

***Medaille
College
Buffalo
Campus***

2011

**Annual Security and
Fire Report**

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I. INTRODUCTION

Medaille College consists of three separate college campuses located in the City of Buffalo, Town of Amherst and the Town of Brighton, New York. The Buffalo campus of more than 21 academic, residential and recreational buildings and facilities is located on a 13 acre site in the City of Buffalo. The Amherst and Rochester campuses each consist of a single multi-use building. The College presently enrolls 3,400 undergraduate and graduate students, of which approximately 500 are residents. In addition, the College employs 400 full-time and part-time faculty and staff. The Public Safety Department has approximately 20 full time and part time officers.

1. Mission

Medaille College concentrates on excellence in teaching, with an emphasis on personal attention to its diverse student body. Its curriculum provides a solid liberal arts and sciences foundation with early access to career-oriented education. The faculty and all of those involved in the mission of education challenge students and themselves to the highest possible standards of achievement, but that challenge is balanced by support for every individual student and a concern that each one succeeds.

2. Our Collective Aspiration for the Year 2020

Medaille College will be known as the leader in preparing learners for career success and a lifelong commitment to a civic and sustainable future in Buffalo, the region, and the world.

II. THE MEDAILLE COLLEGE PUBLIC SAFETY DEPARTMENT

1. Profile of the Public Safety Department

The Medaille College Campus Public Safety Department shall provide a safe and secure campus environment for a diverse community of students, faculty, staff and visitors while maintaining and encouraging an atmosphere of learning. This shall be accomplished by establishing a liaison and partnership with all segments of the campus community. Lines of communication will be set up with all student and faculty associations, internal campus departments as well as outside community groups, organizations and neighborhood associations. It will be the primary responsibility of the Campus Public Safety Department to work proactively with the students, faculty and staff to identify report, reduce and remove the opportunity of crime and criminal activity before it should occur.

The Medaille College Campus Public Safety Department, located at 2 Agassiz Circle, is open 24 hours a day providing around-the-clock services to the campus community. Officers are on duty 24 hours a day, seven (7) days a week, 365 days a year. The office aids in enforcement of federal, state, and local statutes and Medaille College Policies and Regulations.

All Medaille College Public Safety officers complete a New York State Peace Officer Training Course. However, they do not have law enforcement arrest powers. They have the same arrest powers and authority as that of an average citizen. Medaille College Public Safety personnel operate in the same capacity as those of ordinary citizens. Under New York State law, every citizen has a right to make an arrest for a criminal offense without a warrant if the arrested person has committed a felony in his/her presence or if the arrested person has committed a felony offense outside the presence of the officer, but the arresting person has reasonable cause to believe that a felony has been committed.

Medaille College has submitted a Memorandum of Understanding with the City of Buffalo Police, Town of Amherst Police and Town of Brighton Police. Each law enforcement agency has primary responsibility and jurisdiction, to investigate crimes and respond to emergencies, on the Medaille College Campus located within their boundaries. The Public Safety Department maintains a close working relationship with all local law enforcement agencies, all College and School Security, Safety and University Police agencies in Western New York.

We have assisted in the establishment of a Western New York Consortium of University and School Campus Safety Administrators in the greater Buffalo and Rochester communities. Regular meetings are held to exchange information, enhance communication, provide training and assist each other with the development of proactive approaches to crime and criminal activity.

The primary objective of the Public Safety Department is to encourage a safe and healthy experience that enhances the campus learning experience and complements the College's educational mission. The Public Safety Department provides support services tailored to meet the needs of the College Community and advocates a law enforcement, security and emergency response for crimes on campus.

Some of the services we offer are:

- ❖ Issue school IDs for all students, faculty and staff
- ❖ Register and provide parking permits for students, faculty and staff
- ❖ Monitor security and safety systems in all campus buildings and facilities
- ❖ Provide OSHA safety inspections for all campuses
- ❖ Maintain Key maintenance and control for entire college
- ❖ Schedule and provide transportation for campus activities
- ❖ Establish and implement Emergency Notification Systems
- ❖ Patrol all campus buildings, grounds and facilities
- ❖ Investigate all violations of law and school policies
- ❖ Investigate minor motor vehicle accidents and minor vehicle problems
- ❖ Test and maintain all security and fire-prevention equipment and alarms
- ❖ Inspect buildings for safety compliance
- ❖ Maintain a lost-and-found department

A number of well-marked emergency (RED) telephones are located throughout the campus. These telephone boxes are easily identified and connect directly to the Public Safety Department when lifting the receiver. They can be used to report a criminal incident, fire or any other type of emergency. Additionally, emergency telephones are located at the main entrance of both residence hall facilities.

To reach the Public Safety Department from off-campus or from a cell phone, dial (716) 880 – 2911. From an on-campus networked phone dial, extension 2911 to reach Public Safety.

2. Campus Security Act of 1990

Pursuant to Federal Regulation 34.688.47, Medaille College makes available to prospective students and employees, distributes to all enrolled students and active employees, an annual security and fire report which lists information about campus crime, criminal arrests and on-campus fires. This annual report is available in brochure form through the Campus Public Safety Office, the Admissions Office, and the Office of Student Affairs, Human Resources Office and ALP Offices at the Amherst and Rochester Campus. Medaille College also distributes the report electronically. Access to this report is available through the College Web site: <http://www.medaille.edu/security-and-fire-report-2011.pdf>. The Campus Public Safety Office will provide upon request all campus crime statistics as reported to the United States Department of Education. Medaille College, in compliance with the Crime Awareness and Campus Security Act of 1990, is concerned about the safety and welfare of all campus members and guests. Medaille College has developed a series of policies and procedures that are designed to ensure that every possible precautionary measure is taken. In the interest of prevention, the Public Safety Department, Public Safety Club, Residence Life staff, Advisory Committee on Campus Security, Community Emergency Response Team (CERT), faculty, staff and students are responsible for a number of measures to ensure that they and their possessions are adequately protected. Medaille College is not liable for damages to vehicles parked on campus or for the loss of content/property from said vehicles. This policy also applies to personal belongings within all College facilities.

3. Crime Prevention

We believe that nearly every violation committed on campus is preventable. As part of the College's education mission, the Public Safety Department attempts to educate members of the campus community on how to reduce their chances of becoming a victim of a crime. The crime prevention program is based upon the dual concepts of eliminating or minimizing criminal opportunities and encourages students and employees to be responsible for their own security and security of others. The following is a listing of the crime prevention programs and projects employed by Medaille College.

New Student Orientation and Registration, Accepted Student Dinner, and Open House: A crime prevention and overall presentation of services offered by the Public Safety Department, accompanied by brochures and other printed material, is made available to perspective and incoming students on a routine basis.

Residence Hall Resident Advisor Training: Crime prevention presentations, accompanied by brochures and other printed material, are made available to residence hall students on a routine basis.

Crime Prevention Presentation: Crime prevention presentations are made available upon request to the campus community including resident students, commuter students, international students, and professional and support staff.

Employee In-service Training: Crime prevention materials are available to new and current employees throughout the year from the Public Safety Department.

Printed Crime Prevention Materials: Printed crime prevention brochures and flyers related to personal safety, motor vehicle security, bicycle security, residence hall security and fire safety, health services

relating to alcohol use, drug abuse and sexual assault, are distributed at various locations throughout campus.

Security Alarm Systems: Public Safety Officers monitor the many security systems on campus. These systems offer intrusion detection, are noise-activated and have audible and silent alarms.

Fire Alarm System: Officers from Public Safety monitor and respond to all fire related alarms on campus.

Safety and Security Surveys: Comprehensive security surveys or audits are made for all campus facilities each year by the Public Safety Department.

Facilities Surveys: Comprehensive surveys of exterior lighting, exterior doors and grounds are conducted annually by the Public Safety staff.

Video Surveillance: Video surveillance cameras are located in all residential facilities and in strategic areas throughout the campus and are monitored by Public Safety Officers.

Crime Prevention Policy: Crime prevention articles and material are routinely made available to the student newspaper and the College community through the Public Safety Club and the Advisory Committee on Campus Safety.

Rape Awareness/Education and Prevention: In cooperation with the Wellness Center, sexual assault awareness, education, and prevention presentations are made each year to members of the campus community.

4. Security Procedures

Medaille College employs a variety of security procedures. Security procedures are referenced during New Student Orientation, at Open Houses, at the Accepted Student's Dinners, in the College's Employee and Student's Policy Manuals, in the Student Code of Conduct and the Annual Campus Security and Fire Report, Web site: <http://www.medaille.edu/security-and-fire-report-2011.pdf>

a. Access to College Facilities

Most College buildings and facilities are accessible to members of the campus community and both guests and visitors during normal hours of business, Monday through Friday, and for limited designated hours on Saturday, during periods of time the College is in normal operation (this includes most holidays). For information regarding access to campus facilities, contact Public Safety at (716) 880 – 2911.

b. Residential College Facilities

The Medaille College Residence Life houses students in varied accommodations ranging from single to double/triple dormitory-style rooms. Services and programs intended to enhance the quality of life and to assure the security and safety of the resident student body is a priority for the residence life administration.

All facilities are served by live-in residence directors and resident assistants. At least one professional staff member is on duty at all times, 24 hours a day, 7 days a week. Security and safety policies and procedures, especially regarding locking individual rooms and building doors and related precautions, are discussed with residents in crime prevention seminars, in routine floor meetings conducted by the residence life staff and in printed material that is posted and distributed by the staff.

c. Investigation of Violent Felonies

All violent felony offenses reported to the College and/or Public Safety, occurring on campus or on College owned property, will be reported to the appropriate law enforcement agency for further investigation. Violent felonies reported on the Buffalo Campus will be reported to the City of Buffalo Police Department, on the Amherst Campus to the Town of Amherst Police Department and on the Rochester Campus to the Town of Brighton Police Department.

d. Reporting a Crime

If you are the victim of a crime, or you know or suspect that a member of the College community is a victim of a crime the following resources are available to you:

Medaille College Campus Public Safety Department

2 Agassiz Circle - telephone (716) 880 – 2911 (on-campus ext. 2911)

Office of Student Affairs

Sullivan Campus Center - telephone (716) 880 – 2218 (on-campus ext. 2218)

Medaille College Health & Wellness Center

217 Humboldt Pkwy - telephone (716) 880 – 2112 (on-campus ext. 2112)

Individual Names and telephone numbers are listed in the campus telephone directory.

Counselors, Campus Public Safety staff and members of the Office of Student Affairs are available to assist you.

e. Counseling & Support Services

The Medaille College Student and Employee Handbooks outline the many counseling and support services available to the College Community who may be victims of crimes. The Table of Contents references the page numbers outlining support services related to violent felonies, harassment, sexual assault counseling and support agencies. The Medaille College Student Code of Conduct is another valuable resource and may be accessed through the College Web site: www.medaille.edu

5. Description of health risks associated with the use of illicit drugs and Abuse of Alcohol

a. Illicit Drugs

The use of illicit drugs can lead to physical and psychological dependence, behavioral changes, physical and psychological damage, and possible death.

Effects from the use of illegal narcotics may include euphoria, drowsiness, respiratory depression, constricted pupils, and nausea. Narcotic overdoses can produce slow and shallow breathing, clammy skin, convulsions, coma, and possible death. Withdrawal symptoms can include tremors, panic, cramps, nausea, chills, and sweating. Women who use drugs during pregnancy may give birth to infants with physical abnormalities and mental defects.

The illicit use of depressants can cause slurred speech, disorientation, and drunken behavior. Overdoses can cause a weak and rapid pulse, coma, and possible death. Withdrawal syndrome can include tremors, delirium, convulsions, and possible death.

The illicit use of stimulants can cause excitation, euphoria, increased pulse and blood pressure, insomnia, and loss of appetite. Agitation, increase in body temperature, hallucinations, convulsions, and possible death are the effects of stimulant overdose. Withdrawal syndrome can include apathy, long periods of sleep, irritability, depression, and disorientation.

The possible effects of the use of hallucinogens include hallucinations and altered perceptions of time and distance. Overdoses can produce longer, more intense effects, psychosis, and possible death.

The use of marijuana can produce euphoria, relaxed inhibitions, increased appetite, and disoriented behaviors. Overdoses can result in fatigue, paranoia, and possible psychosis. Marijuana withdrawal can occasionally produce insomnia, hyperactivity, and decreased appetite.

b. Alcohol

Alcohol consumption causes a number of changes in behavior. Even small amounts significantly impair the judgment and coordination required to drive a car safely, increasing the likelihood that the driver will be involved in an accident. Low to moderate amounts of alcohol also increase the incidence of a variety of aggressive acts, including spouse and child abuse. Moderate to high intake of alcohol can cause impairments in higher mental functions, severely altering a person's ability to learn and remember information. Very high amounts cause respiratory depression and death. If combined with other depressants of the central nervous system, much lower amounts of alcohol will produce the same effects.

Repeated use of alcohol can lead to dependence. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms, including severe anxiety, tremors, hallucinations, and convulsions. Alcohol withdrawal can be life-threatening. Long-term consumption of large quantities of alcohol can also lead to permanent damage to vital organs such as the brain and liver.

Women who drink alcohol during pregnancy may give birth to infants with fetal alcohol syndrome. These infants have irreversible physical abnormalities and mental defects. In addition, research indicates that children of alcoholic parents are at a greater risk than other children of becoming alcoholics.

III. MEDAILLE COLLEGE POLICIES

1. Missing Student Policy

It is the policy of Medaille College to actively investigate any report of a missing student who is enrolled at the College as either a full or part time student. There will be NO waiting period before the commencement of an investigation and procedures will be governed by federal, state and local law.

The College will also contact any person designated by the student as their "Missing Person Contact" should the student be determined to be missing for 24 hours or more. All residential students are encouraged to file information of their "Missing Person Contact" during check-in at his/her residence hall. This information can be edited or changed at any time by the student by contacting a residence life staff member. If a student does not register this information, the College will notify the student's parent or legal guardian, and/or latest emergency contact information on file.

If a student is under 18 years of age, the College will contact the student's **parent or legal guardian** *no later than 24 hours* after the time the student is determined missing.

INITIAL RESPONSE:

- Begin an incident report and obtain as many details as possible from complainant
- Promptly dispatch officer(s) to conduct a preliminary investigation
- Inform responding officer(s) of all pertinent information
- Provide pertinent information to appropriate area law enforcement agencies
- Obtain photograph of the student
- Inform supervision about the incident
- The Director of Campus Safety (or designee) will advise the Emergency Management Team
- Maintain all notes, records and recordings of telephone and radio communications
- Search department records and advise investigating officer(s) and/or supervision about any pertinent information found
- As the investigation progresses, ensure that pertinent details are continually relayed to patrols and to other area agencies
- Make notifications to college administration in accordance with established policies and procedures
- Prepare a flyer/bulletin and distribute

2. Drug Policy

Medaille College standard of conduct clearly prohibits, at a minimum, the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees on its property or as part of any of its activities. Persons, who possess or use such compounds or substances contrary to law, are subject to immediate disciplinary action, including, but not limited to, suspension or dismissal from Medaille College.

The sale, possession, manufacturer, transfer or purchase of illegal drugs on College property or while performing College business is strictly prohibited. Such action will be reported to the appropriate law enforcement officials. The use, manufacture, sale or possession of an illegal drug, alcohol or controlled

substance while on duty is cause for disciplinary action up to and including termination. No prescription drug may be brought on College property by any person other than the one for whom it is prescribed.

1. Any unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance on College premises, or while on College business away from the premises, is strictly prohibited.
2. If any employee is convicted under a criminal drug statute (including a plea of nolo contendere) for a violation that occurred on College premises, or while the employee was on College business away from the premises, the employee must notify the College no later than five (5) days after the conviction. The notification must be given in writing to the Director of Human Resources.
3. The foregoing rules are conditions of employment with the College, and all employees agree to comply with these rules as a condition of their continued employment. Any violations of these rules will be dealt with by strict disciplinary measures, including termination of employment, as the College shall deem appropriate.
4. The foregoing rules are in addition to all other College rules, policies and procedures, written or unwritten. This obviously includes other College rules, which could be violated as a result of substance abuse (including abuse of alcohol tardiness, and job performance. Employees are expected to comply with all College rules, and violations for any reason, whether drug-related or otherwise, will not be tolerated.

IV. **MEDAILLE COLLEGE HANDBOOKS (Information related to drug and alcohol polices)**

1. VOL. II: Campus Community Polices

2.2.1 Drug and Alcohol Policies In order for the College to be in compliance with the Drug-Free Workplace and Drug-Free Schools and Communities Acts, the College promotes an environment free from illegal use, possession, and distribution of controlled substances and drugs.

2.2.1.1 Student Drug and Alcohol Policies

Volume VII Section 7.3 of the Medaille College Policy Manual outlines the College's policies regarding student use of drugs and alcohol on campus. In addition to the policies set forth below, all students are required to know these policies and adhere to them.

2.2.1.2 Employee Drug and Alcohol Policies

Volume III, Section 3.5.2 outlines the College's policies regarding employee use of drugs and alcohol on campus. All employees are required to know these policies and adhere to them.

2.2.1.3 New York State Law New York State Alcohol Beverage Control Law prohibits a person under the age of 21 from possessing an alcoholic beverage with intent to consume it. Additional information is provided in Section 7.3 of Volume VII of this Policy Manual.

2. VOL. III: General Institutional Employment Policies

3.3.5.3 Employee Assistance Program

The Employee Assistance Program (EAP) is a benefit offered by Medaille College to help any employee resolve personal or family problems. The EAP is available through Child & Family Services of Western New York.

All full-time employees, family members who reside with them, or others living within the same household are eligible for up to three (3) consultation visits, information and referral to other community resources for more specialized or extensive services, and 24-hour phone access to the program for emergencies. Part-time and temporary employees may utilize the services of the EAP for themselves only. EAP services are provided on a strictly confidential basis. For further information, contact the Human Resources Office.

3. VOL V: Personnel Policies for Administrators and Hourly Personnel

5.6.3.3.1 Progressive Discipline

Unacceptable behavior subjects an employee to disciplinary action, up to and including immediate termination. Except where the conduct is very serious or deliberate, the College will follow the concept of progressive discipline.

The purpose of progressive discipline is to allow an employee to correct improper conduct before it reaches a chronic or more serious level. Accordingly, as a first step in the discipline process, discussions between the supervisor and the employee will be held to advise the employee that the conduct is unacceptable and must be corrected. Hopefully, this will correct the matter. These discussions are documented and become part of the employee's record. Thereafter, if the conduct is repeated, a written warning is issued which also becomes a part of an employee's record. These warnings may be considered when evaluating an employee's performance for purposes of promotion, salary increase, transfer, additional discipline and/or continued employment. Repeated improper conduct will result in termination.

The College will evaluate each case and situation on an individual basis.

The following outline of types of misconduct and suggested corrective actions will serve as a guide. These are not prescribed actions; they are suggestions only. The list of misconduct is not inclusive. There are no automatic measures of discipline. Every case is treated on its own merits, taking into account the seriousness of the infraction and the nature of the circumstances and the employee's work record.

2. Other types of misconduct are so severe that except in unusual circumstances, termination of employment is warranted. Examples include:

d. The manufacture, use, sale, dispensing, or possession of controlled or illegal substance on College owned or operated property, or while on College business. (The use of appropriately prescribed medication is accepted.)

e. Attendance at work under the influence of controlled substances or job impaired due to the influence of alcohol; consumption of alcohol or use of controlled substances during work time.

4. VOL VII: Student Life and Residence Life Policies

7.3.1.1 Campus Regulations:

Alcoholic beverages are not permitted on campus, except in conjunction with events properly registered and approved with the Student Affairs Office.

1. The provision of alcohol must conform to federal, state, and local laws. A summary of pertinent legal information is appended to this policy. The sponsoring group will be held responsible to

see that these laws are followed. Failure to do so may result in loss of the privilege of sponsoring an event.

2. Intoxication will not be accepted as an excuse for misconduct at any College sponsored event.
3. Members of the College community will be held personally responsible for inappropriate behavior.
4. Non-alcoholic beverages must comprise a minimum of one-half of the total available amount of beverage.
5. Food must be provided in a sufficient quantity to accommodate the number of persons in attendance.
6. The ordering of alcoholic beverages shall occur after consultation with the Dean of Students, who reserves the right to limit the amount of alcohol served at any function.
7. No alcohol related student events shall be sponsored by any campus organization, on or off-campus, within five calendar days prior to semester examinations.
8. The College cannot condone activities that serve alcohol alone. Events will not be scheduled whose sole purpose is the consumption of alcohol. Advertisements and promotional literature should not create the impression that drinking is the sole purpose of the event.
9. Individuals should not be coerced into drinking alcoholic beverages at any time.
10. A system of checking ID's and age information must be enforced. This will protect the organizers from unknowingly serving alcohol to underage persons. Campus Public Safety must be consulted and utilized for checking IDs.
11. On-campus parties will be limited to three hours duration. Off-campus events must close by 12:00 a.m.
12. Continued unacceptable alcohol related behavior might be grounds for limitation of social privileges or dismissal from the College.
13. Alcohol consumption must be a legal possibility for a majority of the persons attending, to justify its inclusion in an event.
14. Enforcement of these regulations is the responsibility of the group sponsoring the event in conjunction with the Student Affairs Office.
15. As a general practice, use of alcohol will not approved at on campus functions where there is a presence of students who are under the age of 21.

7.3.1.2 Summary of the Current New York State Laws on Alcohol

Upon Implementation of the 21 Alcohol Beverage Law in New York State, SUNY Rockefeller Institute of Government and the Institute for Traffic Safety, Management and Research, p. 1. Six provisions of New York law regulate the purchase and sale of alcoholic beverages by persons under the age of 21.

Collectively, they establish in New York a minimum drinking age of 21:

ALCOHOL BEVERAGE CONTROL LAW, §65, makes it unlawful for a licensed establishment to sell, deliver or give away an alcoholic beverage to any person actually or apparently under the age of 21.

ALCOHOL BEVERAGE CONTROL LAW, §65a, makes it an offense for any person to misrepresent the age of a person under the age of 21 for the purpose of inducing the sale of any alcoholic beverage to such person.

ALCOHOL BEVERAGE CONTROL LAW, §65b, makes it unlawful for one under the age of 21 years to purchase or attempt to purchase an alcoholic beverage through fraudulent means.

GENERAL OBLIGATIONS LAW, §11-100(1) provides that any person who is injured by reason of the intoxication of any person under 21 may sue for damages against any person who knowingly caused such intoxication by unlawfully furnishing or procuring alcoholic beverages for such person with knowledge that such person was under the age of 21.

PENAL LAW, §260.20(4), makes it a misdemeanor for a person to sell or cause to be given or sold any alcoholic beverage to a person less than 21, except that this provision does not apply to the parent or guardian of such person.

GENERAL OBLIGATIONS LAW, §11-101, commonly referred to as the “Dram Shop Act,” provides for a right of action and recovery for injuries caused by the illegal sale of intoxicating liquor to any intoxicated person.

OPEN CONTAINER AND PUBLIC CONSUMPTION LAW

The city of Buffalo prohibits the possession of any open alcoholic container and/or drinking in a public space or vehicle.

7.3.1.3 Parental Notification Policy

In accordance with the Federal Higher Education Amendment of 1998, Medaille College reserves the right to notify parents or guardians of students under the legal drinking age who have violated campus alcohol and other drug prevention policies, whether on or off campus, where there exists a nexus between the violation and the interests of the College. In all cases, students will be accorded appropriate consideration under the Student Code of Conduct and Judicial Procedures, Section 7.9. The Dean of Students, following consultation with the Director of the Health Center, will provide notification, when necessary.

7.3.1.4 Containers

The use of any containers in College housing to store/transport alcohol is strictly prohibited.

7.3.2 Drug Policy

The possession or use of any compounds or substance, which are illegal under the federal, state, or local laws, is incompatible with the College’s expectations for student responsibility. Persons, who possess or use such compounds or substances contrary to law, are subject to immediate disciplinary action, including, but not limited to, suspension or dismissal from Medaille College.

7.3.2.1 Residence Hall Policy

On-campus sale or use of any other controlled substances which include for example, marijuana, ecstasy, LSD, mescaline, cocaine, etc. is prohibited. Students who are found to be selling and or using these substances may be required to vacate College housing and are also subject to permanent disciplinary action from the College.

7.3.3 Substance Abuse Prevention Program

The Office of Student Affairs, in conjunction with the Health and Counseling Staff, will provide counseling and information on support services and medical facilities. Health and Counseling Services are located in the Wellness Center at 117 Humboldt Parkway on the Buffalo Campus.

Education and awareness will be the focal points of programming throughout the school year. In addition, Medaille participates annually in the National Collegiate Alcohol Awareness Week by offering a variety of activities aimed at preventing the abuse of alcohol. Online resources addressing both education and screening for substance abuse can be found via the Counseling Website. Prevention and treatment resources can be located at www.oasas.state.ny.us.

Individuals can access resources in their particular county via this site.

V. MEDAILLE COLLEGE HANDBOOKS (Information related to Firearms and Dangerous Weapons Policies)

1. VOL. II: Campus Community Policies

2.3.4 Firearms and Weapons

Possession of, or use of, firearms, ammunition, explosives, or any weapons on College premises or in College Housing (this includes weapons stored in personal vehicles) is strictly prohibited and creates a serious safety hazard. Members of the Campus Community should consider this a serious matter as it involves the gravest of consequences. Any person possessing or firing a weapon or igniting a dangerous explosive on campus will be subject to disciplinary action up to and including termination and/or arrest.

VI. MEDAILLE COLLEGE HANDBOOKS (Information related to Sexual Harassment, Sexual Assault, and Discrimination Policies)

1. VOL II: Campus Community Policies

2.1.3 Institutional Policy on Discrimination and Harassment

The College is committed to upholding standards that promote respect and human dignity in an environment fostering learning and professionalism. It is the policy of the College to maintain an educational and work environment free from all types of discrimination and harassment, an open environment which values and protects individual dignity and the integrity of human relationships. The policy was formulated to protect employees and students — both male and female — against unsolicited and unwelcome sexual, racial or other inappropriate overtures or offensive conduct. It is not intended to regulate employees' or students' personal lives or morality. The educational process at the College is based on mutual trust, freedom of inquiry, freedom of expression, and the absence of intimidation and exploitation. Such an atmosphere of respect and regard for individual dignity among members of the academic community is essential if the College is to function as a center of academic freedom and intellectual advancement. In addition, the College has a compelling interest in assuring the provision of an environment in which learning and work may thrive. Such an environment requires free and unfettered discussion of the widest possible nature, one which encourages expression of all points of view. The College recognizes that the academic setting is distinct from the workplace in that wide latitude is required for professional judgment in determining the appropriate content and presentation of academic material. Assertions regarding any of the characteristics listed above, however, should be directly related to the exchange of ideas, ideologies or philosophies. Any such assertions in the teaching context that are persistent, pervasive, and not germane to the subject matter may constitute sexual or another form of harassment and will not be tolerated.

2.1.3.1 Definition of Harassment

Medaille prohibits harassment of any employee or student by another employee, supervisor, non-employee or student at the College on the basis of age, sex, race, color, sexual orientation, religion, national origin, disability, marital status, veteran status or any other category protected by law. Harassment is prohibited in any form: verbal, physical, written or visual. For purposes of this policy, harassment includes verbal or physical conduct that denigrates or shows hostility or aversion to a person's age, sex, race, color, sexual orientation, Medaille College Policy Manual: Volume II – Page 7 religion, national origin, disability, marital status, veteran status, or any other category protected by law, if the conduct also includes one or more of the following:

- Has the purpose or effect of creating an intimidating, hostile, or offensive working environment;
- Has the purpose or effect of unreasonably interfering with an individual's work performance;
- Otherwise adversely affects an individual's employment opportunities;
- Has the purpose or effect of creating an intimidating, hostile, or offensive study or learning environment;
- Has the purpose or effect of unreasonably interfering with an individual's study or learning experience; or
- Otherwise adversely affects an individual's educational opportunities.

2.1.3.2 Definition of Sexual Harassment

Sexual harassment occurs in a variety of circumstances that tend to share a common element, which is the introduction of sexual conduct or comments in the work or educational setting. Often, sexual harassment involves relationships of unequal power and contains elements of coercion, as when compliance with requests for sexual favors or sexual attention becomes a condition, explicitly or implicitly of employment, work, education, study, or benefits. Sexual harassment may also involve relationships among equals, as when repeated sexual advances or demeaning verbal or physical behavior have a detrimental effect on a person's ability to study or work at the College.

Specifically, sexual harassment is a continued pattern of unwelcome sexual advances, requests for sexual favors, or other physical and expressive behavior of a sexual nature where:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or education; or
- Submission to or rejection of such conduct by an individual, is used as the basis for academic or employment decisions affecting the individual; or
- Such conduct has the purpose or effect of substantially interfering with an individual's academic or professional performance or creating an intimidating hostile or demeaning environment for employment or education.

Examples of sexual harassment include, but are not limited to these actions:

1. Demand for sexual favors, either explicit or implied, that is accompanied by a promise of favorable job or grade treatment or a threat concerning the individual's employment, career development, work status, promotion, grades, or letters of recommendation.

2. Pressure for sexual favors implying or threatening that cooperation of a sexual nature (or refusal of) will have an effect on the person's grades, letters of recommendations, evaluation, wages, advancement, duties, shift, or any other conditions of current or future job opportunities.

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3. Behavior that is not welcomed by the individual and is personally offensive including: Repeated sexual flirtations, advances or propositions; continued or repeated verbal abuse of a sexual or otherwise offensive nature; sexually related comments and joking; graphic or degrading comments about one's appearance or the display of sexually suggestive objects or pictures; any uninvited physical contact or touching, such as patting, pinching or brushing of another's body.

2.1.3.3 Harassment/Discrimination Complaint Procedures

Medaille College will not tolerate the discrimination against or the harassment (sexual or otherwise) of students or employees by College students, faculty, administrators, staff members and other persons

acting in official College capacities. Students and employees are legally protected from such activity by both state and federal legislation and are asked to report any occurrence without fear of retaliation as follows: Individuals who believe that they have been harassed or discriminated against should address their concerns to the appropriate administrative official at the College as set forth as follows: Faculty and staff members should contact the Director of Human Resources and students should report complaints to the Dean of Students. The College will also initiate a thorough investigation and take corrective or disciplinary action as appropriate against incidents of harassment and/or discrimination that comes to the College's attention, regardless of whether a formal complaint is made by an alleged victim. If the appropriate administrator is the subject of the harassment or discrimination allegations or the complainant is otherwise uncomfortable approaching a designated administrator, the complainant shall direct the complaint to one of the other appropriate administrators. Official allegations of harassment or discrimination are to be made to the appropriate administrator in writing as soon as possible. The complaint must include the following information: name, address, and telephone number of the complainant; the nature of the complaint; date(s) and location(s) of the alleged occurrence(s); evidence on which the complaint is based; and the redress sought by the complainant. The appropriate administrator shall have 20 calendar days in which to conduct an investigation of a written complaint. The appropriate administrator may act as investigator or may arrange for another individual to act as investigator in the matter. The investigator shall be familiar with the appropriate sanctions that might be imposed against the individual against whom the complaint is made in the event that harassment or discrimination is found to have occurred. The investigator's report will be provided to a College officer or supervisor with the requisite authority to impose such sanctions.

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The purpose of the investigation is to establish: (1) whether there is a reasonable basis for believing that the alleged violation of the policy has occurred; (2) the factual circumstances surrounding the claim; and (3) the appropriate sanction to be imposed on an individual found to have engaged in prohibited conduct. The investigator shall promptly provide the person against whom the complaint is made with a copy of the formal complaint and shall notify the appropriate College officer or supervisor of the nature of the complaint and of the identity of the parties. In conducting the investigation, the investigator may interview the complainant, the person against whom the complaint is made, and any other persons believed to have relevant factual knowledge. At all times, the investigator shall make an effort to maintain confidentiality except where and to the extent that disclosure of information is necessary in the investigation. The parties and any notified College officer or supervisor shall maintain strict confidentiality... The investigator shall be in communication with the complainant until the complaint is resolved. Upon the expiration of the 20 calendar day period the investigator shall have an additional 10 calendar days to produce a written report summarizing the findings of fact and providing recommendations as to the appropriate administrative action to be taken. This report will be provided to the parties, to the appropriate College officer or supervisor. If sanctions are imposed; this report will become a part of the personnel file of the individual against whom the complaint was made. Recommended sanctions may include, but are not limited to, written reprimand of the person against whom the complaint is made, suspension or dismissal of the person against whom the complaint is made, a change of grade or other academic record, a change of course section, a change of reporting line for an employee, or any other appropriate sanction(s) under the circumstances. Sanctions will be imposed in accordance with the provisions set forth in Volume IV (Faculty Policies), Volume V (Administrative and Staff Policies), and Volume VII, (Student Life and Development Policies), as applicable. A complaint may also be brought by a person outside the College community if the alleged offense occurred with regard to application for admission as a student, to inquiry or application for employment, to bidding for contracts by individuals or company representatives, or to any other official action by a member of the College community. The appropriate administrative official to whom such a

complaint should be directed will be determined by the position the individual was attempting to obtain at the College.

2.1.3.4 Appeals

If either party disputes the findings or is dissatisfied with the procedures or recommendations of the investigator's report, the party may appeal such findings by filing a written appeal with the President of the College within 15 calendar days of receipt of the written report. The President of the College will review the record of the matter and will reach a final determination as to any action to be taken within 10 calendar days of receipt of the appeal. The determination of the President of the College is final and may only be addressed further by petition to the appropriate grievance committee of the party who remains dissatisfied or who continues to be accused. Rules governing the grievance committees of Medaille College Policy Manual: Volume II – Page 10 faculty, staff, administrators and students are provided in their respective volumes in this Policy Manual.

2.1.3.5 Anti-Retaliation Statement

Retaliation of any kind against anyone filing a complaint of harassment or discrimination is prohibited. Initiating a complaint of harassment or discrimination will not affect a complainant's employment, compensation or work assignments or, in the case of students, grades, class selection, or any other matter pertaining to student status. Distinguishing between harassing or discriminatory conduct and conduct that is purely personal or social without a harassing or discriminatory work or educational effect requires a determination based on all of the facts pertaining to the situation. False accusations of harassment or discrimination can seriously injure innocent people. Initiating a false harassment or discrimination complaint or initiating a harassment or discrimination complaint in bad faith may result in disciplinary action. A finding for the accused does not constitute a finding the complaint was in bad faith.

2.1.4 Consensual Relations

When two parties have consented at the onset to a romantic or sexual involvement, such consent does not preclude a charge of sexual harassment for subsequent unwelcome conduct of a sexual nature. The educational mission of the College is promoted by professionalism in employee student relationships. Professionalism is fostered by an atmosphere of mutual trust and respect. Actions of the College employees and students that harm this atmosphere undermine professionalism and hinder fulfillment of the College's educational mission. Trust and respect are diminished when those in positions of authority abuse or appear to abuse their power. Those who abuse or appear to abuse their power in such contexts violate their duty to the College community. Amorous relationships between the College employees and students are inappropriate. The College employees exercise power over students, whether in giving them praise or criticism, evaluating them by making recommendation for their further studies or their future employment or conferring any other benefits on them. Given the fundamentally asymmetrical nature of an employee-student relationship, voluntary consent by the student in an amorous relationship is suspect. In addition to the possible sexual exploitation of the student involved, other students and employees may be affected by such unprofessional behavior. Therefore, the College shall view it as unethical if an employee engages in amorous relations with any student enrolled (except enrolled spouses and individuals already involved in a pre-existing relationship prior to employee student relationship who are exempted from this policy) at the College. Other romantic or sexual relationships that might be appropriate in other contexts may, within the College community, create the appearance or fact of an abuse of power or of undue advantage. Violators of this policy are subject to disciplinary action leading to sanctions up to and including dismissal. Disciplinary decisions are grievable by the affected individuals through applicable grievance procedures set forth in

Volumes IV (faculty grievance Medaille College Policy Manual: Volume II – Page 11 procedures), Volume V (staff and administrative grievance procedures), and Volume VII (student grievance procedures).

2.3.6 Sexual Assault and Harassment

2.3.6.1 Sexual Assault and Campus Crime

In accordance with the Clery Act, a copy of the Crime Statistics Report is available to all members of the campus community through the Director of Campus Public Safety. In addition, the Report is widely distributed at the beginning of each academic year to employees, as well as current and incoming students. The Report indicates that Medaille College has been very fortunate in the past with regards to campus crime. The College orientation and on-going programming helps to lead to awareness, the initial step in crime prevention. Medaille College provides various events, such as educational programming, workshops, and specialized literature to further educate the College community about such issues and facilitates prevention of sexual assault. Campus security is the responsibility of all members of the Medaille community. The Campus Public Safety Office assumes a key role on a daily basis to help insure compliance with campus guidelines and facility usage. Any person having knowledge of campus crime shall submit all information to the Director of Campus Public Safety. The Office is also the focal point for emergencies, which can be reported through any member of the College staff or by using the emergency phones located throughout the Medaille campus. The President, on an annual basis, appoints the Campus Crime Committee. The Committee is responsible for reviewing all issues related to crime prevention with a special emphasis on sexual assault. Campus organizations and departments such as the Student Government, Resident Student Council, Student Affairs, and the Counseling Office, provide programs throughout the year dealing with sexual assault prevention, rape awareness and other related topics. When a sex offence occurs, the incident shall be reported immediately to the Office of Personal Counseling, which will provide consultation and other support services including referral. The incident shall be reported to the Chief Student Conduct Officer (Associate Dean of Students) who will pursue disciplinary action, which could include the involvement of the local authorities. All information will be handled with confidentiality and sensitivity to the needs of the victim. Any need for change in classroom or housing assignments will be handled at this time. Policies on the use, possession and sale of alcohol beverages are carefully delineated in Volume VII (Student Handbook in the section entitled "Alcohol Usage Policy of Medaille College") and Volume III (General Institutional Employment Policies). Sections on illegal drugs appear also in both volumes. Please review these guidelines to insure awareness of College policies and procedures. The College sponsors a number of programs and publications to disseminate information regarding alcohol and drug abuse, crime, sexual harassment and assault prevention, and safety policies, some of which are included in the Student Handbook. These resources include the Crime Statistics Report, the Crime Alert Pamphlet, and the National Student Alcohol Awareness Week, New Student Orientation. Any crime occurring on a consistent basis will be reported to the campus community through memo, newsletter, student newspaper or other effective means of communication. Medaille College Policy Manual: Volume II – Page 18

2.3.6.2 Sexual Assault Prevention

Medaille College sponsors programs and maintain a variety of resources promoting the prevention of sexual assault. Studies of campus crime rates across the United States indicate that there is a significant risk to new students entering college – especially during the first few weeks of fall semester. Incoming Freshman, who are away from home and without parental supervision for the first time, tend to engage in risky behaviors that greatly increase their risk of becoming sexual assault victims. This is especially true for female students, but male students should not rule out the possibility of assault. Here are some facts individuals should keep in mind: 1. The most commonly used "date rape" drug is alcohol: a. Almost without exception, sexual assault cases reported involve a victim who was intoxicated at the time of

assault. Alcohol is a drug, use it with caution. b. Never accept open containers or mixed drinks – there is a significant risk that someone may add stronger alcohol, or other substances to a person’s drink to increase the rate of intoxication. When in doubt, discard the drink and demand an unopened container. With mixed drinks, watch the bartender mix the drink and accept it only from the bartender directly. c. An individual should know one’s limits; if losing control, stop drinking. Be wary of persons urging individuals to drink more than they feel comfortable with. Alcohol affects individuals differently, factors such as age, weight, previous drinking experience, altitude, etc. change intoxication rates. One should never try to “keep up” or prove that one can hold as much alcohol as the next person. 2. The majority of sexual assault victims know their assailant: a. an individual should never “pair off” with someone the individual just met at a party or social event - even if the person is a “friend of a friend.” Make a deal with a buddy to watch out for one another and vice versa. Nationwide statistics show that almost 80% of sexual assault perpetrators are known to the victim, at least as an acquaintance. One should never assume that a person met socially once or twice can be trusted. Remember, it is in the best interest of a perpetrator to appear to be a “nice guy.” b. Trust instincts. If an individual feels uneasy about any given person or situation, chances are there’s a good reason for those feelings. It’s better to leave and be safe, than to ignore one’s instincts and risk a negative, life changing experience. 3. Males can be victims too: Nationwide, campus crime rates are raising rapidly. In the past few years, serious injuries and deaths have been reported across the country as a result of pranks, hazing, hate crime, or just plain stupidity on the part of college students. Exercise caution at all times, but especially in situations where large groups of people and large quantities of alcohol are present. 4. No means No: Engaging in sexual acts with any person who has not given permission for the act is a crime under the laws of the state of New York. A person who is intoxicated, or otherwise incapacitated, cannot legally give consent. Medaille College Policy Manual: Volume II – Page 19 (Also, in the State of New York, persons under the age of 16 cannot give legal consent.) If there is any doubt, stop. Sex crimes carry serious legal consequences and could remain on an individual’s record permanently. Don’t take that risk, it’s not worth it.

2.3.6.3 Sexual Assault Prevention and Treatment Resources

Medaille College Counseling Center at 716-880-2339

Medaille College Campus Public Safety at 716-880-2911

Erie County Crisis Services at 716-834-3131

Buffalo Police Domestic Violence and Sexual Assault Response Team at 716-851-4494

Rochester Crisis Center at 585-546-2777

2.3.7 Sex Offender Registration Policy

The Campus Sex Crimes Prevention Act is a federal law enacted in October 2002 that provides for the tracking of convicted, registered sex offenders who are either enrolled as students or working at institutions of higher education. The Act amended the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act. Under the provisions of this Act, any person who is required to register under a state sex offender registration program must notify the State when the registrant enrolls at an institution of higher education or is employed at such an institution. Additionally, the sex offender registrant must notify the State of any change in enrollment or employment at an institution of higher learning. The State will provide a list of registered sex offenders who have indicated they are either enrolled or employed at the College to the College’s law enforcement agency or if none, the local law enforcement agency having primary jurisdiction over the campus. In accordance with the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act (as amended by the Campus Sex Crimes Prevention Act), the College shall publish a statement in each Annual Campus Public Safety/Crime Statistic Report where the list of registered sex offenders can be found. The College encourages members of the campus community who wish to be informed of the identities of registered

sex offenders residing in the surrounding area to contact the Buffalo Police Department, Erie County Sheriff's website: criminaljustice.state.ny.us or from an independent website such as parentsformeganslaw.com.

2. VOL. VII: Student Life and residence Policies

7.4 Peer Sexual Harassment

Peer sexual harassment is a form of prohibited sex discrimination where the harassing conduct creates a hostile environment. Thus, unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, constitutes sexual harassment when the conduct sufficiently severe, persistent, or pervasive, limits a student's ability to participate in or benefit from the education program, or creates a hostile or abusive educational environment. Schools are required by the Title IX regulations to have grievance procedures through which students can complain of alleged sex discrimination by other students, including sexual harassment. This procedure is provided in Volume II, Subsection 2.1.3.

VII. NEW YORK STATE LAWS

1. Megan's Law

Megan's law generally provides for some type of public notification of the whereabouts of convicted sex offenders after their release from prison. You can find information regarding sex crime offenders at the following: www.parentsformeganslaw.com

Megan's Law Hotline
1-900-288-3838
\$.50 charge per call
Monday- Friday; 8AM – 5PM

Attorney General's Office
1-800-771-7755

Amherst Town Police
(716) 689 – 1322

Brighton Town Police
(585) 784 - 5150

Buffalo City Police
(716) 851 – 4444

2. Hate and Bias Related Laws

In compliance with the New York State Education Law, Section 6436, Bias-Related Crime Act of 2000, the following information is designed to outline to the Medaille College Community the applicable laws on bias-related crimes, the penalties for the commission of bias-related crimes, the procedures for reporting crimes, the availability of counseling and support services, the nature of and common circumstances relating to bias-related crimes, and the methods used by Medaille College to advise and to update students about security procedures.

Article 129-A of the New York State Education Law; Section 6436 – Bias-Related Crime Act of 2000 Bias Related Crime Act 2000 – Hate Crimes

Applicable laws, ordinances and regulations on bias related crime; *New York State Penal Law, Article 485 HATE CRIMES; 485.00 Legislative findings.*

“The legislature finds and determines as follows: criminal acts involving violence, intimidation and destruction of property based upon bias and prejudice have become more prevalent in New York State in recent years. The intolerable truth is that in these crimes, commonly and justly referred to as “hate crimes”, victims are intentionally selected, in whole or in part, because of their race, color, national origin, ancestry, gender, religion, religious practice, age, disability or sexual orientation... our laws must be strengthened to provide clear recognition of the gravity of hate crimes and the compelling importance of preventing their recurrence.”¹

New York State Penal Law; 485.05 Hate Crimes.

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

Intentionally selects the person against whom the offense is committed or intended to be committed, or 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.

¹ New York State Penal Law, Article 485 HATE CRIMES; 485.00 Legislative findings; New York State Handbook of Consolidated Laws, 2004

A “specified offense” is an offense defined by any of the following provisions of the New York State Penal Law: assault in the first, second or third degree; aggravated assault upon a person less than eleven years old; menacing in the first, second or third degree; reckless endangerment in the first or second degree; manslaughter in the first or second degree; murder in the second degree; stalking in the first, second, third or fourth degree; rape in the first degree; criminal sexual act in the first degree; sexual abuse in the first degree; aggravated sexual abuse in the first or second degree; unlawful imprisonment in the first or second degree; kidnapping in the first or second degree; coercion in the first or second degree; criminal trespass in the first, second or third degree; burglary in the first, second or third degree; criminal mischief in the first, second, third or fourth degree; arson in the first, second, third or fourth degree; petit larceny; grand larceny in the first, second, third or fourth degree; robbery in the first, second or third degree; harassment in the first degree; aggravated harassment in the second degree; or any attempt or conspiracy to commit any of the foregoing offenses.

Penalties for commission of bias related crimes; **New York State Penal Law 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 the NYSPL, 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 the NYSPL.

- b) the term of the determinate sentence must be at least eight years if the defendant is sentenced pursuant to section 70.02 of the NYSPL.
- c) the term of the determinate sentence must be at least twelve years if the defendant is sentenced pursuant to section 70.04 of the NYSPL.
- 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 the NYSPL.
- 4) The maximum term of the indeterminate sentence or term of the determinate sentence must be at least ten years if the defendant is sentenced pursuant to section 70.06 of the NYSPL.
- 5) 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 not be less than twenty years.

VIII. REVIEWS AND REPORTS:

1. Drug and Alcohol

a. Biannual Review

The number of drug and alcohol-related violations and fatalities that occur on campus or as part of the Institution's activities and that are reported to campus officials; and the number and types of sanctions imposed by the institution as a result of those drug and alcohol related violations and fatalities.

The numbers of violations and sanctions are compiled by Human Resources, Residence Life, and Public Safety. The college shall retain the records for three years after the fiscal year in which the record was created. Medaille College conducted the biannual review in 2011 and determined that the current program is sound. The program and sanctions will be changed accordingly depending on the violations if needed.

b. Sanctions

Medaille College student sanctions for violation of the drug and/or alcohol policy:

Alcohol

- 36 documented students (32 found in violation, 4 found not in violation)

Sanctions:

- 32 Educational programs
- 32 reflections papers
- 32 e-Chug online alcohol assessments
- 3 mandated counseling sessions
- 7 housing probations
- 3 parental notifications

Drugs

13 documented students (11 found in violation, 2 found not in violation)

Sanctions:

- 10 reflections papers
- 10 e-Toke online marijuana assessments
- 11 parental notifications
- 11 housing probations
- 1 arrest
- 1 suspension from the institution
- 1 student withdrawal

Medaille College employee sanctions for violation of the drug and/or alcohol policy:

- **Alcohol**

- **NO** employee was found in violation of College Policy.

2. Crime Reporting

Numerous efforts are made to advise members of the campus community on a timely basis about campus crime and crime-related problems. These efforts include the following:

- **Annual Report:** A comprehensive annual report of crime-related information is compiled and published. This annual report is distributed to all active students and current employees and is available upon request.
- **Web site Access:** Listed are the websites which you may access in order to learn more about campus crime and crime-related problems. To view the Medaille College Annual Crime reporting web page, please go to <http://www.medaille.edu/security-and-fire-report-2011.pdf> and www.medaille.edu/alert.
- To view the U.S. Department of Education crime reporting site, please go to <http://ope.ed.gov/security>
- **Special Campus Alert:** If circumstances warrant, a specially printed crime alert bulletin can be prepared and distributed either selectively or throughout campus.

The Medaille College Campus Policy on Timely Warnings and Emergency Notification reports to the campus community.

Medaille College Public Safety utilizes electronic and/or cellular communications to immediately notify the campus community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety to students, faculty or staff occurring on the campus.

The Director of Public Safety or his designee decides which segments of the campus community must be notified, determine the content of the message and initiate the messaging notification system in accordance with college policy.

A mass **Emergency Notification** will only be made if there is an immediate threat to the campus community. In such situations, without delay, taking into account the safety of the community, Public Safety will determine the content of the notification, unless it is determined by the police that such immediate notification could compromise efforts to assist the victims or otherwise negatively impact the emergency.

This is accomplished through the Medaille Campus Alert System and e-mail systems by Public Safety. Timely warnings are also issued and distributed various ways according to policy including; Campus Alert posters, posting on the College web site, issued by email, text messaging, phone messaging as well as through the internal PA and siren systems throughout all campuses.

The Medaille College Public Safety publicizes our emergency response and evacuation procedures in the Medaille College Emergency Management Plan on www.medaille.edu/alert The Medaille College's Emergency Management Plan can be accessed by going to www.medaille.edu/alert.

a. Statistics

The table on the next page details the Medaille College reportable crime statistics for the last five calendar years.

Medaille College Crime Statistics Report 2011 (all campuses)

Calendar Year	2006	2007	2008	2009	2010	2011
	Occurrences	Occurrences	Occurrences	Occurrences	Occurrences	Occurrences
Criminal Offense						
Murder and Non-Negligent Manslaughter	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0
Sex Offenses (forcible)	0	0	0	0	0	0
Sex Offenses (non-forcible)	0	0	0	0	0	0
Robbery	0	0	0	0	0	0
Aggravated Assault	0	0	0	1	3	3
Burglary	3	8	3	3	7	6
Hate Crimes	0	0	0	0	0	0
Motor Vehicle Theft	0	2	1	1	0	0
Arson	0	0	0	1	0	0
Weapons (possession)	0	4	1	0	0	0
Liquor Law Violations	11	15	94	76	98	46
Drug law Violations	3	3	2	13	17	1

HATE CRIMES - ON CAMPUS 2011

Criminal Offense	Race	Religion	Sexual Orientation	Gender	Disability	Ethnicity
Murder and Non-Negligent Manslaughter	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0
Sex Offenses (forcible)	0	0	0	0	0	0
Sex Offenses (non-forcible)	0	0	0	0	0	0
Robbery	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0
Burglary	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0
Arson	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0
Larceny-theft	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0
Vandalism of Property	0	0	0	0	0	0

Medaille College – Buffalo Campus Crime Statistics Report 2011

Calendar Year	2006	2007	2008	2009	2010	2011
	Occurrences	Occurrences	Occurrences	Occurrences	Occurrences	Occurrences
Criminal Offense						
Murder and Non-Negligent Manslaughter	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0
Sex Offenses (forcible)	0	0	0	0	0	0
Sex Offenses (non-forcible)	0	0	0	0	0	0
Robbery	0	0	0	0	0	0
Aggravated Assault	0	0	0	1	3	3
Burglary	3	8	3	3	7	6
Hate Crimes	0	0	0	0	0	0
Motor Vehicle Theft	0	2	1	1	0	0
Arson	0	0	0	1	0	0
Weapons (possession)	0	4	1	0	0	0
Liquor Law Violations	11	15	94	76	98	46
Drug law Violations	3	3	2	13	17	1

HATE CRIMES - ON CAMPUS 2011

Criminal Offense	Race	Religion	Sexual Orientation	Gender	Disability	Ethnicity
Murder and Non-Negligent Manslaughter	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0
Sex Offenses (forcible)	0	0	0	0	0	0
Sex Offenses (non-forcible)	0	0	0	0	0	0
Robbery	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0
Burglary	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0
Arson	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0
Larceny-theft	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0
Vandalism of Property	0	0	0	0	0	0

IMPORTANT TELEPHONE NUMBERS

Medaille College Campus:

Medaille College Information Office –	(716) 880 – 2000
Medaille College Admissions Department -	(716) 880 – 2200
Medaille College Counseling Center-	(716) 880 – 2339
Medaille College Health/Wellness Center-	(716) 880 – 2112
Medaille College Public Safety Amherst -	(716) 984 – 1350
Medaille College Public Safety Buffalo -	(716) 880 – 2911
Medaille College Public Safety Rochester -	(585) 272 – 0030
Medaille College Residence Life -	(716) 880 – 2449
North Residence Hall -	(716) 880 – 3300
South Residence Hall -	(716) 880 – 3400
Medaille College Student Affairs -	(716) 880 – 2218

Police and Counseling Agencies:

Amherst Police -	(716) 689-1322
Brighton Police -	(585)784-5150
Buffalo Police -	(716) 851-4444

Crisis Services of Western New York - (716) 834-3131

P Part II: Annual Fire Safety Report – 2011 (January 1, 2011 through December 31, 2011)

Introduction

The Higher Education Opportunity Act (HEOA) was signed into law in August 2008 and contains several crucial campus safety components. One of the main provisions of the HEOA is the Campus Fire Safety Right-to-Know Act. This provision calls for all Title IV eligible institutions that participate in Title IV programs and maintain on-campus student housing facilities to publish an annual fire safety report that outlines fires safety systems, policies, practices, and statistics. The following report discloses all information required by HEOA as it relates to Medaille College.

Definitions:

Fire: Any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner.

Fire drill: A supervised practice of a mandatory evacuation of a building for a fire.

Cause of Fire: The factor or factors that give rise to a fire. The causal factor may be, but is not limited to, the result of an intentional or unintentional action, mechanical failure or act of nature.

Fire-related injury: Any instance in which a person is injured as a result of a fire, including an injury sustained from a natural or accidental cause while involved in fire control, attempting rescue, or escaping from the dangers of the fire. The term person may include students, employees, visitors, firefighters, or any other individuals.

Fire-related death: Any instance in which a person is killed as a result of a fire, including death resulting from a natural or accidental cause while involved in fire control, attempting rescue, or escaping from the dangers of a fire. Dies within 1 year of injuries sustained as a result of a fire.

Fire safety system: Any mechanism or system related to the detection of a fire, the warning resulting from a fire, or the control of a fire. This may include sprinkler systems or other fire extinguishing system, fire detection devices, stand-alone smoke alarms, devices that alert one to the presence of a fire, such as horns, bells, or strobe lights; smoke-control and reduction mechanisms; and fire doors and walls that reduce the spread of fire.

Value of Property Damage: The estimated value of the loss of the structure and contents, in terms of the cost of replacement in like kind and quality. This estimate should include contents damaged by fire, and related damages cause by smoke, water, and overhaul; however, it does not include indirect loss, such as business interruption.

I. FIRE SAFETY POLICIES

1. Fire Drills – Fire drills are an important aspect of student safety in the residences and will be executed quarterly during the school year in accordance with New York State Law, and all residents are expected to participate. Students may not disregard a fire alarm or refuse to evacuate a building in which an alarm is sounding, regardless of its nature (drill, false alarm, or actual alert). When the notice is

given, all persons in Residence are to evacuate the building immediately, according to an established evacuation plan. Failure to leave the building during a fire alarm/drill is a serious violation of College policy and may result in disciplinary sanctions. During January 1, 2011 and December 31, 2011 there were four scheduled fire drills in the on-campus housing units.

2. Appliances - All electrical appliances such as lamps, radios, and televisions must be U.L. approved. No heating or cooking equipment, with the exception of small microwaves, are to be used in student rooms for reasons of safety, health, and sanitation. In addition, halogen lamps are not permitted in resident student rooms/apartments. Appliances not approved for use in student rooms will be removed.

3. Smoking - Smoking is not permitted in any resident house or hall, nor is it permitted in front of the buildings. There are designated smoking areas outside where students, faculty and staff are permitted to smoke.

4. Fire Hazards - The following items are not permitted in rooms and/or housing facilities since they are in violation of local safety codes: natural Christmas trees, flammable substances hung on walls or ceilings, heaters, hot plates, electric frying pans, high intensity lamps (Halogen), air conditioners, large refrigerators, candles, incense and crock pots. Residents should review the housing contract for additional information regarding fire hazards. Medaille College considers the construction of lofts in apartment rooms a fire hazard.

5. Tampering with Fire Safety Equipment – The unauthorized use of or tampering with any piece of fire prevention equipment (such as smoke detectors, alarms and extinguishers) is a serious threat to student life. These acts constitute a significant violation of College policy and may result in residence hall suspension and/or dismissal from the College.

II. FIRE SAFETY PROCEDURES

Medaille College will consistently abide by and enforce all fire safety policies. Students living in residence halls are subject to the following procedures with regards to fire safety:

1. Fire Alarms and Evacuation

The Medaille College Emergency Management Plan evacuation policy is as follows:

- a. Know the location of fire exits and alarm systems in your area and know how to use them.
- b. If you discover a minor fire, IMMEDIATELY contact the Department of Public Safety.
- c. Activate the building alarm (fire alarm) on your way out of the building.
- d. If you are in a room when the alarm sounds-FEEL THE DOOR FOR HEAT.
 - a. If the door is not hot – evacuate.
 - b. If the door is hot – DO NOT OPEN IT. Go to a phone or window and contact someone for help. Place wet towels under the door and stay low where the air is better.
- e. Close all doors to confine the fire and reduce oxygen available to it. DO NOT LOCK DOORS.
- f. When the building evacuation alarm is sounded, assume an emergency exists. Walk quickly to the nearest marked exit and alert others to do the same.
- g. ASSIST THE DISABLED IN EXITING THE BUILDING! DO NOT USE ELEVATORS DURING A FIRE. Smoke is the greatest danger in a fire, so stay near the floor, where the air will be less toxic.

- h. Once outside, move to a clear area away from the affected building to the designated assembly area. Keep the streets, fire lanes, hydrants and walkways clear for emergency vehicles and crews. (Emergency Assembly Points will be developed in the near future).
- i. If requested, assist with emergency crews as necessary.
- j. A Temporary Command Post may be set up near the emergency site. Keep clear of the Command Post unless you have official business.
- k. **DO NOT RETURN TO AN EVACUATED BUILDING** unless told to do so by a College Official.

*NOTE: If you become trapped in a building during a fire and a window is available, place an article of clothing (i.e. a shirt, coat, etc.) outside the window. It will act as a marker for rescue crews. If there is no window, stay near the floor where the air will be less toxic. Be sure to shout at regular intervals to alert emergency crews of your location, but **DO NOT JUMP!** Response time by the Buffalo Fire Department is excellent. If necessary, place wet towels under doorways.

III. FIRE SAFETY EDUCATION & TRAINING

Medaille College conducts in depth fire safety training with the Residence Life staff. During annual summer Resident Assistant (RA) training, sessions are held covering emergency response, fire safety, fire evacuation protocol, and the role of an RA in any fire emergency. The RAs are then responsible for training their residents on fire and emergency evacuation protocol in their floor meetings at the beginning of the year. Each semester, the RAs play an active role in the fire drills conducted by the Department of Public Safety.

The Department of Public Safety periodically distributes Fire Safety information and flyers out to residents, faculty and staff.

Medaille College's Emergency Management Plan states the college's policy on Fire Safety. Beginning in 2008, faculty, students and staff have received training on this policy. The policy is currently being revised and new training will begin after the revisions have been completed.

In the event of a fire, the following individuals (Organizations) should be notified:

1. Buffalo Fire Alarm Dispatch - 9-1-1
2. Department of Public Safety – (716) 880-2911

In reporting that a fire has occurred for the purpose of including the statistics in the annual fire safety report, the following individuals (organizations) should be notified:

1. OSHA/FIRE Safety Officer - (716) 880-2911
2. NYS Bureau of Fire Prevention –(716) 847-3320
3. Residence Life Department – (716) 880-2449
4. Operations/Facilities – (716) 880-2549

IV. FIRE LOG:

Institutions must maintain a fire log that reflects the nature of the fire, date, time and general location of each fire in on-campus student housing facilities. Medaille College complies with this rule by including all fire-related incidents in the Daily Fire Log.

The Department of Public Safety maintains a Fire Log of all incidents reported. This log includes the incident type, date incident is reported, date and time of occurrence, general location of each reported incident type and the disposition of the incident if that information is known. The Department of Public Safety posts specific incidents in the Fire Log within two (2) business days of receiving a report of an incident and reserves the right to exclude reports from a log in certain circumstances as permitted by law. The most current 60 days of information is available in the Office of Public Safety located at 2 Agassiz Circle, on the college's Main Campus.

FIRE LOG – January 1, 2011 through December 31, 2011

DATE/TIME		NATURE OF INCIDENT: No Fires occurred in 2011.
I/R#		
LOCATION		

V. FUTURE IMPROVEMENTS

Plans for future improvements in fire safety:

The College is in the process of reviewing the emergency evacuation plans and installation of evacuation maps in all residences and buildings.

Fire Safety Training will be made available to a larger portion of the student body throughout the school year.

3. Fire Safety Systems for on-campus student housing facilities:

During 2011, Medaille College owned and operated four on-campus housing facilities at the Buffalo campus. They are as follows:

- South Residence Hall, 18 Agassiz Circle, Buffalo, NY 14214
- North Residence Hall, 18 Agassiz Circle, Buffalo, NY 14214
- 95 Humboldt Parkway, Buffalo, NY 14214
- 103 Humboldt Parkway, Buffalo, NY 14214
- There are no housing facilities at Medaille's Amherst and Rochester campuses.

See Table Next Page:

FIRE SAFETY SYSTEMS

On-campus Student Housing Facilities

Residential Housing Facilities	Fire Alarm Monitoring (off site)	Full Sprinkler System	Smoke Detectors	Horns, Bells, Strobe light Devices	Fire Extinguisher Devices	Fire Doors	Emergency Lighting	Illuminated Exit Signs	Emergency Notification System	Number of Evacuation (fire) drills each academic year
South Residence Hall	X	X	X	X	X	X	X	X	X	4
North Residence Hall	X	X	X	X	X	X	X	X	X	4
95 Humboldt	X		X		X		X	X	X	4
103 Humboldt	X		X		X		X	X	X	4