and community members in maintaining access to and participation in University programs, services and activities during the resolution of the complaint.

This section includes information on support-based resolution, agreement-based resolution, and investigation and decision-making procedures.

Support-Based Resolution

A support-based resolution is an option for a complainant who does not wish the University to take any further steps to address their concern, and when the Title IX Coordinator determines that another form of resolution, or further action, is not required. Some types of support that may be appropriate include: adjustments or changes to class schedules; moving from one residence hall room to another; adjusted deadlines for projects or assignments; adjustments to work schedule or arrangements; escorts to and around campus; or counseling.

A support-based resolution does not preclude later use of another form of resolution, for example if new information becomes available to the University and the Title IX Coordinator determines there is need for additional steps to be taken, or the complainant later decides to pursue a Resolution Agreement or investigation and decision-making.

Agreement-Based Resolution

Agreement-Based Resolution is an alternative to the investigation and decision-making procedures where the Parties each voluntarily agree to resolve the complaint in a way that does not include an investigation and does not include any finding of responsibility. Agreement-Based Resolution is a voluntary, structured interaction between or among affected parties that balances support and accountability. If the University offers Agreement-Based Resolution to the parties, and they voluntarily consent to engage in that process, the Title IX Coordinator must still take other prompt and effective steps as needed to ensure that sex discrimination does not continue or recur within the education program or activity. Parties and the Title IX Coordinator may agree to pause or exit the investigation and decision-making resolution procedures to explore Agreement-Based Resolution.

Any party may design the proposed agreement between the parties. The Title IX Coordinator must approve of the use of the Agreement-Based Resolution process, and approve the final agreement between the parties. Agreement-Based Resolution may be initiated at any time prior to the release of the final determination. Because Agreement-Based Resolution does not involve an investigation, there is not any determination made as to whether a respondent violated this policy.

The Title IX Coordinator has the discretion to determine that Agreement-Based Resolution is not an appropriate way to address the reported conduct, and that the matter must instead be resolved through an investigation and decision-making process.

Initiating the Agreement-Based Resolution Process

Prior to the initiation of Agreement-Based Resolution, the Title IX Coordinator will provide the Parties written notice that includes:

- The specific allegation and the specific conduct that is alleged to have occurred;
- The requirements of the Agreement-Based Resolution process;
- Any consequences resulting from participating in the Agreement-Based Resolution process, including the records that will be maintained or could be shared, and whether the University could disclose such information for use in a future University resolution process, including an investigation and resolution process arising from the same or different allegations, as may be appropriate.
- Notice that an agreement resulting from the Agreement-Based Resolution process is binding only on the parties and is not subject to appeal.
- Notice that once the Agreement is finalized and signed by the Parties, they cannot initiate or continue an investigation procedure arising from the same allegations.
- A statement indicating that the decision to participate in the Agreement-Based Resolution process does not presume that the conduct at issue has occurred.
- A statement that the respondent is presumed not responsible for violating this policy, unless respondent admits to violations of this policy;
- An explanation that all parties may be accompanied by an advisor of their choice, who may be a parent, colleague, friend, or attorney;
- A statement that any party has the right to withdraw from the Agreement-Based Resolution process and initiate or resume resolution procedures at any time before agreeing to a resolution;
- The date and time of the initial meeting with staff or the Title IX Coordinator, with a minimum of 3 days' notice;
- Information regarding Supportive Measures, which are available equally to the parties; and
- The potential terms that may be requested or offered in an Agreement-Based Resolution agreement.

Facilitating an Agreement

If all Parties are willing to explore Agreement-Based Resolution, the Title IX Coordinator will then meet separately with each party to discuss the Agreement-Based Resolution process and facilitate an agreement. If an agreement cannot be reached, either because the Parties do not agree, determine they no longer wish to participate in the Agreement-Based Resolution process, or the Title IX Coordinator does not believe that the terms of the agreement or continuing the Agreement-Based Resolution process is appropriate, the Title IX Coordinator may decide that the reported conduct will instead be addressed through the investigation and decision-making process. The Title IX Coordinator will inform the parties of such decision, in writing.

Agreement-Based Resolution processes are managed by facilitators who do not have a conflict of interest or bias in favor of or against complainants or respondents generally or regarding the specific parties in the matter. The Title IX Coordinator may serve as the facilitator, subject to these restrictions. The investigator or Decisionmaker(s) for the matter may not facilitate an Agreement-Based Resolution in that same matter.

Any party may craft or create the terms of their agreement and will be asked for their suggestions or ideas. Examples of agreements may include but are not limited to:

- an agreement that the respondent will change classes or housing assignments;
- an agreement that the Parties will not communicate or otherwise engage with one another;
- an agreement that the Parties will not contact one another;
- completion of a training or educational project by the respondent;
- completion of a community service project by the respondent;
- an agreement to engage in a restorative justice process or facilitated dialogue; and/or
- discipline agreed upon by all parties.

In order to facilitate Agreement-Based Resolution, information shared by any party will not be used in any related resolution process of the same complaint under this policy. No evidence concerning the allegations obtained within the Agreement-Based Resolution process may be disseminated to any outside person, provided that any party to the Agreement-Based Resolution process may generally discuss the allegations under investigation with a parent, advisor, or other source of emotional support, or with an advocacy organization. An admission of responsibility made during an Agreement-Based Resolution process, however, may not be incorporated into the investigation and adjudication proceeding.

Finalizing the Resolution Agreement

Once the final terms of the Resolution Agreement have been agreed upon by all parties, in writing, and approved by the Title IX Coordinator, the matter will be considered closed, and no further action will be taken. Once signed, no appeal is permitted. The Agreement-Based Resolution process is generally expected to be completed within thirty (30) days and may be extended by the Title IX Coordinator as appropriate. All parties will be notified, in writing, of any extension and the reason for the extension.

Records of an Agreement-Based Resolution process can be shared with other offices as appropriate.

Any violations of the terms of the Resolution Agreement may result in disciplinary action.

Investigation & Administrative Resolution

These procedures are applicable to all Prohibited Conduct. An investigation and administrative resolution process consists of five stages: written notice of investigation; evidence gathering; evidence review; investigation report; determination. Then the parties both have the option to appeal.

All parties have the option to participate in the investigation, and each have the same rights during the resolution process including the right to an advisor, to submit relevant witness names and evidence, and to review the evidence gathered by the investigator prior to the investigator providing the final report to the Decisionmaker(s).

Acceptance of Responsibility

If a respondent accepts responsibility for all or part of the Prohibited Conduct alleged, the Coordinator or designated sanctioning officer will issue an appropriate sanction or responsive action as to those violation(s) and continue processing any remaining allegations of Prohibited Conduct, if any.

Assignment of the Investigator

The University will assign a trained investigator to conduct an adequate, reliable, and impartial investigation and determination, as applicable, in a reasonably prompt timeframe. The investigator will establish deadlines for submission of names of relevant witnesses and submission of evidence and communicate those deadlines to the parties in writing.

Timeline

The University strives to complete the investigation process within ninety (90) business days from the date of the Notice of Investigation.

The timeline for any part of the resolution process may be extended for good cause by the Title IX Coordinator. All parties will be notified, in writing, of any extension to the timeline that is granted, the reason for the extension, and the new anticipated date of conclusion of the investigation and/or hearing. Good cause reasons for extension may include ensuring availability of witnesses and other participants and ensuring participants have sufficient time to review materials.

The University will not unreasonably deny a student party's request for an extension of a deadline related to a complaint during periods of examinations or school closures.

The investigator and/or Title IX Coordinator will provide the Parties with periodic status updates, in writing.

Burden and Standard of Review

The University has the burden of conducting an investigation that gathers sufficient evidence to determine whether Prohibited Conduct occurred. This burden does not rest with any party, and any party may decide to limit their participation in part or all of the process, or to decline to participate. This does not shift the burden of proof away from the University and does not indicate responsibility. The standard of proof used in the investigation and decision-making process is the preponderance of the evidence standard, which means more likely than not.

Notice of Investigation

Prior to the start of an investigation, the Parties will be provided a written Notice of Investigation communicating the initiation of an investigation. Should additional allegations be brought forward, or information regarding location or date of the incident(s), a revised written Notice of Investigation will be provided to all parties.

The Notice will include, at a minimum:

1. The University's investigation procedures, including the applicable determination procedure that will be used in this investigation and resolution, and a link to the relevant policies;
2. Information about the agreement-based resolution process, with a link to the full procedures.
3. Sufficient information available at the time to allow the parties to respond to the allegations, including the identities of the parties involved in the incident(s), a description of the facts alleged to constitute Prohibited Conduct, the type of Prohibited Conduct, and the date(s), time(s), and location(s) of the alleged incident(s);
4. A list of possible sanctions.
5. A statement that retaliation is prohibited;
6. Expected length of the major stages of the resolution process, as well as any applicable deadlines.

7. The Notice will inform the parties that the investigator will establish and communicate, in writing, all investigation deadlines, including the final deadlines for submitting names of witnesses, evidence, and relevant questions to ask a party or witness. These deadlines may be extended by the Title IX Coordinator for good cause, and any changes will be provided, in writing, to the parties, along with the rationale for the revised deadline(s).
8. The name of the investigator, and the process for raising a challenge to the appointed investigator, Decisionmaker(s) or Title IX Coordinator, and the deadline for doing so.
9. A statement that the respondent is presumed not responsible for Prohibited Conduct until a determination is made at the conclusion of the resolution process. Prior to such a determination, the parties will have an opportunity to present relevant and not otherwise impermissible evidence to a trained, impartial investigator and Decisionmaker(s);
10. A statement that the parties may have an advisor of their choice who may be a friend, parent, therapist, colleague, or attorney;
11. The parties are entitled to an equal opportunity to access an investigation report that accurately summarizes this evidence. The parties are entitled to an equal opportunity to access the relevant and not impermissible evidence upon the request of any party; and
12. The University prohibits knowingly making false statements or knowingly submitting false information during the resolution procedures.
13. The Decisionmaker(s) will be identified, if known. If the University assigns a different Decisionmaker(s), an updated notice will be provided to the parties.
14. The date and time of the initial interview with the Investigator, with a minimum of five (5) days' notice.

Conflict of Interest or Bias

After a Notice of Investigation is issued to all parties, any party may object to the participation of the Title IX Coordinator or designated investigator on the grounds of a demonstrated bias or actual conflict of interest. All parties will have three (3) days from the date of the Notice of Investigation to object to the selection of the investigator or the Title IX Coordinator. Objections to the Title IX Coordinator are to be made, in writing, to the Vice President for Human Resources. Objections to the appointment of the investigator are to be made in writing, to the Title IX Coordinator. All objections will be considered, and changes made as appropriate. If the objection is substantiated as to either the Title IX Coordinator or the Investigator, that individual will be replaced. Any change will be communicated in writing.

Written Notice of Meetings

The University will provide to a party or witness whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all meetings or proceedings with sufficient time to prepare to participate.

Evidence Gathering

Interviews

The investigator will hold individual interviews with parties and witnesses to ask relevant and not otherwise impermissible questions and follow-up questions related to the allegations in the complaint, including questions exploring credibility. The investigator will gather relevant evidence from interviewees and request from interviewees the names of relevant witnesses. Evidence will include inculpatory evidence (that tends to show it more likely that someone committed a violation) and exculpatory evidence (that tends to show it less likely that someone committed a violation). The investigator ultimately determines whom to interview to determine the facts relevant to the complaint.

Interviews may be conducted in person, or via video conference. Only the investigator and the party or witness may attend each individual interview, and a party may be accompanied by their advisor. All interviews will be recorded, and either an audio or audiovisual record, or transcript of these meetings will be provided to the parties during evidence review. Additional attendees may be permitted at the discretion of the Title IX Coordinator in connection with an approved disability-related accommodation. All persons present at any time during any part of the investigation or resolution process are expected to maintain the privacy of the proceedings and not discuss or otherwise share any information learned as part of the resolution process.

At the initial interview with each party, the investigator will invite the parties to provide, in writing and in advance of the individual interviews, questions to ask of the parties and witnesses that are relevant and not otherwise permissible, including questions exploring credibility. Upon receiving the question list, the investigator will determine whether a proposed question is relevant and not otherwise impermissible and will explain, in writing in advance of the individual interview, any decision to exclude a question as not relevant or otherwise impermissible. Questions that are unclear or harassing of the party or witness being questioned will not be permitted. The investigator must give a party an opportunity to clarify or revise any question that the investigator has determined is unclear or harassing and, if the party sufficiently clarifies or revises a question, the question will be asked.

Impermissible Evidence

The following types of evidence, and questions seeking that evidence, are impermissible. This means this information will not be accessed or considered, except by the University to determine whether one of the exceptions listed below applies. This information will not be disclosed or otherwise used, regardless of relevance:

- Evidence that is protected under a privilege recognized by Federal or State law, unless the person to whom the privilege or confidentiality is owed has voluntarily waived the privilege or confidentiality;
- Evidence provided to an employee designated by the University as exempt from internal reporting under this policy, unless the person who made the disclosure or otherwise provided evidence to that employee has voluntarily consented to re-disclosure;
- A party's or witness's records that are made or maintained by a physician, psychologist, or other recognized professional or paraprofessional in connection with the provision of treatment to the party or witness, unless the University obtains that party's or witness's voluntary, written consent for use in its resolution procedures; and
- Evidence that relates to the complainant's sexual interests or prior sexual conduct, unless evidence about the complainant's prior sexual conduct is offered to prove that someone other than the respondent committed the alleged conduct or is evidence about specific incidents of the complainant's prior sexual conduct with the respondent that is offered to prove consent to alleged sex-based harassment. The fact of prior consensual sexual conduct between the parties does not by itself demonstrate or imply the complainant's consent to other sexual activity or preclude a determination that Prohibited Conduct occurred.
- In matters of sexual assault, domestic violence, dating violence, and stalking, all parties have the right to exclude their own prior sexual history with persons other than the other party in the investigation and decision-making process or their own mental health diagnosis and/or treatment from admittance in the institution disciplinary stage that determines responsibility. The limit does not exclude evidence of prior sexual history with the other party in the investigation that is relevant to an allegation or defense of an allegation.

Investigator Determination of Relevance

The investigator will determine whether parties and witnesses are likely to provide relevant information about the allegations and has the sole discretion to determine which parties and witnesses to call to individual follow-up meetings.

The investigator will review all evidence gathered through the investigation and determine what evidence is relevant and what evidence is impermissible regardless of relevance. Character evidence that is not relevant will not be considered. The Decisionmaker(s) is not bound by the investigator's determinations about relevance.

Evidence Review

At the conclusion of all fact-gathering, the investigator will provide each party and their advisor the opportunity to review all relevant and not otherwise impermissible evidence gathered.

The purpose of the inspection and review process is to allow each party the equal opportunity to meaningfully respond to the evidence prior to conclusion of the investigation and to submit any additional relevant evidence, questions for parties or witnesses, or the names of any additional witnesses with relevant information. This is the final opportunity to offer evidence or names of witnesses. Evidence not provided during the investigation process will not be considered by the Decisionmaker(s). Given the sensitive nature of the information provided, the University will facilitate this review in a secure manner. None of the parties nor their advisors may copy, remove, photograph, print, image, videotape, record, or in any manner otherwise duplicate or remove the information provided. Any student or employee who fails to abide by this may be subject to discipline. Any advisor who fails to abide by this may be subject to discipline and/or may be excluded from further participation in the process.

The parties will have a minimum of five (5) business days to inspect and review the evidence and submit a written response in writing to the investigator. The Title IX Coordinator has the discretion to extend the evidence review period based on the volume and nature of the evidence.

When deemed appropriate by the investigator, the investigator will then conduct any additional fact-gathering as may be necessary. If new, relevant evidence was submitted as part of evidence review, or is gathered during this second fact-gathering period, the new relevant evidence will be made available for review by the parties and their advisors. The parties will have five (5) days to provide a response to the newly-gathered evidence. No new evidence will be accepted as part of any response, except that the investigator has the discretion to accept relevant evidence that was not previously available or known to exist, and that was not previously discoverable with the exercise of reasonable diligence.

The investigator will consider the parties' written responses and will draft and/or finalize an investigation report. The investigation report will be objective and thorough and will summarize the investigation and all relevant evidence.

Impact Statement

The parties may each submit a written impact statement prior to the conclusion of the resolution process. The impact statement is not evidence, and will be reviewed during the sanctioning phase only after a determination of responsibility is reached.

Decisionmaking

The Title IX Coordinator will designate a Decisionmaker(s). The Decisionmaker(s) will evaluate the relevant and not impermissible evidence and make a factual determination regarding each allegation.

The Decisionmaker(s) may choose to place less or no weight upon statements by a party or witness who refused to respond to questions deemed relevant and not otherwise impermissible, or who was not available, despite reasonable diligence, for a follow-up interview. The Decisionmaker(s) will not draw an inference about whether Prohibited Conduct occurred based solely on a party's or witness's refusal to respond to the investigator's questions.

The Decisionmaker(s) will then conduct pre-decision conferences with the primary parties and their advisor of choice. All pre-decision conference meetings will be recorded and parties will be provided with a transcript of the meetings.

The Decisionmaker(s) will then determine, based upon the factual findings, whether a violation of University policy occurred.

The Decisionmaker(s) will prepare a report that includes:

- A description of the sex-based harassment;
- A reference to the policies and procedures used to evaluate the allegations;
- Description of all procedural steps taken to date;
- The Decisionmaker(s)'s evaluation of the relevant evidence along with the finding of facts;
- Determinations for each allegation, with the rationale;
- Sanction determination (if applicable);
- Whether remedies will be provided;
- The procedures for an appeal.

This report will be provided to the Title IX Coordinator. In the event that the Decisionmaker(s) has determined that a violation of University policy has occurred, the Title IX Coordinator will then provide the report to the appropriate Sanctioning Officer to determine the sanction, and the Title IX Coordinator will then determine the appropriate remedy(ies) for the Complainant and any impacted parties. Past findings of responsibility relating to this policy or any other policy are admissible in the sanctioning stage only.

- *Sanctioning Officer or Designee for Student Respondents:* Associate Dean of Students
- *Sanctioning Officer or Designee for Staff Respondents:* Human Resources
- *Sanctioning Officer or Designee for Faculty:* Human Resources

The Title IX Coordinator will then provide the parties and their advisors, if any, with a written Notice of Outcome and a copy of the Decisionmaker(s)'s report. The Notice of Outcome will include any disciplinary sanctions for the respondent, whether remedies will be provided, and the procedures for appeal. In addition, the complainant will be informed of any remedies that apply to the complainant.

The Title IX Coordinator will provide each party, and their advisor, written communication regarding the decision, the sanction determination, and the procedures for appeal, along with a copy of the Investigation Report. The Title IX Coordinator will also provide written communication to the Complainant regarding any appropriate remedies.

D. APPEALS

Dismissals of complaints and determinations made in the investigation and decision-making processes may be appealed in writing by either party. Appeals will be sent to the Title IX Coordinator, who will then send the appeal to the Appeals Panel assigned to conduct a written review of the appeal(s) and to make a final determination. Appeals must be in writing and filed within ten (10) days following the issuance of the outcome letter.

When an appeal is filed, the other party will be notified and provided with a copy of the filed appeal within one (1) day, and have five (5) days to respond to the appeal in writing. Any party's decision not to submit a reply to an appeal is not evidence that the non-appealing party agreed with the appeal.

Within three (3) days of an Appeals Panel being assigned, either party may provide written objection to the Appeals Panel on the basis of an actual bias or conflict of interest of a panelist. Any objection is to be sent to the Title IX Coordinator. Should the Title IX Coordinator determine that there is an actual bias or conflict of interest, the Title IX Coordinator will appoint a different panelist(s).

Appeals may be filed only on the following three grounds:

- **Procedural Error:** A procedural error occurred would change the outcome. A description of the error and its impact on the outcome of the case must be included in the written appeal; or,
- **New Evidence:** New evidence or information has arisen that was not available or known to the party during the investigation or hearing, that would change the outcome. Information that was known to the party during the resolution process but which they chose not to present is not considered new information. The new evidence, an explanation as to why the evidence was not previously available or known, and an explanation of its potential impact on the investigation findings must be included in the written appeal; or
- **Actual Conflict of Interest or Demonstrated Bias:** The Title IX Coordinator, investigator, or others with a role in the process with an actual conflict of interest or demonstrated bias for or against complainants or respondents generally, or the individual complainant or respondent, that would change the outcome. Any evidence supporting the alleged conflict of interest or demonstrated bias must be included in the written appeal.

The Appeals Panel will make a determination regarding the appeal and communicate that decision, along with a rationale for the decision to the Title IX Coordinator who will communicate the Appeals Panel's decision to the parties. The decision of the Panel is final.

Failure to Complete Sanctions/Comply with Responsive Actions

All responding parties are expected to comply with conduct sanctions/responsive actions/ corrective actions within the timeframe specified by the University. Responding parties needing an extension to comply with their sanctions must submit a written request to the Title IX Coordinator stating the reasons for needing additional time.

Failure to follow through on conduct sanctions/responsive actions/corrective actions by the date specified, whether by refusal, neglect or any other reason, may result in additional sanctions/responsive actions/corrective actions, such as suspension, expulsion, termination, or a transcript notation. Students who fail to comply will be referred to the Dean of Students office in accordance with the University's Code of Conduct.

Transcript Notations

The University has a policy of making a notation on a transcript related to outcomes for crimes of violence as defined by the Clery Act. Upon conclusion of any appeal process, a transcript notation will be indicated on the respondent's record for cases resulting in suspension, expulsion or in cases where the respondent withdraws from the University during the investigation and decision-making process. Notations on transcripts will be indicated as follows:

- "suspended after a finding of responsibility for a code of conduct violation"
- "expelled after a finding of responsibility for a code of conduct violation" or
- "withdrew with conduct charges pending."

Transcript notations for a student who is suspended or who chooses to withdraw with a pending investigation will remain on a transcript for a minimum of one year. After one year's time, a student may request to have the transcript notation removed by filing an appeal with the Vice President for Enrollment and Student Affairs.

Transcript notations for students expelled are permanent and cannot be removed.

If a finding of responsibility is vacated for any reason, any such transcript notation will be removed.

Sanctions

Sanctions are disciplinary steps listed that may be imposed on a respondent who is found responsible for a violation of the University's policies. Sanctions or disciplinary steps not listed here may be imposed in consultation with the Title IX Coordinator.

The form of sanction or discipline used will depend on the nature of the violation, as well as any prior disciplinary history. Such discipline or sanction will be imposed pursuant to and in accordance with any and all applicable University rules, policies, and procedures. Factors considered when determining a sanction/responsive action may include:

- The nature, severity of, and circumstances surrounding the violation.
- An individual's disciplinary history.
- Previous resolutions or allegations involving similar conduct.
- The need for sanctions/responsive actions to bring an end to the sex discrimination or retaliation.
- The need for sanctions/responsive actions to prevent the future recurrence of sex discrimination or retaliation.
- The need to remedy the effects of the sex discrimination or retaliation on the victim and the campus community.

Student sanctions imposed are implemented when the decision is final (after an appeal, or, if there was no appeal, after the appeals period expires).

Faculty found responsible for violating this policy may be referred to the appropriate academic official for any other applicable processes.

Possible sanctions and disciplinary steps for student respondents include, but are not limited to the following:

- Reprimand or warning
- Changing the Respondent's academic schedule
- Disciplinary probation
- Postponement of degree conferral
- Revocation of honors or awards
- Restricting the Respondent's access to College facilities or activities
- Community service
- Issuing a No Contact Order to the Respondent or requiring that such an order remain in place
- Dismissal from or restricting or reassignment of College employment
- Suspension (limited time or indefinite)
- Expulsion

Possible sanctions and disciplinary steps for staff and faculty respondents include a range from warning or reprimand to termination.

E. RECORD RETENTION

In implementing this policy, records of all reports and resolutions will be kept by the Coordinator in accordance with the applicable University records retention schedule. All records will be afforded the confidentiality protections required by law, including but not limited to the Family Educational Rights and Privacy Act governing confidentiality of student information.

F. ADDITIONAL ENFORCEMENT INFORMATION

The U.S. Equal Employment Opportunity Commission (EEOC) investigates reports of unlawful harassment and discrimination, including sex-based harassment, in employment.

The U.S. Department of Education, Office for Civil Rights (OCR) investigates complaints of unlawful discrimination and harassment of students and employees in education programs or activities.

For more information, contact the nearest office of the EEOC or OCR.

US Department of Education

Office for Civil Rights
200 Independence Avenue, SW
Room 509F, HHH Building
Washington, D.C. 20201
(800) 368-1019

U.S. Equal Employment Opportunity Commission (EEOC)

<https://www.eeoc.gov/contact-eeoc>

NYS Division of Human Rights (DHR)

1 Fordham Plaza, 4th Floor,
Bronx, NY 10458
(718) 741-8400
<https://dhr.ny.gov/>

G. POLICY REVIEW & REVISION

These policies and procedures will be reviewed and updated regularly by the Title IX Coordinator. The Title IX Coordinator will submit modifications to this policy in a manner consistent with institutional policy upon determining that changes to law, regulation or best practices require policy or procedural alterations not reflected in this policy and procedure. Procedures in effect at the time of its implementation will apply. The policy definitions in effect at the time of the conduct will apply even if the policy is changed subsequently, unless the parties consent to be bound by the current policy.

This policy may be revised at any time without notice. All revisions supersede prior policy and are effective immediately upon posting to the University website.

PART III: TITLE IX POLICY KEY DEFINITIONS

Advisor: Each party has the right to choose and consult with an advisor of their choice at their own expense. The advisor may be any person, including a friend, family member, therapist, union representative, or an attorney. The University will not limit their choice of advisor. Parties in this process may be accompanied by an advisor of choice to any meeting or proceeding to which they are required or are eligible to attend.

Except where explicitly stated by this policy, advisors cannot participate directly in the process. The University will provide the parties equal access to advisors; any restrictions on advisor participation will be applied equally.

The advisor may not represent, advocate, or speak on behalf of a complainant or respondent. An advisor may not disrupt or impede any resolution proceeding.

Complaint: A complaint means an oral or written request to Title IX Coordinator that objectively can be understood as a request for the University to investigate and make a determination about alleged sex discrimination under this policy. A complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail (email), by using the contact information listed on the Title IX/Equal Opportunity website (LINK), or as described in this policy. Individuals who would like more information about filing a complaint are invited to contact the Title IX Coordinator for additional information.

Complainant: Any individual who has reported being or is alleged to be impacted by Prohibited Conduct as defined by this policy, and who was participating in a University program or activity at the time of the alleged misconduct.

Confidential Resources: Any individual identified by the University who receives information about conduct prohibited under this policy in their confidential capacity and who are privileged under state law will not report Prohibited Conduct disclosed to them without written consent. Designation as a confidential resource under this policy only exempts such individuals from disclosure to the Title IX Coordinator. It does not affect other mandatory reporting obligations under state child abuse reporting laws, the Clery Act as a campus security authority, or other laws that require reporting to campus or local law enforcement.

Consent, Incapacitation, Force, and Coercion:

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 does not in and of itself, demonstrate consent. The definition of consent does not vary based upon a participant's sex, sexual orientation, gender identity or gender expression. Consent to any sexual act or prior consensual 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 it is the result of any coercion, intimidation, force, or threat of harm. When consent is withdrawn or can no longer be given, sexual activity must stop. Children under 17 years of age cannot legally consent under New York State law to having sex or sexual contact with an adult (i.e., someone who is 17 years of age or older). Consent cannot be given if any of the following are present: Incapacitation, Force, or Coercion.

Incapacitation - Occurs when someone cannot make rational, reasonable decisions because they lack the capacity to give knowing and informed consent (e.g., to understand the "who, what, when, where, why, and how" of their sexual interaction). Incapacitation is determined through consideration of all relevant indicators of a person's state and is not synonymous with intoxication, impairment, or being under the influence of drugs or alcohol. This policy also covers a person whose incapacity results from temporary or permanent physical or mental health condition, involuntary physical restraint, and/or the consumption of incapacitating drugs. Under this policy, the University will consider whether a respondent knew or should have known the complainant to be incapacitated, based on an objective, reasonable person standard that assumes the reasonable person is both sober and exercising sound judgment.

Coercion/Force - Consent cannot be procured by the use of physical force, compulsion, threats, intimidating behavior, or coercion. Sexual activity accompanied by coercion or force is not consensual.

- Coercion refers to unreasonable pressure for sexual activity. When someone makes it clear that they do not want to engage in sexual activity or do not want to go beyond a certain point of sexual interaction, continued pressure beyond that point can be considered coercive. The use of coercion can involve the use of pressure, manipulation, substances, or force. Ignoring objections of another person is a form of coercion.
- Force refers to the use of physical violence or imposing on someone physically to engage in sexual contact or intercourse. Force can also include threats, intimidation (implied threats), or coercion used to overcome resistance.

Days: Any reference to days refers to business days when the University is in normal operation.

Decisionmaker: Trained professional designated by the University to decide responsibility, sanction, or appeals. A Decisionmaker may be one person or a panel of multiple people as determined by the University. When there is no hearing, the investigator may be appointed as the Decisionmaker.

Disclosure or Report: A disclosure or report may be made by anyone, whether they learned about conduct potentially constituting sex discrimination under this policy, or whether they personally experienced such conduct. A person making a disclosure or report may or may not be seeking to initiate an investigation.

Education Program or Activity: the University's "education program or activity" includes all campus operations, including off-campus settings that are operated or overseen by the University, including, for example, field trips, online classes, and athletic programs; conduct subject to the University's disciplinary authority that occurs off-campus; conduct that takes place via University-sponsored electronic devices, computer and internet networks and digital platforms operated by, or used in the operations of, the University. Conduct that occurs outside of the education program or activity may contribute to a hostile environment within the program or activity.

Finding: A written conclusion by a preponderance of the evidence, issued by an Investigator, that the conduct did or did not occur as alleged.

No-Contact Directive: A No Contact Directive is a document issued by a University administrator that is designed to limit or prohibit contact or communications between the parties. A No-Contact Directive may be mutual or unilateral.

Notice: All notices under this policy are written and sent to the student or employee's assigned University email address or delivered via Certified Mail to the local or permanent address(es) of the parties as indicated in official University records, or personally delivered to the intended recipient.

Party/parties: Referring to complainant(s), respondent(s), or both/all complainant(s) and respondent(s).

Remedies: Remedies means measures provided, as appropriate, to a complainant or any other person the University identifies as having had their equal access to the University's education program or activity limited or denied by sex discrimination or other Prohibited Conduct covered by this policy. These measures are provided to restore or preserve that person's access to the education program or activity after a University determines that sex discrimination occurred. Only the complainant will be informed of any remedies pertaining to them. Some examples are academic support and/or opportunity to retake a class or resubmit work or time extensions on course or degree completion, or non-academic support such as counseling, or changes to work assignments or locations. The Title IX Coordinator is responsible for implementation of remedies.

Respondent: An individual, or group of individuals such as a student organization, who has been reported to be the perpetrator of conduct that could constitute Prohibited Conduct under this policy; or retaliation for engaging in a protected activity.

Student: Any person who has (or will have) attained student status by way of:

1. Admission, housing or other service that requires student status.
2. Registration for one or more credit hours.
3. Enrollment in any non-credit, certificate or other program offered by the University.

SEXUAL ASSAULT PREVENTION INFORMATION

Iona University informs students and employees about the Student Right to Know and Campus Security Act (CSA) of 1990 and related amendments which have been added to the education laws of New York State since 1990. These laws, with which the University intends to comply fully, were designed to create an advisory committee on campus safety, and prepare and disseminate an annual security report for the state and federal government and other interested parties. The report includes a description of policies related to campus safety and statistics concerning specific crimes reported to campus security authorities or local police agencies. These laws are also designed to establish a campus sexual assault program to prevent sex offenses, develop procedures to follow when a sex offense occurs, and distribute sexual assault prevention information to members of the community. It also includes other information for educating students and staff about campus safety. Counseling Services, Health Services, Residential Life, Campus Safety, and/or Center for Student Engagement are available to the victims of any type of crime.

Rape and sexual assault are violent crimes in which another individual subjects a person to involuntary sexual contact. Women in their late teens and early twenties are particularly vulnerable to being victimized in this way.

On university campuses, the most common form of sexual assault is “acquaintance rape,” in which the victim knows the assailant. Because the victim is familiar with the assailant, she (or he) may be more trusting and less vigilant in the company of this person. Among college students acquaintance rape often takes place in connection with alcohol and drug use. Female college students are also particularly vulnerable to being victimized by so called “date rape drugs,” which are more fully discussed below.

If you or someone you know is sexually victimized, it is extremely important that the incident be reported to Campus Safety and to the local police department. It is equally important that the victim immediately go to the nearest hospital emergency room to be examined for health and physical injury concerns, so that physical evidence can be gathered. It is therefore important that the victim not shower or discard clothing worn during the assault. Note that none of these activities mean that the victim must press charges. However, these actions will strengthen the legal position of the victim, if and when charges are filed. In assisting the victim of a sexual assault, a sensitive, non-judgmental attitude is the most helpful.

The following safety tips are designed to assist in your personal safety:

- Do not go off with or accept rides from an individual that you have just met.
- Avoid isolated areas when you are alone or on a first date. Ideally, go out with another couple.
- Set clear limits with your partner and be sure that both of you are comfortable with these guidelines.
- If you feel that your safety is being compromised, attempt to attract attention. Do not be embarrassed to cause a scene.
- If you are drinking alcohol, drink responsibly. People may attempt to encourage you to drink more, and your judgment could become impaired.
- Never leave your drink unattended at a party or a bar. Always be safety conscious and familiarize yourself with the statutes of rape and sexual assaults.
- In accordance with New York State law, you must be 21 years old or older to drink.

“Date rape” drugs are narcotics that are added to a beverage to induce confusion, loss of control, and sedative effects in a potential victim for the purpose of sexual assault. The victim normally will have minimal recollection of what occurred while under the influence of this drug. Therefore, the victim could be taken advantage of by the offender. It is recommended that you go out with a group of friends, stay together throughout the night, and leave together. The most common “date rape” drugs are Rohypnol (“Roofies”) and Gamma-hydroxybutyrate (GHB).

If you believe that you have been victimized by the use of a “date rape” drug, follow the suggestions noted above. Also, do not discard the beverage and its container, as they will potentially provide important evidence.

The cooperation and involvement of students and employees in a campus safety program are important. All members of the University community are asked to assume responsibility for their own personal safety and the security of their personal belongings, by taking simple, common sense precautions. Further information regarding personal safety, which includes fire, first aid, and the reporting of any and all unusual occurrences or irregularities, is available in the Offices of Campus Safety, and Center for Student Engagement. Several important crime prevention techniques are:

1. Walk or study with friends.
2. Avoid being alone in buildings on the grounds.

3. Notify someone in authority when you will be working in any building after hours or on weekends.
4. Report any suspicious persons or activity to campus security or the administrator in charge of a facility or program.
5. Keep doors locked at all times.

The University affirms the dignity of all persons who are victims of crime and recognizes each person's right to privacy and confidentiality. If a student or employee is the victim of a sexual crime, he/she should immediately notify the appropriate official in the Offices of Counseling Services, Health Services, Residential Life, Campus Safety and Security, and/or Center for Student Engagement, who will then assist with making further notifications to the appropriate law enforcement authorities if the sexual assault victim wants a notification made. If a student or employee is the victim of a sexual crime (rape, acquaintance rape, or other sexual offenses) it is imperative not to shower, discard any clothing worn during the assault or do anything else which could destroy evidence. The police department and district attorney will need physical evidence to assist with their investigation and prosecution. The University will make every attempt to assist a sexual assault victim by providing options such as changing the academic and living arrangements precipitated by the offense.

Failure to comply with the University's regulations and the laws of the State of New York and/or the laws of the federal government governing crime and sexual assault constitutes a violation of the Code of Conduct which is contained in the Student Handbook. Violations are punishable by sanctions which have been imposed pursuant to the judicial procedures of the University. These sanctions include dismissal from the University and students may also be accountable to the appropriate law enforcement authorities. The University cannot protect any member of the University community who violates state or federal laws.

Crime Definitions

The following crime definitions are in accordance with the Federal Bureau of Investigation's Uniform Crime Reporting Program. These definitions are used to determine the proper classification of serious incidents reported to Public Safety.

- **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.
- **Aggravated Assault:** An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury (usually by means of a weapon or other method likely to result in death or great bodily harm).
- **Burglary:** The unlawful entry of a structure to commit a felony or theft.
- **Bullying:** Teasing, taunting, harassing, graphic written statements, or communications by cell phone (calls/texting, or Internet threats, including the sending of messages by email or via social networks) that are threatening, humiliating, harmful, or discriminatory. These are prohibited conduct. Harassment creates a hostile environment when it is severe, pervasive, or persistent, and interferes with one's ability to participate in services, activities, or opportunities at the University.
- **Dating Violence:** Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of:
 - o the length of the relationship.
 - o the type of relationship.
 - o the frequency of interaction between the persons involved in the relationship.
- **Domestic Violence:** A felony or misdemeanor crime 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.
- **Motor Vehicle Theft:** The theft or attempted theft of a motor vehicle.
- **Manslaughter by Negligence:** The killing of another person through gross negligence.
- **Murder/Non-Negligent Manslaughter:** The willful (non-negligent) killing of one human being by another.
- **Robbery:** The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force, threat of force, violence, and/or by putting the victim in fear.
- **Rape:** 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:** The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental incapacity.

- **Incest:** The sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory Rape:** The sexual intercourse with a person who is under the statutory age of consent.
- **Hate Crimes:** A criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. Although there are many possible categories of bias, under the Clery Act, the following eight categories are reportable: race, religion, sexual orientation, gender, gender identity, ethnicity, national origin, and disability. Hate Crimes include any of the following offenses that are motivated by bias: murder and non-negligent manslaughter, sexual assault, robbery, aggravated assault, burglary, motor vehicle theft, arson, larceny-theft, simple assault, intimidation, destruction/damage/vandalism of property.
- **Stalking:** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others or suffer substantial emotional distress.

INFORMATION ON BIAS-RELATED INCIDENTS AND HATE CRIMES

Iona University seeks to provide every student a safe and secure learning Environment that is free of crime and/or policy violations motivated by discrimination, sexual misconduct and bias-related harassment. Iona University recognizes and values the similarities and differences among students and recognized student clubs/organizations at the University. Discrimination, sexual misconduct and bias-related harassment disrupt the educational process and will not be tolerated. As members of the University community, students can reasonably expect that the following rights will be respected by all University offices, programs, employees, and organizations.

Students have the right to be free from discrimination by any agent or organization of Iona University based on race, color, national or ethnic origin, ancestry, age, religion or religious creed, disability or handicap, sex or gender (including pregnancy, sexual harassment and other sexual misconduct including acts of sexual violence such as rape, sexual assault, sexual exploitation and coercion), gender identity and/or expression, sexual orientation, military or veteran status, genetic information, marital status political or social affiliation or any other characteristic protected under applicable federal, state or local law.

Definitions: Hate crimes and bias-related incidents involve behavior that is motivated by race, religion, sexual orientation, ethnicity, national origin, gender, gender identity, age, or disability. Bias-related incidents include those actions that are motivated by bias, but do not meet the necessary elements required to prove a crime. Hate crimes are also motivated by bias with an accompanying crime, such as: threats of violence, property damage, personal injury and other illegal conduct.

Bias-related incidents are defined as behavior, which constitutes an expression of hostility, against the person or property of another because of the targeted person's race, religion, sexual orientation, ethnicity, national origin, gender, gender identity, age, or disability. Bias-related incidents include, but are not limited to: non-threatening name calling and using degrading language or slurs directed toward a person because of his or her membership (or perceived membership) in a protected class.

Hate Crimes (Section 485.05) Listing of Specified Offenses

1. A person commits a hate crime when he or she commits a specified offense and either:
 - (a) intentionally selects the person against whom the offense is committed or intended to be committed in whole or in substantial part because of a belief or perception regarding the race, color, national origin, ancestry, gender, religion, religious practice, age, disability or sexual orientation of a person, regardless of whether the belief or perception is correct, or
 - (b) intentionally commits the act or acts constituting the offense in whole or in substantial part because of a belief or perception regarding the race, color, national origin, ancestry, gender, religion, religious practice, age, disability or sexual orientation of a person, regardless of whether the belief or perception is correct.
2. Proof of race, color, national origin, ancestry, gender, religion, religious practice, age, disability or sexual orientation of the defendant, the victim or of both the defendant and the victim does not, by itself, constitute legally sufficient evidence satisfying the people's burden under paragraph (a) or (b) of subdivision one of this section.
3. A "specified offense" is an offense defined by any of the following provisions of this chapter: section 120.00 (assault in the third degree); section 120.05 (assault in the second degree); section 120.10 (assault in the first degree); section 120.12 (aggravated assault upon a person less than eleven years old); section 120.13 (menacing in the first degree); section 120.14 (menacing in the second degree); section 120.15 (menacing in the third degree); section 120.20 (reckless endangerment in the second degree); section 120.25 (reckless endangerment in the first degree); section 121.12 (strangulation in the second degree); section 121.13 (strangulation in the first degree); subdivision one of section 125.15 (manslaughter in the second degree); subdivision one, two or four of section 125.20 (manslaughter in the first degree); section 125.25 (murder in the second degree); section 120.45 (stalking in the fourth degree); section 120.50 (stalking in the third degree); section 120.55 (stalking in the second degree); section 120.60 (stalking in the first degree); subdivision one of section 130.35 (rape in the first degree); subdivision one of section 130.50 (criminal sexual act in the first degree); subdivision one of section 130.65 (sexual abuse in the first degree); paragraph (a) of subdivision one of section

130.67 (aggravated sexual abuse in the second degree); paragraph (a) of subdivision one of section 130.70 (aggravated sexual abuse in the first degree); section 135.05 (unlawful imprisonment in the second degree); section 135.10 (unlawful imprisonment in the first degree); section 135.20 (kidnapping in the second degree); section 135.25 (kidnapping in the first degree); section 135.60 (coercion in the second degree); section 135.65 (coercion in the first degree); section 140.10 (criminal trespass in the third degree); section 140.15 (criminal trespass in the second degree); section 140.17 (criminal trespass in the first degree); section 140.20 (burglary in the third degree); section 140.25 (burglary in the second degree); section 140.30 (burglary in the first degree); section 145.00 (criminal mischief in the fourth degree); section 145.05 (criminal mischief in the third degree); section 145.10 (criminal mischief in the second degree); section 145.12 (criminal mischief in the first degree); section 150.05 (arson in the fourth degree); section 150.10 (arson in the third degree); section 150.15 (arson in the second degree); section 150.20 (arson in the first degree); section 155.25 (petit larceny); section 155.30 (grand larceny in the fourth degree); section 155.35 (grand larceny in the third degree); section 155.40 (grand larceny in the second degree); section 155.42 (grand larceny in the first degree); section 160.05 (robbery in the third degree); section 160.10 (robbery in the second degree); section 160.15 (robbery in the first degree); section 240.25 (harassment in the first degree); subdivision one, two or four of section 240.30 aggravated harassment in the second degree); or any attempt or conspiracy to commit any of the foregoing offenses.

4. For purposes of this section:

- (a) the term “age” means sixty years old or more.
- (b) the term “disability” means a physical or mental impairment that substantially limits a major life activity.

S 485.10 Sentencing

1. When a person is convicted of a hate crime pursuant to this article, and the specified offense is a violent felony offense, as defined in section 70.02 of this chapter, the hate crime shall be deemed a violent felony offense.
2. When a person is convicted of a hate crime pursuant to this article and the specified offense is a misdemeanor or a class C, D or E felony, the hate crime shall be deemed to be one category higher than the specified offense the defendant committed, or one category higher than the offense level applicable to the defendant’s conviction for an attempt or conspiracy to commit a specified offense, whichever is applicable.
3. Notwithstanding any other provision of law, when a person is convicted of a hate crime pursuant to this article and the specified offense is a class B felony:
 - (a) the maximum term of the indeterminate sentence must be at least six years if the defendant is sentenced pursuant to section 70.00 of this chapter.
 - (b) the term of the determinate sentence must be at least eight years if the defendant is sentenced pursuant to section 70.02 of this chapter;
 - (c) the term of the determinate sentence must be at least twelve years if the defendant is sentenced pursuant to section 70.04 of this chapter;
 - (d) the maximum term of the indeterminate sentence must be at least four years if the defendant is sentenced pursuant to section 70.05 of this chapter; and
 - (e) the maximum term of the indeterminate sentence or the term of the determinate sentence must be at least ten years if the defendant is sentenced pursuant to section 70.06 of this chapter.
4. Notwithstanding any other provision of law, when a person is convicted of a hate crime pursuant to this article and the specified offense is a class A-1 felony, the minimum period of the indeterminate sentence shall be not less than twenty years.
5. In addition to any of the dispositions authorized by this chapter, the court may require as part of the sentence imposed upon a person convicted of a hate crime pursuant to this article, that the defendant complete a program, training session or counseling session directed at hate crime prevention and education, where the court determines such program, training session or counseling session is appropriate, available and was developed or authorized by the court or local agencies in cooperation with organizations serving the affected community.

BIAS INCIDENT RESPONSE PROTOCOL

I. INTRODUCTION AND MISSION STATEMENT OF THE BIAS INCIDENT RESPONSE (BIR) PROTOCOL

Iona University values a community where all members feel welcomed, included, and supported. Iona University established a Bias Incident Response Protocol to ensure that all members of our community, students or employees, affected by an encounter with a bias incident have the necessary support as well as information related to available appropriate resources as soon as possible.

Iona University values the inherent dignity of each member of the Iona community, which is enriched by our diversity and sustained by civility and mutual respect. Grounded in the Iona Mission, the legacy of Blessed Edmund Rice and the Christian Brothers, the Bias Incident Response Protocol was created to advance an educational, working, and living environment free from discrimination, harassment, intolerance, and hate. The BIR Protocol may be enacted to ensure that affected students and others have access to appropriate resources, assist departments and individuals in response, and to facilitate a coordinated campus response to bias-related incidents and situations that may impact campus climate.

II. WHY IS BIAS INCIDENT RESPONSE PROTOCOL NEEDED?

Some actions may violate the Code of Conduct and will be addressed through the university judicial process. Even when this occurs there may be circumstances where individuals involved will also be referred to the supportive resources enacted by the BIR protocol. Some actions and situations may not violate law or policy but, nonetheless, fail to support our vision of a community of respect, openness, understanding, and civility. This protocol not only provides assistance and support to individuals filing a report, it works with the appropriate offices to keep records of bias incidents when directed, and to recommend that members of the community have appropriate access to information related to these incidents. The members of the Bias Incident Response Team also serve as liaisons to members of the community who may not know where or how to seek appropriate resources.

III. WHAT DOES THE BIAS INCIDENT RESPONSE PROTOCOL AND TEAM DO?

The purpose of the Bias Incident Response protocol is to promote an appreciation for diversity through understanding, respect, civility, and education. Individuals in the response pool will be assigned cases as individuals or small groups by the Dean of Students or their designee. These groups will be called Bias Incident Response Teams (BIRTS). BIRTs will respond through enacting the below protocols as directed by the Dean of Students or their designee.

The Bias Incident Response Team pool may consist of, but is not limited to, individuals who serve as members of Iona University Harassment and Discrimination pool, the Student Life Diversity Committee, the University Council Committee on Diversity, and/or members of campus student groups, administrative or academic offices. Their purpose is to:

- a. Educate the Iona University community about the protocol for reporting bias incidents and the purpose of the Bias Incident Response protocol.
- b. Assist students and employees who report bias incidents. This will be done by prompt outreach, listening to their account of their experiences, discussion and referral to resources, and available options of addressing the incident.
- c. Support individuals impacted by bias incidents and/or hate crimes, especially those who have been directly involved including any identified groups that may have been affected.
- d. Assist the Dean of Students and the University in the coordinated campus response to bias incidents or hate crimes that threaten or potentially threaten the wellbeing of our students or the campus community.
- e. Recommend the dissemination of accurate information to the affected person(s) and the campus community, as necessary.
- f. Assist in record keeping of the incident and follow-up action steps.
- g. Recommend and/or plan various community advocacy, educational, and awareness programming and actions that are both preventative and responsive.
- h. Work closely with the appropriate administrators, committees, organizations, and departments to help foster an inclusive and supporting campus climate for all members of the Iona community. This includes but is not limited to collaboration with and support of the University Council Diversity Committee, the Student Life Diversity Committee, the Student Government Association, and the Student Leadership Alliance for Multiculturalism.

IV. WHAT THE BIAS INCIDENT RESPONSE TEAM DOES NOT DO:

- a. We do not work parallel to or isolated from the official disciplinary, reporting, and related response protocols of the university.
- b. We are not a judicial or disciplinary body. We do not decide responsibility, guilt or innocence and are not part of the disciplinary process.
- c. We are not an investigative team. We take reports about bias incidents and we discuss options for moving forward.
- d. We are not a crisis response team. If a situation is immediately threatening, the first response is the New Rochelle Police department and the Office of Campus Safety. If the situation involves a bias incident, a bias incident report can be submitted at a later time.

V. HOW IS PRIVACY PROTECTED?

Every effort will be made to treat reporters as confidential if requested, but reports are not anonymous. We recognize that at times sensitive or personal information will come to our attention. It will be handled with discretion and respect. This will be balanced with the determination at times that the university community may need to be made aware that an incident has occurred, and what steps have been taken to address it. Options for confidential consultations are available with the appropriate members of the clergy while acting in their official capacity as well as members of the Iona University Counseling Center staff.

VI. DEFINITIONS AND DETERMINING WHAT TO REPORT

Bias Incident:

A Bias Incident is conduct or behavior—verbal, nonverbal, written or physical—which is threatening, harassing, intimidating, discriminatory, or hostile and is personally directed against or targets and individual or group based on perceived or actual characteristics including but not limited to race, color, religious belief, sex, marital status, sexual orientation, gender identity or expression, national or ethnic origin, disability, veteran status, socioeconomic or age. Behavior reflecting bias may constitute a violation of Iona University Code of Conduct.

Hate Crime:

Federal and state statutes on hate crime vary in terms of the acts and categories of bias that are covered. Under New York State Law, a hate crime is committed when a person commits a specified offense and (1) either intentionally selects the person against whom the offense is committed or intended to be committed, or (2) intentionally commits the act or acts because of a belief or perception of the person's or group's race, color, national origin, ancestry, sex, religion, religious practice, age, disability, or sexual orientation, regardless of whether the belief or perception is correct. When a person is convicted of a hate crime pursuant to Article 485 of New York State Hate Crimes Act of 2000, the law provides for the level of a hate crime to be deemed one category higher than the specified offense, when that specified offense is a misdemeanor or a class C, D or E felony. When the specified offense is a class B or A-1 felony, the term of sentence is enhanced .

Note:

All hate crimes are bias incidents, but not all bias incidents are hate crimes.

BIR reports may enact BIR protocols in addition to Code of Conduct, Title IX, and/or other related procedures as determined by the Dean of Students or their designee.

What are the criteria for selecting what to report ?

When a report is received, the content is reviewed by the Dean of Students or their designee to determine if factors of race, color, religious belief, sex, marital status, sexual orientation, gender identity or expression, national or ethnic origin, disability, veteran status, or age are present and if there is evidence or information pointing to possible bias.

The impact of a behavior and spoken or written expression on individuals, groups or the campus community that may not reach the level of a bias incident, but has an impact or potential impact on campus climate is also considered. Iona University protects an individual's right to free speech and open expression. However, free speech does not justify discrimination, harassment or speech that may be biased or hateful.

When recommendations of notifications to the community are made, information such as general descriptions and location of the incident when relevant may be shared. Specific Attempts will be made not to report personal identifying information to the broader community.

VII. REPORTING A BIAS INCIDENT OR HATE CRIME

Students, faculty, and staff may report a Bias related incident directly to the Department of Campus Safety, Office of Residential Life, Dean of Students . There are multiple points of entry to report an incident and students can report through whichever appropriate pathway they are comfortable doing so.

For record keeping purposes, all reports of an alleged bias related incident should be documented in writing via the appropriate electronic mechanism at some point in the process regardless where they were first reported. The following information should be included:

- o Detailed account of incident, date, time, and location
- o Relate to the best of your ability the specific content of the words, gestures, or other behavior
- o Identify the alleged perpetrator, if known to you and/or provide a detailed description
- o List all witnesses and contact information
- o Attach or upload written information (such as e-mails or images).

VIII. WHAT HAPPENS WHEN I REPORT?

- 1) All reports will come to the Dean of Students and or their designee. A prompt determination of appropriate response will be made and initiated.
- 2) The reporter will receive timely confirmation of the report.
- 3) The Dean of Students or their designee will assign an individual or Bias Incident Response Team (BIRT) if appropriate. The BIRT will be comprised of members of the response pool. The Bias Incident Response Team pool may consist of, but is not limited to, individuals who serve as members of Iona University Harassment and Discrimination pool, the Student Life Diversity Committee, the University Council Committee on Diversity, and/or members of campus student groups, administrative or academic offices. When possible, reporters of incidents will be notified and/or consulted on the composition of the bias incident response team. This will be done in the effort of easing reporting to reduce fears of who will have knowledge of the report. Individuals in the response pool will be assigned cases as individuals or small groups.
- 4) Bias Incident Response teams will respond through enacting protocols.
 - a) A BIRT member will seek additional information regarding the incident, provide support resources, and schedule a time to meet with reporter and or affected individuals, if appropriate. The main purpose of this contact is to make sure the reporter and other individuals feel safe and cared for.
 - b) BIRT will recommend and implement, where appropriate, programs or activities
 - c) BIRT determine what recommendations* will be made to the Dean of Students or their designee for notification to the Iona Community.

Recommendations may include:

1. Campus wide email immediately following the response
2. Notification in the campus newspaper in the following issue
3. Post on the university website
4. Quarterly report in the campus newspaper and on the website
5. Report to the Committee on Diversity

*Consideration will be given to the context of the incident, how it will affect campus constituencies, and consult with relevant constituencies if necessary before notifying the community.

- 5) If no action is possible or necessary, the incident will be documented.
- 6) If the incident is actionable, the BIRT will develop and recommend an action plan to then execute while documenting the plans and resolutions.
- 7) If the Dean of Students or their designee determine the reported incident may violate the law or Iona University policy, the appropriate protocol response will be enacted and may include but is not limited to:
 - o Student Code of Conduct
 - o Title IX
 - o Ombudsperson
 - o Harassment and Discrimination Committee
 - o Iona Human Resources/Employee Relations
 - o Supervisors/Deans/Other Campus Administrators
 - o New Rochelle Police Department

IX. WHAT ADDITIONAL ACTION STEPS MAY OCCUR AFTER A REPORT IS FILED?

- a Responses may include, but are not limited to, identification of and referral to appropriate support service and resources (on and off campus)
- b. Facilitated campus discussions in residence halls or other locations,
- c. Recommendations for campus notices for fact sharing,
- d. Efforts towards wider educational awareness, prevention, and outreach.

TIMELY WARNING POLICY

In the event that a situation arises, either on or off campus, that, in the judgment of the Director of Campus Safety or Associate Director of Campus Safety, constitutes an ongoing or continuing threat, a campus wide “timely warning” will be issued.

Clear and consistent communication is essential during any emergency situation. As decisions are made by the Crisis Management Team, in conjunction with senior University officials, appropriate communications must be developed and distributed immediately to all key audiences: students, faculty, staff, parents, and the general public.

University distribution channels include the official University e-mail system, the University web site (www.iona.edu), voice mail, and the University emergency text messaging system. Information is also communicated via the news media (television, radio, newspapers, internet, etc.).

Iona University will not reveal the name of any victim related to a case that necessitates a timely warning.

MISSING STUDENT MANDATORY REPORTING POLICY

The purpose of this policy is to establish procedures for the University’s response to reports of missing students, as required by the Higher Education Opportunity Act of 2008.

This policy applies to students who reside in on campus housing, including off-campus apartment units leased by the university for resident students.

For purposes of this policy, a student may be considered to be a “missing person” if the person’s absence is contrary to their normal pattern of behavior and unusual circumstances may have caused the absence. Such circumstances may include, but are not limited to, a report or suspicion that the missing person may be the victim of foul play, has expressed suicidal thoughts, is drug dependent, is in a life-threatening situation, or has been with persons who may endanger the student’s welfare.

PROCEDURE FOR DESIGNATION OF EMERGENCY CONTACT INFORMATION

1. Each student residing in on-campus student housing must identify to the Office of Residential Life a contact person or persons whom the institution shall notify if the student is determined to be missing by the Campus Safety Department, or the New Rochelle Police Department;
 - All student contact information will be maintained in a confidential manner in the Office of Residential Life and this information will only be accessible to authorized campus officials;
2. Students age 18 and above and emancipated minors
 - Students will be given the opportunity to designate an individual or individuals to be contacted by the university no more than 24 hours after the time that the student is determined to be missing.
 - A designation will remain in effect until changed or revoked by the student.
3. Students under the age of 18
 - If a student is under 18 years of age and not emancipated, the institution must notify a custodial parent or guardian when the student is missing, in addition to any additional contact person that may have been designated by the student; and

Note: Iona University as a matter of policy will ensure that the New Rochelle Police Department has been notified in reference to every missing student.

OFFICIAL NOTIFICATION PROCEDURES FOR MISSING PERSONS

1. All students, employees, or other individuals with knowledge that a student has been missing for 24 hours should report this information to:
 - The Dean of Students; or
 - The Director for Residential Life; or
 - The Director for Campus Safety

2. Note: In order to avoid any jurisdictional conflicts, when an off-campus and/or commuter student is believed to be missing, the reporting person should immediately notify the New Rochelle Police Department. The Campus Safety Department will assist with these investigations as requested.
3. The Campus Safety Department will gather all essential information about the residential student from the reporting person and from the student's acquaintances (description, clothes last worn, where student might be, who student might be with, vehicle description, information about the physical and mental wellbeing of the student, an up-to-date photograph, class schedule, etc.). Appropriate campus employees will be notified and requested to assist in the search for the student.
4. If the above actions are unsuccessful in locating the student or it is immediately apparent that the student is a missing person, the Campus Safety Department will immediately contact the New Rochelle Police Department to report the student as a missing person and the New Rochelle Police Department will take charge of the investigation.
5. No later than 24 hours after determining that a residential student is missing, the Dean of Students for Student Life or designee will notify:
 - If the student has designated a contact person, notifying that contact person within 24 hours;
 - If the student is under 18 years of age and is not emancipated, the student's custodial parent or guardian and any other designated contact person within 24 hours; and
 - Regardless of whether the student has identified a contact person, is above the age of 18, or is an emancipated minor, informing the New Rochelle Police Department that the student is missing within 24 hours.

IONA UNIVERSITY EMERGENCY RESPONSE POLICIES

INTRODUCTION

University Campuses are not immune to incidents such as violent crimes, weather related emergencies, hazardous materials incidents, and the like. In the event of such a situation, the University's Emergency Notification System (ENS) will alert the campus community of the incident. The Office of Campus Safety, as part of the Emergency Response Team, has prepared this series of guidelines for students, faculty, and staff to follow in various emergency situations. It is recommended that you become familiar with this information and keep this guide conveniently located for quick reference.

In the event of an actual emergency, Iona University has designated the following individuals who have the responsibility and authority to activate the Emergency Response Plan and Emergency Notification System:

Vice President of Facilities & Campus Operations
 Dean of Students
 Director of Campus Safety or his or her designee

Iona University will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

Iona University conducts exercises to test emergency responses and evacuations throughout the year. This may include tabletop exercises and reality-based hands on scenarios involving local first responders. Furthermore, the Iona University text messaging notification system is tested on a regular basis.

Please report all on-campus emergencies, suspicious activities, or criminal offenses to the Office of Campus Safety by dialing "2560" from any Iona University campus phone or dialing (914) 633-2560. Any of the exterior blue light emergency telephones or interior emergency telephones may also be used for direct contact with the Office of Campus Safety.

Shelter-in-Place

What "Shelter-in-Place" Means One of the instructions you may be given in an emergency situation is to "Shelter-in-Place." That is, to remain indoors due to a developing dangerous/hazardous situation outdoors. These guidelines are aimed at keeping you safe while remaining indoors. "Shelter-in-Place" means selecting a small, interior room if possible, with no or few windows, and taking refuge there. It does not mean sealing off your entire building or barricading the room you are using for shelter. If you are told to "Shelter in-Place," follow the guidelines provided.

Why You Might Need to “Shelter-in-Place”

For any type of emergency where guidelines for “Shelter-in-Place” would be appropriate, information will be provided by University authorities through the Emergency Text Messaging System. The important thing is for you is to follow these guidelines and know what to do if you are advised to “Shelter-in-Place.”

How to Shelter-in-Place

Stop classes or work, or close business operations.

- If there are students, faculty, staff, or visitors in the building, provide for their safety by asking them to stay. When University authorities suggest to “Shelter-in-Place,” they want everyone to take those steps now, where they are, and not drive or walk outdoors.
- Close and lock all windows, exterior doors, and any other openings to the outside.
- If you are told there is danger of explosion, close the window shades, blinds, or curtains.
- Select interior room(s) above the ground floor, with the fewest windows or vents. The room(s) should have adequate space for everyone to be able to sit in. Avoid overcrowding by selecting several rooms if necessary. Large storage closets, utility rooms, copy and conference rooms without exterior windows will work well. Avoid selecting a room with mechanical equipment like ventilation blowers or pipes.
- It is ideal to have a hard-wired telephone in the room(s) you select. Have the phone available if you need to report a life-threatening condition. Cellular telephone equipment may be overwhelmed or damaged during an emergency.
- Bring everyone into the room(s). Shut and lock the door(s).
- Be alert for ENS updates until you are told all is safe or you are told to evacuate. These updates may call for evacuation of specific areas.

Supplies

For the workplace, where you might be confined for several hours, the following supplies are suggested to have available:

- Flashlight
- Battery-powered radio
- Food – high-energy foods like granola bars, energy bars, etc.
- Water
- Medications – If you use prescription medications, keep at least a small supply of these available.

More Information

If you would like more information regarding Emergency Preparedness check out: Ready.gov

ACTIVE ASSAILANT

Definition

An active assailant is a person who appears to be actively engaged in killing or attempting to kill people in a populated area. In most cases there is no pattern or method to their selection of victims. These situations are dynamic and evolve rapidly, demanding immediate deployment of law enforcement resources to stop the threat and mitigate harm to innocent victims. University campuses are not immune to serious or violent crime. This document provides guidance to faculty, staff, and students who may be caught in an active assailant situation and describes what to expect from responding police officers.

Guidance to Faculty, Staff, and Students

In general, how you respond to an active assailant will be dictated by the specific circumstances of the encounter, bearing in mind there could be more than one assailant involved in the same situation. If you find yourself involved in an active assailant situation, try to remain calm and use these guidelines to help you plan a strategy for survival. The nationally recognized “Run, Hide, Fight” is discussed below.

When planning to run or hide, knowing your environment can increase your odds of survival.

- Pre-planning for such an event is highly recommended.
- Cover are objects that may stop bullets (brick walls, trees, vehicles, etc.).
- Concealment hides you, but may not protect you from bullets (bushes, interior sheetrock walls, wood doors, etc.).
- Know your exit points (doors and windows) and available escape routes.
- Do the doors swing outward from the room? If they do, they will be difficult to barricade.
- Do the doors swing into the room? If they do, they will be easier to barricade.
- Ask yourself how you can barricade your room or office? What’s available? Desks, chairs, other large pieces of furniture?

1. **Run - If possible, use available cover and concealment on your escape route**

- Have an escape route and plan in mind
- Leave your belongings behind
- Evacuate regardless of whether others agree to follow
- Help others escape, if possible
- Do not attempt to move the wounded
- Prevent others from entering an area where the active assailant may be
- Keep your hands visible
- Call 911 or the local police department directly at
 - o New Rochelle Police Department(914) 654-2300
 - o Bronxville Police Department(914) 337-0500

2. **Hide – (Lockdown – Appendix B)**

- Hide in an area out of the assailant’s view
- Turn off lights and computer monitors
- Lock door or block entry to your hiding place
- Silence your cell phone (including vibrate mode) and remain quiet.

3. **Fight**

- As a last resort and only when your life is in imminent danger
- Attempt to incapacitate the assailant
- Act with as much physical aggression as possible
- Use improvised weapons or throw items at the active assailant
- Commit to your actions...your life depends on it!

If an active assailant is in the same building you are, and you can safely escape, you should do so (Run). Remember to use cover and concealment as you run, avoid open areas such as a large field if you can. Warn people as you run away from the danger. Leave your valuables behind, keep your hands visible, and follow the instructions of any police officer you may encounter. Do not attempt to remove injured people; instead, leave wounded victims where they are, and notify authorities of their location as soon as possible. You should run to a location that will provide temporary refuge (firehouse, nearby businesses, or neighbors).

If an active assailant is outside your building or outside your office or classroom and running away is not an option, you should immediately seek cover in an attempt to conceal and hide from the assailant. Proceed to a room that can be locked, close and lock all the windows and doors, and turn off all the lights; if possible, get everyone down on the floor and ensure that no one is visible from outside the room. One person in the room should call 911, New Rochelle Police (914) 654-2300, the Bronxville Police Department (914) 337-0500, or Campus Safety (914) 633-2560, advise the dispatcher of what is taking place, and inform him/her of your location; remain in place until the police give the “all clear.” Unfamiliar voices may be the assailant attempting to lure victims from their safe space; do not respond to any voice commands until you can verify with certainty that they are being issued by a police officer. This may require calling the New Rochelle Police Department to verify the location of their officers.

If an active assailant enters your office, classroom, or residence, it might be possible to negotiate with the assailant. However, if the assailant is actively killing and there is no opportunity to run/hide, then you must fight as a last resort. There is strength in numbers, and you should use all available options to win including improvised weapons. If the assailant leaves the area, proceed immediately to a safer place if possible or lockdown the room. If you succeeded in disarming the assailant, remember the police are looking for an active assailant. You do not want to be holding the weapon and be mistaken for the assailant when they enter, find a way to secure the weapon. Hide it in a book bag, closet, somewhere away from the assailant and the innocent.

What to Expect from Responding Police Officers

Police officers responding to an active assailant are trained to proceed immediately to the area in which the assailant was last seen; their purpose is to stop the assailant as quickly as possible. The first responding officers will normally be in teams; they may be dressed in regular patrol uniforms, or they may be wearing external bulletproof vests, Kevlar helmets, and other tactical equipment. The officers may be armed with rifles, shotguns, or handguns, and might also be using pepper spray or tear gas to control the situation. Regardless of how they appear, remain calm, do as the officers tell you, and do not be afraid of them. Put down any bags or packages you may be carrying and keep your hands visible at all times; if you know where the assailant is, tell the officers. The first officers to arrive will not stop to aid injured people; rescue teams composed of other officers and emergency medical personnel will follow the first officers into secured areas to treat and remove injured persons. Keep in mind that even once you have escaped to a safer location, the entire area is still a crime scene; police will usually not let anyone leave until the situation is fully under control and all witnesses have been identified and questioned. Until you are released, remain at whatever assembly point authorities designate.

General Quick Response Guide - Lockdown

- Secure immediate area.
- Lock and barricade doors - block the door using whatever is available – desks, tables, file cabinets, other furniture. If safe to do so, allow others to seek refuge with you.
- Turn off lights.
- Close blinds.
- Silence cell phones.
- Block windows.
- Turn off radios and computer monitors.
- Keep occupants calm, quiet, and out of sight.
- Keep yourself out of sight and take adequate cover/protection, i.e. concrete walls, thick desks, filing cabinets (cover may protect you from bullets).
- Place signs in exterior windows to identify the location of injured persons.

Contacting Authorities

- Use (914) 633-2560 to contact the Iona University Office of Campus Safety.
- Dialing 2560 from a campus phone will connect you with Campus Safety.
- Dialing 911 from a cell phone will connect you with New York State Police Emergency Enhanced 911. Be sure to give the call taker your exact location. It is advisable to program (914) 654-2300 into your cell phone to call the New Rochelle Police Department directly. Additionally, program (914) 337-0500 for the Bronxville Police Department.
- During a major emergency, phone lines may become overloaded, social media may provide an available means to communicate with emergency services.

What to Report

- Your specific location – building name and office/room number;
- Number of people at your specific location;
- Injuries – number injured, types of injuries; and
- Assailant(s) – location, number of suspects, race/gender, clothing description, physical features, type of weapons (knife, long gun or handgun, etc.), backpack, assailant's identity if known, separate explosions from gunfire, etc.

Un-Securing an Area

- Consider the risks before un-securing rooms.
- Remember, the assailant will not stop until he or she has been engaged by an outside force.
- Attempts to rescue people should only be considered if it can be accomplished without further endangering the persons inside the secured area.
- Always consider the safety of masses vs. the safety of a few.
- If doubt exists for the safety of the individuals inside the room, the area should remain secured.

Emergency Phone Numbers:

- 911
- The New Rochelle Police Department (914) 654-2300
- Campus Safety New Rochelle Campus (914) 633-2560
- The Bronxville Police Department (914) 337-0500
- Campus Safety Bronxville Campus(914) 654-6100

HOSTAGE SITUATION

If You Hear or See a Hostage Situation

- Immediately remove yourself from any danger.
- Immediately notify the Office of Campus Safety at (914) 633-2560 (or 2560 from any campus phone).
- Be prepared to give the Office of Campus Safety personnel the following information:
 - Location and room number of incident
 - Number of possible hostage takers
 - Physical description and names of hostage takers, if possible
 - Number of possible hostages
 - Any weapons the hostage takers may have
 - Your name
 - Your location and phone number

If You are Taken Hostage

- Remain calm, polite, and cooperate with your captors.
- Do not attempt escape unless there is an extremely good chance for your survival. It is safer to be submissive, and obey your captors.
- Speak normally. Do not complain, avoid being belligerent, and comply with all orders.
- Do not draw attention to yourself with sudden body movements, statements, comments or hostile looks.
- Be observant and attempt to memorize the physical traits, voice patterns, clothing or other details that can help provide later identification of your captors.
- Avoid getting into political or ideological discussions with the captors.
- Try to establish a relationship with your captors and get to know them. Captors are less likely to harm you if they respect you and have established a relationship.
- If forced to present terrorist demands to authorities, either in writing or on tape, state clearly that the demands are from your captors. Avoid making a plea on your own behalf.
- Try to stay low to the ground or behind cover from windows or doors, if possible.

If a Rescue is Taking Place

- Do not run. Drop to the floor, and remain still with your hands clearly visible. Do not make any sudden movements as the police may not be able to clearly identify hostages from hostage takers.
- Wait for instructions from the police, and obey all instructions.
- Do not be upset, resist, or argue if a rescuer isn't sure whether you are a terrorist or a hostage.
- Even if you are handcuffed and searched, do not resist. Just wait for the confusion to clear.
- You will be taken to a safe area, where proper identification will take place as well as an interview.

Bomb Threats

If you receive a bomb threat by telephone, here are some helpful things to remember:

- Remain calm. When the bomb threat is received, the person taking the call must remain calm and obtain as much information as possible.
- Do not put the caller on hold.
- Do not attempt to transfer the call.
- The person taking the call should immediately notify another staff person in the office, preferably while the caller is still on the line.
- Pay attention to the caller and his/her words and speech:
 - Does the caller have any distinguishing voice characteristics such as an accent, stuttering or mispronunciation?
 - Is the caller angry, excited, irrational or agitated?
 - Is the caller a man or woman, young, middle-aged, or old?
 - If you have caller ID, note the phone number of the caller.
- Listen for background noises (traffic, train whistle, music, radio, TV, children, airplanes, etc).
- It is important to document all that you know and hear. This should include filling out the Bomb Threat Checklist.
- Call the Office of Campus Safety at 2560 from a campus phone or (914) 633-2560 from a cell phone.
- Do not evacuate the building until told to do so by the Office of Campus Safety.

Bomb Threat Checklists

Stay calm and collect all the information you can:

- Name of call taker
- Date and time received
- How was threat reported (telephone, e-mail, in-person, by mail)?
- Location threatened
- Exact words used to make threat

Questions to ask the person making the threat:

- When is the bomb going to explode?
- Where is the bomb located?
- What kind of bomb is it?
- What does it look like?
- Who placed the bomb?
- Why was the bomb placed?
- Where are you calling from?

Description of caller's voice:

- Young, old, middle-aged
- Accent
- Male, female
- Race
- Background noises
- Remarks, etc...
- Completed by: (your name)
- Phone: (your phone)

WEATHER EMERGENCIES

Severe Thunder Storms or Tornadoes

The University is prepared to notify the campus community via the Emergency Notification System (ENS) of severe weather emergencies. The following terms are utilized by the National Weather Service:

- Watch: Conditions are right for a severe thunder storm or tornado to develop. Continue with normal activities, but continue to monitor the weather.
- Warning: Radar or weather spotters have identified a severe thunder storm or tornado.

If you are indoors:

- Know the location of the appropriate area(s) for your facility. This can be a basement or a ground floor hallway with no windows or a door frame.
- If you are unable to go to a room with no windows get under a desk or a table.
- Remain in a protected area until the threat has ceased or the danger has passed.
- Call the Office of Campus Safety at 2560 from any campus phone or (914) 633-2560 from a cell phone to report injuries.

If you are outside:

- Try to seek shelter indoors.
- If you cannot, try to get to a protected or safe area away from buildings, windows and glass, telephone or light poles or any place where there could be falling debris.
- A low area such as a ditch or ravine or a depression works well.
- Lie face down and cover your head and face.
- Avoid any downed power lines.
- Call the Office of Campus Safety at 2560 from any campus phone or (914) 633-2560 from any cell phone to report injuries and damage.

FIRE AND HAZARDOUS MATERIAL EMERGENCIES/FIRE AND HAZARDOUS MATERIAL INCIDENTS

In the event of a fire or hazardous materials emergency within a campus building, it is necessary and safest for occupants to evacuate. University policy is total evacuation.

A fire or hazardous materials emergency exists whenever:

- A building fire evacuation alarm is sounding
- An uncontrolled fire or imminent fire hazard occurs in any building or area of campus
- There is the presence of smoke, or the odor of burning
- There is an uncontrolled release of combustible or toxic gas or other hazardous material, or a flammable liquid spill

To Survive a Building Fire

Activate the building fire alarm if it is not already sounding.

- Pull a fire alarm station on the way out.
- If the building is not equipped with a fire alarm, knock on doors and shout on your way out. *Leave the building by the nearest exit.*
- Crawl if there is smoke.
- If you get caught in smoke, get down close to the floor and crawl. Cleaner, cooler air will be near the floor.

Feel doors before opening.

- Before opening any doors, feel the metal knob.
- If it is hot, do not open the door.
- If it is cool, brace yourself against the door, open it slightly, and if heat or heavy smoke are present, close the door and stay in the room.

Go to the nearest exit or stairway.

- If the nearest exit is blocked by fire, heat, or smoke, go to another exit.
- Always use an exit stair, NEVER an elevator.
- Elevator shafts may fill with smoke or the power may fail, leaving you trapped. Stairway fire doors will keep out fire and smoke if they are closed and will protect you until you get outside.
- Close as many doors as possible as you leave. This helps to confine the fire.
- Total and immediate evacuation is safest. Only use a fire extinguisher if the fire is very small and you have received training. Do not delay calling emergency responders or activating the building fire alarm. If you cannot put out the fire, leave immediately. Make sure Campus Safety and the fire department are called - even if you think the fire is out.

If you get trapped, keep the doors closed.

- Place cloth material (wet if possible) around and under door to prevent smoke from entering.
- Be prepared to signal your presence from a window. Do not break glass unless absolutely necessary, this may cause outside smoke to be drawn inside your location.

Signal for help

- Hang an object at the window (jacket, shirt) to attract the fire department's attention.

If there is a phone in the room call either 2560 or (914) 633-2560 from a cellular phone and report that you are trapped in your room and provide a room number and location.

- If all exits from a floor are blocked, go back to your room, close the door, seal cracks, open the windows if safe, and attempt to notify others of your location by waving something out the window, shouting or using a phone for help.

Stop, Drop and Roll

- If your clothes catch on fire, stop, drop, and roll, wherever you are.
- Rolling smothers the fire.

Obstacles

- Storage of any items in the corridors ex: bicycles, chairs, desks, and other items are strictly prohibited in all hallways and stairwells.
- Blocked exits and obstacles impede evacuation, especially during dark and smoke conditions.

Notify emergency responders from a safe distance away from the building.

- Call 2560 from any campus phone.
- Call (914) 633-2560 from a cellular phone.

GUIDELINES FOR SUSPICIOUS LETTERS AND PACKAGES

How to Identify Suspicious Packages and Letters

Some characteristics of suspicious packages and letters include the following:

- Excessive postage
- Handwritten or poorly typed addresses
- Incorrect titles
- Title, but no name
- Misspellings of common words
- Oily stains, discolorations or odor
- No return address
- Excessive weight
- Lopsided or uneven envelope

Protruding wires or aluminum foil

- Visual distractions
- Ticking sound
- Excessive security material such as masking tape, string, etc.
- Marked with restrictive endorsements, such as “Personal” or “Confidential”
- Shows a city or state in the postmark that does not match the return address

Actions to Take Once a Potential Suspicious Package Has Been Identified.

- Stay calm – do not panic.
- Do not move or handle a suspicious package.
- Call the Office of Campus Safety from any campus phone or 914-633-2560 from a cell phone.
- If there is reason to suspect that a package may contain an explosive device based on characteristics described above, do not handle the package. Leave the immediate area and contact the Office of Campus Safety.
- If the suspicious letter or package is marked with a threatening message (such as “anthrax”) or if a suspicious powder or substance spills out of the package or envelope, follow these guidelines:
 - Do not clean up a suspicious powder.
 - Turn off local fans or ventilation units in the area if you suspect that a device has been activated and the fan/ventilation switches if they are quickly and easily accessible.
 - Leave the room and close the door, or section off the area to prevent others from entering. Call for assistance and keep others away from the area.
 - Wash your hands with soap and water to prevent spreading any powder to your face.
 - Remove heavily contaminated clothing as soon as possible and place in a plastic bag, or some other container that can be sealed. Give clothing bag to emergency responders.
 - Shower with soap and water as soon as possible if contaminated. Do not use bleach or other disinfectant on your skin.
 - It is important to note all people who were present in the area when the suspicious package was discovered.
 - Provide this information to Campus Safety to facilitate their follow-up investigation and to obtain advice from local health authorities and outside law enforcement officials as to the best standards of care for those affected.

Emergency Preparedness and Response

Emergency responders from the Office of Campus Safety will assess the situation. If the suspicious letter or package is marked with a threatening message, such as “anthrax” or if a suspicious powder or substance has spilled, they will follow certain guidelines and immediately notify the New Rochelle Police Department.

2023 ANNUAL FIRE SAFETY REPORT ON STUDENT HOUSING

On-Campus Housing Fire Safety Equipment and Plans for Future Improvement

With the exceptions noted below, all of Iona University's residence halls have full sprinkler systems and networked fire alarm systems. When a networked fire alarm is activated, the alarm sounds on a panel at the Campus Safety office, which is staffed, 24 hours a day, 365 days a year. The alarms are also reported to an alarm company monitoring system. An officer responds to the building and determines the cause of the alarm and whether the fire department should be notified to respond.

Iona University Residence Halls	Fire Alarm Monitoring	Full Sprinkler System	Smoke Detection	Fire Extinguisher	Number of Evacuation Drills/year	Evacuation Plans/Placards Residence Halls
Loftus Hall	X	X	X	X	4	X
Conese Hall	X	X	X	X	4	X
Hales Hall	X	X	X	X	4	X
North Hall	X	X	X	X	4	X
Rice Hall	X	X	X	X	4	X
East Hall	X	X	X	X	4	X
34 Montgomery Pl	X		X	X	4	X
83 Halcyon Pl	X		X	X	4	X
28 Hubert Pl	X		X	X	4	X
34 Hubert Pl	X		X	X	4	X
2 President St	X		X	X	4	X
12 President St	X		X	X	4	X

Supervised Fire Drills

Mandatory, supervised fire drills are conducted for each residence hall in the fall and spring semesters by officers from the Office of Campus Safety, Facilities Management and the Office of Residential Life. Additionally, each time new residents occupy a building during the summer sessions, a fire drill is conducted to ensure the temporary residents are familiar with evacuation routes and procedures.

Evacuation Policy and Procedures

The Iona University Emergency Action Plan provides the following instructions to be followed in the case of an evacuation emergency: "Evacuation emergencies include fires, hazmat and explosion emergencies (when evacuation is directed by emergency personnel), natural gas leaks, unplanned utility outages, bomb threats and other situations in which emergency personnel direct evacuation of a building. In the event of fire or other evacuation emergencies at Iona University, all persons in the affected premises must evacuate. You will be notified of a fire or other evacuation emergency by a fire alarm signal, which may be a bell or a horn, depending on the building. Initial emergency notifications may also be followed by e-mail, text messages and phone communications (voice mail) if appropriate.

If you discover a fire or smell smoke, or discover any other hazardous emergency condition in a university facility, immediately activate the building fire alarm and call 911 first, and then the Campus Safety at ext. 2560 or (914) 633-2560. Calmly alert others in the affected area that they must leave and may take only important personal possessions that are in their immediate vicinity, if they can carry such items without risk to themselves or others. Items you may take include coats, valuables, medicines, purses, wallets and keys. You should never try to retrieve items in another location in the building.

Building occupants are not required or encouraged to fight fires and may not use a fire extinguisher unless they are designated and trained by the university to do so. Any individual designated and trained by the university in the proper use of a fire extinguisher and confident in his or her ability to cope with the hazards of a fire may use a portable fire extinguisher to fight incipient fires (no larger than a waste basket). Any such efforts must be terminated when it becomes obvious that there is risk of harm from smoke, heat, or flames.

Upon hearing a building fire alarm signal, evacuate immediately unless you have specific emergency responsibilities designated in the Additional Duties section of this plan. Close windows and the doors behind you. Use the nearest safe exit, but DO NOT use elevators. If you are caught in smoke or heat, stay low where the air is better, and attempt to reach a safe exit or area of refuge.

If the door or doorknob to the hallway is hot, do not open it, as fire may be on the other side. If you are unable to leave your room or office due to heat or heavy smoke in the hallway, other obstructions, or physical disability, try to put a cloth or towel under the door to help prevent the entry of smoke. Call 911 and then the Office of Campus Safety at ext. 2560 or (914) 633-2560 and give your exact location so that emergency personnel can be directed to you.

Assist individuals who are blind, visually impaired, deaf, hard of hearing or mobility impaired as needed and immediately inform the nearest emergency responder of the individual's location. Individuals who have a disability that may impede their exit from a building in an emergency are encouraged to inform their supervisor of the nature of their disability in advance so that emergency evacuation procedures can be developed that will ensure their safe evacuation from the workplace.

Know the location of all exits from your building. All exits in university facilities are marked with EXIT signs and directional arrows. Leave the building and assemble in the designated area assigned for your building, where you will not hinder the approaching emergency response personnel and apparatus. Students and employees should attempt to account for individuals that are known to be in the building, including all visitors. Any missing individuals should be reported to the Office of Campus Safety or emergency personnel. In addition, security personnel will conduct a sweep of all floors if sufficient personnel are available and it is safe to do so.

Wait for Campus Safety Officers or emergency personnel to tell you when it is safe to return to the affected building. Even though the alarm may stop, the building may not be safe to re-enter.

If re-entry to the building is not imminent, occupants will be directed to proceed to another location. Depending on the severity and scale of the event that triggered the evacuation, Campus Safety will implement procedures to account for all university employees and residents known to have been in the building, and all are expected to cooperate in the effort. To the extent possible, telephones and computers will be provided to allow employees and residents to contact family members.”

Fire Safety Violations and Prohibitions (including rules on portable electrical appliances, smoking and open flames)

Health and Safety Inspection: Room inspections will be conducted periodically by appropriate University officials. Prohibited items will be removed to protect residents' health and safety and to avoid fire hazards. Inspections are also done to provide preventive maintenance and to maintain the quality of the living environment. While the University maintains the cleanliness of all hallways, common rooms, and lounges, it is the student's responsibility to keep his/her room and bathroom in an orderly condition. Below are guidelines to follow:

- do not allow empty cans, bottles or food packages to accumulate;
- remove all trash regularly;
- do not use paper to line drawers;
- do not allow soiled clothing to accumulate;
- do not possess candles, extension cords, or open coil heating devices;
- do not store brown paper bags;
- keep the microwave/kitchen area clean;
- do not overload electrical outlets (only UL surge protected power strips are allowed as extension cords.);
- use only those appliances that have been approved by the Office of Residential Life; and
- all belongings must be at least 18 inches from the ceiling/sprinkler heads.

Fire Equipment/Alarms: Fire alarms, extinguishers, smoke/heat sensors, emergency phones, fire doors, fire escapes and/or exit signs are placed in the residence halls to protect life and property. It is a violation of fire codes and a misdemeanor to misuse or tamper with these protective devices. Students may not place any items in a room within 18 inches of the ceiling in order to ensure the proper operation of the fire sprinkler system. Anyone starting or causing a fire, failing to evacuate during a fire alarm or tampering with a fire alarm or extinguisher for purposes other than an emergency will be subject to severe disciplinary action, including at least a \$500 fine and dismissal from Residential Life.

Smoking Policy: In compliance with the New York Clean Indoor Air Act, smoking is not permitted in any part of the residence halls including common areas, stairwells, and individual rooms. This includes, but is not limited to, the use of smoking devices such as cigarettes, cigars, pipes, hookahs, electronic cigarettes, or vaporizers in any University owned or leased facility. Smoking is permitted only in designated locations on campus, and at least 20 feet outside the entrance of each residence hall and campus building.

Designated smoking areas are located in Columba Lot, Montgomery Lot, Murphy Lot and the area behind the parking garage. Smoking is allowed in these areas but littering must be avoided through the use of receptacles provided.

Illegal Items: The following items are prohibited in all residence halls: electric blankets, air conditioning units, space heaters, sun and heat lamps, halogen lamps, lamps with paper shades or covers, heating coils, candles, incense, charcoal grills, open-flame devices, hot plates, dart boards, lava lamps, plug extenders, and extension cords (only power strips with surge protection are permitted). The following items are prohibited in Loftus, Rice, Conese, and South Halls: microwaves, oil popcorn poppers, toaster ovens, George Foreman Grills, toasters, hot pots and coffeepots. Skateboards, bikes and scooters may not be ridden inside any of the residence halls. All kitchen items which are allowed must be kept in the kitchen area of the suite.

The Student Code of Conduct contains a section addressing prohibited fire safety violations. A fire safety violation includes, but is not limited to storing or possession of any hazardous, flammable, or explosive materials; failure to leave a building during a sounded alarm; tampering with fire/safety equipment such as fire extinguishers, smoke detectors, pull stations, or sprinklers; false alarms or the false reporting of a bomb, fire, or other emergency on university premises or at activities sponsored by the university.” This would be a violation of Section 6 of the University Code of Conduct.

Fire Safety Education and Training Programs

Many fires are caused as a result of pranks or carelessness. The cooperation of everyone is needed to avoid fire hazards. Residents and RAs are not responsible for putting out fires, but are largely responsible for their own safety. First consideration must always be the safeguarding of life. In any questionable circumstance, alert all people in the building and evacuate. In the event of suspicion of fire, notify the RA, RHD, or security immediately. It is better to report even the suspicion of a fire than to gamble that it may be a false alarm. Also, remember that you are not a trained firefighter - know and abide by your limitations. New York State law requires that three fire drills be held in residence halls during the academic year. Every resident is required to follow instructions for evacuation of the building. Failure to evacuate during a fire alarm will result in disciplinary action and a fine of at least \$500.

The following are guidelines that should be followed to prevent fire damage and bodily harm.

1. Be familiar with the exits nearest your room.
2. Do not smoke in the residence halls.
3. Do not use faulty or prohibited electrical equipment.
4. Extinguish all cigarettes before entering the residence halls.
5. Do not burn candles or incense.
6. Do not prop open corridor, entrance, or fire emergency doors.
7. When you hear an alarm, evacuate the building immediately and alert other residents on your way out.
8. Never use an elevator during a fire or fire drill. They could stop working at any time.
9. If you use a fire extinguisher in an emergency, notify your RA so that it can be refilled.
10. Do not tamper with any fire equipment including smoke alarms and fire extinguishers.

All resident students receive fire safety training from a member of the New York State Office of Fire Prevention and Control. Professional staff and resident assistants also receive Emergency Action Plan training during which fire safety and evacuation procedures are reviewed.

Residence Halls New Rochelle	Number of Fires in Building	Date	Time	Cause	Number of Injured	Number of Deaths	Value of Property Damage
Loftus Hall							
2023	0						
2022	0						
2021	0						
Conese Hall							
2023	0						
2022							
2021	1	01/12/21	0249	Vent Ceiling Fan	0	0	\$85,537
Hales Hall							
2023	0						
2022	0						
2021	0						
North Hall							
2023	0						
2022							
2021	1	08/31/21	1829	Microwave Food	0	0	\$200
Rice Hall							
2023	0						
2022	0						
2021	0						
34 Montgomery Pl.							
2023	0						
2022	0						
2021	0						
East Hall							
2023	0						
2022	0						
2021	0						
83 Halcyon Pl.							
2023	0						
2022	0						
2021	0						
28 Hubert Pl.							
2023	0						
2022	0						
2021	0						
34 Hubert Pl.							
2023	0						
2022	0						
2021	0						
2 President St.							
2023	0						
2022	0						
2021	0						
12 President St.							
2023	0						
2022	0						
2021	0						

Residence Halls Bronxville	Number of Fires in Building	Date	Time	Cause	Number of Injured	Number of Deaths	Value of Property Damage
Bohm Hall							
2023	N/A						
2022	N/A						
2021	0						
Koepchen Hall							
2023	N/A						
2022	N/A						
2021	0						
Ressmeyer Hall							
2023	N/A						
2022	N/A						
2021	0						
Rippe Hall							
2023	N/A						
2022	N/A						
2021	0						
Romoser Hall							
2023	N/A						
2022	N/A						
2021	0						
Sieker Hall							
2023	N/A						
2022	N/A						
2021	0						

Note: Iona University purchased Concordia College in Bronxville, NY on 12/7/21. These campus stats were mostly under the ownership of Concordia College. The U.S. Department of Education is requiring Iona University to report them.

Currently, the Iona University Bronxville campus does not have any student housing.

CAMPUS SAFETY POLICY ON REPORTING CRIMES

The Campus Safety Officers within the Department of Campus Safety at Iona University are licensed by the State of New York as Security Guards. They do not have police or peace officer status.

The New Rochelle Police Department is the agency responsible for investigating any alleged criminal offenses within the Iona University New Rochelle Campus.

The Bronxville, Tuckahoe, and Eastchester Police Departments are the agencies responsible for investigating any alleged criminal offenses within the Iona University Bronxville Campus. The Bronxville campus is covered by all three jurisdictions.

Contact	Phone (Non-Emergency)	Emergency
New Rochelle Police Department	(914) 654-2300	Dial 911
Bronxville Police Department	(914) 337-0500	Dial 911
Eastchester Police Department	(914) 961-3464	Dial 911
Tuckahoe Police Department	(914) 961-4800	Dial 911
New Rochelle Campus Safety	(914) 633-2560	Dial 911
Bronxville Campus Safety	(914) 654-6100	Dial 911

If you become the victim of a crime while at Iona University, you are strongly encouraged to report it immediately to the Department of Campus Safety. Prompt reporting and specific information will increase the likelihood of achieving positive results of your incident. When you call Campus Safety, please give your name, the location you are calling from, and a brief description of what occurred. If the person who committed the crime is still in the area, please let the dispatcher know. If this is an incident of sexual assault, domestic violence, dating violence, or stalking and you are unsure if you want to report this to the local police, please advise the dispatcher. A Campus Safety Officer will be dispatched to your location, and the New Rochelle Police will be notified upon your decision to proceed with a police investigation.

Police will be notified to respond for all other appropriate incidents. If you want to have the police notified, Campus Safety will assist you and the police will meet with you and obtain all of the necessary information in the case. If evidence from the crime is still intact, please do not move or destroy it. This is especially important in sexual assault cases. It is important to remember that showering, changing clothes, or grooming can destroy vital evidence.

Many students worry about reporting crimes to the Department of Campus Safety and/or the police because they do not want to testify in a trial. Victims are nonetheless encouraged to contact Campus Safety so they can be informed about other services available (counseling services, medical treatment, etc.) that might lessen the trauma of the incident. If the victim does not wish to pursue criminal charges, their wishes will be respected.

Students who are victims of crimes may pursue another avenue through the Iona University student adjudication system. While this is not a substitute for the criminal justice system, it affords the students the opportunity to have their side heard in a less formal environment. This can be done in conjunction with criminal charges. If a student is found to have violated the University Code of Conduct, he or she may be subject to disciplinary action, up to and including expulsion from Iona University. Students interested in this course of action may call the Office of the Dean of Students at ext. 2360, or obtain further information in the Iona University Student Handbook, or through the Department of Campus Safety.

For crime statistics please refer to the Campus Safety and Security Annual Crime Statistics booklet. The Advisory Committee on Campus Safety can be reached at (914) 633-2245 and they will provide upon request all campus crime statistics as reported to the United States Department of Education or you may view online at www.ope.ed.gov/security/Search.asp the federal website.

CAMPUS SECURITY AUTHORITIES

Iona University has designated certain administrators and staff as “Campus Security Authorities” (CSA) in recognition that many students, faculty and staff may be hesitant about reporting crimes to the New Rochelle Police Department or the Iona University Department of Campus Safety, and may be more inclined to report incidents to non-law enforcement administrators and staff instead.

Campus Security Authorities are charged with reporting to the appropriate law enforcement personnel, or to any official or office which should be informed of the crime or complaint due to the nature of the crime or complaint, those allegations of Clery Act crimes that the campus security authority concludes are made in good faith. A campus security authority is not responsible for determining whether a crime took place.

A Campus Security Authority is required to report all allegations, even if the Campus Security Authority was told of a crime in the context of providing emotional support or health care support. The allegations must be reported whether or not the victim chooses to file a report with law enforcement or press charges, although the Campus Security Authority may withhold the identity of the victim/reporting person.

If the victim/reporting person chooses to report the incident to the New Rochelle Police Department, the Iona University Department of Campus Safety, or to any official or office which should be informed of the incident the Campus Security Authority must assist them in doing so.

Crimes that should be reported to Campus Safety by a “Campus Security Authority”:

- **Criminal Offenses:**
 - Criminal homicide: murder and non-negligent manslaughter, manslaughter by negligence
 - Sexual assault: rape, fondling, incest, statutory rape
 - Robbery
 - Aggravated assault
 - Burglary
 - Motor vehicle theft
 - Arson
- **Hate Crimes (any of the above mentioned offenses, and any incidents of):**
 - Larceny-theft
 - Simple assault
 - Intimidation
 - Destruction/damage/vandalism of property
- **Violence Against Women Act Offenses:**
 - Domestic violence
 - Dating violence
 - Stalking
- **Arrests and Referrals for Disciplinary Action**
 - Weapons law violations
 - Drug abuse violations
 - Liquor law violations

Campus Security Authority

Mandated reporters are virtually every Iona University employee that learn about a possible sexual misconduct incident and are required to contact the Title IX Coordinator. That includes all faculty, staff, and administrators, as well as student leaders (e.g., RA, Orientation Leader, Campus Ministers). The Title IX Coordinator will determine what steps, if any, to take next.

There are certain campus reporters who are privileged under the law and who, therefore, are generally prohibited from disclosing information they receive without the permission of the person(s) who shared the information with them. At Iona University this includes all counseling center clinicians and Pastoral Counselors.

Security & Crime Awareness Programs

During freshman orientation, students are informed of services offered by the Department of Campus Safety. Information is disseminated that outlines ways to maintain personal safety and residence hall security. Similar information is also available to new employees. Crime Prevention Information and Fire Safety Information are offered on a continual basis by the Departments of Campus Safety and Residential Life.

Annually, Iona University provides a variety of sexual assault awareness and prevention programs to staff and students. These programs are presented both independently and in collaboration with the Counseling Center and the Title IX office.

Each year, the Department of Campus Safety also offers a security overview to all Resident Assistants within the Office of Residential Life.

A common theme of all awareness and crime prevention programs is to encourage students and employees to be aware of their responsibility for their own security and the security of others.

Additionally, Iona University was awarded a Federal Grant in September 2020 from the Office on Violence Against Women to create a campus program to **respond, address and prevent** issues related to Domestic Violence, Dating Violence, Sexual Assault, and Stalking (DDVSAS). The G.I.V.E (Gael Interpersonal Violence Education) Grant Program encourages a coordinated community response team of Iona students, staff and faculty and local community partners that collaborate together in facilitating the grant's efforts. These key stakeholders' approach and response, is one that enhances and provides a comprehensive, intentional, and integrated program and events related to, education and training, programming initiatives and strategies, and awareness campaigns intended to address DDVSAS issues and concerns. The program is to also ensure support for victims' and survivors for overall safety, confidentiality, and awareness of supportive measures, resources and procedures both on and off campus. All efforts and programs include both primary prevention and awareness programs directed at incoming new first year and transfer students, as well as new employees and ongoing prevention and awareness campaigns directed at all students and employees.

For a more comprehensive overview of campus crime statistics at Iona University, as well as comparative rates with other universities nationwide, visit the Office of Postsecondary Education's Campus Security Statistics website at: <http://ope.ed.gov/security/>

**ANNUAL STATISTICAL REPORT – IONA UNIVERSITY 2021 – 2023
NEW ROCHELLE CAMPUS**

Crime	On Campus			Non-Campus Building/Property			Public Property			Residence Hall		
	2021	2022	2023	2021	2022	2023	2021	2022	2023	2021	2022	2023
Criminal Homicide												
Murder and Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offenses												
Rape	2	0	3	0	0	0	0	0	0	2	0	3
Fondling	0	2	2	0	1	0	0	0	0	0	2	2
Incest	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0
Other Criminal Offenses												
Robbery	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0
VAWA Offenses												
Domestic Violence	0	2	1	0	0	0	0	1	0	0	1	0
Dating Violence	0	0	6	0	0	0	0	0	0	0	0	3
Stalking	2	6	4	0	0	0	0	3	0	2	3	2
Referred for Disciplinary Action												
Liquor Law Violations	143	88	65	0	0	0	0	0	0	143	88	65
Drug Law Violations	41	28	15	0	0	0	0	0	0	41	28	15
Illegal Weapons Violations	1	0	1	0	0	0	0	0	0	1	0	1
Arrests												
Liquor Law Violations	0	0	0	0	0	0	0	0	0	0	0	0
Drug Law Violations	0	0	0	0	0	0	0	0	0	0	0	0
Illegal Weapons Violations	0	0	0	0	0	0	0	0	0	0	0	0

There were no reported Hate Crimes for the year 2021.

There were no reported Hate Crimes for the year 2022.

There were no reported Hate Crimes for the year 2023.

**ANNUAL STATISTICAL REPORT – IONA UNIVERSITY 2021 – 2023
BRONXVILLE CAMPUS**

Crime	On Campus			Non-Campus Building/Property			Public Property			Residence Hall		
	2021	2022	2023	2021	2022	2023	2021	2022	2023	2021	2022	2023
Criminal Homicide												
Murder and Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offenses												
Rape	0	0	0	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0
Other Criminal Offenses												
Robbery	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	1	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0
VAWA Offenses												
Domestic Violence	0	0	0	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0	0	0	0
Referred for Disciplinary Action												
Liquor Law Violations	0	0	0	0	0	0	0	0	0	0	0	0
Drug Law Violations	0	0	0	0	0	0	0	0	0	0	0	0
Illegal Weapons Violations	0	0	0	0	0	0	0	0	0	0	0	0
Arrests												
Liquor Law Violations	0	0	0	0	0	0	0	0	0	0	0	0
Drug Law Violations	0	0	0	0	0	0	0	0	0	0	0	0
Illegal Weapons Violations	0	0	0	0	0	0	0	0	0	0	0	0

Note: Iona University purchased Concordia College in Bronxville, NY on 12/7/21. These campus stats were mostly under the ownership of Concordia College. The U.S. Department of Education is requiring Iona University to report them.

* We made a good-faith effort to obtain statistics from the Bronxville Police Department, but the agency did not comply with our request.

Currently, the Iona University Bronxville campus does not have any student housing.



Office of Campus Safety
715 North Avenue
New Rochelle, NY 10801-1890