

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

2025

# Montefiore School of Nursing ANNUAL SECURITY REPORT



Montefiore | School of Nursing

## ANNUAL SECURITY REPORT 2025 FOR CALENDAR YEAR 2024

### FOREWORD

On behalf of the school community, welcome to Montefiore School of Nursing.

This report is filed as required by the federal “Crime Awareness and Campus Security Act,” (hereafter referred to as the Campus Safety Act). The purpose of this report is to provide our faculty, staff and students with campus safety information including crime statistics and crime reporting procedures. While this report is updated annually, we encourage you to check on the school’s website for periodic updates.

At Montefiore School of Nursing, our foremost concern is the safety and well-being of the students, faculty, staff and visitors. The Security Department is dedicated to providing services to maintain and improve the safety, security and quality of life within our community.

Montefiore School of Nursing has been in the forefront of nursing education for over 100 years. Based in Mount Vernon, New York, the school is a private, registered nursing program that offers a two-year associate degree. Graduates are eligible to sit for the National Council Licensure Examination for registered nurses, and the school is accredited by the Accreditation Commission for Education in Nursing, Inc.

Through a strong theoretical and clinically based program, Montefiore School of Nursing graduates receive the skills and confidence to provide the community with competent, quality nursing care. Learning in a hospital environment prepares our students to work in a variety of clinical settings. Our nurses secure employment in hospitals, home healthcare, education, long-term care, public health administration, forensic nursing, occupational health and research. Montefiore School of Nursing provides the foundation for nurses who are committed to excellence and are prepared to embark on a career that provides a professional challenge as well as satisfaction of spirit.

The school is part of Montefiore Health System, a premier academic medical center with significant research and teaching programs.

While the school has developed several policies and procedures to ensure students and their possessions are protected, it is primarily the responsibility of the student, faculty or staff member to provide for his or her own safety and security by taking simple, common-sense precautions, and by reporting concerns and information to the Security Department and other administrative officials.

Montefiore School of Nursing strives to promote and maintain a campus environment conducive to academic achievement. A truly safe campus can only be achieved through the cooperation of the entire school community. With your help and participation and our commitment, we are confident that the time you spend at the school will be safe and productive.

Sincerely,

*Don J Mosher*

Don J Mosher  
Campus Security Manager

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## I. CONTACT INFORMATION

**Montefiore School of Nursing**  
**53 Valentine Street**  
**Mount Vernon, NY 10550**  
**914-361-6221**

### **Administrative Hours**

Academic offices are located on the 4th floor of the school and are generally open from 8:30 am to 5:00 pm. You may reach an Administrative Assistant at (914) 361- 6311 or 6537. Student Services are available Monday 7:30 am-5:00 pm, Tuesday and Wednesday 8:30 am - 8:00 pm, Thursday 7:30 am - 8:00 pm, Friday 7:30 am - 5:00 pm. If you need to speak to the Dean or Asst. Dean, it is best to make an appointment to assure availability. Summer hours vary. You may contact the Financial Aid Administrator at x6537.

### **Incident Reporting Security**

(914) 361-6009

### **Emergencies Local Fire, Police and Ambulance**

Dial 911

### **Police Non-Emergencies**

Mount Vernon Police Department 914-665-2500

### **Community Agencies**

CDC HIV/AIDS	Hotline 800-232-4636 800-CDC-INFO
THE TREATMENT CENTER	Helpline 844-811-4533 (Drug & Alcohol Treatment)
THE COUNSELING CENTER	180 Pondfield Road Bronxville, New York (914) 793-3388
MOUNT VERNON NEIGHBORHOOD HEALTH CENTER	107 West 4 <sup>th</sup> Street Mount Vernon, New York 10550 (914) 699-7200
PLANNED PARENTHOOD OF MOUNT VERNON	6 Gramatan Avenue Mount Vernon, New York (914) 668-7927
FAMILY SERVICES OF WESTCHESTER	Mount Vernon Office 9 West Prospect Avenue (309) Mt. Vernon, NY 10550 Main Office: 1 Gateway Plaza Port Chester, NY 10573 (914) 937-2320
WESTCHESTER JEWISH COMMUNITY SERVICES	Mt. Vernon Family Mental Health Clinic 11 West Prospect Avenue, 4th Floor Mt. Vernon, NY 10550 914- 668-8938 x14

MY SISTERS PLACE

Crisis Hotline (800) 298-7233 (SAFE)  
Administrative Offices:  
1 Water Street, White Plains, NY 10601 914-683-1333  
Yonkers Office Phone 914-358-0333

HOPE'S DOOR OSSINING

Crisis Hotline: 888-438-8700  
100 S. Highland Avenue, Ossining, NY 10562  
(914) 747-0828

WESTCHESTER COUNTY  
SERVICES

[www3.westchestergov.com](http://www3.westchestergov.com)

NEW YORK STATE

Domestic Violence hotline 800-942-6906  
<http://www.nyscadv.org/>

## II. CAMPUS CRIME STATISTICS\*

### Montefiore School of Nursing

Statistics from Mt. Vernon and New Rochelle Police Departments are included in this report.

Montefiore School of Nursing does not utilize residence halls.

Offense	Year	On-Campus Property	Non-Campus Property	Public Property	Unfounded**
Murder/Non-Negligent Manslaughter					
	2024	0	0	0	0
Negligent Manslaughter					
	2024	0	0	0	0
Sex Offense, Forcible					
	2024	0	0	0	0
Sex-Offense, Non-Forcible					
	2024	0	0	0	0
Robbery					
	2024	0	0	0	0
Aggravated Assault					
	2024		0	0	0
Burglary					
	2024	0	0	0	0
Motor Vehicle Theft					
	2024	0	0	0	0
Arson					
	2024	0	0	0	0
Arrests: Weapons: Carrying, Possessing, etc.					
	2024	0	0	0	0
Disciplinary Referrals: Weapons: Carrying, Possessing, etc.					
	2024	0	0	0	0
Arrests: Drug Abuse Violations					
	2024	0	0	0	0
Disciplinary Referrals: Drug Abuse Violations					
	2024	0	0	0	0
Arrests: Liquor Law Violations					
	2024	0	0	0	0
Disciplinary Referrals: Liquor Law Violations					
	2024	0	0	0	0

Offense	Year	On-Campus Property	Non-Campus Property	Public Property	Unfounded**
Domestic Violence					
	2024	0	0	0	0
Stalking					
	2024	0	0	0	0
Dating Violence					
	2024	0	0	0	0

Hate Crimes

There were no Hate Crimes reported for the 2024 reporting period.

\* Montefiore School of Nursing became Title IV eligible November 11, 2024; therefore, the report only reflects crime statistics from November 11, 2024, to December 31, 2024.

\*\*Unfounded Crimes

The total number of unfounded crimes includes all criminal offenses, hate crimes, arrests or disciplinary action referrals for weapons, drug or liquor law violations, and domestic violence, or stalking incidents that have been unfounded.

If a reported crime is investigated by law enforcement authorities and found to be false or baseless, the crime is “unfounded.” Only sworn or commissioned law enforcement personnel may classify a crime as unfounded.

Unfounded crimes are counted in the year in which they were originally reported.



### III. CRIME DEFINITIONS

#### A. Clery Offenses (Federal Offense Definitions)

- *Aggravated assault*: An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm.
- *Arson*: Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.
- *Burglary*: The unlawful entry into a building or other structure with the intent to commit a felony or a theft.
- *Crime or a public offense*: An act committed or omitted in violation of a law forbidding or commanding it, and to which is annexed, upon conviction, either of the following punishments – death; imprisonment; fine; removal from office; or disqualification to hold and enjoy any office of honor, trust or profit in this state.
- *Domestic violence*: violent misdemeanor and felony offenses committed by the victim's current or former spouse, current or former cohabitant, person similarly situated under domestic or family violence law, or anyone else protected under domestic or family violence law.
- *Dating violence*: violence committed by a person who has been in a romantic or intimate relationship with the victim. Whether there was such relationship will be gauged by its length, type, and frequency of interaction.
- *Drug abuse*: Violations of laws prohibiting the production, distribution and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use.
- *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 incapacity.
- *Hate crime*: Any act of intimidation, harassment, physical force or the threat of physical force directed against any person or family, or their property or advocate, motivated either in whole or in part by hostility to their real or perceived race, ethnic background, national origin, religious belief, sex, age, disability or sexual orientation, with the intention of causing fear or intimidation, or to deter the free exercise of enjoyment of any rights or privileges secured by the Constitution or the laws of the United States or the State of New York whether or not performed under the color of law (Source – Definitions Used in Hate Crimes Reporting, P.O.S.T. Hate Crimes Student Workbook, January 1992 p. 2).
- *Incest*: Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- *Larceny – theft*: The unlawful taking, carrying, leading or riding away of property from the possession or constructive possession of another.
- *Liquor-law violation*: Violations of laws or ordinances prohibiting the manufacture, purchase, transportation, possession or use of alcoholic beverages.
- *Murder and non-negligent manslaughter*: The willful (non-negligent) killing of one human being by another.
- *Negligent manslaughter*: The killing of another person through gross negligence.
- *Rape*: The penetration, no matter how slight of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
- *Robbery*: The taking or attempting to take anything of value from the care, custody or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.
- *Sex offenses*: Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent
- *Stalking*: A course of conduct directed at specific person that would cause a reasonable person to fear for her, his or others' safety or to suffer substantial emotional distress.
- *Statutory rape*: Non-forcible sexual intercourse with a person who is under the statutory age of consent
- *Vehicle theft*: The theft or attempted theft of a motor vehicle.
- *Weapons*: Violations of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons.

## B. New York State Law Definitions

Violence against Women Act specific definitions: The Violence against Women Act and its proposed regulations require the inclusion of certain New York state definitions in a campus's Annual Security Report and require that those definitions be provided in campaigns, orientations, programs and trainings for employees and students. Definitions required include affirmative consent, dating violence, domestic violence, sexual assault and stalking.

### AFFIRMATIVE CONSENT

Affirmative consent is a knowing, voluntary and mutual decision among all participants to engage in sexual activity. Consent can be given in 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, sexual orientation, gender identity or gender expression.

- Consent to any sexual act or prior consensual sexual activity with any party does not necessarily constitute consent to any other sexual act.
- Consent is required regardless of whether the person initiating the act is under the influence of drugs and/or alcohol.
- Consent may be withdrawn at any time.
- Consent cannot be given when a person is incapacitated, i.e., when he or she 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 on the degree of intoxication, someone under the influence of alcohol, drugs, or other intoxicants may be incapacitated and therefore unable to consent.
- Consent cannot be given under conditions of coercion, intimidation, force, or threat of harm.
- When consent is withdrawn, or can no longer be given, sexual activity must stop.

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

**DOMESTIC VIOLENCE** – An act which would constitute a violation of the penal law, including, but not limited to, acts constituting disorderly conduct, harassment, aggravated harassment, sexual misconduct, forcible touching, sexual abuse, stalking, criminal mischief, menacing, reckless endangerment, kidnapping, assault, attempted murder, criminal obstruction or breaching or blood circulation, or strangulation; and such acts have created a substantial risk of physical or emotional harm to a person or a person's child. Such acts are alleged to have been committed by a family member. The victim can be anyone over the age of 16, any married person or any parent accompanied by his or her minor child or children in situations in which such person or such person's child is a victim of the act.

**FAMILY OR HOUSEHOLD MEMBER** – Person's related by consanguinity or affinity; persons legally married to one another; person formerly married to one another regardless of whether they still reside in the same household; persons who have a child in common regardless of whether such persons are married or have lived together at any time; unrelated persons who are continually or at regular intervals living in the same household or who have in the past continually or at regular intervals lived in the same household; persons who are not related by consanguinity or affinity and who are or have been in an intimate relationship regardless of whether such persons have lived together at any time. Factors that may be considered in determining whether a relationship is an “intimate relationship” include but are not limited to the nature or type of relationship regardless of whether the relationship is sexual in nature, the frequency of interaction between the persons and the duration of the relationship. Neither a casual acquaintance nor ordinary fraternization between two individuals in business or social contexts shall be deemed to constitute an “intimate relationship;” any other category of individuals deemed to be a victim of domestic violence as defined by the office of children and family services in regulation.

**PARENT** – Means natural or adoptive parent or any individual lawfully charged with a minor child's care or custody.

**SEXUAL ASSAULT** – New York State does not specifically define sexual assault. However, according to the Federal Regulations, sexual assault includes offenses that meet the definitions of rape, fondling, incest or statutory rape as used in the FBI's UCR program.

**SEX OFFENSES: LACK OF CONSENT** – Whether or not specifically stated, it is an element of every offense defined in this article that the sexual act was committed without consent of the victim.

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

**RAPE IN THE THIRD DEGREE** – When a person (1) engages in sexual intercourse with another person who is incapable of consent by reason of some factor other than being less than 17 years old; (2) Being 21 years old or more, engages in sexual intercourse with another person less than

17 years old; or (3) engages in sexual intercourse with another person without such person's consent where such lack of consent is by reason of some factor other than incapacity to consent.

**RAPE IN THE SECOND DEGREE** – When a person (1) being 18 years old or more, engages in sexual intercourse with another person less than 15 years old; or (2) engages in sexual intercourse with another person who is incapable of consent by reason of being mentally disabled or mentally incapacitated. It is an affirmative defense to the crime of rape in the second degree the defendant was less than 4 years older than the victim at the time of the act.

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

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

**CRIMINAL SEXUAL ACT IN THE SECOND DEGREE** – When a person engages in oral or anal sexual conduct with another person (1) and is 18 years old or more and the other person is less than 15 years old; or (2) who is incapable of consent by reason of being mentally disabled or mentally incapacitated. It is an affirmative defense that the defendant was less than 4 years older than the victim at the time of the act.

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

**FORCIBLE TOUCHING** – When a person intentionally, and for no legitimate purpose, forcibly touches the sexual or other intimate parts of another person for the purpose of degrading or abusing such person; or for the purpose of gratifying the actor's sexual desire. It includes squeezing, grabbing or pinching.

**PERSISTENT SEXUAL ABUSE** – When a person commits a crime of forcible touching, or second- or third-degree sexual abuse within the previous 10-year period, has been convicted two or more times, in separate criminal transactions for which a sentence was imposed on separate occasions of one of the above mentioned crimes or any offense defined in this article, of which the commission or attempted commissions thereof is a felony.

**SEXUAL ABUSE IN THE THIRD DEGREE** – When a person subjects another person to sexual contact without the latter's consent. For any prosecution under this section, it is an affirmative defense that (1) such other person's lack of consent was due solely to incapacity to consent by reason of being less than 17 years old; and (2) such other person was more than 14 years old and (3) the defendant was less than 5 years older than such other person.

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

**SEXUAL ABUSE IN THE FIRST DEGREE** – When a person subjects another person to sexual contact (1) by forcible compulsion; (2) when the other person is incapable of consent by reason of being physically helpless; or (3) when the other person is less than 11 years old; or (4) when the other person is less than 13 years old.

**AGGRAVATED SEXUAL ABUSE** – For the purposes of this section, conduct performed for a valid medical purpose does not violate the provisions of this section.

**AGGRAVATED SEXUAL ABUSE IN THE FOURTH DEGREE** – When a person inserts a (1) foreign object in the vagina, urethra, penis or rectum of another person and the other person is incapable of consent by reason of some factor other than being less than 17 years old; or (2) finger in the vagina, urethra, penis, rectum or anus of another person causing physical injury to such person and such person is incapable of consent by reason of some factor other than being less than 17 years old.

**AGGRAVATED SEXUAL ABUSE IN THE THIRD DEGREE** – When a person inserts a foreign object in the vagina, urethra, penis, rectum or anus of another person (1)(a) by forcible compulsion; (b) when the other person is incapable of consent by reason of being physically helpless; or (c) when the other person is less than 11 years old; or (2) causing physical injury to such person and such person is incapable of consent by reason of being mentally disabled or mentally incapacitated.

**AGGRAVATED SEXUAL ABUSE IN THE SECOND DEGREE** – When a person inserts a finger in the vagina, urethra, penis, rectum or anus of another person causing physical injury to such person by (1) forcible compulsion; or (2) when the other person is incapable of consent by reason of being physically helpless; or (3) when the other person is less than 11 years old.

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

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

**COURSE OF SEXUAL CONDUCT AGAINST A CHILD IN THE FIRST DEGREE** – When a person over a period of time, not less than three months in duration, a person: (1) engages in two or more acts of sexual conduct, or aggravated sexual contact with a child less than 11 years old; or (2) being 18 years old or more engages in two or more acts of sexual conduct which includes at least one act of sexual intercourse, oral sexual conduct, anal sexual conduct or aggravated sexual contact with a child less than 13 years old.

**FACILITATING A SEX OFFENSE WITH A CONTROLLED SUBSTANCE** – A person is guilty of facilitating a sex offense with a controlled substance when he or she: (1) knowingly and unlawfully possesses a controlled substance or any preparation, compound, mixture or substance that requires a prescription to obtain and administers such substance or preparation, compound, mixture or substance that requires a prescription to obtain to another person without such person's consent and with intent to commit against such person conduct constituting a felony defined in this article; and (2) commits or attempts to commit such conduct constituting a felony defined in this article.

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

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

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

**STALKING IN THE FOURTH DEGREE** – When a person intentionally, and for not legitimate purpose, engages in a course of conduct directed at a specific person, and knows or reasonably should know that such conduct (1) is likely to cause reasonable fear of material harm to the physical health, safety or property of such person, a member of such person's immediate family or a third party with whom such person is acquainted; or (2) causes material harm to the mental or emotional health of such person, where such conduct consists of following, phoning or initiating communication or contact with such person, a member of such person's immediate family or a third party with whom such person is acquainted, and the actor was previously clearly informed to cease that conduct; or (3) is likely to cause such person to reasonably fear that his or her employment, business or career is threatened, where such conduct consists of appearing, phoning or initiating communication or contact at such person's place of employment or business, and the actor was previously clearly informed to cease that conduct.

**STALKING IN THE THIRD DEGREE** – When a person: (1) commits the crime of stalking in the fourth degree against any person in three or more separate transactions, for which the actor has not been previously convicted; or (2) commits the crime of stalking in the fourth degree against any person, and has previously been convicted, within the preceding 10 years of a specified predicate crime and the victim of such specified predicate crime is the victim, or an immediate family member of the victim, of the present offense; or (3) with an intent to harass, annoy or alarm a specific person, intentionally engages in a course of conduct directed at such person which is likely to cause such person to reasonably fear physical injury or serious physical injury, the commission of a sex offense against, or the kidnapping, unlawful imprisonment or death of such person or a member of such person's immediate family; or (4) commits the crime of stalking in the fourth degree and has previously been convicted within the preceding ten years of stalking in the fourth degree.

**STALKING IN THE SECOND DEGREE** – When a person: (1) commits the crime of stalking in the third degree and in the course of and furtherance of the commission of such offense: (a) displays, or possesses and threatens the use of, a firearm, pistol, revolver, rifle, sword, billy, blackjack, bludgeon, plastic knuckles, metal knuckles, chukka stick, sand bag, sand-club, slingshot, slung-shot, shirken, "Kung Fu Star," dagger, dangerous knife, dirk, razor, stiletto, imitation pistol, dangerous instrument, deadly instrument or deadly weapons; or (b) displays what appears to be a pistol, revolver, rifle, shotgun, machine gun or other firearm; or (2) commits the crime of stalking in the third against any person, and has previously been convicted, within the preceding five years, of a specified predicate crime, and the victim of such specified predicate crime is the victim, or an immediate family member of the victim, of the present offense; or (3) commits the crime of stalking in the fourth degree and has previously been convicted of stalking in the third degree; or (4) being 21 years of age or older, repeatedly follows a person under the age of 14 or engages in a course of conduct or repeatedly commits acts over a period of time intentionally placing or attempting to place such person who is under the age of 14

in reasonable fear of physical injury, serious physical injury or death; or (5) commits the crime of stalking in the third degree, against 10 or more persons, in 10 or more separate transactions, for which the actor has not been previously convicted.

**STALKING IN THE FIRST DEGREE** – When a person commits the crime of stalking in the third degree or stalking in the second degree and, in the course and furtherance thereof, he or she intentionally or recklessly causes physical injury to the victim of such crime.

## IV. SECURITY DEPARTMENT

The Security Department oversees security operations for the school. The Department works closely with law enforcement agencies and first responders to ensure a safe, secure and conducive learning environment for our students and a professional work environment for our faculty and staff.

Safety is everyone's responsibility. The school community is a great place to work; however, it is not immune to the types of problems seen throughout society.

The school's goal is to provide a safe and secure environment for students, staff and visitors. However, it is only possible to maintain safety and security when every student and staff member takes an active part in the effort.

The purpose of this publication is to:

- provide an overview of the Security Department.
- share crime statistics required by the Jeanne Clery, Disclosure of Campus Security Policy and Campus Crime Statistics Act.
- inform current and prospective students, staff and visitors about the policies and programs designed.
- provide information regarding emergency preparedness and planning.
- provide information regarding fire safety and fire-related information.

The Security Department is primarily staffed by a third-party contractor carefully selected by the school. The Security Managers and Director of Security are employed directly by Montefiore, and the other members of the Security Department are employed by the third-party contractor, Century Protective Services.

Security Manager Don J Mosher (914) 365-3562

Security Manager Frederic Cabbell (914) 361-6007

Director of Security Rafael Reyes (718) 920-4113

Securitas Security Services Field Service Manager O'Neil Gray (914) 946-2022 Ext. 3

The Security Managers and Director of Security are on call twenty-four hours a day, seven days a week, to deal with special situations and emergencies. A uniformed Security Officer is posted in the school on Sunday from 10:00 AM to 6:00 PM, and Monday through Thursday from 4:00 PM to Midnight during the school semester. In addition, security officers are posted in the adjoining Montefiore Mount Vernon Hospital 24/7, conduct random patrols in the school, respond to calls for assistance, and report and document all security incidents occurring there. Security Officers are licensed by New York State and do not have arrest authority. All Security Officers receive both pre-employment and in-service training as required by the New York State Security Guard Act. In addition, Security Officers are also CPR/AED trained. Further details regarding security are located in Section IX. Building Security and Section X. Security Programs.

## V. LAW ENFORCEMENT

The Security Department works cooperatively with law enforcement agencies having jurisdiction at the school. All federal, state and local laws apply at Montefiore School of Nursing. The school is located within the boundaries of the Mount Vernon Police Department. The Police Department is located at 2 Roosevelt Square N, Mt Vernon, NY 10550 (914) 665-2500. If a Police Department is contacted about criminal activity occurring off campus involving students at the school, the Police Department may notify the school. However, there is no official Police policy requiring such notification. Students in these cases may be subject to arrest by the Police and/or school disciplinary proceedings.

In conjunction with local law enforcement and individual facility management, the Security Department works to ensure the overall safety of the school community as a whole. The Security Department is based out of Montefiore, Mount Vernon Hospital and Security Officers are available 24/7. While the Security Department has developed policies and procedures to ensure that students and their possessions are protected as much as possible, it is primarily the responsibility of the student, faculty or staff member to provide for his or her own personal safety.

## VI. THE JEANNE CLERY ACT

### Compliance Statement: The Crime Awareness and Campus Security Act of 1990

#### A. Clery Campus Crime Statistics

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, originally known as the Campus Security Act, is the federal law that requires institutions of higher education (colleges and universities) across the United States to disclose information about crime on and around their campuses. The Clery Act also requires reporting crimes on public property not owned or controlled by the school.

Colleges and universities are required to publish an annual report every year that contains three years' worth of campus crime statistics and certain security policy statements including sexual assault policies that assure basic victims' rights and where students should report crimes. The report is to

be made available to all current students and employees. Prospective students and employees are to be notified of its existence and given an opportunity to request a copy. It is the responsibility of the Security Department for the collection of crime data and distribution of the annual crime statistics and report by Oct. 1 of each calendar year.

The Montefiore School of Nursing “Annual Safety and Security Report” is available to all current and prospective Montefiore School of Nursing students and employees upon request.

The “Annual Safety and Security Report” includes:

- statistics on the number of on-campus murders, rapes, robberies, aggravated assaults, burglaries, motor vehicle thefts, bias-related crimes and arrests for weapons possessions and liquor and drug abuse violations.
- policies regarding security, access to the school, and law enforcement.
- procedures for reporting crimes and other emergencies.
- information on sexual assault and rape awareness programs, procedures to follow when a sex offense occurs, disciplinary action procedures, counseling opportunities, and notification to students that Montefiore School of Nursing will make reasonable changes of a victim’s academic situation if the victim so chooses.
- policies on the use, possession and sale of alcoholic beverages and illegal drugs; and
- A description of Montefiore School of Nursing programs informing the campus community about alcohol and drug abuse education, crime prevention and campus security practices.
- Sex offender registry information, New York State Sex Offender Registry and New York State Sex Offender Registry home page at [www.criminaljustice.ny.gov/](http://www.criminaljustice.ny.gov/). You may also call 800-262-3257.
- Procedures for emergency response, emergency communications and emergency evacuation procedures.

## B. Geographic Locations Used Under the Clery Act

- *On-Campus*: Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution’s educational purposes, including residence halls; and any building or property that is within or reasonably contiguous to paragraph (1) of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes.
- *Non-campus Building or Property*: Any building or property owned or controlled by a student organization that is officially recognized by the institution; or any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution’s educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.
- *On Public Property*: All public property, including thoroughfares, streets, sidewalks and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.

The on-campus geography of Montefiore School of Nursing includes Montefiore School of Nursing, Montefiore Mount Vernon Hospital, and Montefiore New Rochelle Hospital, and all public property, including thoroughfares, streets, sidewalks and parking facilities, that are within the campus or immediately adjacent to and accessible from the campus. The school does not utilize residence halls.

## C. Safety and Security – Our Responsibility

The Security Department is responsible for compiling and disseminating the Campus Safety Report annually as required by the Federal Student Right-to-Know Law and Campus Security Act, which was signed into law November 1990. The purpose of this report is to provide Montefiore School of Nursing faculty, staff, students and prospective students with campus safety information including crime statistics and procedures to follow in order to report a crime. Title II of this act was known as the Crime Awareness and Campus Security Act, which was amended and renamed in 1998 to the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, known as the Clery Act. The Clery Act mandates that institutions receiving Title IV federal funds disseminate crime statistics for certain serious offenses that occurred on campus and in adjacent areas for the current reporting year and the previous two calendar years.

1. On an annual basis, the Security Department solicits information from any and all law enforcement agencies with geographical jurisdiction over any and all Montefiore School of Nursing locations about criminal activity reported to those agencies. The information requested outlines crimes reported to the agencies that happened on or near a Montefiore School of Nursing location or involved members of the school community.
2. This report of crimes reflects but is not limited to crimes outlined under the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act).
3. The Security Department compiles data as outlined under the Clery Act and makes it available annually to the school community. Upon request, the data is provided to prospective students and employees.
4. Data obtained and reported to the Security Department is held for seven years after an individual year report is published.

## D. Montefiore School of Nursing, the New York State Campus Safety Act, Compliance Statement

Montefiore School of Nursing acknowledges the importance of campus safety and investigating crimes. By means of this statement, Montefiore

School of Nursing adheres to a formal plan that provides for the investigation of missing students and violent felony offenses committed on campus.

## What is the New York State Campus Safety Act?

This law was enacted in 1999. It was prompted by the unexplained disappearance of Suzanne Lyall from the State University of New York at Albany campus in 1998. The reforms made by this law acknowledge that improving campus safety must begin with swift and efficient investigative action and optimum access to missing person information by student's families and the public. The act:

- requires all public, private, community colleges and universities in New York to have formal plans that provide for the investigation of missing students and violent felony offenses committed on campus.
- expands the responsibilities of the NYS Division of Criminal Justice Services (DCJS) Missing and Exploited Children Clearinghouse to provide assistance with the dissemination of information about missing college students.

## E. Investigations of Missing Persons

### Montefiore School of Nursing Missing Person's Compliance Statement

A "missing student" or "missing person," means any student at Montefiore School of Nursing subject to provisions of section 355 (17) of the New York State Education Law. Montefiore School of Nursing does not operate or employ residence halls. Therefore, any and all persons reported missing to Montefiore School of Nursing or the Security Department will be reported to the Police Department or law enforcement agency having immediate jurisdiction. In 2003, President George W. Bush signed into law "Suzanne's Law," requiring police to notify the National Crime Information Center (NCIC) when someone between 18 and 21 is reported missing, as part of the national "Amber Alert" Bill.

## VII. CRIME AND INCIDENT REPORTING

### A. Criminal Offense

If a criminal offense occurs at any of the school's locations, it must be reported immediately. Individuals who are victims of a crime at or near the school have the responsibility to report such acts to local police, school officials/campus security authority or the Security Department. If the incident is an immediate threat to health, life or safety, the first call should always be 911 to alert the proper police agency within that location's jurisdiction. Once the caller is safe, then the Security Department must be notified. During normal business hours, school officials will be available to assist victims and witnesses in reporting incidents to police. Criminal offenses occurring outside of normal business hours should be reported directly to local law enforcement. Incidents can be reported to Security 24/7 by calling 914-361-6009.

### B. Incident Reporting Procedure

#### Montefiore School of Nursing Incident Reporting Procedural Statement

##### Purpose

To establish guidelines to assist Montefiore School of Nursing community members in reporting incidents that may occur to students, faculty and staff. Montefiore School of Nursing is regulated by statute to report specific criminal incidents that have direct correlation to the school. The guidelines that follow will assist individuals in reporting incidents and streamline the notification process.

##### Definitions

- *Incidents:* An incident may be defined as an action or event that is, has, or is going to occur, that has an effect on someone or something. For the purposes of this procedure an "incident" is a crime, emergency or incident immediately dangerous to life, health or to the school as a whole.
- *Incident report:* Official report taken by Montefiore School of Nursing with regards to an incident documenting information regarding said incident.

A police agency report will serve as an official report under this definition.

### Incident Reporting, Criminal or Violent Behavior

All school staff, faculty and students are asked to assist in making the school a safe place by being alert to suspicious situations or persons and reporting them as outlined below. If you witness, are the victim of, or are involved in any on-campus violation of the law such as assault, robbery, theft or overt sexual behavior, local emergency police services should be called at 911 as soon as possible and the following information should be given:

- Nature of the incident
- Location of the incident
- Description of the person(s) involved, injured
- Description of the property involved

In addition, the individual should immediately report the on-campus emergency to the Security Department by dialing 2222 from any internal phone.

Crimes or incidents of a lesser nature including, but not limited to property crimes, larceny and vandalism, and suspicious persons are to be immediately reported to the local Security Department. Montefiore Mount Vernon Security Department can be reached by dialing 914-361-6009 or

914-664-8000. Montefiore New Rochelle Security Department can be reached by dialing 914-365-3779 or 914-632-5000. Security can also be contacted via the Operator by dialing “0” from any internal telephone.

Incidents requiring medical attention should be reported to local emergency 911 officials. In addition, the individual should immediately report the incident to the Security Department. In all instances, the Security Department will investigate with the police agency taking the initial report if applicable.

In the event of a critical incident or violent criminal act, Montefiore School of Nursing, in accordance with the Jeanne Clery Act (34 CFR 668.46(e)), will issue a “timely warning” and/or “emergency notification” as directed by the Montefiore School of Nursing Emergency Notification and Timely Warning Policy.

### **Identification of Campus Security Authorities (CSA)**

“Campus Security Authority” (CSA) is a Clery Act specific term that encompasses four groups of individuals and organizations associated with an institution.

1. A campus police department or a campus security department of an institution.
2. Any individual or individuals who have responsibility for campus security but who do not constitute a campus police department or a campus security department (e.g., an individual who is responsible for monitoring the entrance into institutional property).
3. Any individual or organization specified in an institution’s statement of campus security policy as an individual or organization to which students and employees should report criminal offenses.
4. An official of an institution who has significant responsibility for student and campus activities.

The function of a campus security authority is to report to the Security Department allegations of Clery Act crimes that he or she receives. CSA’s are responsible for reporting allegations of Clery Act crimes that are reported to them in their capacity as a CSA. This means that CSA’s are not responsible for investigating or reporting incidents that they overhear students talking about in a hallway conversation; that a classmate or student mentions during an in-class discussion; that a victim mentions during a speech, workshop, or any other form of group presentation; or that the CSA otherwise learns about in an indirect manner.

A CSA is not responsible for determining authoritatively whether a crime took place—that is the function of law enforcement personnel. The campus security authority should not try to apprehend the alleged perpetrator of the crime. That too is the responsibility of law enforcement. It’s also not a CSA’s responsibility to try and convince a victim to contact law enforcement if the victim chooses not to do so.

The Montefiore School of Nursing has designated certain administrators and staff as “Campus Security Authorities” in recognition that many students, faculty and staff may be hesitant about reporting crimes to local police or the Security Department and may be more inclined to report incidents to non-law enforcement administrators and/or staff instead. The school has designated the following staff members as CSA’s:

Don J Mosher, Campus Security Manager (914) 365-3562  
Frederic Cabbell, Security Manager (914) 361-6007  
Rafael Reyes, Senior Director of Security (718) 920-4113  
Wylie Shillingford, Security Supervisor (914) 361-6009  
Rebecca Greer, DNP, RN, Dean (914) 361-6220  
Michael Main, Coordinator of Student Services (914) 361-6472  
Frank DiGiovanni, Director of Compliance, Title IX Coordinator (914) 365-3976

There are two types of individuals who, although they may have significant responsibility for student and campus activities, are not Campus Security Authorities under the Clery Act:

1. Pastoral counselor: A person who is associated with a religious order or denomination, is recognized by that religious order or denomination as someone who provides confidential counseling and is functioning within the scope of that recognition as a pastoral counselor.
2. Professional counselor: A person whose official responsibilities include providing mental health counseling to members of the institution’s community and who is functioning within the scope of the counselor’s license or certification. This definition applies even to professional counselors who are not employees of the institution but are under contract to provide counseling at the institution.

The pastoral or professional counselor exemption is intended to ensure that these individuals can provide appropriate counseling services without an obligation to report crimes they may learn about. This exemption is intended to protect the counselor-client relationship.

Montefiore School of Nursing does not have Pastoral or Professional Counselors on-site, however information regarding counseling sources and other community resources are available in the Student Services Coordinator’s Office on the first floor or from your faculty advisor. An abridged list is published in the student handbook. An Employee Assistance Program (EAP) is also available to students and offers professional counseling, information resource benefits, and online resource centers. Students may contact EAP directly at: 1-800-225-2527 or 1-800-252-4555. The EAP website address is [www.healthcareap.com](http://www.healthcareap.com). The service is confidential, and the school is not notified when students use this service.

## **C. Protection and Confidentiality**



Nothing in this report will be construed to permit the school, or an officer, employee or agent of the school, participating in any program under this title to retaliate, intimidate, threaten, coerce or otherwise discriminate against any individual with respect to the implementation of any provision of this document.

Montefiore, the School of Nursing encourages students, faculty and staff to report all criminal activity. The report of criminal activity may be anonymous, and the person may request confidentiality.

## **Disclosure of Policy Statement: Policy for Preparing and Reporting the Annual Disclosure of Crime Statistics**

The Security Department prepares this report to comply fully with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. Statistics are compiled in accordance with the Uniform Crime Reporting System of the Department of Justice and the Federal Bureau of Investigation.

Campus crime, arrest and referral statistics include those reported to the Security Department and designated campus officials and local law enforcement entities. Crimes are reported that occur on campus, on locations that are contiguous to the campus, and buildings or properties that are either owned or controlled by a campus affiliated entity.

School policy encourages every member of the campus community to report a crime promptly. Information is available and is provided to individuals in reference to voluntary confidential reporting procedures in the event a person does not want to pursue action either within the federal or state criminal justice system or within the school's discipline system.

The data for the annual crime statistics is monitored daily. A member of the Security Department, upon receiving notification of a criminal incident on school property, will verify the circumstances and put the information into the appropriate database. Current data is disseminated upon request.

Information related to Clery crime statistics at the Montefiore School of Nursing can be obtained from the Security Department at Montefiore Mount Vernon Hospital; see Student Catalogue for specific details. Once published, the information can also be viewed by anyone at the United States Department of Education website: <http://ope.ed.gov/security/>. Please note that the federal Clery Act may define a particular crime differently than it is defined under the New York State Penal Code. For the purposes of this report, the school uses the Clery Act definitions of crimes. Please see herein for the Clery Act definitions.

### **D. Daily Crime Log**

In accordance with The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, Montefiore School of Nursing maintains a "Daily Crime Log." The information contained in this log identifies incidents and or crimes reported to the Security Department, occurring on or near the school. The information contained in this log identifies, but is not limited to, the nature of the crime reported to security or law enforcement, dates and times the incident was reported and occurred, the general location of the incident or crime and the disposition of the complaint if known. An incident is posted into the log by the Security Department within 2 business days of it receiving a report of the incident. The Security Department may exclude reports from a log in certain circumstances as permitted by law.

The crime log is available for public viewing during normal business hours at the Security Office. The log also may be viewed at the school's Coordinator of Student Services Office. The most recent 60-day period is open to public inspection, upon request, during normal business hours. Anyone may ask to see the log, whether or not they are associated with the school. Information for prior periods is available upon request to the Security Department, with prior notice of at least 2 business days.

## **VIII. Timely Warning Procedures**

### **A. Timely Warnings**

To help prevent crimes or serious incidents, the Montefiore Mount Vernon Security Department (under the direction of the Director of Security or designee) will issue a warning in a timely manner (i.e., generally as soon as pertinent information is available to it or other Campus Security Authorities) about the commission of any Clery Act Crime (i.e., those listed in the annual crime statistics disclosure) committed on campus or in the vicinity via one or more of the following: text-message, voicemail, email, the school's website, the school's hotline, and other available communication channels. At times, the Montefiore Mount Vernon Security Department (under the direction of the Director of Security or designee) may also issue a timely "Security Advisory" in the event that another situation on campus or in the vicinity arises that, in its judgment, could pose an ongoing threat to the school community. These warnings and advisories are intended to alert the school community to the potential threat, and to help prevent additional crime and promote safety.

Crime prevention is of the utmost concern to everyone. In order for the school's efforts to be effective, security must be a responsibility shared by all members of the campus community. Anyone with information which may necessitate a timely warning, or advisory should immediately report the circumstances to the Montefiore Mount Vernon Security Department (914-664-8000, or in-house x6314). Warnings and advisories will withhold the names of victims as confidential. When necessitated, Security Memos will be periodically distributed to everyone in order to enhance campus safety and security.

### **B. Immediate Notifications**

Below is a list of emergency situations identifying the most common types of emergency notifications. Any emergency where the health and/or human safety at Montefiore School of Nursing are in question may constitute an "emergency." The list is not inclusive:

- Bomb threat – based on credible intelligence that indicates a threat.
- Civil disturbance – disruption of normal school activities by a group of people.
- Fire – fire to building(s), or fires in the local community or industry that may endanger school students, faculty, staff or property.

- Hazardous material – dangerous material that is chemical, biological or nuclear spreading from a contained area.
- Major road closing/incident – unanticipated event that would disrupt safe passage to and from the school.
- Medical emergency – pandemic or an event with mass casualties.
- Personal safety – situations that include use of weapons, violence, perpetrator(s) at large, active shooter and hostage situation or missing persons.
- Any situation, on or off school that, in the judgment of the local authorities or school administrators constitutes an ongoing or continuing threat to person or property.
- Suspicious package – reasonable belief that a package may contain chemical, biological, explosive, radiological or nuclear substance that would cause harm to persons or property.
- Utility failure – a major disruption or damage to utilities including gas, electrical or water.
- Weather – severe weather conditions to include flooding, snow/ice/cold, thunderstorm, wind, tornado or hurricane.
- Natural disasters – such as earthquakes.

In the event of an emergency, students, staff, and faculty are to call “911” and then use house phones to dial “2222.” Hospital Security responds to all “2222” calls.

The following Emergency Response Policy sets forth the procedures established to address emergency situations requiring immediate notification to the campus community. MSON has established the following procedures to address emergency situations requiring immediate notification to the campus community.

MSON employs separate procedures that govern timely warnings of campus crimes that are sent to the campus community. This policy applies only in situations where the Emergency Response Group (as defined below) determines that there is an immediate threat of danger to the campus community.

### **Immediate Notification**

Immediate notification will be used in only those situations (e.g., severe weather, major fires and serious crimes) that occur on campus and involve an imminent threat to the health or safety of students or staff.

In the event of a significant emergency or dangerous event requiring immediate notification, MSON will employ an alert system that includes any or all of the following: text-message, voicemail, email, Moodlerooms, and MSON’s website.

MSON will generally provide follow-up information to the larger community as appropriate via Moodlerooms, and MSON’s website.

The alert system is provided in addition to existing emergency notification procedures and does not replace or eliminate any other emergency notification system (e.g., fire alarms or intrusion alarm systems). If MSON follows its immediate notification procedures in the case of an immediate threat, MSON is not obligated to issue a timely warning based on the same circumstances.

### **Emergency Response**

The members of the Emergency Response Group are responsible for determining whether there is a significant emergency or dangerous situation on campus. If a member of the Emergency Response Group becomes aware of a significant on-campus emergency or dangerous situation involving an immediate threat to the health or safety of students or staff, he/she will take appropriate action to confirm the existence of the situation and will determine the appropriate segment or segments of the campus community to receive the alert message.

The Emergency Response Group will immediately notify the Office for Communications and Public Affairs of any emergency or dangerous situation, and all public inquiries will be directed to such office.

The Emergency Response Group will, without delay, and taking into account the safety of the community, determine the content of the immediate notification and initiate the alert system, unless issuing an alert will, in the professional judgment of the Emergency Response Group or other responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency situation.

The police and other emergency personnel will be contacted as appropriate.

### **Alert System**

MSON maintains multiple systems for alerting students and staff about campus emergencies. MSON provides alert messages to the campus community, via the Mass Notification System (a/k/a Live Process). An emergency notification through Live Process (which may include instructions to be followed for safety purposes) may be sent via one or more e-mail, voice, and text/SMS messages. Each message format includes a receipt confirmation component. Providing multiple options helps ensure communication to all the campus community. To receive these notifications, students and staff are strongly encouraged to register their cell phones, text devices, PDAs and land-line phones by contacting the Student Services office.

### **Bi-Annual Testing**

The Security Department, in conjunction with the Department of Environmental Health and Safety (as applicable), is responsible for testing MSON’s emergency response and evacuation procedures at least twice per year. These tests may be announced or unannounced. The Security Department and/or the Department of Environmental Health and Safety (as applicable) is responsible for maintaining documentation for each test, including a description of the exercise, the date and time of the exercise, and whether the drill was announced or unannounced. Students are oriented to the evacuation procedure by the Safety Manager, Department of Environmental Health & Safety and the Director of Security or designee during Nursing 1 orientation.

Emergency Response Group\*

- Dean
- Assistant Dean

- Coordinator of Student Services
- Security Manager
- Evening and Weekend Security Supervisor
- Vice President Executive Director Montefiore New Rochelle Hospital

\* The Emergency Response Notification Group will be notified and consulted as provided above. In the event of a vacancy in any of the positions referred to herein, the person performing the duties of such vacant position shall be substituted herein.

### Mass Notification System

10.1 The MSON mass notification system uses the Everbridge platform for real-time transmission of alerts to faculty, students, and MSON stakeholders. The Everbridge system is triggered via log-in to the Everbridge portal and selecting the appropriate messaging group: “MSON Faculty,” “MSON Students,” or “MSON All,” and keying in the message.

10.2 The Everbridge notification system is activated at the direction of the Site Unit Leader (SUL). The SUL is the individual assigned as “in command” of emergency activities at the school when this plan is activated. The SUL reports to the Hospital Incident Commander, or the Off-site Operations Section Chief (if activated). The SUL is responsible for activities of all personnel and departments at the facility during an emergency. The SUL may be the Site Manager, or an alternate individual designated as in-charge in their absence. Activation can be accomplished from the MSON administrative offices, the MMV Switchboard, or from any telephone by an authorized user.

10.3 The following standard messages may be used:

10.3.1 Emergency on Campus, Take Cover: “This is the Montefiore School of Nursing with an emergency message. There is a [state situation, e.g., tornado approaching; active shooter] \_\_\_\_\_ on campus. Shelter-in-place or take cover immediately and remain in shelter until informed of the all-clear message. If you are not at the campus, stay away until further notice.”

10.3.2 Emergency on Campus, Evacuation: “This is the Montefiore School of Nursing with an emergency message. There is a [state situation, e.g., fire] \_\_\_\_\_ on campus. Evacuate the campus building immediately and check in with the Evacuation Leader at the Assembly Area in the parking lot across Valentine Street from the school entrance. If you need assistance in evacuating, call \_\_\_\_\_.

If you are not at the campus, stay away until further notice.”

10.3.3 Emergency Operations Plan Activation: “This is the Montefiore School of Nursing with a priority message. The Emergency Operations Plan has been activated at \_\_\_\_\_ for a [state situation, e.g., severe weather event]. School activities are [open or closed] until further notice [or specify time frame, e.g. closed Friday and will reopen Monday]. Off-campus clinical activities are [open or closed] until further notice [or specify time frame, e.g., suspended Friday, and will resume Monday]. Please monitor the school web site for additional information.

10.3.4 Termination of Emergency Operations Plan Activation: “This is the Montefiore School of Nursing with a priority message. The Emergency

Operations Plan activation has been terminated. Normal school activities [have resumed or will resume on \_\_\_\_\_]. Off-campus clinical activities have resumed or will resume on \_\_\_\_\_. Please monitor the school web site for additional information.”

### 11. Registration for Mass Notification System

11.1 In order to register a mobile device to receive text or email notification of hospital emergencies from the Health System, students and faculty members should send an email with the subject “Registration for Mass Notification System” to [chhyd@montefiore.org](mailto:chhyd@montefiore.org) with the necessary information outlined below:

11.1.1 Your Name, Your Department.

11.1.2 For text alerts provide - Cellular Number & Cellular Carrier:

11.1.3 For beepers provide - Beeper Number & Beeper Carrier

11.1.4 For email alerts provide email address

## C. Emergency Preparedness

### Comprehensive Emergency Management Plan - Synopsis

Montefiore School of Nursing utilizes a Comprehensive Emergency Management Plan (CEMP) for emergencies and disasters. The plan is located in the Student Services Office, Dean’s office, hallways, classrooms and is posted in Moodlerooms. The CEMP is designed to outline a plan of action so that emergencies can be dealt with immediately in a logical and coherent manner. The intention of the Emergency Management Plan is not to establish policy, but to create a framework that will allow an immediate response to an emergency. Site-specific emergency procedures for the MSON are addressed in the CEMP. The CEMP describes emergency management policies, procedures, and activities at the level of the academic institution, and serves as an interface with the overall Montefiore Mount Vernon *Emergency Operations Plan* (EOP).

The CEMP is the result of the recognition by MSON that there is a responsibility to manage emergency and disaster situations on campus and to coordinate with all public safety and local government officials. The plan establishes full compliance with applicable provisions of the 11 National Incident Management System (NIMS) Implementation Objectives for Healthcare Organizations, and National Fire Protection Association (NFPA) Standard 99-12 *Health Care Emergency Management* and Standard 1600, *Standard on Disaster/Emergency Management and Business Continuity Programs*.

The goals of the MSON CEMP are to:

- Ensure safety of faculty, staff, and students.
- Assure availability of the school's facilities and services.
- Protect electronic and hard copy academic and business records (data and paper critical records).
- Mitigate damage to school property and contents.
- Following a crisis or disruption, return to normal operations as soon as possible.

## **IX. BUILDING SECURITY**

### **A. Security and Access to Campus Building**

MSON takes very seriously its responsibilities to help secure its buildings for its students, faculty, staff and visitors. Only students registered for classes at Montefiore School of Nursing are allowed to be on the premises, no guests or children. Valid identification cards must be displayed to gain entrance to all buildings.

During the school semester, rooms are generally available for study on the 5th floor Monday through Thursday from 8:30 am - 11:30 pm, Friday 8:30 am - 4:00 pm, and Sunday 10:00 am - 6:00 pm. Students must exit the building by 11:30 pm, when stated. Failure to comply may result in suspension or termination. The Montefiore School of Nursing assumes no responsibility for individuals on premises without authorization. Students are not allowed in MSON on the following observed holidays: New Year's Day, Martin Luther King Jr. Day, Presidents Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day.

Security Officers are posted at various points in Montefiore Mount Vernon Hospital and random patrols are in place on the campus twenty-four hours a day, seven days a week. During the school semester, a uniformed security officer is posted in the school on Sunday 10:00 AM – 6:00 PM, and Monday to Thursday 4:00 PM to Midnight. Additional personnel are provided for special events held on campus. The post assignments for Security Officers are constantly evaluated and modified when necessary to meet current needs.

A security escort is available to all students and employees upon request to provide an extra measure of security when walking throughout campus, including to/from the parking garage. A security escort may be a foot patrol officer or an officer in a vehicle.

The Montefiore Mount Vernon Hospital Security Department office is located on the first floor of the Hospital. The office can be contacted by calling 914-361-6007. The "Security Base", which is operational twenty-four hours a day, seven days a week, is located in the Emergency Department of the Hospital, and can be contacted via the Operator 914-664-8000. All calls for Emergency Assistance can be made by dialing 2222 from a Campus or Hospital phone. The Operator answering the call will dispatch security and/or other personnel as needed.

### **B. Security Considerations in the Maintenance of Campus Facility**

The school endeavors to maintain its facilities in a manner that minimizes hazardous conditions. Security Officers regularly patrol the campus and report malfunctioning lights and other unsafe physical conditions to the Montefiore Mount Vernon Hospital Security Department and a report is then prepared. Reports are then routed to the appropriate Department for corrective action. Members of the school are encouraged to report to the Montefiore Mount Vernon Hospital Security Department (914-664-8000) dangerous or hazardous conditions, or other events that could cause damage to campus facilities, and appropriate personnel will be dispatched to correct the condition.

## **X. SECURITY PROGRAMS**

### **A. Security Management Program**

The purpose of the Security Management Program is to minimize the risk of potential injury or property loss. The Security Management Plan defines the program and describes the methods of providing security for people, equipment and other materials through risk assessment and management. Security incidents are often intentional. The Security Department protects individuals and property against harm or loss, including workplace violence, theft, and other crimes. Security incidents are caused by individuals from either outside or inside the organization. The program applies to Montefiore New Rochelle, Montefiore Mount Vernon, Montefiore School of Nursing and Schaffer Nursing Home.

The Objectives for the Security Program are developed from information gathered during routine and special risk assessment activities, annual evaluation of the previous year's program activities, performance measures, incident reports and environmental tours.

### **B. Off-campus Criminal Activity**

Montefiore School of Nursing is a non-residential school with no dorms or off-site housing. Off-site groups or associations in a living environment associated with the school do not exist. The Security Department works frequently and collaboratively with local law enforcement to identify crimes or incidents that occur on or near the school. All events conducted in conjunction with the school that take place off premises are considered school events and must follow procedures and codes of conduct in adherence with school policy.

## **XI. CAMPUS SEX CRIMES PREVENTION ACT OF 2000**

The act sets requirements for sexual offender registration and community notification. The Campus Sex Crimes Prevention Act of 2000 provides for the tracking of convicted sex offenders enrolled at, or employed by, institutions of higher education. It requires sex offenders, already required to register in a state, to provide notice of each institution of higher education in that state in which that person is employed, carries on a vocation or is a student. The act amends the Family Educational Rights and Privacy Act of 1974 (FERPA) to clarify that nothing in the act can prohibit an educational institution from disclosing information provided to the institution concerning registered sex offenders.

Information is listed at New York Division of Criminal Justice Services' Sex Offender Registry or at [www.criminaljustice.ny.gov/](http://www.criminaljustice.ny.gov/). You also may contact

the NYS DCJS Sex Offender Registry at 518-457-5837 or 800-262-3257.

## **XII. SEXUAL OFFENDER REGISTRY**

The Sex Offender Registration Act requires the Division of Criminal Justice Services (DCJS) to maintain a Sex Offender Registry. The registry contains information on classified sex offenders according to their risk of re-offending: low risk (level 1), moderate risk (level 2) and high risk (level 3). The act requires that the division also maintain a subdirectory of level 3 sex offenders. The DCJS Sex Offender Registry site may be found on the Web ([www.criminaljustice.ny.gov/](http://www.criminaljustice.ny.gov/)) and contains their subdirectory of level 3 sex offenders as well as other information regarding the New York State Sex Offender Registry (referred to as “the registry”).

Sex offenders registered in New York are now required to notify the registry of any institution of higher education at which he or she is, or expects to be, whether for compensation or not, enrolled, attending or employed, and whether such sex offender resides or expects to reside in a facility operated by the institution. Changes in status at the institution of higher education also must be reported to the registry no later than 10 days after such change.

Correction Law §168-b requires that the Division of Criminal Justice Services (DCJS) include this information regarding an institution of higher education on its registry.

## **XIII. SEXUAL ASSAULT, DOMESTIC VIOLENCE, DATING VIOLENCE AND STALKING PREVENTION AND RESPONSE POLICIES**

MSON is committed to maintaining a safe environment that is supportive of its primary educational mission and free from all exploitation and intimidation. The school will not tolerate sexual harassment, sexual assault or any other form of nonconsensual sexual activity to include dating violence, domestic violence and/or stalking.

It is essential that students who are sexually assaulted receive support and medical treatment as soon as possible. This document outlines the policies and procedures that will allow members of the school community to be effective at referring victims of assault to medical, psychological and legal resources. The MSON Student Handbook provides additional information for students.

### **Policy for Alcohol and/or Drug Use Amnesty in Sexual Violence Cases**

The health and safety of every student at MSON is of utmost importance. MSON recognizes that students who have been drinking and/or using drugs, whether voluntarily or involuntarily, at the time that violence, including, but not limited to domestic violence, dating violence, stalking or sexual assault, may be hesitant to report such incidents due to fear of potential consequences for their own conduct. MSON strongly encourages students to report incidents of domestic violence, dating violence, stalking, or sexual assault to school officials. A bystander or reporting individual acting in good faith, who discloses any incident of domestic violence, dating violence, stalking, or sexual assault to school officials or law enforcement, will not be subject to the school’s code of conduct for violations of alcohol and/or drug use policies at or near the time of the commission of the domestic violence, dating violence, stalking, or sexual assault.

### **Campus Climate Assessment Policy**

Student Climate assessments will be conducted every two years to provide school administrators with the opportunity to better understand student concerns and to make informed decisions about providing a safe educational environment.

### **Students’ Bill of Rights**

MSON is committed to providing options, support and assistance to victims/survivors of sexual assault, domestic violence, dating violence and/or stalking to ensure that they can continue to participate in the school’s program. All victims/survivors of these crimes and violations, regardless of race, color, national origin, religion, creed, age, disability, sex, gender identity or expression, sexual orientation, familial status, pregnancy, predisposing genetic characteristics, military status, domestic violence victim status, or criminal conviction, have the following rights, regardless of whether the crime or violation occurs on campus, or off campus.

All students have the right to:

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

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

## Sexual Violence Response Policy

In accordance with the Students' Bill of Rights, reporting individuals shall have the right to pursue more than one of the options below at the same time, or to choose not to participate in any of the options below.

### A. Reporting

- To disclose an incident confidentially to the school's administrative staff.
- To disclose the incident and obtain confidential services from New York State at [www.opdv.ny.gov/help/dvhotlines.html](http://www.opdv.ny.gov/help/dvhotlines.html). Additional disclosure and assistance options are catalogued by the Office for the Prevention of Domestic Violence and presented in several languages at [www.opdv.ny.gov/help/index.html](http://www.opdv.ny.gov/help/index.html) or 800-942-6906. Assistance is also available through the following organizations:
  - SurvJustice: <http://survjustice.org/our-services/civil-rights-complaints>
  - Legal Momentum: [www.legalmomentum.org](http://www.legalmomentum.org)
  - NYSCASA: <http://nyscasa.org>
  - NYSCADV: [www.nyscadv.org](http://www.nyscadv.org)
  - Pandora's Project: [www.pandys.org/lgbtsurvivors.html](http://www.pandys.org/lgbtsurvivors.html)
  - RAINN: [www.rainn.org/get-help](http://www.rainn.org/get-help)
  - SafeHorizons: [www.safehorizon.org](http://www.safehorizon.org)

(Note: These Organizations are for crisis intervention, resources and referrals, and are not reporting mechanisms; disclosure during a call to an organization does not provide information to the campus. Reporting individuals are encouraged to additionally contact a school official, so that the school can take appropriate action).

- To disclose the incident to a school official, who can offer privacy and provide information about remedies, accommodations, evidence preservation and how to obtain resources. Those officials will also provide the information contained in the Students' Bill of Rights, including the right to choose when and where to report, to be protected by the school from retaliation and to receive assistance and resources from the school. Note, school officials will disclose that they are private and not confidential resources and may still be required by law and school policy to inform one or more school officials about the incident, including but not limited to Title IX coordinator. They will notify reporting individuals that the criminal justice process uses different standards of proof and evidence than internal procedures and that questions about the penal law or criminal process should be directed to law enforcement or district attorney.
- To file a report of sexual assault, domestic violence, dating violence and/or stalking, and/or talk to the Title IX coordinator for information and assistance. Reports will be investigated in accordance with school policy and the reporting individual's identity shall always remain private, if said reporting individual wishes to maintain privacy. If a reporting individual wishes to keep his/her identity private, he or she may call the Title IX coordinator anonymously to discuss the situation and available options.
- When the accused is an employee, a reporting individual also may report the incident to the Human Resources Department or may request that one of the above-referenced private employees assist in reporting to the Human Resources Department. All incidents will be shared with the Title IX coordinator. Disciplinary proceedings will be conducted in accordance with applicable employment agreements.
- When the accused is an employee, affiliated entity or vendor to the school, school officials will, at the request of the reporting individual, assist in reporting to the appropriate office of the vendor or affiliated entity and, if the response of the vendor or affiliated entity is not sufficient, assist in obtaining a persona-non-grata letter, subject to legal requirements and school policy.
- The reporting individual may withdraw a complaint or involvement from the school process at any time.
- To obtain effective intervention services.

### B. Resources

- Sexual contact can transmit sexually transmitted infections and may result in pregnancy. Testing for STIs and emergency contraception is available at various external locations.
- Other applicable services are available from local hospitals and clinics. Please refer to resources identified in Section A. Reporting above.
- Within 96 hours of an assault, you can get a sexual assault forensic examination (commonly referred to as a rape kit) at a hospital. While there should be no charge for a rape kit, there may be a charge for medical or counseling services off campus and, in some cases, insurance may be billed for services. You are encouraged to let hospital personnel know if you do not want your insurance policyholder to be notified about your access to these services. The New York State Office of Victim Services may be able to assist in compensating victims/survivors

for health care and counseling services, including emergency funds. More information can be obtained at <https://ovs.ny.gov/>. To best preserve evidence, victims/survivors should avoid showering, washing, changing clothes, combing hair, drinking, eating, or doing anything to alter physical appearance until after a physical exam has been completed.

- An Employee Assistance Program (EAP) is also available to students and offers counseling, information resource benefits, and online resource centers. Students may contact EAP directly at: 1-800-225-2527 or 1-800-252-4555. The EAP website address is [www.healthcareeap.com](http://www.healthcareeap.com). The service is confidential, and the school is not notified when students use this service.

### C. Protection and Accommodations

- When the accused is a student, he or she may request to have the school issue a “No Contact Order,” consistent with school policy and procedure, meaning that continuing to contact the protected individual is a violation of school policy, and subject to additional conduct charges. If the accused and a protected person observe each other in a public place, it is the responsibility of the accused to leave the area immediately and without directly contacting the protected person. When a No Contact Order is put in place in cases involving domestic violence, dating violence, sexual assault or stalking, both the accused and the reporting individual may request a prompt review of the need for and terms of a No Contact Order, consistent with school policy. Parties may submit evidence in support of their request.
- To have assistance from the Security Department or Title IX coordinator in initiating legal proceedings in family court or civil court, including, but not limited to, obtaining an Order of Protection or, if outside of New York state, an equivalent protective or restraining order.
- To receive a copy of the Order of Protection or equivalent and have an opportunity to meet or speak with a school official who can explain the order and answer questions about it, including information from the order about the accused’s responsibility to stay away from the protected person(s); that burden does not rest on the protected person(s).
- To an explanation of the consequences for violating these orders, including, but not limited to, arrest, additional conduct charges and interim suspension.
- To have assistance from the Security Department when an individual violates an Order of Protection or to call on and assist local law enforcement in facilitating an arrest for violating such an order.
- When the accused is a student and presents a continuing threat to the health and safety of the community, to have the accused subjected to interim suspension, pending the outcome of a conduct process. Parties may request a prompt review of the need for and terms of an interim suspension.
- When the accused is not a member of the school community, to have assistance from the Security Department or other school officials in obtaining a persona-non-grata letter, subject to legal requirements and school policy.
- To obtain reasonable and available interim measures and accommodations that affect a change in academic, employment or other applicable arrangements, in order to ensure safety, prevent retaliation and avoid an ongoing hostile environment. Parties may request a prompt review of the need for and terms of any interim measures and accommodations that directly affect them. While reporting individuals may request accommodations through any of the offices referenced in this policy, the following office can assist with these measures:
  - Title IX coordinator, Frank DiGiovanni, 914-365-3976, email: [fdigiova@montefiore.org](mailto:fdigiova@montefiore.org)
  - Academic Affairs 914-361-6311

### D. Student Conduct Process

Reporting individuals have a right to request that student-conduct charges be filed against the accused. Throughout conduct proceedings, the respondent and the reporting individual will have:

- The same opportunity to be accompanied by an advisor of their choice, who may assist and advise the parties throughout the conduct process and any related hearings or meetings. Participation of the advisor in any proceeding is governed by federal law and the Student Code of Conduct.
- The right to a prompt response to any complaint and to have the complaint investigated and adjudicated in an impartial, timely and thorough manner by individuals who receive annual training in conducting investigations of sexual violence, the effects of trauma, impartiality, the rights of the respondent, including the right to a presumption that the respondent is “not responsible” until a finding of responsibility is made, and other issues related to sexual assault, domestic violence, dating violence and stalking.
- The right to an investigation and process conducted in a manner that recognizes the legal and policy requirements of due process (including fairness, impartiality and a meaningful opportunity to be heard) and is not conducted by individuals with conflict of interest.
- The right to receive advance written or electronic notice of the date, time and location of any meeting or hearing he or she is required or eligible to attend. Accused individuals will be told the factual allegations concerning the violation, a reference to the specific code of conduct provisions alleged to have been violated and possible sanctions.
- The right to due process is concurrent with a criminal justice investigation and proceeding, except for temporary delays, as requested by external municipal entities, while law enforcement gathers evidence. Temporary delays should not last more than 10 days, except when law enforcement specifically requests and justifies a longer delay.
- The right to offer evidence during an investigation and to review available relevant evidence in the case file or otherwise held by the school.
- The right to present evidence and testimony at a hearing, where appropriate.
- The right to a range of options for providing testimony via alternative arrangements, including telephone/video conferencing, or testifying with a room partition.
- The right to exclude prior sexual history with persons other than the other party in the conduct process, or their own mental health diagnosis or treatment that may determine responsibility. Past findings of domestic violence, dating violence, stalking or sexual assault may be admissible in the disciplinary stage that determines sanction.

- The right to ask questions of the decision maker and, via the decision maker, indirectly request responses from other parties and any other witnesses present.
- The right to make an impact statement during the point of the proceeding, where the decision maker is deliberating on appropriate sanctions.
- The right to simultaneous (among the parties) written or electronic notification of the outcome of a conduct proceeding, including the decision, any sanctions and the rationale for the decision and sanctions.
- The right to written or electronic notice about the sanction(s) that may be imposed on the accused, based upon the outcome of the conduct proceeding. For students found responsible for sexual assault, the available sanctions are suspension with additional requirements and expulsion/dismissal.
- Access to at least one level of appeal of a determination before a panel, which may include one or more students, that is fair and impartial and does not include individuals with a conflict of interest.
- The right to access a full and fair record of a student conduct hearing, which shall be preserved and maintained for at least five years.
- The right to choose whether to disclose or discuss the outcome of a conduct hearing.
- The right to have all information obtained during the course of the conduct or judicial process be protected from public release, until the appeals panel makes a final determination, unless otherwise required by law.

## Options for Confidentially Disclosing Sexual Violence

MSON wants students to get the information and support they need, regardless of whether they move forward with a report of sexual violence to school officials, or to police. Students are encouraged to talk with someone about something they have observed or experienced, even if they are unsure that the behavior constitutes sexual violence. A conversation where questions can be answered is far superior to keeping something to yourself. Confidentiality varies, and this document is aimed at helping you understand how confidentiality applies to different resources that may be available to you.

## Privileged and Confidential Resources

Individuals who are confidential resources will not report crimes to law enforcement or school officials without the victim's permission, except for extreme circumstances, such as a health and/or safety emergency.

Off-campus options\* to disclose sexual violence confidentially include:

- Off-campus counselors and advocates\*\*

Crisis services offices will generally maintain confidentiality unless you request disclosure and sign a consent or waiver form. More information on an agency's policies on confidentiality may be obtained directly from the agency.

- New York State Coalition against Sexual Assault at <http://nyscasa.org>
- Sexual Assault Nurse Examiner (SANE) at local hospitals and programs
- Off-campus healthcare providers.
- Medical office and insurance billing practices may reveal information to the insurance policyholder, including medication and/or examinations paid for or administered. The New York State Office of Victim Services may be able to assist in compensating victims/survivors for health care and counseling services, including emergency compensation. More information can be found <https://ovs.ny.gov/> or call 800-247-8035.

\* Note: These outside options do not provide any information to the campus.

\*\* Note that even individuals who can typically maintain confidentiality are subject to exceptions under the law, including when an individual is a threat to him or herself or others and the mandatory reporting of child abuse.

## Privacy versus Confidentiality

MSON staff will maintain your privacy to the greatest extent possible. The information you provide to a non-confidential resource will be relayed only as necessary to investigate and/or seek a resolution and to notify the Title IX coordinator or designee, who is responsible under the law for tracking patterns and spotting systemic issues. MSON will limit the disclosure as much as possible, even if the Title IX coordinator determines that the request for confidentiality cannot be honored.

## Requesting Confidentiality: How MSON will weigh the Request and Respond

If an incident is disclosed to an MSON employee who is responsible for responding to or reporting sexual violence or sexual harassment, but wish to maintain confidentiality, or do not consent to the school's request to initiate an investigation, the Title IX coordinator must weigh the request against their obligation to provide a safe, nondiscriminatory environment for all members of our community, including the reporting individual.

MSON will assist in making academic, employment and other reasonable and available accommodations, regardless of the reporting individuals reporting choices. While reporting individuals may request accommodations through various school offices, the following office serves as a primary point of contact to assist with these measures: Susan Cohen, Title IX Coordinator, 914-365-4300, [susacoh@montefiore.org](mailto:susacoh@montefiore.org)

MSON may take proactive steps, such as training or awareness efforts, to combat sexual violence in a general way that does not identify the individual reporting or the situation they disclosed.

MSON may seek consent from reporting individual prior to conducting an investigation. The reporting individual may decline to consent to an



investigation, and that determination will be honored unless the school's failure to act does not adequately mitigate the risk of harm to you or other members of the school community. Honoring such request may limit the school's ability to meaningfully investigate and pursue action against an accused individual. If the school determines that an investigation is required, the reporting individual will be notified and immediate action will be taken, as necessary, to provide protection and assistance.

When a reporting individual discloses an incident to someone who is responsible for responding to or reporting sexual violence or sexual harassment, but wish to maintain confidentiality, MSON will consider many factors to determine whether to proceed despite that request. These factors include, but are not limited to:

- whether the accused has a history of violent behavior or is a repeat offender
- whether the incident represents escalation, such as a situation that previously involved sustained stalking
- 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 we possess other means to obtain evidence such as security footage, and whether the report reveals a pattern of perpetration at a given location, or by a particular group.

If MSON determines that it must move forward with an investigation, the reporting individual will be notified and the school will take immediate action, as necessary, to protect and assist him or her.

### Anonymous Disclosure

- New York State Hotline for Sexual Assault and Domestic Violence: 800-942-6906

### Institutional Crime Reporting

Reports of certain crimes occurring in certain geographic locations will be included anonymously in the MSON's Clery Act Annual Security Report that neither identifies the specifics of the crime or the identity of the reporting individual.

MSON is obligated to issue timely warnings of Clery Act crimes occurring within relevant geography that represent a serious or continuing threat to students and employees (subject to exceptions when potentially compromising law enforcement efforts and when the warning itself could potentially identify the reporting individual or victim/survivor). A reporting individual will never be identified in a timely warning.

The Family Educational Rights and Privacy Act allows institutions to share information with parents when (1) there is a health or safety emergency, or (2) when the student is a dependent on either parent's prior year federal income tax return. Generally, MSON will not share information about a report of sexual violence with parents without the permission of the individual reporting.

### Definitions

- *Accused*: a person accused of a violation who has not yet entered the school's judicial or conduct process.
- *Affirmative consent*: refer to definition on page 5 of this document.
- *Bystander*: a person who observes a crime, impending crime, conflict, potentially violent or violent behavior, or conduct that is in violation of rules or policies of the school.
- *Bystander intervention*: involves developing the awareness, skills, and courage needed to intervene in a situation when another individual needs help. Bystander intervention allows individuals to send powerful messages about what is acceptable and expected behavior in our community.
- *Code of Conduct*: the written policies adopted by the school governing student behavior, rights and responsibilities while at the school.
- *Confidentiality*: may be offered by an individual who is not required by law to report known incidents of sexual assault or other crimes to school officials, in a manner consistent with state and federal law, including, but not limited to, 20 U.S.C. 1092(f) and 20 U.S.C. 1681(a). Licensed mental health counselors, medical providers and pastoral counselors are examples of individuals who may offer confidentiality. School faculty and staff are mandated to report known incidences of sexual assault or other crimes to appropriate school officials but are considered private sources. See definition of "Privacy" below.
- *Preponderance of the evidence*: the standard of proof in sexual harassment and sexual assault cases, which asks whether it is "more likely than not" that the sexual harassment or sexual violence occurred. If the evidence presented meets this standard, the accused should be found responsible.
- *Privacy*: may be offered by an individual when he or she is unable to offer confidentiality under the law but shall not disclose information about a crime or incident learned from a reporting individual or bystander, more than is necessary to comply with this and other applicable laws, including informing appropriate school officials.
- *Responsible employee*: an employee with the authority to redress sexual violence, who has been given the duty of reporting incidents of sexual violence or any other misconduct by students to the Title IX coordinator or other appropriate school official, or whom a student could reasonably believe has this authority or duty. If a responsible employee is aware of sexual violence, then the school is considered on notice of

that sexual violence.

- *Reporting individual*: victim, survivor, complainant, claimant, witness with victim status and any other term used by the school to reference an individual who brings forth a report of a violation.
- *Retaliation*: adverse action against another person for reporting a violation or for participating in any way in the investigation or conduct process. Retaliation includes harassment and intimidation, including, but not limited to, violence, threats of violence, property destruction, adverse educational or employment consequences and bullying.
- *Respondent*: a person accused of a violation who has entered the school's judicial or conduct process.
- *Sex discrimination*: includes all forms of sexual harassment, sexual assault, and other sexual violence by employees, students, or third parties against employees, students or third parties. Students, employees and third parties are prohibited from harassing others, whether or not the harassment occurs on the MSON campus or during work hours. All acts of sex discrimination, including sexual harassment and sexual violence, are prohibited by Title IX.
- *Sexual activity*: shall have the same meaning as "sexual act" and/or "sexual contact," per 18 U.S.C. 2246(2) and 18 U.S.C. 2246(3).
- *Sexual assault*: physical sexual act(s) committed against another person without consent. Sexual assault is an extreme form of sexual harassment. Sexual assault includes what is commonly known as "rape" (including "date rape" and "acquaintance rape"), fondling, statutory rape and incest. For statutory rape, the age of consent in New York State is 17 years old.
- *Sexual harassment*: unwelcome, gender-based verbal, nonverbal, or physical conduct that is sexual in nature and sufficiently severe, persistent, or pervasive that it unreasonably interferes with, denies or limits someone's ability to participate in or benefit from the school's educational program and/or activities, and based on power differentials, the creation of a hostile environment, or retaliation.
- *Sexual violence*: physical sexual acts perpetrated against a person's will or perpetrated where a person is incapable of giving consent. A number of different acts fall into the category of sexual violence, including, dating violence, domestic violence and sexual assault (including rape).
- *Stalking*: intentionally engaging in a course of conduct, directed at a specific person, which is likely to cause a reasonable person to fear for his or her safety, or the safety of others, or causes that person to suffer substantial emotional damage. Examples include repeatedly following such person(s), repeatedly committing acts that alarm, cause fear, or seriously annoy such person(s), and that serve no legitimate purpose, and repeatedly communicating, by any means, including electronic means, with such person(s) in a manner likely to intimidate, annoy or alarm him or her.
- *Title IX coordinator*: Title IX of the Education Amendments of 1972 (Title IX), 20 U.S.C. Sec., 1681, et seq., states that all students have equal educational opportunity free from sex discrimination, including sexual harassment and sexual assault. The Title IX coordinator is responsible for the school's compliance with this regulation including, but not limited to, systematically monitoring and evaluating policy and procedures that effectively and efficiently respond to complaints of sex discrimination. Individuals with questions or concerns related to Title IX may contact the Title IX coordinator, Frank DiGiovanni at fdigiova@montefiore.org, or call 914-365-3976.

## **XIV. BIAS-RELATED CRIME AND HATE CRIME**

MSON takes bias crimes seriously. The MSON provides the following information to students and employees to assist in the prevention of and response to bias crimes. This statement meets the requirements of the New York State Hate Crimes Act of 2000 (Penal Law Article 485).

### **A. Bias Crimes, Definitions**

Hate crimes, also called bias crimes or bias-related crimes, are criminal activities motivated by the perpetrator's bias or attitude against an individual victim or group based on perceived or actual personal characteristics, such as race religion, ethnicity, gender identity, sexual orientation, national origin or disability.

Penalties for bias-related crimes are very serious and range from fines to imprisonment for lengthy periods, depending on the nature of the underlying criminal offense, the use of violence or previous convictions of the offender.

If you are the victim of, or witness to, a hate/bias crime at a school location or event, report it to the appropriate local police agency. Since school services are delivered through locations across the state and the school does not have its own police force, we rely on local law enforcement to respond to reported crimes at our locations.

### **B. Bias-Related Incidents or Crimes**

Bias incidents directed at a member of a group within MSON that does not rise to the level of a crime include bigotry, harassment or intimidation based on national origin, ethnicity, race, age, religion, gender identity, sexual orientation, disability, veteran status, color, creed or marital status. Bias incidents can be reported to any school official.

## **XV. DRUG AND ALCOHOL PREVENTION PROGRAM**

### **A. Standards of Conduct**

MSON policy prohibits the unlawful possession, use or distribution of illicit drugs and the abuse of alcohol by students and employees on school property or as part of the school's activities.

## B. Health Risks

There are significant psychological and physiological health risks associated with the use of illicit drugs and alcohol. Physical addiction, loss of control and withdrawal syndrome as well as serious damage to vital organs of the body can result from drug and alcohol abuse.

## C. Federal, State and Local Legal Sanctions

Conviction for possession and sale of controlled substances carries a number and variety of penalties under New York State Law. These range from fines to prison terms of 15 years to life, depending upon the nature of the substance, the criminal act and the character of the crime. Federal Trafficking Law convictions also carry a variety of penalties which range from five to 30 years in prison and substantial fines.

## D. Disciplinary Sanctions – Students

A student accused of possession/use of, or distribution of alcohol or drugs will be subject to disciplinary procedures. Sanctions for those found responsible may include written warning, suspension or expulsion.

# XVI. ALCOHOL POLICY

## A. Alcohol and Drug Use in the Workplace

In compliance with the Federal Drug Free Schools and Communities Act of 1988 and the New York State Policy on Alcohol and Controlled Substances in the Workplace, MSON policy prohibits the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance and the abuse of alcohol by students and employees on school property or as part of the school's activities.

New York State prohibits on-the-job use of, or impairment from, alcohol and controlled substances.

## B. Campus Drug Policy

MSON is committed to promoting a drug-free campus environment.

Consistent with the Drug-Free Schools and Communities Act Amendments of 1989 (Public Law 101-226), all students and employees are advised that individuals who violate federal, state or local laws and campus policies are subject to school disciplinary action and criminal prosecution. Local police have full authority to enforce all federal and state drug laws.

## New York State Law

Articles 220 and 221 of the New York State Penal Law set criminal penalties for possession or sale of drugs considered harmful or subject to abuse. The seriousness of the offense and penalty imposed upon conviction depend upon the individual drug and amount held or sold. The Student Code of conduct may also apply.

# XVII. FIRE SAFETY, FIRE RELATED INFORMATION

MSON fully recognizes its responsibility to provide both awareness and safety training for faculty, staff and students and undertakes an ambitious program each year. Fire safety and emergency training for faculty and staff begins with discussions about fire prevention and safety during orientation programs.

Smoking is prohibited on school property.

## A. Fires, Emergency Building Evacuations, Evacuation for People with Physical Disabilities

In the event of fire, a smoke condition or odor of gas:

- Notify the fire department by dialing 911 from any phone or cell phone
- Activate the nearest alarm pull station
- Follow evacuation instructions
- Quickly and calmly evacuate the building from the nearest exit. Do **not** use the elevators.
- Do **not** re-enter a building that is in alarm
- **If you are unable to evacuate, call 911**
- Remember to never use the elevators

# XVIII. MEDICAL EMERGENCIES

## Medical Incidents

Dial 911. Emergencies can happen any place and at any moment. When an emergency arises at MSON, it is important to know who to notify to expedite an emergency service response to the incident. Everyone at MSON is a vital link in the network of school and community resources prepared to respond to medical emergencies.

## **XIX. GENERAL SAFETY**

### **A. Faculty and Staff Members' Roles**

Everyone at MSON has a basic responsibility for his or her own personal safety; faculty and staff have an increased level of responsibility.

### **B. Personal Safety**

- *Stairwells and out-of-the-way corridors:* utilize common stairwells and corridors that are traveled most frequently by others.
- *Elevators:* if in an elevator with someone who creates an uneasy feeling, get off as soon as possible.
- *Restrooms:* be extra cautious when using restrooms that are isolated or poorly lit.
- *After hours:* don't walk alone late at night. Create a buddy system for walking to parking lots or public transportation.
- *Parking lots or garages:* always lock the car and roll the windows up all the way. Park in a well-lit area. Carry keys in hand while approaching the vehicle.

### **C. Prevention of Crime in the Office**

Use your keys, access card/codes properly.

- Never share them with anyone.
- Don't place personal identification on your key rings.
- Keep your personal keys and your office keys on separate rings.
- Report lost key rings and access card immediately.
- Keep purses or wallets on your person or lock them in a drawer or closet.
- Keep track of serial numbers of any personal items and mark them with your name or initial (i.e., radio).
- Keep coat racks away from entrances/exits to minimize temptation.
- Don't leave your office unattended. Lock it.
- Have your phone forwarded to another person's office or to voice mail.
- Report any lighting deficiencies, broken windows or broken door locks to the facilities' maintenance.

## **XX. WORKPLACE VIOLENCE**

MSON strives to provide an environment that is free from acts and threats of violence and abuse. The Montefiore policy, "Maintaining a Nonviolent Workplace" (HR policy # V11-20), establishes Zero Tolerance for abuse or violence covering all Montefiore Medical Center locations. All Workplace Violence acts must be immediately reported to the Security Department, and individuals who report such acts do so without the fear of retaliation.

### **WEAPONS POSSESSION**

The possession of any weapon (as defined in local, state and federal statutes, and includes, without limitation, firearms, knives and explosives) on MSON property is strictly prohibited. This prohibition applies to all facilities owned, leased or otherwise controlled by Montefiore, and whether academic or otherwise. Failure to comply with this Policy may result in disciplinary action by the school (up to and including, in the case of a student, suspension or expulsion and, in the case of an employee, termination of employment) and also may result in criminal prosecution. In addition, the school reserves the right to confiscate the weapon.

This Policy applies to all members of the school community as well as all visitors and guests, and regardless of whether the possessor is licensed to carry that weapon.

## **XXI. STUDENT CONDUCT POLICY**

### **BEHAVIOR/CODE OF CONDUCT**

Students are expected to abide by governmental laws and school/hospital policies. Neither exclusively nor inclusively binding, the intent of these guidelines is to provide the student with information relevant to their actions. Disruptive behavior regarding speech or action which is disrespectful, offensive, and/or threatening; interferes with the learning activities of other students; impedes the delivery of school services; and/or has a negative impact on the learning environment. Disruptive behavior includes physically, verbally or psychologically harassing, threatening, or acting abusively toward the Dean, faculty, staff member, another student or patients. Off-campus behavior must comply with applicable federal and state laws. Off-campus behavior shall not be subject to the school's disciplinary procedures unless such behavior indicates that the student represents a danger to the health or safety of members of the school community or the clients it serves.

### **A. School Regulations**

The following behaviors by a student, or any guest of a student, whether acting alone or with any other persons, violate the policy on student conduct.

- Any offensive or disorderly act which interferes with the rights of any member of the school community, including sexual harassment, bullying, physical threat and/or
- Obstruction of teaching, research, administration, and disciplinary procedures or any conduct which disrupts the holding of classes or any other normal functioning of the school.
- Willful or careless destruction, defacement, theft or tampering with school property or the property of others or threatening the destruction of property.
- Removal of books, media, or other materials from the school facilities without following prescribed procedure.
- Willful falsification of information on school or hospital records or willfully providing false information for purposes of obtaining services or furnishing false information or academic credentials with the intent to deceive or mislead.
- Possession or use of illegal drugs, chemicals, alcohol or weapons.
- Giving false alarm of fire, tampering with fire alarm devices, failure to adhere to evacuation procedures or setting any fire.
- Aiding or abetting another person in the violation of a school regulation.
- Inappropriate/unsafe clinical behavior
- Use of physical means or abusive language to resolve conflicts.
- Willful violation of established health, safety, and infection control procedures.
- Smoking or vaping in the school or hospital.
- Failure to comply with directions of school or hospital officials, including hours of operation.
- Being contemptuous or disorderly at any school hearing or meeting.
- Use of disruptive electronic devices such as beepers, cellular phones, etc., in class or clinical areas.
- Posting pictures on the internet or social media containing school, facilities, or logos; and
- Videotaping in school premises or clinical facilities.

## B. Behavioral Sanctions

One or more of the following sanctions may be imposed by Assistant Dean/Dean – whenever a student is found to have violated any of the rules of the Code of Conduct.

- **Warning** - Written or verbal notice to the student that continuation or repetition of specified conduct may be cause for further disciplinary action. If a student is found guilty of further violating this code, the student will usually be subject to more severe disciplinary action.
- **Probation** - A written notice placing the student on disciplinary probation for a specified period of time. The terms of the probation will be decided in each case. If a student, while on disciplinary probation, is found to have committed further violations of the code, the student will usually be subject to more severe disciplinary action.
- **Restitution** - Reimbursement for damage to or misappropriation of property, which may take the form of direct financial compensation, of service, or other forms of indirect compensation. Any student who does not make restitution as required, will be deemed to have a financial obligation and will be subject to the provisions of the school's policy regarding delinquent financial accounts.
- **Temporary Suspension** - In an emergency, the Dean, or Instructor, are authorized to alter or suspend the rights of a student to be present on campus or to attend classes for an interim period. An emergency will include such situations as when it is believed that the student poses a danger of inflicting bodily harm on self or others, or of inflicting serious emotional distress on others, or creating a substantial disruption of normal campus activities, including classroom instruction.
- **Suspension** - Exclusion from classes and from other privileges or activities, or from the campus itself for a specified period of time.
- **Expulsion** - Termination of student status for an indefinite period.
- **Dismissal** - Termination of student from MSON. Student may not apply for readmissions if he or she were dismissed for violation of the code of conduct.

## XXII. CAMPUS SAFETY PROGRAM

### SAFETY PRECAUTIONS

A successful campus safety program needs the cooperation, involvement, and support of students, staff, and faculty. Exercise these simple, common-sense precautions:

- Travel and park in lighted areas; travel in pairs if possible; be aware of your surroundings.
- Report any suspicious person or activity; report all incidents no matter how minor; report losses immediately.
- Lock your vehicle and store valuables out of view.
- Never loan keys to anyone as they are easily lost, stolen, or duplicated; and
- Mark or engrave your belongings; do not leave belongings/valuables unattended.

**Safety Tips:**

Most important – BE AWARE. When walking, be aware of what is going on around you. Walk assertively. If you look like you know where you are going and what is happening around you, you are less likely to become a target for this type of crime.

Use the buddy system. Do not study alone in classrooms during non-business hours. If studying after hours is necessary, make sure that you have a study partner.

Carry a cell phone, even if it is for emergencies only. You can get a pre-paid phone.

Trust your instincts. If something “feels wrong” (with a person, building, situation, etc.) something probably is wrong. Even if you don’t know why you are uncomfortable, change your plans, move away from the person, get out of the area – whatever is necessary to make the feeling go away.

If you feel like you are being followed, stay in well-lit areas and go into a building where there are other people such as a store or restaurant. If these are not available, join a group of people and ask them to walk with you until it is safe.

Report Suspicious Activity. If you see a person who is acting suspiciously or some type of activity that doesn’t look right, or you feel like you are being followed, call the police immediately and report it.

**AFTERWORD**

Montefiore School of Nursing has a long-standing commitment to equal opportunity and affirmative action. The school applies good faith effort in achieving nondiscrimination and equality of opportunity in employment and in all spheres of academic life. All school-wide decisions regarding faculty, staff and students are based on equitable and equally applied standards of excellence. Unlawful harassment procedures have been established, both as a legal obligation under applicable law and as a visible and formal expression of institutional policy. The school's policy is designed to insure that recruitment, hiring, training, promotion, and all other personnel actions take place, and all programs involving students, both academic and non-academic, are administered without regard to race, religion, creed, color, national origin, sex, age, disability, veteran or disabled veteran status, genetic predisposition/carrier status, marital status, sexual orientation, gender identity or citizenship status as those terms are used in the law. In addition, school policy is designed to maintain a work and academic environment free of harassment and intimidation. If you have any questions relating to equal opportunity, affirmative action or if you wish the school to pursue a possible violation of school policy, you should contact the school's Title IX Coordinator, Frank DiGiovanni at 914-365-3976, fdigiova@montefiore.org, or any administrative staff member of the school. If the student needs to speak with Mr. DiGiovanni after office hours, the student may contact Security at 914-361-6009 or 6314 and Security will contact Mr. DiGiovanni who will then contact the student.

The Title IX Coordinator maintains records of all complaints (both formal and informal), investigations, findings (including the basis for those findings) and appeals.