

Security Report for 2014

(Based on 2013 statistics)

The College of Westchester is proud of its excellent record of keeping our campus as crime free as possible. Our entire College community assists in this process of keeping the campus a safe place to attend classes and to work. This Security Report is mandated by the United States Department of Education in accordance with the Student Right-to-Know and Campus Security Act of 1992. In compliance with this mandate, we have compiled this report to keep our campus community aware of important policies, procedures, and statistics. All colleges in the United States are required to compile and distribute these statistics via publication. A paper copy will be provided upon request from the Dean of Academic Services in the Academic Center. The contact number is 914-831-0433.

Campus Crime Statistics

According to the Campus Crime and Security Act, The College of Westchester is required to provide statistics on: occurrences on campus concerning criminal offenses reported to local police agencies and to the Public Safety Office; statistics for drug, alcohol, and weapons arrests on campus as reported to local police agencies and to the Public Safety Office; and data provided by the City of White Plains Police Department regarding criminal offenses surrounding the campus area. This area is defined as follows:

all of Central Avenue from the municipal parking lot (located on the corner of Central Avenue and Tarrytown Road) to the bus stop which is located on Central Avenue and Chatterton Avenue (up to 376 Central Avenue; all of Fulton Street from Cross Street to Aqueduct Road, Chatterton Avenue (from 139-185) and Robertson Avenue (from 107 to 135).

In 2013, on the property surrounding the campus, the City of White Plains Police Department reported that there was one drug abuse violation, one incident of stalking, and seven incidents of domestic disturbances, which include domestic violence and dating violence. Statistics for 2014 will be available in October 2015 and located on the College's website at http://library.cw.edu/student_resource.html and also Campus Cruiser at <http://cruiser.cw.edu> on the Academic Center page.

CAMPUS CRIME STATISTICS 2011-2013

Table One: Offenses on Campus Property

Offense	2011	2012	2013
Murder	0	0	0
Manslaughter	0	0	0
Forcible & Nonforcible	0	0	0
Sexual Assault	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	0
Burglary	0	0	0
Motor Vehicle Theft	0	0	0
Arson	0	0	0
Crimes of Prejudice	0	0	0

Table Two: Statistics for Drug, Alcohol, and Weapons Arrests on Campus

Arrests Related To:	2011	2012	2013
Liquor law violations	0	0	0
Drug abuse violations	0	0	0
Weapons possessions	0	0	0

Table Three: Arrests as reported by the City of White Plains Police Department on property surrounding the campus defined as: all of Central Avenue from the municipal parking lot (located on the corner of Central Avenue and Tarrytown Road) to the bus stop (located on Central Avenue and Chatterton Avenue (up to 376 Central Avenue), all of Fulton Street from Cross Street to Aqueduct Road, Chatterton Avenue (from 139 – 185), and Robertson Avenue (from 107 – 135).

<u>Offense</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>
Murder	0	0	0
Manslaughter	0	0	0
Forcible & Nonforcible	0	0	0
Sexual Assault	0	0	0
Robbery	1	0	0
Aggravated Assault	0	0	0
Burglary	0	0	0
Motor Vehicle Theft	0	0	0
Arson	0	0	0
Crimes of Prejudice	0	0	0
Stalking*	-	-	1
Domestic Disturbances* (includes Dating Violence & Domestic Violence)	-	-	7

***Crime statistics required for Annual Security Report 2014 resulting from the Violence Against Women Act (VAWA) amendments to the Clery Act. Not collected prior to 2013.**

Table Four: Statistics for Drug, Alcohol, and Weapons Arrests on Property Surrounding the Campus

<u>Arrests Related To:</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>
Liquor law violations	0	0	0
Drug Abuse violations	3	3	1
Weapons possession	1	0	0

Description of Campus Security Programs

A variety of crime prevention information is available to students and employees. Student information is provided through their Transformative Learning course, new student orientation, and the Student Handbook. Employee information is available in the Employee Handbook and through various publications made available to the employees. Related programs on sexual assault, alcohol and drug abuse are available through various community organizations. These include the Bureau of Sex Crimes Analysis, Al-Anon, Alateen, Alcoholics Anonymous, and Daytop Village. The address and phone numbers for these and other community programs are available from the Counseling Center.

Students can access information on registered sex offenders in the White Plains vicinity at <http://www.familywatchdog.us/>

Description of Sex Offense Awareness Programs

The College of Westchester has not had a sexual offense on its campus during this reporting period. Nonetheless, every student and employee of The College of Westchester is provided information regarding sexual offense awareness. Brochures are available and the topic is discussed in the Transformative Learning course. The Sex Offender Registration Act also requires each state to maintain a Sex Offender Registry. For New York State, the Registry is located at <http://criminaljustice.state.ny.us/nsor/>. Note that The College of Westchester does not provide any Information to that Registry, however, does access the Registry for information.

ANTI-DRUG AND ALCOHOL POLICY

The College of Westchester has a ***no tolerance policy*** regarding the use of drugs and alcohol or being under the influence of drugs or alcohol on its property or surrounding property. The unlawful manufacture, distribution, dispensation, possession, or use of alcohol or an illegal drug by a student or employee on property at The College of Westchester is strictly prohibited. New York and Federal law prohibits the unlawful use, manufacture, possession, control, sale and dispensation of any illegal narcotic or dangerous drugs. Both State and Federal laws carry penalties for violations, including monetary fines and/or imprisonment. Marijuana – including “medical marijuana” – is illegal under federal law and may not be used on the College’s property or surrounding property. All students and employees are prohibited from being under the influence of marijuana while at The College.

The health risks associated with the use of illegal drugs and the abuse of alcohol include physical and mental impairment, emotional and psychological deterioration, fine and gross motor degeneration and death. In addition to the health risks to the abuser of illegal drugs and alcohol are the risks to co-workers, students and the public. The College of Westchester’s Counseling Center can provide referral to students with problems related to alcohol and drug use. Information about substance abuse and treatment programs is available in the Counseling Center in the Office of Student Life which has procedures to assure confidentiality.

Individuals whose performance is impaired as a result of the use or abuse of drugs or alcohol, who illegally use or abuse drugs or alcohol on campus or at College events, or who have been convicted of violating any criminal drug statute while on The College of Westchester property or at College events will be sanctioned. The sanctions can include required completion of an appropriate rehabilitation program, suspension, dismissal, termination of employment, and referral for prosecution by law enforcement authorities.

As a condition of enrollment and employment, each student, faculty member and staff member will abide by the terms of this policy and will notify the President no later than five days after any conviction for a criminal drug offense committed on The College of Westchester property. Failure to comply with these conditions will constitute unsatisfactory conduct and will lead to appropriate sanctions.

DESCRIPTION OF DRUG OR ALCOHOL ABUSE EDUCATION PROGRAMS

A number of counseling and treatment options are available to students of The College of Westchester. A list of these agencies is available in the Office of Academic Affairs and is available to all students and employees. Students are encouraged to seek counseling and/or treatment in dealing with personal issues of substance abuse relating to themselves, their family, or their friends.

TITLE IX POLICY ON PROHIBITION OF SEXUAL HARRASSMENT

As required by Title IX and its implementing regulations, 34 C.F.R. Part 106, The College of Westchester does not discriminate against students or employees on the basis of gender in its educational programs and activities. Inquiries regarding the application of The College of Westchester’s Title IX Policy should be referred to the Title IX Coordinator or the U.S. Department of Education, Office of Civil Rights, at (800) 421-3481 or ocr@ed.gov.

All members of the College community are prohibited from engaging in sexual harassment and retaliating against individuals based on their participation in a sexual harassment investigation. When they learn about incidents of sexual harassment, College employees who are supervisors must take prompt remedial action to respond to any concerns including referring the matter to relevant internal options.

What is Sexual Harassment?

Sexual harassment is unwelcome conduct of a sexual nature. Sexual harassment includes any unwelcome sexual advances, requests for sexual favors, and other unwelcome verbal, visual, or physical conduct of a sexual nature, including sexual assault or acts of sexual violence. Sexual violence is defined as physical sexual acts perpetrated against a person’s will or where a person is incapable of giving consent due to the

victim's use of drugs or alcohol or intellectual disability. Sexual harassment also includes quid pro quo harassment, where sexual conduct is made, either explicitly or implicitly, a term or condition of an individual's employment or academic advancement.

Title IX also prohibits gender-based harassment, which may include acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on gender or gender-stereotyping, even if those acts do not involve conduct of a sexual nature. Gender-based harassment or sexual harassment constitutes sex discrimination if it is sufficiently severe or pervasive and has the purpose or effect of unreasonably interfering with an individual's work or academic performance or creates an intimidating, hostile, or offensive working or academic environment. In some cases, a single act of sexual harassment or sexual violence, such as rape, may be sufficiently severe to create a hostile environment and constitute discrimination.

Reporting and Investigation Procedures

Any individual who believes they have been subjected to sexual harassment or retaliation for reporting sexual harassment should report their concerns to Daphne Galkin, Dean of Academic Services, in the Academic Center at 914-831-0433 or dgalkin@cw.edu.

Confidentiality may be requested and will be preserved to the extent that it is possible to conduct a thorough investigation.

An investigation will be initiated incorporating problem solving, dispute resolution and a preponderance of evidence will be used to resolve the complaint and both parties will be given an opportunity to present witnesses. Both parties will be afforded the opportunity to be accompanied by an advisor of their choice.

Depending on the nature of the circumstance, there may be a Discipline Hearing, at which point the outcome will be submitted, in writing, to both parties, within 24 hours. Both the accuser and the accused have an appeal process available. The College will strive to complete Title IX investigations within 60 calendar days after given notice of an allegation of prohibited conduct. Delays in the investigation will be communicated to both parties. Potential remedies and/or sanctions may include one or more of the following:

- A no contact order may be required and/or interim suspensions may be possible during the period of investigation.
- Mediated session between parties.
- Revisions to class schedules to maintain separation of parties.
- Transfer of perpetrator to different division of the College (Adult/Day/Online).
- Temporary suspension from The College perpetrator(s) pending program completion of victim(s).
- Permanent dismissal from The College for perpetrator(s).

The College will take steps to prevent recurrence of any harassment and to correct its discriminatory effects on the complainant and others, as necessary.

The College strongly encourages individuals to report incidents of sexual harassment because it is the only way that responsive action can be taken against perpetrators of sexual harassment.

Further, in order to continue to create a safe and welcoming environment for staff, faculty, students and visitors to The College, we should all strive to maintain an academic and work environment that is free of sexual harassment. Students may file a Title IX complaint and criminal complaint simultaneously.

Whether verbal or physical, sexual harassment is an act of aggression. It is a violation of College policy, as well as both federal law (section 703 of the Civil Rights Act of 1964 and Title IX Education Amendments of 1972) and state law (New York State Human Rights Act).

Retaliation

The College of Westchester strictly prohibits retaliation against any individual who brings a complaint under this policy or participates in any portion of a Title IX investigation. Retaliatory conduct violates not only College of Westchester policy and Title IX, but may also violate state and federal law.

Individuals that believe they have been the victim of retaliation should promptly report the conduct to the Title IX Coordinator, Daphne Galkin, Dean of Academic Services at 914-831-0433 or dgalkin@cw.edu.

Grievance Procedures

If a student has a discrimination or sexual harassment complaint against college employees, other students, or third parties, the student may file a complaint with the Office of Civil Rights – New York Office, U.S. Department of Education, 32 Old Slip, 26th Floor, New York, New York 10005-2500. Students who file a grievance are hereby assured that no adverse action will be taken against them for filing a complaint.

NONDISCRIMINATION/AFFIRMATIVE ACTION/EQUAL OPPORTUNITY/SECTION 504 POLICY

The College of Westchester is an equal opportunity employer and conforms to the regulations and policies of Affirmative Action, and Section 504 of the Rehabilitation Act of 1973. The College of Westchester's nondiscrimination policy prohibits discrimination in all areas of its operation. The College of Westchester does not unlawfully discriminate against any person on the basis of race, color, religion, sex, national origin, age, handicap, veteran status or sexual orientation. This policy covers all programs, services, policies and procedures of The College of Westchester, including admission to education programs and employment. Inquiries with respect to these regulations may be referred to the Provost & Vice President of Academic Affairs.

Emergency Notification and Evacuation Procedures

The College of Westchester provides an emergency alert system through Cruiser Alert to immediately notify the campus community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus. All students are required to register for Cruiser Alert and to keep their contact information up-to-date.

In the case of an emergency, students, faculty, and staff will receive an immediate notification through the Cruiser Alert channels they have designated (text message, phone message and/or e-mail alert) and will be provided with appropriate safety instructions. Unless the notification will, in the professional judgment of responsible authorities, compromise efforts to assist victims or to contain, respond to or otherwise mitigate the emergency, this notification will be sent. The Facilities Manager, President and Cabinet Members are responsible for identifying and managing all emergency situations, including: notification to the community, alerting local authorities, and overseeing evacuation and other emergency procedures. The fire signal will also be utilized to alert all students, faculty, staff and visitors to exit the building without delay. The emergency notification system will be tested on an annual basis under the supervision of the Director of Facilities.

The Family Educational Rights and Privacy Act (FERPA)

The Family Educational Rights and Privacy Act (FERPA) affords students certain rights with respect to their education records. These rights include:

1. The right to inspect and review the student's education records within 45 days of the day the College receives a request for access. A student should submit to the Registrar or the Dean of Academic Services a written request that identifies the records(s) the student wishes to inspect. The College official will make arrangements for access and notify the student of the time and place where

the records may be inspected.

2. The right to request the amendment of the student's education records that the student believes is inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA. A student who wishes to ask the College to amend a record should write the college official responsible for the record, clearly identify the part of the record the student wants changed, and specify why it should be changed. If the College decides not to amend the record as requested, the college will notify the student in writing of the decision and the student's right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.

3. The right to provide written consent before the college discloses personally identifiable information from the student's education records, except to the extent that FERPA authorizes disclosure without consent. The College discloses education records without a student's prior written consent under the FERPA exception for disclosure to school officials with legitimate educational interests. A school official is a person employed by the College in an administrative, supervisory, academic or research, or support staff position (including law enforcement unit personnel and health staff); a person or company with whom the college has contracted as its agent to provide a service instead of using College employees or officials (such as an attorney, auditor, or collection agent); a person serving on the Board of Trustees; or a student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. (A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibilities for the College.)

4. An educational agency or institution may disclose personally identifiable information from an education record only on the condition that the party to whom the information is disclosed will not disclose the information to any other party without the prior consent of the parent or eligible student. Notice to the parents or student is required before disclosing personally identifiable information on behalf of the educational agency in response to judicial order or subpoena.

5. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the College to comply with the requirements of FERPA. The name and address of the office that administers FERPA is: Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, S.W. Washington, DC 20202-5901.

The College of Westchester will release the following directory information upon request: name, local address and telephone number; e-mail address; photographs; student identification number; name and address of emergency contact; dates of attendance; country of citizenship; school, college or division of enrollment; field of study; credit hours earned; degrees earned; honors received; and participation in organizations and activities chartered or otherwise established by the College. A student who does not wish such directory information released must file a written notice with the Registrar at the beginning of each session of enrollment.

Educational agencies and institutions may disclose information from education records to appropriate parties whose knowledge of the information is necessary to protect the health or safety of a student or another individual if there is a significant threat to the health or safety or other individual. The educational agency or institution must record in the student's education records the basis for its decision that a health or safety emergency existed.

The College cannot disclose personally identifiable information from a student's education records to parents unless the student has signed a written consent form which is available from the office of the Dean of Academic Services.

Copies of the College's full policy statement on the release of student information and procedures for exercising these rights are available from the office of the Dean of Academic Services.

