

Annual Security Report for 2015

Introduction

This report, for the calendar years 2013, 2014 and 2015, has been prepared by the Office of Safety & Security as part of Marist's commitment to campus security and safety. In addition to general campus safety information, it includes crime statistics for the years 2013, 2014 and 2015. It is in compliance with the "Student Right to Know and Campus Security Act of 1990," as amended in November, 1998 and re-named "The Clery Act." This law requires colleges and universities to prepare, publish, and distribute to all students and employees an annual report pertaining to the college's security policies, procedures and programs. It also contains, as required by law, information pertaining to specific types of crimes which occurred on campus and were reported to the Town of Poughkeepsie Police Department or designated campus security authorities (including but not limited to directors, deans, department heads, residential life staff, student affairs staff, advisors to official student organizations, and athletic coaches.) In addition, these crime statistics also include persons referred for campus disciplinary action for categories required under the Clery Act, including liquor and drug law violations and illegal weapons possession.

Statistical information for on campus, non-campus locations or property owned or controlled by Marist College, as well as public property within or immediately adjacent to and accessible from the campus, is requested from the Town of Poughkeepsie Police Department. For statistical purposes, crimes reported to any of these sources are recorded in the calendar year in which the crime was reported. The report also includes reporting requirements mandated by the Higher Education Opportunity Act (HEOA) of 2008. Collectively, the laws require that Marist College prepare and publish annual security and fire safety reports. Marist incorporates both reports into one main report called "Campus Safety." The laws are designed to provide individuals with a better understanding of campus security and safety issues so that they may make informed decisions. Marist has taken a pro-active approach to campus security and safety, is in full compliance with all laws applicable to campus safety, and is pleased to prepare, publish and distribute this report to all current students and employees. This report is also available, upon request, to any applicant for enrollment or employment at Marist College. Anyone with questions pertaining to this report or any security-related issue or concern is encouraged to contact the Director of Safety & Security at (845) 471-1822.

Marist College supports the rights of students, staff and faculty to be timely informed of incidents which may pose a threat to one's well-being, and of those measures taken to provide precaution, reduce vulnerability, and promote a swift and effective response to such incidents. To insure accurate and prompt reporting and notification, as well as to comply with crime statistic legal disclosure requirements, the Office of Safety & Security regularly confers with student, staff, faculty and administrative groups to discuss security-related concerns and incidence of crime. The Office of Safety & Security also maintains regular communication with both the City and Town of Poughkeepsie Police Departments to exchange information regarding the occurrence of crime on campus as well as in areas surrounding the campus. Likewise, the college maintains regular communication with the Fairview Fire Department regarding fire safety issues.

Security at Marist College

Marist College employs its own professional security staff, and all security officers are fully licensed as required by the NYS Security Guard Act. Officers have the authority to enforce the policies and regulations of the college, but are not sworn police or peace officers and as such have no formal powers of arrest other than those granted to private citizens according to the New York State Criminal Procedure Law (see Sections 140.30 and 140.35). The Office of Safety & Security has an excellent working relationship with the City and Town of Poughkeepsie Police Departments and has a “Memorandum of Understanding” (MOU) with them regarding procedures involving the investigation of crimes and missing persons, emergencies on campus, and interdepartmental objectives.

The Office of Safety & Security, which is operational twenty-four (24) hours and day, seven (7) days a week, has its administrative and central dispatch office in Donnelly Hall room 201. The primary mission of Marist’s Office of Safety & Security is to protect life and property by providing services which will establish and maintain a reasonably safe campus environment and will contribute and assist in achieving the educational and organizational goals of the college. Services are designed to enhance the quality of life on campus for students, faculty, staff, visitors and guests of the college by pro-actively engaging in activities that promote security awareness, crime prevention and safety consciousness.

Marist is committed to providing comprehensive measures to achieve a safe and secure environment. The college emphasizes that safety and security are shared responsibilities and offers programs designed to encourage security awareness. Services include manned and electronic security measures designed to detect and correct security violations and fire safety hazards. The safety-security mission is accomplished by twenty-four hour security patrol (vehicle and foot), closed circuit television coverage, residence hall security, electronic card access control, fire and intrusion detection systems, incident investigation, crime prevention activities, vehicle traffic/parking regulations and enforcement, security escort services, liaison services with federal, state and local law enforcement agencies, the operation and maintenance of a radio communication network, an emergency “blue light” phone system, and the implementation and activation of emergency preparedness operations. Occasionally, off-duty Town of Poughkeepsie Police Department officers will supplement our security operations. The Office of Safety & Security is at all times responsive to the needs and concerns of all members of the campus community.

All security officers receive formal training in compliance with the guidelines provided by the New York State Department of Criminal Justice Services. In addition, officers receive training in campus security procedures and techniques, as well as basic first aid, CPR, fire safety and crime prevention measures.

Reporting Incidents or Emergencies

Students, faculty and staff are encouraged to promptly and accurately report all suspicious activity, criminal incidents or emergencies by calling the Office of Safety & Security at (845) 471- 1822 or (845) 575-5555 from any campus phone. Reports may also be filed in person at the

24-hour security office in Donnelly Hall. Incidents may also be reported to any security officer. The motto of the Office of Safety & Security at Marist College is “If you see something, say something.” This motto conveys the message that safety at Marist College is everyone’s responsibility.

Response to Reported Incidents

Persons reporting an incident will be interviewed and advised of their options. Depending on the severity of the incident, the Office of Safety & Security will conduct an investigation, which may require police involvement depending on the circumstances. Additionally, reports may be sent to the Student Affairs office for review and potential action. Dispatchers are available at the number listed above twenty-four hours a day to answer your call. In response to a call, the Office of Safety & Security will take the required action, either dispatching an officer or asking the complainant to come to the Office of Safety & Security to make an incident report. All reported crimes will be investigated by the college and/or a law enforcement agency. All incident reports completed by the Office of Safety & Security are forwarded to the Director of Student Conduct for review and potential referral for judicial action, as appropriate. The Office of Safety & Security will investigate a report when additional investigation is deemed appropriate. Additional information obtained as a result of the investigation will also be forwarded to the Director of Student Conduct. If assistance is required from the Town of Poughkeepsie Police Department or Fairview Fire Department, the Office of Safety & Security will contact the appropriate department. In the event of a reported sexual assault or rape, security staff will offer the victim a wide array of services. Students, faculty and staff should report criminal offenses to the Office of Safety & Security in order for staff to evaluate the offense to determine if the campus community should be warned, as well as for inclusion in the annual statistical crime disclosure.

Confidential Reporting

If you are the victim of a crime and do not wish to pursue action within the Marist College judicial system or the NY state criminal justice system, we encourage you to make a confidential report. The college can file a report on the details of the incident without revealing your identity while still informing the campus community that an incident has occurred. The purpose of a confidential report is to comply with your wishes to keep a matter confidential, while taking steps to enhance the future safety of yourself and others, and for inclusion of the incident in the annual disclosure of crime statistics. For those wishing to do so, reports may be filed on a confidential basis by contacting any of the following:

Vice President and Dean for Student Affairs	(845) 575- 3515
Director of Housing and Residence Life	(845) 575-3307
Director of the Office of Safety & Security	(845) 471-1822
Sr. Asst. Dir. of the Office of Safety & Security	(845) 471-1822
Asst. Dir. of the Office of Safety & Security	(845) 471-1822
Director of Health Services	(845) 575-3270
Director of College Activities	(845) 575-3279

Director of Athletics

(845) 575-3304

All of the individuals listed above are considered campus security authorities and, as such, are required to report certain crime statistics to the Office of Safety & Security for inclusion in the annual crime statistics. However, they are not required to reveal the victim's name when reporting the crime statistic.

Pastoral and professional counselors, if and when they deem appropriate, are asked to inform the persons they are counseling of the procedures to report crimes on a voluntary and confidential basis for inclusion in the annual disclosure of crime statistics. However, information that is shared with a professional or pastoral counselor is confidential and is not required to be reported to the Office of Safety & Security. They may be contacted at the numbers below.

Director of Counseling (845) 575-3314

Office of Campus Ministry (845) 575-3000 x 2275

The Daily Crime Log

Marist College Office of Safety & Security maintains a Daily Crime Log (pursuant to the Clery Act) which is available to the public during normal business hours in the Safety & Security Office in Donnelly Hall, room 201.

Security Awareness & Crime Prevention Programs

Marist College begins making students aware of security programs at orientation to aid in the prevention of crimes. The college continues its efforts throughout the year in a range of security awareness and crime prevention activities sponsored by the Residence Life staff, the Office of Safety & Security, and various student groups. The student handbook outlines security programs and describes college policies regarding sexual assault, rape, drug and alcohol use, campus altercations, residence hall regulations, and motor vehicle registration and parking regulations.

Copies of the policies are available through the Office of Student Affairs or online at <http://www.marist.edu/studentlife/studentconduct/handbook/introduction.html>.

Residence halls also sponsor safety and security sessions on topics such as assault prevention, acquaintance rape, substance abuse, and emergency preparedness. Fire drills are also held throughout the year. Students and staff also receive regularly published security and safety information pertaining to campus security procedures and are reminded that security is a shared responsibility between each person and the college. Students and employees are encouraged to be responsible for their own safety as well as the safety of others. The Offices of Safety and Security and Housing and Residential Life periodically conduct a Crime Prevention Program called "Lock It or Lose It" in the Residence Halls. This program is designed to prevent the theft of property from rooms by reminding students of the importance of locking their rooms when they leave, even for short periods of time. A team from Security and Residence Life will walk through your Residence Hall and check to see if your room door has been left unlocked while no one is in the room. These checks may occur during the day or early evening. During their check

if our Team finds your room door left UNLOCKED, no one home, and some of your or your roommates' property easily susceptible to theft they will leave a bright yellow card with information about our program and the importance of locking your room door at all times.

Personal Safety Tips

The following personal safety tips are applicable on campus as well as off. Personal safety needs to be a personal commitment. Follow the tips below and you will reduce the likelihood of becoming a crime victim.

1. Take an active role in your personal safety. Personal safety starts with you.
2. Remember that a college campus is part of the real world. A crime can occur anywhere, involve anyone, and take place at any time.
3. Keep emergency numbers near or on your phone. (Many people create a contact in their cell phone labeled “ICE” which is an acronym for “in case of emergency.”)
4. Report all suspicious activity, thefts, and other criminal activity immediately.
5. Follow your instinct and intuition, and trust them. If a person or circumstance alarms you, don't disregard it.
6. Be aware of your surroundings. At night, walk in well-lit areas and try to avoid walking alone.
7. Never hitchhike and never pick up hitchhikers. Do not accept rides from strangers.
8. If approached while in your vehicle, close the windows and drive away when safe to do so. Keep your vehicle in good running condition. Always lock your car, and remove all packages and valuables.
9. Never give out personal information about yourself or others to strangers or over the phone or internet. When using a phone, face outward to be aware of what is happening around you.
10. Do not attach your college ID or your home address to your key ring.
11. Do not leave books or personal property unattended in lounges, the dining hall or the library.
12. Report obscene or harassing phone calls to the Office of Safety & Security.
13. If you observe a crime, take note of any and all information that may be of assistance to security or the police. When possible, try to obtain a description of the individual who committed the crime, and a plate number of the vehicle used in the commission of the crime.
14. Think safety. Plan your daily schedule with your personal safety in mind.

Some “Do’s and Don’ts in residence halls:

Do

- Leave jewelry and valuable items home.
- Keep items brought to residence halls in a safe location.
- Keep doors and windows locked.

Don't

- Open doors to strangers.
- Prop open doors or alter them in any manner so that they will not close properly.
- Leave spare keys lying around.
- Dress in front of a window.
- Carry large amounts of cash.

Alcohol & Drugs

The Office of the Dean of Students provides programs to promote awareness of alcohol and drugs as potential threats to health and safety. All students are advised of Marist College's Code of Conduct and their obligations under the code. The code spells out policies that prohibit the illegal use of alcohol or other drugs, disorderly conduct, harassment of others, hazing, and any other behavior by which a student may injure himself, herself or others. Possession, use, sale and consumption of alcoholic beverages by persons under the age of twenty-one (21) years of age is not permitted on college property. Laws of the state of New York govern the possession, sale, use and furnishing of alcohol, and are enforced by the local police agencies. The possession, use, sale, manufacture or distribution of any controlled substance is illegal under both state and federal law, and is enforced by federal, state and local law enforcement agencies. All students are given notice that the student Code of Conduct is located on the college's web portal and are encouraged to become familiar with its content. The Code of Conduct, which includes drug and alcohol information, applicable legal sanctions and other information, can be viewed at <https://www.marist.edu/studentlife/studentconduct/handbook/codeofconduct.html>.

The Drug Free Schools and Communities Act Amendments of 1989 require that Marist, as a recipient of federal funds, including federally provided student financial aid, notify its students and employees annually that the unlawful possession, use, or distribution of alcohol and illicit drugs on college property is prohibited and that campus and community drug counseling programs are available. This act and the provisions Marist has taken to conform to the Act can be found in the Marist student handbook and the Marist employee handbook.

Emergency Response and Evacuation Procedures

College campuses are generally safe communities and enjoy an environment that fosters learning. However, all college campuses are part of the larger world and crime, significant emergencies, or dangerous situations can happen anywhere. Marist recognizes these facts and has taken measures to minimize these risks to our community. The college conducts an annual exercise of its emergency management plan, documents the exercise, and uses the results to further enhance campus safety. As part of the college's Clery Act compliance efforts, general information about the college's emergency response and evacuation procedures is published each year. The exercise may be a full scale drill involving local emergency response personnel and other external sources, a tabletop exercise or any similar scenario that adequately tests the emergency management plan and enables college administrators to test its effectiveness. In addition, all campus buildings undergo at least one building evacuation per year. These evacuations are normally not announced, although they could be, and are designed to prepare the

building occupants for an organized evacuation in the event of an emergency.

All students and employees receive the Marist Campus Safety & Security Information Guide and additional copies are available in the Office of Safety & Security in Donnelly Hall, room 201.

What it means to “shelter in place”

“Sheltering-in-Place” provides protection from external hazards, minimizes the chance of injury and/or provides the time necessary to allow for a safe evacuation. This should be done by selecting a small interior room, if possible, with no windows or as few windows as possible.

When authorities issue directives to shelter-in-place, do not walk outdoors and take refuge indoors immediately.

A shelter-in-place order may be issued for several reasons:

- Active shooter incident
- Severe weather
- Hazardous materials
- Civil unrest
- Hostage situation
- Or any situation where it is best to stay where you are to avoid any outside threat

When you are directed to shelter in place, take the following actions:

- **STAY WHERE YOU ARE. DO NOT GO OUTSIDE UNDER ANY CIRCUMSTANCES. THERE ARE NO EXCEPTIONS TO A SHELTER IN PLACE DIRECTIVE.**
- **IF YOU ARE OUTSIDE, SEEK SHELTER IN THE CLOSEST BUILDING TO YOU AND DO NOT LEAVE THE BUILDING UNTIL DIRECTED BY POLICE OR SECURITY OR UNTIL AN "ALL CLEAR" IS ISSUED.**
- **DO NOT EVACUATE A BUILDING IF A FIRE ALARM IS ACTIVATED. SECURITY WILL ARRIVE, CHECK THE CAUSE OF THE ALARM AND IF NECESSARY, EVACUATION WILL BE UNDER CONTROLLED, PROTECTED, CONDITIONS.**
- ***Parent pick-up is not permitted during a shelter in place. Parents will be directed where to assemble until the situation ends.***
- Remain calm.
- Faculty should recommend to students and others not to leave and stay inside.
- If you are in a residence hall room, remain there.
- Select a small interior room, with no or as few windows as possible.
- Close and lock all windows, exterior doors, and any other openings that lead to the outside.
- Stay away from all windows and doors.
- Facilities personnel or trained personnel should shut down all building ventilation fans and air conditioners, when and if appropriate.

- If you are told there is danger of an explosion, close the window shades, blinds, or curtains.
- Select interior room(s) above the ground floor with the fewest windows or air vents.
- Rooms(s) should have adequate space for everyone to be able to sit down comfortably.
- Avoid overcrowding by selecting several rooms when necessary.
- If necessary depending on the situation, try to block the door with heavy furniture items, shut off lights, silence all cell phones and remain calm and quiet.

For severe weather and civil unrest:

- Stay inside and move away from windows.
- Close and lock all exterior doors and offices.
- For extreme weather, relocate to lower levels of the building if possible.

For external chemical, biological or radiological incidents:

- Stay inside and move to an inner corridor or office.
- Facilities personnel or trained personnel may shut down all building ventilation fans and air conditioners, when necessary and appropriate.
- Since many chemical agents are heavier than air and tend to hold close to the ground, move to higher levels of the building if possible to reduce the transfer of contaminated air from outside to inside.
- Remain alert for instructions and updates as they become available from emergency personnel and college administrators.

General Evacuation Procedures

At the sound of a fire alarm or if you are instructed to evacuate, quickly and safely leave your classroom or work area immediately, proceed to the nearest exit, and leave the building. If you are the first to recognize a fire situation, activate a fire alarm, evacuate to a safe location using the nearest exit, and notify the Office of Safety & Security at (845) 471-1822 or (845) 575-5555.

Remember to:

- Remain calm and answer the questions you are asked.
- Do not use elevators, use the stairs.
- Assist the physically impaired. If they are unable to exit without using an elevator, find a safe location near a stairwell and immediately inform Safety & Security or the responding Fire Department personnel of the individual's location.
- Proceed to a clear area that is at least one hundred (100) feet away from the building.
- Keep all walkways clear for emergency vehicles.
- Do not re-enter the building under any circumstances.

Muster and Head Count

Individuals in leadership positions should attempt to account for students, faculty, staff and visitors who are under their supervision at the time of the evacuation. Leadership positions may include:

- Faculty or instructors in the classroom
- Department heads
- Directors
- Supervisors

Once you have assembled at your designed meeting place, conduct a reasonable accounting of personnel. Inform responding security officers or emergency personnel if someone is unaccounted for, or if you suspect someone did not exit the building, and inform them of the missing person's description and last known location.

Immediate Notification

In the event of a confirmed significant emergency or dangerous situation occurring on campus and involving an immediate threat to the health or safety of students or employees, Marist College will immediately notify the campus community. The college will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification unless the notification will, in the professional judgment of responsible authorities, compromise the efforts to assist victims, or to contain, respond to or otherwise mitigate the emergency. Confirmation of an emergency will be accomplished by conferring with college departments and law enforcement agencies, if warranted. College officials responsible for carrying out this process are the Executive Vice President, Vice President of Student Affairs, and the Director of the Office of Safety & Security and senior staff members. In the event of an emergency, any of the above officials may designate another official of the college to carry out the duties of composing and distributing the immediate notification message. The manner in which the college community will be notified will depend on the nature of the emergency and may include one or more of the following: posted notices, verbal direction from college personnel, activation of a building's fire alarm system, e-mail communication, or MaristAlerts.

See the section below for instructions on how to enroll in MaristAlerts. In addition, information may be posted to the college's website or portal. The college may choose to notify only a segment of the college community if the emergency is localized and does not pose a threat to the entire campus. The decision to segment the message will be made through the conferral process described above. In cases where it would be appropriate to disseminate emergency information to the larger community around Marist College, the college's public information officer will work with local media outlets.

MaristAlerts

Marist College has implemented MaristAlerts, which is an emergency notification system that all students, faculty and staff are strongly encouraged to register for. MaristAlerts enables college officials to contact students, faculty and staff with time-sensitive information during campus

emergencies using voice calls, e-mails and text messaging. MaristAlerts will only be used under the emergency conditions defined in the MaristAlerts policy brochure. For more information and to register for this free service, please visit: <http://www.marist.edu/maristalerts/>.

Timely Warnings

Marist College is committed to making timely reports to the college community of crimes that occur on campus or on property owned or controlled by Marist College and used for institutional purposes and are reported to campus security authorities or local law enforcement and are determined to present a serious or on-going safety or security threat to students or employees.

Timely warning notices will be made available to students and employees of the college.

Usually, timely warning notices are issued for the following Uniform Crime Reporting Program (UCR) and National Incident Based Reporting System (NIBRS) classifications: major incidents of arson, criminal homicide and robbery. Cases of aggravated assault and sex offenses are considered on a case-by-case basis, depending on the facts of the case and information known by the Office of Safety & Security. For example, if an assault occurs between two students who have a disagreement, there may be no on-going threat to other Marist community members and a timely warning notice would not be distributed. In cases involving sexual assault, the victims often report the incident a significant time period after it occurred, thus there is no ability to distribute a timely warning to the community. Sex offenses will be considered on a case by case basis depending on when and where the incident occurred, when it was reported, and the amount of information known by the Office of Safety & Security.

In most instances, “timely warning” notices are written and distributed by the Director of Safety & Security or an Assistant Director of Safety & Security, but they may also originate from the Executive Vice President or Offices of Public Affairs, Academic Affairs, or Student Affairs Offices. The warnings may be issued via MaristAlerts, e-mail, the college website, posted notices, or face to face communication. The warning may also be posted on the college website and/or shared with the media via a press release. The decision to issue a timely warning will be made on a case by case basis after due consideration of the facts known at that time.

Difference between “Immediate Notification” and a “Timely Warning”

According to federal law, the timely warning applies only to crimes reported in the statistics section of the annual Security Report, while the immediate notification procedure applies to a much wider set of circumstances. For example, an immediate notification may be necessary in the event of a non-criminal event such as impending hazardous weather or some other dangerous condition.

Access to and Security of Campus Facilities

Marist has taken a pro-active approach to prevent unauthorized access to campus facilities.

However, during normal business hours academic and administrative buildings are open and accessible to guests and visitors. The Office of Safety & Security maintains staffed stations in the freshman residential facilities, where proper identification is required for entry to both

buildings. Additionally, the college utilizes closed circuit video cameras at select locations. All student rooms on ground floors are equipped with tamper resistant security screens. As part of their routine patrol assignments, security officers regularly check entrance doors to residential facilities to ensure that they are in proper working order and not propped open. Access to residential facilities is restricted to building residents and their authorized guests.

Maintenance of Campus Facilities

The Office of Safety & Security also conducts regular campus safety inspections to identify and correct safety hazards in and around campus facilities. Security officers, in addition to performing routine patrol assignments and responding to requests for service, are also required to report security related problems such as broken windows, malfunctioning lights and locks to ensure the proper operation of campus alarm systems, and to make sure the shrubbery and trees are trimmed on a regular basis. Members of the college community are encouraged to report these types of issues so they can be promptly addressed.

Other Marist Security Services

An on-campus security escort service known as “S.N.A.P.” is available by dialing the “S.N.A.P” extension (x7627) from an on-campus phone. The Office of Safety & Security also provides a centralized lost and found center, and security officers will provide escort to the off-campus housing location during hours of darkness.

Marist’s Policy Regarding Sex Offenses

Marist condemns sexual assault, rape and other forms of non-consensual sexual activities. These offenses violate the student code of conduct, as well as New York State law. The college does its utmost to prevent sexual violence through education and safety precautions, and to provide support and appropriate services to any student involved in an incident of sexual assault. All new students are given an orientation session on rape and sexual violence prevention. Follow-up programs are offered throughout the academic year and are open to all members of the Marist community. The college prohibits sexually aggressive behavior (see general college policies in the student handbook or on the college’s website). Students in violation of these standards will be subject to disciplinary action, including possible dismissal from the college. In addition, violators may be subject to criminal charges.

If a sex offense occurs, the college strongly encourages the victim to:

- Report it to the Office of Safety & Security as soon as possible.
- Get medical attention. Contact Health Services or a local hospital. Not all injuries or exposure to disease are immediately apparent, and evidence needs to be collected in the event criminal charges are pursued. All available physical evidence should be preserved as it may be necessary for subsequent criminal proceedings or disciplinary action.
- Get emotional support. Assistance and counseling are available on campus through the Counseling Center and Student Affairs.

- Consider your options to press charges. Among your choices are the campus disciplinary system, criminal charges (by notifying the appropriate police agency) and/or civil action. Such civil action may include obtaining an order of protection from a court having jurisdiction over such matters. Assistance is available from the Counseling Center, the Office of Student Affairs, the Director of Resident Life, Health Services, and the Director or Asst. Directors of Safety & Security. Such assistance may include notifying the appropriate authorities on behalf of the student. Additionally, non-college mental health counseling agencies are also available for victims of sexual assault.

On-campus disciplinary action in cases of an alleged sexual offense allows that:

1. The accuser and the accused are entitled to the same opportunities to have others present during a campus disciplinary proceeding.
2. Both the accuser and the accused shall be informed of the outcome of any campus disciplinary proceeding alleging a sexual offense.
3. Changes in academic and living situations (after an alleged assault) may be possible if requires by the victim and these changes are reasonably available.
4. Sanctions may be imposed, up to and including dismissal from the college for the alleged offender.

Marist College has taken comprehensive measures to reduce the likelihood that anyone will be involved in an incident of sexual violence. However, if it does happen, people are here to help.

Title IX Coordinator

Individuals may also report a sex offense to Marist's Title IX coordinator. This office is responsible for coordinating the institution's compliance with Title IX. The Title IX coordinator is Christina Daniele, Human Resources Manager, located at Human Resources in room 120 of Donnelly Hall. Marist's sexual harassment policy, including a description of the grievance procedures, can be found in the Student Handbook and the Employee Handbook at <https://www.marist.edu/humanresources/harassment.html>

The college will, upon written request, disclose to the alleged victim of a crime of violence or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by the institution against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph.

The following is an excerpt from Section XI of the Student Handbook, titled "Code of Student Conduct-Sanctions," and lists all possible sanctions permissible under the Code:

The following sanctions may be imposed, by a conduct body, upon any student found to have violated the Code of Student Conduct.

1. **Written Warning.** Written notice to the student that his/her actions are inappropriate and the individual must act more responsibly in the future. A Written Warning also indicates

that should the individual again be referred for disciplinary action more serious sanctions will be assigned.

2. **Probation.** A notice to the student that his/her actions are of a serious nature within the College community. Probation shall be for a designated period of time and includes the probability of more severe disciplinary sanctions if the student is found to be violating any College policies during the probationary period. For resident students, any violation committed during the probationary period will result in a review of the student's housing assignment. This sanction results in the loss of two (2) priority points.
3. **Disciplinary Probation.** A notice to the student that his/her actions are unacceptable within the College community. This sanction shall be primarily used in cases of serious or consistent policy violations. Disciplinary Probation shall be for a designated period of time and includes the probability of more severe disciplinary sanctions if the student is found to be violating any College policies during the probationary period. Any violation committed during the probationary period will result in a review of the student's status at Marist. This sanction results in the loss of three (3) priority points.
4. **Deferred Suspension from the Residence Hall.** A definite period of observation and review. If a student is again found responsible for any further College policy violations including failure to complete previously imposed sanctions or adhere to previously imposed conditions, restriction from College-operated housing and housing grounds will be immediately imposed for a definite period of time. This sanction results in the loss of four (4) priority points. Any student on Deferred Residence Hall Suspension may not be allowed to participate in the housing room selection process and therefore not be eligible for college housing.
5. **Residence Hall Dismissal.** Permanent removal of the student from the residence facility. This sanction most likely will result in permanent ban from all residence facilities. (Please note that students dismissed from the residence facility for disciplinary reasons will not be entitled to any refund of residence fees).
6. **Deferred Suspension from the College.** A definite period of observation and review. If a student is again found responsible for any further College policy violations including failure to complete previously imposed sanctions or adhere to previously imposed conditions, at minimum, the student will automatically be recommended for suspension for a minimum of one semester. This sanction results in the loss of six (6) priority points.
7. **Disciplinary Suspension.** A recommendation to the Suspension Review Panel which calls for the separation of the student from the College for a definite period of time, after which the student is eligible to return. Conditions for readmission may be specified. The Suspension Review Panel shall review the recommendation and determine the final sanction, pending appeal. (Please note that students suspended for disciplinary reasons will not be entitled to any refund of tuition or residence fees). Unless otherwise noted, students who are suspended for disciplinary reasons are banned from all College grounds, facilities, classes and college sponsored activities on or off campus for the duration of the suspension.
8. **Disciplinary Dismissal.** A recommendation to the Suspension Review Panel that calls for permanent separation of the student from the College. The Suspension Review Panel shall review the recommendation and determine the final sanction, pending appeal. (Please note that students dismissed for disciplinary reasons will not be entitled to any refund of tuition or residence fees). Unless otherwise noted, students dismissed for

disciplinary reasons are also banned from all College grounds, facilities, classes and college sponsored activities on or off campus.

9. **Loss of Privileges.** Denial of specified privileges for a designated period of time. These include, but are not limited to:
 - a. A restriction from hosting visitors and/or guests.
 - b. A restriction from being a visitor in or entering a specified Residence Facility.
 - c. Restriction from College-sponsored extracurricular activities both on and off campus (including Senior Week and Commencement).
 - d. Other restrictions, as approved by the Student Conduct Officer.
10. **Substance Education Program.** A workshop, in person or online, addressing substance abuse education issues. Referral to an off-campus education diversion program may also be recommended.
11. **Restitution.** Compensation for loss, damage or injury. This may take the form of appropriate community service and/or monetary or material replacement.
12. **Monetary Fines.** The College generally does not impose fines for violations of the Code of Student Conduct. However; fines will be imposed for violations that impact the health and/or safety of members of the Marist Community. Please refer to the Alcohol Policy, Windows/Doors, Walls Policy, and the Fire and Safety Regulations for specific information.
13. **Mandated Room Reassignment.** A notice that the behavior merits the immediate relocation of the student to another campus residence. This decision will be made in conjunction with the Office of Housing and Residential Life.
14. **Mandated Counseling Assessment and Compliance.** The student must attend an assessment and/or session in the Counseling Center or an off-campus licensed facility by a specific date. Unless otherwise stated by the student conduct body, the student is required to follow all recommendations made by the Counseling Center or off-campus licensed facility as a result of the assessment.
15. **Discretionary Sanctions.** Work assignments, community service, and other related sanctions that meet with the approval of the Director of Student Conduct. Other sanctions include but are not limited to:
 - a. Letters of apology/thank you
 - b. Essay or research paper on assigned topics
 - c. Disqualification from future housing selection process
 - d. Program presentations

New York State Sex Offender Registry

Federal regulations require colleges and universities to advise the campus community where it can obtain information about registered sex offenders. This information is provided by the New York State Division of Criminal Justice Services, and is provided to the local law enforcement community and the general public, upon request. Individuals who wish to obtain this information may visit the New York State Division of Criminal Justice Services website at <http://www.criminaljustice.ny.gov>. New York State also maintains a sex offender registry

information line (1-800-262-3257) where persons can call and determine whether an individual is a convicted sex offender who is required to register. Additionally, the Town of Poughkeepsie Police Department may be able to provide basic information about the NYS sex offender registry program. They can be contacted at (845) 485-3666.

Missing Student Notification

Marist College has a policy and procedure in place pertaining to the investigation of students reported missing. According to the Higher Education Opportunity Act (HEOA) the college must investigate the whereabouts of a missing student and notify the appropriate authorities. If, after a preliminary investigation by Marist Office of Safety & Security, the missing person has not been located and his/her personal safety cannot be verified, the Office of Safety & Security will notify the appropriate law enforcement agency within two (2) hours of receiving the report. Written “Memorandums of Understanding” (M.O.U.’s) with local police agencies regarding the investigation of missing student cases are on file in the Office of Safety & Security.

Upon learning of a missing student, any student, faculty, administrator or staff member must immediately notify the Office of Safety & Security at x#2282 or (845) 471-1822. All students residing in on-campus student housing have the option of providing a confidential contact person to be notified in the event the student is reported missing. This information will be collected each year and may be updated via the college web portal as needed at <https://www.marist.edu/security/confidentialcontact.html>. Only authorized college officials and law enforcement officers in the furtherance of a missing person investigation may have access to this information. Individuals who believe that a resident student has been missing for 24 hours should report this information to the Office of Safety & Security, the Office of Residence Life or the Office of the Dean of Students. If a report of a missing resident student is received by another person or college department, the matter must be referred immediately to the Office of Safety & Security for investigation. Other departments, including Residence Life and Student Affairs will assist in the investigation. The college reserves the right to contact the confidential contact person in order to obtain information on the possible whereabouts of the missing student.

Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act

Marist is a Safe Community

Marist College has been successful in establishing a safe environment for students, faculty, staff members and guests of the college, and has established programs to provide in-house counseling, referrals and campus disciplinary measures to deal with violations of college policies and appropriate laws. Under the federal law entitled “Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act” statistics regarding major crimes “reported” to campus security authorities must be published for the past three (3) calendar years. A crime is “reported” when it is brought to the attention of a campus security authority or the local police. It is not necessary for the crime to have been investigated by the police of campus security, nor must a finding of guilt or responsibility be made. Information in this report was obtained from the files of the Office of Safety & Security, the Office of Student Affairs and the law enforcement agencies that surround our main campus and alternate sites. The following figures represent the

number of incidents, as reported to the Office of Safety & Security, campus security authorities and law enforcement agencies in accordance with the Clery Act. Any questions regarding these figures should be addressed to the Dean of Students or the Director of the Office of Safety & Security.

Fire Safety at Marist College

Marist College conducts two (2) supervised fire drills of each residence hall and academic building each semester in accordance with New York State Fire Code.

[View the Fire Safety Video](#)

Campus Fire Prevention Policies

The following policies are part of the Student Handbook relative to fire safety:

- No open flames in any of the residence hall areas to include open burning candles, decorative candles, and incense burning devices
- No smoking in any campus building (and 25 feet from the entrance to any campus building)
- Hallways, stairways, and common areas are to be kept clear of any storage materials, flammable or other materials
- Extension cords are prohibited
- Halogen light fixtures are prohibited
- All fire doors must be kept closed
- Portable electrical appliances, including hotplates and other cooking appliances, are prohibited
- Tampering with fire safety equipment (i.e. smoke detectors, fire extinguishers, sprinklers, or exit signs) is prohibited and may result in a college fine of up to \$150.00, disciplinary action including residence hall dismissal, and/or criminal prosecution.
- The fine for smoking in a dorm room (residence hall) is \$250.00.

Procedures Students and Employees Should Follow in Case of a Fire

If you discover or suspect a fire, immediately notify others present and evacuate the building using the nearest available exit. Close the door to the affected area and do not attempt to fight a fire unless you have been trained to do so. Activate the building's fire alarm by use of the nearest fire alarm pull station or verbally sounding the alarm and knocking on doors as you evacuate the building by the nearest exit. Do not use elevators. Dial 911 immediately and then notify the Office of Safety & Security by dialing x5555 from any campus phone, or if using a cell phone call (845) 471-1822, and inform authorities of the situation and your location. DO NOT re-enter the building for any reason until given clearance to do so from the Office of Safety & Security or another emergency responder on the scene. If a member of the Marist community finds evidence of a fire that has been extinguished, and that person is not sure if the Office of Safety & Security has already responded, the community member should immediately notify the Office of Safety & Security so that the incident can be investigated and documented in

the annual fire safety report. If a person's clothing catches fire, douse the individual with water or have the individual drop to the floor and roll. If necessary, restrain the person and roll them around on the floor to smother the flames. If possible, cover them with a jacket or blanket before rolling them on floor to help smother the flames.

Student Housing Evacuation

When a fire alarm sounds all persons inside a student residence hall must evacuate the building.

DO NOT use elevators, and move to the nearest available exit. Move far away from the building to place yourself out of danger and to allow fire and emergency responders to arrive and conduct operations, if necessary. In the event of a long-term displacement from a residence hall, residents will be advised of a location to relocate to.

Fire Safety Education Programs

The following programs are conducted annually to ensure awareness by the Marist Community of appropriate proactive and reactive fire safety practices.

- Fire safety information is provided to incoming students during fall and spring semester orientation programs as part of our campus safety programs
- Residence life staff is required to attend training conducted by the Fairview Fire Department annually
- Members of the Office of Safety and Security attend residence hall and other campus group meetings relative to fire safety programs

Future Improvements to Fire Safety Systems

Marist College continually evaluates its fire safety systems and makes additions or upgrades to the system as they become necessary.

Daily Fire Log

Marist College maintains a daily fire log which is available to the public during normal business hours. The log is maintained at the Office of Safety & Security in Donnelly 201.

Fire Alarm Systems

All buildings are equipped with fire alarm systems. All systems are tested and inspected annually by a New York State certified fire alarm installer. All fire alarm systems are monitored 24/7 off campus by a central monitoring station as well as by the Safety and Security Office on campus.

Fire alarm pull stations are located near the exits. The college is equipped with fire sprinklers in most buildings and all systems are inspected quarterly in accordance with the Fire Code of New York State. As buildings are renovated or remodeled sprinkler systems are added per NYS Fire Code. All buildings are in compliance with NYS Building and Fire Codes.

Appliances, Open Flames Barbeque Grills, etc:

- Both the possession and use of halogen lamps, hot pots, hot plates, broiler ovens, fry pans, popcorn makers, space/portable heaters, coffee urns, immersion heaters, toasters (except in townhouse and apartment kitchens), air conditioners and similar portable equipment are forbidden in all residence areas. Violations of this policy will result in judicial action and confiscation of the appliance.
- Students are permitted one refrigerator (no larger than 3.6 cubic feet and UL rated) in each room. Students in residence halls are permitted one microwave (no larger than 700 watts and UL rated) per room.
- All electrical equipment, when being used, may only plug directly into a wall outlet or a UL-rated power surge protector which is plugged into a wall outlet. Possession of extension cords is not allowed.
- Open flames - (candles, blow torches, lanterns, etc.) is not permitted anywhere in the residence areas. Use of incense is also prohibited. Candles are not permitted even for decoration purposes.
- Students are permitted to use portable barbecue grills on college grounds only if proper safety precautions are observed. No barbecue grill is allowed to be used or stored within 15 feet of any structure or overhang.

Campus Housing Fire Safety Information- The information below reflects the types and outcomes of fire calls in our campus residence halls.

Annual Fire Report 2015

Building	Category*	Injuries	Deaths	Damage (\$)
Sheahan Hall	0	0	0	0
Leo Hall	0	0	0	0
Champagnat Hall	0	0	0	0
Midrise Hall	0	0	0	0
Marian	0	0	0	0
Foy Townhouses (A-C)	D	0	0	1000-9999
Upper New (H&I)	0	0	0	0
Lower Townhouses (J-M)	1-A	0	0	0
Gartland Commons	0	0	0	0
Lower West Cedar (N-S)	1-A	0	0	0
Upper West Cedar (T-Y)	0	0	0	0
Talmadge Court	0	0	0	0
Upper Fulton (1-8)	0	0	0	0
Lower Fulton (9-15)	1-A	0	0	0

Annual Fire Report 2014

Building	Category*	Injuries	Deaths	Damage (\$)
Sheahan Hall	0	0	0	0
Leo Hall	0	0	0	0
Champagnat Hall	1-2*	0	0	0-99
Midrise Hall	0	0	0	0
Marian	0	0	0	0
Foy Townhouses (A-C)	0	0	0	0
Upper New (H&I)	0	0	0	0
Lower Townhouses (J-M)	1-1A*	0	0	1000-9999
Gartland Commons	1-1A*	0	0	0-99
Lower West Cedar (N-S)	0	0	0	0
Upper West Cedar (T-Y)	0	0	0	0
Talmadge Court	0	0	0	0
Upper Fulton (1-8)	0	0	0	0
Lower Fulton (9-15)	0	0	0	0

Annual Fire Report 2013

Building	Category*	Injuries	Deaths	Damage (\$)
Sheahan Hall	0	0	0	0
Leo Hall	0	0	0	0
Champagnat Hall	0	0	0	0
Midrise Hall	0	0	0	0
Marian	0	0	0	0
Foy Townhouses (A-C)	0	0	0	0
Upper New (H&I)	0	0	0	0
Lower Townhouses (J-M)	1-A	0	0	0
Gartland Commons	0	0	0	0

• Apt. D-2	1-A	0	0	\$1000.00
• Apt. F-5	1-A	0	0	0
Lower West Cedar (N-S)	0	0	0	0
Upper West Cedar (T-Y)	1-A	0	0	0
• W-5	1-A	0	0	\$3000.00
• Y-4	1-D	0	0	\$3000.00
Talmadge Court	0	0	0	0
Upper Fulton (1-8)	0	0	0	0
Lower Fulton (9-15)	1-A	0	0	0

***Categories:**

1. Unintentional Fire

- A. Cooking
- B. Smoking Materials
- C. Open Flames
- D. Electrical
- E. Heating Equipment
- F. Hazardous Products
- G. Machinery/Industrial
- H. Natural
- I. Other

2. Intentional Fire

3. Undetermined Fire

Fire Safety Systems in Residence Facilities at Marist College

Residence Building	Sprinkler System (Full System)	Alarm Monitoring Done on Site & Off Campus Monitoring	Smoke Detection	Fire Extinguisher Devices	Evacuation Plans & Placards	# of Evacuation (fire) drills each calendar year
Champagnat	Yes	Yes	Yes	Yes	Yes	4
Fulton Townhouse 1, 2, 3, 4, 5, 6, 7, & 8	Yes	Yes	Yes	Yes	Yes	4
Foy Townhouse A, B, & C	Yes	Yes	Yes	Yes	Yes	4
New Gartland Building A	Yes	Yes	Yes	Yes	Yes	4
Leo Hall	Yes	Yes	Yes	Yes	Yes	4
Lower Fulton 9, 10, 11, 12, 13, 14, & 15	Yes	Yes	Yes	Yes	Yes	4
Lower Townhouse J, K, L, & M	Yes	Yes	Yes	Yes	Yes	4
Lower West Cedar N, O, P, Q, R, & S	No	Yes	Yes	Yes	Yes	4
Marian Hall	No	Yes	Yes	Yes	Yes	4
Marriot Residence Inn	Yes	Yes	Yes	Yes	Yes	4
Mid-Rise	Yes	Yes	Yes	Yes	Yes	4
Sheahan Hall	Yes	Yes	Yes	Yes	Yes	4
Talmadge Court 1, 2, & 3	No	Yes	Yes	Yes	Yes	4
Upper New Townhouse H & I	Yes	Yes	Yes	Yes	Yes	4
Upper West Cedar T, U, V, W, X, & Y	No	Yes	Yes	Yes	Yes	4

For the purposes of the above chart, “sprinkler system” shall mean a system of piping and appurtenances designed and installed in accordance with generally accepted standards so that heat from a fire will automatically cause water to be discharged over the fire area to extinguish it or prevent its further spread. (Sec. 155 of the NYS Executive Law)

All campus sprinkler systems are inspected quarterly by a private contractor as required by NYS Fire code.

Fire alarm and sprinkler inspection reports are reviewed by the NYS Inspector during the annual state fire inspection.

JEANNE CLERY DISCLOSURE OF CAMPUS SECURITY POLICY AND CAMPUS CRIME STATISTICS ACT

Under the federal law entitled "Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act," statistics regarding major crimes "reported" to campus security authorities must be published for the past three calendar years. A crime is "reported" when it is brought to the attention of a campus security authority or the local police. It is not necessary for the crime to have been investigated by the police or campus security, nor must a finding of guilt or responsibility be made. Information in this report was obtained from the files of the Office of Safety and Security, the Office of Student Affairs and the law enforcement agencies that surround our main campus & alternate sites.

Clery Act Crime Definitions

Federal Bureau of Investigation Uniform Crime Reporting/National Incident-Based Reporting System Crime Definitions

Excerpted from the Implementing Regulations of the "Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act" (originally the Campus Security Act) originally published in the Federal Register on April 29, 1994 (Vol. 59, No. 82) and November 1, 1999 (Vol 64, No. 210).

The following definitions are to be used for reporting the crimes listed in 34 CFR sec. 668.46 (previously 668.47) in accordance with the Federal Bureau of Investigation's Uniform Crime Reporting Program. The definitions for murder, robbery, aggravated assault, burglary, motor vehicle theft, weapon law violations, drug abuse violations and liquor law violations are excerpted from the Uniform Crime Reporting Handbook. The definitions of forcible and nonforcible sex offenses are excerpted from the National Incident-Based Reporting System Edition of the Uniform Crime Reporting Handbook.

Crime Definitions from the Uniform Crime Reporting Handbook:

Arson

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

Criminal Homicide-Manslaughter by Negligence

The killing of another person through gross negligence.

Criminal Homicide-Murder and Nonnegligent Manslaughter

The willful (nonnegligent) 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 or threat of force or violence and/or by putting the victim in fear.

Aggravated Assault

An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. (It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could and probably would result in serious personal injury if the crime were successfully completed.)

Burglary

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

Motor Vehicle

Theft The theft or attempted theft of a motor vehicle (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned, and including joyriding)

Weapon Law Violations

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

Drug Abuse Violations

Violations of State and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (demerol, methadones); and dangerous nonnarcotic drugs (barbituates, benzedrine).

Liquor Law Violations

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

Sex Offenses Definitions From the National Incident-Based Reporting System Edition of the Uniform Crime Reporting Program

Sex Offenses-Forcible

Any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent.

1. **Forcible Rape** - The carnal knowledge of a person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity (or because of his/her youth).
2. **Forcible Sodomy** - Oral or anal sexual intercourse with another person, forcibly and/or against that person's will; or not forcibly against the persons will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.
3. **Sexual Assault With An Object** - The use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.
4. **Forcible Fondling** - The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will; or, not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental incapacity.

Sex Offenses-Nonforcible

Unlawful, nonforcible sexual intercourse.

1. **Incest**-Nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
2. **Statutory Rape**-Nonforcible sexual intercourse with a person who is under the statutory age of consent.

Sexual Assault

The Campus SaVE Act defines sexual assault, which—unlike domestic violence, dating violence, or stalking—was previously included as a Clery-reportable crime, as “an offense classified as a forcible or non-forcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.”

Domestic Violence

Felony or misdemeanor crimes of violence committed by a current or former spouse 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, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction... 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.

Dating Violence

Violence committed by a person —

1. who is or has been in a social relationship of a romantic or intimate nature with the victim; and
2. where the existence of such a relationship shall be determined based on a consideration of the following factors:
 1. the length of the relationship
 2. the type of relationship
 3. the frequency of interaction between the persons involved in the relationship

Stalking

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

1. fear for his or her safety or the safety of others; or
2. suffer substantial emotional distress

Hate Crimes

Crimes involving bodily injury to any person in which the victim is intentionally selected because of the actual or perceived race, gender, gender identity, religion, sexual orientation, ethnicity, national origin, or disability of the victim.

The reported crimes and relevant statistics follow for the three (3) Marist College Campuses:

- 1) Poughkeepsie (Main) Campus
- 2) Fishkill Extension Campus
- 3) Florence, Italy Campus

Campus: Poughkeepsie Campus - Criminal Offenses for 2013, 2014, 2015

Offense	Year	Geographic Location			
		On Campus Property	On-Campus Student Housing	Non-Campus Property	Public Property
Murder/Non-Negligent Manslaughter	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
Manslaughter by Negligence	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
Rape	2013	0	2	0	0
	2014	0	4	0	0
	2015	0	4	0	0
Fondling	2013	0	0	0	0
	2014	0	1	0	0
	2015	0	0	0	0
Incest	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
Statutory Rape	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
Robbery	2013	0	0	0	0
	2014	0	0	0	0
	2015	1	0	0	0
Aggravated Assault	2013	0	0	0	0
	2014	1	0	0	0
	2015	2	0	0	0
Burglary	2013	0	11	0	0
	2014	0	8	0	0
	2015	0	6	0	0
Motor Vehicle Theft	2013	1	0	0	0
	2014	2	0	0	0
	2015	1	0	0	0
Arson	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0

There were no unfounded crimes in 2015. No hate crimes reported in 2015.

Poughkeepsie Campus- VAWA Offenses for 2013, 2014 & 2015

Offense	Year	Geographic Location			
		On Campus Property	On-Campus Student Housing	Non-Campus Property	Public Property
Domestic Violence	2013	0	0	0	0
	2014	1	0	0	0
	2015	0	0	0	0
Dating Violence	2013	2	2	0	0
	2014	2	0	0	0
	2015	0	2	0	0
Stalking	2013	1	0	0	0
	2014	1	0	0	0
	2015	0	0	0	0

Poughkeepsie Campus- Arrests and Disciplinary Referrals for 2013, 2014 & 2015

Offense	Year	Geographic Location			
		On Campus Property	On-Campus Student Housing	Non-Campus Property	Public Property
Arrests-Weapons: Carrying, Possessing, etc.	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
Disciplinary Referrals-Weapons: Carrying, Possessing, etc.	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
Arrests: Drug Abuse Violations	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
Disciplinary Referrals: Drug Abuse Violations	2013	60	52	0	0
	2014	89	81	0	0
	2015	69	69	0	0
Arrests: Liquor Law Violations	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
Disciplinary Referrals: Liquor Law Violations	2013	494	488	0	0
	2014	499	491	0	0
	2015	383	383	0	0

Fishkill Campus - Criminal Offenses for 2013, 2014, 2015

Offense	Year	Geographic Location			
		On Campus Property	On-Campus Student Housing	Non-Campus Property	Public Property
Murder/Non-Negligent Manslaughter	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
Manslaughter by Negligence	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
Rape	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
Fondling	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
Incest	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
Statutory Rape	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
Robbery	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
Aggravated Assault	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
Burglary	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
Motor Vehicle Theft	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
Arson	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0

Fishkill Campus- VAWA Offenses for 2013, 2014 & 2015

Offense	Year	Geographic Location			
		On Campus Property	On-Campus Student Housing	Non-Campus Property	Public Property
Domestic Violence	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
Dating Violence	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
Stalking	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0

Fishkill Campus- Arrests and Disciplinary Referrals for 2013, 2014 & 2015

Offense	Year	Geographic Location			
		On Campus Property	On-Campus Student Housing	Non-Campus Property	Public Property
Arrests-Weapons: Carrying, Possessing, etc.	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
Disciplinary Referrals-Weapons: Carrying, Possessing, etc.	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
Arrests: Drug Abuse Violations	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
Disciplinary Referrals: Drug Abuse Violations	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
Arrests: Liquor Law Violations	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
Disciplinary Referrals: Liquor Law Violations	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0

Campus: Florence (Italy) Campus - Criminal Offenses for 2013, 2014, 2015

Offense	Year	Geographic Location			
		On Campus Property	On-Campus Student Housing	Non-Campus Property	Public Property
Murder/Non-Negligent Manslaughter	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
Manslaughter by Negligence	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
Rape	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
Fondling	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
Incest	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
Statutory Rape	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
Robbery	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
Aggravated Assault	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
Burglary	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
Motor Vehicle Theft	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
Arson	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0

Florence (Italy) Campus- VAWA Offenses for 2013, 2014 & 2015

		Geographic Location			
Offense	Year	On Campus Property	On-Campus Student Housing	Non-Campus Property	Public Property
Domestic Violence	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
Dating Violence	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
Stalking	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0

Florence Campus- Arrests and Disciplinary Referrals for 2013, 2014 & 2015

		Geographic Location			
Offense	Year	On Campus Property	On-Campus Student Housing	Non-Campus Property	Public Property
Arrests-Weapons: Carrying, Possessing, etc.	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
Disciplinary Referrals-Weapons: Carrying, Possessing, etc.	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
Arrests: Drug Abuse Violations	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
Disciplinary Referrals: Drug Abuse Violations	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
Arrests: Liquor Law Violations	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
Disciplinary Referrals: Liquor Law Violations	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0

2013 Amendments to the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act- The “SaVE” Act and VAWA Section 304 Amenements

The campus “SaVE” Act was passed in March of 2013 as part of the Violence Against Women Reauthorization Act (VAWA) and applies to all institutions of higher education that participate in financial aid programs under Title IV of the Higher Education Act of 1965.

Pursuant to the “SaVE” Act, Marist College includes in its annual crime reporting incidents of domestic violence, dating violence or stalking that were reported to the Office of Safety & Security and/or local law enforcement. Marist also includes reported offenses that were motivated by the victim’s actual or perceived gender identity or national origin.

Sexual Assault & Harassment

The Marist College Student Code of Conduct prohibits sexually violent acts, termed “Sexual Misconduct” by the College, which can be crimes as well. Sexual misconduct includes non-consensual sexual intercourse, non-consensual sexual contact, sexual exploitation, interpersonal relationship violence, sex/gender-based stalking and sexual harassment. While Marist College utilizes different standards and definitions than the New York Penal Law, sexual misconduct often overlaps with crimes of rape, sexual assault, sexual harassment, stalking, dating violence and domestic violence.

In an effort to reduce the risk of sexual misconduct as well as the crimes of rape, sexual assault, sexual harassment, stalking, dating violence and domestic violence occurring among its students, the College utilizes a range of campaigns, strategies and initiatives to provide awareness, educational, risk reduction and prevention programming.

It is the policy of the College to offer programming to prevent domestic violence, dating violence, sexual assault (including stranger and known offender assaults) and stalking each year. Educational programs are offered to raise awareness for all incoming students and employees, and are often conducted during new student and new employee orientation and throughout an incoming student’s first semester. These programs and others offered throughout the year include strong messages regarding not just awareness, but also primary prevention (including normative messaging, environmental management and bystander intervention), and discuss institutional policies on sexual misconduct as well as the New York State legal definitions of domestic violence, dating violence, sexual assault, stalking and consent in reference to sexual activity. Bystander engagement is encouraged through safe and positive intervention techniques and by empowering third-party intervention and prevention such as calling for help, using intervention-based apps, identifying allies and/or creating distractions.

Programs also offer information on risk reduction that strives to empower victims, how to recognize warning signals and how to avoid potential attacks, and do so without victim-blaming approaches. Throughout the year, ongoing awareness and prevention campaigns are directed to students and employees, including faculty.

Marist College is committed to preventative education designed to eliminate any type of interpersonal violence. Marist has formed an Interpersonal Violence Prevention Committee (IVPC) which meets throughout the academic year to address issues related to domestic and dating violence, sexual assault, and stalking, as well as interpersonal violence in general. The IVPC has campus-wide representation and is comprised of members from many different college departments and services, including Student Affairs, Housing & Residential Life, Counseling & Health Services, Student Conduct, Safety & Security and Athletics, to name a few.

Below is a list of violence prevention programs and efforts (including those related to domestic & dating violence, sexual assault and stalking) which Marist College has recently hosted or participated in. (This list is not all-inclusive and is representative of the programs held on campus during the year.)

- Presentations to athletic teams on interpersonal violence and bystander intervention
- Training for residence life and security staff on sexual assault, dating violence and stalking
- Creation of the pamphlet entitled "Preventing, Reporting & Surviving" which is designed to give information and resources for victims of sexual violence and is distributed to students
- An annual Campus Wellness Fair containing information pertaining to victims services, law enforcement & crime prevention, self-defense and other sexual assault and domestic violence education
- A three (3) day "Train the Trainer" for instructors in the "Mentors in Violence Prevention" which is a bystander-intervention training curriculum. (This is also available as a one-credit class, SOCW390L-111, most semesters.)
- Annual awareness-raising events which involve students and staff, including the "Walk a Mile in Her Shoes" event and the "White Ribbon" campaign

In the event that sexual misconduct, gender-based violence or the crimes of sexual assault, stalking, dating violence or domestic violence do occur, the College takes the matter very seriously. Marist College employs interim protection measures such as interim suspension and/or no contact orders in any case where a student's behavior represents a risk of violence, threat, pattern or predation. If a student is accused of sexual misconduct, other gender-based violence or the crimes of rape, sexual assault, sexual harassment, stalking, dating violence or domestic violence, s/he is subject to action in accordance with the Student Code of Conduct in the student handbook. A student wishing to officially report such an incident may do so by contacting Marist College's Office of Safety & Security at (845) 471-1882 (24 hours a day) or Marist College's Office of Student Affairs at (845) 575-3515. Anyone with knowledge about sexual misconduct or gender-based violence or the crimes of rape, sexual assault, sexual harassment, stalking, dating violence or domestic violence is encouraged to report it immediately.

If you are the victim of sexual misconduct, gender-based violence or the crimes of rape, acquaintance rape, sexual assault, sexual harassment, stalking, dating violence or domestic violence, some or all of these safety suggestions may guide you after an incident has occurred:

1. Go to a safe place and speak with someone you trust. Tell this person what happened. If there is any immediate danger, contact Marist College Safety and Security at (845) 575-5555 if you are on campus. If you are off-campus, call 911 to reach the local law enforcement agency and report the incident.
2. Consider securing immediate professional support (e.g.: counseling, victim advocacy, medical services, etc.) to assist you in the crisis.
3. If you are on campus during regular business hours, you may go to Marist College Counseling Services at (845) 575-3250, Marist College Health Services at (845) 575-3270, as well as Roberta Staples, Director of Professional and Student Development at (845) 575-3000 (ext. 2286) for support and guidance. These are all confidential resources.
4. For your safety and well-being, immediate medical attention is encouraged. Further, being examined as soon as possible, ideally within 120 hours, is important in the case of rape or sexual assault. The hospital will arrange for a specific medical examination at no charge. To preserve evidence, it is recommended that you do not bathe, shower, douche, eat, drink, smoke, brush your teeth, urinate, defecate or change clothes before receiving medical attention. Even if you have already taken any of these actions, you are still encouraged to have prompt medical care, and evidence may still be recoverable. Typically, if police are involved or will be involved, they will obtain evidence from the scene, and it is best to leave things undisturbed until their arrival. They will gather bedding, linens or unlaundered clothing and any other pertinent articles that may be used for evidence. It is best to allow police to secure items in evidence containers, but if you are involved in transmission of items of evidence, such as to the hospital, secure them **individually** in a clean **paper** bag or clean sheet, to avoid contamination. If you have physical injuries, photograph or have them photographed, with a date stamp on the photo. Record the names of any witnesses, and their contact information. This information may be helpful to the proof of a crime, to obtain an order of protection or to offer proof of a campus policy violation. Try to memorize details (physical description, names, license plate number, car description,), or even better, write notes to remind you of details, if you have time and the ability to do so. If you obtain external orders of protection (e.g. restraining orders, injunctions, protection from abuse), please notify the Office of Safety and Security or the campus Title IX Coordinator, Christina Danielle, Marist College Office of Human Resources, (845) 575-3349, so that those orders can be observed on campus.
5. Even after the immediate crisis has passed, consider seeking support from Marist College Counseling Services, victim advocate Roberta Staples, Director of Professional and Student Development at (845) 575-3000 (ext. 2286), and/or the Dutchess County Rape Crisis Center located at Family Services, 29 North Hamilton St., Poughkeepsie, NY 12601. Their phone number is (845) 457-7272. This number is a 24-hour hotline.
6. Contact the Office of Safety & Security or the Office of Student Affairs if you need assistance with College related-concerns, such as no-contact orders or other protective measures. The Office of Safety & Security or the Office of Student Affairs will also assist in any needed advocacy for students who wish to obtain protective or restraining orders from local authorities. The College is able to offer reasonable academic accommodations, changes to living arrangements, transportation accommodations, escorts, no contact

orders, counseling services access and other supports and resources as needed by a victim.

Legal Definitions

Rape is generally defined as forced sexual intercourse. It may also include situations where the victim is incapable of giving consent due to incapacitation by means of disability or alcohol or other drugs. Many rapes are committed by someone the victim knows, such as a date or friend.

Lack of Consent

Under New York State law, a sexual offense occurs when certain sexual acts are perpetrated against a victim without his or her consent. Under New York State law, every sexual offense has two (2) components: 1) the behavior and the physical nature of a sex offense and, 2) the lack of consent involved.

Under New York State law, rape is defined as sexual intercourse against the will of the victim, meaning without consent, which can occur under a variety of circumstances, including:

- Where the victim is prevented from resisting due to alcohol or drugs.
- Where the assailant uses physical force or the threat of force to overpower and control the victim.
- Where the victim fears that she or he or another will be injured if the victim does not submit.
- Where the victim is at the time unconscious of the nature of the act, and this is known to the assailant.
- Where the victim is incapable of giving legal consent due to a mental disorder or developmental or physical disability, and this is known or reasonably should be known to the assailant.
- Where the act is accomplished by threatening to use the authority of a public official to incarcerate, arrest, or deport the victim or another person.
- Where the assailant uses duress, such as a direct or implied threat of hardship or retribution, to coerce the victim.
- Where the assailant uses force, fear or threats to accomplish sexual intercourse against the will of the spouse. This provision of the law is known as the “spousal rape law.”

The complete New York State rape and sexual assault offense definitions are found in Article 130 of the New York State Penal Law. The New York State Legislature maintains a website of all New York State laws, and Article 130 of the Penal Law can be found at The New York State Legislature website at <http://public.leginfo.state.ny.us/lawssrch.cgi?NVLWO>:

Other Sexual Offenses

Besides rape, other sexual offenses include the following: sodomy (forced anal intercourse); oral copulation (forced oral-genital contact); rape by a foreign object (forced penetration by a foreign

object, including a finger); and forcible touching (the unwanted touching of an intimate part of another person for the purpose of sexual arousal).

The below excerpt is from the Marist Code of Student Conduct, section C, entitled “Conduct Which Violates the Dignity and/or Safety of another Individual.” It defines what constitutes sexual misconduct under the Marist Code of Student Conduct.

II. Sexual Misconduct

Offenses include, but are not limited to:

1. Sexual Harassment
2. Non-Consensual Sexual Contact (or attempts to commit same)
3. Non Consensual Sexual Intercourse (or attempts to commit same)
4. Sexual Exploitation

1. Definition of Sexual Harassment:

Sexual harassment is defined as unwelcome, gender-based verbal or physical conduct that is sufficiently severe, pervasive and/or persistent that it unreasonably interferes with, limits or deprives someone of educational or employment access, benefits or opportunities. (examples include: an attempt to coerce an unwilling person into a sexual relationship; to repeatedly subject a person to egregious, unwelcome sexual attention; to punish a refusal to comply with a sexual based request; to condition a benefit on submitting to sexual advances; sexual violence, intimate partner violence, stalking; gender-based bullying).

2. Non-Consensual Sexual Contact is any intentional sexual touching, however slight with any object by a man or a woman upon a man or a woman that is without consent and/or by force or coercion.

3. Non-Consensual Sexual Intercourse is any sexual intercourse, however slight with any object, by a man or a woman on a man or a woman that is without consent and/or by force or coercion.

4. Sexual Exploitation occurs when a student takes non-consensual or abusive sexual advantage of another for his/her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of other sexual misconduct offenses. Examples include, but are not limited to:

- invasion of sexual privacy
- prostituting another student
- non-consensual video or audio recording of sexual activity
- going beyond the boundaries of consent (such as letting your friends hide in the closet to watch you have consensual sex)
- engaging in voyeurism
- knowingly transmitting an STI or HIV to another student
- exposing one’s genitals in non-consensual circumstances; inducing another to expose their genitals
- sexually-based stalking and/or bullying may also be forms of sexual exploitation

For the complete Marist College policy regarding Sexual Misconduct, please visit the link below.

<http://www.marist.edu/studentlife/studentconduct/handbook/conductwhichviolatesthedignityandorsafetyofanindividual.html>

Sexual Harassment

Sexual harassment is a form of misconduct that undermines the integrity of the academic environment. It is the policy of the College that sexual harassment is prohibited. All members of the Marist College community, especially officers, faculty and other individuals who exercise supervisory authority, have an obligation to promote an environment that is free of sexual harassment.

Marist College affirms its commitment to providing an educational and working environment that is free of sexual harassment. Sexual harassment is an illegal form of discrimination and will not be tolerated by the College.

Under applicable federal and state laws and regulations, sexual harassment is defined as unwelcome sexual advances, requests for favors, and other verbal or physical conduct of a sexual nature when:

- Submission to such conduct is or becomes a term or condition of an individual's employment or academic success, or is used as a basis for employment or academic decisions relating in any way to that individual;
- Such conduct substantially interferes with an individual's work or Academic performance; or
- Such conduct creates an intimidating, hostile, or offensive working or academic environment.

REPORTING AND ADDRESSING HARASSMENT

Marist recognizes the rights of members of the college community to raise questions, discuss concerns, and report harassment. Procedures have been developed to investigate and respond to allegations of harassment and any member of the college community who experiences - or is aware of - harassment in the work, academic, or campus life environment should promptly report the matter as indicated below.

College Employees Should Contact the Office of Human Resources

Deborah Raikes-Colbert

Associate Vice President, Human Resources

(Donnelly Hall 120 - Extension 3146)

Or

Eva J. Jackson

Director, Employee Relations

(Donnelly Hall 120 - Extension 2392)

Students Should Contact the Office of Student Affairs
Patricia Cordner, Assistant Dean, Student Life and Development
(Rotunda 388 - Extension 3517)

Or

Bro. Frank Kelly, Director of Campus Ministry
(Byrne Residence - Extension 2275)

The College will investigate such claims promptly and thoroughly. If, for any reason, a student wishes to complain or inquire regarding sexual harassment, but feels it would not be appropriate to raise such issues with the designated person listed above, the student may inquire or complain to any Department Chair or any officer of the College at the level of Vice President or above, and such inquiries or complaints will receive a prompt and thorough investigation. If harassment is established, the College will discipline the offender. Disciplinary action for violations of this policy can range from verbal or written warnings, up to and including immediate termination from employment or dismissal from the College for serious or repeated violations.

Sex Offenders

In accordance to the Campus Sex Crimes Prevention Act of 2000, which amends the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, the Jeanne Clery Act and the Family Educational Rights and Privacy Act of 1974, the College is providing a link to the New York State Sex Offender Registry. All sex offenders are required to register in the state of New York. The New York State Sex Offender Registry may be accessed at <http://www.criminaljustice.ny.gov/nsor/>

Campus Procedures for Addressing Sexual Misconduct, Dating Violence, Domestic Violence, Stalking, Sexual Harassment and other acts of sex and gender discrimination.

For offenses including sexual misconduct or other gender based violence, which typically include the crimes of domestic violence, dating violence, sexual harassment, sexual misconduct and stalking, sanctions range from warnings through expulsion. Serious and violent incidents and acts of non-consensual sexual intercourse (the policy equivalent to the crime of rape) usually result in suspension, expulsion or termination of employment. The link to the Sanctions section of the Student Code of Conduct can be found at:

<http://www.marist.edu/studentlife/studentconduct/handbook/sanctions.html>

Procedurally, when the College receives a report of sexual misconduct, gender-based violence, or other sex or gender discrimination the campus Title IX Coordinator is notified. If the victim wishes to access local community agencies and/or law enforcement for support, the College will assist the victim in making these contacts. The Title IX Coordinator will offer assistance to victims in the form of interim or long-term measures such as opportunities for academic accommodations, changes in housing for the victim or the responding student, visa and immigration assistance, changes in working situations and other assistance as may be appropriate

and available on campus or in the community (such as no contact orders, campus escorts, transportation assistance, targeted interventions, etc). If the victim so desires, they will be connected with a counselor on- or off-campus, as well as an on-or off-campus victim's advocate. No victim is required to take advantage of these services and resources, but the College provides them in the hopes of offering help and support without condition or qualification. A summary of rights, options, supports and procedures, in the form of this document, is provided to all victims, whether they are a student, employee, guest or visitor.

When appropriate upon receipt of notice, the Title IX Coordinator will cause a prompt, fair and impartial process to be initiated, commencing with an investigation which may lead to the imposition of sanctions, based upon a preponderance of evidence (what is more likely than not), upon a responding student or other accused individual. Procedures detailing the investigation and resolution processes of the College can be found in the Marist College Student Code of Conduct in Section VII, entitled "Student Conduct Review Process and Procedures" or online at the below link:

<http://www.marist.edu/studentlife/studentconduct/handbook/studentconductprocedures.html>

The Coordinator is ultimately responsible to assure in all cases that the behavior is brought to an end, the College acts to reasonably prevent its recurrence and the effects on the victim and the community are remedied. The Coordinator is also responsible to assure that training is conducted annually for all advocates, investigators, hearing officers, panelists and appeals officers that encompasses a hearing process that protects the safety of victims and promotes accountability. Training will focus on sexual misconduct, domestic violence, dating violence, sexual assault, stalking, sexual harassment, retaliation and other behaviors that can be forms of sex or gender discrimination covered by Title IX and Clery Act. Training will help those decision-makers in the process to protect the safety of victims and to promote accountability for those who commit offenses.

The investigation and records of the resolution conducted by the College are maintained confidentially. Information is shared internally between administrators who need to know, but a tight circle is kept. Where information must be shared to permit the investigation to move forward, the person bringing the accusation will be informed. Privacy of the records specific to the investigation are maintained in accordance with New York law and the federal FERPA statute. Any public release of information to comply with the open crime logs or timely warning provisions of the Clery Act will not release the names of victims or information that could easily lead to a victim's identification. Additionally, the College maintains privacy in relation to any accommodations or protective measures afforded to a victim, except to the extent necessary to provide the accommodations and/or protective measures.

In any complaint of sexual misconduct, sexual assault, stalking, dating violence, domestic violence or other sex or gender-based discrimination covered under the federal law, Title IX, the person bringing the accusation and the responding party are entitled to the same opportunities for a support person or advisor of their choice throughout the process, including any meeting, conference, hearing or other procedural action. Once complete, the parties will be informed, in writing, of the outcome, including the finding, the sanctions (if any) and the rationale

therefor. Delivery of this outcome to the parties will occur without undue delay between notifications. All parties will be informed of the College's appeal processes, and their rights to exercise a request for appeal. Should any change in outcome occur prior to finalization, all parties will be timely informed in writing, and will be notified when the results of the resolution process become final.