



2021–2022 Annual Security and Fire Safety Report



FORDHAM UNIVERSITY
THE JESUIT UNIVERSITY OF NEW YORK

2021–2022 ANNUAL SECURITY AND FIRE SAFETY REPORT
POLICIES AND PROCEDURES AT FORDHAM UNIVERSITY

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A MESSAGE FROM THE PRESIDENT

Fall 2021

To: Fordham University Community
Re: Department of Public Safety

As a Jesuit and Catholic university, Fordham is home to a community of scholars, a place where talent is fostered and a culture of excellence is embraced. To assist you with your intellectual, personal, and spiritual growth, the University will do all that it can to provide you with an environment that is challenging, nurturing, and safe.

So whether you are studying at Rose Hill in the Bronx, Lincoln Center in Manhattan, or Westchester in West Harrison, we will encourage your pursuits in and beyond the classroom, while maintaining a comprehensive safety program for the entire Fordham community.

Through education, awareness, and enforcement, Fordham's program is designed to reduce opportunities for crime, to promote participation in crime-deterrence efforts, and to work with local police when a crime is committed. The program has resulted in an excellent safety record.

This booklet will inform you about some of the safety services, policies, and programs in place at Fordham; the precautions the University has taken for your safety; and the precautions you should take. Information and personal awareness are powerful tools for ensuring your safety on and off Fordham's campuses. Therefore I would urge you to spend time reviewing the contents of this booklet.

Joseph M. McShane, S.J., President, Fordham University

PUBLIC SAFETY AND THE FORDHAM COMMUNITY

From the Associate Vice President for Public Safety, John Carroll

An effective public safety program relies upon the active participation of every student, faculty, and staff member. Here at Fordham your personal safety is most important. With your assistance and cooperation we will provide the services, staffing, and guidance to achieve that end. This booklet is designed to assist you with information about a variety of safety services, programs, and policies. A number of University departments, including the Division of Student Affairs, produce informational materials in more detail than found in this annual report. We encourage you to contact Student Affairs for more specific information, if and when desired. The Jeanne Clery Act requires that colleges and universities provide this information to students and employees.

The members of the Department of Public Safety are committed to your personal safety. We have allocated the resources necessary to provide a safe and secure environment for the campus community. The policies, procedures, and programs of Fordham University have been designed and implemented to contribute, with your participation and cooperation, to attaining the highest level of safety possible. Public safety is always a shared responsibility. Any member of the University community who is a victim or becomes aware of a crime is encouraged to immediately report the incident to the Department of Public Safety and the local police. The Department of Public Safety can receive complaints 24 hours a day, seven days per week, 365 days per year. If it is an emergency, please call the Department of Public Safety at 718-817-2222.

The Department of Public Safety provides 24-hour coverage at the Rose Hill and Lincoln Center campuses. Whenever open there is coverage at the Westchester campus. Public safety personnel are carefully screened before being assigned to Fordham University. They are strictly supervised to ensure quality performance. Public safety personnel are overseen by a duty supervisor on every tour at all campuses. These supervisors are former law enforcement professionals with extensive patrol, management, investigation, and crime-prevention experience. Public safety personnel respond to emergency and non-emergency calls for service, provide traffic control and enforcement of traffic regulations, and assist in building inspections and fire prevention.

University public safety personnel are empowered to enforce Fordham regulations, to investigate incidents, and to apprehend those who violate University regulations or commit crimes on campus. Criminal violators who are apprehended are turned over to the local police for arrest processing. When necessary, Fordham University will press charges against criminal violators. Fordham University has a written memorandum of understanding (MOU) with the New York Police Department (NYPD). The MOU pertains to reports of violent offenses, as defined in subdivision one of Section 70.02 of the New York State Penal Law, occurring at or on the grounds of the University, or a report that any University student who resides in a facility owned or operated by the University is missing from his or her residence. The University will promptly notify the NYPD of such incident or event and provide assistance to the assigned member of the NYPD. The University and the NYPD each agree to cooperate fully with the other and to coordinate their investigations of any reported violent felony offense occurring at or on the grounds of the University or any reported missing student. At Rose Hill, the Department of Public Safety is located in Thebaud Annex. The Lincoln Center operation is based in the Lowenstein Center lobby. At the Westchester campus, the Department of Public Safety is located on the first floor of the building. Public safety personnel are assigned 24 hours a day to provide continuous service to the campus community at the Rose Hill and Lincoln Center campuses. Public Safety has a close working relationship with the local New York City police precincts—namely the 48th and the 52nd at Rose Hill and the 20th at Lincoln Center—and the Harrison Police Department at the Westchester campus. The associate vice president for public safety meets regularly with police commanders to help ensure the safest environment for our campus community.

Campus Security Authorities

The Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act (Clery Act) requires that all persons listed as Campus Security Authorities must report crimes immediately to Fordham's Department of Public Safety.

Campus Security Authorities include:

- the University president
- the University provost
- all University vice presidents
- all University deans
- all University administrators
- faculty advisors/faculty
- all Student Affairs deans, directors, and administrators
- athletic directors and coaches
- resident directors and resident assistants
- the director and administrators of the Dorothy Day Center for Service and Justice
- the director, administrators, and coordinator of Global Outreach
- campus judicial administrators
- Public Safety staff
- clerical personnel and maintenance personnel
- cafeteria staff
- all campus officials with significant responsibility for students

University personnel exempt from mandated reporting to the Department of Public Safety are:

- pastoral counselors from Campus Ministry acting in their official capacity
- professional mental health counselors from Counseling and Psychological Services acting in their official capacity
- medical providers in University Health Services

Notwithstanding the aforementioned exemptions from mandated reporting, every member of the University community is strongly encouraged to immediately report any crime or emergency to the Department of Public Safety.

The Clery Act requires the University to disclose the following crime statistics:

- murder/non-negligent manslaughter; negligent manslaughter
- sex offenses
- robbery, aggravated assault, burglary, motor vehicle theft, and arson
- hate crimes (which include any of the aforementioned offenses, except for negligent manslaughter, as well as any incidents of larceny-theft, simple assault, intimidation, or destruction/damage/vandalism of property, motivated by the offender's bias, and based on a person's race, gender, religion, sexual orientation, ethnicity, disability, gender identity, or national origin)
- dating violence, domestic violence, and stalking
- arrests and referrals for disciplinary action for carrying or possessing weapons, drug abuse violations, and liquor law violations

Campus security authorities are not responsible for determining authoritatively whether a crime took place. That is the responsibility of the Department of Public Safety and local law enforcement (NYPD) or an authorized police agency. To report crime by anyone, including those listed above as campus security authorities, call 718-817-2222 here at Fordham University, any time, and ask to speak with the Public Safety duty supervisor. Our school also has a responsibility to notify the campus community about any crimes that pose an ongoing threat to the community. Even if you are not sure whether an ongoing threat exists, immediately contact the Department of Public Safety.

State-of-the-Art Emergency Notification System

To be notified during a campus or city-wide emergency, members of the Fordham University community must enter their cell phone/contact numbers (including their primary contact person's number) into my.fordham.edu. The University's Department of Public Safety details our emergency management, evacuation plans, crime statistics, and fire safety data at fordham.edu under the "Resources" tab.

Off-Campus Shuttle Service

The Department of Public Safety and the Division of Student Affairs offer a late-night neighborhood shuttle service to transport students and staff to and from the Rose Hill campus. The vans provide passengers with a safe, reliable, and comfortable mode of transportation. Public Safety guards operate the vans on a regular route with pickup and discharge at designated locations. The shuttle is offered free of charge and operates seven days a week between 8 p.m. and 5 a.m. during the fall and spring semesters. One van departs the campus every 30 minutes from the front of the Bathgate Avenue entrance.

The University has entered into a partnership with the TransLoc Visualization Company and implemented a shuttle van locator system for students and staff. Through the use of a number of platforms including iPhones and other mobile devices, students and staff will be able to visualize exactly where shuttle vans are operating on or off campus in real time. For our late-night neighborhood shuttle service, students and staff will know when they should go outside to the shuttle van stop to meet the arriving van. This will help to increase the efficiency of the shuttle van service and, most importantly, student and staff safety.

The Department of Public Safety and the Division of Student Affairs also offer transportation service for students and staff at no charge between the subway D train stop at East 188th Street and the Grand Concourse and the Rose Hill campus. Public Safety guards operate these vans seven days a week between 8 p.m. and 5 a.m. during the fall and spring semesters. A van will not leave the subway station until the other van arrives back from campus. During the Christmas and summer breaks, one van will operate.

Students and staff boarding the vans must present a valid identification card. Members of the Fordham community accept full responsibility for their guests and must comply with all University policies and directions from the driver/guard.

Emergency Telephones

There are 25 emergency telephones, easily identified by a blue light, located throughout the Rose Hill campus. In addition, there are 24 emergency phones located at selected stairwells and in the elevator within our parking garage facility and 15 located in Hughes Hall. Additionally, there are four emergency phones located in the rear of Campbell, Salice, and Conley Halls. No dialing is necessary—simply press the red button. These phones are directly connected to the Department of Public Safety and enable Public Safety personnel to know the exact location of the caller. At the Lincoln Center campus, red emergency phones are located on all floors of the Lowenstein Center. The Department of Public Safety can broadcast to the entire campus during emergencies using these phones as a public address system.

Personal Safety Programs

Fordham conducts safety orientation programs for all new and returning students at the start of each academic year. These programs are offered by the Division of Student Affairs and Office of Residential Life in conjunction with the Department of Public Safety. The purpose of these programs is to educate students about campus safety policies and procedures. The programs also alert students to the realities of urban living and offer steps that can be taken to better protect themselves while enjoying all the benefits of New York City and Westchester County.

Presentations are also provided to all resident students on a hall-by-hall basis. These presentations may be accompanied by literature, handouts, films, and speakers from the local police. In addition, all students have access to a publication called CARE: Campus Assault and Relationship Education, available at fordham.edu/care, that defines sexual offenses, domestic violence, and stalking in detail. It outlines techniques for avoiding or preventing sexual offenses such as date rape and describes services available for all victims, as well as the procedure for reporting incidents to University officials and to the police.

Timely Warnings

The Department of Public Safety publishes timely warnings and public safety alerts for Clery Act crimes occurring on or off campus that, in the judgment of the associate vice president for public safety or his designee, are believed to constitute a potential ongoing or continuing threat to the University community. The Department of Public Safety issues timely warnings via email blasts, utilizing the Fordham University email address provided to every student, faculty member, staff member, and guest listed. The Department of Public Safety will make email notifications without delay, unless the notification will, in the professional judgment of law enforcement authorities, compromise efforts to assist victims or to contain, respond to, or otherwise mitigate the emergency. Anyone with information relative to an issued timely warning should contact the Department of Public Safety or the local law enforcement agency listed in the warning. Personally identifying information about the victim will not be included in any public record.

Emergency Notification

The University has developed a partnership with Everbridge (a state-of-the-art notification system) to immediately notify the campus community of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students, faculty, or staff occurring on the campus. Upon confirmation that there is a significant emergency, the Department of Public Safety will, without delay, initiate our state-of-the-art notification system, unless the notification will, in the professional judgment of law enforcement authorities, compromise efforts to assist victims or to contain, respond to, or otherwise mitigate the emergency. The University's emergency management response and evacuation procedures are extensively detailed in the University Emergency Management Plan, which can be accessed at fordham.edu. Under the "Resources" tab, click on "Public Safety" and then on "Emergency Information."

Upon determining that there is a significant emergency at Fordham, the ranking supervisor of the Department of Public Safety will immediately dispatch Public Safety personnel, including notification to NYPD/FDNY/EMT, for appropriate assistance. The ranking Public Safety supervisor will alert and bring together the University's Emergency Management Team members, coordinated by the associate vice president of public safety. Marketing and Communications administrators will make the notifications through Everbridge, based on the direction of the Emergency Management Team, to alert students, faculty, staff, parents, and other contacts listed.

Fordham's Emergency Management Council, chaired by the associate vice president of public safety, conducts both tabletop and campus-wide practical exercises and evacuation drills to test the emergency response and evacuation procedures annually. Tabletop exercises are conducted on an annual basis which have included hypothetical scenarios of an active shooter, hostage situation, riot, hurricane, student demonstration, etc. The Department of Public Safety and the University's Emergency Management team members along with ranking personnel from the NYPD, NYFD, and other governmental agencies participate and discuss their roles in responding to these different type of scenarios. These exercises are not announced to the University community in advance.

Emergency Texting App

Fordham University's Department of Public Safety developed a personal safety application for your smartphone. "**The Fordham Safety Application**," developed by Saberpoint LLC, with the assistance of Fordham University's Department of Public Safety and Fordham University IT, is now available for download from the iTunes Store as well as on Google Play.

The application was designed as an emergency texting app for the Fordham community. It is important to note that Public Safety strongly recommends calling the office of Public Safety (718-817-2222) or 911 immediately if you are in any kind of danger. However, should circumstances be such that it would be impractical to place a call, the next best course of action is to use this application. By utilizing this emergency application, members will be able to send an urgent text message directly to Public Safety and summon assistance. Users are given the option of typing a freeform text message, using a predefined message, or pressing an urgent assistance icon. The message, along with your approximate location, will be sent directly to Fordham University's Department of Public Safety Office. The Department of Public Safety will then immediately dispatch a Public Safety Supervisor to your location, if you are in the vicinity of any of the University's campuses. If you are an appreciable distance from any of the University's campuses, Public Safety will contact you or 911 in order to get assistance to you. For more information on The Fordham Safety Application, please access the Personal Safety Programs page on the Fordham University website at fordham.edu/personalsafety.

Weapons, Ammunition, and Explosives

The University's employees, students, and volunteers, or any other third party on University property, or at University-sponsored events on or off campus, are prohibited from carrying, maintaining, or storing weapons including but not limited to knives, swords, pellets, BB guns, paintball guns, Airsoft, air rifles or air pistols, rifles, shotguns, firearms, simulated firearms, ammunition, gunpowder, hunting arrows, potentially injurious war souvenirs, explosives, fireworks, firecrackers, highly flammable materials, dangerous chemicals, mace, stun guns, Tasers, martial arts weapons, and the like, even if the owner has a valid permit.

Authorized exceptions:

1. Department of Public Safety Supervisors charged with the protection of life and capable of confronting an armed individual at Fordham. Public Safety Supervisors are former ranking law enforcement officers who possess armed New York state licenses and receive annual training and re-certification, as required by law;

2. Active-duty sworn and certified local, state, or federal law enforcement officers who are required by their employer to be armed at all times and who carry proper identification. The firearm or weapon must be concealed at all times;
3. Contractors and others on campus whose duties require possession and use of construction equipment, including but not limited to pneumatic nail guns, may possess and use such equipment only in performance of their job duties through a valid contractual or legal relationship with Fordham University.

Any individual who is reported or discovered to possess a firearm or weapon in violation of this policy will be required to remove it immediately. Failure to comply may result in a student/employee disciplinary action, and/or arrest for violation of New York State Penal Law Section 265.01(3).

Use of Unmanned Aircraft Systems (UAS/DRONES)

The use of a UAS/DRONE in, from, or above Fordham University's buildings, campuses, or properties is **strictly prohibited** except under the following circumstances:

Commercial or official institutional use–

The use of commercially owned drones is permitted only for educational or research purposes.

All commercial, contract, or University-owned UAS:

- Must comply with all federal (FAA), State of New York, and New York City laws;
- Must provide proof of a Special Airworthiness Certificate/Restricted Category/Section 333 Waiver or Authorization (COA) for civil aircraft;
- Any commercial use must provide a certificate of specific drone use insurance naming Fordham University as additional insured with a minimum of \$5 million in general liability insurance;
- Must not operate over areas where people assemble, sports venues/fields/arenas, or areas of construction;
- Must not photograph or video where anyone would have a reasonable expectation of privacy;
- Must obtain permission from the Department of Public Safety, at least 48 hours in advance;
- Must provide Department of Public Safety a flight plan, including the date, time, location, duration, and purpose for the flight and name of the UAS operator.
- Any hobby or recreational use is not permitted.

Automobiles

Rules regarding the use of automobiles differ at the Rose Hill Campus and Lincoln Center Campus:

To drive or park on the Rose Hill Campus, automobiles must be registered for the coming year. Vehicles must be registered with the Department of Public Safety prior to the start of the academic year. To register a vehicle on campus, you must apply online at my.fordham.edu. The Parking Permit Application, fees, and the Motor Vehicle Regulation Booklet can be found under the employee or student tab, accordingly. The fee to register a student, faculty, or employee car is adjusted from year to year to reflect the cost of operation of parking facilities. Once you have applied, your University I.D. card will be used to electronically access the parking garage. If you apply for the 24-hour parking option, you must pick up a 24-hour hang-tag from the Department of Public Safety, located at the Thebaud Annex.

All returning faculty, students, and staff must also apply online to reactivate your current parking privileges. However, this does not require a visit to the Department of Public Safety, unless you have selected the 24-hour parking option. If you are an administrator, faculty, or employee, the parking fee will be deducted from your paycheck. As a student, you will be billed through your bursar account for the parking fee. The 24-hour hang-tag must be displayed from your vehicle's rear view mirror or you will be subject to a Parking Violation Notice. All vehicles will park in the University garage. Violators of parking regulations may be subject to having their vehicles towed off campus at their expense.

Students use the University parking facilities at their own risk. Fordham University is not liable for personal injury, damage to vehicles, vandalism, or theft of a motor vehicle or its contents. Further information can be obtained in the Department of Public Safety located in Thebaud Annex, or call 718-817-2222.

No parking is available at the Lincoln Center campus, although discounted parking is available from the following area garages.

1. Allied Garage – 425 West 59th Street between Columbus and 10th Avenues
2. Alfred Car Park – 161 West 61st Street between Columbus and Amsterdam

3. Central Parking System – 345 West 58th Street between Broadway and Columbus
4. Regent Parking – 425 West 61st Street between Broadway and Columbus
5. World Parking Garage – One Central Park West at Broadway. Enter via 4 West 61st Street.
6. ICON Parking – between Broadway and 64th Street
7. Lincoln Center Garage – 150 West 65th Street

Upon exiting the Lincoln Center campus, stop at the main Public Safety Desk in the Lowenstein building, so that the Public Safety guard can validate your parking receipt and discounted parking rates may be applied.

Missing Student Notification

Individuals should report a missing student directly to the Department of Public Safety’s supervisor on duty. In a case of any student who resides in a facility owned or operated by Fordham University and who is reported as missing from his or her residence, the Department of Public Safety shall immediately and thoroughly investigate and advise the appropriate local law enforcement authorities within 24 hours. In all such cases, the Department of Public Safety will enlist all the resources of local law enforcement and work closely with them. The parent, guardian, or primary contact person of students under 18 years of age and not emancipated who are determined to be missing will be notified. Students are provided the opportunity to register a confidential contact person to be notified in emergency situations, including missing student cases, by entering their primary contact person number into my.fordham.edu. Only authorized campus officials and local law enforcement in furtherance of a missing person investigation may have access to this information. Notwithstanding whether students do or do not provide a specific contact person, local law enforcement will be notified that the student is missing. The Department of Public Safety missing student procedure is detailed in the University’s Emergency Management Plan, which can be accessed at fordham.edu. Under the “Resources” tab, click on “Public Safety” and then on “Emergency Information.” The NYPD determines missing persons to be those who are under 18 years of age, mentally/physically impaired to the extent that hospitalization may be required, senile/mentally challenged/disabled or not capable of self-care or clear communication, a suspected drowning victim, an individual indicating an intention of committing suicide, or one who is absent under circumstances indicating unaccountable or involuntary disappearance.

SAFETY TIPS

The following safety tips are offered to you to help protect yourself from crime.

Know Your Environment

- Emergency phones are located on all levels of the parking garage and throughout the Rose Hill and Westchester campuses. Emergency phones are located on each floor of the Lowenstein Center at the Lincoln Center campus. Emergency phones go directly to Public Safety.
- Dial 718-817-2222 to reach the Rose Hill Public Safety Office, 212-636-6075 to reach the Lincoln Center Public Safety Desk, and 914-367-3001/3333 to reach Westchester Public Safety.
- Notify the Department of Public Safety of anything suspicious; we will gladly respond and investigate.
- Stay in well-lit areas.
- Know where to obtain help when you need it.
- Keep items left in your car inside your locked automobile trunk and out of view.
- Keep all valuables under your direct control; do not leave them unattended.

Safety in Numbers

- Walk with a friend.
- Use the Ram Van for trips between Manhattan and the Bronx.
- Use Metro-North to the east side of Manhattan; Westchester, Putnam, and Dutchess counties; and Connecticut.
- Avoid isolated train and bus stops.

Plan What You Will Do if Confronted by an Assailant

- Be realistic about your ability to protect yourself.
- An immediate reaction of yelling or screaming may be helpful.
- You are worth more than all the money or possessions you may have. Those items can be replaced.
- Every emergency situation is different. Only you can decide what course of action is appropriate.

Residence Halls

- Keep all the doors and windows locked.
- Do not allow or encourage unauthorized visitors in your hall, room, or suite.
- Know the location of fire extinguishers and alarms.
- Follow campus rules about candles, incense, smoking, etc.
- Mark all equipment using an identifier and keep a record of all serial numbers.
- Use a cable-locking device to secure computers, TVs, DVD players, etc.

If a Crime Does Occur

If a crime does occur on campus or in off-campus housing, immediately notify Public Safety. Any delay in reporting an incident decreases the chances of apprehending the suspect. The Department of Public Safety maintains a close working relationship with local police precincts and will assist you in every way possible if you become the victim of a crime.

ACCESS TO BUILDINGS AND FACILITIES

Members of the Fordham community, their guests, and visitors have access to academic buildings and facilities on campus during the normal hours of operation. Students, faculty, and staff are required to have their University identification cards in their possession while on campus. After normal business hours, the Department of Public Safety locks and secures University buildings, and access is granted only in cases of true need. Access requires written authorization, submitted in advance by the appropriate University official.

Residence Halls

The Department of Public Safety provides a guard to monitor access control for the residence halls between the hours of 10:15 p.m. and 6:15 a.m. every evening during the academic year. Residential Life desk assistants control evening access before the guard arrives, from 6:15 a.m. to 10:15 p.m. McMahon Hall and McKeon Hall at Lincoln Center are covered 24 hours a day by a Public Safety guard, off-campus housing has guards assigned from 6 p.m. to 6 a.m. Additionally, a resident assistant is on duty at all times to enhance residence hall safety. All visitors are required to provide valid identification and to sign the visitors log. A resident must escort a visitor from the lobby to the resident's room and is personally responsible for the guest's conduct during the visit. Residents must sign out guests when they leave the hall. Residents should keep their rooms locked at all times for their safety and to protect their valuables.

The Department of Public Safety prepares and forwards work orders on a regular basis to the facilities departments to correct conditions observed on the campuses. The Department of Public Safety also conducts weekly inspections of campus lighting and testing of the emergency telephones on campus. The results are forwarded to the facilities operations, information technology, and telecommunications departments to address the deficiencies found.

Residential Life

The Office of Residential Life is dedicated to providing a safe and secure living environment. The office continuously presents programs and activities that contribute to public safety. Information about these programs can be obtained through the Office of Residential Life.

Resident Directors

Every on-campus residence hall has a resident director (RD) who is a professional, live-in staff member responsible for the management of the hall. There is one off-campus RD who manages several houses in the Belmont community.

Resident Assistants

In addition to the resident director, each hall has several resident assistants (RAs), one of whom is on call at all times to assist the resident director. The RAs act as the eyes and ears of the University in the residence hall areas. The RAs live in the halls for the added protection of those living on campus.

Locking Systems

All residence doors have locks installed to resist intrusion. Each resident is issued a room key and the doors are kept locked at all times. Do not defeat the system by propping open the doors. It is your safety; do your part.

Card Access to Residence Hall Entrances

Fordham University's identification card issued to all students, faculty, and staff will provide card-swipe access to perimeter entrances to campus, building entrances, and entrances to residence halls for students residing in that hall. When visiting other residence halls, students will still be required to sign in according to the Residential Life Handbook.

Contacting Public Safety

You can report any incident or event to the Department of Public Safety by telephone, in person (at the Public Safety office at Rose Hill, the Public Safety desks at Lincoln Center, and the Public Safety office at Westchester) or to any of the Public Safety guards assigned on campus 24 hours a day. In addition to the above, the Department of Public Safety is present at all major University events, such as campus opening days, commencements, diploma ceremonies, sporting events, and student-sponsored events. For non-emergencies, Public Safety can be reached using the Department of Public Safety Online Incident Reporting link at my.fordham.edu or by email at publicsafetyrh@fordham.edu or publicsafetyle@fordham.edu, as appropriate.

PUBLIC SAFETY

Policies and Procedures at Fordham University

Compliance with the University's policies and procedures is a necessary first step in achieving a safe environment in our community. These policies were developed to promote a safe campus and a high quality of campus life. Their effectiveness depends upon the active participation of all members of the community.

Drug and Alcohol Use

The misuse or abuse of drugs or alcohol will not be tolerated by the University. Part of Fordham's educational mission is to instruct the Fordham community on the medical, legal, and social risks of substance abuse.

Alcohol Possession and Consumption

The University allows individuals of legal drinking age to consume alcohol in their student rooms. However, should the drinking become a public event due to noise, number of people present, or intoxication, disciplinary action will be taken. Alcohol is not allowed in freshman residence halls.

Large amounts of alcohol are not allowed in private rooms and may be confiscated at the discretion of residence hall staff. Consumption of alcoholic beverages is not allowed in the open/public areas of the campus.

It is illegal in New York state for anyone under the age of 21 to possess alcoholic beverages for consumption. Every student assumes full responsibility for their compliance with New York state laws and University policy. False or fraudulent written evidence of age for the purpose of purchasing alcoholic beverages is also illegal and can result in an arrest by local police.

Substance Abuse

The University is committed to maintaining a drug-free campus. Any member of the Fordham community—faculty, staff, or student—who violates this policy is subject to any series of actions, ranging from written warnings to dismissal from the University. Counseling and treatment programs are available through the University.

The University has published a report titled Fordham University Drug-Free Campus that includes information on the ramifications of illicit drug use by members of the Fordham community. The publication also outlines University standards of conduct concerning drug use. It further describes the help and treatment programs that are available. Copies are available from Fordham's Office of Human Resources in Room 506 of Faculty Memorial Hall, in the student affairs office in Keating 100, from the Office of Residential Life in the basement of Loschert Hall, and in McMahon Hall at the Lincoln Center campus.

For more information, visit fordham.edu/drugfreecampus.

Substance Abuse Prevention and Student Support

The Office of Substance Abuse Prevention and Student Support (OSAPSS) at Rose Hill and the Alcohol and Other Drug Education (AODE) program at Lincoln Center provide comprehensive substance abuse prevention at Fordham University. Each component is part of an integrated approach that is science based, inherently student centered, and guided by Fordham's rich Jesuit tradition.

OSAPSS and AODE program strategies center on the prevention and reduction of alcohol and other drug use, misuse, and abuse. Individual targeted interventions include offering educational groups, reflective exercises, assessments,

and personalized feedback sessions to students who violate the University's alcohol and drug policy. Services are available to all students interested in learning more about addiction and substance abuse-related issues. Population-targeted interventions include facilitating the freshmen core programming sessions and advising the peer education programs and student organizations on each campus that coordinate social, educational, and awareness initiatives. The OSAPSS and AODE programs also offer referral information for off-campus substance abuse treatment facilities and 12 step-related (AA/NA/Al-Anon) support groups in the area.

For free and confidential alcohol and marijuana screening or to learn more about the resources, staff, peer educators, and other services provided by the OSAPSS and AODE programs, visit fordham.edu/student_affairs/office_of_substance.

CONDUCT STANDARDS

The Student Handbook delineates certain standards of conduct expected from our students. Fordham University administers the Code of Conduct through the Office of the Dean of Students. To enhance campus safety and ensure cooperation with the police, Fordham Public Safety personnel will immediately respond to, investigate, and report any missing person and assist complainants to report any crime occurring on campus or any facility owned or operated by the University. A report of sexual assault, domestic violence, stalking, bullying, bias/hate-related crime, or any incident that intentionally or recklessly endangers the mental/physical health of a person or involves the forced consumption of liquor or drugs as part of initiation or affiliation with any organization shall be immediately investigated and followed up using procedures outlined in the Student Handbook. The Student Handbook is available online at fordham.edu under the Student Life heading, on the Deans of Students and Student Life page on the drop-down menu.

Registered Sex Offenders

Megan's Law protects our communities and universities by mandating that convicted sex offenders register with the state through the Division of Criminal Justice Services. Information regarding these convicted sex offenders is obtainable through local police agencies having jurisdiction. Such information may also be obtained through our Department of Public Safety by calling 718-817-2222 and asking for the operations manager or duty supervisor. Police agencies having jurisdiction on our three campuses are as follows:

- **Rose Hill:** NYPD 48th Police Precinct, 718-299-3900
- **Lincoln Center:** NYPD 20th Police Precinct, 212-580-6411
- **Westchester Campus:** Harrison PD, 914-967-5110
- **Louis Calder Center:** North Castle PD, 914-273-9500

The information can also be obtained from the New York State Department of Criminal Justice at criminaljustice.ny.gov.

Orders of Protection: In addition to a University's No Contact Restriction issued by the University to University community members, victims of stalking, domestic, or dating violence, or any other violence/crime can seek orders of protection from both the family and criminal courts.

SAFETY AND AWARENESS PROGRAMS

The University utilizes the following programs to promote awareness of rape/acquaintance rape:

- **Freshman Core Programming:** A series of mandatory programs on important topics related to life on campus for all first-year resident students and commuter students. The offices of residential life and student leadership and community development administer the programs, which are conducted during September.
- **Residence Hall Staff Training:** Resident directors and resident assistants receive extensive training during the month of August in preparation for the academic year. The director of residential life conducts and oversees all training for the staff on issues of sexual assault, domestic violence, stalking, and harassment.

Any individual who believes that he or she is being subjected to sexual harassment or bullying should utilize the procedures as described in the Student Handbook, whereby an immediate response and investigation will commence.

Sexual offenses, domestic or dating violence, and stalking can be reported to the dean of students during business hours, and to the Department of Public Safety or the local police 24 hours a day. In sex offense cases immediate reporting, with the ability to find and safeguard evidence, is crucial to subsequent prosecution should the victim decide to proceed criminally. The victim retains the right to decide whether to proceed criminally or to seek other available forms of resolution. The University is required to report all violent felonies listed in section 70.02 of the

New York State Penal Law to the local police. The University will actively support the victim's decision. The Department of Public Safety will facilitate the victim's ability to report the incident to the local police in every way, including by providing transportation. For incidents involving possible sex crimes, uniformed police officers will generally notify a detective or a specialized unit staffed with personnel who are trained to gather information about sex crimes and explain the investigative procedures of the police department, including possible options available to the victim. For domestic or dating violence and stalking offenses, the local precinct detective squad will investigate the types of cases that require follow-up investigation.

In sex offense, domestic or dating violence, and stalking cases, if you elect to initiate a formal University conduct process against another student or group of students, the details of the incident should be put in writing and filed with the dean of students. The victim and the student against whom the complaint is lodged will each be assigned an administrative support person. A prompt, fair, and impartial process from the initial complaint to the final result will be conducted. The disciplinary process is conducted by officials who receive annual training on the issues of domestic violence, dating violence, sexual assault, and stalking. Additionally, these officials learn how to conduct an investigation and hearing process that protects the safety of the victims and promotes accountability. The accuser and the accused are entitled to the same opportunities to have an advisor of choice present during a student conduct process. The evidentiary standard in determining the facts will be based upon a preponderance of evidence, i.e., a finding that it is more likely than not that the alleged sexual misconduct occurred or did not occur.

A student who is the victim of a sexual offense, domestic or dating violence, stalking, or bullying may utilize the services of the Counseling and Psychological Services Centers located at Rose Hill in the O'Hare Hall Health Center or at Lincoln Center, 140 West 62nd Street, Room G02, or at the Westchester campus at 400 Westchester Avenue in West Harrison, New York. Psychologists will provide supportive and confidential counseling, as well as information on the availability of off-campus counseling. In emergency situations, professional staff members are contacted to respond during off hours. Members of the Office of Student Affairs are also available to discuss sexual assault, rape, domestic or dating violence, and stalking incidents, and make referrals.

ANNUAL SECURITY REPORT

The University's Department of Public Safety prepares the Annual Security Report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. The report is prepared by reviewing all incidents reported to the Department of Public Safety at the Rose Hill, Lincoln Center, and Westchester campuses. In addition, the dean of students and director of residential life and judicial affairs are surveyed to determine if any incidents of a serious nature were reported to these respective offices. Statistics pertaining to crimes occurring on public property adjoining the University are requested from the local police jurisdictions annually, including information concerning any crimes that occurred in University-controlled off-campus housing that may not have been reported to the Department of Public Safety. The University does not have any off-campus housing facilities controlled by student organizations and officially recognized by the University. All serious incidents or crimes should be reported to the campus Department of Public Safety. Serious crimes reported on a confidential basis to a pastoral, professional counselor or a medical provider in the University Health Services are not included in the annual security report. However, staff counselors are encouraged to have victims or witnesses report incidents to the Department of Public Safety or the local police after they provide professional guidance.

Each year, an email notification is sent to faculty, students, and staff that provides the website to access this report. In addition to public safety services, policies, procedures, and programs here at Fordham, three years' worth of crime statistics for each campus are included for certain types of crimes that were reported to have occurred on campus, in or on off-campus buildings or property owned or controlled by the school, and on public property within or immediately adjacent to the campus. This report can be found online on the Fordham website's Public Safety page, which can be accessed via the drop-down menu under the "Resources" tab at fordham.edu. The report can also be accessed at the United States Department of Education website, ed.gov. Requests for additional copies of this booklet can be directed to the associate vice president for public safety in Thebaud Hall (441 E. Fordham Road, Bronx, NY 10458) or to 718-817-2222.

Confidential Reporting Procedures

A victim of a crime who does not want to initiate a formal charge within the University disciplinary system or local police can choose to make a confidential report. The victim may grant permission to the associate vice president for public safety or a designee to file an incident report without revealing the victim's identity. The purpose of a confidential report is to allow a victim the right to keep the matter confidential, and allow the University to capture

crime information that will be analyzed to ensure the future safety of the victim and the University community. Confidential reports filed in this manner are counted and disclosed in our annual crime statistics. In violent felony cases, the University reserves the right to notify local law enforcement as required by statute.

The University now provides members of the Fordham community the option of reporting non-emergency incidents online. The Department of Public Safety created a Public Safety Online Reporting system for non-emergency incidents on the my.fordham.edu home page.

Crime Definitions

The following crime definitions are in accordance with the Federal Bureau of Investigation's Uniform Crime Reporting Program. These definitions are used to determine the proper classification of serious incidents reported to Public Safety.

- **Arson:** Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling, house, public building, motor vehicle, aircraft, or personal property of another.
- **Aggravated Assault:** An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury (usually by means of a weapon or other method likely to result in death or great bodily harm).
- **Burglary:** The unlawful entry of a structure to commit a felony or theft.
- **Bullying:** Teasing, taunting, harassing, graphic written statements, or communications by cell phone (calls/texting, or Internet threats, including the sending of messages by email or via social networks) that are threatening, humiliating, harmful, or discriminatory. These are prohibited conduct. Harassment creates a hostile environment when it is severe, pervasive, or persistent, and interferes with one's ability to participate in services, activities, or opportunities at the University.
- **Dating Violence:** Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of:
 - the length of the relationship.
 - the type of relationship.
 - the frequency of interaction between the persons involved in the relationship.
- **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.
- **Motor Vehicle Theft:** The theft or attempted theft of a motor vehicle.
- **Manslaughter by Negligence:** The killing of another person through gross negligence.
- **Murder/Non-Negligent Manslaughter:** The willful (non-negligent) killing of one human being by another.
- **Robbery:** The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force, threat of force, violence, and/or by putting the victim in fear.
- **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.
- **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:** The sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory Rape:** The sexual intercourse with a person who is under the statutory age of consent.
- **Hate Crimes:** A criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim.

Although there are many possible categories of bias, under the Clery Act, the following eight categories are reportable: race, religion, sexual orientation, gender, gender identity, ethnicity, national origin, and disability. Hate Crimes include any of the following offenses that are motivated by bias: murder and non-negligent manslaughter, sexual assault, robbery, aggravated assault, burglary, motor vehicle theft, arson, larceny-theft, simple assault, intimidation, destruction/damage/vandalism of property.

- **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.

FORDHAM UNIVERSITY POLICY STATEMENT ON SEXUAL AND RELATED MISCONDUCT

Fordham University is committed to maintaining a community in which its members live, work, and learn in a safe and respectful environment that is free from all forms of sex- and gender-based discrimination. In furtherance of this commitment, and in accordance with Title IX of the Education Amendments of 1972, the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (the “Clery Act”), as amended by the Violence Against Women Act (“VAWA”)/Campus Sexual Violence Act (“Campus SaVE Act”), and Article 129-A and Article 129-B of the New York State Education Law (“Enough is Enough”), the University prohibits the following forms of sexual or related misconduct: sex and gender discrimination, sexual assault, sexual harassment, stalking, dating violence, domestic violence, prohibited consensual relationships, sexual exploitation and other sexual misconduct, and intimidation and/or retaliation as described in Section IV, “Conduct Prohibited by Title IX of the Education Amendments of 1972,” and Section V, “Conduct Prohibited by University Policy and/or Laws Other Than Title IX of the Education Amendments of 1972,” below.

Sexual and related misconduct can occur between strangers, acquaintances, or people who know each other well, including people who are involved in an intimate or sexual relationship, and sexual and related misconduct can be committed by anyone regardless of sex, gender, gender identity, gender expression, or sexual orientation. Fordham will take prompt and effective steps to end the sexual and related misconduct, eliminate the hostile environment, prevent its recurrence, and remedy its effects.

The Sexual and Related Misconduct Policy and Procedures for the Fordham University Community may be found at fordham.edu/SRMPP. They apply to conduct by all students, faculty, staff, and administrators taking place on campus or at Fordham University sponsored programs, activities, or events, including study abroad programs and academic, learning, and service programs located at off-campus sites. This policy also covers any conduct that has a continuing effect on campus or has a continuing effect on an off-campus education program, activity, or event sponsored by the University.

Fordham University supports this policy through educational instruction on prevention, counseling, and medical support services. Educational programs include but are not limited to campus-wide distribution of the CARE brochure; online training for new students; new student orientation programs related to sexual violence; the CARE core program for new undergraduate students; peer education workshops on topics that include the nature of sexual misconduct and dating violence, keys to prevention, and coping with the aftermath of an assault; public safety presentations; residential life presentations; bystander intervention and sexual assault awareness programs; individual and group counseling; and other support services.

Fordham University responds to all sexual and related misconduct incidents with a trained response team that includes public safety; the dean of students; the Director of Gender Equity/Title IX Coordinator; the associate vice president for student affairs; the offices of residential life, health services, and counseling services; the Office of Human Resources as appropriate, and off-campus resources as needed.

CONDUCT COVERED BY THE SEXUAL AND RELATED MISCONDUCT POLICY AND PROCEDURES

The policy definitions of prohibited conduct and the definition of affirmative consent are listed below. All employees, students, faculty, and third parties who are enrolled, employed, or reasonably connected to the University are subject to these policies and possible discipline for behavior that violates the policy definitions described below:

- A. Dating Violence:** Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the complainant. The existence of such a relationship shall be determined based on the complainant’s statement and with consideration of the following factors: (i) the length of the relationship; (ii) the type of relationship; and (iii) the frequency of interaction between the persons involved in the relationship. Dating violence includes, but is not limited to, sexual, physical, or psychological abuse, or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence.
- B. Domestic Violence:** Violence committed by a current or former spouse or intimate partner of the complainant by a person with whom the complainant shares a child in common, by a person who is cohabitating with or has cohabitated with the complainant under New York domestic or family violence laws, or by any other person against an adult or youth complainant who is protected from that person’s acts under New York domestic or family violence laws. For the purposes of this definition:
 - The relationship between the respondent and the complainant must be more than just two people living together as roommates.
 - The people cohabitating must be current or former spouses or have an intimate relationship.

C. Intimidation and Retaliation for Reporting: Attempts, either directly or indirectly, to violate a University No Contact Restriction or to intimidate, threaten, retaliate against, interfere with, restrain, coerce, discriminate against, or harass any person for attempting to report misconduct, reporting misconduct, pursuing a formal complaint, serving as a witness, or being a potential party or witness in a University investigation regarding possible violations of any of the University's policies regarding sexual and related misconduct are prohibited. Members of the University community who engage in this conduct will be subject to prompt and appropriate disciplinary action, including possible termination or expulsion from the University. Individuals engaging in this conduct who are not members of the University community will be subject to campus bans and other actions deemed appropriate by the Director of Gender Equity/Title IX Coordinator or their designee.

D. Prohibited Consensual Relationships: When individuals are involved in a consensual romantic or sexual relationship and they are in positions of unequal authority or power, there is the potential for a conflict of interest, favoritism, or exploitation of power that impacts the integrity of the University's living, working, and learning environments. For this reason, this policy prohibits the following consensual romantic or sexual relationships between and among faculty, staff, administrators, and students:

- Regardless of consent by all parties involved, anyone with supervisory, evaluative, or mentoring authority who controls or influences another person's employment, academic advancement, extracurricular or athletic team participation, scholarship or financial support, grades, recommendations, wage status, or promotion at the University is prohibited from having a romantic or sexual relationship with the person they control or influence.
- Regardless of consent by all parties involved, faculty members, staff members, and administrators are prohibited from having a romantic or sexual relationship with any undergraduate student, regardless of whether the faculty member, staff member, or administrator currently exercises, or expects to have, any pedagogical or supervisory responsibility over the undergraduate student.
- Regardless of consent by all parties involved, if a graduate student teaches courses to any undergraduate students for a semester, then starting the semester in which the graduate student begins teaching any undergraduate students, that graduate student is prohibited from having a romantic or sexual relationship with any undergraduate student. This prohibition applies to that graduate student for as long as the graduate student is enrolled at the University, even if that graduate student is no longer instructing undergraduates.

Any individual who is promoted into a position or has a change of circumstances that results in a conflict with this section on prohibited consensual relationships must report this change in circumstances to their supervisor, their Vice President, or to the Vice President of Human Resources, who will contact the Director of Gender Equity/Title IX Coordinator for assistance in resolving the conflict.

E. Sex and Gender Discrimination: Any severe, pervasive, or persistent conduct that denies a person access to, the benefits of, or the ability to participate in any education program or activity on the basis of sex or gender. For the definition of Sex and Gender Discrimination applicable to employees, please see the Fordham University Anti-Harassment and Anti-Discrimination in Employment Policy.

F. Sexual Assault: Engaging in the following sexual acts without affirmative consent:

1. Vaginal, anal, or oral sexual intercourse with another person;
2. Inserting a foreign object, however slight, into any sexual or intimate parts of another person;
3. Intentionally touching the sexual or intimate parts of another person, directly, through material, or through the use of an object, including making a person touch themselves or another person; or
4. Intentionally touching another person's body for the purpose of sexual arousal, humiliation, degradation, or gratification.

This definition includes attempts to engage in such conduct.

Affirmative Consent

Definition: A knowing, voluntary, and mutual decision among all participants to engage in sexual activity. Consent can be given by words or actions, as long as those words or actions create clear permission regarding willingness to engage in sexual activity. Silence or lack of resistance, in and of itself, does not demonstrate consent. The definition of consent does not vary based upon a participant's sex, gender, gender identity, gender expression, or sexual orientation.

Six Guiding Principles Regarding Consensual Sexual Activity: The following principles, along with the above definition, will be used to evaluate whether sexual activity was consensual or violates the Sexual and Related Misconduct Policy and Procedures:

1. Consent to any sexual act or prior consensual sexual activity between or with any party does not necessarily constitute consent to any other sexual act.
2. Consent is required regardless of whether the person initiating the act is under the influence of drugs and/or alcohol.
3. Consent may be initially given but withdrawn at any time.
4. Consent cannot be given when a person is incapacitated, which occurs when an individual lacks the ability to knowingly choose to participate in sexual activity.
 - Incapacitation may be caused by lack of consciousness or being asleep, being involuntarily restrained, or if an individual otherwise cannot consent.
 - Depending upon the degree of intoxication, someone who is under the influence of alcohol, drugs, or other intoxicants may be incapacitated and therefore unable to consent.
5. Consent cannot be given when it is the result of any coercion, intimidation, force, or threat of harm.
6. When consent is withdrawn or can no longer be given, sexual activity must stop.

Minors Lack Consent: A minor, defined as anyone less than 17 years of age, is incapable of consenting to sexual activity with a person 18 years of age or older. The University adopts this prohibition of sexual activity with minors for conduct occurring on-campus or off-campus regardless of out-of-state laws.

G. Sexual Exploitation and Other Sexual Misconduct: Taking advantage of another person, or attempting to take advantage of another person, without that person's consent. The following activities are prohibited under this provision:

1. Voyeurism or Peeping: Intentionally watching, videotaping, or recording an individual who is undressing, completely or partially naked, or engaging in sexual activity. This includes allowing others to observe such conduct.
2. Sexual Exhibitionism: Engaging in sexually explicit activity in public spaces, including online.
3. Displaying or distributing nude or sexually explicit images of another person without that person's consent.
4. Writing or marking of graffiti on University property that is sexually graphic in nature.
5. Prostituting another person or soliciting a prostitute to campus, or a campus event, to engage in prostitution.
6. Knowingly exposing another person to a sexually transmitted infection or virus without that person's knowledge.
7. Incest: Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
8. Stealthing: The act of removing a condom during sexual intercourse without affirmative consent of the sexual partner; or the act of intentionally misleading a sexual partner to believe a condom is being used during sexual intercourse after having agreed to do so.

H. Sexual Harassment: Unwelcome conduct of a sexual nature that is severe, pervasive, or persistent, including but not limited to sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, and:

1. Submission to or rejection of such conduct is made either explicitly or implicitly a term or condition of a person's employment, academic standing, or status in a program, course, or activity; or
2. Submission to or rejection of such conduct by a person is used as the basis for employment or educational decisions affecting that person, or for academic evaluation, grades, or advancement; or
3. Such conduct is sufficiently severe, pervasive, or persistent to have the purpose or reasonable effect of interfering with a person's work or educational performance, or creating an intimidating, hostile, or offensive work or educational environment.

The effect of the conduct will be evaluated based upon the perspective of a reasonable person in the position of the complainant.

Some examples of sexual harassment include, but are not limited to:

- Stating an intention or threat to expose another person's sexual orientation or sexual experiences with others.
- A direct or implied threat that submission to sexual advances is a condition to participate in a living, working, or learning group or activity; and
- Severe, pervasive, or persistent comments of a sexual nature, including jokes and remarks about sexual experiences.

For the description of Sexual Harassment applicable to employees, please see the Fordham University Sexual Harassment in Employment Prevention Policy.

- I. Stalking:** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to: (i) fear for their safety or the safety of others; or (ii) suffer substantial emotional distress.

For purposes of this definition, “course of conduct” means two or more acts, including acts in which the respondent directly, indirectly, or through third parties, by any method monitors, observes, follows, surveils, threatens, or communicates to or about a person or interferes with a person’s property.

For purposes of this definition, “reasonable person” means a reasonable person under similar circumstances and with similar identities to the complainant. “Substantial emotional distress” means significant mental anguish or suffering that may, but does not necessarily, require professional treatment or counseling.

PROTECTING YOURSELF

While there is no substitute for respect for the dignity of others and nothing in this section either excuses sexual and related misconduct or places blame for its occurrence on a complainant, there is good advice here on how students can protect themselves. Though each individual student is unique and incidents vary, the majority of victims are known to be female (an estimated one in four women will be sexually abused, and one in eight will be raped in their lifetime). However, sexual and related misconduct crosses the boundaries of gender, gender identity, age, class, race, and sexual orientation. Men as well as students identifying as other or no gender also experience sexual assault. Men are increasingly coming forward to seek assistance despite what for some may be complicated questions related to sexuality, shame, stigma related to masculinity, or reluctance to seek medical attention following an incident. In addition to the complex thoughts and feelings with which all survivors of sexual assault grapple, students identifying as lesbian, gay, bisexual, transgender, and/or queer may have particular concerns, especially if an incident also involved intolerance, hate, or other violence.

All students should be aware of behaviors that constitute a sexual offense, steps to protect themselves, and procedures to report an incident. The following section provides information to protect yourself, along with descriptions of gang, acquaintance, and substance-related rape.

Trust Your Instincts: Honor your gut reaction even if you don’t know why you feel unsafe. If you are uncomfortable in a situation, leave immediately and seek help.

Be Alert: Being aware of people, surroundings, and situations is the first step in preventing a sexual offense. Become familiar with your surroundings. Know how to contact police or campus public safety, and learn the locations of public telephones and campus emergency phones.

Think Ahead: Become familiar with safety and protection techniques, the University’s Sexual Misconduct Policy and Procedures, and the procedure for reporting these incidents.

Reduce Your Risk: Review the protection techniques in this brochure. For example:

- Become familiar with the neighborhood.
- Avoid excessive alcohol consumption and plan with friends to look out for one another.
- The majority of sexual offenses are committed by someone the victim knows, so it is important to spend time with people you know well and trust.
- Do what is right for you when it comes to sexual activity and let people know your limits as clearly as possible.

Know the Facts

- Consent must be active and full. If any type of manipulation, threat, or force is used to obtain a “yes” to sexual activity, the “yes” does not qualify as consent.
- Silence does not mean “yes.” If a person is afraid to say “no,” physically immobilized as a result of coercion, or incapacitated due to drug or alcohol consumption or a mental disability, they are unable to consent to sexual activity.
- The respondents and complainants are intoxicated in the majority of reported sexual offenses on college campuses. Avoid excessive alcohol and other drug use. Alcohol and drug use can lead you to commit a sexual offense, blunt your alertness, and impair your ability to understand and respond to feelings and situations, making it more difficult to ask for and receive consent, or to resist peer pressure to engage in behaviors that put you at risk.

When You Are Going Out for the Evening

- Tell someone you trust where and with whom you’re going and when you will return.
- Go out with friends you trust and agree to look out for one another. Leave with a friend rather than alone or with someone you do not know very well.
- Do not leave beverages unattended; always keep your drinks in sight.

- Pay attention to your friends' behavior. Discourage friends from leaving with someone they don't know well—even if this person is an acquaintance.
- Share this information with friends and talk about ways to look out for each other.

At Home and in the Residence Halls

- Never open your door to strangers. If you are not expecting anyone, use the peephole (if one is available) and ask for identification and the reason for their visit. Do not be afraid to ask questions or to call police or the Department of Public Safety to report suspicious people.
- Never let someone into your building unless you know that person lives there.
- Do not prop open any doors to your building. This is an easy way for a person to gain entry without anyone noticing.

Walking

- Constantly be aware of your surroundings—people, lighting, and situations.
- Do not walk while wearing headphones or earbuds; it dulls your hearing and makes you less aware of what is happening around you.
- Avoid walking alone at night. At Rose Hill, call Public Safety for the nearest van to off-campus locations or back to campus.
- Walk close to the curb to avoid shrubs, dark doorways, and other places people can hide.
- Do not take shortcuts through dark and isolated places.
- Have your keys in your hand so that you do not spend time looking for them.
- Blue light emergency phones are available at various locations on campus and are useful in calling for assistance.

Public Transportation

- Wait for trains in the off-hours waiting areas designated at each station.
- Do not ride in empty subway cars; ride in the conductor's car.
- Use station exits with the most activity.
- Use only licensed yellow and green cabs or a reputable ride-sharing service.

Driving

- Keep your doors locked and windows rolled up while driving or parking your car.
- If you feel threatened at a red light or stop sign, sound your horn and drive away.
- Park your car in a place that is well lit at night.
- Keep your car in good condition and filled with enough gas to make it to your destination.
- Always know where you are going and how to get there.
- Store valuables out of sight in your locked trunk.

DATE/ACQUAINTANCE RAPE AND GANG/GROUP RAPE

Date/acquaintance rape occurs when you are forced or manipulated into having sex against your will by someone you know, whether that person is your date, a boyfriend, a girlfriend, a significant other, an acquaintance, a friend, a neighbor, a classmate, a co-worker, or a teammate. This is the most common form of sexual assault.

Gang/group rape is defined as a sexual offense by more than one perpetrator. Peer pressure to participate in the sexual offense is a key factor in gang/group rape. Be aware that use of alcohol and/or drugs contributes to instances of such rape.

Protection Strategies: Date/Acquaintance Rape and Gang/Group Rape

- Communicate your expectations and limits, and demand that they be respected.
- When a person says “no,” they are communicating their limits, not rejecting you as a person.
- Do not assume that a person's past behavior applies to the present. People have the right to make different choices about their sexual activity and level of desired intimacy at any time.
- An absence of “no” does not equal “yes.” Silence could mean many things other than “yes.” It could mean fear of saying “no.” If someone is afraid to resist or fight back, they are unable to give consent.
- You are responsible for your actions. Your attraction to someone does not give you the right to ignore that person's expectations and limits.

- Listen carefully. Take the time to hear what a person is saying. If you feel they are not being direct or if you are receiving mixed messages, ask the individual to be clearer.
- Remember that date rape is a crime. It is never acceptable to use force in sexual situations, no matter what the circumstance. This applies whether the person is a date, a girlfriend or boyfriend, an acquaintance, a spouse, or a significant other.
- Having sex with a person who is mentally or physically incapable of consenting is rape. If you have sex with a person who is drugged, intoxicated, passed out, incapable of saying “no,” or otherwise unaware of what is happening around them, you may be guilty of rape.
- Avoid the use of drugs and alcohol. Drugs and alcohol can impair your ability to understand and respond appropriately to feelings and situations, and can increase your vulnerability by lowering your alertness and ability to react quickly.
- Be especially careful in group situations. Be prepared to resist pressure to participate in exploitative, violent, or criminal acts, and clearly communicate your disapproval.
- If you see someone in trouble or observe a friend trying to force or pressure someone into an unwanted situation, intervene. You may save the person from the trauma of a sexual assault.
- If you feel that you are being pressured into an unwanted situation, communicate your limits. If your partner does not listen to you, leave immediately.
- Say “no” to any unwanted sexual contact.
- Even if you are in a long-term relationship, you have the right to refuse sexual activity with your partner. Prior consent to sexual contact does not compel consent.
- If you are uncertain about what you want, ask your partner to respect your uncertainty.
- If you agree to go to a place where intimacy may be expected (e.g., bedroom or secluded area), both parties should state their limitations and expectations clearly.
- Do not be embarrassed to do what is right for you. Do not hesitate to raise your voice, stand up abruptly, scream or shout, or leave if you feel the situation warrants it.
- Trust your instincts. Leave a situation immediately and go to a safe place if you think you are in danger.
- Arrange to meet new friends in public places and, when possible, go meet them accompanied by good friends.
- Tell someone you trust where and with whom you are going and when you will return.
- Leave social events with your close friends instead of walking alone or with someone you don’t know very well.
- Always have money for transportation in case you must leave a situation abruptly, and have your cell phone on and charged.

SUBSTANCE-RELATED RAPE

Substance-related rape has been occurring more frequently in recent years. When secretly slipped into a beverage, even a glass of lemonade, sedating substances can leave anyone vulnerable to sexual assault. You may not be able to see it, smell it, or taste it. You don’t have to be at a bar or club; it could happen in any social setting. If an individual appears extremely intoxicated after consuming a non-alcoholic beverage, or only a small amount of alcohol, they may have unknowingly ingested one of a number of substances.

Protection Strategies: Substance-Related Rape

Although the often-tasteless drugs are hard to detect, there are precautionary steps one can take to reduce the risk of experiencing this criminal conduct. For example:

- Do not leave beverages unattended; always keep your drinks in sight.
- Do not take any beverages, including alcohol, from someone you do not know very well and trust.
- At a bar or club, accept drinks only from the bartender or server.
- At parties, do not accept open-container drinks from anyone.
- Be alert to the behavior of friends. Anyone appearing disproportionately inebriated in relation to the amount they consumed may be in danger.
- Share this information with friends and talk about ways to look out for one another when you are at parties and social events.
- Anyone who believes that they have consumed a sedative-like substance (symptoms include low inhibition, confusion, impaired judgment, dizziness, extreme drowsiness, or other sudden and unexplained symptoms) should be driven to a hospital emergency room or call 911 for an ambulance as soon as possible. Bodily fluids can be examined for traces of these substances within hours of ingesting. Therefore, it is important to seek medical assistance for a blood test as soon as possible. Try to keep a sample of the beverage for analysis. If you or someone

you know believes they have consumed a sedative-like substance, please contact your resident assistant, resident director, or the Department of Public Safety as soon as possible so they can assist you.

RAPE SURVIVORS: WHAT YOU CAN DO

The University seeks to make sure survivors of rape are cared for physically, psychologically, emotionally, and spiritually. Survivors have many decisions to make after an assault, including whether to tell anyone, whether to go to the hospital, or whether to file a public safety report or a police report or both. It can be difficult to make these decisions after having endured a trauma. At Fordham, trained professionals are standing by to offer support and guidance to survivors.

- 1. Collect Your Thoughts, Take a Breath and Call for Help.** After an attack, try to remain as calm as possible in order to think clearly. Find a safe place and get help from someone you trust. Any of the following resources can be called upon for assistance: the Fordham University Department of Public Safety, a resident director, a resident assistant, a commuter assistant, the health center, and/or the counseling center. A staff member of the same gender will be available to respond at all times, if that is the preference of the rape survivor. Please refer to the resource list beginning on page 52 of this brochure for important telephone numbers.
- 2. Do Not Change, Shower, or Destroy Any Clothing.** It is important to remain in the same condition as when the attacker left. This means: not changing, washing, or destroying any clothing; not washing any part of the body; not douching; and not combing one's hair. The survivor should also leave the crime scene exactly as it is, not touching anything or cleaning up or throwing anything away. While this may be difficult to do emotionally, it is advisable because the survivor may wish to prosecute the perpetrator at a later time, and will want as much of this critical evidence as possible to admit in court.
- 3. Seek Immediate Medical Attention.** It is strongly recommended that the rape survivor get medical attention as soon as possible using the resources listed in the back of this brochure.

At Rose Hill, the Fordham University Emergency Medical Service (FUEMS) is available 24 hours a day and can be contacted by calling the Department of Public Safety at 718-817-2222.

An emergency medical technician (EMT) will be on duty along with other student volunteers who will transport and accompany the survivor to the hospital. They will also explain and assist the rape survivor through the initial medical treatment procedures. If necessary and requested by the survivor, alternate arrangements can be made through the Fordham University Department of Public Safety. At the survivor's request, a friend, a member of the residential life staff, a nurse from the health center, or another staff member may also accompany them to the hospital.

At Lincoln Center, ambulance services can be secured by contacting the Department of Public Safety at 212-636-6076.

At the Westchester campus, ambulance services can be secured by contacting the Department of Public Safety at 914-367-3333.

At the hospital, internal and external injuries will be treated, and measures can be taken to test for and deal with the possibilities of sexually transmitted diseases and pregnancy. A hospital visit is necessary to collect evidence, through a rape examination, in the event that criminal charges will be filed. A rape survivor can request a Sexual Assault Nurse Examiner (SANE) to be present; these nurses are specially trained to treat survivors of sexual assault and, if desired, to collect evidence through a rape examination. A victim advocate can also be called upon to support the survivor and assist in making decisions. Please see the Fordham University Campus Resources list (beginning on page 52 of this booklet) for information as to which hospitals have SANE programs.

A rape examination allows evidence to be collected in case a rape survivor wishes to prosecute, even at a later time. The examination, however, must be conducted within 72 hours of the incident and includes pelvic examination and testing for the presence of semen; sexually transmitted disease testing; and treatment for possible infection, which may involve antibiotics. In order for medical treatment to be provided, the survivor need only consent to the medical examination. In most cases, the hospital will document and store evidence for a specified time period. The survivor is not required to report the incident to the police. However, depending on where you are being treated, the hospital may be required to report an incident of sexual assault to the local police. In certain cases, the University must notify local law enforcement as required by New York state law. The police will respond and investigate the allegation. The rape survivor makes the decision on whether or not they wish to bring criminal charges against the offender. The hospital never refuses services, but they are required to bill your insurance company. The survivor should bring their student ID.

- 4. Document Details About the Incident.** It is advisable for the rape survivor to write down every detail about the incident that they can remember. Not only can this assist in filing student conduct or criminal charges (even at a later time), but it can also aid in recollection that may assist in the healing process. The survivor should note the following:
- The “who, what, when, where, and how” of the incident.
 - What the perpetrator looks like, any identifying marks or scars, and a description of any vehicle used.
 - What kind of force or coercion was used.
 - Any objects touched, taken, or left by the perpetrator.
 - Anything the perpetrator said, including the words, the grammar, any accents, or speech defects.
 - Any possible witnesses, including who and where they may be.
 - The rape survivor is encouraged to bring this information to the attention of Public Safety or the dean of students, who can help ensure survivor and community safety, connect the rape survivor with care, and assist in the process of filing a student conduct or police report. If the New York City or Harrison police departments are to be involved and criminal charges filed, the above information is crucial.
- 5. Follow-Up Treatment.** For many sexual assault survivors, the time following the sexual trauma can be painful and confusing. Psychological and/or spiritual counseling can assist with coping in the aftermath of an assault. Even after the actual incident, survivors may experience various post-traumatic symptoms, including nightmares; flashbacks; emotional numbness; sleep or concentration difficulties; hyper-vigilance; recurrent and intrusive thoughts; and avoidance of social, recreational, work, or academic activities. In addition, survivors sometimes blame themselves; feel upset about the reactions of their friends or family; feel ashamed, confused, or angry about what has happened; and question their core beliefs. While these responses are normal and understandable, they can be difficult for some survivors to manage alone. Many find solace in sharing their story in a supportive and confidential professional setting. It is also possible to learn new coping skills to facilitate a return to activities that the person finds meaningful and important.

Counseling and Psychological Services has licensed mental health professionals who are available and trained to assist survivors of sexual assault, and all services are free and confidential to the extent of the law. Pastoral counselors in the Office of Campus Ministry are also available to speak to survivors, and their services are free and confidential. Medical providers in University Health Services are available to speak with survivors, and their services are free and confidential. The resident directors and resident assistants are also available to provide follow-up referral information and support.

REPORTING PROCEDURES FOR THE UNIVERSITY

The University encourages all members of the community to report incidents of sexual and related misconduct. Consistent with Section VI(E) below, “Mandatory Reporting: The University’s Reporting Requirement for Faculty Members, Staff Members, and Administrators,” the University requires all faculty, staff, and administrators who learn of or reasonably suspect sexual and related misconduct within the University community to share that information as outlined below. Reporting enables the University to provide a uniform approach to informing community members of: (i) their rights and options; and (ii) the resources available to them. Reporting improves the University’s ability to take action that will stop the discrimination, prevent its recurrence, and remedy its effects. To submit a report that will be reviewed by the University at any time of day or night, please call the Department of Public Safety as described in Section VI(A)(1), “Reporting Any Time of the Day or Night,” below.

A. Submitting Reports

If you wish to submit a detailed report of sexual or related misconduct, please contact the Gender Equity/Title IX Office, the Department of Public Safety, Human Resources, or the assistant head of the London Centre as outlined below. The individuals in these offices/departments are trained to receive detailed reports of sexual and related misconduct and respond to those reports.

In addition, reports of sexual and related misconduct involving students may be made to the associate vice president for student affairs, the assistant vice president and dean of students at Rose Hill, the assistant vice president and dean of students at Lincoln Center, or the senior associate athletic director/senior woman administrator as outlined below. These reports will ultimately be shared with the Gender Equity/Title IX Office. Individuals who submit reports to the individuals listed in this paragraph will be directed to the Gender Equity/Title IX Office, the Department of Public Safety, Human Resources, or the assistant head of the London Centre if they wish to submit a detailed report of sexual and related misconduct.

Individuals who possess a Fordham Access IT ID may use that ID to submit a Public Safety Online Report. These online reports will not receive an immediate response from the Department of Public Safety or emergency responders. To obtain an immediate response, please call 718-817-2222 at any time of the day or night. The Public Safety Online Report is not a confidential report – the ID associated with the report will be kept on file by the University. However, the University will maintain the reporting individual’s privacy to the greatest extent possible.

1. Reporting Any Time of the Day or Night

The Department of Public Safety can receive detailed reports of sexual and related misconduct at any time of the day or night. The Department of Public Safety is open 24 hours a day, 7 days a week, 365 days a year. The Department of Public Safety supervisors have extensive experience and training working with individuals who have experienced sexual and related misconduct.

The Department of Public Safety Rose Hill and Calder Center: 718-817-2222; Lincoln Center: 212-636-6076; Westchester: (914) 367-3001

If necessary, calls made to the Department of Public Safety on any of the campuses will be routed to the appropriate campus.

Fordham Community Members: The phone number for the Department of Public Safety can be found on the back of the Fordham University identification card the University issued to you.

Public Safety Online Reporting (Using Your Fordham Access IT ID) http://my.fordham.edu/site/web/content/security/incident_report.jsp

Individuals who possess a Fordham Access IT ID may use that ID to submit a **Public Safety Online Report**. These reports will not receive an immediate response from the Department of Public Safety or emergency responders. The Public Safety Online Report is not a confidential report – the ID associated with the report will be kept on file by the University. However, the University will maintain the reporting individual’s privacy to the greatest extent possible.

2. Reporting During Fordham Business Hours in the United States – Reports Involving Students

Fordham University students have the right to make a report to the Department of Public Safety, local law enforcement, and/or state police, or choose not to report; to report the incident to the University; to be protected by the University from retaliation for reporting an incident; and to receive assistance and resources from the University.

In addition to the reporting options listed in Section VI(A)(1), “Reporting Any Time of the Day or Night,” and Section VI(A)(4), “Reporting During Fordham Business Hours in the United States – Reports Involving Any Community Member,” reports involving students can be submitted to the dean of students for the campus at which the student is enrolled, the associate vice president for student affairs, and the senior associate athletic director/senior woman administrator.

If you are a student enrolled at the Rose Hill campus or the Calder Center, contact: Assistant Vice President and Dean of Students at Rose Hill

Christopher Rodgers, Campbell Hall, Room 124, 718-817-4755, deanrodgers@fordham.edu

If you are a student enrolled at the Lincoln Center or Westchester campus, contact: Dean of Students at Lincoln Center

Jenifer Campbell, Ph.D., 140 W. 62nd Street, Building G33, 212-636-6250, deanofsalc@fordham.edu

If you are a student enrolled at any campus, contact: Associate Vice President for Student Affairs

Michele C. Burris, Keating Hall 100, 718-817-4750, mburris@fordham.edu

If you are a student-athlete enrolled at any campus, contact: Senior Associate Athletic Director/Senior Woman Administrator

Djenane Paul, Rose Hill Gymnasium, 2nd Floor, 718-817-4304, dpaul2@fordham.edu

Students who submit reports to the administrators listed in this section will be directed to the Gender Equity/ Title IX Office, the Department of Public Safety, Human Resources, or the assistant head of the London Centre if they wish to submit a detailed report of sexual and related misconduct.

Students may also refer to the CARE brochure, Campus Assault and Relationship Education, for detailed information on the steps to take to be aware of potential sex- and gender-based discrimination and how to address misconduct if it occurs.

3. Reporting During Fordham Business Hours in the United States – Reports Involving Staff, Administrators, and Faculty

In addition to the reporting options listed in Section VI(A)(1), “Reporting Any Time of the Day or Night,” and Section VI(A)(4), “Reporting During Fordham Business Hours in the United States – Reports Involving Any Community Member,” reports involving staff, administrators, and faculty can be submitted to the following individuals during Fordham business hours in the United States.

If you are a staff member, administrator, or faculty member, contact: Assistant Vice President of HR

Nancy Hark, Faculty Memorial Hall, Room 506, Rose Hill Campus, 718-817-4090, nhark@fordham.edu

If you are a staff member, administrator, or faculty member, contact: Senior Manager of Employee and Labor Relations

Gülay Siouzios, Faculty Memorial Hall, Room 506, Rose Hill Campus, 718-817-3897, siouzios@fordham.edu

If you are a faculty member, contact: Vice Provost/Associate Vice President and Associate Chief Academic Officer

Jonathan Crystal, Administration Building North, Room 226, 718-817-0136, crystal@fordham.edu

Nancy Hark and Gülay Siouzios can receive detailed reports of sexual and related misconduct during business hours. These individuals possess extensive experience and training assisting individuals who have experienced sexual and related misconduct.

4. Reporting During Fordham Business Hours in the United States – Reports Involving Any Community Member

In addition to the reporting options listed in Section VI(A)(1), “Reporting Any Time of the Day or Night,” a report involving any community member can be submitted to the Gender Equity/Title IX Office during Fordham business hours in the United States.

Director of Gender Equity/Title IX Coordinator Kareem Peat, Faculty Memorial Hall, Second Floor, Rose Hill Campus, 718-817-3112, titleix@fordham.edu

The Gender Equity/Title IX Office can receive detailed reports of sexual and related misconduct during business hours. The individuals in the Gender Equity/Title IX Office possess extensive experience and training assisting individuals who have experienced sexual and related misconduct.

5. Reporting Conduct Occurring Abroad

In addition to the reporting options listed in Section VI(A)(1), “Reporting Any Time of the Day or Night,” and Section VI(A)(4), “Reporting During Fordham Business Hours in the United States – Reports Involving Any Community Member,” a reporting individual should contact the person leading the relevant program or activity if the program or activity occurs abroad. The person leading the Fordham program or activity is required to report this information to the Department of Public Safety. If you are a student enrolled at the London Centre, contact: Assistant Head of the London Centre, Director of Student Affairs: Matthew Holland, mholland16@fordham.edu. All complaints are submitted centrally to the Department of Public Safety after submission to the assistant head of the London Centre. All reports, regardless of location, may also be brought to the New York-based Department of Public Safety at 718-817-2222. Students may also refer to the CARE brochure, Campus Assault and Relationship Education, for detailed information on the steps to take to be aware of potential sex- and gender-based discrimination and how to address misconduct if it occurs.

B. Student Alcohol and Drug Use Amnesty Policy When Reporting Sexual and Related Misconduct

A reporting individual acting in good faith or a bystander acting in good faith that discloses any incident of sexual or related misconduct to University officials or law enforcement will not be subject to adjudication under the University’s Code of Conduct for violations of alcohol and/or drug use policies occurring at or near the time of the commission of the sexual or related misconduct.

The health and safety of every student at Fordham University is of utmost importance. The University recognizes that students who have been drinking and/or using recreational/illicit drugs (whether such use is voluntary or involuntary) at the time that violence, including but not limited to domestic violence, dating violence, stalking, or sexual assault, occurs may be hesitant to report such incidents due to fear of potential consequences for their own conduct. The University strongly encourages students to report sexual and related misconduct to institution officials.

All reported incidents are centrally tracked in order to be reviewed for patterns and to assist in stopping the recurrence of similar incidents.

C. Notification of Rights at the Time of First Disclosure

At the first instance of disclosure by a reporting individual to an institution representative, the following information shall be presented to student-complainants:

Fordham University students have the right to make a report to the Department of Public Safety, local law enforcement, and/or state police, or choose not to report; to report the incident to the University; to be protected by the University from retaliation for reporting an incident; and to receive assistance and resources from the University.

This information is also printed on the inside cover of the main University publication for students related to sexual and related misconduct, the Campus Assault and Relationship Education (CARE) brochure, which is available at fordham.edu/care.

D. Speaking with Confidential Resources – Community Members Who Do Not Have a Duty to Report

Community members may want to talk about their experiences involving sexual and related misconduct in a supportive, confidential space that allows them to discuss and process their feelings. For this reason, the University provides Confidential Resources, who are trained administrators and staff members available to those community members who do not wish to report their experience. Except in limited circumstances, communications with the Confidential Resources listed below will not be shared with the Department of Public Safety, the Gender Equity/Title IX Office, the deans of students, or any other member of the University community. Please note that Confidential Resources must report sexual and related misconduct when: (1) a community member is likely to engage in conduct that would result in serious harm to themselves or to others; or (2) there is reasonable cause to suspect that a minor has been sexually abused.

It is important to note that Confidential Resources may not be able to provide the full range of accommodations and supportive measures that Public Safety, the deans of students, the Director of Gender Equity/Title IX Coordinator, or Human Resources can arrange (e.g., changes to academic schedules, housing, and work schedules).

The following Confidential Resources are offered to the University Community:

Counseling and Psychological Services

Rose Hill Campus: 718-817-3725; Lincoln Center Campus: 212-636-6225; Westchester Campus: 914-367-3733; Calder Center: Please use the Westchester phone number.

University Health Services

Rose Hill Campus: 718-817-4160; Lincoln Center Campus: 212-636-7160; Westchester Campus: Please use the Rose Hill phone number. Calder Center: Please use the Rose Hill phone number.

Office of Campus Ministry – Pastoral Counselors

Rose Hill Campus: 718-817-4500; Lincoln Center Campus: 212-636-6267; Westchester Campus: 914-367-3420; Calder Center: Please use the Westchester phone number above.

Consistent with the mandatory reporting section below, all faculty, staff, and administrators have a duty to report all incidents of sexual and related misconduct they learn of or reasonably suspect if they are not designated as a Confidential Resource (i.e., a trained administrator or staff member working in Counseling and Psychological Services, working in University Health Services, or serving as a pastoral counselor in the Office of Campus Ministry who is available to those community members who do not wish to report their experience). All non-Confidential Resources will maintain community members' privacy to the greatest extent permitted under the Policy and Procedures.

E. Mandatory Reporting: The University's Reporting Requirement for Faculty Members, Staff Members, and Administrators

When any faculty member, staff member, or administrator observes, learns, or reasonably suspects a student or University employee has experienced sexual or related misconduct, that faculty member, staff member, or administrator must report all relevant details of the incident to the Director of Gender Equity/Title IX Coordinator, the deans of students for the campuses, the associate vice president for student affairs, the Department of Public Safety, or Human Resources.

Reporting this information ensures that individuals who experience sexual or related misconduct are informed of their rights and options as well as the full range of resources available to them. Faculty members, staff members, and administrators are not required to report their own experience with sexual or related misconduct.

Faculty members, staff members, or administrators who do not know if they are obligated to report should contact the Director of Gender Equity/Title IX Coordinator, the deans of students for the campuses, the associate vice president for student affairs, the Department of Public Safety, or Human Resources to discuss the proper steps to take.

As stated in the preceding section, the only Fordham faculty members, staff members, or administrators who are exceptions to the mandatory reporting requirement are Confidential Resources. This group solely consists of the following offices:

1. Counseling and Psychological Services;
2. University Health Services; and
3. Office of Campus Ministry – Pastoral Counselors.

For more information about Confidential Resources, see Section VI(D), titled “Speaking with Confidential Resources – Community Members Who Do Not Have a Duty to Report.”

F. Good Faith Reporting

Even if a respondent is not ultimately found responsible, an individual who files a report or formal complaint in good faith will not be subject to discipline.

G. False or Malicious Reporting

Community members are prohibited from: (i) knowingly making false statements; (ii) knowingly submitting false information during the University investigation and adjudication process or the Title IX grievance process; (iii) knowingly bringing a false or malicious report or formal complaint against another community member; or (iv) knowingly using this policy for false or malicious purposes. Such conduct may be subject to disciplinary action under Section 6-03.01, “Violations,” of the University Code of Conduct, any document incorporating the University Code of Conduct, or this policy.

INSTITUTIONAL ANALYSIS OF REPORTS

Upon receipt of a report of prohibited conduct, the University will perform an initial assessment of the report. As part of this assessment, the University will: (1) determine whether the reported conduct falls within the scope of Title IX of the Education Amendments of 1972, another relevant law, or University policy; and (2) assign an Administrative Support Person to a student-complainant as appropriate. The University will also conduct an individualized safety and risk analysis to determine whether there is an immediate threat to the physical health or safety of any student or other community member. Upon completion of the initial assessment, the University will determine the next steps.

ASSIGNMENT OF AN ADMINISTRATIVE SUPPORT PERSON TO STUDENTS

Administrative Support Persons (ASPs) are trained professionals assigned by the Division of Student Affairs to assist and support student-complainants when a report of sexual assault, stalking, dating violence, domestic violence, or sexual exploitation is received. At the discretion of the associate vice president for student affairs or the deans of students, an ASP may be assigned to student-complainants and student-respondents for reports of other types of sexual and related misconduct. An ASP will be assigned to a student-respondent once a formal complaint has been initiated or when supportive measures are being issued. An ASP will be available to a student-complainant even if the student-complainant decides not to proceed with an investigation and/or the Student Conduct Process.

ASPs are not a Confidential Resource, and information shared by a student with an ASP may be provided to University administrators involved in the investigative processes. Fordham administrators who cannot guarantee confidentiality will maintain privacy to the greatest extent possible. The information provided to a non-Confidential Resource will be shared only as necessary for the University to investigate and/or seek a resolution.

The ASP will, using the information contained in the Campus Assault and Relationship Education (CARE) brochure, explain the various options and supportive measures available, including but not limited to:

- The right to have emergency access to a supervisor or investigator in the Department of Public Safety; Medical, counseling, and pastoral resources;
- The University’s prohibition against intimidation and retaliation;
- The standard of proof during the Student Conduct Process;
- How to report incidents to local law enforcement or a prosecutor, or to seek other types of relief through the legal system; and

- Supportive measures (e.g., changing academic, living, transportation, and work commitments if such changes are warranted under the circumstances and reasonably available).

An ASP may only be provided to student-complainants and student-respondents. However, the Director of Gender Equity/Title IX Coordinator, or their designee, will assist employee-complainants and employee-respondents by explaining their rights and options and by providing supportive measures as appropriate.

CONDUCT THAT DOES NOT FALL UNDER TITLE IX OF THE EDUCATION AMENDMENTS OF 1972 – FORMAL INVESTIGATIONS IN WHICH A STUDENT IS THE RESPONDENT

The following is a description of the rights and options available in formal investigations in which the respondent is a student and the conduct does not fall under Title IX of the Education Amendments of 1972.

a. Advisor of Choice

In addition to the Administrative Support Person assigned to students when particular reports of sexual and related misconduct are received (See Section VII(A), “Assignment of an Administrative Support Person to Students”), the complainant and respondent may each be accompanied by an Advisor of Choice during any meeting under this policy. The Advisor of Choice may assist, advise, and support the party throughout the Student Conduct Process and be present for related meetings or proceedings. For conduct falling under this portion of the Policy and Procedures, VIII(C)(1)(a), Advisors of Choice are not permitted to communicate with University officials participating in the Student Conduct Process. The decision on whether to select an Advisor of Choice is solely that of the complainant or respondent. A person may not serve as an Advisor of Choice if they are involved in the underlying matter, including serving as a party or potential witness.

The complainant and respondent are encouraged to provide the contact information of the Hearing Officer (in student conduct proceedings) to their Advisor of Choice in advance of the meeting or proceeding. At least 48 hours before the scheduled meeting or proceeding, the parties are required to provide written notice that an Advisor of Choice will be present. This notification must include:

- Full name and title of the advisor of choice; and
- Contact information for the advisor of choice (phone, email, and address).

The availability of an Advisor of Choice to attend a meeting, interview, or hearing shall not unreasonably interfere with or delay the proceedings. If the Advisor of Choice’s conduct is not consistent with these guidelines, they may be excluded from the Student Conduct Process.

b. Requesting the University Not Investigate

If a person reports an incident of sexual or related misconduct to a non-Confidential Resource at the University but wishes not to participate as a party or witness, or does not want the University to proceed with a formal investigation, the University will attempt to honor that person’s wishes.

Please note that:

- For instances in which an ASP is customarily assigned to a student, the University may assign an ASP to the complainant even if a formal investigation is not conducted;
- The University will take all reasonable steps to respond to the report consistent with the complainant’s request and will determine whether supportive measures are appropriate or necessary;
- The University will consider broader remedial action, such as increased monitoring, supervision of security at locations where the reported sexual and related misconduct occurred, increased training, education, and prevention efforts, and conducting climate surveys; and
- By honoring the request, the University will not be able to meaningfully investigate and pursue misconduct or disciplinary proceedings to find anyone responsible for the violation.

In limited circumstances, the University may be unable to honor a request that it not investigate a report of sexual or related misconduct. The University may conduct its own investigation when it determines in good faith that it is in the best interest of the reporting party or University community to do so. In these instances, the University will serve as the complainant in the matter. The reporting party will, though, receive all notices issued under this Policy and Procedures.

When deciding whether the request can be honored, the University will weigh that request against its obligation to provide a safe, non-discriminatory environment for the University community.

The factors considered when determining whether the University has an overriding responsibility to proceed despite a reporting party's wishes include:

- Whether the accused has a history of violent behavior or is a repeat offender;
- Whether the incident represents escalation in unlawful conduct by the accused from previously noted behavior;
- The increased risk that the accused will commit additional acts of violence;
- Whether the accused used a weapon or force;
- Whether the reporting individual is a minor;
- Whether the institution possesses other means to obtain evidence, such as security footage; and
- Whether available information reveals a pattern of perpetration at a given location or by a particular group.

If possible, the University will make attempts to inform the reporting party prior to proceeding with an investigation in which the University is the complainant. The University may proceed with an investigation and adjudication process in which a respondent could be found responsible for a policy violation even though a complainant does not participate in the process and does not want to proceed.

Under certain circumstances, the University may be required by law to report and/or file a complaint with external authorities. However, any complainant or witness can decide whether or not to cooperate with the external authority (e.g., law enforcement).

c. Sexual Assault Public Awareness Events

The University is not obligated to begin an investigation based on information a person shares during public awareness events designed to be safe spaces for people to share their experiences. These events could include candlelight vigils, "Take Back the Night" events, protests, or other public events. The University may decide to use the information learned to inform its efforts for additional education and prevention efforts.

d. Formal Investigations

The following portion of the Policy and Procedures describes the rights and options available to parties once the formal investigation begins.

1. Notification of Proceedings and Meetings

If a complainant selects the Formal Resolution Process, the complainant and respondent will be:

- Informed that there is a formal investigation into the conduct in question;
- Given notice describing the date, time, and location of the reported misconduct, if known, as well as relevant facts pertaining to the elements of the behavior that will be evaluated;
- Informed of the portions of the Policy and Procedures the behavior may violate;
- Informed of the possible sanctions; and
- Notified that they will be provided the time and location for all meetings in relation to the Student Conduct Process.

The University will ensure that complainants and respondents are afforded the right to a fair process during the formal investigation and throughout the Student Conduct Process.

2. Individuals Conducting the Investigation and Hearing Process

Trained, qualified investigators will serve as fact finders during the formal investigation phase. The results of the investigation will then be provided to the Associate Vice President for Student Affairs, the Dean of Students, or their designee for matters involving student-respondents.

The investigator will handle complaints impartially and objectively, perform fact finding, and follow all relevant procedures. The investigator evaluates information based upon the nature and context of the conduct after assessing the credibility of witnesses and weighing the relevant information obtained. If there is a significant conflict of interest in which the investigator cannot be impartial, another investigator will be assigned to the investigation.

Members of the Department of Public Safety are responsible for the formal investigation process in matters in which both parties are students and/or where a student is subject to possible student conduct sanctions under this Sexual and Related Misconduct Policy. The University may, at its discretion, designate another trained/experienced person to act as the investigator, finder of fact, and/or adjudicator in a conduct process.

In matters in which a student is the respondent, the associate vice president for student affairs, dean of students, or their designee serves as the hearing officer, completes the Student Conduct Process, and, if necessary, imposes appropriate student conduct sanctions.

i. Use of a Designee as the Fact Finder and/or Adjudicator in a Student Conduct Proceeding

The University may, at its discretion, designate trained, experienced people to act as the fact finder and/or adjudicator in the Student Conduct Process. Administrators involved in the investigation and conduct process receive training, at least annually, on issues regarding sexual and related misconduct, including sexual assault, sexual harassment, dating violence, domestic violence, and stalking. These administrators are also trained in conducting an investigation that protects the safety of the participants, ensures fairness, and promotes accountability.

ii. Adjudication Process

The associate vice president for student affairs, the dean of students for the campus where the respondent is enrolled, or their designee, conducts the Student Conduct Process in those matters in which a student is alleged to be in violation of the Policy and Procedures and, if necessary, imposes student conduct sanctions for students found in violation of the Policy and Procedures. The associate vice president for student affairs, the deans of students, or their designee is responsible for record keeping in these matters.

3. Delay or Denial of Degree Award

During the period disciplinary charges are pending against a student, the University may deny and/or delay issuance of a degree. Furthermore, the University may refuse to issue a degree to a student who is serving a suspension or has been permanently dismissed from the University.

4. Information and Evidence Used During the Student Conduct Process

The Student Conduct Process is designed to obtain information that will be used to determine: (1) the conduct that occurred; and (2) whether that conduct violates the terms of the Policy and Procedures.

i. Presumption of “Not Responsible” for Violating the Policy:

The respondent is presumed not to have violated the Policy and Procedures until an outcome is issued. However, depending upon the circumstances of the initial allegation, the respondent can be suspended on an emergency basis pending the outcome of the conduct process. Depending upon the allegations and need for the University to keep the community and complainant safe, other supportive measures may be imposed upon the respondent pending the outcome of the conduct process (see Section VII(A), “Supportive Measures,” above).

ii. The “Preponderance of Evidence” Standard of Review:

The evidentiary standard in determining the facts will be based upon the preponderance of the evidence standard (i.e., that it is more likely than not that the alleged misconduct occurred).

iii. Opportunity to Review Evidence and Offer Information:

The parties are provided an opportunity to review and present relevant evidence and information that will be used during the conduct meetings and proceedings, consistent with the University’s policies and procedures. The opportunity to review evidence is also subject to federal, state, and local laws, including the Family Educational Rights and Privacy Act (FERPA). Evidence must be relevant to the allegation, and the parties will be provided a meaningful opportunity to respond to the evidence, including providing reasonable opportunity to provide responsive evidence and information.

iv. Past Findings:

Past findings of misconduct may only be considered in the portion of the Student Conduct Process in which the sanction is determined.

v. Prior Sexual History/Mental Health Diagnosis:

Generally, a party or witness’ prior sexual history or mental health diagnosis and/or treatment may not be introduced during the investigation or adjudication phase. Determinations on exclusions and redactions of such information during the investigative phase are made by the investigator.

vi. Impact Statement:

Student-respondents and student-complainants are entitled to provide an impact statement if and when the hearing officer is deliberating on any appropriate sanctions and, in any case, at least 48 hours in advance of the scheduled meeting to provide notification to complainants and respondents as to the outcome of the conduct process.

5. Possible Sanctions

Students who have been found to have violated the University’s Policy and Procedures may be subject to sanctions, which may include, but are not limited to: disciplinary reprimand, residence hall probation, student

life probation, University disciplinary probation, suspension or expulsion from the University, and/or suspension or expulsion from University housing. Additional sanctions include meeting with an administrator, parent notification, reflective or research paper, apology letter, No-Contact Restriction, special project or program with a resident assistant, mandatory study hall, suspension of privileges, and weekend suspension from the residence halls.

*When a person maintains multiple roles (i.e., student and employee), a determination of the person's status in a particular situation will be made in the context of the surrounding facts. Where an individual represents both roles in a matter, employee and student sanctions may be issued.

6. Remedies

In addition to possible disciplinary or conduct sanctions, the University may impose supplemental remedies in accordance with University statutes or other University policies.

7. Notification of Outcome

Both the complainant and the respondent will be simultaneously advised in writing of the outcome, including:

- Written notice of the findings of fact;
- Decision and any sanctions;
- Rationale for the decision and any sanctions; and
- Information on how to file an appeal.

Disclosure of Outcomes:

The University considers Title IX matters to be sensitive and private. Unless required by law, the University does not publicly release underlying information regarding investigations. Disclosures of facts to witnesses shall be limited to what is reasonably necessary to conduct a fair and thorough investigation. The University does not provide witnesses with the resolution of the proceeding. Participants in an investigation shall be advised that maintaining confidentiality is essential to protecting the integrity of the investigation and will be advised that it is usually best to refrain from discussing the matter during the pending investigation. After the parties are provided with the outcome, either party may choose to disclose or discuss the outcome of the Student Conduct Process.

8. Time Frame for Investigation, Conduct Process, and Resolution

While the time to resolve a reported incident will vary from matter to matter depending on the specific facts and circumstances, it is expected that in most instances formal complaints will be resolved within 90 school days of the day the complainant requests that the University's investigation and Student Conduct Processes commence. If these processes will take longer than 90 school days, both the complainant and the respondent will be notified in writing as to the delay and the reason for the delay. Delay can sometimes, but not always, be imposed by complexity of the formal complaint, holiday closures of the University, breaks in class schedule, midterm and final examinations, as well as the need to coordinate multiple parties for interview meetings and hearings.

CONDUCT THAT DOES NOT FALL UNDER TITLE IX OF THE EDUCATION AMENDMENTS OF 1972 - FORMAL INVESTIGATIONS IN WHICH BOTH PARTIES ARE EMPLOYEES

Matters that do not fall under Title IX of the Education Amendments of 1972 and involve an employee-complainant and employee-respondent are addressed in accordance with the Fordham University Sexual Harassment in Employment Prevention Policy.

CONDUCT THAT FALLS UNDER TITLE IX OF THE EDUCATION AMENDMENTS OF 1972 – ALL MEMBERS OF THE UNIVERSITY COMMUNITY

The following is a description of the rights and options available in all formal investigations falling under Title IX of the Education Amendments of 1972.

a. Advisor of Choice

In addition to the Administrative Support Person assigned to students when particular reports of sexual and related misconduct are received (see Section VII(A), "Assignment of an Administrative Support Person to Students"), the University will provide the parties equal access to advisors and support persons. Any restrictions on advisor participation will be applied equally.

The University has a long-standing practice of requiring students to participate in the process directly and not through an advocate or support person. Students participating as a complainant or respondent may be accompanied by an Advisor of Choice to any meeting or hearing to which they are required or are eligible to attend. Except where explicitly stated in the Policy and Procedures, Advisors of Choice shall not participate directly in the process.

The University will not intentionally schedule meetings or hearings on dates where the Advisors of Choice for the parties are not available, provided that the Advisors of Choice act reasonably in providing available dates and work collegially to find dates and times that meet all schedules.

The University's obligations to investigate and adjudicate in a prompt time frame under Title IX and other University policies apply to matters governed under this Policy, and Fordham University cannot agree to extensive delays solely to accommodate the schedule of an Advisor of Choice. The determination of what is reasonable shall be made by the Director of Gender Equity/Title IX Coordinator or their designee. Fordham University will not be obligated to reschedule a meeting or hearing under this process more than five calendar days due to the unavailability of an Advisor of Choice, and may offer the party the opportunity to obtain a different Advisor of Choice or utilize one provided by the University.

b. Time Frame for the Title IX Grievance Process

The time frame for the Title IX grievance process begins with the filing of a formal complaint. The Title IX grievance process will take no longer than 90 school days, but the time frame may be extended for good reason. Good reason includes, but is not limited to: the absence of a party, a party's advisor, or a witness; the complexity of the matter; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities. The procedure for requesting extensions is described below.

c. Filing a Formal Complaint

To file a formal complaint, a complainant must provide the Director of Gender Equity/Title IX Coordinator, the Department of Public Safety, or their designee a written, signed complaint describing the facts alleged. Complainants are only able to file a formal complaint under the Policy and Procedures if they are currently participating in, or are attempting to participate in, an education program or activity at the University. This includes being in the role of employee. For complainants who do not meet this criteria, the University will apply those portions of the Policy and Procedures that are applicable (see Section VII "Institutional Analysis of Reports").

d. Requesting the University Not Investigate

If a community member does not wish to file a formal complaint, the Director of Gender Equity/Title IX Coordinator, associate vice president for student affairs, or their designee may determine that a formal complaint is necessary. In these instances, the University will serve as the complainant in the matter. The University will inform the community member of this decision in writing, and that person need not participate in the process further. They will, however, receive all notices issued under this Policy and Procedures.

Community members have the right to make a report to the Department of Public Safety, local law enforcement, and/or state police, or choose not to report; to report the incident to the University; to be protected by the University from retaliation for reporting an incident; and to receive assistance and resources from the University. A complainant who files a formal complaint may elect, at any time, to address the matter through the University's Informal Resolution Process (see Section VIII(B), "Informal Resolution Process").

e. Notice of Allegations

The Director of Gender Equity/Title IX Coordinator, the Department of Public Safety, or their designee will draft and provide the Notice of Allegations to the parties. After the University receives the formal complaint, the Notice of Allegations will be provided to the respondent as soon as is practicable.

If in the course of an investigation the University decides to investigate additional allegations involving the respondent, the University will promptly notify the parties of the additional allegations. The parties will be provided sufficient time to review the additional allegations to prepare a response to those allegations.

The University will provide a party written notice of the date, time, location, participants, and purpose of any meeting, and will provide sufficient time for a party to prepare for their meeting.

f. Delays

Each party may request a delay in this Formal Resolution Process of up to five calendar days for good cause. The requestor must provide reasonable notice and the delay must not overly inconvenience other parties. The request

will be granted or denied in the sole judgment of the Director of Gender Equity/Title IX Coordinator, Public Safety, dean of students, associate vice president for student affairs, Human Resources, or their designee.

g. Investigation

After issuing the formal complaint and Notice of Allegations, the Department of Public Safety, the Director of Gender Equity/Title IX Coordinator, or their designee will conduct a formal investigation into the reported conduct.

The University, and not the parties, is responsible for gathering information (i.e., the University has the responsibility to show a violation of the Policy and Procedures has occurred). Either party may decide not to share their experience and may decide not to participate in an investigation or hearing.

The University cannot access, consider, or disclose medical records without a waiver from the party (or parent, if applicable) to whom the records belong or of whom the records include information. The University will provide an equal opportunity for the parties to present witnesses and other information.

1. Multi-Party Matters

The University may consolidate formal complaints alleging prohibited conduct under Title IX of the Education Amendments of 1972 when those formal complaints arise out of the same facts or circumstances.

2. Inspection and Review of Investigative Record

Prior to the completion of the investigation, the parties will have an equal opportunity to inspect and review the information obtained during the investigation. The purpose of this inspection and review process is to give each party an equal opportunity to meaningfully respond to the information gathered prior to the conclusion of the investigation.

Any information that is directly related to the allegations raised in the formal complaint and Notice of Allegations will be available for inspection and review by the parties. The University will send this information to each party and each party's Advisor of Choice, if any, through an electronic format.

The parties will have ten (10) calendar days to inspect and review the Investigative Record and submit a written response by email to the investigator. The investigator will consider the parties' written responses before completing the Investigative Report. Parties may request a reasonable extension if needed. If the parties wish to address whether information in the record is directly related to the allegations raised, that response should be submitted in a separate document.

The University will provide copies of the other party's written response addressing whether information in the Investigative Record is directly related to the allegations raised in the formal complaint. The University will also provide copies of the other party's written response addressing additional information directly related to the allegations in the formal complaint. Each party will have the option to submit a 250-word response to any written response submitted by the other party as a part of a review of the Investigative Record.

Information obtained during the course of the investigation that is determined, in the reasoned judgment of the investigator, not to be directly related to the allegations in the formal complaint will not be disclosed, or may be appropriately redacted before the parties' inspection to avoid disclosure of personally identifiable information. Any information obtained in the investigation that is kept from disclosure or appropriately redacted will be retained in the file. Any information deemed properly subject to inspection and review will be available at any hearing, including for purposes of cross-examination.

The parties and their advisors must sign an agreement not to disseminate any of the information subject to inspection and review or use such information for any purpose unrelated to the Title IX grievance process. Once signed, this Agreement may not be withdrawn.

3. Investigative Report

The investigator will create an Investigative Report fairly summarizing relevant information. The Investigative Report is not intended to catalog all information obtained by the investigator, but only to provide a fair summary of the information directly related to the allegations.

The investigator may redact irrelevant information from the Investigative Record when that information is contained in materials that are otherwise relevant.

h. Hearings

The University will not issue a disciplinary sanction arising from an allegation of prohibited sexual and related misconduct under this section without holding a live hearing unless the matter is otherwise resolved through the Informal Resolution Process.

The live hearing may be conducted with all parties physically present in the same geographic location. At the request of either party, the University will provide for the live hearing to occur with the parties located in separate rooms with technology enabling the decision-maker and parties to simultaneously see and hear the other party or the witness answering questions. In addition, at the University's discretion, any or all parties, witnesses, and other participants may appear at the live hearing virtually through an appropriate video conferencing platform. This technology will enable participants to see and hear each other simultaneously. At its discretion, the University may reschedule a hearing based on technological issues.

All proceedings will be recorded by transcript or through an audio or audiovisual recording. That transcript or recording will be made available to the parties for inspection and review.

Prior to obtaining access to any information, the parties and their advisors must sign an agreement not to disseminate any of the testimony heard or information obtained in the hearing or use such testimony or information for any purpose unrelated to the Title IX grievance process without prior, written approval from the University. Once signed, this Agreement may not be withdrawn.

1. Multiple Hearing Sessions

The University may determine that multiple sessions are needed to complete a hearing. If so, the University will notify all participants and endeavor to reasonably accommodate all participants' schedules and complete the hearing as promptly as practicable.

2. Participants in the Live Hearing

Live hearings are not public, and the only individuals permitted to participate in the hearing are the following:

Complainants and Respondents (the Parties)

- The parties cannot waive the right to a live hearing.
- The University may still proceed with the live hearing in the absence of a party, and may reach a determination of responsibility in their absence.
- The University will not threaten, coerce, intimidate, or discriminate against the party in an attempt to secure the party's participation.
- Unless prohibited by applicable law, the decision-maker can rely on prior statements made by a party when reaching a determination regarding responsibility even if a party does not submit to cross-examination.
- The decision-maker cannot draw an inference about responsibility based solely on a party's absence from the live hearing or refusal to answer cross-examination or other questions.
- The parties shall be subject to the University's Rules of Decorum.

Advisors of Choice

The parties have the right to select an advisor of their choice.

The Advisor of Choice may accompany the parties to any meeting or hearing they are permitted to attend, but may not speak for the party or otherwise communicate on behalf of the party except for the purpose of cross-examination.

In addition to selecting an Advisor of Choice to conduct cross-examination, the parties may assign an advisor who may accompany the parties to any meeting or hearing they are permitted to attend, but may not speak for the party. This may include an Administrative Support Person (see Section VII(A), "Assignment of an Administrative Support Person to Students").

The parties are not permitted to conduct cross-examination; it must be conducted by the Advisor of Choice. For this reason, if a party does not select an Advisor of Choice, the University will select an Advisor of Choice to serve in this role for the limited purpose of conducting the cross-examination at no fee or charge to the party.

If a party does not attend the live hearing, the party's Advisor of Choice may appear and conduct cross-examination on their behalf.

If neither a party nor their Advisor of Choice appear at the hearing, the University will provide an Advisor of Choice to appear on behalf of the non-appearing party.

Advisors of Choice are subject to the University's Rules of Decorum, and may be removed upon violation of those Rules.

Witnesses

Witnesses cannot be compelled to participate in the live hearing, and they have the right not to be subjected to retaliation for non-participation.

Unless prohibited by applicable law, if a witness does not submit to cross-examination, the decision-maker can rely on any statements made by that witness in reaching a determination regarding responsibility, including any statement relayed by the absent witness to a party or witness who testifies at the live hearing.

Witnesses shall be subject to the University's Rules of Decorum.

The Decision-Maker

The outcome of the hearing will be decided by a single decision-maker.

The parties will have an opportunity to raise any objections regarding a decision-maker's actual or perceived conflicts of interest or bias at the commencement of the live hearing.

The decision-maker is permitted to have hearing facilitators present. Hearing facilitators may be University employees who are present during the hearing to assist with the orderly management of the hearing process.

3. Hearing Procedures

For all live hearings conducted under this section, the procedure will be as follows:

- The decision-maker, or designee, will open and establish rules and expectations for the hearing;
- The parties will each be given the opportunity to provide opening statements read or submitted by the party themselves;
- The decision-maker will be given the opportunity to ask initial questions of the parties and witnesses;
- The Complainant's Advisor of Choice will be given an opportunity to ask questions of the complainant after the decision-maker has conducted their initial questioning of the complainant;
- The Respondent's Advisor of Choice will be given an opportunity to conduct live cross-examination of the complainant after the complainant has had an opportunity to be questioned by their own Advisor of Choice;
- The Respondent's Advisor of Choice will be given an opportunity to ask questions of the respondent after the decision-maker has conducted their initial questioning of the respondent;
- The Complainant's Advisor of Choice will be given an opportunity to conduct live cross-examination of the respondent after the respondent has had an opportunity to be questioned by their own Advisor of Choice;
- The parties will be given the opportunity for live cross-examination of a witness after the decision-maker conducts its initial questioning of the witness;
- During any cross-examination, the decision-maker will have the authority to pause the cross-examination at any time for the purposes of asking the decision-maker's own follow-up questions or taking any time necessary in order to enforce the established Rules of Decorum;
- Should a party or their Advisor of Choice choose not to cross-examine a party or witness, the party will affirmatively waive cross-examination through a written or oral statement to the decision-maker. A party's waiver of cross-examination does not eliminate the ability of the decision-maker to use statements made by the party;
- At the conclusion of cross-examination, the decision-maker will have an opportunity to ask additional questions of that party or witness;
- The decision-maker reserves the right to prohibit further questioning of a party or witness after the parties have been given an opportunity to cross-examine that party or witness, or after the decision-maker has asked their additional questions following the conclusion of cross-examination.

4. Live Cross-Examination Procedure

Consistent with the Rules of Decorum, each party's Advisor of Choice will conduct live cross-examination of the other party, or parties, and any witnesses. During this live cross-examination, the Advisor of Choice will ask the other party, or parties, and any witnesses relevant questions and follow-up questions directly, orally, and in real time, including those challenging credibility.

5. Relevant Information and Questions

Before any cross-examination question is answered, the decision-maker will determine if the question is relevant. Relevant information and questions refer to any questions and information that tend to make an allegation more or less likely to be true.

Relevant information and questions do not include the following types of information and questions, which are deemed "irrelevant" at all stages of the process outlined in this portion of the Policy and Procedures:

- Information and questions about the complainant's sexual predisposition or prior sexual behavior unless:
 - They are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or

- They concern specific incidents of the complainant’s prior sexual behavior with respect to the respondent and are offered to prove consent.
- Information and questions that constitute, or seek disclosure of, information protected under a legally-recognized privilege.
- Any party’s medical, psychological, and similar records unless the party has given voluntary, written consent.
- Cross-examination questions that are duplicative of questions already asked may be deemed irrelevant.

6. Review of Recording

The recording of the hearing will be available for review by the parties within 10 calendar days, unless there are any extenuating circumstances. The audio or visual recording of the hearing will not be distributed to parties or their Advisor of Choice.

i. Determination Regarding Responsibility

1. Standard of Proof

The University uses the preponderance of the evidence standard for investigations and determinations regarding responsibility. This means that the investigation and hearing determines whether it is more likely than not that a violation of the Policy and Procedures occurred.

2. General Considerations for Evaluating Information

The University allows parties to call relevant “expert witnesses” for direct and cross-examination.

When appropriate, the University will allow parties to call relevant character witnesses to testify.

The University will admit and allow testimony regarding relevant polygraph tests (“lie detector tests”) and other procedures that are outside of standard use in academic and non-academic conduct processes.

3. Outcome Letters – Determinations Regarding Responsibility

The outcome letter will be issued simultaneously to all parties through their University email account or through other reasonable means. The determination will include:

1. Identification of the allegations potentially constituting prohibited conduct under Title IX of the Education Amendments of 1972;
2. A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other information, and hearings held;
3. Findings of fact supporting the determination;
4. Conclusions regarding which section of the Policy and Procedures, if any, the respondent has or has not violated;
5. For each allegation:
 - a. A statement of, and rationale for, a determination regarding responsibility;
 - b. A statement of, and rationale for, any disciplinary sanctions the recipient imposes on the respondent; and
 - c. A statement of, and rationale for, whether remedies designed to restore or preserve equal access to the recipient’s education program or activity will be provided by the recipient to the complainant; and
6. The recipient’s procedures and the permitted reasons for the complainant and respondent to appeal (described below in Section IX, “Appeal of Dismissals or Determinations”).

4. Timeline of Determination Regarding Responsibility

If there are no extenuating circumstances, the determination regarding responsibility will be issued by the University in a reasonably prompt time frame after the completion of the hearing.

5. Finality

The determination regarding responsibility becomes final either on the date that the University provides the parties with the written determination of the result of the appeal, if an appeal is filed consistent with the procedures and timeline outlined in Section IX, “Appeal of Dismissals or Determinations,” below, or if an appeal is not filed, the date on which the opportunity to appeal expires.

Appeal of Dismissals or Determinations

This section addresses the appeal process for: (1) the dismissal of a formal complaint; (2) the dismissal of any allegations in a formal complaint or Notice of Allegations; and (3) determinations regarding responsibility.

A. Appeal When a Student is the Respondent – Conduct that Does Not Fall Under Title IX of the Education Amendments of 1972

Notice of intent to appeal must be submitted to the senior vice president for student affairs within two (2) school days of: (1) the dismissal of a formal complaint or any allegations; or (2) a determination regarding responsibility. All appeals will be conducted in a fair, impartial, and equitable manner by decision-makers who are free of any conflict of interest.

A complainant or respondent may file a written appeal of a matter eligible for formal investigation based upon: (1) a material procedural error that could significantly impact the outcome of a case; (2) a claim that the sanction is substantially disproportionate to the finding(s); or (3) discovery of material, relevant evidence that was previously unavailable and could significantly impact the outcome of a case.

1. Appeal of the Dismissal of a Formal Complaint or Any Allegation

The appeal of the dismissal of a formal complaint or any allegations is heard by the senior vice president for student affairs or their designee. Within 20 school days of receipt of the notice of intent to appeal, the senior vice president for student affairs or their designee will inform all parties in writing of the final outcome of the appeal. An extension of the time frame to issue the final decision may be granted for good cause as determined by the senior vice president for student affairs or their designee. The complainant and respondent will be notified in writing of both the appeal and the final outcome of the appeal.

2. Appeal of a Determination Regarding Responsibility

The appeal of a determination regarding responsibility is heard by the Student Conduct Review Council (SCRC), which is comprised of five members: two faculty members appointed by the president of the Faculty Senate, one of whom is appointed as chairperson; one administrator appointed by the senior vice president for student affairs; and two students appointed by the president of the United Student Government. In the event the complainant or respondent is a graduate student, the students on the SCRC will be appointed by the dean of the particular graduate school. If the chair of the SCRC determines that there is a conflict of interest with any panel member, that panel member will be excused and replaced by another panel member to ensure a fair and impartial proceeding.

The SCRC shall have the power to: (1) uphold the decision of the hearing officer; (2) uphold the decision but change the sanction; or (3) remand the matter back to the hearing officer for further hearing. The decisions and sanctions of the SCRC are determined by majority vote, and are final and not appealable.

3. SCRC Appeal Review Process

- a. The hearing officer and the person filing the appeal will present their respective versions of the matter to the SCRC. In addition to the Administrative Support Person assigned to students, the appealing student—who represents themselves in the hearing—can have one (1) Advisor of Choice present. The Advisor of Choice may not actively participate during the hearing and must adhere to all rules set forth for Advisors of Choice in the Policy and Procedures.
- b. The SCRC may pose questions to the hearing officer and to the appealing student. Both the complainant and respondent will be given an opportunity to be heard, if they so choose.
- c. The SCRC may choose to ask the hearing officer to return to the meeting to answer specific questions about the matter or ask the senior vice president for student affairs or the associate vice president for student affairs at any time to answer questions on the process of the council.
- d. The SCRC hearing is conducted in closed session.
- e. If the SCRC decides by majority vote that it needs more information in order to reach its decision, it may call relevant witnesses or request information to the extent required.
- f. Within 15 school days of the conclusion of the SCRC hearing, the chairperson of the SCRC will inform all parties, including the senior vice president for student affairs, of the final decision.
- g. A timely final outcome letter will be simultaneously provided to both the complainant and respondent.

B. Appeal when a Student is the Respondent – Conduct that Falls Under Title IX of the Education Amendments of 1972

Notice of intent to appeal must be submitted to the senior vice president for student affairs within five (5) school days of: (1) the dismissal of a formal complaint or any allegations; or (2) a determination regarding responsibility. All appeals will be conducted in a fair, impartial, and equitable manner by decision-makers who are free of any conflict of interest.

A complainant or respondent may file a written appeal of a matter eligible for formal investigation based upon:

1. a procedural irregularity that affected the outcome of the matter;
2. a claim that the sanction is substantially disproportionate to the finding(s);
3. new evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; or
4. the Director of Gender Equity/Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.

1. Appeal of the Dismissal of a Formal Complaint or Any Allegation

The appeal of the dismissal of a formal complaint or any allegations is heard by the senior vice president for student affairs or their designee. Within 20 school days of receipt of the notice of intent to appeal, the senior vice president for student affairs or their designee will inform all parties in writing of the final outcome of the appeal. An extension of the time frame to issue the final decision may be granted for good cause as determined by the senior vice president for student affairs or their designee. The complainant and respondent will be notified in writing of both the appeal and the final outcome of the appeal.

2. Appeal of a Determination Regarding Responsibility

The appeal of a determination regarding responsibility is heard by the Student Conduct Review Council (SCRC), which is comprised of five members: two faculty members appointed by the president of the Faculty Senate, one of whom is appointed as chairperson; one administrator appointed by the senior vice president for student affairs; and two students appointed by the president of the United Student Government. In the event the complainant or respondent is a graduate student, the students on the SCRC will be appointed by the dean of the particular graduate school. If the chair of the SCRC determines that there is a conflict of interest with any panel member, that panel member will be excused and replaced by another panel member to ensure a fair and impartial proceeding.

The SCRC shall have the power to: (1) uphold the decision of the hearing officer; (2) uphold the decision but change the sanction; or (3) remand the matter back to the hearing officer for further hearing. The decisions and sanctions of the SCRC are determined by majority vote, and are final and not appealable.

3. SCRC Appeal Review Process

- a. The hearing officer and the person filing the appeal will present their respective versions of the matter to the SCRC. In addition to the Administrative Support Person assigned to students, the appealing student—who represents themselves in the hearing—can have one (1) Advisor of Choice present. The Advisor of Choice may not actively participate during the hearing and must adhere to all rules set forth for Advisors of Choice in the Policy and Procedures.
- b. The SCRC may pose questions to the hearing officer and to the appealing student. Both the complainant and respondent will be given an opportunity to be heard, if they so choose.
- c. The SCRC may choose to ask the hearing officer to return to the meeting to answer specific questions about the matter or ask the senior vice president for student affairs or the associate vice president for student affairs at any time to answer questions on the process of the council.
- d. The SCRC hearing is conducted in closed session.
- e. If the SCRC decides by majority vote that it needs more information in order to reach its decision, it may call relevant witnesses or request information to the extent required.
- f. Within 15 school days of the conclusion of the SCRC hearing, the chairperson of the SCRC will inform all parties, including the senior vice president for student affairs, of the final decision.
- g. A timely final outcome letter will be simultaneously provided to both the complainant and respondent.

C. Appeal When an Employee is the Respondent

Notice of intent to appeal must be submitted to the vice president for human resources within five (5) school days of: (1) the dismissal of a formal complaint or any allegations; or (2) a determination regarding responsibility. All appeals will be conducted in a fair, impartial, and equitable manner by decision-makers who are free of any conflict of interest.

A complainant or respondent may file a written appeal of a matter eligible for formal investigation based upon:

1. a procedural irregularity that affected the outcome of the matter;
2. a claim that the sanction is substantially disproportionate to the finding(s);
3. new evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; or

4. the Director of Gender Equity/Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.

1. Appeal of the Dismissal of a Formal Complaint or Any Allegation

The appeal of the dismissal of a formal complaint or any allegations is heard by the vice president for human resources or their designee. Within 20 school days of receipt of the notice of intent to appeal, the vice president for human resources or their designee will inform all parties in writing of the final outcome of the appeal. An extension of the time frame to issue the final decision may be granted for good cause as determined by the vice president for human resources or their designee. The complainant and respondent will be notified in writing of both the appeal and the final outcome of the appeal.

2. Appeal of a Determination Regarding Responsibility

The appeal of a determination regarding responsibility is heard by the Appeal Panel. The panel's makeup will differ based on the constituency of the respondent. If the respondent is an adjunct or full-time non-tenure track faculty member who is also a member of a collective bargaining unit, the Appeal Panel will consist of an administrator selected by the senior vice president for student affairs, a full-time tenured or tenure-track faculty member selected by the Faculty Senate, and a bargaining unit member of the respondent's collective bargaining unit. The full-time tenured or tenure-track faculty member will serve as chair of the committee.

For all respondents other than those described above, the Appeal Panel will consist of a representative selected by the senior vice president for student affairs, a representative selected by the vice president for human resources, and a representative of the respondent's constituency. If the respondent is a faculty member who is not a member of a union, the constituency representative will be selected by the Faculty Senate. If the respondent is an administrator, the constituency representative will be selected by the vice president for administration, or designee. If the respondent is a member of Local 810 or Local 153, the constituency representative will be selected by the respective unions. The representative selected by the vice president for human resources will serve as chair.

If the chair of the Appeal Panel determines that there is a conflict of interest with any panel member, that panel member will be excused and replaced by another panel member to ensure a fair and impartial proceeding.

3. Appeal Panel Procedures

- a. The hearing is conducted in a closed session.
- b. The Appeal Panel will review the full case record, including the Director of Gender Equity/Title IX Coordinator's Investigative Report, the sanctions, or lack thereof, imposed by the issuing Vice President, or designee, the related rationale, and any and all evidence in the case file.
- c. The issuing Vice President, or designee, will serve as a party during the hearing. If the complainant and/or respondent submits a notice of intent to appeal, they will also serve as a party during the appeal ("appealing party"). A non-appealing complainant or respondent will be considered a witness for the purposes of the appeal.
- d. The Vice President, or designee, issuing the findings and the appealing party will present their respective versions of the matter to the Appeal Panel. The Appeal Panel may ask questions to the parties or relevant witnesses. The complainant and respondent will be given an opportunity to be heard even if they have not submitted a notice of intent to appeal.
- e. Each party may be given an opportunity to submit questions to the other party and to relevant witnesses. To do so, the party must submit questions to the Appeal Panel Chair, who may then ask the questions.
- f. In addition to the Administrative Support Person assigned to students, the parties may have one (1) Advisor of Choice present. However, the Advisor of Choice may not actively participate during the hearing and must adhere to all rules set forth in the Policy and Procedures.
- g. The Appeal Panel may affirm the decision of the decision-maker or sustain any of the specified grounds for appeal, in which case the Appeal Panel may:
 - reverse a finding;
 - change a sanction or remedy;
 - remand a case to the original decision-maker for clarification or reconsideration consistent with the Appeal Panel's decision;
 - remand a case to the Director of Gender Equity/Title IX Coordinator to identify a new decision-maker due to a conflict of interest substantiated by the appeal process; or
 - remand a case for a new or additional investigation, to be followed by a finding by a decision-maker.

- h. Within 90 calendar days of receipt of the notice of intent to appeal, the Vice President for Human Resources or their designee will inform all parties in writing of the final outcome of the appeal. The final outcome will be determined by majority decision.
- i. An extension of the timeframe for the Appeal Panel to issue the final decision may be granted for good cause as determined by the Vice President for Human Resources or their designee.
- j. The Vice President for Human Resources will simultaneously provide the complainant, the respondent, and the Vice President issuing the sanctions, if applicable, with a copy of the Appeal Panel's findings.
- k. A record of the Hearing will be preserved for the case file by the Gender Equity and Title IX Office.

4. Further Review

Employees may have the right to a limited review of the final decision per the process above.

a. Faculty

- Bargaining Unit Faculty Members: Bargaining unit faculty members should follow the grievance and arbitration procedures in the applicable collective bargaining agreements as limited for Title IX purposes.
- Non-Bargaining Unit Faculty Members: Faculty not a member of a bargaining unit should follow the procedures as limited for Title IX purposes as outlined in Article IV of the University Statutes.

b. Staff

- Clerical/Maintenance Union Members: Those employees who are members of either the Clerical or the Maintenance Union should follow the grievance procedures in their respective Collective Bargaining Agreements.

REPORTING PROCEDURES FOR THE LOCAL POLICE DEPARTMENTS

A member of the Fordham University community who chooses to notify local police can always do so by calling 911. They should not hesitate to notify the Department of Public Safety, who can facilitate and expedite the response by local police for our community member. Oftentimes, Public Safety can get complainants immediately to the investigating detectives units trained to gather information about sex crimes and to explain the investigative process of the police department. This helps avoid having to first explain their complaint to uniformed officers, then having to explain the complaint again to detectives assigned to investigate. Special Victims Units investigate sexual assaults, while local precinct detective squads investigate stalking, and domestic or dating violence cases.

In sex offense cases, the officers who respond to the call will want to examine the scene of the crime and obtain evidence (clothes, sheets, etc.). If the respondent is known to the complainant, the police will want to interview the respondent and any witnesses to the incident. They will also encourage the filing of a formal complaint. If a complainant would like to press criminal charges against the perpetrator, a hospital visit should be made as soon as possible. It is best that physical evidence be collected at the hospital as soon as possible. The police will encourage a hospital visit at the time of the incident and can assist the complainant in securing necessary transportation to the hospital. If charges are filed but no arrest has been made, a complainant may have the option to decline further prosecution. If the respondent already has been arrested and indicted, withdrawing charges may not necessarily be an option for the complainant.

WHAT IF I AM A BYSTANDER AND SEE SOMETHING IS WRONG?

If anyone suspects a friend, acquaintance, or stranger may be in a high-risk situation for becoming a victim, is being victimized, or has been a victim of any form of sexual and related misconduct, it is important to decide as a bystander whether there is a safe and reasonable way to intervene effectively, and to act in a way to assist a person whether it is before, during, or after an incident takes place. Bystanders are also encouraged to contact the appropriate person listed in the Sexual and Related Misconduct Policy and Procedures section of the Student Handbook, or the Fordham University Department of Public Safety at 718-817-2222; if someone is in immediate danger, please immediately notify the Department of Public Safety at 718-817-2222. There is no legal obligation for a bystander to act or intervene.

The following are suggestions for safe and positive bystander actions:

Do's

- Take steps to stop a friend who chooses to use violence.
- Ask a friend, acquaintance, or stranger who is attempting to take sexual advantage of another to stop and leave the location.
- Take the initiative to help friends who aren't thinking clearly avoid becoming targets of violence.

- Prevent an intoxicated person from going to a private location with an acquaintance or friend.
- Recognize dating or domestic partners who cause fear or physical pain to their partner, and voice your concerns where appropriate (e.g., by referring the person to the counseling center).
- Avoid situations where intoxicated people (complainants, respondents, or both) may be unable to consent.
- Contact the Department of Public Safety at 718-817-2222, the dean of students, or another person of authority who can assist.

Don'ts

- Don't leave a friend or acquaintance alone at a party or bar.
- Don't escalate the situation.
- Don't remain silent.
- Don't stand by.

Am I Required to Intervene and Act as a Bystander?

No, there is no legal obligation in New York state for a bystander of a potentially violent situation or crime to intervene or act.

Help Create a Safer Campus Environment.

Fordham University educates students in the Jesuit tradition, which includes promoting deep respect for individuals and others, and creating a community of responsible citizens. Bystanders are encouraged to act if there are safe and reasonable ways to intervene or discourage people from being uncivil toward each other in an effort to foster a safer environment for everyone. Campus security authorities are required to act in certain circumstances and must report all incidents immediately.

HOW TO HELP A FRIEND AFFECTED BY SEXUAL VIOLENCE

Believe What You Hear

Remember that survivors of sexual violence often worry that sharing what has happened to them will lead others to abandon, reject, or even retaliate against them. Being able to show you care could be the reason that your friend feels safe continuing to seek support.

Don't Judge

For students who have been sexually assaulted on college campuses, feeling judged and having their privacy violated by trusted peers, friends, and roommates can feel as traumatizing as the assault itself. To best help your friend, discuss your discomfort or concerns later with a trusted confidential resource, not in the moment.

Remember Your Role

While we might feel an instinct to gather details of the incident first, the best way to support a friend after an assault is often to affirm what they tell you. Ask whether your friend feels safe now, what they feel would be most helpful now, and whether they are interested in expanding their support system.

Offer to Connect

If and when your friend feels like the time is right to reach out for more support (such as academic, housing accommodations, conduct process), you can offer to connect your friend to the resources available. Remember that there are many trusted resources on and off campus that they and their support system can utilize.

Seek Support

This is a very important part of helping a friend through the healing process. Throughout your conversations with anyone who talks to you about sexual and related misconduct, ask yourself whether now is a time to bring in a professional support system in order to take care of yourself. Remember to respect your friend's privacy by avoiding sharing any details or personal information with others.

One final word:

Anyone who suspects that someone on campus is in danger should immediately notify the Fordham University Department of Public Safety at 718-817-2222.

A Plain-Language Explanation of Distinctions Between the New York State Penal Law and the Fordham University Disciplinary Processes

	Criminal Justice System	Fordham University Disciplinary System
Goals	Safety, deterrence, and punishment.	Education; safety; safe and supportive campus
Governing Law	<ul style="list-style-type: none"> • NYS Penal Law • NYS Rules of Criminal Procedure • Federal criminal Law • Federal Rules of Evidence 	Title IX, the Clery Act, VAWA NYS Education Law Articles 129-A and 129-B
How to Report	<p>Crimes involving sexual violence may be reported to:</p> <ul style="list-style-type: none"> • Fordham University Public Safety • New York City Police Department • Local police • New York State Police • Federal law enforcement agents 	<p>Victims may disclose sexual violence to:</p> <ul style="list-style-type: none"> • Department of Public Safety (non-confidential) • Dean of Students (non-confidential) • Director of Gender Equity/Title IX Coordinator (non-confidential) • Counseling and Psychological Services (confidential) • Human Resources (non-confidential) • Pastoral counselor in Campus Ministry (confidential)
Will there be an investigation?	<p>Determination is made by law enforcement agency. An investigation may be conducted without the consent or participation of a reporting individual.</p> <p>The ultimate decision whether to have a criminal prosecution is made by a prosecutor.</p>	In most instances, an investigation will not take place if the complainant does not want an investigation to occur. The University may conduct its own investigation when it determines, in good faith, that it is in the best interest of the complainant or University community to do so.
Who Investigates?	Police or law enforcement officials.	Trained, qualified investigators employed or retained by the University.
Procedures	Federal, state, or local law.	University policies, statutes, or bylaws, which incorporate the requirements of governing law.
Standard of Evidence	Crimes must be proven “Beyond a Reasonable Doubt.”	A violation of disciplinary rules must be found by a “Preponderance of Evidence.”
Confidentiality / Privacy	A criminal charge and trial must be public.	Fordham offers Confidential Resources. Non-Confidential Resources maintain privacy to the greatest extent possible.
Who are the Parties?	<p>The prosecution and defendant.</p> <p>The victim is not a party.</p>	The reporting individual (also referred to as the complainant) and the accused (also referred to as the respondent). The University acts as the finder of fact.

	Criminal Justice System	Fordham University Disciplinary System
Participation in the Process	A criminal prosecution can proceed without the participation or cooperation of the reporter but the burden of proof is harder to achieve.	Parties cannot be required to participate in the University process. The University will be limited in its ability to respond if the reporting individual does not participate. All non-party students, faculty, staff, and administrators are required to participate in all investigations under the Policy and Procedures.
Who Initiates Proceedings?	A prosecutor.	The complainant or the University in the role of the complainant.
Testimony	Generally public. Witnesses/reporters can be cross examined.	A reporter's testimony is private. Cross-examination is only permitted in hearings under Title IX of the Education Amendments of 1972.
Role of Attorneys	Both state and defendants are represented by counsel.	Attorneys may serve as Advisors of Choice under the Policy and Procedures.
Mental Health / Sexual History	Generally, but not always, a reporter's prior sexual and mental health history is inadmissible in a criminal case.	Generally not admissible but subject to very limited exceptions.
Possible Outcomes	Defendant may: <ul style="list-style-type: none"> • plead guilty • have matter dismissed • be charged guilty or not guilty by a judge or jury 	The respondent may be found "responsible" or "not responsible" for violations of University policy, agree to an Informal Resolution, or the matter may be dismissed.
Possible Sanctions	Fined, imprisoned, or both.	Sanctions range from a warning to suspension or expulsion from the University.

INCIDENCE OF CRIME ON FORDHAM CAMPUSES

ROSE HILL CAMPUS	2020				2019				2018			
	On Campus Totals	Residence Halls	Non-Campus Property	Public Property	On Campus Totals	Residence Halls	Non-Campus Property	Public Property	On Campus Totals	Residence Halls	Non-Campus Property	Public Property
OFFENSE												
Aggravated Assault	0	0	0	4	2	1	0	1	1	0	0	3
Arson	0	0	0	0	0	0	0	0	1	1	0	0
Burglary	3	2	0	0	6	2	0	0	10	2	0	0
Motor Vehicle Theft	0	0	0	3	0	0	0	0	0	0	0	1
Murder/Non-negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	8	0	0	0	5	0	0	0	8
Rape*	6	1	0	0	16	6	0	0	3	2	0	0
Fondling	2	1	1	6	4	0	0	1	1	1	0	4
Incest	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0	0	0	0
Dating Violence	1	1	0	0	4	4	0	1	5	5	0	0
Stalking	3	2	0	0	1	1	0	1	2	2	0	0
ARRESTS												
Drug Abuse Violations	0	0	0	0	2	0	0	0	0	0	0	0
Liquor Law Violations	0	0	0	0	0	0	0	0	0	0	0	0
Weapons Possession	0	0	0	0	0	0	0	0	0	0	0	0
UNFOUNDED CRIME												
Unfounded Crime	0	0	0	0	0	0	0	0	0	0	0	0
DISCIPLINARY ACTIONS/JUDICIAL REFERRALS												
Drug Abuse Violations	73	73	0	0	149	149	0	0	178	178	0	0
Liquor Law Violations	561	561	0	0	849	849	0	0	1,044	1,044	0	0
Weapons Possession	0	0	0	0	3	3	0	0	1	1	0	0
HATE CRIMES												
Hate Crimes	There were no Hate Crimes reported.				Two on Campus: One act of vandalism to property characterized by racial bias. One act of vandalism characterized by religious bias.				Three on Campus: Two in Residence Halls for acts of vandalism to property characterized by racial/religious bias, one on campus for aggravated harassment based on religious bias.			

*The number of rapes shown at Rose Hill in 2019 includes 10 credible reports of sexual abuse by clergy or staff at Fordham Preparatory School or Fordham University between 1963 and 1978. All have been referred to the Bronx District Attorney's Office.

INCIDENCE OF CRIME ON FORDHAM CAMPUSES

LINCOLN CENTER CAMPUS	2020				2019				2018			
	On Campus Totals	Residence Halls	Non-Campus Property	Public Property	On Campus Totals	Residence Halls	Non-Campus Property	Public Property	On Campus Totals	Residence Halls	Non-Campus Property	Public Property
OFFENSE												
Aggravated Assault	0	0	0	1	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	6	6	0	0	2	2	0	0	7	3	0	0
Motor Vehicle Theft	0	0	0	1	0	0	0	0	0	0	0	0
Murder/Non-negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	1
Rape	3	3	0	0	1	1	0	0	0	0	0	0
Fondling	2	2	0	0	2	1	0	2	1	1	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0	0	0	0
Dating Violence	1	1	0	1	1	1	0	0	0	0	0	0
Stalking	3	2	0	1	3	3	0	0	1	0	0	0
ARRESTS												
Drug Abuse Violations	0	0	0	0	0	0	0	0	0	0	0	0
Liquor Law Violations	0	0	0	0	0	0	0	0	0	0	0	0
Weapons Possession	0	0	0	0	0	0	0	0	0	0	0	0
UNFOUNDED CRIME												
Unfounded Crime	0	0	0	0	0	0	0	0	0	0	0	0
DISCIPLINARY ACTIONS/JUDICIAL REFERRALS												
Drug Abuse Violations	9	9	0	0	26	26	0	0	51	51	0	0
Liquor Law Violations	39	39	0	0	74	74	0	0	70	70	0	0
Weapons Possession	0	0	0	0	0	0	0	0	5	5	0	0
HATE CRIMES												
Hate Crimes	There were no Hate Crimes reported.				One on-campus vandalism to property characterized by religion bias.				There were no Hate Crimes reported.			

INCIDENCE OF CRIME ON FORDHAM CAMPUSES

WESTCHESTER CAMPUS	2020				2019				2018			
	On Campus Totals	Residence Halls	Non-Campus Property	Public Property	On Campus Totals	Residence Halls	Non-Campus Property	Public Property	On Campus Totals	Residence Halls	Non-Campus Property	Public Property
OFFENSE												
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0
Murder/Non-negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0	0	0	0
ARRESTS												
Drug Abuse Violations	0	0	0	0	0	0	0	0	0	0	0	0
Liquor Law Violations	0	0	0	0	0	0	0	0	0	0	0	0
Weapons Possession	0	0	0	0	0	0	0	0	0	0	0	0
UNFOUNDED CRIME												
Unfounded Crime	0	0	0	0	0	0	0	0	0	0	0	0
DISCIPLINARY ACTIONS/JUDICIAL REFERRALS												
Drug Abuse Violations	0	0	0	0	0	0	0	0	0	0	0	0
Liquor Law Violations	0	0	0	0	0	0	0	0	0	0	0	0
Weapons Possession	0	0	0	0	0	0	0	0	0	0	0	0
HATE CRIMES												
Hate Crimes	There were no Hate Crimes reported.				There were no Hate Crimes reported.				There were no Hate Crimes reported.			

INCIDENCE OF CRIME ON FORDHAM CAMPUSES

LOUIS CALDER CENTER	2020				2019				2018			
	On Campus Totals	Residence Halls	Non-Campus Property	Public Property	On Campus Totals	Residence Halls	Non-Campus Property	Public Property	On Campus Totals	Residence Halls	Non-Campus Property	Public Property
OFFENSE												
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0
Murder/Non-negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0	0	0	0
ARRESTS												
Drug Abuse Violations	0	0	0	0	0	0	0	0	0	0	0	0
Liquor Law Violations	0	0	0	0	0	0	0	0	0	0	0	0
Weapons Possession	0	0	0	0	0	0	0	0	0	0	0	0
UNFOUNDED CRIME												
Unfounded Crime	0	0	0	0	0	0	0	0	0	0	0	0
DISCIPLINARY ACTIONS/JUDICIAL REFERRALS												
Drug Abuse Violations	0	0	0	0	0	0	0	0	0	0	0	0
Liquor Law Violations	0	0	0	0	0	0	0	0	0	0	0	0
Weapons Possession	0	0	0	0	0	0	0	0	0	0	0	0
HATE CRIMES												
Hate Crimes	There were no Hate Crimes reported.				There were no Hate Crimes reported.				There were no Hate Crimes reported.			

INCIDENCE OF CRIME ON FORDHAM CAMPUSES

STUDY ABROAD Fordham in Pretoria	2020				2019				2018			
	On Campus Totals	Residence Halls	Non-Campus Property	Public Property	On Campus Totals	Residence Halls	Non-Campus Property	Public Property	On Campus Totals	Residence Halls	Non-Campus Property	Public Property
OFFENSE												
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0
Murder/Non-negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0	0	0	0
ARRESTS												
Drug Abuse Violations	0	0	0	0	0	0	0	0	0	0	0	0
Liquor Law Violations	0	0	0	0	0	0	0	0	0	0	0	0
Weapons Possession	0	0	0	0	0	0	0	0	0	0	0	0
UNFOUNDED CRIME												
Unfounded Crime	0	0	0	0	0	0	0	0	0	0	0	0
DISCIPLINARY ACTIONS/JUDICIAL REFERRALS												
Drug Abuse Violations	0	0	0	0	0	0	0	0	0	0	0	0
Liquor Law Violations	0	0	0	0	0	0	0	0	0	0	0	0
Weapons Possession	0	0	0	0	0	0	0	0	0	0	0	0
HATE CRIMES												
Hate Crimes	There were no Hate Crimes reported.				There were no Hate Crimes reported.				There were no Hate Crimes reported.			

INCIDENCE OF CRIME ON FORDHAM CAMPUSES

STUDY ABROAD Fordham in London	2020				2019				2018			
	On Campus Totals	Residence Halls	Non-Campus Property	Public Property	On Campus Totals	Residence Halls	Non-Campus Property	Public Property	On Campus Totals	Residence Halls	Non-Campus Property	Public Property
OFFENSE												
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	2	0	1	1	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0
Murder/Non-negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	1	0	0	0	1	0	0	0	1
Rape*	0	0	0	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	1	0	0	0	0	0	0	0
ARRESTS												
Drug Abuse Violations	0	0	0	0	0	0	0	0	0	0	0	0
Liquor Law Violations	0	0	0	0	0	0	0	0	0	0	0	0
Weapons Possession	0	0	0	0	0	0	0	0	0	0	0	0
UNFOUNDED CRIME												
Unfounded Crime	0	0	0	0	0	0	0	0	0	0	0	0
DISCIPLINARY ACTIONS/JUDICIAL REFERRALS												
Drug Abuse Violations	0	0	0	0	0	0	1	0	0	0	0	0
Liquor Law Violations	0	0	1	0	0	0	0	0	0	0	0	0
Weapons Possession	0	0	0	0	0	0	0	0	0	0	0	0
HATE CRIMES												
Hate Crimes	There were no Hate Crimes reported.				There were no Hate Crimes reported.				There were no Hate Crimes reported.			

INCIDENCE OF CRIME ON FORDHAM CAMPUSES

STUDY ABROAD Fordham in Granada	2020				2019				2018			
	On Campus Totals	Residence Halls	Non-Campus Property	Public Property	On Campus Totals	Residence Halls	Non-Campus Property	Public Property	On Campus Totals	Residence Halls	Non-Campus Property	Public Property
OFFENSE												
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0
Murder/Non-negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0
Rape*	0	0	0	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0	0	0	0
ARRESTS												
Drug Abuse Violations	0	0	0	0	0	0	0	0	0	0	0	0
Liquor Law Violations	0	0	0	0	0	0	0	0	0	0	0	0
Weapons Possession	0	0	0	0	0	0	0	0	0	0	0	0
UNFOUNDED CRIME												
Unfounded Crime	0	0	0	0	0	0	0	0	0	0	0	0
DISCIPLINARY ACTIONS/JUDICIAL REFERRALS												
Drug Abuse Violations	0	0	0	0	0	0	0	0	0	0	0	0
Liquor Law Violations	0	0	0	0	0	0	0	0	0	0	0	0
Weapons Possession	0	0	0	0	0	0	0	0	0	0	0	0
HATE CRIMES												
Hate Crimes	There were no Hate Crimes reported.				There were no Hate Crimes reported.				There were no Hate Crimes reported.			

ANNUAL FIRE SAFETY REPORT—

Procedures, Statistics, Reports, and Documentation

A fire log, which is utilized to collect, track, and analyze all incidents related to fire safety, is maintained in the Office of Public Safety. All on-campus student residence halls are equipped with fire alarm control panels that monitor smoke detectors located in each individual resident's room as well as all corridors and common areas. The control panel also monitors heat detecting and water flow devices. The fire panels are inspected and tested daily by members of the Public Safety staff who have been issued certificates of fitness by the Fire Department of the City of New York. These fire alarm control panels are connected to an independent centralized monitoring station which immediately notifies the FDNY and the University Public Safety Central Desk in the event of any activation. Each residential hall is also equipped with a full sprinkler system that is also monitored by the fire alarm control panel.

Fire drills and full evacuation drills are conducted twice each semester in each residential hall by trained members of the Department of Public Safety staff aided by Residential Life staff trained in fire safety and evacuation procedures. General steps for evacuation are listed in the Residential Life Handbook. Additionally, a copy of the appropriate fire evacuation guide specific to each individual hall is provided to each residential student upon orientation.

Fully charged and inspected fire extinguishers are strategically placed throughout the building along normal paths of egress. Manual pull stations are installed on each floor in proximity to fire exit doors.

University policy prohibits certain behavior deemed conducive to fire-related accidents. Selected portable electric appliances as listed in the Residential Life Handbook are not permitted in dormitory rooms. Smoking, candles, and any type of open flame are also prohibited in student housing facilities.

The University conducts training for Residential Life staff, Public Safety personnel, and Facilities Operations staff annually. Currently, all duty supervisors, patrol leaders, and Public Safety guards assigned to the Department of Public Safety have received certificates of fitness issued by the FDNY as related to fire safety in places of public assembly.

All faculty, staff, and students are constantly reminded to immediately report any fire or smoke conditions to the Public Safety Office. All three campuses can make notification 24 hours a day by dialing 718-817-2222. There are also emergency blue light phones placed strategically throughout all campuses that provide direct communication with the Department of Public Safety Office.

Each year, an email notification is sent to the faculty, students, and staff that provides the website to access this fire safety report. In addition to three years' worth of fire statistics for student housing facilities at each campus, the report also contains information on fire safety and prevention. This report can be found online on the Fordham website's Public Safety page, which can be accessed via the drop-down menu under the "Resources" tab at fordham.edu. The report can also be accessed at the United States Department of Education website, ed.gov. Requests for additional copies of this booklet can be directed to the associate vice president for public safety (Thebaud Hall, 441 E. Fordham Road, Bronx, NY 10458) or to 718-817-2222.

FIRE SAFETY SYSTEMS IN RESIDENTIAL HALLS

Hall	Central Monitored	Partial Sprinkler	Full Sprinkler	Smoke Detection	Fire Extinguisher	Evacuation Plan	Annual Fire Drills
Alumni Court South	X		X	X	X	X	4
Louis Calder Center	X		X	X	X	X	4
Campbell Hall	X		X	X	X	X	4
Faber Hall	X	X		X	X	X	4
Finlay Hall	X		X	X	X	X	4
Loschert Hall	X		X	X	X	X	4
Loyola Hall	X		X	X	X	X	4
Martyrs' Court	X		X	X	X	X	4
McKeon Hall	X		X	X	X	X	4
McMahon Hall	X		X	X	X	X	4
O'Hare Hall	X		X	X	X	X	4
Queens Court	X		X	X	X	X	4
Salice-Conley	X		X	X	X	X	4
Tierney Hall	X		X	X	X	X	4
Walsh Hall	X		X	X	X	X	4
Fordham in London Clerkenwell College	X			X	X	X	3
Terra Nova	X	X		X	X	X	4
Hughes House	X		X	X	X	X	4
Arthur I	X	X		X	X	X	4
Arthur II	X		X	X	X	X	4
Wilshire Plaza		X		X	X	X	

INCIDENCE OF FIRE ON FORDHAM CAMPUSES

Statistics and Related Information Regarding Fires at On-Campus Residential Facilities	2020						2019						2018					
	Total fires in each building	Fire number	Cause of fire	Number of injuries that required treatment at medical facility	Number of deaths related to a fire	Value of property caused by fire	Total fires in each building	Fire number	Cause of fire	Number of injuries that required treatment at medical facility	Number of deaths related to a fire	Value of property caused by fire	Total fires in each building	Fire number	Cause of fire	Number of injuries that required treatment at medical facility	Number of deaths related to a fire	Value of property caused by fire
ROSE HILL CAMPUS																		
Loschert Hall 411 E. Fordham Road	0	0	N/A	N/A	N/A	N/A	0	0	N/A	N/A	N/A	N/A	0	0	N/A	N/A	N/A	N/A
Loyola Hall 479 E. Fordham Road	0	0	N/A	N/A	N/A	N/A	0	0	N/A	N/A	N/A	N/A	0	0	N/A	N/A	N/A	N/A
Alumni Court South 411 E. Fordham Road	0	0	N/A	N/A	N/A	N/A	0	0	N/A	N/A	N/A	N/A	0	0	N/A	N/A	N/A	N/A
Faber Hall 477 E. Fordham Road	0	0	N/A	N/A	N/A	N/A	0	0	N/A	N/A	N/A	N/A	0	0	N/A	N/A	N/A	N/A
Finlay Hall 521 E. Fordham Road	0	0	N/A	N/A	N/A	N/A	0	0	N/A	N/A	N/A	N/A	0	0	N/A	N/A	N/A	N/A
Martyrs' Court – Jogues 437 E. Fordham Road	0	0	N/A	N/A	N/A	N/A	0	0	N/A	N/A	N/A	N/A	1	1	Intentional Flyer on bulletin board	N/A	N/A	\$150
O'Hare Hall 671 E. Fordham Road	0	0	N/A	N/A	N/A	N/A	0	0	N/A	N/A	N/A	N/A	0	0	N/A	N/A	N/A	N/A
Queens Court 423 E. Fordham Road	0	0	N/A	N/A	N/A	N/A	0	0	N/A	N/A	N/A	N/A	0	0	N/A	N/A	N/A	N/A
Tierney Hall 665 E. Fordham Road	0	0	N/A	N/A	N/A	N/A	0	0	N/A	N/A	N/A	N/A	0	0	N/A	N/A	N/A	N/A
Walsh Hall 555 E. Fordham Road	1	1	Food on the stove	0	0	\$50 to \$100	0	0	N/A	N/A	N/A	N/A	0	0	N/A	N/A	N/A	N/A
Martyrs' Court- Goupil/LaLande 437 E. Fordham Road	0	0	N/A	N/A	N/A	N/A	0	0	N/A	N/A	N/A	N/A	0	0	N/A	N/A	N/A	N/A
Campbell Hall 405 E. Fordham Road	0	0	N/A	N/A	N/A	N/A	0	0	N/A	N/A	N/A	N/A	0	0	N/A	N/A	N/A	N/A
Salice-Conley Hall 403 E. Fordham Road	1	1	Accidental Stove	0	0	\$25	0	0	N/A	N/A	N/A	N/A	0	0	N/A	N/A	N/A	N/A
ROSE HILL OFF-CAMPUS																		
Terra Nova 2500-04-08-12 Hoffman Street	0	0	N/A	N/A	N/A	N/A	0	0	N/A	N/A	N/A	N/A	0	0	N/A	N/A	N/A	N/A
Hughes House Apartments 2353-55-57 Hughes Avenue	0	0	N/A	N/A	N/A	N/A	0	0	N/A	N/A	N/A	N/A	0	0	N/A	N/A	N/A	N/A
Arthur I 2451-57-61 Arthur Avenue	0	0	N/A	N/A	N/A	N/A	0	0	N/A	N/A	N/A	N/A	0	0	N/A	N/A	N/A	N/A
Arthur II 2484-86-88 Arthur Avenue	0	0	N/A	N/A	N/A	N/A	0	0	N/A	N/A	N/A	N/A	0	0	N/A	N/A	N/A	N/A

INCIDENCE OF FIRE ON FORDHAM CAMPUSES

Statistics and Related Information Regarding Fires at On-Campus Residential Facilities	2020						2019						2018					
	Total fires in each building	Fire number	Cause of fire	Number of injuries that required treatment at medical facility	Number of deaths related to a fire	Value of property caused by fire	Total fires in each building	Fire number	Cause of fire	Number of injuries that required treatment at medical facility	Number of deaths related to a fire	Value of property caused by fire	Total fires in each building	Fire number	Cause of fire	Number of injuries that required treatment at medical facility	Number of deaths related to a fire	Value of property caused by fire
LINCOLN CENTER CAMPUS																		
McMahon Hall 155 W. 60th St.	0	0	N/A	N/A	N/A	N/A	1	1	Stove top Cooking oil ignited on stove	1	N/A	\$50	0	0	N/A	N/A	N/A	N/A
McKeon Hall 150 W. 62nd St.	0	0	N/A	N/A	N/A	N/A	0	0	N/A	N/A	N/A	N/A	0	0	N/A	N/A	N/A	N/A
LINCOLN CENTER OFF-CAMPUS																		
Wilshire Plaza 134 W. 58th St.	0	0	N/A	N/A	N/A	N/A	0	0	N/A	N/A	N/A	N/A	0	0	N/A	N/A	N/A	N/A
LOUIS CALDER CENTER																		
53 Whipoorwill Road Armonk, NY 10504	0	0	N/A	N/A	N/A	N/A	0	0	N/A	N/A	N/A	N/A	0	0	N/A	N/A	N/A	N/A

STUDENTS' BILL OF RIGHTS

All students have the right to...

1. Make a report to local law enforcement and/or state police;
2. Have disclosures of domestic violence, dating violence, stalking, and sexual assault treated seriously;
3. Make a decision about whether or not to disclose a crime or violation and participate in the judicial or conduct process and/or criminal justice process free from pressure by the University;
4. Participate in a process that is fair, impartial, and provides adequate notice and a meaningful opportunity to be heard;
5. Be treated with dignity and to receive from the University courteous, fair, and respectful health care and counseling services, where available;
6. Be free from any suggestion that the reporting individual is at fault when these crimes and violations are committed, or should have acted in a different manner to avoid such crimes or violations;
7. Describe the incident to as few institution representatives as practicable and not be required to unnecessarily repeat a description of the incident;
8. Be protected from retaliation by the University, any student, the accused and/or the respondent, and/or their friends, family, and acquaintances within the jurisdiction of the University;
9. Access to at least one level of appeal of a determination;
10. Be accompanied by an advisor of choice who may assist and advise the reporting individual, accused, or respondent throughout the judicial or conduct process, including during all meetings and hearings related to such process;
11. Exercise civil rights and practice of religion without interference by the investigative, criminal justice, or judicial or conduct process of the University.

Notification of Rights at the Time of First Disclosure

All individuals have the right to make a report to the Department of Public Safety, local law enforcement, and/or state police or choose not to report; to report the incident to Fordham; to be protected by Fordham from retaliation for reporting an incident; and to receive assistance and resources from Fordham.

Transcript Notation

In keeping with New York State Education Law Article 129-B (“Enough Is Enough”), if a student is suspended or expelled from the University after being found responsible for a crime of violence, including but not limited to sexual violence, and/or other crimes that meet the reporting requirements pursuant to the federal Clery Act, the University will record that fact on the student’s transcript. It will be noted that they were “suspended after a finding of responsibility for a code of conduct violation” or “expelled after a finding of responsibility for a code of conduct violation.” For a respondent who withdraws from Fordham while conduct charges are pending and declines to complete the conduct process, a notation will be placed on the transcript that the student “withdrew with conduct charges pending.” For more information, see the Sexual Misconduct Policy and Procedures section of the Student Handbook.

FORDHAM UNIVERSITY CAMPUS RESOURCES

Office of Residential Life

Resident assistants, resident directors, and central office staff are trained to provide support and assistance to both complainants and respondents. Resident assistants are on duty all night, every night, and present in the Residence Hall Offices (RHOs) from 6:30 to 9:15 p.m. at Rose Hill and from 6 to 11 p.m. at Lincoln Center. A resident director is on call at all times. All staff in Residential Life are required to report sexual misconduct situations to their supervisors and ultimately to the Department of Public Safety.

Counseling and Psychological Services (CPS)

Office Hours:

Monday–Thursday, 9 a.m. – 7 p.m.; Friday, 9 a.m. – 5 p.m.

Rose Hill | O’Hare Hall, Lower Level | 718-817-3725

Lincoln Center | 140 W. 62nd St., G02 | 212-636-6225

Westchester | Please see the Counseling and Psychological Services section of the Fordham website (fordham.edu/counseling) for office location and contact information.

In emergency situations or after hours, please contact a resident assistant, resident director, or the Department of Public Safety for assistance. These staff members can contact the Counseling and Psychological Services professional staff as necessary to respond during off hours.

- Counseling services are available to all students who have experienced a sexual offense, stalking, or dating or domestic violence.
- Crisis, urgent, and walk-in appointments are available.
- All CPS clinical services are free and confidential to the extent of the law. Clinical staff are not required to report sexual misconduct situations unless there is an immediate threat to you or others.
- All CPS counselors are qualified to assist students who have experienced a trauma, including rape, sexual assault, stalking, and domestic violence.
- Consultation is available to administrators, faculty, family members, or students who are concerned about a student.

University Health Services

Rose Hill | O’Hare Hall, Lower Level | 718-817-4160

Nurse practitioners are available as follows:

- Monday–Friday, 8 a.m. – 6 p.m.; Saturday and Sunday, 10 a.m. – 3 p.m.
- No fee

Lincoln Center | 140 W. 62nd St., G16 | 212-636-7160

Nurse practitioners are available as follows:

- Monday and Tuesday, 10 a.m. – 6 p.m.
- Wednesday, 9 a.m. – 5 p.m.
- Thursday, 9 a.m. – 5 p.m.
- Friday, 10 a.m. – 5 p.m.
- Saturday, 10 a.m. – 3 p.m.
- No fee

University Health Services (UHS) has nurse practitioners who are Sexual Assault Nurse Examiners (SANE). They are specifically trained to assist survivors of sexual assault and can assist in the medical care, follow-up/referral process, and provide general support to survivors. Emergent cases presenting to the UHS will be referred to a hospital in the area that specializes in the care of sexual assault. Students presenting for testing for a possible exposure to sexually transmitted infections can and will be treated by UHS. If those particular students are identified as possible victims of a sexual assault, they will be referred to an outside agency specializing in the care of a sexual assault.

University Health Services medical providers are not required to report sexual misconduct situations unless there is an immediate threat to you or others. However, medical providers in University Health Services are required to report aggregate data without identifying information.

Fordham University Emergency Medical Services (FUEMS) is a part of University Health Services on the Rose Hill campus. Students can contact FUEMS by calling 718-817-2222. All calls should indicate the nature of the incident and whether a specific gender staff member will be needed. FUEMS provides Emergency Medical Technicians on duty, referrals, and transportation to the hospital at no fee.

Department of Public Safety

Rose Hill | Thebaud Annex | 718-817-2222

Lincoln Center | Lowenstein Center | 212-636-6076

Westchester | 400 Westchester Avenue | West Harrison, N.Y. | 914-367-3333

- Immediate response 24 hours a day by experienced public safety supervisors who are former law enforcement professionals.
- Incident reports prepared, which may be valuable documents if the case is pursued at a later date, either through law enforcement or through a University student conduct process.
- Will summon the police department that has jurisdiction, after conferral with the victim, and work closely with this agency.

As part of the freshman CORE programming series, public safety staff provide a presentation to all incoming students on personal safety, residence hall security, and living in an urban environment. In addition, public safety procedures are discussed with prospective and accepted students and their parents at open house programs sponsored by the Office of Undergraduate Admission and at New Student Orientation events sponsored by the Office for Student Involvement. The Department of Public Safety apprises students of events affecting their personal safety by issuing public safety alerts and by providing the student newspaper with a synopsis of criminal incidents for publication in weekly editions.

Director of Gender Equity/Title IX Coordinator

Kareem Peat, Director of Gender Equity/Title IX Coordinator

Faculty Memorial Hall, 2nd Floor, Rose Hill Campus | 718-817-3112 | TitleIX@fordham.edu

The Director of Gender Equity/Title IX Coordinator oversees the University's Title IX compliance efforts and is responsible for coordinating the University's response to all reports of sexual and related misconduct, including sex- or gender-based discrimination involving educational programs, gender equity in athletic programs, employment, and admission. The Director of Gender Equity/Title IX Coordinator also collects data from all of the University's Title IX reports to monitor the process, including outcomes, to identify and address any patterns or systemic issues that may arise.

The Department of Public Safety conducts investigations for all Title IX cases involving complaints by students against other students. The dean of students on the campus where the respondent is enrolled conducts the student conduct process and, if necessary, imposes student conduct sanctions for students found in violation of these policies. The Division of Student Affairs oversees the student conduct process when a student may be in violation of the Sexual and Related Misconduct Policy and Procedures, and is responsible for the record keeping of these matters. At times, designees can be assigned to carry out these duties.

Campus Ministry

Rose Hill | McGinley Center, 1st Floor | 718-817-4500

Monday-Friday, 10 a.m. – 6 p.m.

Lincoln Center | 140 W. 62nd St., Room 141 | 212-636-6267

Monday-Friday, 9 a.m. – 5 p.m.

Westchester | Room 133 | 914-367-3420

Tuesday-Thursday, 10 a.m. – 6 p.m.

In emergency situations or after hours, please contact a resident assistant, resident director, or the Department of Public Safety for assistance. These staff members can contact professional staff members from the Office of Campus Ministry as necessary to respond during off hours. All pastoral services are free and confidential. Pastoral counselors are not required to report to sexual misconduct situations unless there is an immediate threat to oneself or others.

Care Connect

(For requesting information only, not for reporting incidents.)

Rose Hill | Lincoln Center | Westchester

TEXT “CARE” to 718-817-CARE (2273)

Rose Hill United Student Government’s Committee on Sexual Misconduct, with assistance from the Division of Student Affairs, has created a resource to rapidly deliver information related to sexual misconduct to your phone or other mobile device, 24 hours a day, 7 days a week, from anywhere. Just text “CARE” to the number above. This is not a reporting system, but students can find contact information for the resources in the CARE brochure using this system as well as summary information, advice, and guidance from the CARE brochure.

OFF-CAMPUS RESOURCES

Police Agencies

48th Precinct (Rose Hill)

450 Cross Bronx Expressway, Bronx, N.Y.

718-299-3900

20th Precinct (Lincoln Center)

120 W. 82nd St., New York, N.Y.

212-580-6411

- Maintains a Sex Crimes Unit—officers trained in investigating sex crimes
- Hotline: 212-267-7273
- The hotline can be contacted directly and used to aid victims of sex crimes anonymously.
- The hotline is staffed by female officers.

Harrison P.D. (Westchester)

650 North St., Harrison, N.Y.

914-967-5110

New York State Police 24-Hour Hotline for Reporting Sexual Assault on New York College Campuses

844-845-7269

Rape and Violence Crisis Centers

RAPE Crisis Hotline

914-345-9111

- 24 hours a day
- Confidential
- Free and immediate support and assistance

Safe Horizon’s Rape/Sexual Assault and Incest Hotline

212-227-3000

- 24 hours a day
- Confidential
- Free
- Safety planning, crisis counseling, advocacy with the police

NYC Domestic Violence Hotline

800-621-HOPE (4673)

Gay and Lesbian Anti-Violence Project

212-714-1141

New York State Domestic Violence Hotline

800-942-6906

New York State Office of Victim Services

800-247-8035 or www.ovs.ny.gov

Hospitals

Rose Hill

Sexual Assault Response Treatment (SART) programs include emergency room physicians, forensic nurses, and social workers who have been specifically trained in treating victims of sexual assault and rape. SARTs take a multidisciplinary approach, combining medicine, law enforcement, and victim advocacy to ensure that sexual assault victims receive appropriate medical attention, evidentiary examinations, emotional support, and referral information.

The following institutions feature SART programs:

- **North Central Bronx Hospital**
3424 Kossuth Avenue, Bronx, N.Y. | 718-519-5000
- **Jacobi Medical Center**
Pelham Parkway South, Bronx, N.Y. | 718-918-5000

The following institutions have general emergency departments without SART programs:

- **St. Barnabas Hospital**
183rd Street and Third Avenue, Bronx, N.Y. | 718-960-9000
- **Montefiore Medical Center**
111 E. 210th St., Bronx, N.Y. | 718-920-4321
- **Montefiore North**
613 E. 233rd St., Bronx, N.Y. | 718-920-9000

Lincoln Center

Mt. Sinai West Emergency Room

1000 Tenth Avenue (59th Street), New York, N.Y. | 212-523-4000

Specialized Services for Victims of Violent Crime and Sexual Assault

The Crime Victims Treatment Center (CVTC) at Mt. Sinai is one of the largest and most comprehensive hospital-based victim treatment centers in New York. Its direct number is 212-523-4728. As the first hospital in New York to establish a specialized and highly acclaimed treatment service for victims of sexual assault, they have Sexual Assault Forensic Examiners (SAFE) available 24 hours a day. These examiners devote their full attention to the needs of the victim and, only with the victim's consent, collect evidence that can be used to prosecute a crime.

The following is a general emergency department without SART or SAFE programs:

- **Lenox Hill Hospital** | 100 E. 77th St., New York, N.Y. | 212-434-3030

Westchester

Westchester County Medical Center

100 Woods Road, Valhalla, N.Y. | 914-493-7000

White Plains Hospital Medical Center

41 East Post Road, White Plains, N.Y. | 914-681-0600

Community Legal Services

National Crime Victims Bar Association

202-467-8753

For assistance pursuing civil justice for crime victims

NYS Crime Victims Board

800-247-8035

Legal help and information provided by the New York State Office of Victim Services

LawHelp.org

A website dedicated to helping persons in need find legal help, organizations, resources, and information for various circumstances

Connect, Inc.

212-683-0605

Provides legal information and advocacy to survivors of domestic violence

Break the Cycle

800-214-4150

Serves individuals ages 22 and under seeking orders of protection and related Family Court matters

Division of Student Affairs Directory**Associate Vice President for Student Affairs**

Michele Burris

Keating Hall, Room 100 | 718-817-4750 | mburris@fordham.edu

Assistant Vice President/Dean of Students at Rose Hill

(also serves as the contact person for the Louis Calder Center Biological Field Station)

Christopher Rodgers

Campbell Hall, Room 124 | 718-817-4755

deanrogers@fordham.edu

Dean of Students at Lincoln Center

(also serves as the contact person for the Westchester campus)

Jenifer Campbell, Ph.D.

140 W. 62nd St., G33 | 212-636-7104 | ajecampbell@fordham.edu

Assistant Dean of Students at Rose Hill

Charles Clency

Loschert Hall Basement | 718-817-3080 | cclency@fordham.edu

Associate Director for Student Conduct in Residential Life

Laura Boliver

Loschert Hall Basement | 718-817-3080 | lboliver@fordham.edu

Director of Residential Life at Lincoln Center

TBD

McMahon Hall, Room 108 | 212-636-7100

Director of Counseling and Psychological Services

Jeffrey Ng, Psy.D.

Rose Hill: O'Hare Hall, Lower Level | 718-817-3725

Lincoln Center: 140 W. 62nd St., G02 | 212-636-6225

Director of University Health Services

Maureen Keown

Rose Hill: O'Hare Hall, Lower Level | 718-817-4160

Lincoln Center: 140 W. 62nd St., G16 | 212-636-7160

Assistant Dean for Student Involvement at Rose Hill

Cody Arcuri

McGinley Center, Room 213 | 718-817-4339

Senior Director for Student Involvement at Lincoln Center

Dorothy Wenzel, Ph.D.

140 W. 62nd St., G33 | 212-636-6250

Assistant Vice President for Student Affairs for Diversity and Inclusion

Juan Carlos Matos

McGinley Center, Room 211 | 718-817-0664

IMPORTANT CAMPUS TELEPHONE NUMBERS HALLS

ROSE HILL CAMPUS	
Public Safety Office (TH Annex)	718-817-2222
FUEMS (Emergency)	718-817-2222
Counseling/Psychological Services (O'Hare Hall)	718-817-3725
Dean of Students (CA 124)	718-817-4755
Dean of Student Services (CA 124)	718-817-4350
Director of Residential Life (LH Basement)	718-817-3080
Health Center (O'Hare Hall)	718-817-4160
Off-Campus Shuttle (TH Annex)	718-817-2222
Office of Disability Services (O'Hare Hall)	718-817-0655
LINCOLN CENTER CAMPUS	
Public Safety Supervisor	212-636-6076
Main Public Safety Desk (LL Lobby)	212-636-6075
Public Safety Desk (Law School)	212-636-6975
Public Safety Desk (MH Lobby)	212-636-7111
Counseling/Psychological Services (140 W. 62nd St., G02)	212-636-6225
Dean of Students (140 W. 62nd St., G33)	212-636-6250
Director, Residential Life (MH 108)	212-636-7100
Health Center (MH 203)	212-636-7160
Office of Disability Services (LL 408)	212-636-6282
WESTCHESTER	
Public Safety Supervisor	914-367-3001/3333
Dean of Students	212-636-6250
POLICE	
Lincoln Center (20th Precinct)	212-580-6411
Rose Hill	718-220-5811
(48th Precinct)	718-299-3900
(52nd Precinct)	
Westchester (Harrison Police)	914-967-5110
Louis Calder Center (North Castle Police)	914-273-9500
KEY TO BUILDINGS	
CA	Campbell Hall
LH	Loschert Hall
LL	Leon Lowenstein Center
MH	McMahon Hall
TH	Thebaud Hall