

FIT is aware

Annual
Security and Fire
Safety Report

2016/2017

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2016 ANNUAL SECURITY AND FIRE SAFETY REPORT

FASHION INSTITUTE OF TECHNOLOGY

The Fashion Institute of Technology, a State University of New York college of art and design, business, and technology, is a community of approximately 10,000 full- and part-time students.

At FIT, the safety and well-being of students, faculty, staff, and visitors is of paramount importance. FIT employs security measures to help ensure that members of the FIT community can learn and work in an environment free from threats to safety or well-being.

Each year, pursuant to the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (the “Clery Act”), FIT publishes this annual security report containing crime statistics, fire statistics, and statements of security policy. This report is prepared by FIT’s Department of Public Safety, in consultation with various administrative departments at FIT. This report is required of all post-secondary institutions that participate in federal student aid programs. In this report, FIT publishes its statistics for certain offenses that occurred on campus, in certain off-campus buildings or property owned or controlled by FIT, and on public property within, or immediately adjacent to and accessible to on-campus property. The report also includes FIT’s statistics on fire incidents in on-campus residence halls and information on safety and security topics including prevention, reporting, fire safety, services for victims, discipline, and other information. In addition to the information in this report, more on these topics can be found in FIT’s College Policy Library, the Student Rights and Responsibilities Handbook, and FIT’s Campus Safety and Security website.

FIT encourages all members of its community to read this report carefully and use the information to help foster a safe environment. FIT sends an e-mail to every enrolled student and current employee on an annual basis to notify them that the report is available to be viewed. The e-mail includes a brief summary of the contents of the report and the web address where the Annual Security and Fire Safety Report can be found. The report is available online at fitnyc.edu/safety/statistics/clery-act-report.php. A paper copy of the report will be provided upon request by contacting Public Safety’s administrative office at 212 217.4999. Statistics are also available through the U.S. Department of Education’s Campus Safety and Security website, which compiles statistics submitted by all schools under the Clery Act. Pursuant to the Clery Act, FIT’s Department of Public Safety also maintains a daily log of crimes and incidents that occur on campus, which may be accessed at the Public Safety Office in the Fred P. Pomerantz Art and Design Center, Room D442.

REPORTING CRIMES AND EMERGENCIES

Options for Reporting

The Fashion Institute of Technology encourages students, faculty, and staff to report offenses promptly to any or all of the offices below:

- Department of Public Safety (Emergency) 212 217.7777
- Director of Public Safety, 212 217.4999
- Dean of Students, 212 217.3800
- Director of Residential Life, 212 217.3900
- Title IX Coordinator, 212 217.3360

FIT encourages accurate and prompt reporting of all crimes to Public Safety and to local law enforcement, when the victim of a crime elects to (or is unable to) make such a report.

In an emergency on the FIT campus, you may also use one of the red emergency phones located throughout campus buildings or one of the blue emergency phones located outside.

- **Red Emergency Phones:** The college has installed emergency telephones and intercoms in all facilities and residence halls. The moment any red emergency phone is removed from the cradle, or any red intercom call button is pressed, Public Safety can identify the caller's place of origin and dispatch personnel immediately to the scene.
- **Blue Emergency Phones:** The college has installed blue emergency phones around campus that connect directly to FIT's Department of Public Safety and do not require dialing a number. You can find the phones in the following locations: 1) outside Dubinsky on 27th Street, 2) outside Pomerantz on 27th Street, 3) outside Goodman on 26th Street, 4) outside Pomerantz on 28th Street, 5) outside Dubinsky on 28th Street, and 6) outside Feldman on 28th Street.

If you have an off-campus emergency, call 911.

Anonymous Reporting

Persons wanting to anonymously report a crime or incident can do so by contacting FIT's Tip Line, 212 217.TIPS (212 217.8477). The reporting person's name, if provided, will be kept confidential, but the incident may be included in the annual crime statistic report without divulging the person's name or any other information that would infringe on confidentiality. However, please note that an allegation of sex or gender-based misconduct involving students or other members of the college community, even if made anonymously, will be reported to the Title IX coordinator.

Additional Options for Reporting

FIT prefers that all crimes and emergencies be promptly reported to one of the authorities listed in the Options for Reporting section above. FIT recognizes, however, that depending on the circumstances, some members of the FIT community may choose to report to other persons or FIT officials. In addition to the authorities listed above, crimes may be reported to the following additional authorities:

- Director of Athletics and athletic coaches, 212 217.4210
- Director of the Counseling Center, 212 217.4260
- Director of Health Services, 212 217.4190
- Office of Educational Opportunity Programs, 212 217.4170
- FIT-ABLE, 212 217.4090
- Director of Student Life, 212 217.4130
- Dean for International Programs, 212 217.5380

Campus Security Authorities

A Campus Security Authority (CSA) under the Clery Act is, in addition to all members of the Department of Public Safety, an official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, and campus judicial proceedings. An official is defined as any person who has the authority and the duty to take action or respond to particular issues on behalf of the institution. All of the authorities in this section on Reporting Crimes and Emergencies are considered CSAs under the Clery Act.

FIT collects information from CSAs for purposes of Clery Act reporting. Certain CSAs, such as the director of the Counseling Center, may be bound by various confidentiality laws and ethical duties that prevent them from sharing certain information when they are working within the scope of their licensed duties. In these circumstances, these personnel are not considered CSAs and are not required to report crimes for Clery Act purposes.¹ FIT encourages its professional counselors, where appropriate, to inform persons being counseled of the procedure to anonymously report crimes for inclusion in Clery Act statistics (described in detail above).

¹ FIT also has a Campus Ministry; persons who are associated with a religious order/ denomination, recognized by that order/ denomination as providing confidential counseling and functioning within that scope are also not CSAs per the Clery Act.

DEPARTMENT OF PUBLIC SAFETY AUTHORITY AND TRAINING

FIT's Department of Public Safety is staffed 24 hours a day, 7 days a week, 365 days a year. Its officers utilize foot patrol and approximately 100 closed-circuit security cameras to observe and report situations or activities that may pose a danger to persons or property. The Department of Public Safety staffs a central dispatch and monitoring center that serves as the hub for emergency call taking and dispatch to all college properties. Central dispatch utilizes a computer-aided dispatch system and communicates with public safety officers via a state-of-the-art mobile radio system.

FIT Public Safety Officers are not armed and do not have police powers, but they will assist you. Although there is no formal agreement, FIT has a cooperative working relationship with the New York City Police Department in which NYPD officers periodically patrol campus roadways, maintain public order, engage in crime prevention, and provide for the enforcement of local and state laws.

FIT Public Safety officers respond to all complaints and emergencies occurring on campus. If warranted, FIT Public Safety will contact emergency services for police/ fire/ EMS response. All FIT Public Safety officers have received first aid, CPR and automated external defibrillator (AED) training in addition to instruction in campus public safety procedures.

Public Safety personnel at FIT are given classroom and on-site training once a year. This training includes security awareness presentation, role of the security supervisor, emergency situations, campus community relations, sexual harassment at the workplace, safe zone ally training, sexual assault prevention and education, legal power of limitations, and report writing.

SAFETY ON CAMPUS

Security Awareness Programs

Safety and security awareness programs for both on and off campus are presented at student orientation each semester. In addition, FIT's Department of Public safety also presents campus safety and security programs to all resident assistants each semester to prepare them to assist residential students with safety concerns. Safety and security programs are also readily available to any employees upon request.

Maintenance of Facilities

Security and safety issues are given high priority in the improvement and maintenance of facilities. The Department of Public Safety continuously conducts security surveys of existing facilities, with findings and recommendations forwarded to appropriate administrative areas for remedial action when necessary.

Crime Prevention Programs

Crime prevention is a high priority at FIT. Continuous proactive security patrols are performed by the Department of Public Safety throughout FIT's campus. The Department of Public Safety is an active participant in the FIT annual Health Fair and distributes literature regarding personal safety, protection of property, and cybercrime/identity theft awareness. The Department of Public Safety also participates each year in FIT's Pledge Purple campaign, an awareness program to prevent domestic violence, and FIT's Sexual Assault Awareness Week.

Safety Shuttle and Campus Escort Program

The Department of Public Safety operates a Safe Shuttle program. Students and staff traveling to and from Kaufman Hall can enjoy a safe ride in one of our complementary shuttles. The shuttle pickup and dropoff locations are in front of the Feldman Center on the main campus and in front of the 31st Street main entrance at Kaufman Hall. This service can be requested at any time by anyone from our campus community—student, staff, or faculty. In addition, a walking escort anywhere on campus or to Kaufman Hall performed by a uniformed officer can also be requested at any time (in person, by calling the non-emergency line at 212 217.4999, or by using one of the red or blue phones on campus).

Academic and Administrative Buildings

Along with a strong presence in the streets, Public Safety personnel check all visitors for valid and current FIT identification cards at every building lobby. Individuals are not allowed into the facility without valid ID, unless they comply with visitor procedures.

In addition to its presence in the lobbies, the Department of Public Safety frequently inspects each building, floor by floor. This practice affords added safety to students, faculty, and staff. Public Safety also utilizes sophisticated electronic equipment 24 hours a day, seven days per week to videotape all entries into residence halls and academic buildings.

Residence Halls

Each residence hall is staffed by Public Safety personnel 24 hours a day, seven days a week, when students are in residence. Personnel are trained to adhere to strict visitation policies regarding entrance into the halls. Supervisors routinely inspect and monitor individual security post assignments over the course of each shift to ensure that policies and procedures are followed. Public Safety works closely with members of the Department of Residential Life, whose members are also on duty 24 hours a day, seven days a week. Students may bring visitors to their rooms but they must first comply with the college's visitation policies. The visitor must be properly signed in and must have a valid photo ID that is left with the lobby security personnel until departure.

Each resident of FIT housing is required to sign a housing contract and to adhere to its terms and conditions as well as to the policies and procedures of the FIT Resident Hall Residential Handbook. Together, these terms, policies, and procedures establish rules and standards by which all members of the community can live together safely and in a way that protects the rights of all FIT community members. Residents should familiarize themselves with these terms and policies and the consequences for violating them.

West 27th Street

FIT's midtown Manhattan location is a busy one. To enhance safety, a gate is used to close 27th Street to regular vehicular traffic from 7 am to 6 pm, Monday through Friday, and speed bumps are located on the street to slow all permitted vehicular traffic. These conditions allow students to cross from academic buildings to their residences as safely as possible without having to worry about heavy midtown traffic.

Lost and Found

To assist students in recovering lost or stolen property, Public Safety maintains a lost and found area in Room D442. Many personal items are found and brought to the Public Safety office for safekeeping. If the owner can be determined, the person will be contacted to retrieve the property. Unclaimed personal property is kept for 30 days before it is destroyed, discarded, or donated to charitable organizations in the area. It is advisable to contact Public Safety as soon as personal property is discovered missing. Lost or stolen property inquiries can be made at any time. It is preferable that items be retrieved during normal business hours (8 am to 11 pm), but other arrangements can be made.

Automatic Teller Machine

Sterling Bank, in cooperation with FIT, maintains an ATM in the lobby of the Marvin Feldman Center, for the convenience of the FIT community. The ATM is in a secure, well-lit lobby that is staffed 24 hours per day, seven days per week by Public Safety.

TIMELY WARNINGS AND EMERGENCY NOTIFICATIONS

Timely Warnings

The Department of Public Safety will issue a timely warning to the campus community whenever a Clery-reportable incident has been reported to Public Safety that FIT deems to represent a serious or continuing threat to students and employees. The warning will be issued as soon as pertinent information is available and will include information about the crime and information that promotes safety and aids in prevention of similar crimes. Timely warnings may be sent by the president, the director of Public Safety, vice president for Administration and Finance, vice president for Communications and External Relations, and/or the president's designee through the FIT Alert system (described below) and/or through any other means designed to reach the FIT community.

Emergency Notifications

Depending on the incident and situation, FIT has the capacity to send community messages via FIT Alert (described below) or through any other means designed to reach the FIT community as quickly and broadly as possible depending on the situation (such as email, text messaging, the public address system, postings on the college's website, and the college's information phone line **212 217.7792**).

Taking into account the safety of the community, FIT will, without delay determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency. Depending on the situation, FIT may in some instances notify only the affected portion of the campus community rather than the entire community. Additional segments of the campus community may be notified if a situation warrants as it develops.

The determination of whether an emergency or dangerous situation warranting a notification exists, as well as the content of the notice and the means to communicate it, may be made by the president, the director of Public Safety, vice president for Administration and Finance, vice president for Communications and External Relations, and/or the president's designee and may depend on the circumstances of the emergency or situation.

Emergency response protocols are tested on at least a yearly basis, and members of the FIT community are sent information about procedures in conjunction with such tests. Public Safety keeps records of such tests.

FIT Alert

All students and employees are automatically added to FIT Alert using FIT records using FIT email address (students and employees) and office extensions (employees), and alerts will be sent to those channels by default. Alerts can

come in the form of emails, text messages, and/or phone calls. Students and employees are encouraged to log in to MyFIT to review their information in the alert system to ensure contact details are correct. You will also be able to add and/or select additional communication channels. While parents, spouses, and other family members cannot enroll in the program, students and employees may add that contact information to their accounts. The system updates weekly. When individuals are no longer employed and students are no longer enrolled at the college, they will be automatically removed from the system.

STUDENT RESOURCES

Counseling Center

Regularly sponsored programs by the Counseling Center (212 217.4260) help heighten students' alertness to the realities of crime and their vulnerability in an urban campus environment. The Counseling Center provides ongoing confidential crisis intervention, short-term counseling, advocacy, and referrals to carefully selected community resources that provide specialized or extended treatment to students who have been victimized by crime. Whenever necessary, Counseling Center staff members will provide timely, on-site emergency assistance to students. Regular services are provided throughout the year. The Counseling Center is located on the second floor of the David Dubinsky Student Center, Room A212B.

Health Services

Health Services (212 217.4190) is staffed by doctors, registered nurses, and licensed nurse practitioners. It operates as an ambulatory care unit and can handle most medical emergencies occurring on campus.

Health Services is located on the fourth floor of the David Dubinsky Student Center, Room A402, and is open daily. When a member of the community is sick or injured, Public Safety responds with a wheelchair to transport the injured or sick person to Health Services. In cases of severe injury, Emergency Medical Services is called and the person may, if it is appropriate, be taken to an area hospital.

SEXUAL MISCONDUCT PREVENTION AND RESPONSE²

FIT prohibits all forms of sexual misconduct, including sexual assault, stalking, domestic violence, and intimate partner violence. FIT further prohibits sex- and gender-based discrimination and harassment. More information is available in FIT's [Sexual Misconduct Policy](#) and FIT's [Non-Discrimination and Anti-Harassment Policy](#).

² In February 2017, this section on Sexual Misconduct Prevention and Response was updated throughout as a result of changes to policies and procedures in FIT's Sexual Misconduct Response policy made in December 2016.

Sexual Misconduct Prevention

FIT has programs in place to help protect all members of the college community from sexual misconduct, including programs for prevention.

Educational Programs

The Campus Anti-Violence Education Group strives to build awareness and educate the FIT campus community on issues that involve sexual and interpersonal violence prevention. To that end, the group serves as a resource network committed to educational outreach and programming, consultation, and support. This campus-wide outreach includes programming during Domestic Violence Awareness month, Sexual Assault Awareness month, Women's History Month, the Clothesline Project, and Take Back the Night. We believe that continuous open and inclusive dialogue, ongoing education, and a commitment to building a safe campus are the key elements needed to develop a healthy campus environment.

FIT also provides training to members of the community who may have to respond to incidents of sexual violence. This campaign aims to educate the campus community about preventing sexual violence, how to report it, and what resources and remedies are available for victims/survivors. Select employees in the Counseling Center, Health Services, Residential Life, Public Safety and Student Life, as well as campus student leaders, receive annual training as part of the campaign. These programs are also publicized to students during Student Orientation. Additionally, online training is provided for appropriate employees and must be renewed every two years.

Risk Reduction—Sexual Assault

- Trust your instincts. Don't underestimate your own judgment. If you feel uncomfortable in someone's company, avoid being secluded with them and be firm if coercion is attempted. Attackers will more often prey on people who look vulnerable and seem easily manipulated.
- Bring a friend if you are going to a party or other event in a strange place. If you can't bring someone you know, give a friend your phone number and expected time you'll be home, and tell him or her that you'll check in. If you get a bad feeling about a person, party, and/or location, either leave immediately or find a friend. Don't hesitate.
- Keep an eye on your drink. Date rapists can lace drinks with flavorless chemicals. Don't go back to a drink you've left unattended, and don't accept an open drink from a stranger unless you saw it being made.
- Walk with a friend if possible, especially if it's at night or in a remote location. If you're going on a jog, bring a companion.
- Be aware of what's going on around you. Don't wear headphones if you are walking alone at night or in an unsafe place.

- Stick to populated, well-lit areas if you need to walk alone. Avoid poorly lit areas.
- Move with confidence. Someone who looks purposeful and physically capable is a less appealing target. Struggle and yell if attacked.
- Carry a cell phone. The phone is helpful for dialing emergency numbers in case you are attacked. Have emergency numbers on speed dial so that you can dial quickly.
- If walking on a sidewalk, walk next to the street, not next to the buildings, where someone can hide in a doorway, alleyway, etc.
- If you are followed or attacked, scream. Don't be afraid to scream because you will feel silly; in some countries we have been socialized not to make a scene. If this is rape or potential rape, make the biggest scene you can. Scream loudly, I'm being raped! This is wrong! This is rape! Screaming that you are being raped will appeal much more to a bystanders sympathies than simply yelling Help. Also, calling out a rapist by saying, "This is wrong! This is rape!" and identifying their actions could shame and/or surprise them into letting you go.

Risk Reduction—Stalking

- Watch for any unwanted contact or pursuit that would cause a reasonable person to feel fear. Typical stalking behaviors include phone calls at all hours of the day or night and anonymous calls in which the caller just hangs up.
- Be attuned to repeated but seemingly casual meetings. A friend, an ex-partner, or a stranger waiting uninvited outside a home or workplace is a typical stalking behavior.
- Listen for threats, even heavily veiled ones, against someone specific, including friends, family members, pets, or possessions.
- Consider unwanted written messages and unexpected gifts as possible signs of stalking.
- Be aware of defamation of character, another tool in the stalker's arsenal. A stalker may spread rumors in social circles or post lies online.
- Stalking is a crime. You do not have to put up with behavior that makes you feel afraid or uncomfortable. If you believe you are being stalked, report it.
- Tell the stalker once and only once to stop the behavior. Be firm and direct. Do not try to be nice or spare the feelings of the stalker.
- Avoid all contact with the stalker. Any response you make, positive or negative, may be perceived as encouragement.
- Behavior that is ignored is more likely to stop. However, it may get worse before it stops completely.

- Turn to family, friends, neighbors, and coworkers for support. Do not listen to people who think you are inventing or exaggerating the stalking events or that the stalker is merely an overzealous romantic.
- Let people know about the situation so they can help you. Provide them with a photo and/or a description of the suspect.

Risk Reduction—Domestic/Intimate Partner Violence

- Recognizing abuse is the first step toward getting help. Not all abuse involves hitting or threats of physical violence. Remember that someone who is scared, denied access to money, or put down is being abused as well. It might be you, your parent, your brother, your child, a friend.
- Domestic violence and abuse can happen to anyone, regardless of physical stature, income, or gender, yet the problem is often overlooked, excused, or denied. This is especially true when the abuse is psychological, rather than physical.
- Domestic abuse often escalates from threats and verbal abuse to physical violence. And while physical injury may be the most obvious danger, the emotional and psychological consequences are also severe. The abuser may also threaten or hurt those around the abused. Emotionally abusive relationships can destroy your self-worth, lead to anxiety and depression, and make you feel helpless and alone.
- Defining an Abuser
 - There are many signs of an abusive relationship. The most telling sign is fear of a partner. If someone feels they have to constantly watch what they say and do in order to avoid a blow-up, it's likely the relationship is unhealthy and abusive. Other signs of an abusive relationship include when someone tries to belittle, control, or isolate his or her partner from family members and friends. An abuser doesn't "play fair." Abusers use fear, guilt, shame, and intimidation to wear their target down and control him or her. The abused person may have feelings of self-loathing, helplessness, and desperation.
 - Abusers can control their behavior; they do it all the time.
 - Abusers choose whom to abuse. They don't insult, threaten, or assault everyone in their life who angers or annoys them. They usually abuse the people closest to them, the ones they claim to love.
 - Abusers choose when and where to abuse. They control themselves until no one else is around to see their behavior. In public, they may act like everything is fine but lash out as soon as you're alone.
 - Abusers are able to stop their abusive behavior when it benefits them. Most abusers are able to immediately stop their abusive behavior when it's to their advantage to do so (for example, when the police show up or their boss calls).

- Violent abusers usually direct their blows where the marks won't show. Rather than act out in a mindless rage, many physically violent abusers carefully aim their kicks and punches where the bruises can't be seen.
- People who are being abused may:
 - seem afraid of or anxious to please their partner;
 - go along with everything their partner says and does;
 - check in often with their partner to report where they are and what they're doing;
 - receive frequent, harassing phone calls from their partner;
 - talk about their partner's temper, jealousy, or possessiveness;
 - have very low self-esteem, even if they used to be confident;
 - show major personality changes (e.g., an outgoing person becomes withdrawn); and/or
 - be depressed, anxious, or suicidal.
- People who are being physically abused may:
 - have frequent injuries, which they explain as "accidents";
 - often miss work, school, or social occasions without explanation; and/or
 - wear clothing designed to hide bruises or scars (e.g., long sleeves in summer or sunglasses indoors).
- People who are being isolated by their abuser may:
 - be restricted from seeing family and friends;
 - rarely go out in public without their partner; and/or
 - have limited access to money, credit cards, or the car.
- If you suspect that someone you know is being abused, speak up! If you're hesitating thinking that it's none of your business, that you might be wrong, or that the person might not want to talk about it, keep in mind that expressing your concern will let the person know you care. It may even save his or her life.
 - DO: Ask if something is wrong.
Express concern.
Listen and validate.
Offer help.
Refer for assistance and support.

- DON'T: Wait for him or her to come to you.
Judge or blame.
Pressure her or him.
Give advice.
Place conditions on your support.
- Talk to the person in private and let her or him know you're concerned. Remember, abusers are very good at controlling and manipulating their victims. People who have been emotionally abused or battered are depressed, scared, ashamed, and confused. They need help to get out of the relationship, but they've often been isolated from family and friends. By picking up on the warning signs and offering support, you can help them escape an abusive situation and begin healing.

Sexual Misconduct Reporting

Filing a Report On-Campus – Student

Any student who experiences conduct that the student believes is in violation of Title IX and the Sexual Misconduct Response policy may (a) report that conduct to and file a copy of the Complaint Intake and Information Sheet with the Title IX Coordinator; or (b) report that conduct to a responsible employee.

A responsible employee is an FIT employee who has a duty to report incidents of sexual misconduct or who a student could reasonably believe has this authority or duty. This definition encompasses virtually every FIT employee, including all faculty, staff, and administrators with the exception of professional counselors (and those who act under their supervision) working in FIT's Counseling Center and medical providers working in FIT's Health Services. A responsible employee must report all relevant details about the learned incident to the Title IX Coordinator or other offices designed to streamline the accepting of reports such as Public Safety or the Dean of Students. Please note that these responsible employees cannot guarantee confidentiality, but will maintain the student's privacy to the greatest extent possible. Students seeking to report confidentially should contact FIT's Counseling Center and/or FIT Health Services.

The student may also report to Public Safety or local law enforcement for legal action if the conduct violates New York State or local laws. FIT can assist students in making such a report, if the student so chooses. Both of these processes can happen simultaneously. Students also have the right to decline to notify law enforcement.

Filing a Report On-Campus – Employee and Third Parties

Any employee and Third Parties who experience conduct that they believe is in violation of Title IX and this policy may report that conduct to the Title IX Coordinator, Public Safety, Employee Assistance Program, or the Department of Human Resources and Labor Relations.

Employees and Third Parties may also report to Public Safety or local law enforcement for legal action if the conduct violates New York State or local laws. FIT can assist employees and third parties in making such a report, if the non-student so chooses. Both of these processes can happen simultaneously. Employees and third parties also have the right to decline to notify law enforcement.

Filing a Report Off-Campus

Complainants also have the option of filing a report off-campus with a number of New York State and Community Resources. However, disclosures to such organizations do not provide any notice to FIT about a potential violation of this policy. For this reason, individuals are encouraged to additionally contact an on-campus support resource that is not bound by confidentiality so that FIT receives notice of such violation and can take the appropriate action.

Confidentiality

The college recognizes that confidentiality is particularly important to victims of sexual misconduct. A victim who has made a report to a non-confidential resource at FIT may make a request for privacy, but must understand that FIT cannot guarantee complete confidentiality because of its responsibility to safeguard all members of the community and its obligations under the law, including Title IX. In all circumstances, however, FIT will make all reasonable efforts to limit information to those who need to know to address the allegations. FIT understands that it may be difficult for a victim to come forward, and there are several options available for individuals who wish to maintain confidentiality while getting the support they need.

Certain employees on campus and off-campus professionals have different abilities to maintain confidentiality:

- **Confidential Resources:** Medical providers, licensed mental health counselors, clergy, and off-campus counselors and advocates are not required to re-disclose any information provided by a reporting individual except in the cases where there is an imminent health or safety risk, in some circumstances involving a child, or a lawfully issued subpoena. Confidential resources on the FIT campus are the FIT Counseling Center, FIT Health Services, and FIT's anonymous tips line (all described above in this report).

- **Non-Confidential Resources:** All other FIT employees are required to report all relevant information to the Title IX Coordinator. A report to any FIT employee, including faculty, chairpersons, and department heads, constitutes a report to FIT. FIT is obligated to take appropriate steps to address the situation, and the Title IX Coordinator will confer with the victim before determining whether to conduct an investigation. While not bound by confidentiality, these employees will be discreet and will respect the privacy of those involved.

- **Note on Public Awareness Events:** FIT is not obligated to conduct an investigation based on information disclosed during public awareness events such as candlelight vigils, protests, or “Take Back the Night” events.

Treatment and Preservation of Evidence

Individuals may contact Public Safety and/or local law enforcement and seek medical treatment following an incident that poses a threat to safety or physical well-being or following a potential crime. Treatment and preservation of evidence are crucial to a criminal investigation, and are best gathered as soon as possible after an incident, and may be helpful in obtaining an order of protection. Victims wishing to contact local law enforcement may contact the NYPD’s 10th Precinct at: 230 West 20th Street, New York, NY or by calling 212 741.8211 or 911.

An individual who may be a victim of sexual misconduct as a consequence of alcohol and/or other drugs should have a toxicology examination at the hospital as quickly as possible as drugs may remain in a person’s system for only a short time. Most hospitals have rape victim protocols that are very supportive of victims. Victims are able to receive a sexual assault forensic examination (commonly referred to as a “rape kit”) within 96 hours of an assault. You are encouraged to let hospital personnel know if you do not want your insurance policy holder to be notified about your access to these services. The New York State Office of Victim Services may be able to assist in compensating victims/ survivors for health care and counseling services, including emergency funds. More information may be found here: [Office of Victim Services](#), or by calling 1-800-247-8035.

Protection and Accommodations

The college may issue a no-contact order or a persona non grata letter and/ or may assist victims in obtaining an order of protection/ restraining order. FIT may also implement accommodations and protective measures in areas such as changes in housing, academics, transportation, employment, etc. Any protective measures and accommodations that are provided to a victim are kept confidential to the extent that maintaining such confidentiality does not impair the ability to provide the accommodation or protective measure. The

Title IX Coordinator is responsible for determining appropriate protections and accommodations. More details on these accommodations can be found in the Sexual Misconduct Response Policy.

Student Resources and Written Notification

The college provides written notification to students and employees who are victims of sexual misconduct about existing counseling; mental health, health, legal, visa, and immigration assistance; victim advocacy; student financial aid; and other services available to victims, including accommodations and protective measures, both at FIT and in the community. This information is provided regardless of where the misconduct occurred and regardless of whether a victim notifies Public Safety or local law enforcement. More details on these resources can also be found in the Sexual Misconduct Response Policy. International students and scholars who have been victims of sexual and interpersonal violence with questions about their immigration and visa status are encouraged to contact:

For students: International Student Services
Business & Liberal Arts Center, Room B1 03
212 217.3700
212 217.3701 fax
fit_oisa@fitnyc.edu

For employees: Human Resources
333 Seventh Avenue, 16th Floor
212 217.3650
212 217.3651 fax
humanresources1@fitnyc.edu

Sexual Misconduct Disciplinary Action

The status of the Respondent will determine the disciplinary procedures used in response to a complaint or report of sexual misconduct. For example, if the Respondent is a student, the disciplinary procedures used will be those delineated for students in the Sexual Misconduct Response policy. If the Respondent is an employee, the appropriate disciplinary procedures will be determined by the Vice President for Human Resource Management and Labor Relations. Some claims of gender discrimination may be more appropriately handled under FIT's Nondiscrimination and Anti-Harassment Policy. FIT will make the determination as to which policy is most appropriate.

Student as Respondent

Pre-Adjudication: The Title IX Coordinator will review the report and conduct an initial assessment to determine if the case falls under the guidelines of this policy and its procedures. Following the initial assessment, the Title IX Coordinator may take any of the following actions:

- If the Title IX Coordinator determines that the report, even if substantiated, would not rise to the level of a policy violation, or, after consultation with the Complainant about the Complainant's preferences regarding participation, the Title IX Coordinator determines that there will be insufficient information to investigate the matter, the Title IX Coordinator may dismiss the report. The Title IX Coordinator will inform the parties involved of dismissal with rationale for the dismissal in writing.
- If the Title IX Coordinator determines at any point prior to Adjudication that a matter may be resolved through an informal process, the Coordinator may begin that process by first discussing the possibility with the Complainant. At no time will the Title IX Coordinator attempt to mediate a complaint of sexual misconduct. In addition, the Title IX Coordinator will only attempt to resolve a matter informally with the consent of the Complainant.
- If the Title IX Coordinator determines that the report is outside the scope of this policy, the Title IX Coordinator may refer the report to another office for review. The Title IX Coordinator will inform the parties of the transfer in writing.
- If the Title IX Coordinator determines that the report would, if substantiated, constitute a violation of the Sexual Misconduct policy, the Title IX Coordinator will initiate an investigation and determine appropriate interim measures and accommodations. The Title IX Coordinator will inform the parties involved of the commencement of the investigation in writing.
- *Informal Resolution* - At the request of either the Complainant or the Respondent any time prior to adjudication, the Title IX Coordinator will assess whether a matter may be resolved through an informal process. If the Title IX Coordinator determines an informal process may be appropriate, the Coordinator may begin that process after obtaining permission to do so by both the Complainant and the Respondent. At no time will the Title IX Coordinator attempt to mediate a complaint of Sexual Assault – Contact or Sexual Assault - Penetration.

Investigation

- *Initial Meeting*: The Title IX Coordinator will interview the parties to the report separately and advise them of their rights at the outset of the investigation including their right to have a non-legal advisor or legal counsel present at any meeting or hearing. Each party will be notified prior to any meeting they are eligible to attend. The Title IX Coordinator will interview witnesses as necessary. Witnesses may not bring a non-legal advisor or legal counsel. At the conclusion of each interview, the Title IX

Coordinator will review the notes with the interviewee.

- *Case File:* The Title IX Coordinator will prepare a case file of all interview summaries, witness statements, and other documents. The file, redacted of personally identifiable information as necessary, will be shared with the Complainant and the Respondent. The Title IX Coordinator will describe in writing for the parties the charges that will be adjudicated. This charge letter will be available in the case file for Complainant's and Respondent's review.
- *Complainant/Respondent Review:* After reviewing the file, each party will have an opportunity (1) to meet again with the Title IX Coordinator, (2) to respond in writing, (3) to request the collection of other information by the Title IX Coordinator, and (4) to identify individuals who may possess relevant information (and request that such individuals be interviewed). If any additional information is gathered, a summary of that information will be shared with both parties and each will have the opportunity for a final response. The Title IX Coordinator will designate reasonable prompt time frames to ensure a timely completion of the process but also an adequate opportunity for both sides to respond thoroughly to the information gathered in the investigation.
- *Accepting Responsibility:* Upon receipt and review of the case file, the Respondent also has the opportunity to accept responsibility for the charges listed in the charge letter. If the Respondent accepts responsibility, the Title IX Coordinator will notify the Complainant and Respondent in writing of the responsible finding and that the case file has been forwarded to the Dean of Students for disciplinary sanctions. Depending on the circumstances, a Respondent who accepts responsibility may also have a notation on their transcript. In cases where a Respondent accepts responsibility for charges, the Respondent and/or Complainant may appeal the sanction but not the finding of the violation itself.
- If the Respondent does not accept responsibility for the charges, or the Complainant and the Respondent have not consented to an informal resolution process, at the conclusion of the investigation, the Title IX Coordinator will notify the Complainant and Respondent in writing that the case file has been forwarded to the hearing panel for adjudication.

Adjudication: After the conclusion of the investigation of the facts, the Title IX Coordinator will forward the case file to a hearing panel for adjudication. Every reasonable effort will be made to conduct the hearing within 10 business days of the Title IX Coordinator's referral of the case file.

- *Panelists:* The President or the President's designee(s) will appoint a three-

person hearing panel consisting of three voting faculty or staff members, one of whom will serve as Chair. All panelists will have training in investigating and evaluating conduct prohibited under the Sexual Misconduct Response policy. The panelists will also be impartial and unbiased. All hearing panel members must be present for the adjudication hearing.

- *Appearance Before Panel:* Both the Complainant and the Respondent are afforded the equal opportunity to participate in the hearing in person. If either party is not comfortable being in the same room with the other during the hearing, the College will make arrangements for the parties to participate in real time in separate rooms via telephone or video conference. When it is their turn to appear before the hearing panel, the Complainant, the Respondent, and/or witnesses will appear individually before the panel.
- *Submission of Evidence:* Each party has the right to present witnesses and cross-examine witnesses through the hearing panel and should submit questions in writing to the Title IX Coordinator three (3) business days before the scheduled hearing. A list of witnesses, any written evidence, and notice of whether a non-legal advisor or legal counsel will be present must be submitted in writing to the Title IX Coordinator three (3) business days before the scheduled hearing. Additionally, each party will have the opportunity to present additional questions to the hearing panel to ask of the witness(es) during the hearing. The hearing panel reserves the right to refuse to ask a witness a question if that question is collectively determined by the panel to be inappropriate. Complainant and Respondent will also have the opportunity to provide an opening and closing statement if they choose to do so.
- *Panel Deliberations and Record Retention:* The hearing panel will make and retain a verbatim record of the hearing in the form of a complete tape recording that will be retained by the Dean of Students in accordance with FIT's Records Retention and Disposition policy. After all presentations are complete, the hearing panel will deliberate in a closed session and arrive at a decision and determine, by a majority decision, whether the Respondent, based on the Preponderance of Evidence standard, violated this policy. The deliberations and vote will remain confidential.
- Following the conclusion of the hearing, the hearing panel will prepare a report, which will include findings of fact, findings of responsibility, and the hearing panel's rationale for its decisions. The hearing panel will endeavor to send the report to the Complainant and Respondent simultaneously within five (5) business days of the hearing.

Disciplinary Sanctions: If a student is found responsible for violating this policy, the entire case file will be forwarded to the Dean of Students who will determine the sanction. Sanctions will be determined based on the seriousness of the misconduct and the Respondent's prior disciplinary record.

- Prior to the imposition of the sanction, both the Complainant and the Respondent may provide a written Impact Statement to the Dean of Students to include in the Dean's review. FIT may impose one or more of the disciplinary sanctions listed in the Code of Student Conduct, which include, but is not limited to, suspension and expulsion. FIT reserves the right to impose disciplinary sanctions not listed in the Code of Student Conduct. Sanctions will be communicated simultaneously and in writing to the Complainant and the Respondent by the Dean of Students.
- *Transcript Notations:* Where a student is suspended, the following notation will be listed on that student's transcript: "Suspended after a finding of responsibility for a code of conduct violation." Where a student is expelled, the following notation will be listed on that student's transcript: "Expelled after a finding of responsibility for a code of conduct violation." Should a student withdraw from the College while conduct charges are pending and the student declines to complete the student disciplinary process, the following notation will be listed on that student's transcript: "Withdrew with conduct charges pending." If a finding of responsibility is vacated for any reason, any such transcript notation shall be removed.
- *Appeal of Transcript Notations:* A notation of suspension may be appealed, in writing, to the Dean of Students. Appeals for the removal of a suspension transcript notation may be granted provided that one year has passed since the conclusion of the suspension, the term of suspension was completed and any conditions complied with, and the Dean of Students has determined that the student is once again in good standing with all applicable College standards. Notations for expulsion may not be appealed or removed.

Appeals: Both parties have the equal right to request an appeal of the decision and/or the sanction. Appeals will be heard by a panel.

- The purpose of an appeal is not to initiate a review of substantive issues of fact or to re-hear the case. The right to appeal is limited to: (i) procedural error affecting the decision or sanction; (ii) the appearance of substantive new evidence not available at the time of the decision; or (iii) excessiveness or insufficiency of the sanction. Neither deliberate omission of information by the appealing party in the original investigation nor disagreement with the decision or sanction are, by themselves, grounds for appeal.

- Each party has 10 business days following the receipt of the written decision of the Dean of Students to indicate their intention to appeal. Requests for appeal, with reasons, should be sent in writing to the Dean of Students at dean_of_students@fitnyc.edu. Any new evidence or proof of a procedural error should be included in the request for the Dean of Students to review³. If the request is granted, the appeal will be heard before an appellate panel appointed by the President or the President's designee(s) that is fair and impartial and does not include individuals with a conflict of interest.
- The appellate panel may (i) return the case to the original hearing panel and task them with reviewing the decision with the substantial new information; (ii) return the case to the original hearing panel to correct the procedural problem and re-review the case; or (iii) change the sanction or task the Dean of Students with reviewing and amending the originally imposed sanction. If the original decision is upheld by the hearing panel, this decision will be final. Additionally, decisions made by the appellate panel are also final. The results of any appeal will be communicated simultaneously and in writing to the Complainant and the Respondent by the Dean of Students.

Employee as Respondent

The Complainant or Third Party reporter should complete Complaint Intake and Information Sheet and provide it to the Title IX Coordinator. The Title IX Coordinator will notify the Respondent that a report has been made, giving the Respondent the opportunity to respond to the allegations. The Title IX Coordinator will review supporting documentation and will interview witnesses to investigate the complaint. At the end of the investigation, the Title IX Coordinator shall submit a summary of the investigation to the Vice President for Human Resource Management and Labor Relations or their designee(s).

For employees in the collective bargaining unit, the Vice President for Human Resource Management and Labor Relations or their designee(s) will review the summary and determine appropriate action, which may include disciplinary action or other action under the applicable collective bargaining agreement.

For employees not in the collective bargaining unit, the Vice President for Human Resource Management and Labor Relations or their designee(s) will review the summary and may make a recommendation to the President to take such administrative action, including, but not limited to disciplinary action such as dismissal, demotion, reassignment, suspension, reprimand, removal of privileges, or training.

³ The Dean's review is to check that the request for an appeal is appropriate and fits within the prescribed grounds for an appeal. This is not a substantive review.

Third Party as Complainant or Respondent

When a third party is involved as a Complainant or Respondent, FIT will use the disciplinary procedures that are generally consistent with the procedures stated in Section B (Student) or Section B (Employee), appropriately modified based on the particular circumstances involved, the status of the member of the FIT community involved in the complaint, and taking into account privacy requirements.

Sexual Violence Victim/Survivor Bill of Rights

The State University of New York and the Fashion Institute of Technology are committed to providing options, support, and assistance to victims/survivors of sexual assault, domestic violence, dating violence, and/or stalking to ensure that they can continue to participate in college/university-wide and campus programs, activities, and employment. All victims/survivors of these crimes and violations, regardless of race, color, national origin, religion, creed, age, disability, sex, gender identity or expression, sexual orientation, familial status, pregnancy, predisposing genetic characteristics, military status, domestic violence victim status, or criminal conviction, have the following rights, regardless of whether the crime or violation occurs on campus, off campus, or while studying abroad.

All students have the right to:

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

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

Options in Brief:

Victims/survivors have many options that can be pursued simultaneously, including one or more of the following:

- receiving resources, such as counseling and medical attention;
- confidentially or anonymously disclosing a crime or violation;
- making a report to:
Title IX Coordinator at 212 217.3360 or titleix@fitnyc.edu;
Office of Public Safety at 212 217.7777;
Dean of Students Office at 212 217.3800 or dean_of_students@fitnyc.edu;
NYPD Special Victims Division at 646 610.7272;
and/or family court or civil court.

New York State Laws

For educational and awareness purposes, New York State laws on various sexual misconduct offenses are provided in Appendix A.

Sex Offender Registration

In conjunction with the Campus Sex Crimes Prevention Act of 2000 and Article 6-C of New York's Sex Offender Registration Act, a statewide list of registered sex offenders is provided at criminaljustice.ny.gov as a service to the community.

OTHER SAFETY POLICIES

Missing Student Policy

FIT has a policy on missing students who reside in on-campus residence halls. A missing student is defined in FIT policy as follows: An FIT student who resides in a facility owned or operated by a campus is considered "missing" when he or she has not been seen by friends or associates for twenty-four (24) hours, when there is no reasonable explanation for his or her absence, and when circumstances indicate the student's unaccountable or involuntary disappearance.

If a member of the FIT community has reason to believe that a student who resides in on-campus housing is missing, he or she should immediately notify Campus Security at 212 217.7777. Campus Security will generate a missing person report and initiate an investigation. In addition to registering a general emergency contact, students residing in on-campus housing have the option to identify confidentially an individual to be contacted in the event the student is determined to be missing for more than 24 hours. If a student has identified such an individual, FIT will notify that individual no later than 24 hours after the student is determined to be missing. All residential students are given the opportunity to identify a confidential contact on their housing application. A student's confidential contact information will be accessible only by authorized campus officials and law enforcement in the course of the investigation.

After investigating a missing person report, should Campus Security determine that the student has been missing for 24 hours, FIT will notify the student's confidential contact no later than 24 hours after the student is determined to be missing. If the missing student is under the age of 18 and is not an emancipated individual, FIT will notify the student's custodial parent or legal guardian immediately after Campus Security has determined that the student has been missing for 24 hours, in addition to notifying the student's confidential contact. The College will notify law enforcement when any student is determined to be missing for 24 hours.

Substance Abuse Policy

FIT is committed to a drug-free environment in accordance with current statutory provisions. Unlawful manufacture, possession, distribution, dispensation, sale, or use of controlled substances (illegal drugs) on the campus is prohibited and will not be tolerated. Alcoholic beverages cannot be brought onto or consumed on the premises except in connection with authorized college events. Under no circumstances are alcoholic beverages to be served to any student. The college strictly enforces these policies. Violators are subject to discipline, including dismissal and/or arrest.

FIT provides drug and alcohol abuse prevention resources. For more information, visit fitnyc.edu/policies/enrollment-management/drug-alcohol-abuse-prevention.php.

Bias Crime Prevention Policy

Hate crimes, also called bias crimes or bias-related crimes, are criminal activities motivated by bias or attitude against an individual or group based on perceived or actual personal characteristics, such as race, religion, ethnicity, gender, sexual orientation, disability, or other characteristics. Per FIT's Bias Crime Prevention policy, incoming students are informed about bias-related crime prevention measures.

Penalties for bias-related crimes are very serious and range from fines to imprisonment for lengthy periods, depending on the nature of the underlying criminal offense, the use of violence, or previous convictions of the offender. Perpetrators who are students will also be subject to campus disciplinary procedures, which may result in sanctions including dismissal. Bias-related activities that do not rise to the level of a crime may nonetheless violate FIT policy and will be investigated and may subject the perpetrator to disciplinary action.

If you are a victim of or witness to a hate/bias crime on campus, you may report it to Public Safety, the dean of students, the affirmative action officer/ Title IX coordinator, or the director of Residential Life, or you may contact the New York City Police Department by calling 911. Victims of bias crime or bias incidents can avail themselves of counseling and support services from Health Services, the Counseling Center, and the Division of Enrollment Management and Student Success.

Violent Felony Offenses Policy

In instances involving a violent felony offense (as defined in Section 70.02(1) of the Penal Law of the State of New York) occurring in the buildings and on the grounds of the college, Public Safety will coordinate with local law enforcement to promptly investigate. Public Safety will notify local law enforcement as soon as practicable but in no case more than 24 hours after a report of a violent felony, provided, however, that victims of sexual misconduct shall be informed of their options to notify proper law enforcement authorities, their right to report or not to report such offense to local law enforcement, and the option to be assisted by FIT authorities should the victim wish to notify local law enforcement.

FIT IN ITALY

FIT offers students the opportunity to study at one of the FIT programs in Florence and Milan.

FIT in Florence

The Florence program is operated out of the Polimoda institution, with its main location of the Villa Favard and the Scuderie buildings in Florence and a design lab located in Scandicci.

In case of emergency in Florence, FIT students may contact:

- Polimoda Security: +(39) 055-275 647, Villa Favard building, 2nd floor
 - Resident Director: +(39) 055-275-633, Villa Favard building, 2nd floor
 - Office of International Programs and Office of the Dean of International Education: Room B1 19 in the New York campus, 212 217.5380
 - U.S. Consulate in Florence: +(39) 055 266951, Lungarno Amerigo Vespucci, 38, 50123 Firenze
 - In off-campus emergencies, dial 118 (medical emergencies) or 113 (police)
- FIT students may also contact any of the persons in New York listed under “Reporting Crimes and Emergencies.”

Security services are provided by Polimoda. The campus is gated with Polimoda electronic badge and/or check-in with staff at the front desk/reception area required to enter the premises. Premises, including all building doors and main gates, are locked after hours with alarm settings. Phones are available in all classrooms and office spaces. Designated Polimoda front desk personnel in each location are trained and assigned to handle minor on campus emergencies.

Programming on safety while traveling abroad and studying in the Florence program is provided both in mandatory pre-departure orientation and in orientation in Florence. This programming includes:

- Information from local police sergeant session in Florence on safety and security in Florence, as well as laws regarding drugs, alcohol, and other crimes.
- Information on medical issues, hospitals, doctors, and insurance abroad.
- Distribution of information on: enrollment in the U.S. State Department’s Smart Traveler Enrollment Program (STEP); assistance for American victims of crime overseas via the U.S. State Department and local consulate; contact information for the local U.S. consulate; 24-hour emergency contact information for the FIT in Milan office; and instructions on how to use the

resources of HTH/ GeoBlue, FIT's mandatory insurance for study abroad.

- Distribution of a wallet emergency card with emergency numbers (police, ambulance, etc.) with Florence office and Polimoda contact, nearest hospital and police addresses, and, if on an academic trip outside of Florence, the hotel address/ phone and cell phones of traveling professors or staff. For all academic trips, a handout is distributed with all city emergency info and instructions on what to do in case of emergency.

All applicable FIT policies, including those governing conduct and discipline, apply to programs abroad, including FIT in Italy.

FIT in Milan

The Milan program is operated out of the Politecnico di Milano, on the Campus Bovisa Via Candiani 72 campus.

In case of emergency in Milan, FIT students may contact:

- Politecnico Security: + (39) 0223995600 (internal extension 5600), Main Desk B2 Building
- Politecnico 24/7 Call Center: +(39) 0223999300 (internal extension 9300)
- Resident Director: +(39) 0223995768/69/61, Via Candiani 72, Edificio 8 Piano 2
- Office of International Programs and Office of the Dean of International Education: 212 217.5380, Room B119 in the New York campus
- U.S. Consulate in Milan: +(39) 02290351, Via Principe Amedeo, 2/10, Milan, 20121
- In off-campus emergencies, dial 112

FIT students may also contact any of the persons in New York listed under "Reporting Crimes and Emergencies."

Security services are provided by Politecnico, which maintains a safety website available at <http://www.dipartimentoodesign.polimi.it/en/safety>. Staff at the Call Center, which is available 24/7, are able to see security cameras at the main entrance of the Via Candiani 72 campus as well as a pedestrian entrance near the B3 building. Emergency phones are located on the main floors of buildings with posted internal and external emergency numbers. Each building on campus has a designated employee who has received emergency training and is on call as a "first-responder" in an emergency and may direct members of the community until appropriate emergency authorities arrive. The gates to the campus are open 7 a.m. to 9 p.m. Monday to Friday and 7 a.m. to 1 p.m. on Saturday. Only students with a valid safety ID may enter the laboratories.

Programming on safety while traveling abroad and studying in the Milan program is provided both in mandatory pre-departure orientation and in orientation in Milan. This programming includes:

- Distribution of information on enrollment in the U.S. State Department's Smart Traveler Enrollment Program (STEP); assistance for American victims of crime overseas via the U.S. State Department and local consulate; contact information for the local U.S. consulate; 24-hour emergency contact information for the FIT in Milan office; and instructions on how to use the resources of HTH/ GeoBlue, FIT's mandatory insurance for study abroad.
- A session at the Milan orientation with the American Security Consul addressing safety and security.
- Information on laws regarding drugs, alcohol, and other crimes, as well as information on medical issues, hospitals, doctors, and insurance abroad.
- Distribution of a wallet emergency card with emergency numbers (police, ambulance, etc.) with Milan in FIT emergency number and contact information, Politecnico contact information, nearest hospital and police addresses, taxi and emergency numbers, and, if on an academic trip outside of Milan, the hotel address/ phone and cell phones of traveling professors or staff. For all academic trips, a handout is distributed with all city emergency info and instructions on what to do in case of emergency.
- Completion of an online test covering fire/ evacuation procedures, required for all members of the Politecnico.

All applicable FIT policies, including those governing conduct and discipline, apply to programs abroad, including FIT in Italy.

CRIME STATISTICS⁴

The Clery Act requires all post-secondary institutions receiving federal aid to include in their annual security report information about crime statistics. The following information will help you understand the statistics reported.

Clery Act Crime Categories

The categories of crimes reported in FIT's statistics are set by the Clery Act and include:

- **Criminal Offenses:** criminal homicide, including murder and non-negligent manslaughter, and manslaughter by negligence; sexual assault, including rape, fondling, incest and statutory rape; robbery; aggravated assault; burglary; motor vehicle theft; and arson.

⁴ In February 2017, this ASR was updated to clarify that the geography descriptions provided were for 2015 statistics; to add the Villa Strozzi design lab for purposes of Florence, Italy statistics for 2015; and to provide historical statistics for the Florence, Italy and Milan, Italy programs from 2013 and 2014.

- **Hate Crimes:** Any of the above-mentioned offenses, and any incidents of larceny-theft, simple assault, intimidation, or destruction/ damage/ vandalism of property that were motivated by bias;
- **VAWA Offenses:** Any incidents of domestic violence, dating violence, and stalking. (Sexual assault is also an offense under VAWA, but it is listed above in Criminal Offenses.)
- **Arrests and Referrals for Disciplinary Action:** For weapons—carrying, possessing, etc. law violations; drug abuse violations; and liquor law violations.

Definitions of each of these crimes for Clery Act reporting purposes are attached to this report as Appendix B.

Clery Act Geography 2015—New York

Statistical data regarding crimes are separated geographically into three categories. They are: on-campus property, public property, and non-campus property.

On-Campus Property

On-campus property is defined by the Clery Act as: (1) Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution’s educational purposes, including residence halls; and (2) any building or property that is within or reasonably contiguous to the area identified in paragraph (1) of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes.

For purposes of FIT’s 2015 statistics, on-campus property means all FIT-owned buildings and property controlled by FIT within, and reasonably contiguous to, the West 27th Street campus in the Chelsea neighborhood of New York. This includes all FIT academic and administrative buildings, residence halls located at 210, 220, and 230 West 27th Street and 406 West 31st Street, storefront (1st floor) classrooms at 236 West 27th Street and office space located on the 3rd, 5th, 6th, and 11th floors, and office space located at 333 Seventh Avenue on the 13th and 15th floors.⁵

Public Property

Public property is defined by the Clery Act as: All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.

⁵ Due to changes in guidance under the Clery Act, beginning with the 2015 reporting period, statistics for incidents occurring at Kaufman Hall, a residence hall located at 406 W. 31st Street, are now reported as on-campus property rather than non-campus property.

For purposes of FIT's 2015 statistics, public property includes the sidewalks and roadbeds of West 27th and 28th streets between Seventh and Eighth Avenues, the sidewalks and roadbed of Seventh Avenue between 26th and 28th streets, the sidewalks and roadbed of Eighth Avenue between 27th and 28th streets, the sidewalks and roadbed of West 26th Street adjacent to the Shirley Goodman Resource Center, the sidewalks and roadbed of Seventh Avenue adjacent to 333 Seventh Avenue, and the sidewalks and roadbed in front of 406 West 31st Street.

Non-Campus Property

Non-campus property is defined by the Clery Act as: Any building or property owned or controlled by a student organization that is officially recognized by the institution⁶; or any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

For purposes of FIT's 2015 statistics, non-campus property includes various locations, whether domestic or abroad, that are not within the contiguous area of the Chelsea campus but that support various academic, student life, and athletic programs in which the location is under the control of FIT. A list of these properties is compiled yearly and maintained by the Department of Public Safety for Clery Statistics. Statistics for FIT in Florence and FIT in Milan are reported in their own separate tables.

Clery Act Geography 2015 – FIT in Italy

FIT in Florence

For purposes of FIT's 2015 statistics, on-campus property includes the Villa Favard and the Scuderie buildings of Polimoda, Via Curtatone 1, 50123 Firenze. Public property includes property adjacent to these buildings forming the city block around the campus, including the sidewalks and roadbeds of Via Montebello, Via Curtatone, Via Palestro, and Corso Italia that are adjacent to the campus. Non-campus property includes the Polimoda Design Lab located at Via Galileo Galilei 31, 50018 Scandicci (beginning fall semester 2015); the Polimoda Villa Strozzi Design Lab located at Via Pisana 77, 50143 Firenze (through spring 2015); the Youth Firenze 2000, Viale R Sanzio 16, 50124 Firenze (used for approximately one week each semester); the Stibbert Museum, Via di Montughi 9, 50139 Firenze (used for one day); and accommodations used during certain overnight trips originating from Florence. FIT does not own any property in Florence and all statistics are reported only for locations while FIT is in use/ control of such property.

⁶ FIT does not have any such non-campus properties.

FIT in Milan

For purposes of FIT's 2015 statistics, on-campus property includes the B1, B2, B3, B4, B5, B6, and B7 buildings of the Campus Bovisa, Via Candiani 72, of Politecnico. Public property includes property adjacent to these buildings, including the sidewalks and roadbeds of Via Giovanni Durando, Via Enrico Cosenz, Via Privata Simone Schiaffino, and Via Giuseppe Candiani that are immediately adjacent to the buildings of the Campus Bovisa, Via Candiani 72 campus. Non-campus property includes the Residenza Casa Dello Studente Leonardo da Vinci, Viale Romagna 62, 20133 Milano (used for approximately one month during the fall 2015 semester); classroom space Elementi Moda s.r.l., Via Orti, 2, 20122 Milano (used for approximately two days per week during the fall 2015 semester); and accommodations used during certain overnight trips originating from Milan. FIT does not own any property in Milan and all statistics are reported only for locations while FIT is in use/control of such property.

Collection of Statistics

The statistics that follow reflect incidents that were reported, whether or not those reports were ever confirmed. The fact that an incident was reported and is included in statistics does not mean that the incident actually occurred, or that, if it occurred, it was a criminal offense. The statistics that follow include all Clery-reportable incidents reported directly to FIT's Department of Public Safety.⁷ Public Safety also collects statistics from FIT administrators, known as campus security authorities, to whom students are directed by FIT policy to report criminal offenses and to other authorities who have significant responsibilities for student and campus activities. Public Safety also requests statistics from the respective local law enforcement for all of FIT's Clery geography (on-campus, public property, and non-campus) and includes these statistics to the extent the statistics are available and provided to FIT.

⁷ The Clery Act allows for the unfounding of certain reports. FIT has had no unfounded reports during any of the reporting periods included in the statistics presented in this report.

FIT STATISTICS

CRIMINAL OFFENSES		GEOGRAPHICAL LOCATION			
		ON-CAMPUS			
OFFENSE	YEAR	ON-CAMPUS STUDENT HOUSING FACILITIES	ON-CAMPUS TOTAL	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
Forcible Sex Offenses	2013	0	0	1	1
Non- Forcible Sex Offenses	2013	0	0	0	0
<i>New Sex Offense Reporting 2014 -2015*</i>					
Rape	2014	0	0	0	0
	2015	0	0	0	0
Fondling	2014	0	1	1	0
	2015	0	0	0	2
Incest	2014	0	0	0	0
	2015	0	0	0	0
Statutory Rape	2014	0	0	0	0
	2015	0	0	0	0
Robbery	2013	0	0	0	1
	2014	0	0	0	0
	2015	0	0	0	0
Aggravated Assault	2013	0	0	0	1
	2014	0	0	0	0
	2015	0	0	0	2
Burglary	2013	0	1	0	0
	2014	0	0	0	0
	2015	0	0	0	0
Motor Vehicle Theft	2013	0	0	0	1

CRIMINAL OFFENSES		GEOGRAPHICAL LOCATION			
		ON-CAMPUS			
OFFENSE	YEAR	ON-CAMPUS STUDENT HOUSING FACILITIES	ON-CAMPUS TOTAL	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
	2014	0	0	0	1
	2015	0	0	0	0
Arson	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
There were no hate crimes reported during the above reporting periods.					
*Please note that beginning with 2014 reporting, based on a Clery Act amendment in the Violence Against Women Reauthorization Act of 2013, the offenses of forcible and non-forcible sex offenses were amended to conform to the FBI's Unified Crime Reporting Program. Sex offenses are now reported as rape, fondling, incest, or statutory rape.					
In the course of submitting FIT's 2016 statistics, it was discovered that 2 burglaries from 2014 and 1 aggravated assault from 2014 that did not occur on FIT's Clery Act geography were inadvertently reported in previous publications of the ASR. The statistics were reported correctly at the time to the Department of Education. This ASR was updated accordingly in October 2017."					

VAWA OFFENSES		GEOGRAPHICAL LOCATION			
		ON-CAMPUS			
OFFENSE	YEAR*	ON-CAMPUS STUDENT HOUSING FACILITIES	ON-CAMPUS TOTAL	NONCAMPUS PROPERTY	PUBLIC PROPERTY
Domestic Violence	2014	0	0	0	0
	2015	0	0	0	0
Dating Violence	2014	0	0	0	0
	2015	0	0	0	0
Stalking	2014	0	0	0	0
	2015	0	1	0	0
*Please note that beginning with 2014 reporting, based on a Clery Act amendment in the Violence Against Women Reauthorization Act of 2013, institutions are now required to report statistics on domestic violence, dating violence, and stalking.					

ARRESTS AND DISCIPLINARY REFERRALS ⁸		GEOGRAPHICAL LOCATION			
		ON-CAMPUS			
OFFENSE	YEAR	ON-CAMPUS STUDENT HOUSING FACILITIES	ON-CAMPUS TOTAL	NONCAMPUS PROPERTY ⁹	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	1	1	3	0
	2014	4	4	1	0
	2015	17	17	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	12	12	3	0
	2014	33	33	44	0
	2015	39	39	0	0

⁸ In September 2017, the 2014 and 2015 statistics for drug abuse and liquor law disciplinary referrals were amended to report the number of individual persons who were referred for discipline, rather than the number of incidents.

⁹ As noted above, due to changes in guidance under the Clery Act, statistics for incidents occurring at Kaufman Hall, a residence hall located at 406 W. 31st Street, were reported as non-campus property in 2013 and 2014 and have been reported as on-campus student housing facilities starting with 2015 statistics.

FIT IN ITALY – FLORENCE STATISTICS

CRIMINAL OFFENSES	Geographical Location			
	YEAR	ON-CAMPUS**	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
Murder / Non-Negligent Manslaughter	2013	0	0	0
	2014	0	0	0
	2015	0	0	0
Manslaughter By Negligence	2013	0	0	0
	2014	0	0	0
	2015	0	0	0
Forcible Sex Offenses	2013	0	0	0
Non- Forcible Sex Offenses	2013	0	0	0
<i>New Sex Offense Reporting 2014 -2015*</i>				
Rape	2014	0	0	0
	2015	0	0	0
Fondling	2014	0	0	0
	2015	0	0	0
Incest	2014	0	0	0
	2015	0	0	0
Statutory Rape	2014	0	0	0
	2015	0	0	0
Robbery	2013	0	0	0
	2014	0	0	0
	2015	0	0	0
Aggravated Assault	2013	0	0	0
	2014	0	0	0
	2015	0	0	0
Burglary	2013	0	0	0
	2014	0	0	0
	2015	0	0	0
Motor Vehicle Theft	2013	0	0	0

CRIMINAL OFFENSES	Geographical Location			
OFFENSE	YEAR	ON-CAMPUS**	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
	2014	0	0	0
	2015	0	0	0
Arson	2013	0	0	0
	2014	0	0	0
	2015	0	0	0
There were no hate crimes reported during the above reporting periods.				
*Please note that beginning with 2014 reporting, based on a Clery Act amendment in the Violence Against Women Reauthorization Act of 2013, the offenses of forcible and non-forcible sex offenses were amended to conform to the FBI's Unified Crime Reporting Program. Sex offenses are now reported as rape, fondling, incest, or statutory rape.				
**There are no on-campus residence halls.				

VAWA OFFENSES		GEOGRAPHICAL LOCATION		
OFFENSE	YEAR*	ON-CAMPUS**	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
Domestic Violence	2014	0	0	0
	2015	0	0	0
Dating Violence	2014	0	0	0
	2015	0	0	0
Stalking	2014	0	0	0
	2015	0	0	0
*Please note that beginning with 2014 reporting, based on a Clery Act amendment in the Violence Against Women Reauthorization Act of 2013, institutions are now required to report statistics on domestic violence, dating violence, and stalking.				
**There are no on-campus residence halls.				

ARRESTS AND DISCIPLINARY REFERRALS		GEOGRAPHICAL LOCATION
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ARRESTS AND DISCIPLINARY REFERRALS	YEAR	GEOGRAPHICAL LOCATION		
		ON-CAMPUS**	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
Arrests - Weapons; Carrying, Possessing, Etc.	2013	0	0	0
	2014	0	0	0
	2015	0	0	0
Disciplinary Referrals - Weapons: Carrying, Possessing, Etc.	2013	0	0	0
	2014	0	0	0
	2015	0	0	0
Arrests: Drug Abuse Violations	2013	0	0	0
	2014	0	0	0
	2015	0	0	0
Disciplinary Referrals : Drug Abuse Violations	2013	0	0	0
	2014	0	0	0
	2015	0	0	0
Arrests: Liquor Law Violations	2013	0	0	0
	2014	0	0	0
	2015	0	0	0
Disciplinary Referrals: Liquor Law Violations	2013	0	0	0
	2014	0	0	0
	2015	0	0	0
**There are no on-campus residence halls.				

FIT IN ITALY – MILAN STATISTICS

CRIMINAL OFFENSES	Geographical Location			
	YEAR	ON-CAMPUS**	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
Murder / Non-Negligent Manslaughter	2013	0	0	0
	2014	0	0	0
	2015	0	0	0
Manslaughter By Negligence	2013	0	0	0
	2014	0	0	0
	2015	0	0	0
Forcible Sex Offenses	2013	0	0	0
Non- Forcible Sex Offenses	2013	0	0	0
<i>New Sex Offense Reporting 2014 -2015*</i>				
Rape	2014	0	0	0
	2015	0	0	0
Fondling	2014	0	0	0
	2015	0	0	0
Incest	2014	0	0	0
	2015	0	0	0
Statutory Rape	2014	0	0	0
	2015	0	0	0
Robbery	2013	0	0	0
	2014	0	0	0
	2015	0	0	0
Aggravated Assault	2013	0	0	0
	2014	0	0	0
	2015	0	0	0
Burglary	2013	0	0	0
	2014	0	0	0
	2015	0	0	0
Motor Vehicle Theft	2013	0	0	0

CRIMINAL OFFENSES	Geographical Location			
OFFENSE	YEAR	ON-CAMPUS**	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
	2014	0	0	0
	2015	0	0	0
Arson	2013	0	0	0
	2014	0	0	0
	2015	0	0	0
There were no hate crimes reported during the above reporting periods.				
*Please note that beginning with 2014 reporting, based on a Clery Act amendment in the Violence Against Women Reauthorization Act of 2013, the offenses of forcible and non-forcible sex offenses were amended to conform to the FBI's Unified Crime Reporting Program. Sex offenses are now reported as rape, fondling, incest, or statutory rape.				
**There are no on-campus residence halls.				

VAWA OFFENSES		GEOGRAPHICAL LOCATION		
OFFENSE	YEAR*	ON-CAMPUS**	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
Domestic Violence	2014	0	0	0
	2015	0	0	0
Dating Violence	2014	0	0	0
	2015	0	0	0
Stalking	2014	0	0	0
	2015	0	0	0
*Please note that beginning with 2014 reporting, based on a Clery Act amendment in the Violence Against Women Reauthorization Act of 2013, institutions are now required to report statistics on domestic violence, dating violence, and stalking.				
**There are no on-campus residence halls.				

ARRESTS AND DISCIPLINARY REFERRALS		GEOGRAPHICAL LOCATION
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ARRESTS AND DISCIPLINARY REFERRALS	YEAR	GEOGRAPHICAL LOCATION		
		ON-CAMPUS**	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
Arrests - Weapons; Carrying, Possessing, Etc.	2013	0	0	0
	2014	0	0	0
	2015	0	0	0
Disciplinary Referrals - Weapons: Carrying, Possessing, Etc.	2013	0	0	0
	2014	0	0	0
	2015	0	0	0
Arrests: Drug Abuse Violations	2013	0	0	0
	2014	0	0	0
	2015	0	0	0
Disciplinary Referrals : Drug Abuse Violations	2013	0	0	0
	2014	0	0	0
	2015	0	0	0
Arrests: Liquor Law Violations	2013	0	0	0
	2014	0	0	0
	2015	0	0	0
Disciplinary Referrals: Liquor Law Violations	2013	0	0	0
	2014	0	0	0
	2015	0	0	0
**There are no on-campus residence halls.				

FIRE SAFETY

Working closely with the Department of Public Safety are on-site maintenance engineers proficient in fire alarm systems. In the event of a fire or fire alarm activation, Public Safety and maintenance personnel respond to the scene. The actual fighting of any fire on campus is left to the New York City Fire Department.

FIT has a fire evacuation plan. It is the responsibility of all FIT personnel, working together, to quickly and safely evacuate students and other staff from any area where the threat of fire or smoke may exist. Upon the sounding of a fire alarm in any building, all occupants must leave the building. Public Safety should not be called to verify the validity of any alarm but should be called if someone requires assistance evacuating a building.

FIT provides instruction in on campus emergency procedures just prior to the start of each semester at the college's Safe and Sound sessions. These voluntary sessions are readily accessible to any student and staff member and are well attended. Procedures for shelter in place and evacuation for fire and other related emergencies (also listed below) are covered by public safety personnel during these sessions. At a minimum, two fire drills are conducted annually whereby the entire campus community receives instructions via FIT Alert and through the college's public address system.

General Steps for Evacuation

Every sounding of an alarm should be treated as real. If you personally see or suspect fire, pull an alarm and immediately contact security at 212 217.7777. Upon evacuation, residents and staff may not re-enter the building unless instructed by college personnel and/or first responders. In the event of evacuation of any FIT building, the following general steps should be followed:

- Touch the door to the corridor to ensure that it is not hot.
- Exit the room immediately and proceed in an orderly fashion to the nearest building stairs.
- Close the doors to the room that you are exiting as the last person is leaving the room.
- Proceed up or down the stairs to the ground floor as quickly as possible, taking care not to push or shove other people who are also walking up or down the stairs to exit the building.
- Upon arriving on the first floor, file out the building and walk across the street, as directed by public safety officers.
- Wait on the street until the "all clear" signal is provided to let you know that it is safe to re-enter the building.

Fire Safety in On-Campus Residence Halls

Residence halls are protected by fire detection, warning, and suppression systems, which are routinely inspected, and fire drills are regularly conducted in residence halls. Details are provided in the following chart:

FIRE SAFETY AMENITIES BY BUILDING FOR ON-CAMPUS RESIDENCE HALLS - 2015				
On-Campus Residence	Alumni	Nagler	Coed	Kaufman
Fire Alarms Monitored On-site	Yes	Yes	Yes	Yes
Building Equipped with Full Sprinkler System	Yes	Yes	Yes	Yes
Smoke Detection	Yes	Yes	Yes	Yes
Fire Extinguishers—All floors	Yes	Yes	Yes	Yes
Evacuation Plans and Placards Posted	Yes	Yes	Yes	Yes
Fire Safety Training Conducted	Yes	Yes	Yes	Yes
Number of Evacuation Drills Conducted	2	2	2	2

Residential Life staff are briefed each semester on fire safety procedures. Residents are provided the Resident Handbook, which contains information on fire safety procedures, rules (including specific items that are banned from the residence halls), and evacuation procedures with specific information for each residence hall. The Resident Handbook is available online at fitnyc.edu/files/pdfs/Resident_Handbook.pdf. The college imposes fines and can evict students from residence halls for serious or multiple violations of fire safety policies.

FIT bans certain portable electrical appliances from all residence halls, including halogen lamps, portable heaters, washing machines/dryers, heat lamps, sun lamps, hot plates, and refrigerators. Coed and Nagler residence hall-style rooms additionally ban all cooking appliances except for hot pots. In residence hall rooms with suites/apartments, any permitted cooking appliances must be kept in the kitchen. FIT, including its residence halls, is completely tobacco free and smoking is strictly prohibited. Candles, incense, oil lamps, and other flame-producing materials are prohibited. A complete list of policies concerning portable electrical appliances, smoking, and open flames in resident housing is published in the Resident Handbook.

Evacuation from Residence Halls

When a building alarm sounds, residents and residential life staff must knock on doors and evacuate in a safe and orderly fashion. Every sounding of an alarm should be treated as real. If someone is a deep sleeper, is incapacitated, or has not evacuated, inform college personnel in the building's lobby. If you personally see or suspect fire, pull an alarm and immediately contact security at 212 217.7777. Upon evacuation, residents and staff may not re-enter the building unless instructed by college personnel and/or first responders. Residents must follow instructions from college personnel and first responders. Report any violations or problems to the building manager/residence hall manager on duty.

Evacuation Procedures for 27th Street Residence Halls (Alumni, Coed, and Nagler Halls)

1. Use stairs to exit, not elevators.
2. Feel the doorknob, if it is hot, DO NOT OPEN THE DOOR. If it is not hot, open door and follow evacuation procedures below.
3. If you cannot leave the room, open window slightly and seal door cracks with clothing or fabric (soak in water if available in room). Notify Public Safety, giving your name and location. Hang a shirt or sheet from the window to attract attention. Shout for help.
4. If exits are blocked, go to a room, close the door, and follow instructions outlined in #3.
5. Choose an alternate exit if fire, heat, or smoke is blocking the nearest exit or stairway. Use side door exits in Nagler/ Coed and front doors of Alumni to exit buildings.
6. Keep low to the floor. If there is time, put a wet cloth to your nose and mouth.
7. CROSS THE STREET AND REMAIN ON THE SIDEWALK. Clear the street for emergency vehicles and stay clear of traffic. You may wait in the Feldman Center lobby until the all-clear is given.
8. Follow instructions given by resident counselors, building managers, resident assistants or college personnel.

Evacuation Procedures for 31st Street Residence Hall (Kaufman Hall)

1. Use stairs to exit, not elevators.
2. Feel doorknob, if it is hot, DO NOT OPEN THE DOOR. If it is not hot, open door and follow evacuation procedures below.
3. If you cannot leave the room, open window slightly and seal door cracks with clothing or fabric (soak in water if available in room). Notify Public Safety, giving your name and location. Hang shirt or sheet from the window to attract attention. Shout for help.
4. If exits are blocked, go to a room, close the door, and follow instructions outlined in #3.
5. Choose an alternate exit if fire, heat or smoke is blocking the nearest exit or stairway. Use side door exits in Kaufman Hall at the bottom of the stairwells.
6. Keep low to the floor. If there is time, put a wet cloth to your nose and mouth.
7. Exit Kaufman Hall.
8. Turn right (do not cross the street) and walk toward Ninth Avenue.
9. Turn right going south toward 30th Street (do not cross the street). Residents must not stand in front of Kaufman Hall during a building

evacuation.

Fire Statistics

This report contains statistics on reported fires by building location for on-campus residence halls. After the fact of a fire of any size or severity, Public Safety must be notified for purposes of including statistics in this annual report.

REPORTED FIRES FOR 2015 FOR ON-CAMPUS RESIDENCE HALLS					
On-Campus Residence	Alumni	Nagler	Coed	Kaufman	Total
Total Fires	0	0	0	0	0
Fire Number	N/A	N/A	N/A	N/A	N/A
Date	N/A	N/A	N/A	N/A	N/A
Time	N/A	N/A	N/A	N/A	N/A
Cause of Fire	N/A	N/A	N/A	N/A	N/A
Number of Injuries	N/A	N/A	N/A	N/A	N/A
Number of Deaths	N/A	N/A	N/A	N/A	N/A
Property Damage	N/A	N/A	N/A	N/A	N/A
Case Number	N/A	N/A	N/A	N/A	N/A

APPENDIX A – NEW YORK STATE SEX CRIMES

New York State Penal Law contains the following legal provisions relating to sexual assault, dating violence, domestic violence, and stalking. More specific information can be found in the New York State Penal Code, which is available online at: ypdcrime.com/penal.law/part_index.htm. These definitions are provided for educational and awareness purposes only. The definitions used for Clery Act reporting are listed in Appendix B. FIT's definitions for purposes of its College policies are provided in College policy: fitnyc.edu/policies/safety-security/sexual-assault-stalking-abuse.php.

CONSENT (NY Penal Law Section 130.05): Whether or not specifically stated, it is an element of every offense in Article 130 of the NY Penal Law that the sexual act was committed without consent of the victim.

Lack of consent results from: forcible compulsion; or incapacity to consent; or where the offense charged is sexual abuse or forcible touching, any circumstances, in addition to forcible compulsion or incapacity to consent, in which the victim does not expressly or impliedly acquiesce in the actor's conduct; or where the offense charged is rape in the third degree or criminal sexual act in the third degree, in addition to forcible compulsion, circumstances under which, at the time of the act of intercourse, oral sexual conduct or anal sexual conduct, the victim clearly expressed that he or she did not consent to engage in such act, and a reasonable person in the actor's situation would have understood such person's words and acts as an expression of lack of consent to such act under all the circumstances.

A person is deemed incapable of consent when he or she is: less than 17 years old; or mentally disabled; or mentally incapacitated; or physically helpless; or committed to the care and custody of the state department of corrections and community supervision or a hospital and the actor is an employee who knows or reasonably should know that such person is committed to the care and custody or supervision of such department or hospital; or committed to the care and custody of a local correctional facility and the actor is an employee, not married to such person, who knows or reasonably should know that such person is committed to the care and custody of such facility; or committed to or placed with the office of children and family services and in residential care, and the actor is an employee, not married to such person, who knows or reasonably should know that such person is committed to or placed with such office of children and family services and in residential care; or a client or patient and the actor is a health care provider or mental health care provider charged with rape in the third degree, criminal sexual act in the third degree, aggravated sexual abuse in the fourth degree, or sexual abuse in the third degree as defined in, and the act of sexual conduct occurs during a treatment session, consultation, interview, or examination; or a resident or inpatient of a residential facility operated, licensed or certified by (i) the office of mental health; (ii) the office for people with developmental disabilities; or (iii) the office of alcoholism and substance abuse services, and the actor is an employee of the facility not married to such resident or inpatient.

SEXUAL ASSAULT: New York State does not specifically define sexual assault.

SEXUAL MISCONDUCT (NY Penal Law Section 130.20): When a person (1) engages in sexual intercourse with another person without such person's consent; or (2) engages in oral sexual conduct or anal sexual conduct without such person's consent; or (3) engages in sexual conduct with an animal or a dead human body.

RAPE IN THE THIRD DEGREE (NY Penal Law Section 130.25): When a person (1) engages in sexual intercourse with another person who is incapable of consent by reason of some factor other than being less than seventeen years old; (2) Being twenty-one years old or more, engages in sexual intercourse with another person less than seventeen years old; or (3) engages in sexual intercourse with another person without such person's consent where such lack of consent is by reason of some factor other than incapacity to consent.

RAPE IN THE SECOND DEGREE (NY Penal Law Section 130.30): When a person (1) being 18 years old or more, engages in sexual intercourse with another person less than 15 years old; or (2) engages in sexual intercourse with another person who is incapable of consent by reason of being mentally disabled or mentally incapacitated. It is an affirmative defense to the crime of rape in the second degree the defendant was less than four years older than the victim at the time of the act.

RAPE IN THE FIRST DEGREE (NY Penal Law Section 130.35): When a person engages in sexual intercourse with another person (1) by forcible compulsion; or (2) Who is incapable of consent by reason of being physically helpless; or (3) who is less than 11 years old; or (4) who is less than 13 years old and the actor is 18 years old or more.

CRIMINAL SEXUAL ACT IN THE THIRD DEGREE (NY Penal Law Section 130.40): When a person engages in oral or anal sexual conduct (1) with a person who is incapable of consent by reason of some factor other than being less than 17 years old; (2) being 21 years old or more, with a person less than 17 years old; (3) with another person without such person's consent where such lack of consent is by reason of some factor other than incapacity to consent.

CRIMINAL SEXUAL ACT IN THE SECOND DEGREE (NY Penal Law Section 130.45): When a person engages in oral or anal sexual conduct with another person (1) and is 18 years or more and the other person is less than 15 years old; or (2) who is incapable of consent by reason of being mentally disabled or mentally incapacitated. It is an affirmative defense that the defendant was less than four years older than the victim at the time of the act.

CRIMINAL SEXUAL ACT IN THE FIRST DEGREE (NY Penal Law Section 130.50): When a person engages in oral or anal sexual conduct with another person (1) by forcible compulsion; (2) who is incapable of consent by reason of being physically helpless; (3) who is less than 11 years old; or (4) who is less than 13 years old and the actor is 18 years old or more.

FORCIBLE TOUCHING (NY Penal Law Section 130.52): When a person intentionally, and for no legitimate purpose, forcibly touches the sexual or other intimate parts of another person for the purpose of degrading or abusing such person; or for the purpose of gratifying the actor's sexual desire; or subjects another person to sexual contact for the purpose of gratifying the actor's sexual desire and with intent to degrade or abuse such other person while such other person is a passenger on a bus, train, or subway car operated by any transit agency, authority or company, public or private, whose operation is authorized by New York state or any of its political subdivisions. Forcible touching includes squeezing, grabbing, or pinching.

PERSISTENT SEXUAL ABUSE (NY Penal Law Section 130.53): When a person commits a crime of forcible touching, or second or third degree sexual abuse, and, within the previous ten year period, excluding any time during which such person was incarcerated for any reason, has been convicted two or more times, in separate criminal transactions for which sentence was imposed on separate occasions, of forcible touching, sexual abuse in the third degree, sexual abuse in the second degree, or any offense in Article 130, of which the commission or attempted commission thereof is a felony.

SEXUAL ABUSE IN THE THIRD DEGREE (NY Penal Law Section 130.55): When a person subjects another person to sexual contact without the latter's consent. It is an affirmative defense that (1) such other person's lack of consent was due solely to incapacity to consent by reason of being less than 17 years old; and (2) such other person was more than 14 years old and (3) the defendant was less than five years older than such other person.

SEXUAL ABUSE IN THE SECOND DEGREE (NY Penal Law Section 130.60): When a person subjects another person to sexual contact and when such other person is (1) incapable of consent by reason of some factor other than being less than 17 years old; or (2) less than 14 years old.

SEXUAL ABUSE IN THE FIRST DEGREE (NY Penal Law Section 130.65): When a person subjects another person to sexual contact (1) by forcible compulsion; or (2) when the other person is incapable of consent by reason of being physically helpless; or (3) when the other person is less than 11 years old; or (4) when the other person is less than 13 years old and the actor is 21 years old or older.

AGGRAVATED SEXUAL ABUSE IN THE FOURTH DEGREE (NY Penal Law Section 130.65-a): When a person inserts a (1) foreign object in the vagina, urethra, penis, rectum or anus of another person and the other person is incapable of consent by reason of some factor other than being less than 17 years old; or (2) finger in the vagina, urethra, penis, rectum or anus of another person causing physical injury to such person and such person is incapable of consent by reason of some factor other than being less than 17 years old. Conduct performed for a valid medical purpose does not violate the provisions of this section.

AGGRAVATED SEXUAL ABUSE IN THE THIRD DEGREE (NY Penal Law Section 130.66): When a person inserts a foreign object in the vagina, urethra, penis, rectum or anus of another person (1)(a) by forcible compulsion; (b) when the other person is incapable of consent by reason of being physically helpless; or (c) when the other person is less than 11 years old; or (2) causing physical injury to such person and such person is incapable of consent by reason of being mentally disabled or mentally incapacitated. Conduct performed for a valid medical purpose does not violate the provisions of this section.

AGGRAVATED SEXUAL ABUSE IN THE SECOND DEGREE (NY Penal Law Section 130.67): When a person inserts a finger in the vagina, urethra, penis, rectum or anus of another person causing physical injury to such person by (1) forcible compulsion; or (2) when the other person is incapable of consent by reason of being physically helpless; or (3) when the other person is less than 11 years old. Conduct performed for a valid medical purpose does not violate the provisions of this section.

AGGRAVATED SEXUAL ABUSE IN THE FIRST DEGREE (NY Penal Law Section 130.70): When a person inserts a foreign object in the vagina, urethra, penis, rectum or anus of another person causing physical injury to such person by (1) forcible compulsion; or (2) when the other person is incapable of consent by reason of being physically helpless; or (3) when the other person is less than 11 years old. Conduct performed for a valid medical purpose does not violate the provisions of this section.

COURSE OF SEXUAL CONDUCT AGAINST A CHILD IN THE SECOND DEGREE (NY Penal Law Section 130.80): When over a period of time, not less than three months, a person: (1) Engages in two or more acts of sexual conduct with a child less than 11 years old; or (2) being 18 years old or more engages in two or more acts of sexual conduct with a child less than 13 years old. A person may not be subsequently prosecuted for any other sexual offense involving the same victim unless the other charges offense occurred outside of the time period charged under this section.

COURSE OF SEXUAL CONDUCT AGAINST A CHILD IN THE FIRST DEGREE (NY Penal Law Section 130.75): When a person over a period of time, not less than three months in duration,: (1) Engages in two or more acts of sexual conduct, which includes at least one act of sexual intercourse, oral sexual conduct, anal sexual conduct, or aggravated sexual contact, with a child less than 11 years old; or (2) being 18 years old or more engages in two or more acts of sexual conduct, which include at least one act of sexual intercourse, oral sexual conduct, anal sexual conduct, or aggravated sexual contact, with a child less than 13 years old. A person may not be subsequently prosecuted for any other sexual offense involving the same victim unless the other charges offense occurred outside of the time period charged under this section.

FACILITATING A SEX OFFENSE WITH A CONTROLLED SUBSTANCE (NY Penal Law Section 130.90): When a person: (1) knowingly and unlawfully possesses a controlled substance or any preparation, compound, mixture or substance that requires a prescription to obtain and administers such substance or preparation, compound, mixture or substance that requires a prescription to obtain to another person without such person's consent and with intent to commit against such person conduct constituting a felony defined in this Article 130; and (2) commits or attempts to commit such conduct constituting a felony defined in Article 130.

SEXUALLY MOTIVATED FELONY (NY Penal Law Section 130.91): When a person commits a sexually motivated felony when he or she commits a specified offense for the purpose, in whole or substantial part, of his or her own direct sexual gratification. A “specified offense” is a felony of: assault in the first or second degree, gang assault in the first or second degree, stalking in the first degree, strangulation in the first or second degree, manslaughter in the first or second degree, murder in the first or second degree, aggravated murder, kidnapping in the first or second degree, burglary in the first, second, or third degree, arson in the first or second degree, robbery in the first, second, or third degree, promoting prostitution in the first or second degree, compelling prostitution, disseminating indecent material to minors in the first degree, use of a child in a sexual performance, promoting an obscene sexual performance by a child, promoting a sexual performance by a child, or any felony attempt or conspiracy to commit any of the foregoing offenses.

INCEST IN THE THIRD DEGREE (NY Penal Law 255.25): A person is guilty of incest in the third degree when he or she marries or engages in sexual intercourse, oral sexual conduct or anal sexual conduct with a person whom he or she knows to be related to him or her, whether through marriage or not, as an ancestor, descendant, brother or sister of either the whole or the half blood, uncle, aunt, nephew or niece.

INCEST IN THE SECOND DEGREE (NY Penal Law 255.26): A person is guilty of incest in the second degree when he or she commits the crime of rape in the second degree, or criminal sexual act in the second degree, against a person whom he or she knows to be related to him or her, whether through marriage or not, as an ancestor, descendant, brother or sister of either the whole or the half blood, uncle, aunt, nephew or niece.

INCEST IN THE FIRST DEGREE (NY Penal Law 255.27): A person is guilty of incest in the first degree when he or she commits the crime of rape in the first degree, or criminal sexual act in the first degree, against a person whom he or she knows to be related to him or her, whether through marriage or not, as an ancestor, descendant, brother or sister of either the whole or half blood, uncle, aunt, nephew or niece.

STALKING IN THE FOURTH DEGREE (NY Penal Law Section 120.45): When a person intentionally, and for no legitimate purpose, engages in a course of conduct directed at a specific person, and knows or reasonably should know that such conduct (1) is likely to cause reasonable fear of material harm to the physical health, safety or property of such person, a member of such person’s immediate family or a third party with whom such person is acquainted; or (2) causes material harm to the mental or emotional health of such person, where such conduct consists of following, telephoning or initiating communication or contact with such person, a member of such person’s immediate family or a third party with whom such person is acquainted, and the actor was previously clearly informed to cease that conduct; or (3) is likely to cause such person to reasonably fear that his or her employment, business or career is threatened, where such conduct consists of appearing, telephoning or initiating communication or contact at such person’s place of employment or business, and the actor was previously clearly informed to cease that conduct. “Following” shall include the unauthorized tracking of such person’s movements or location through the use of a global positioning system or other device.

STALKING IN THE THIRD DEGREE (NY Penal Law Section 120.50): When a person (1) Commits the crime of stalking in the fourth degree against any person in three or more separate transactions, for which the actor has not been previously convicted; or (2) commits the crime of stalking in the fourth degree against any person, and has previously been convicted, within the preceding ten years of a specified predicate crime and the victim of such specified predicate crime is the victim, or an immediate family member of the victim, of the present offense; or (3) with an intent to harass, annoy or alarm a specific person, intentionally engages in a course of conduct directed at such person which is likely to cause such person to reasonably fear physical injury or serious physical injury, the commission of a sex offense against, or the kidnapping, unlawful imprisonment or death of such person or a member of such person's immediate family; or (4) commits the crime of stalking in the fourth degree and has previously been convicted within the preceding ten years of stalking in the fourth degree.

STALKING IN THE SECOND DEGREE (NY Penal Law Section 120.55): When a person: (1) Commits the crime of stalking in the third degree and in the course of and furtherance of the commission of such offense: (a) displays, or possesses and threatens the use of, a firearm, pistol, revolver, rifle, shotgun, machine gun, electronic dart gun, electronic stun gun, cane sword, billy, blackjack, bludgeon, plastic knuckles, metal knuckles, chuka stick, sand bag, sand club, slingshot, shuriken, "Kung Fu Star," dagger, dangerous knife, dirk, razor, stiletto, imitation pistol, dangerous instrument, deadly instrument or deadly weapon; or (b) displays what appears to be a pistol, revolver, rifle, shotgun, machine gun or other firearm; or (2) commits the crime of stalking in the third degree against any person, and has previously been convicted, within the preceding five years, of a specified predicate crime, and the victim of such specified predicate crime is the victim, or an immediate family member of the victim, of the present offense; or (3) commits the crime of stalking in the fourth degree and has previously been convicted of stalking in the third degree against any person; or (4) being 21 years of age or older, repeatedly follows a person under the age of fourteen or engages in a course of conduct or repeatedly commits acts over a period of time intentionally placing or attempting to place such person who is under the age of fourteen in reasonable fear of physical injury, serious physical injury or death; or (5) commits the crime of stalking in the third degree, against ten or more persons, in ten or more separate transactions, for which the actor has not been previously convicted.

STALKING IN THE FIRST DEGREE (NY Penal Law Section 120.60): When a person commits the crime of stalking in the third degree or stalking in the second degree and, in the course and furtherance thereof, he or she intentionally or recklessly causes physical injury to the victim of such crime or commits a misdemeanor sex offense, a felony rape in the second or third degree, a felony criminal sexual act in the second or third degree, or a felony female genital mutilation.

DATING VIOLENCE: New York State does not specifically define "dating violence." However, under New York Law, intimate relationships are covered by the definition of domestic violence when the act constitutes a crime listed elsewhere in this document and is committed by a person in an "intimate relationship" with the victim. See "**Family or Household Member**" for definition of "intimate relationship."

DOMESTIC VIOLENCE (NY Social Services Law 459-a; NY Criminal Procedure Law Section 530.11): New York state does not specifically define "domestic violence" within its Penal Law.

However, it does define domestic violence in the Social Services Law under the Domestic Violence Prevention Act. A “victim of domestic violence” under that law means any person over the age of sixteen, any married person or any parent accompanied by his or her minor child or children in situations in which such person or such person’s child is a victim of an act which would constitute a violation of the penal law, including, but not limited to acts constituting disorderly conduct, harassment, aggravated harassment, sexual misconduct, forcible touching, sexual abuse, stalking, criminal mischief, menacing, reckless endangerment, kidnapping, assault, attempted assault, attempted murder, criminal obstruction of breathing or blood circulation, or strangulation; and (i) such act or acts have resulted in actual physical or emotional injury or have created a substantial risk of physical or emotional harm to such person or such person's child; and (ii) such act or acts are or are alleged to have been committed by a family or household member.

- A **family or household member** is defined as persons related by consanguinity or affinity; Persons legally married to one another; Persons formerly married to one another regardless of whether they still reside in the same household; Persons who have a child in common regardless of whether such persons are married or have lived together at any time; Unrelated persons who are continually or at regular intervals living in the same household or who have in the past continually or at regular intervals lived in the same household; Persons who are not related by consanguinity or affinity and who are or have been in an intimate relationship regardless of whether such persons have lived together at any time; or any other category of individuals deemed to be a victim of domestic violence as defined by the office of children and family services in regulation. Factors that may be considered in determining whether a relationship is an “intimate relationship” include, but are not limited to: the nature or type of relationship regardless of whether the relationship is sexual in nature; the frequency of interaction between the persons; and the duration of the relationship. Neither a casual acquaintance nor ordinary fraternization between two individuals in business or social contexts shall be deemed to constitute an “intimate relationship”.
- A **parent** means natural or adoptive parent or any individual lawfully charged with a minor child’s care or custody.

Further, under the NY Criminal Procedure Law Section 530.11, the family courts and the criminal courts have concurrent jurisdiction over any proceeding concerning: acts which would constitute disorderly conduct (including disorderly conduct not in a public place), harassment in the first degree, harassment in the second degree, aggravated harassment in the second degree, sexual misconduct, forcible touching, sexual abuse in the third degree, sexual abuse in the second degree, stalking in the first degree, stalking in the second degree, stalking in the third degree, stalking in the fourth degree, criminal mischief, menacing in the second degree, menacing in the third degree, reckless endangerment, strangulation in the first degree, strangulation in the second degree, criminal obstruction of breathing or blood circulation, assault in the second degree, assault in the third degree, an attempted assault, identity theft in the first degree, identity theft in the second degree, identity theft in the third degree, grand larceny in the fourth degree, grand larceny in the third degree or coercion in the second degree, between spouses or former spouses, or between parent and child, or between members of the same family or household except that if the respondent would not be criminally responsible by reason of age, then the family court shall have exclusive jurisdiction over such proceeding. Notwithstanding a complainant's election

to proceed in family court, the criminal court shall not be divested of jurisdiction to hear a family offense proceeding pursuant to this section.

- **Members of the same family or household** with respect to a proceeding in the criminal courts means: persons related by consanguinity or affinity; persons legally married to one another; persons formerly married to one another regardless of whether they still reside in the same household; persons who have a child in common, regardless of whether such persons have been married or have lived together at any time; and persons who are not related by consanguinity or affinity and who are or have been in an intimate relationship regardless of whether such persons have lived together at any time. Factors the court may consider in determining whether a relationship is an “intimate relationship” include but are not limited to: the nature or type of relationship, regardless of whether the relationship is sexual in nature; the frequency of interaction between the persons; and the duration of the relationship. Neither a casual acquaintance nor ordinary fraternization between two individuals in business or social contexts shall be deemed to constitute an “intimate relationship”.
- More information on New York’s special courts for domestic violence and integrated domestic violence is available online at:
<https://www.nycourts.gov/courts/family-violence/index.shtml>.

APPENDIX B – CLERY ACT REPORTABLE CRIMES

The definitions that follow are the definitions used for reporting statistics in compliance with the Clery Act. Please note that these definitions are standardized for use by all reporting institutions across the country to comply with the Clery Act; therefore, these definitions may differ both from how FIT policies define certain offenses and/or how local jurisdictions may define criminal offenses.

1. Criminal Offenses Definitions

Criminal Homicide – Murder and Non-negligent Manslaughter: The willful (non-negligent) killing of one human being by another. It includes any death caused by injuries received in a fight, argument, quarrel, assault, or the commission of a crime.

Criminal Homicide – Manslaughter by Negligence: The killing of another person through gross negligence. It includes any death caused by the gross negligence of another. In other words, it's something that a reasonable and prudent person would not do.

Sexual Assault: Any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent. Under the Clery Act, there are four types of sexual assault, defined as follows:

- **Rape:** The penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This offense includes the rape of both males and females. It includes, regardless of the age of the victim, if the victim did not consent or if the victim was incapable of giving consent.
- **Fondling:** The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
- **Incest:** Sexual intercourse between persons who are related to each other with the degrees wherein marriage is prohibited by law.
- **Statutory Rape:** Sexual intercourse with a person who is under the statutory age of consent.

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. The essential elements of a robbery are that it is committed in the presence of a victim (usually the owner or person having custody of the property), the victim is directly confronted by the perpetrator, the victim is threatened with force or put in fear that force will be used, and involves a Theft or Larceny.

Aggravated Assault: An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. It includes assaults or attempts to kill or Murder; poisoning (including the use of date rape drugs); assault with a dangerous or deadly weapon; maiming; mayhem; assault with explosives; and assault with disease (as in cases when the offender is aware that he or she is infected with a deadly disease and deliberately attempts to inflict the disease by biting, spitting, etc.).

Burglary: The unlawful entry of a structure to commit a felony or theft. There must be evidence of unlawful entry (trespass). This means that the person did not have the right to be in the structure at the time the incident occurred. The unlawful entry must occur within a structure, which is defined as having four walls, a roof, and a door. The structure must have been unlawfully entered to commit a felony or a theft. If the intent was not to commit a felony or a theft, the incident is not a Burglary.

Motor Vehicle Theft: The theft or attempted theft of a motor vehicle. It includes theft of any self-propelled vehicle that runs on land surface and not on rails. It includes incidents where automobiles are taken by persons not having lawful access even if the vehicles are later abandoned.

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. Arson only includes fires determined to have been willfully or maliciously set. Arson includes attempts to burn, any fire that investigation determines to meet this definition regardless of property damage value, and incidents where an individual willfully or maliciously burns his or her own property.

2. Hate Crimes Definitions

Hate Crime: a criminal offense that manifest evidence that the victim was intentionally selected because of the perpetrator's bias against the victim.

Hate Crimes are reported under the Clery Act for any of the Criminal Offenses listed above in Section 1, as well as the following:

- **Larceny-Theft:** The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Constructive possession is the condition in which a person does not have physical custody or possession but is in a position to exercise dominion or control over a thing.
- **Simple Assault:** An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness. It includes all assaults that do not involve the use of a firearm, knife, cutting instrument or other dangerous weapon, and in which the victim did not sustain serious or aggravated injuries.
- **Intimidation:** To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack. A person is assumed to be in "reasonable fear" if he or she reports threatening words or other conduct to law enforcement personnel.
- **Destruction/Damage/Vandalism of Property:** To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

Hate Crimes are reported under the Clery Act on the following categories of bias:

- **Race:** A preformed negative attitude toward a group of persons who possess common physical characteristics, e.g., color of skin, eyes, and/or hair; facial features, etc., genetically transmitted by descent and heredity which distinguish them as a distinct division of humankind, e.g., Asians, blacks or African Americans, whites.
- **Religion:** A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being, e.g., Catholics, Jews, Protestants, atheists.
- **Sexual Orientation:** A preformed negative opinion or attitude toward a group of persons based on their actual or perceived sexual orientation. Sexual Orientation is the term for a person's physical, romantic, and/or emotional attraction to members of the same and/or opposite sex, including lesbian, gay, bisexual, and heterosexual (straight) individuals.
- **Gender:** A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender, e.g., male or female.
- **Gender Identity:** A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender identity, e.g., bias against transgender or gender non-conforming individuals. Gender non-conforming describes a person who does not conform to the gender-based expectations of society, e.g., a woman dressed in traditionally male clothing or a man wearing makeup. A gender non-conforming person may or may not be a lesbian, gay, bisexual, or transgender person but may be perceived as such.
- **Ethnicity:** A preformed negative opinion or attitude toward a group of people whose members identify with each other, with each other, through a common heritage, often consisting of a common language, common culture (often including a shared religion) and/or ideology that stresses common ancestry. The concept of ethnicity differs from the ethnicity differs from the closely related term "race" in that "race" refers to a grouping based mostly upon biological criteria,

upon biological criteria, while “ethnicity” also encompasses additional cultural factors.

- **National Origin:** A preformed negative opinion or attitude toward a group of people based on their actual or perceived country of birth. This bias may be against people that have a name or accent associated with a national origin group, participate in certain customs associated with a national origin group, or because they are married to or associate with people of a certain national origin.
- **Disability:** A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced age or illness.

3. VAWA Offenses

Dating Violence: Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse, but does not include acts covered under Domestic Violence.

Domestic Violence: A felony or misdemeanor crime of violence committed by: a current or former spouse or intimate partner of the victim; a person with whom the victim shares a child in common; a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner; a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

Stalking: Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others; or suffer substantial emotional distress. Course of conduct means two or more acts, including but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property. A reasonable person is one under similar circumstances and with similar identities to the victim. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily require, medical or other professional treatment or counseling.

Sexual Assault is also a VAWA Offense, but for Clery Act reporting purposes it is part of the Criminal Offenses category, defined above in Section 1.

4. Arrests and Referrals for Disciplinary Action

Weapons – Carrying, Possessing, Etc.: The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature.

Drug Abuse Violations: the violation of laws prohibiting the production, distribution and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing and making of narcotic drugs. This includes all drugs, without exception, that are illegal under local or state law and all illegally obtained prescription drugs.

Liquor Law Violation: The violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession or use of alcoholic beverages, not including driving under the influence and drunkenness.

These three categories of violations of law – *not* institutional policy violations – are reported under the Clery Act only when they result in **Arrest** or are **Referred for Disciplinary Action** as follows:

- **Arrests:** Persons processed by arrest, citation, or summons.
- **Referred for Disciplinary Action:** The referral of any person to any official who initiates a disciplinary action of which a record is established and which may result in the imposition of a sanction.