

**The New School Center for Media
14 Computer Drive West
Albany, NY 12205**

2020 Annual Safety and Security Report

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I. INTRODUCTION

The 2019 Annual Safety and Security Report (the “Report”) is published pursuant to and in compliance with the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (the “Clery Act”)* and the *Violence Against Women Act Reauthorization Act (“VAWA”)*, as amended.

Ensuring the safety and security of the School community is a critical priority for The New School Center for Media (“The New School”) In recognition of this fact and in keeping with applicable federal requirements, the School, located at *14 Computer Drive West, Albany, NY 12205*, publishes this Report each year. This Report discloses information concerning the School’s safety and security policies, procedures, and statistics regarding specified crimes reported to the School and local law enforcement agencies during the previous three (3) years. It is the School’s intention that this Report inform current students, prospective students, employees, and prospective employees of the School’s safety and security policies. Further, this Report is intended to provide such parties with key information regarding the security of the School and surrounding areas and ultimately, to create a safer, more secure School environment.

The full text of this Report is available online www.newschoollalbany.edu. Notice of the Report’s availability is distributed to all prospective students and employees prior to enrollment or employment, as applicable. The New School personnel also provide notice of the Report to all students and employees on an annual basis.

II. PROMPT REPORTING OF AN EMERGENCY OR CRIME

Employees, students, visitors, and other community members are encouraged and expected to report promptly and accurately all crimes and public-safety related incidents to the School’s School Security Authorities (“SSAs”) or the appropriate local law enforcement agency.

Dial 911	Report immediate, ongoing emergencies
Dial 518-783-2744	Report non-emergency criminal violations
In Person	Contact your School Security Authority: <i>Cathy Taylor, Director of Operations</i> <i>Daniel Ross, Director</i>
Online	Title IX Coordinator: Admin@newschoollalbany.edu
Phone:	518 438 7682
Dial 1.800.222.8477	Crime Stoppers USA
Online	http://www.crimestoppersusa.org/

III. STATEMENT OF PROHIBITION

The New School Center for Media prohibits the crimes of dating violence, domestic violence, sexual assault, and stalking as those terms are defined for purposes of the Clery Act.

IV. SCHOOL SAFETY AND EMERGENCY PREPAREDNESS

Emergency Alert Notification System (“EANS”)

The School maintains an Emergency Alert Notification System (“EANS”) aimed at providing information to students and staff in a timely manner in the event of an emergency. The primary means of delivering pertinent information is via e-mail and text message. Every student and instructor are added to the list during their respective orientation procedures. It is the responsibility of each individual to keep their contact information up-to-date with the school in order to continue receiving these notifications

EANS alerts provide information regarding the nature of the emergency as well as information about appropriate responses (e.g. take cover, evacuate, etc.). The School conducts annual tests of the EANS to ensure preparedness. Such tests may include notification by email and/or text message, scheduled drills and/or exercises, and appropriate follow-through activities designed for assessment and evaluation of emergency plans and capabilities.

Timely Warning of Ongoing Emergencies

If a situation arises that poses an immediate threat to the health, safety, and/or well-being of students or employees, a School-wide “timely warning” will be issued to the entire School community in a manner designed to expedite emergency response and prevent similar occurrences.³ This timely warning will be issued to students and employees via the School’s EANS upon the confirmation of a significant emergency or dangerous situation involving an immediate threat occurring at or near the School.⁴

Generally, timely warnings are generated by the SSA and issued by the School’s Emergency Management Team (the “EMT”) for crimes hereinafter referenced as *Clery Crimes*.⁵ Pertinent information will be posted in classrooms, the Learning Resource Center, on student bulletin boards, and in common areas. Names and other identifying information of victims are withheld as confidential.

Emergency Notification Options

- ✓ *EANS*
- ✓ *E-mail*
- ✓ *Local TV & Radio*
- ✓ *School Social Media Page*

³ Immediate threat as used here encompasses an imminent or impending threat.

⁴ Confirmation means that an official (or officials) of the institution has verified that a legitimate emergency or dangerous situation exists.

⁵ Clery crimes are discussed in detail in section XVII.

V. EMERGENCY PLANNING AND MANAGEMENT

Emergency Response Planning and Management

The School has in place measures reasonably calculated to prepare for and respond to emergency situations as they may arise. Exemplars of such situations include, but are not limited to an approaching tornado or other extreme weather condition or event, nearby chemical or hazardous material spill, threat of violence to persons or facility, natural disaster, disease pandemic, earthquake, gas leak, and civil unrest. Examples of situations that may not necessitate an emergency response include power outages, snow closure, or a string of larcenies.

The School has an Emergency Management Master Plan (the “Master Plan”) formulated to respond appropriately to emergency events or occurrences. The purpose of the School’s Master Plan is to establish policies, procedures, and an organizational structure to ready for and respond to on-site emergencies. Accordingly, the Master Plan outlines administrative steps for response to, stabilization of, and recovery from an emergency event, specific procedures that the School will use to communicate with employees, students, and the public during an emergency, and the responsibilities of the EMT.

Emergency Management Team (EMT)

The School is staffed with an EMT that primarily serves to plan and execute emergency preparedness, response, and recovery functions. The EMT is responsible for assessment and implementation of emergency procedures such as initiation of the EANS, evacuations, lockdowns, and coordination with responding emergency agencies. This team includes the School Director, Director of Education, and other high-ranking management employees or designees.

The EMT is responsible for confirming the existence of a significant emergency or dangerous situation involving an immediate threat to the health, safety, and/or well-being of students and/or employees as well as initiating the EANS. When making this determination, the EMT reviews and analyzes relevant information that is reasonably available under the circumstances, and a designated member, without delay and with consideration for community safety, determines the content of the notification and disperses the EANS to students and employees. However, such notification will not be dispersed if, in the professional judgment of the EMT, doing so will compromise the efforts to assist a victim or otherwise hamper responses employed to mitigate the existing threat(s).

The EMT participates in trainings to ensure all members are prepared to respond appropriately to events leading to initiating an EAN and successfully operate the EANS.

Implementation of Emergency Management Plan

Subsequent to notifying emergency authorities and/or activation of the EANS, the EMT is responsible, to the extent reasonably possible, for managing ongoing response efforts to a given emergency situation until the immediate dangers and/or threats have been alleviated.

VI. RESPONSE TO A REPORTED CRIME

Response Following Emergency Situation

Following the occurrence of an emergency situation and issuance of an alert from the EANS, the School's EMT shall begin to assess the situation. In the event that the EMT is unable to alert external emergency response entities, the appropriate authorities shall be contacted and informed of the situation with all deliberate speed as soon as safety permits.

The initial assessment performed by the EMT is to identify and avoid any ongoing dangers and/or risks to the safety and well-being of students, employees, and visitors. The EMT will work to maintain order and take all reasonable and appropriate steps to restore general School operations, to the extent possible.

Subsequent informational notifications will be sent to students and employees via e-mail, phone call, and/or text message. Such notifications may also be made by other means.

General Emergency Evacuation and Notification Procedures

Should an event occur on or off-site, which, in the judgment of the EMT, constitutes a significant emergency or dangerous situation involving an immediate threat to the health or safety of the School community, a School-wide notification will be issued by activating the EANS. The School maintains the EANS so as to timely provide information to the School community in the event of an emergency situation. The primary means of delivery of emergency information is via e-mail and text message to cellular telephones.

The personal cellular telephone number of students and employees may also be incorporated into the EANS and receive emergency alerts.

The EANS is only for use upon the confirmation of an emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring at the School. "Immediate" threat as used herein encompasses an imminent or impending threat. "Confirmation" means that an institution official (or officials) has verified that a legitimate emergency or dangerous situation exists.

Some examples of significant emergencies or dangerous situations are:

- Extreme weather (*e.g.*, tornado, flood)
- Earthquake
- Terrorist incident
- Armed person(s)
- Bomb Threat
- Explosion

Examples of situations that would *not* necessitate an emergency response or alert include:

- Power outage
- Snow closure
- String of larcenies
- Minor altercation

Prior to activating the EANS or making an emergency announcement, the School Director/SSA will determine (1) whether, in his or her judgment, the information suggesting that an emergency has occurred is credible, and (2) whether issuing a notification or making an announcement would compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency. If the School Director/SSA is unable to carry out the duties described above, the Director of Education or another member of the EMT will carry them out.

In the event of an emergency, the School Director/SSA will craft a brief notification containing pertinent information about the nature of the emergency (*e.g.*, approaching tornado, gas leak) and include direction regarding the appropriate response (*e.g.*, take cover, evacuate). Should a general evacuation need to take place, all persons on-site should exit the building immediately by way of the nearest door, marked with a lighted red exit sign, and follow the signs, exiting to the outside and quickly proceeding to the parking lot in front of the building. It is the responsibility of all able staff to assist any persons with disabilities in exiting the building quickly and safely.

Individuals who exit the building first must position themselves far enough away from the street to enable everyone to stand clear of emergency vehicles. The street must be kept clear at all times, so as not to hamper the movement of emergency vehicles into the area.

Once outside the building, the EMT will confirm that appropriate emergency personnel have been contacted, assemble all employees in the parking lot in front of the building, confirm that all employees, students and visitors are out of the building, and meet with emergency personnel at the front entrance to provide additional information. Individuals should not re-enter the School building for any reason until it is declared safe by the appropriate emergency personnel, and the School Director/SSA has agreed to permit persons to re-enter.

Should an emergency occur on or off-site, which, in the judgment of the School Director/SSA, constitutes an ongoing or continuing concern, follow-up information will be issued to the School community, as appropriate. This information will be issued through the School's e-mail system to students, faculty, and staff. Related information also will be posted in classrooms, the School library, on student bulletin boards, and in student lounges as appropriate. The School will conduct annual tests of the EANS to ensure preparedness in the event of an actual emergency. Such tests may include e-mail or text message test alerts, scheduled drills or exercises, and appropriate follow-through activities designed for assessment and evaluation of emergency plans and capabilities.

The School will test at least annually the EANS. Through periodic emergency response training, fire and evacuation drills and the posting of this Report on the School's website, the School publicizes emergency response and evacuation procedures to students and staff on an at least annual basis.

VII. ALCOHOL AND DRUG USE POLICY

As a matter of policy, the School prohibits the unlawful manufacture, possession, use, sale, dispensation, or distribution of controlled substances or alcohol by students and employees on its property or at any School activity. Any violation of this policy will result in appropriate disciplinary action, up to and including expulsion in the case of students and termination in the case of employees, even for a first offense. Violations of the law will be referred to the appropriate law enforcement authorities. It is unlawful to sell, furnish, or provide alcohol to a person under the age of 21. The possession of alcohol by anyone less than 21 years of age in a public place or a place open to the public is illegal.

Students or employees may be referred to substance abuse help centers. If a referral is made, continued enrollment or employment may be subject to successful completion of any prescribed counseling or treatment program. The full drug and alcohol policy disclosure along with additional information regarding drug and alcohol abuse prevention can be obtained by visiting the School's Consumer Information on its website. A hard copy may also be requested and one will be provided.

VIII. ALCOHOL, ILLEGAL DRUGS AND SUBSTANCE ABUSE EDUCATION

Drinking too much can harm your health. Excessive alcohol use led to approximately 88,000 deaths and 2.5 million years of potential life lost (YPLL) each year in the United States from 2006 – 2010, shortening the lives of those who died by an average of 30 years.⁷ Further, excessive drinking was responsible for 1 in 10 deaths among working-age adults aged 20-64 years. The economic costs of excessive alcohol consumption in 2010 were estimated at \$249 billion, or \$2.05 a drink.⁸

<i>Drink Responsibly!</i> (1 Standard Drink = .06 ounces of pure alcohol)	
	12-ounces of beer (5% alcohol content)
	8-ounces of malt liquor (7% alcohol content)
	5-ounces of wine (12% alcohol content)

1.5 ounces of 80-proof (40% alcohol content) distilled spirits or liquor (e.g., gin, rum, vodka, whiskey)⁶

Most drugs of abuse can alter a person's thinking and judgment, leading to health risks, including addiction, drugged driving, and infectious disease.

<i>Short-term Health Risks</i>	<i>Long-Term Health Risks</i>
Injuries (e.g. drownings, burns, motor vehicle accidents)	High blood pressure, heart disease, stroke, liver disease
Violence, including homicide, suicide, sexual assault	Cancer of breasts, mouth, throat, esophagus, liver, and colon
Alcohol poisoning	Learning and memory problems, including dementia
Risky sexual behaviors	Social problems
Miscarriage, stillbirth, or fetal alcohol spectrum disorder	Alcoholism ⁹

<i>Commonly Abused Drugs</i>	
Alcohol	MDMA (Ecstasy/Molly)
Ayahuasca	Mescaline (Peyote)
Cocaine	Methamphetamine
DMT	Over-the-counter Cough/Cold Medicine
GHB	PCP
Hallucinogens	Prescriptions Opioids/Sedatives/Stimulants
Heroin	Psilocybin
Inhalants	Rohypnol
Ketamine	Salvia
Khat	Steroids (Anabolic)
Kratom	Synthetic Cannabinoids
LSD	Synthetic Cathinones (“Bath Salts”)
Marijuana (Cannabis)	Tobacco ¹⁰

⁶ *Id.*; U.S. Department of Health and Human Services and U.S. Department of Agriculture. *2015 – 2020 Dietary Guidelines for Americans*. 8th Edition, Washington, DC; 2015.

⁷ <http://www.cdc.gov/alcohol/fact-sheets/alcohol-use.htm>

⁸ *Id.*

⁹ <http://www.cdc.gov/alcohol/fact-sheets/alcohol-use.htm>

¹⁰ https://www.drugabuse.gov/sites/default/files/commonly_abused_drugs_final_04202016.pdf

Resources

Though the School does not currently offer on-site resources, students and employees may always contact the SSA for information regarding off-site resources in addition to those listed below.

The New School Center for Media recognizes its responsibility to provide a safe, drug-free work environment. Because our culture is driven by a commitment to excellence in all areas, The New School strictly prohibits substance abuse in any form. To this end, The New School takes all appropriate steps to ensure a drug-free workplace. If you become aware of alcohol or drug-related activity in violation of The New School's Substance Abuse Control Policy, or if you require additional information regarding available resources, we encourage you to contact us as soon as possible.

STUDENTS

Director of Education

Director of Operations

FACULTY & STAFF

Director

Director of Education

Director of Operations

ALCOHOLICS ANONYMOUS

518-463-3903

11 Computer Drive West

Albany, NY 12205

SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION (SAMHSA)

1.800.662.HELP (4357)

<http://www.samhsa.gov/find-help/national-helpline>

AL ANON FOR FAMILIES OF ALCOHOLICS

1.800.344.2666

<http://www.al-anon.alateen.org/>

IX. SCHOOL SAFETY AND SECURITY



Security Awareness

The School recognizes and encourages all to be aware that no environment is entirely free of risk. To that end, each individual must assume personal responsibility for his or her own safety, on and off-site.

Security of and Access to School Facilities

Access to School facilities is controlled at all times. Enrolled students are required to enter and exit School facilities through designated doors. The main entrance of the School is only for the use of School personnel, students, and visitors. All visitors should enter through the main entrance and sign the Visitor's Log. The School is located in a stand-alone building. All doors to the building remain locked from 5:00 p.m. until 8:00 a.m. and only designated personnel have

access to the building during those times. Neither visitors nor guests are allowed to access or visit any area of the School without the permission of a School employee. No visitor or guest may attend any class without knowledge and permission of an authorized school official. The School does not operate or sponsor any on-site or off-site student housing or student organizations, including fraternities or sororities.

School Security

The School's SSAs are authorized to ask persons for identification and to determine whether individuals have legitimate business at the School. SSAs do not possess the power to arrest. Criminal incidents are referred to the local police who have jurisdiction over the School. The School does not have any agreements with local law enforcement for the investigation of alleged criminal offenses. However, SSAs

maintain a highly professional working relationship with local law enforcement. All crime victims and witnesses are strongly encouraged to report immediately any crime to the School's SSAs and the appropriate policing agency, in accordance with the reporting procedures set forth herein. Prompt reporting ensures the timeliness of warning notifications to the School community as well as timely and accurate disclosure of crime statistics.

X. OFF-SITE CRIME

The Colonie Police Department maintains primary jurisdiction over the School and all School owned or leased property within the city limits of Albany, (Colonie) NY. Colonie police also monitor and respond to criminal activity reported at non-School locations that fall within the School's Clery geography.¹¹

The School may pursue disciplinary action for off-site misconduct, even if the misconduct is not criminal in nature.

¹¹ Clery geography includes buildings and property that are part of the institution, the institution's off-site buildings and property; and public property within or immediately adjacent to and accessible from the School.

XI. CRIME PREVENTION AND AWARENESS PROGRAMS

Pursuant to and in compliance with the Clery Act, the School offers primary prevention and awareness training programs, known as Primary Prevention Awareness Campaigns (“PPACs”), to all new employees and incoming students. These trainings are designed to promote awareness of dating violence, domestic violence, sexual assault, and stalking while creating a unified and proactive culture aimed at eliminating or decreasing the occurrence of School crime.

The School also conducts Ongoing Prevention Awareness Campaigns (“OPACs”). These trainings are conducted throughout the year and cover topics including diversity, sexual assault prevention, domestic violence, and alcohol awareness.

As required by federal law, PPACs and OPACs include:

- Federal and Jurisdictional definitions of:
 - consent
 - dating violence
 - domestic violence
 - sexual assault
 - stalking;
- Content related reportable Clery crimes;
- Sexual assault prevention education;
- Alcohol & Substance abuse;
- Emergency response and evacuation;
- Safe and positive bystander intervention options that may be carried out by an individual to prevent harm or to intervene when there is a risk that another individual will experience dating violence, domestic violence, sexual assault, or stalking; and
- Risk reduction strategies, including warning signs of abusive behavior.

XII. SEX OFFENDER REGISTRY

Pursuant to the *Campus Crime Prevention Act of 2000*, the School is required to disclose to the School community information pertinent to registered sex offenders. Accordingly, the School provides the following link to the Federal

Bureau of Investigation’s National Sex Offender Public Website, which provides state-specific law enforcement information regarding registered sex offenders:

<http://www.fbi.gov/hg/cid/cac/registry.htm>¹²

Please note that information provided via this link should be used exclusively for the purposes of criminal justice, screening of current or prospective employees, volunteers, or otherwise for the protection of the public in general and children in particular. Unlawful use of registry information, such as intimidation or harassment, is prohibited and any willful violation shall be punishable by law. If you require additional information, please contact your local law enforcement agency.

¹² The Federal Campus Crime Prevention Act of 2000 amended the *Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act*, the Clery Act and the Federal Educational Rights and Privacy Act of 1974.

XIII. ABUSE AND NEGLECT REPORTING

Any School employee who in the course of employment receives information related to suspected physical or sexual abuse of a child or reasonably suspects the physical or sexual abuse of a child must immediately report such information the School Director. If there is reason to believe that immediate protection for the child is advisable, an oral report shall also be made to the appropriate law enforcement agency immediately.

XIV. REPORTING OPTIONS FOR SEXUAL MISCONDUCT

The School is committed to providing an educational and work environment free of discrimination, harassment, and retaliation and does not discriminate on the basis of sex or gender. Accordingly, such behavior is strictly prohibited by students, employees, supervisors, managers, executives, directors, and all other members of the School community. If an employee knows or reasonably should know that an act of sexual misconduct has occurred, he or she is obligated to submit a detailed report to the Title IX Coordinator as soon as possible.¹³

Reporting Sexual Misconduct

Victim's Option to Report

Victims and witnesses are strongly encouraged to report all instances of sexual misconduct to a the Title IX Coordinator without delay.¹⁴ **The New School will comply with all requests for reasonable accommodations.**

Although victims are not required to file a formal complaint, all are encouraged to do so in the interest of their ongoing safety as well as that of the School community. Regardless of whether a formal complaint is filed, all victims may still request and take advantage of all reasonable accommodations and/or protective measures upon request.

Formal Title IX Complaints

If you believe that you have been the victim of sexual misconduct, you may file a formal complaint with the Title IX Coordinator at any time. A formal Title IX complaint may be filed

regardless of whether a criminal complaint is filed in the overseeing jurisdiction or a filed criminal complaint has been dismissed due to insufficient evidence.

Complaints may be submitted directly to the Title IX Coordinator by using the contact information provide below:

Dan Ross
Director
518 438 7682
14 Computer Drive West
Albany, NY 12205

Criminal Complaints

Victims of sexual misconduct are not required to file a criminal complaint but may do so by contacting their local law enforcement agency or the agency in whose jurisdiction the offense occurred. All victims may seek the assistance of the Title IX Coordinator when filing a criminal complaint based on allegations of sexual misconduct.

Anonymous Reports

Anyone with knowledge of an occurrence of sexual misconduct may file an anonymous or confidential report with the Title IX Coordinator.

¹³ Sexual Misconduct includes dating violence, domestic violence, sexual harassment, stalking, and sexual assault.

What if I'm a Victim of Sexual Assault?

- ✓ Get to a safe place
- ✓ Preserve evidence of assault
- ✓ Seek medical attention immediately
- ✓ Speak to someone you trust
- ✓ Consider reporting the incident

Victim's Bill of Rights

- Right to receive assistance from authorized officials*
- Right to be informed of all reporting options*
- Right to be free from pressure to make a criminal report*
- Right to have any allegations of sexual misconduct promptly investigated and/or adjudicated by trained officials*
- Right to be notified of available resources (e.g. medical, legal, counseling)*
- Right to be informed of available*

XV. PRESEVATION OF EVIDENCE

Following a violent offense, physical evidence can assist in various ways including establishing elements of a crime, identifying or eliminating a suspect, and corroborating or disputing the statements of principals.¹⁵ Because of this, it is imperative to preserve such evidence as soon as possible. This is especially true in instances of sexual assault. Evidence most often encountered in sexual assault cases includes not only biological evidence (e.g. semen) but also fingerprints, impression evidence (e.g. shoeprints), and trace evidence (e.g. hair/fibers).¹⁶ The best way to preserve evidence following a violent offense is to seek a forensic exam at your local hospital. While forensic exams may be performed up to 120 hours after an assault, it is best to seek medical attention as soon as possible, to ensure that as much evidence is preserved as possible.

XVI. FORENSIC EXAMS

Forensic exams are typically performed in three parts. The exam begins with an interview conducted by a Sexual Assault Nurse Examiner ("SANE"). The SANE will seek to obtain information about the assault by asking specific questions concerning details of the assault. You may always choose not to answer any question or questions, but the more information disclosed, the more information the SANE will have about the assault; thus, the more assistance he or she will be able to provide.¹⁷

The second part of the exam consists of a physical exam. During this time, swabs will be obtained from the pelvic area and a speculum exam is done if indicated. This may consist of swabbing with a cotton applicator other areas of the body that were indicated in the in the initial interview. An alternative light

¹⁵ California Department of Justice Physical Evidence Bulletin <http://www.crime-scene-investigator.net/CAsexualassault.pdf>.

¹⁶ *Id.*

¹⁷

¹⁷ <http://shs.wustl.edu/SexualViolence/What-to-do-if-you-have-been-sexually-assaulted/Pages/What-to-expect-from-a-SANE-forensic-exam.aspx>

source may also be used to search for saliva or semen. A thorough exam may also require nail clipping, hair samples, and photographs, all of which are completely confidential. If available, the SANE will also ask for clothing worn during or immediately following the assault to be sent with the kit as evidence.¹⁸

The final portion of the exam is a blood and urine collection. If the interview indicates a possible Drug Facilitated Assault, blood and urine samples will be obtained and sent with the evidence kit.¹⁹

The following local hospital employs specially trained professionals for cases involving sexual assault:

Albany Medical Center – 518-262-3125
43 New Scotland Avenue
Albany, NY 12208

XVII. ORDERS OF PROTECTION

Although The New School does not issue Orders of Protection, this section contains information related to obtaining Orders of Protection in Albany County. The New School is obligated to comply with and enforce the terms of Orders of Protection of which its officials have knowledge. If you have obtained an Order of Protection, you should contact the SSA immediately to ensure full compliance with and enforcement of the Order.

What is an order of protection?

An order of protection is issued by the court to limit the behavior of someone who harms or threatens to harm another person. It is used to address various types of safety issues, including, but not limited to situations involving domestic violence. Family Courts, criminal courts, and Supreme Courts can all issue orders of protection.

An order of protection may direct the offending person not to injure, threaten or harass you, your family, or any other person(s) listed in the order. It may include, but is not limited to, directing him/her to:

- stay away from you and your children
- move out of your home
- follow custody orders
- pay child support
- not have a gun

What is the difference between a Family Court, criminal court and Supreme Court order of protection?

A **Family Court order of protection** is issued as part of a civil proceeding. Its purpose is to stop violence within a family, or within an intimate relationship, and provide protection for those individuals affected. *All Family Court proceedings are confidential.*

To obtain an order of protection in the Family Court, your relationship to the other person must fall into one of the following categories:

- Current or former spouse
- Someone with whom you have a child in common
- A family member to whom you are related by blood or marriage
- Someone with whom you have or have had an “intimate relationship.” An intimate relationship does not have to be a sexual relationship. A relationship may be considered intimate depending on factors such as how often you see each other, or how long you have known each other. After a petition is filed, the court will decide if it is an intimate relationship.

To start a proceeding in Family Court, you need to file a form called a *Family Offense petition*. The person filing the petition is called the “*petitioner*,” and the person the petition is filed against is called the “*respondent*.” You can contact the Family Court in your county for help completing and filing the petition. You may also wish to speak with an attorney or domestic violence advocate before filing. For information specific to filing an order of protection in New York City visit the [Family Court Website](#). This page also includes helpful information about what to expect in court no matter where in New York State you live.

A **criminal court order of protection** is issued as a condition of a defendant’s release and/or bail in a criminal case. A criminal court order of protection may only be issued against a person who has been charged with a crime. Criminal cases are prosecuted for the State of New York by the district attorney. Although the district attorney may start a criminal case before a person is arrested, a criminal case usually begins with a person’s arrest. The person charged with abuse is called a “*defendant*.” The victim of abuse is called the “*complaining witness*.” There does not need to be a relationship between the complaining witness and the defendant.

In a criminal case, the district attorney requests an order of protection for the victim or complaining witness. The judge decides whether to issue the order of protection and what terms and conditions will be included in the order.

A **Supreme Court order of protection** can be issued as part of an ongoing divorce proceeding.

If you have an ongoing divorce case and would like to request an order of protection, you may do so by making a written request by Motion or Order to Show Cause; or you may make an oral request at a court appearance. If you are represented by an attorney, your attorney may make the written or oral request for you. The judge decides whether to issue the order of protection and what terms and conditions will be included in the order.

What if someone violates an order of protection?

It is a crime to violate a temporary or final order of protection. If the subject of the order of protection does not obey the order, then you can call the police. The police will probably arrest the individual for violating the order of protection. The individual does not have to hit you to violate the order. If the individual comes to your home and the order says he/she can't, then you can call the police. You also have the right to file a violation of the order in Family Court. Filing a violation in Family Court usually will not result in arrest of the individual who has violated the order. You can choose to go to Family or criminal Court, or both.

How can I find a court near me?

**Click on the category to visit the link. Choose your County/City to find the court nearest you*

[Family Courts](#) | [County Courts](#) | [City Courts](#) | [Supreme Court](#) | [Town & Village Courts](#)

Where can I get more help?

A person in a dangerous emergency situation requiring immediate intervention should call 911 for assistance.

For additional court information, consult [CourtHelp](#) or the [Court/HelpCenters](#).

You can call any of these numbers – day or night. The hotline operators can answer your specific questions and direct you to further resources.

- [NYC Gay and Lesbian Anti-Violence Project](#)
212-714-1141 (24-hour English and Spanish Hotline)
- NYS Domestic and Sexual Violence Hotline Numbers:
English: 1-800-942-6906
TTY: 1-800-818-0656
Spanish: 1-800-942-6908
TTY: 1-800-780-7660

For further help and information regarding what to do in a situation of domestic violence:

- go to the Help page of the [NYS Office for the Prevention of Domestic Violence](#)
- [NYS Coalition Against Domestic Violence \(CADV\)](#) (maintains list of available resources by county)
- [National Office on Violence Against Women](#)

Are there any domestic violence resources near where I live?

To find specific resources in your location, you can visit the web site of [The New York State Coalition against Domestic Violence](#) to view a directory of domestic violence resources listed by county.

For resources in New York City, go to the [Safe Horizon](#) web site.

What is the integrated Domestic Violence Court?

Integrated Domestic Violence (IDV) Courts help families by bringing different case types—criminal, family and matrimonial (divorce)—together to be heard by one judge. This court uses the “one family - one judge” approach for cases that involve domestic violence within a family. The judge decides which cases are appropriate for the IDV Court. For more information regarding this court type, go to the [IDV Court web site](#).

XVIII. RESULTS OF DISCIPLINARY PROCEEDINGS

Any person or persons found by a preponderance of the evidence to have engaged in sexual misconduct may be subject to all available legal and disciplinary sanctions.²⁰ The accuser and the accused have the following rights during all investigations and disciplinary proceedings:

- To have an advisor of their choosing present
- To review all information that may be used during formal and informal proceedings
- Present evidence in his or her favor
- Be notified simultaneously, in writing of any final decisions or other procedural matters relevant to an ongoing investigation.

XIX. CLERY ACT REPORTING

Pursuant to federal law, the School publishes this Report annually. The Office of the General Counsel, the Office of Student Affairs, Regulatory Affairs, School officials, and the School's local law enforcement agency all participate in compiling yearly crime statistics. All data is compiled using a calendar-year system (January 1 – December 31), and crimes are categorized using definitions provided by the FBI as used in the Uniform Crime Reporting ("UCR") system. The School publishes crime data for offenses occurring on-site or within its Clery geography that was reported to School personnel or local law enforcement over the previous three (3) years. Furthermore, as required under the Clery Act, the School publishes data regarding

individuals referred for School disciplinary action as a result of engaging in incidents meeting pre-designated Clery categories.

The crime statistics tables reflect requirements for compiling this report as mandated by federal law.

A crime log detailing reported offenses for the prior sixty (60) days may be reviewed during normal business hours by contacting the School's Director. Subsequent to a request, information older than sixty (60) days will be made available for review within two (2) business days.

¹⁸ This means that the School must find it **more likely than not** that sexual misconduct occurred.

Classifying Crime Statistics

The statistics provided with this Report are published in accordance with the standards and guidelines established by the Federal Bureau of Investigation Uniform Crime Reporting Handbook and the Clery Act.

The number of victims involved in a particular incident is indicated for the following crime classifications: murder/non-negligent manslaughter, negligent manslaughter, forcible and non-forcible sex offenses and aggravated assault. For example, if an aggravated assault occurs and there are three victims, this is recorded as three aggravated assaults in the crime statistics chart.

The number of incidents involving a particular offense is indicated for the following crime categories (recorded as one offense per occurrence): arson, burglary, larceny and robbery. For example, if three are robbed in the parking lot as they leave school, this is recorded as one instance of robbery.

In cases of motor vehicle theft, each vehicle stolen is recorded as one individual occurrence.

In cases involving liquor law, drug law, and illegal weapons violations, arrest statistics reflect each person arrested. If an arrest includes offenses for multiple liquor or drug law violations, the violation is recorded according to the most flagrant offense, and in this case, is recorded solely as a drug law violation.

The statistics recorded in the “Referred for School Disciplinary Action” section for liquor law, drug law, and illegal weapons violations includes the referral of any employee or student to any School official who initiates a disciplinary action of which record is kept and which may result in the imposition of a sanction.

Statistics for hate crimes are counted in each specific Clery– reportable crime category; therefore, these statistics are part of the overall statistics reported for each year. The only exception to this is the addition of a simple assault motivated by bias and resulting in bodily injury.

Federal law requires the School to report such an offense as a hate crime even though the School is not required to report incidents of simple assault elsewhere.

XX. DEFINITIONS OF REPORTABLE CRIMES AND OTHER ASSOCIATED TERMS

Consent: An affirmative, knowing, and voluntary decision – clearly communicated through mutually understandable words and/or actions – to engage willingly in mutually acceptable sexual activity.

To be effective, consent must be given freely, willing, consciously and knowingly by each participant to any sexual contact. It is important to note that consent may be withdrawn by either party at any time. Withdrawal of consent must be demonstrated by words and/or actions that indicate a desire to end sexual activity. Once an individual has communicated withdrawal of consent, all sexual activity must end immediately.

Federal Definitions

Consent: There is no federal definition of “Consent” for purposes of the Clery Act. Please refer to the Institutional Definition provided below.

Criminal Homicide Definitions

Murder and Non-negligent Manslaughter: The willful (non-negligent) killing of one human being by another.

Negligent Manslaughter: The killing of another person through gross negligence.

Sex Offenses Definitions

Sex Offenses/Sexual Assault: Any sexual act directed against another person, without the consent of the victim, including instances where the victim is 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 within the degrees wherein marriage is prohibited by law.

Rape – Penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

Statutory Rape: Sexual intercourse with a person who is under the statutory age of consent.

Other Reportable Crimes Definitions

Aggravated Assault: An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm.

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.

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

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.

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

Drug Abuse Violations: The violation of law 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.

Liquor Law Violations: 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.

Motor Vehicle Theft: The theft or attempted theft of a motor vehicle. All cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned, including joyriding, are classified as motor vehicle theft.

Robbery: 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.

Sexual Assault: An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's UCR program.

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.

- (i) **Course of Conduct:** 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.
- (ii) **Reasonable Person:** A reasonable person under similar circumstances and with similar identities to the victim.
- (iii) **Substantial Emotional Distress:** Significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

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.

Hate Crime Definitions

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: A crime reported to local police agencies or to a School security authority that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. For purposes of this section, the categories of bias include the victim's actual or perceived race, religion, gender, gender identity, sexual orientation, ethnicity, national origin, and disability.

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.

Larceny-Theft: The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another.

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.

Other Useful Terms

Advisor: Any individual who provides the accuser or accused support, guidance, or advice.

Awareness Programs: Community-wide or audience-specific programming, initiatives, and strategies that increase audience knowledge and share information and resources to prevent violence, promote safety, and reduce perpetration.

Bystander Intervention: Safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene.

Determination/Result: Any initial, interim, and final decision by any official or entity authorized to resolve disciplinary matters within the institution.

Ongoing Prevention and Awareness Campaigns: Programming, initiatives, and strategies that are sustained over time and focus on increasing understanding of topics relevant to and skills for addressing dating violence, domestic violence, sexual assault, and stalking, using a range of strategies and audiences throughout the institution.

Primary Prevention Program: Programming, initiatives, and strategies informed by research or assessed for value, effectiveness, or outcome that are intended to stop dating violence, domestic violence, sexual assault, and stalking before they occur through the promotion of positive and healthy behaviors that foster healthy mutually respectful relationships and sexuality, encourage safe bystander intervention, and seek to change behavior and social norms in healthy and safe directions.

Proceeding: All activities related to a non-criminal resolution of an institutional disciplinary complaint, including, but not limited to, fact-finding investigations, formal or informal meetings, and hearings. Proceeding does not include communications and meetings between officials and victims concerning accommodations or protective measures to be provided to a victim.

Programs to Prevent Dating Violence, Domestic Violence, Sexual Assault, and Stalking: Comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to end dating violence, domestic violence, sexual assault, and stalking that:

- (a) Are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research or assessed for value, effectiveness, or outcome; and
- (b) Consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community, and societal levels.

Programs that include both primary prevention and awareness programs directed at incoming students and new employees and ongoing prevention and awareness campaigns directed at students and employees.

Prompt, Fair, and Impartial Proceedings: Proceedings completed within reasonably prompt timeframes as designated by the School's Clery Policy. Such proceedings include processes that allow for delay upon a showing of good cause and notification of such delay to the accuser and the accused, inclusive of an explanation for the delay.

All proceedings must be conducted in a manner that:

- Is consistent with the School's policies and transparent to the accuser and the accused;
- Includes timely notice of meetings at which the accuser or accused, or both, may be present;
- Provides timely and equal access to the accuser, the accused, and appropriate officials to any information that will be used during investigations and formal disciplinary meetings and hearings; and
- Are conducted by officials who, at a minimum, receive annual training on issues relating to dating violence, domestic violence, sexual assault, and stalking and how to conduct an investigation and hearing process that protects the safety of victims while promoting accountability.

Risk Reduction: Options designed to decrease perpetration and bystander inaction and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence.

Unfounded Crimes: An institution may withhold, or subsequently remove, a reported crime from its crime statistics in the rare situation where sworn or commissioned law enforcement personnel have fully investigated the reported crime and, based on the results of this full investigation and evidence, have made a formal determination that the crime report is false or baseless and therefore, "unfounded". Only sworn or commissioned law enforcement personnel may "unfound" a crime report for purposes of reporting. The recovery of stolen property, the low value of stolen property, the refusal of the victim to cooperate with the prosecution, and the failure to make an arrest do not "unfound" a crime report.

Jurisdictional Definitions – VAWA (Violence Against Women Act) Offenses

Aggravated Criminal Sexual Abuse – A person commits aggravated criminal sexual abuse if that person commits criminal sexual abuse and any of the following aggravating circumstances exist (i) during the commission of the offense or (ii) for purposes of paragraph (7), as part of the same course of conduct as the commission of the offense:

- (1) the person displays, threatens to use, or uses a dangerous weapon or any other object fashioned or used in a manner that leads the victim, under the circumstances, reasonably to believe that the object is a dangerous weapon;
- (2) the person causes bodily harm to the victim;
- (3) the victim is 60 years of age or older;
- (4) the victim is a person with a physical disability;
- (5) the person acts in a manner that threatens or endangers the life of the victim or any other person;
- (6) the person commits the criminal sexual abuse during the course of committing or attempting to commit any other felony; or
- (7) the person delivers (by injection, inhalation, ingestion, transfer of possession, or any other means) any controlled substance to the victim for other than medical purposes without the victim's consent or by threat or deception.

A person commits aggravated criminal sexual abuse if that person commits an act of sexual conduct with a victim who is under 18 years of age and the person is a family member.

A person commits aggravated criminal sexual abuse if:

- (1) that person is 17 years of age or over and: (i) commits an act of sexual conduct with a victim who is under 13 years of age; or (ii) commits an act of sexual conduct with a victim who is at least 13 years of age but under 17 years of age and the person uses force or threat of force to commit the act; or
- (2) that person is under 17 years of age and: (i) commits an act of sexual conduct with a victim who is under 9 years of age; or (ii) commits an act of sexual conduct with a victim who is at least 9 years of age but under 17 years of age and the person uses force or threat of force to commit the act.

A person commits aggravated criminal sexual abuse if that person commits an act of sexual penetration or sexual conduct with a victim who is at least 13 years of age but under 17 years of age and the person is at least 5 years older than the victim.

A person commits aggravated criminal sexual abuse if that person commits an act of sexual conduct with a victim who is a person with a severe or profound intellectual disability.

A person commits aggravated criminal sexual abuse if that person commits an act of sexual conduct with a victim who is at least 13 years of age but under 18 years of age and the person is 17 years of age or over and holds a position of trust, authority, or supervision in relation to the victim.

Aggravated Criminal Sexual Assault – A person commits aggravated criminal sexual assault if that person commits criminal sexual assault and any of the following aggravating circumstances exist during the commission of the offense or, for purposes of paragraph (7), occur as part of the same course of conduct as the commission of the offense:

- (1) the person displays, threatens to use, or uses a dangerous weapon, other than a firearm, or any other object fashioned or used in a manner that leads the victim, under the circumstances, reasonably to believe that the object is a dangerous weapon;
- (2) the person causes bodily harm to the victim, except as provided in paragraph (10);
- (3) the person acts in a manner that threatens or endangers the life of the victim or any other person;
- (4) the person commits the criminal sexual assault during the course of committing or attempting to commit any other felony;
- (5) the victim is 60 years of age or older;
- (6) the victim is a person with a physical disability;
- (7) the person delivers (by injection, inhalation, ingestion, transfer of possession, or any other means) any controlled substance to the victim without the victim's consent or by threat or deception for other than medical purposes;
- (8) the person is armed with a firearm;
- (9) the person personally discharges a firearm during the commission of the offense; or
- (10) the person personally discharges a firearm during the commission of the offense, and that discharge proximately causes great bodily harm, permanent disability, permanent disfigurement, or death to another person.

A person commits aggravated criminal sexual assault if that person is under 17 years of age and:

- (i) commits an act of sexual penetration with a victim who is under 9 years of age; or
 - (ii) commits an act of sexual penetration with a victim who is at least 9 years of age but under 13 years of age and the person uses force or threat of force to commit the act.
- (c) A person commits aggravated criminal sexual assault if that person commits an act of sexual penetration with a victim who is a person with a severe or profound intellectual disability.

Consent

- (i) Consent is a freely given agreement to sexual activity,
- (ii) A person's lack of verbal or physical resistance or submission resulting from the use or threat of force does not constitute consent,
- (iii) person's manner of dress does not constitute consent,
- (iv) person's consent to past sexual activity does not constitute consent to future sexual activity,
- (v) A person's consent to engage in sexual activity with one person does not constitute consent to engage in sexual activity with another,
- (vi) person can withdraw consent at any time, and
- (vii) A person cannot consent to sexual activity if that person is unable to understand the nature of the activity or give knowing consent due to circumstances, including without limitation the following:
 - (A) The person is incapacitated due to the use or influence of alcohol or drugs;
 - (B) The person is asleep or unconscious;
 - (C) The person is under age; or
 - (D) The person is incapacitated due to a mental disability.

Criminal Sexual Abuse – A person commits criminal sexual abuse if that person:

- (1) Commits an act of sexual conduct by the use of force or threat of force; or
- (2) Commits an act of sexual conduct and knows that the victim is unable to understand the nature of the act or is unable to give knowing consent.

A person commits criminal sexual abuse if that person is under 17 years of age and commits an act of sexual penetration or sexual conduct with a victim who is at least 9 years of age but under 17 years of age.

A person commits criminal sexual abuse if that person commits an act of sexual penetration or sexual conduct with a victim who is at least 13 years of age but under 17 years of age and the person is less than 5 years older than the victim.

Criminal Sexual Assault – A person commits criminal sexual assault if that person commits an act of sexual penetration and:

- (1) uses force or threat of force;
- (2) knows that the victim is unable to understand the nature of the act or is unable to give knowing consent;

(3) is a family member of the victim, and the victim is under 18 years of age; or

(4) is 17 years of age or over and holds a position of trust, authority, or supervision in relation to the victim, and the victim is at least 13 years of age but under 18 years of age.

Dating Violence – The state of Illinois does not explicitly define the term “Dating Violence”.

Domestic Violence – Domestic Violence means physical abuse, harassment, intimidation of a dependent, interference with personal liberty or willful deprivation but does not include reasonable direction of a minor child by a parent or person in loco parentis.

Sexual Assault – The commission or attempted commission of the following: sexual exploitation of a child, criminal sexual assault, predatory criminal sexual assault of a child, aggravated criminal sexual assault, criminal sexual abuse, aggravated criminal sexual abuse, indecent solicitation of a child, public indecency, sexual relations within families, promoting juvenile prostitution, soliciting for a juvenile prostitute, keeping a place of juvenile prostitution, patronizing a juvenile prostitute, juvenile pimping, exploitation of a child, obscenity, child pornography, aggravated child pornography, harmful material, or ritualized abuse of a child, as those offenses are defined in the Criminal Code of 1961 or the Criminal Code of 2012.

Stalking – A person commits stalking when he or she knowingly engages in a course of conduct directed at a specific person, and he or she knows or should know that this course of conduct would cause a reasonable person to:

(1) fear for his or her safety or the safety of a third person; or

(2) other emotional distress.

A person commits stalking when he or she, knowingly and without lawful justification, on at least 2 separate occasions follows another person or places the person under surveillance or any combination thereof and:

(1) at any time transmits a threat of immediate or future bodily harm, sexual assault, confinement or restraint and the threat is directed towards that person or a family member of that person; or

(2) places that person in reasonable apprehension of immediate or future bodily harm, sexual assault, confinement or restraint to or of that person or a family member of that person.

A person commits stalking when he or she has previously been convicted of stalking another person and knowingly and without lawful justification on one occasion:

(1) allows that same person or places that same person under surveillance; and

(2) transmits a threat of immediate or future bodily harm, sexual assault, confinement or restraint to that person or a family member of that person.

Teen Dating Violence – Teen dating violence means either:

- (1) A pattern of behavior in which a person uses or threatens to use physical, mental, or emotional abuse to control another person who is in a dating relationship with that person, where one or both persons are 13 to 19 years of age
- (2) Behavior by which a person uses or threatens to use sexual violence against another person who is in a dating relationship with the person, where one or both persons are 13 to 19 years of age.

XXI. CLERY ACT CRIMINAL OFFENSES, ARRESTS, AND JUDICIAL REFERRALS

Type of Offense	On Site			In/On Non-School Building or Property			Public Property		
	2017	2018	2019	2017	2018	2019	2017	2018	2019
Criminal Offenses									
Murder/Nonnegligent Manslaughter	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0
Dating Violence	1	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0
Sexual Assault	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Hate Crimes									
Larceny-theft	0	0	0	0	0	0	0	0	0
Race	0	0	0	0	0	0	0	0	0
Gender	0	0	0	0	0	0	0	0	0
Gender Identity	0	0	0	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0	0
Sexual Orientation	0	0	0	0	0	0	0	0	0
Ethnicity	0	0	0	0	0	0	0	0	0
National Origin	0	0	0	0	0	0	0	0	0
Disability	0	0	0	0	0	0	0	0	0

Arrests									
Liquor Law Violations	0	0	0	0	0	0	0	0	0
Drug Law Violations	0	0	0	0	0	0	0	0	0
Weapons Violations	0	0	0	0	0	0	0	0	0
Judicial Referrals									
Liquor Violations	0	0	0	0	0	0	0	0	0
Drug Violations	0	0	0	0	0	0	0	0	0
Weapons Violations	0	0	0	0	0	0	0	0	0

XXII. FERPA DISCLOSURE

Compliance with the provisions set forth by the Clery Act does not constitute a violation of §444 of the General Education Provisions Act (20 U.S.C. 1232g), commonly known as the Family Educational Rights and Privacy Act of 1974 (FERPA)

Title IX Policy

PURPOSE

The New School Center for Media (“The New School”) is committed to creating, fostering, and maintaining an educational, employment, business, and School environment that is free from sex-based discrimination, sexual harassment, and sexual violence. In keeping with this commitment, and consistent with Title IX of Education Amendments of 1972, The New School prohibits discrimination based on sex and sexual harassment, including sexual violence in its educational programs and activities.

This *Policy* supersedes all prior policies and guidance relating to Title IX.

COVERED PERSONS

The School Community including current students, employees, prospective students, customers, third-party contractors, third-party visitors, and all others persons participating in the School’s educational programs and activities.

POLICY

I. Title IX of the Education Amendments of 1972

Title IX of the Education Amendments of 1972 (“Title IX”) §§ 1681 et seq., and its implementing regulations, 34 C.F.R Part 106, prohibits discrimination on the basis of sex in education programs or activities operated by recipients of Federal financial assistance. Sexual harassment of students, which includes acts of sexual violence, is a form of sex discrimination prohibited by Title IX.

II. The New School Center for Media Policy Statement

The New School prohibits all forms of sexual misconduct, including but not limited to, sexual assault, stalking, dating or domestic violence, and sexual harassment. Such conduct violates the community values and principles of our institution, and disrupts the learning and working environment for students, faculty, staff, and other community members. In furtherance of this policy, The New School has adopted the following policies, procedures, and standards of conduct for all members of our community with respect to sexual misconduct.

III. Handling of Complaints Covered by this Policy

The New School’s Title IX Coordinator is responsible for coordinating the School’s compliance with Title IX, as well as other complaints brought concerning violations of this policy. The Title IX Coordinator’s responsibilities include overseeing all Title IX reports of sexual harassment and sex-based discrimination, performing investigations, gathering documentation, disseminating information, and addressing any patterns or systematic problems that arise. Title IX Coordinator is authorized to receive reports of sexual harassment and sex-based discrimination.

The School has designated the following individual as the Title IX Coordinator: **Cathy Taylor**

All students, faculty, staff and applicants, who have concerns about discrimination on the basis of sex, Title IX violations or requirements, including any concerns pertaining to sexual harassment, sexual violence or any matters covered by this policy, are encouraged to seek the assistance of the Title IX Coordinator. The Coordinator is knowledgeable about, and will provide information on, all options for addressing and resolving such reports or concerns. Those options may vary depending on the nature of the incident; whether the complainant is a student, faculty, staff or applicant; the wishes of the complainant regarding confidentiality; and whether the complainant prefers to proceed formally or informally. The Coordinator plays an integral role in carrying out the School's commitment to creating, fostering and maintain an educational, employment, business and School environment that is free of discrimination on the basis of sex and other discrimination as well as sexual harassment

IV. Reporting of Complaints Covered by this Policy

If you believe that you have been a victim of sexual harassment, sexual violence, dating or domestic violence, stalking or sex-based discrimination, or if you wish to report such an incident, you have several options and are strongly encouraged to report such incidents orally or in writing to The New School's Title IX Coordinator.

You may also choose to file your complaint electronically. A Title IX Incident Report can be requested by sending an email to admin@newschoolalbany.edu. Using a Title IX Incident Report form allows a victim, third-party, or bystander to submit a complaint/report of sexual harassment or sex-based discrimination directly to The New School's Title IX Coordinator, and may choose to do so anonymously. However, without the contact information of the reporting party, The New School may not be able to fully investigate and respond to the complaint.

The New School recognizes that a student or employee may choose to confide in any employee of the School.



For example, a student may choose to report the alleged violation to an instructor, program director, or staff member. Similarly, an employee may choose to confide in a colleague, supervisor, or member of the Human Resources department. However, it shall be noted that all The New School employees that receive reports of violations of this policy, or know or reasonably should know of the occurrence of violations of this policy are required to forward these reports to the Title IX Coordinator. The Title IX Coordinator is to be made aware of all complaints made pursuant to this policy so that she may monitor compliance.

In addition to the foregoing, all faculty and staff who become aware of or suspect sexual abuse of a minor (under the age of 17) must report that information to the Title IX Coordinator who shall then inform local, state and/or federal law enforcement officials of such incident as required by law.



V.Options for Reporting and Availability of Support

In addition to reporting the matter to the Title IX Coordinator, persons may also need to address immediate physical and/or emotional trauma associated with the alleged harassment or assault. Importantly, a victim should contact any of the following immediate care support providers:

- Emergency Call 911
- Local Police Department
- Clinic/Hospital
- Community-based sexual assault crisis center.

For information on available resources to victims of sexual assault, please visit the following:

- <http://www.notalone.gov/> – Not Alone – Together Against Sexual Assault
- <http://www.rainn.org> – Rape, Abuse, and Incest National Network (800) 656-4673
- <http://www.justice.gov/ovw/sexual-assault> – Department of Justice Sexual Assault
- <http://www.loveisrespect.org/> – Love is Respect – call (866) 331-9474 or text LOVEIS to 22522
- <http://www.victimsofcrime.org/our-programs/stalking-resource-center> - Stalking Resource Center
- <http://www.thehotline.org> - National Domestic Violence Hotline - 800-799-7233

VI. Privacy and Confidentiality

The New School encourages victims of sexual harassment and discrimination to talk to somebody about what happened so that he or she may get the support they need, and so that The New School can respond appropriately. Because issues arising under Title IX are often sensitive in nature, The New School maintains the highest level of privacy regarding all reports of sexual discrimination and/or sexual harassment. While The New School strictly prohibits the disclosure of private information obtained through an investigation, it should be noted that circumstances may arise when law and/or policy requires the disclosure of sensitive information.

Please be aware that all The New School employees are “responsible employees,” and have the obligation to communicate reports of sexual misconduct to the Title IX Coordinator. When a reporting party tells a responsible employee about an incident of sexual violence, the reporting party has the right to expect the School to take immediate and appropriate steps to investigate what happened and resolve the matter promptly and equitably. To the extent possible, information reported to a responsible employee will be shared only with The New School officials responsible for handling the School’s response to the report, including the Title IX Coordinator.

Upon receipt of a report of sexual misconduct, The New School’s Title IX Coordinator will inform and obtain the reporting party’s consent prior to commencing an investigation. Should the reporting party request anonymity/confidentiality or request that no investigation be conducted, the Coordinator will take all reasonable steps to investigate and respond to the complaint consistent with the request for anonymity/confidentiality and/or request that an investigation not be pursued.

Upon the reporting party’s insistence that their name or other identifying information be kept in confidence, the Coordinator has the duty to inform the reporting party that in doing so, the ability of authorized representatives to properly respond to the alleged misconduct may be limited.

If anonymity is further insisted upon, The New School officials will evaluate the request in context with its responsibility to provide a safe and nondiscriminatory environment for all students. Specifically, The New School will weigh the request for confidentiality against the following factors: the seriousness of the alleged harassment; the complainant's age; whether there have been previous complaints of harassment relating to the same offender; and the alleged perpetrator's rights to receive information about the allegations if the information is maintained by The New School as an "education record" under the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. §1232g; 34 C.F.R. Part 99. The New School will inform you if confidentiality cannot be ensured.

Please be aware that even if The New School cannot take disciplinary action against the alleged perpetrator as a result of an insistence of confidentiality, The New School may pursue alternative measures in efforts to limit the effects of the alleged misconduct and prevent its recurrence.

VII. Victim Rights & Options

Regardless of whether an individual elects to pursue a criminal complaint, or whether the offense is alleged to have occurred on or off-site, The New School will assist victims of sexual misconduct. If an individual is a victim of sexual assault, domestic violence, dating violence, or stalking, his or her first priority should be to locate a place of safety. He or she next should obtain any necessary medical treatment.

The School strongly advocates that subsequent to securing safety and medical care, any victim of sexual assault, domestic violence, dating violence, or stalking should report the incident immediately to the Title IX Coordinator. Time is a critical factor for evidence collection and preservation. Preserving evidence is very important, as it may be necessary to the proof of sexual assault, domestic violence, dating violence, or stalking, or in obtaining a protection order.

Any individual who reports to the School that he or she has been a victim of domestic violence, dating violence, sexual assault, or stalking, whether the offense occurred on or off-site, shall be provided with a copy of this Policy, as well as documentation detailing:

- His or her options to (1) notify proper law enforcement authorities, (2) be assisted by School authorities in notifying law enforcement authorities if he or she so chooses; and (3) decline to notify such authorities.
- Where applicable, his or her rights, regarding orders of protection, no contact orders, restraining orders, or similar lawful orders issued by a criminal, civil, or tribal court, and the School's responsibility to honor the same.
- The United States Department of Justice Violence Against Women Office website, located at <http://www.ovw.usdoj.gov/>, which provides useful information relating to victims' rights and available assistance.

VIII. Complaint and Resolution Procedures

While some reporting parties may wish to pursue action through informal methods in place of, or prior to requesting the initiation of formal proceedings, others may not. You should consider the circumstances surrounding your complaint and choose the option most appropriate. Regardless of your decision, The New School is committed to extending all available resources and support. To that end, you may consult with the Title IX Coordinator at any time and request assistance handling matters related to sexual harassment and discrimination, including the selection of an approach.

Informal Procedures

Informal procedures are optional and may only be utilized when The New School deems such procedures adequate.

If you are comfortable handling the situation without assistance, consider the following:

- Clearly say “no” to the individual exhibiting unwelcome behavior
- Communicate with the offender either orally or in writing providing him or her of the following:
 - A factual description of the incident(s) including date, time, place, and specific action.
 - A description of the impact of the action, emotionally, physically, and mentally.
 - A request that the conduct cease.

If you would like to proceed informally but with the assistance of a third party, you may contact your Title IX Coordinator. This individual is familiar with The New School’s Title IX policies and is available to assist victims of sexual harassment and sexual assault. Additionally, this individual can provide information pertinent to informal actions and remedies that you may pursue as well as additional information regarding The New School’s procedures for sexual harassment and discrimination.

Additionally, you may request that the Title IX Coordinator serve as a mediator in efforts to resolve your issue(s) prior to pursuing formal proceedings. Mediation is the process of utilizing a third party to engage in discussions and negotiations in hopes of reaching a mutually agreeable resolution and cessation of the unwanted conduct.

If either party is dissatisfied with the determination rendered subsequent an informal proceeding, he or she may pursue alternative remedies by engaging in the formal process.

If you do not wish to utilize the informal process, you may pursue formal action. Please note that you have the right to end the informal investigation process and begin formal proceedings at any time.

Note: This option is **not** available where allegations of sexual violence or nonconsensual sexual intercourse are raised.

Formal Investigation & Determination

To ensure prompt, thorough, and impartial investigations, all incidents of sex-based discrimination or sexual harassment, including sexual misconduct or retaliation, should be reported to the Title IX Coordinator immediately, either verbally or in the form of a written complaint, or electronically via the Title IX Incident Report Form. This process may lead to a formal hearing at which evidence will be considered and witnesses heard. The Title IX Coordinator can assist you with filing a complaint if you choose to pursue formal action.

Upon receipt of a report of alleged unlawful discrimination, harassment, or retaliation, The New School's Title IX Coordinator will investigate without delay. All investigations shall be conducted by the Title IX Coordinator, who is trained in areas involving sex-based discrimination, sexual violence, and nonconsensual sexual intercourse. At times, it may be necessary to implement remedial measures before completing an investigation to ensure that further unlawful conduct does not continue. These measures may include reassignment or restructuring of the victim's academic or work schedule per that party's request. Failure to comply with the terms of these interim remedies or protections may constitute a separate violation of this Policy.

The complainant and the accused party may have an advisor present during the investigation, provided that the involvement of the advisor does not result in undue delay of the meeting or proceeding. However, it is important to note that advisors may not advocate on behalf of either party and may only serve in a support role. If the advisor violates the rules or engages in behavior or advocacy that harasses, abuses, or intimidates either party, a witness, or an individual resolving the complaint, that advisor may be prohibited from further participation.

The New School's investigation into allegations of sex-based discrimination, sexual harassment, and/or sexual misconduct, will be conducted in an objective and impartial manner, and carried out in such a way as to maintain privacy to the greatest extent possible. Such investigations may include, but are not limited to, assisting and interviewing the reporting party, identifying and conducting interviews with witnesses, contacting and interviewing the respondent, and gathering evidence. It should be noted that while The New School strictly prohibits the disclosure of private information obtained through an investigation, circumstances may arise the School may contact and cooperate with local law enforcement.

The School will endeavor to conclude its investigation and issue a resolution of the complaint within sixty (60) calendar days of the date the complaint was received. All pertinent facts will be carefully reviewed and the accused will be given a full opportunity to explain his or her conduct before any decision is reached. When the investigation is complete, The New School will inform the complainant and the alleged perpetrator of the results of the investigation and the process for appealing any such determination, as applicable, in writing.

The New School invokes no restrictions on the time at which allegations may be reported. Additionally, the standard of proof in all cases shall be a preponderance of the evidence. This means that a party may be held responsible for the alleged conduct upon a finding that it is *more likely than not* (51% or higher) that he or she engaged in conduct prohibited by The New School.

Once a determination is made, both parties will be simultaneously notified of the determination and the right to file an appeal. Determinations may include possible clarification of The New School policies, clarification regarding the alleged conduct, sanctions, restrictions, and/or conditions. The determination will become final within seven (7) business days unless an appropriate appeal is filed.

If it is determined that an employee or student has engaged in inappropriate conduct, The New School will take appropriate disciplinary action (as listed below in **Possible Sanctions**).

Possible Sanctions. Possible sanctions for an employee or student found guilty of behavior in violation of this Policy include but are not limited to the following:

- Issuance of an oral or written reprimand to be placed in the personnel file;
- A written apology to the victim
- Issuance of an oral or written warning;
- Transfer or change of class, or externship location;
- Suspension, probation, termination, dismissal, or expulsion;
- Any other sanction deemed appropriate by The New School

While counseling is not considered a sanction, it may be offered or required in combination with the imposed sanctions. Where alcohol and/or drugs are related to acts of sexual harassment, such counseling may include required participation in a substance abuse program.

Appeals. Either party may appeal the decision. All appeals must be submitted in writing to the Title IX Coordinator within seven (7) business days of the determination and clearly set forth grounds for the appeal. Appropriate grounds for appeal include procedural error, previously unavailable relevant evidence that could significantly impact the outcomes of the hearing or a claim that the sanction imposed was substantially disproportionate to the finding. Disagreement with the Panel's decision does not constitute grounds for appeal. The Title IX Coordinator will process the appeal. All appeals will be reviewed within ten (10) business days of receipt. Both parties will be informed simultaneously in writing of any changes arising from said appeal as well as the final determination. Results become final after seven (7) business days.

XI. Ongoing Criminal Investigations

In instances of sexual misconduct that may also constitute criminal conduct, the reporting party is encouraged to file a report with the appropriate law enforcement agency and may request the assistance of a The New School representative in doing so. The pendency of a criminal investigation does not relieve The New School of its responsibilities under Title IX. To the extent that doing so does not interfere with any ongoing criminal investigation, The New School will proceed with its own investigation and resolution of the complaint.

IX. Retaliation

Retaliation against reporting parties or those cooperating with an investigation is strictly prohibited. Violation of this policy may result in The New School taking immediate disciplinary action, up to and including suspension and/or expulsion for students or termination for employees. Retaliation includes, but is not limited to threats, harassment, or intimidation, taken against the reporting party or any third party or parties as a result of their cooperation with an investigation.

XI. Obligations of Vigilance and Reporting

The New School can only respond to instances and allegations of harassment or discrimination if it is made aware of such occurrences. Therefore, The New School encourages anyone who believes that he or she has experienced sexual harassment or discrimination to promptly come forward with inquiries, reports, or complaints and to seek assistance from The New School officials. Furthermore, all The New School employees are responsible employees and have an obligation to communicate reports of sexual misconduct to the Title IX Coordinator. Employees who become aware of instances or allegations of sexual harassment by or against a person under his or her supervisory authority must report such instances and allegations.

Whether confirmed or speculated, School Directors, Director of Education, Program Chairs, or other comparable administrator who becomes aware of information indicating a significant likelihood of sexual harassment must report such information to the Title IX Coordinator immediately. Unconfirmed or disputed allegations should be clearly labeled as such and reports should indicate any steps already taken to investigate or otherwise respond. Administrators should always consult with the Title IX Coordinator and refrain from conducting independent investigations or otherwise responding to any situation where sexual harassment is alleged. No student, faculty, or employee should assume that a The New School official knows about a situation or incident.

XII. Definitions – The New School adheres to the following definitions applicable to this policy:

Consent - an informed, voluntary, mutual, and freely given agreement to engage in sexual activity. The person giving consent must do so absent coercion, threats or blackmail. Both parties must understand that consent is being given and to what consent is being given.

- A person's lack of verbal or physical resistance or submission resulting from the use or threat of force does NOT constitute consent;
- A person's manner of dress does NOT constitute consent;
- A person's consent to past sexual activity does NOT constitute consent to future sexual activity;
- A person's consent to engage in sexual activity with one person does NOT constitute consent to engage in sexual activity with another;
- A person CANNOT consent to sexual activity if that person is unable to understand the nature of the activity or give knowing consent due to circumstances, including without limitation the following:
 - o The person is incapacitated due to the use or influence of alcohol and drugs;
 - o The person is asleep or unconscious;
 - o The person is under age; or
 - o The person is incapacitated due to a mental disability.
- A person can withdraw consent at any time.

Sex Discrimination - behaviors and actions that deny or limit a person's ability to benefit from, and/or fully participate in, the available educational programs, activities, or employment opportunities because of a person's sex.

Sexual discrimination may take many forms including sexual harassment (discussed below), denial of equal opportunities in educational programs, discrimination based on pregnancy and employment discrimination.

Sexual Harassment - unwelcome conduct of a sexual nature, such as unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature.

Sexual harassment includes sexual violence/assault, sexual exploitation, domestic violence, dating violence, stalking where motivated by sex or involving sexual conduct, and gender harassment/stereotyping.

Sexual violence - a form of sexual harassment and refers to physical sexual acts perpetrated against a person's will or when a person is incapable of giving consent (e.g., due to the student's age or use of drugs or alcohol, or because an intellectual or other disability prevents the student from having the capacity to give consent).

A number of different acts fall into the category of sexual violence, including rape, sexual assault, sexual battery, sexual abuse, and sexual coercion. Claims of sexual violence will be adjudicated in accordance with The New School Educational Centers, Inc.'s Clery Investigations and Hearing Process.

Sexual Assault – actual or attempted sexual contact with another person without the person's consent. Sexual assault includes, but is not limited to:

- Intentional touching of another person's intimate parts without that person's consent; or
- Other intentional sexual contact with another person without that person's consent; or
- Coercing, forcing, or attempting to coerce or force a person to touch another person's intimate parts without that person's consent; or
- Rape, no matter how slight, of (1) the vagina or anus of a person by any body part of another person or by an object; or (2) the mouth of a person by a sex organ of another person, without that person's consent.

Gender-based harassment – a form of sexual harassment and refers to unwelcome conduct based on an individual's actual or perceived sex, including harassment based on gender identity or nonconformity with sex stereotypes, and not necessarily involving conduct of a sexual nature. All of these types of sex-based harassment are forms of sex discrimination prohibited by Title IX and will not be tolerated by The New School.

Harassing conduct may take many forms, including verbal acts and name-calling, as well as non-verbal behavior, such as graphic and written statements, or conduct that is physically threatening, harmful, or humiliating.

Nonconsensual Sexual Contact - any intentional sexual touching, however slight, with any object or body part, by a man or woman upon another, without consent.

Nonconsensual Sexual Intercourse – any sexual intercourse (anal, oral, or vaginal) however slight, with any object or body part, by a man or woman upon a man or a woman, without consent.

Forced Sexual Intercourse – unwilling or nonconsensual sexual penetration (anal, vaginal or oral) with any object or body part that is committed either by force, threat, intimidation, or through exploitation of another’s mental or physical condition of which the assailant was aware or should have been aware.

Sexual Contact Includes:

- Intentional contact with the breasts, buttocks, groin, or genitals of another person, or touching another person with any of these body parts; or making another person touch you or themselves with or on any of these body parts; or
- Any intentional bodily contact in a sexual manner, even where the touching does not involve contact with/of/by breasts, buttocks, groin, genitals, mouth or other orifice; or
- Intercourse, however slight, meaning vaginal penetration by a penis, object, tongue or finger, anal penetration by a penis, object, tongue or finger, and oral copulation (mouth to genital contact or genital to mouth contact).

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

- Prostituting another person;
- Recording images (e.g. video, photograph) or audio of another person’s sexual activity, intimate body parts, or nakedness without that person’s consent;
- Distributing images (e.g. video, photograph) or audio of another person’s sexual activity, intimate body parts, or nakedness, if the individual distributing the images or audio knows or should have known that the person depicted in the images or audio did not consent to such disclosure and objects to such disclosure; and
- Viewing another person’s sexual activity, intimate body parts, or nakedness in a place where that person would have a reasonable expectation of privacy, without that person’s consent, and for the purpose of arousing or gratifying sexual desire.

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 a consideration of the following factors:

- The length of the relationship;
- The type of relationship; and
- The frequency of interaction between the persons involved in the relationship.

For the purposes of this definition, dating violence includes, but is not limited to, sexual or physical abuse, or threat of such abuse.

Domestic Violence – a felony or misdemeanor crime of violence committed by:

- A current or former spouse or intimate partner of the victim;
- By a person with whom the victim shares a child in common;
- By a person who is cohabiting with, or has cohabited with, the victim as a spouse or intimate partner;
- By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or
- By any 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 - Stalking based on one's sex or gender includes repeatedly following, harassing, threatening, or intimidating another by telephone, mail, electronic communication, social media, or any other action, device or method that purposely or knowingly causes substantial emotional distress or reasonable fear of bodily injury or death.

Unwelcome conduct – conduct is considered “unwelcome” if the person did not request or invite it, and considered the conduct to be undesirable or offensive. Unwelcome conduct may take various forms, including name-calling, graphic or written statements, or other conduct that may be physically threatening, harmful, or humiliating.

Hostile Environment – exists when sex-based harassment is sufficiently serious to deny or limit the student's ability to participate in or benefit from the School's program or activities. It can be created by anyone involved in a School's programs or activity, including administrators, faculty members, students, and School visitors.

Factors to determine whether a hostile environment exists includes, but is not limited to the following:

- The type, frequency, and duration of the conduct;
- The identity and relationships of persons involved;
- The number of individuals involved;
- The location of the conduct and the context in which it occurred; and
- The degree to which the conduct affected one or more student's education.

Specifically Prohibited Conduct:

- Engaging in sex-based harassment that creates a hostile environment in or under any program or activity of this School.
- Promising, directly or indirectly, to reward another provided that the he or she comply with a sexually oriented request.
- Threatening, directly or indirectly, retaliation if a person refuses to comply with a sexually oriented request.
- Denying, directly or indirectly, an education or employment related opportunity if the person refuses to comply with a sexually oriented request.
- Engaging in unwelcome sexually suggestive conversation or inappropriate physical contact or touching of another.
- Engaging in indecent exposure.
- Making repeated sexual or romantic advances toward another despite his or her rejection.
- Engaging in unwelcome physical contact such as touching, blocking normal movement, physical restraint, or assault.
- Retaliating against another for filing a harassment complaint or threatening to report harassment.

Sexual harassment can involve males and/or females being harassed by members of the opposite or same sex.

Sexual harassment can be physical or psychological in nature. An aggregation of a series of incidents can constitute sexual harassment even if one of the incidents considered separately would not rise to the level of harassment.

If you have any questions regarding this policy, please do not hesitate to contact the Title IX Coordinator via email at Admin@newschoolalbany.edu.

Non-Discrimination Statement

In accordance with the provisions of the Americans With Disabilities Act of 1990, Title VI of the Civil Rights Act of 1964 (as amended), Title IX of the Educational Amendments of 1972, P.L. 93-112, and Section 504 of the Rehabilitation Act of 1973 and the regulations thereunder, it is the policy of the School that no person shall, because of age, sex, race, disability, or national origin be excluded from participation in, be denied the benefits of, or subjected to discrimination under any education program or activity of the School, including the employment of staff personnel.

The School's nondiscrimination statement, cited above, prohibits discrimination and harassment against individuals based on characteristics protected under federal and state law. The School also prohibits retaliation based upon reporting of such violations. If you have questions or believe you have been subjected to discrimination, harassment, including sexual harassment, or retaliation, you may contact one of the individuals below:

Title IX Coordinator: Cathy Taylor
The New School Center for Media
Albany, NY 12205
admin@newschoolalbany.edu
518-438-7682

Those with questions about available protections against discrimination under the Americans With Disabilities Act, Title IX, Title VI or P.L. 93-112 and Section 504 may be directed via telephone or in writing to:

Administration
The New School Center for Media
Albany, NY 12205
admin@newschoolalbany.edu
518-438-7682

Written School policies concerning the rights and responsibilities of employees and students are available for inspection online by visiting the Consumer Information page.

Safety Tips

- **ALWAYS BE OBSERVANT OF YOUR SURROUNDINGS!!!!**
- **When out at night, always use well-lit routes**
- **Avoid walking alone or in alleyways**
- **Consider carrying a defense spray such as pepper spray or mace**
- **Be aware that alcohol and drugs are commonly associated with date rape**
- **Understand that date rape is often committed by someone you know**
- **Never take an opened beverage from a stranger**
- **Never leave your beverages or food unattended**
- **Do not engage in excessive drinking or other forms of substance abuse**
- **Download safety apps to your smartphone**
- **Create a code word amongst trusted friends that you can use if in danger**
- **Set clear boundaries and be firm**
- **Define yourself and your sexual limits before entering an intimate partner relationship**
- **Be aware of controlling behavior in your relationship**
- **Consider learning basic self-defense techniques**
- **Never be afraid to seek help or report suspicious activity**
- **Always lock your vehicle upon exiting**
- **Do not leave valuables within plain view**
- **Try to park in well-lit areas with high volumes of traffic**
- **TRUST YOUR INSTINCTS!!!!**