

THIRTIETH
ANNUAL CAMPUS
SECURITY REPORT
AND
TWELFTH ANNUAL
FIRE SAFETY REPORT

Annual Report for the Period of
September 1, 2020 – August 31, 2021

Office of Security & Life Safety

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EMERGENCY NUMBERS212-431-2123 (24 hours a day, 7 days a week)

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The Clery Act

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, more commonly known as the Clery Act, was named in memory of Lehigh University freshman Jeanne Clery, who was assaulted and murdered on April 5, 1986, in her residence hall by a fellow student she did not know. The Clery Act requires all colleges and universities that participate in any federal program to do the following:

- Publish an annual report by October 1 that contains all campus crime and fire safety statistics for the past three years as gathered by the Office of Security and Life Safety
- Issue emergency notifications involving health or safety to all community members
- Maintain a public fire log record of any fire that occurred on campus, including student housing

You may view the statistics reported to the Office of Post-Secondary Education by visiting their website <https://ope.ed.gov/security>. Compliance with the Clery Act does not violate FERPA or any other law. Community members who report crimes or are involved in any aspect of compliance are protected from retaliation.

Timely Warning and Emergency Notifications Policy

Timely warnings are provided to enhance the safety of the Law School community when a reportable crime under the Clery Act (e.g., homicide, sex offense, robbery) occurs on or near campus or there is a likelihood of a reoccurring threat to the Law School community. These warnings do not present a complete picture of the crime on campus and are intended to aid in the prevention of similar occurrences.

New York Law School may also from time to time issue emergency notifications, as appropriate, concerning significant emergencies or dangerous situations involving an immediate threat to the health or safety of students or employees occurring on or in the vicinity of the New York Law School campus. The Law School will issue such notifications, without delay, considering the safety of the community. The Chief of Building Operations and Security will assess the situation, determine the content of the notification and initiate the notification system in consultation with Law School executives, unless issuing a notification will, in the professional judgment of law enforcement and/or the NYLS executives, compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency.

Timely warnings and emergency notifications are distributed via mass email or through the Notify NYLS system and are posted on the school web page www.nyls.edu or on the emergency web page <http://emergency.nyls.edu>. The Law School may also supplement the email and/Notify NYLS notifications with other methods, such as hard copy postings on campus, messages on video monitors located throughout the building, etc. Information may also be provided by the New York City Police Department. New York Law School's complete Timely Warning policy, mandated under the Clery Act, is reproduced as Appendix seven to this Annual Report. **See Appendix 7 for the complete policy.**

Crime and Fire Records

The Office of Security and Life Safety maintains all records at the Security Command Center, Room W102.2, located in the West Campus Building. All incidents reported to the Office of Security and Life Safety are entered into the daily log and a separate incident report is generated. In all public logs, the victim's or alleged perpetrator's personal information is excluded.

Advisory Committee on Campus Security

The NYLS Advisory Committee on Campus Safety is made up of faculty, students, and employees who review current campus security policies and procedures and make recommendations for improvement. The committee is chaired by a faculty member and the Chief of Building Operations and Security acts as a liaison to the Committee. The Committee held various meetings during this reporting period to improve safety on the campus; one such meeting on Article 129 took place on June 3, 2021 via a remote method.

Emergency Preparedness, Evacuation, and Notifications

The New York Law School Office of Security and Life Safety continually assesses the operational needs of the community and meets on a bi-weekly basis.

The fire organization and brigade teams, made up of employees within the Law School community, receive training on-campus by the Office of Security and Life Safety before the fall and spring evacuation drills. All members of the Office of Security and Life Safety receive their semi-annual security guard and Cardiopulmonary Resuscitation (CPR) training in-house by certified members of the security team. New York Law School is also a New York State certified school for Security Guard Services.

Evacuation drills are conducted at the Law School campus three times per year. During each evacuation drill, all community members are directed to the primary and secondary assembly areas located on West Broadway and Varick Streets between Leonard and Franklin Streets.

Emergency notification tests via the NYLS Notify system are conducted monthly for key members of the Office of Security and Life Safety and two times per year for the entire Law School community. The results of such emergency tests are then documented and reviewed by the Chief of Building Operations and Security. Any recommendations for changes or improvements following such drills and tests also will be documented. Issues impacting operations at the campus are posted on the Law School's emergency web page, <http://emergency.nyls.edu>, and will be disseminated to students and staff through mass email or the Notify NYLS system.

The Office of Security and Life Safety will always respond to reports of emergencies or dangerous situations on the Law School campus. Campus security personnel who respond will assess the situation and determine if the event presents a serious threat to the Law School community that requires elevation to the proper authorities, and will coordinate the response and communications. Any member of the Law School community who is presented with an emergency can dial 911 from the nearest campus phone, which will trigger a notification and response from campus security and also notify the New York City Police Department (NYPD).

Security officers are provided guidance and receive training on how to respond to emergencies, including situations that require fire department and/or medical employee assistance. The officers are required to report all situations that might result in injury to people, loss, or damage to personal and Law School property and all other violations of the law to their supervisor, the Chief of Building Operations and Security, and/or the Manager of Maintenance.

Notify NYLS

All community members should keep their current contact information up to date to receive important text, voice, or email messages regarding campus operations. All NYLS Staff log onto <https://notifynyls.bbcportal.com/> and students log onto <https://go.nyls.edu>. Notify Emergency Tests to the NYLS community were conducted on 02/05/21 (Spring). The fall test was not conducted due to classes being fully remote in September of 2020.

Office of Security and Life Safety

The Office of Security and Life Safety is committed to the safety of each Law School community member and is made up of various employees of NYLS and our contract service provider, Mulligan Security Corp. Security is present at the campus 24 hours a day, seven days a week regardless of whether the campus is open or closed.

Also, the Office of Security and Life Safety provides Fire Life Safety Directors (FLSDs) who are present between the hours of 7 am and 11 pm Monday through Friday and 7 am to 3 pm on weekends when the campus population meets or exceeds FDNY requirements. The Security Command room is located in the West Campus building, room 102.2, in the freight lobby that leads to Leonard Street.

Sean Frett, the Manager of Security & Life Safety, oversees all aspects of Security and Life Safety at the Law School under the Chief of Building Operations and Security and oversees all training programs as the instructor, including the NYS certified training school and various training courses each security officer receives.

During this reporting period, the Office of Security and Life Safety responded to various incidents in and around campus to assist those community members who had questions and/or concerns about being on campus during the pandemic. Additional personnel were assigned accordingly when the campus was accessible. During this reporting period, three (3) incident reports were filed as follows: one (1) false alarm, one (1) aided report, and one (1) trespassing incident.

The Office of Security and Life Safety is staffed by approximately thirteen (13) full-time personnel licensed by the State of New York as Security Officers, under the supervision of the Chief of Building Operations and Security. As such, the authority of the Office of Security and Life Safety personnel to reasonably detain individuals suspected of criminal activity on the campus is the same as any property owner or their designee. These security officers are unarmed and do not possess police powers. They are stationed at fixed command posts throughout the campus as follows:

West Campus Desk	185 West Broadway	24 hours per day, 7 days per week
Center Campus Desk	55 Worth Street	7 am to 7 pm Monday through Friday
East Campus Desk	57 Worth Street	Non-operational at all times except for construction

Mission and Statement

At New York Law School the security and safety of the campus community and visitors is always our top priority. The Office of Security and Life Safety takes a proactive approach to campus security, safety, and emergency preparedness by providing a broad range of services that meet the needs and expectations of a safe community. Our goal is to maintain the safety and security of all persons and property at NYLS. Most importantly, campus safety is a collective and collaborative effort; personal safety is a partnership at NYLS between those whose responsibility it is to develop and enforce policies and procedures and the community whom we serve.

Every tour consists of one security officer who performs interior and exterior patrols as necessary and enters their findings into LogCheck, which is a mobile tool to assist staff with logging their activities during and upon completion of their shift.

Cooperative Partners

The Office of Security and Life Safety works closely with the NYPD 1st precinct and the NYPD community affairs division, located close to the Law School at 16 Ericsson Place. On May 1, 2015, NYLS and the NYPD entered into a Memorandum of Understanding (MOU) to investigate criminal offenses involving violent felonies and/or missing students at the Law School.

Also, we maintain communications with the NYPD via subscription to CityWide-CityLink, which provides direct contact and critical incident broadcasts throughout New York City. The Office of Security & Life Safety also partnered with the [Citizen](#) team to get real-time notification of events happening around the NYLS Tribeca campus.

The Office of Security and Life Safety also works closely with the local firehouse FDNY Engine 7, Ladder 1, Battalion 1, located nearby at 100 Duane Street, to ensure the Tribeca campus is always following applicable laws and regulations. The Office of Security and Life Safety also coordinates on occasion with US Secret Service, State Department, and FBI officials when dignitaries and/or government officials visit our Law School.

Investigations

Section 6434 of the State of New York Education Law requires college and university security department investigations to report violent felony offenses as defined in subdivision one of Section 70.02 of the New York State Penal Law. Should a violent felony offense occur at, or on the grounds of, a college or university, the local police authority must be promptly contacted.

If a violent felony occurs at or on the grounds of the Law School, the most senior security employee on duty will contact the NYPD for assistance and notify the Chief of Building Operations and Security. If the situation warrants, emergency medical services personnel will also be notified. The security supervisor will direct other security employees to secure the location where the incident took place to preserve possible evidence until the arrival of the police. All security and Law School employees will assist the NYPD with their investigation in compliance with the State of New York Education Law. The Law School community will be notified of this incident promptly, consistent with our Timely Warning and Emergency Notifications policy (see Appendix 7). The security officer involved will prepare an incident report which includes the observations of all witnesses. The security officer will submit the report to the security supervisor, who in turn will submit it to the Chief of Building Operations and Security and senior Law School executives.

Access to NYLS Campus Buildings

The New York Law School Tribeca campus is made up of three (3) campus buildings as follows:

West Campus 185 West Broadway/185WB A.K.A. “W” campus building

Operational hours: 7 am to 11 pm daily

All-access for students and community members.

Center Campus 55 Worth Street/55W A.K.A. “C” campus building

Operational Hours: Normally 7 am to 7 pm weekdays

*All-access for certain community members effective September 1, 2021.

East Campus 57 Worth Street/57W A.K.A. “E” campus building

No entrance at this location (Emergency exit only)

Due to current COVID-19 restrictions, all persons on campus must be vaccinated (unless they have a documented medical, or religious exemption), wear a proper face covering, and pass a daily health questionnaire on an application hosted by LiveSafe and temperature screening upon arrival before gaining access. Community members with vaccine exemptions must submit weekly PCR testing results.

185 West Broadway

This campus building, also identified as the West campus building, is currently the only main entrance into and exit from the Law School due to COVID-19 restrictions. The entrance is open to all members of the Law School community between the hours of 7 am and 10 pm, Monday through Friday, and 7 am to 7 pm on Saturday. Only authorized and limited visitors are permitted during the operating hours of 7 am to 7 pm. Visitors must produce a valid identification, submit their LiveSafe app results, and will be subject to a thermal scan, and will be issued an access badge. The main entrance also serves as the primary Americans with Disabilities Act (ADA) entrance to the campus as there are air-assist doors located on the north portion of the main entrance doors. Smoking is not permitted at this location. The West campus building consists of four floors below grade, three of which are in the library and one which houses our auditorium. Above grade, five floors are consisting of the main floor, classrooms, and the events center on the second floor, classrooms on the third and fourth floors, and classrooms and the cafeteria on the fifth floor, including an exterior dining terrace. The loading dock entrance for deliveries is located at 52 Leonard Street.

55 Worth Street

This campus building, also identified as the Center campus building, is divided into east and west portions. The Center campus building proudly serves as the home of the Joe Plumeri Center for Social Justice and Economic Opportunity, established in 2015. The entrance was closed most of this reporting period but was reopened on September 1, 2021, and resumed normal weekly operating hours for faculty and staff. The Center campus consists of two levels below grade housing the Student Organization Centers, and five floors above grade comprised of office space, classrooms, clinic centers, and flex rooms. There is an ADA elevator located in the eastern portion.

57 Worth Street

This campus building is also identified as the East campus building. It also houses part of the Plumeri Center and consists mainly of administrative offices for faculty and staff. The main entrance is closed at all times. The entrance on 234 Church Street serves as the off-street delivery entrance and an additional ADA entrance during normal campus hours. 57 Worth Street is the original Law School building and consists of two levels below grade, one of which houses the Copy Center/Mailroom, and ten levels above grade consisting of office space, a student clinic, and organization space.

Card Access Permissions

Students

185 West Broadway (West campus) turnstiles: 7 am -10 pm, Monday -Friday and 7 am to 7 pm on Saturday, ADA door via card access or intercom all other times.

55 Worth Street (Center campus) main entrance door and secondary card reader:

Not accessible at this time due to COVID-19 restrictions.

Student Organizations and Clinics (for members): **Limited access at this time due to social distancing requirements.**

***Students, in general, are not issued or permitted to have campus keys.**

Faculty

185 West Broadway (West campus) turnstiles and ADA door: 24/7

55 Worth Street (Center campus) main entrance door and secondary reader when operational and security officer is posted. **Reopened on September 1, 2021, for access by faculty and staff.**

Administrative Staff

185 West Broadway (West campus) turnstiles: 7 am -11 pm, Monday through Friday,

7 am to 7 pm Saturday

185 West Broadway (West campus) ADA door and intercom; All other hours

55 Worth Street (Center campus) main entrance door and secondary card reader:

***Only authorized NYLS personnel have access to the 234 Freight entrance card readers.**

Disability Access to NYLS Campus Buildings

The NYLS campus is committed to providing access to all members of the community and its visitors.

There are various locations in which easy access can be established, as follows:

185 West Broadway (West campus): main ADA door (Air Assisted)

55 Worth Street (Center campus): F1 elevator with off-street access.

57 Worth Street (East campus): 234 Church Street freight area

***Access to both 55 Worth Street and 234 Church Street currently requires prior arrangement with the Office of Security and Life Safety.**

There are accessible restrooms available throughout the campus as follows:

185 West Broadway (West campus): all restrooms are ADA accessible.

55 Worth Street (Center campus): Floors C, 1, C3, C4, and C5 have ADA-accessible restrooms.

(ADA restroom in the Plumeri Center on the main floor is air assisted)

57 Worth Street (East campus): Floors 2, 4, 5, 8, and 9 have ADA-accessible restrooms.

(ADA restrooms on E8 are gender-neutral and have air assist on doors)

Crime Prevention Education and Awareness

Through the Office of Security and Life Safety, the Safety-First program has provided community-wide safety programs and literature. Handouts and postings are always available for students and community members at the literature rack located in the Center Campus building's Plumeri Center, near the Office of Information Technology (OIT) helpdesk Office; the Office of Security and Life Safety in the West Campus building room W102.2; and the Office of Student Life on the 5th floor of the East Campus building. The Safety-First Programs include:

Operation ID

NYLS and NYPD usually coordinate two times per year to have personnel on-site to mark any valuable electronic devices with a special assigned serial number in the event they are lost or stolen and then recovered. Operation ID did not take place during this reporting period due to COVID-19 restrictions.

NYLS Emergency Page General Postings and Tips

NYLS posts general tips on its emergency page every month advising all community members of activities in and around the New York City Area.

Bystander Intervention Training

All student leaders including RA's and 1L's received this virtual training coordinated with the Title IX Co-Coordinator office on April 6th & 8th, 2021 via Zoom.

Title IX Training

All NYLS community members received training as follows: Administrative staff received a Title IX refresher course and Bystander Intervention training on April 6 and 8, 2021 via Zoom.

National Preparedness Month

During August when our new students receive their orientation, the Office of Security and Life Safety participates in various campus programs to familiarize the new incoming students with the campus including Getting Connected, which is also conducted with members of the Registrar and the Office of Information Technology (OIT) to familiarize all new incoming students with the campus and how it operates. Also, the incoming class of 2024/25 received their Title IX and Bystander intervention training, coordinated by the Office of Student Life and the Title IX Co-Coordinators on August 10 and 18, 2021.

NYPD Shield

As part of the NYPD Shield program, a member of the NYPD community affairs division typically presents various security seminars for the NYLS community, including an Active Shooter workshop. NYLS, NYPD, and Mulligan Service Corporation (MSC) jointly toured the campus throughout the year with the newly designated Neighborhood Community Officers (NCOs) and hosted several Build a Block Meetings with the NYPD to roll out this new program. Unfortunately, due to COVID-19, these activities were postponed during this reporting period.

Reporting Criminal Incidents

Security personnel are on duty 24/7, including holidays. Follow your intuition; do not hesitate to contact employees in the Office of Security and Life Safety or a security officer if you observe suspicious individuals, activities, and/or situations. A security officer can be found at the noted locations and contacted by dialing the respective numbers listed below as follows:

Security Post Extensions

West Campus Command Desk 212-431-2123 ext. 2123 Security 24 hours
Center Campus Command Desk 212-431-2100 ext. 4755 Security 7 am-7 pm (Monday to Friday)

Chief of Building Operations and Security 212-431-2836/2820 ext. 2836/2820 paul.repetto@nyls.edu
Security Supervisors: securitysupervisor@nyls.edu. The security department's fax number is 212-274-9211.

Others

A victim of or witness to a crime may also report any incident to any campus security authority, any Law School administrator or faculty member, and/or the New York City Police Department (911).

Violent Felony

Clery Act definitions of Primary Criminal Offenses include but are not limited to, degrees/classes of murder, manslaughter, kidnapping, rape, sodomy, aggravated sexual abuse, assault, burglary, robbery, arson, criminal possession of a dangerous weapon, etc.

Hate Crimes

In addition to mandating the reporting of Primary Criminal Offenses [listed above,] the Clery Act requires the reporting of offenses designated under the Clery Act as “hate crimes.” The Clery Act defines a hate crime as a criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator’s bias against the victim. Hate crimes include the primary criminal offenses listed above (except Manslaughter by Negligence) plus: Larceny-Theft; Simple Assault; Intimidation; and Destruction/Damage and Vandalism to Property. The categories of bias that may result in a hate crime designation for purposes of this policy are as follows: race, gender, gender identity or expression, religion, sexual orientation, ethnicity, national origin, and disability. The bias can be expressed through conduct,

speech, or expression. A crime does not have to occur for an incident to be labeled as bias, but to be reportable requires a crime.

Response to Calls for Emergency Assistance and/or Criminal Incidents

The security officer who receives a call for assistance will respond to the call and report this information to their supervisor who in turn, during normal operating hours, will alert the Chief of Building Operations and Security. The security supervisor will dispatch authorized personnel to that location to provide the necessary support and assistance.

Whether the crime is one of physical injury or involves personal property, the security officer or supervisor will advise and assist the affected individual in contacting the NYPD. The security officer will remain at the location pending the arrival of the NYPD. After the discussion, or following the actions of the NYPD, the supervisor and/or Security Officer-involved will generate an incident report that they will submit to the Chief of Building Operations and Security.

The Law School's [Notice-of- Non-Discrimination](#), [Sexual Misconduct Policy](#), and the [Student Handbook](#) on the portal describes examples of unacceptable behavior and possible consequences.

Report the Crime or Incident

Should you experience or witness a **hate crime** or incident, you are encouraged to report it to a security officer at either the 185 West Broadway Lobby Desk Post, First Floor, 212-431-2123; the Chief of Building Operations and Security, located on the mezzanine level room EM100 of the "E" campus building, 212 431-2836 or 2820; employees in the Office of Student Life, 57 Worth Street, Fifth Floor, 212-431-2851; a campus security authority; or the Title IX Co-Coordinator Nina Jody, Room C105, 212-431-2845, or Brian Kaszuba, E703B, 212-431-2817, for gender-related hate crimes.

Individuals witnessing or experiencing a **hate crime** are also strongly encouraged to promptly report the crime to the police and a security employee will advise and assist the affected individual in contacting the NYPD. The Law School disciplinary proceedings are conducted independently of all criminal proceedings. They may also occur before, during, or after criminal proceedings.

Voluntary Confidential Reporting

Students and staff are encouraged to report all crimes promptly to any campus security authority, Law School administrator, faculty member, and/or directly to the NYPD. Reports of criminal incidents for inclusion in this annual security report can also be made to a campus security authority and will be kept confidential by any campus authority subject to the limits of State and Federal Laws. NYLS does not have a specific policy or procedure concerning relevant counseling and off-campus organizations as we have no non-campus organizations, however, we do offer relevant confidential counseling via Horizon (see page 29).

Seeking Support and Disciplinary Actions

Students

Victims of criminal misconduct should seek out support from a friend, family member, or NYLS employee. We strongly encourage victims to contact an employee in the Office of Student Life located on the Fifth Floor of 57 Worth Street of the “E” campus building at 212-431-2851, the Title IX Co-Coordinator, Nina Jody, Room C105, 212-431-2845, or Title IX Co-Coordinator Brian Kaszuba, Room E703B, 212-431-2817 for gender-related hate crimes.

If a criminal complaint is filed against a fellow student, it will be submitted to the Law School’s Academic Responsibility Committee, the Harassment and Discrimination Review Board, or the Title IX Board, as applicable. The complainant and the accused will be permitted to have an attorney or other advisor present. The duties and responsibilities of the committee are described in the [Notice of Non-Discrimination](#) , [Sexual Misconduct Policy](#), and the [Student Handbook](#) on the portal.

Student complaints of crimes of violence by employees of the Law School should be filed with the Office of Security and Safety located at 185 West Broadway, room W102.2 or 212 431-2123. Victims of crimes and violence also are strongly encouraged to promptly report the incident to the NYPD, by calling 911.

Faculty and Staff

Faculty and staff victims of crimes also should seek out support from a friend, family member, or employee. We strongly encourage victims to contact an employee in the Office of Human Resources, located on the Third Floor of 55 Worth Street, “C” campus building or 212-431-2131; the Title IX Co-Coordinator, Nina Jody, Room C105, 212-431-2845; or Title IX Co-Coordinator Brian Kaszuba, Room E703B, 212-431-2817, for gender-related hate crimes.

If a faculty member or employee engages in any prohibited conduct, the consequences of that action will be in keeping with existing guidelines governing the resolution of cases of unprofessional conduct, up to and including dismissal. Employee complaints of crimes of violence against fellow members of the Law School community should be filed with the Office of Security and Life Safety located at 185 West Broadway, room W102.2 or 212 431-2123. Victims of crimes and violence are strongly encouraged to promptly report the incident to the NYPD. Law School disciplinary proceedings are independent of a criminal or civil proceeding, and may also occur before, during, or after such independent proceedings.

Maintenance of Criminal Incident Files

The Chief of Building Operations and Security and the Office of Security and Life Safety maintain the files of all reported criminal incidents. All reports created and maintained by the Office of Security and Life Safety, which meets the definition of a law enforcement unit, are not education records and as such are not subject to protection from disclosure under the Family Educational Rights and Privacy Act (FERPA). Although records of reported crimes date back to February 1, 1987, the minimum period for record retention is seven (7) years.

Required Disclosures Regarding Crimes of Violence or Non-Forcible Sex Offenses

New York Law School will, upon written request, disclose to the alleged victim of a crime of violence (as that term is defined in section 16 of title 18, United States Code), or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by the Law School against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph. New York Law School is required to provide both the accused and the accuser with simultaneous written notification of any result of any institutional disciplinary proceeding that arises from an allegation of dating violence, domestic violence, sexual assault, or stalking. In these cases, a victim doesn't need to make a written request.

Crime Victim Hotlines

Anti-Violence Project 212-714-1184 <http://www.avp.org>
24/7 confidential bilingual victim's hotline serving NY LGBTQ and HIV communities.

NYPD Victims Treatment Center 646-610-7273 <https://www.cvtcnyc.org/>
Saint Luke's/Roosevelt Hospital sex crime hotline.

NYS Crime Victims Board <https://ovs.ny.gov/>
Local Victim Assistance Program

NYS Coalition Against Sexual Assault 518-482-4248 <http://nyscasa.org>
Information and Prevention Resource

Safe Horizon Hotlines <http://safehorizon.org/>

- Crime Victims 866-689-4357
- Domestic Violence 800-621-4673
- Rape, Sexual Assault and Incest 212-227-3000

NYPD 1st Precinct 212-334-0611/911 NYLS Campus
<http://www1.nyc.gov/site/nypd/bureaus/patrol/precincts/1st-precinct.page>

NYPD 84th Precinct 212-477-7811/911 Saint George Residence Hall
<http://www1.nyc.gov/site/nypd/bureaus/patrol/precincts/84th-precinct.page>

Missing Student Procedure

The Higher Education Act missing student notification regulation applies only to students who reside in campus housing. However, the State of New York Education Law requires college and university security department investigations to comply with reporting missing students' procedures without regard to the geographic location of their residence. If a student who resides in a facility owned or operated by the college or university is reported missing from his or her residence, the NYPD must be promptly contacted.

The Law School will assist the NYPD's investigation of a missing student. If a student, faculty, or staff member knows that a student is missing, they must immediately report this information to an employee in the Office of Security and Life Safety or the Office of Student Life. A member of the Law School's Office of Security and Life Safety will notify the NYPD within 24 hours of the determination that a student is missing per the 2015 Memorandum of Understanding (MOU) between the Law School and NYPD unless the NYPD was the entity that made the determination that a student was missing.

Any student, faculty, or other staff members who have reason to believe that a student has been missing from the Law School campus for 24 hours, may contact the Chief of Building Operations and Security or a Security Supervisor at 212-431-2123 or via email at security@nyls.edu.

Upon being notified of a missing student the Chief of Building Operations and Security or Security Supervisor will request the name and related information for the missing student's designated emergency contact and may provide the same to local law enforcement personnel to furtherance an investigation. All students are requested to provide the name of a contact to be notified in the event they are reported missing for 24 hours, by the Chief of Building Operations & Security who shall contact either the Offices of Student Life, Registrar, and/or Admissions to confirm the student's emergency and contact information. Regardless of whether the student has identified a contact person, the Law School must inform the NYPD within 24 hours of a report of a missing student regardless of the student's residence, unless the local law enforcement agency was the entity that determined that the student is missing.

Upon being notified of a missing student, the Chief of Building Operations and Security or a Security Supervisor will contact the Assistant Dean and Senior Director of Student Life, the Registrar, and employees in the Office of Academic Planning and Career Development to seek their assistance in determining whether the student has been attending classes. If the student has not attended their assigned classes, the Chief of Building Operations and Security or a Security Supervisor will notify the Commanding Officer at the local NYPD precinct that encompasses the neighborhood where the student resides (or local law enforcement if the student resides outside of the City). At no time will personal information on file with the Registrar's office located at 55 Worth Street, Fifth Floor, and 212-431-2301 be released if a student has completed a form requesting it remains confidential.

NYLS Drug and Alcohol Policies

New York Law School is committed to a learning environment free from the deleterious influences of drugs and alcohol. While recognizing that students age 21 and older are legally permitted to consume alcoholic beverages, the Law School requires students to do so responsibly and per applicable federal, state, and local laws, as well as the New York Law School alcohol policy outlined below. New York Law School has zero-tolerance for the use of illegal drugs, or the abuse of alcohol or drugs that may be legal, on-campus, or in connection with Law School-related events. Equally important, the Law School is committed to assisting, to the extent possible, students, faculty, and staff who may be living with substance abuse issues.

Drug and alcohol abuse can lead to severe and even life-threatening health problems. Such abuse can also impair academic performance and may be a factor in domestic violence and other forms of abusive behavior. The Law School encourages all students experiencing problems with drug or alcohol abuse to seek confidential help. Any student having such problems should contact the Office of Student Life (5th Floor E building, 212-431-2851) or the confidential student counseling service at 1-866-486-4334 for information about treatment programs and/or self-help groups. The services listed below can provide valuable assistance:

- Alcoholics Anonymous: 212.647.1680 and 212/870.3400
- Narcotics Anonymous: 212.929.6262
- Al-Anon Family Group Meeting Information Line: 1.800.356.9996 and 1.800.344.2666
- New York City Lawyers Assistance Program: 212.302.5787

Section I: Illegal Drugs

Per federal law and state laws, no student may possess, use, or distribute any illegal drug on New York Law School premises or at official Law School functions. (Please see Title 21 of the United States Code and articles 220 and 221 of the New York Penal Code.) Any instances of illegal drug distribution, possession, or possession for distribution, will be referred to the appropriate law enforcement authorities. If convicted of a drug-related offense, a permanent notation will be placed in the student's file and will be forwarded to the appropriate Bar Certification Committee. Students convicted of possession, use, or distribution of illegal drugs also may be subject to disciplinary action by the Academic Responsibility Committee. These actions include expulsion, suspension, reprimand, and permanent notation on the record of the violator.

Section II: Alcohol

The consumption of alcohol may be permitted upon request to the Office of Student Life on New York Law School premises or at official Law School functions. The Office of Student Life has broad discretion to approve or disapprove such requests and any approval of a request shall be under the following guidelines:

1. No person under 21 years of age may be served, or serve to others, an alcoholic beverage.
2. No visibly intoxicated person may be served an alcoholic beverage. Staff serving alcohol is encouraged to err on the side of caution.
3. The Office of Student Life must be informed when alcohol will be served at a student-sponsored event.
4. At each student-sponsored event at which alcohol is served, the sponsoring students or student organization must designate one or more students as responsible for the enforcement of this Policy and inform the Office of Student Life at least three (3) business days before the event of the identity of such students, as well as the number of guests expected and the amount of alcohol to be purchased. A member of the Office of Student Life staff will meet with those students before each event where alcohol is served to ensure that responsible student(s) understand this Policy. The Office of Student Life reserves the right to limit the amount of alcohol purchased for an event. For planning purposes generally, alcohol is limited to two drinks per person.
5. Food and non-alcoholic beverages must be served at any event at which alcoholic beverages will be served.
6. Alcoholic beverages may only be consumed on the Law School premises when an event is hosted by the Law School and approved to serve alcoholic beverages.
7. Alcoholic Beverages may not be stored in Journal offices, Center offices, Clinic offices, Moot Court offices, or student organization offices.
8. Advertisements should not encourage the use of alcohol and if necessary such materials will be removed from Law School property where they appear.

Students found to violate this Policy will be referred to the Academic Responsibility Committee for disciplinary action by that committee's procedures. These actions include but are not limited to one or more of the following: expulsion, suspension, reprimand, and permanent notation on the record of the violator. Student organizations found to have been involved in a violation of this Policy are also subject to appropriate sanctions, such as rescission of permission to operate on campus, loss of funding, and loss of office space.

Section III: Forced Alcohol or Drug Consumption

Forced alcohol or drug consumption for initiation into or affiliation with any organization is strictly prohibited.

Students found to violate this Section will be referred to the Academic Responsibility Committee for disciplinary action under that committee's procedures. Possible sanctions include but are not limited to one or more of the following: expulsion, suspension, reprimand, and permanent notation on the record of the violator. Possible sanctions for student organizations include the rescission of permission to operate on campus, loss of funding, and loss of office space.

Section IV: Amnesty for alcohol and/or drug use

The health and safety of every student at New York Law School are of utmost importance. New York Law School recognizes that students who have been drinking and/or using drugs (whether such use is voluntary or involuntary) at the time that violence – including but not limited to domestic violence, dating violence, stalking, or sexual assault occurs – may be hesitant to report such incidents due to fear of potential consequences for their conduct. New York Law School strongly encourages students to report domestic violence, dating violence, stalking, or sexual assault to Law School officials and local law enforcement. A bystander acting in good faith who discloses any incident of domestic violence, dating violence, stalking, or sexual assault to New York Law School officials or law enforcement will not be subject to New York Law School's code of conduct action for violations of alcohol and/or drug use policies occurring at or near the time of the commission of the domestic violence, dating violence, stalking, or sexual assault.

Section V: Suggested Actions for Handling Impairment at a Law School Event

1. If a student observes that another individual is impaired by the use of drugs or alcohol at a New York Law School event, that student should bring this fact to the attention of the student(s) responsible for the event at which alcohol is served or to a member of the New York Law School staff.
2. No impaired individual should be allowed to leave the Law School premises (or wherever location a Law School-sponsored event may be taking place) by themselves. If no funds for a taxi or car service are available, the responsible student(s) should contact an officer at the security desk (X2123). Under no circumstances should an impaired individual be allowed to drive.
3. If an individual is impaired to the point where medical attention may be required, the responsible student(s) should contact an officer at the security desk (X2123) to request they call for an ambulance, or call 911.

A. Drug and Alcohol Policy (Employees and Faculty)

NYLS is committed to maintaining a drug-free workplace in compliance with all applicable state and federal laws. NYLS has a responsibility to its employees, students, and the Law School community to provide a safe, secure, and educational, and working environment. Drug and alcohol abuse can seriously endanger safety and undermine our commitment to quality and operational excellence.

Under federal law and state laws, no employee may possess, use or distribute any illegal drug on NYLS premises or at official Law School functions. Any NYLS employee determined to have violated this policy will be subject to disciplinary action up to and including termination. Also, any instances of illegal drug distribution, possession, or possession for distribution, will be referred to local authorities.

Alcohol Use

Per NYLS policy, alcoholic beverage consumption is prohibited on Law School property except for designated and officially sanctioned Law School events. Employees who participate in student activities should become familiar with the guidelines regarding alcohol consumption by students that are published in the Student Handbook under the Student Resources section of the NYLS portal. Employees are expected to act responsibly and be aware of the potential for personal liability and employee misconduct

charges whenever alcohol is served at events or gatherings they attend with students. NYLS maintains extensive guidelines on student alcohol use, which appear on the NYLS portal. As employees, you should be aware of your host liabilities in serving alcohol to a minor or to anyone who is intoxicated. You should also be aware of your liability for alcohol service at events that students attend.

New York State law requires a policy on the use and serving of alcohol. It is illegal for anyone under the age of 21 to purchase, arrange to have purchased, transport, possess, consume or carry alcoholic beverages; NYLS requires employees to do so responsibly and per applicable federal, state, and local laws, as well as the NYLS alcohol policy outlined above.

Amnesty for Alcohol and/or Drug Use

The health and safety of every student at New York Law School are of utmost importance. New York Law School recognizes that students who have been drinking and/or using drugs (whether such use is voluntary or involuntary) at the time that violence, including but not limited to domestic violence, dating violence, stalking, or sexual assault occurs may be hesitant to report such incidents due to fear of potential consequences for their conduct. New York Law School strongly encourages students to report domestic violence, dating violence, stalking, or sexual assault to institution officials. A bystander acting in good faith that discloses any incident of domestic violence, dating violence, stalking, or sexual assault to New York Law School's officials or law enforcement will not be subject to discipline for violations of New York Law School's alcohol and/or drug use policies occurring at or near the time of the commission of the domestic violence, dating violence, stalking, or sexual assault.

Drug and Alcohol Resources

Drug and alcohol abuse can lead to severe health problems, including life-threatening ones. Employees needing help in dealing with such problems are encouraged to use the resources available through the Employee Assistance Program and health insurance programs as appropriate. Conscious efforts to seek help will not jeopardize an employee's job and will not be noted in any personal record. Confidentiality will be maintained to the fullest extent as permitted by law.

Confidential 24/7 Hotlines

Alcoholics Anonymous	212-647-1680	https://www.aa.org
AlAnon/Alateen	212-941-0094	https://al-anon.org
Cocaine Anonymous	800-262-2463	http://www.ca.org/
LifeCare	800-697-7315	www.lifecare.com
Narcotics Anonymous	212-929-6262	http://www.na.org/

1. Prohibited Employee Conduct

- a) The abuse of alcohol while on Law School premises or while engaged in Law School business.
- b) The unlawful manufacturing, distribution, dispensation, possession, or use of any controlled substance within the scope of this policy at the Law School or while engaged in Law School business.
- c) The abuse of any illegal drugs or alcohol (that results in impaired performance even though the actual abuse does not occur in the workplace) within the scope of this policy even while not engaged in law school business.
- d) The failure to notify New York Law School of any conviction for a violation of any criminal drug statute occurring in the workplace within five days of the conviction. Members of the faculty are required to notify the Vice President of Human Resources (Office: 55 Worth Street, Third floor 212-431-2137) and the Associate Dean of Academic Affairs and Student Engagement (Office: 57 Worth Street, Room E217, 212 -431-2883). All other employees are required to notify the Vice President of Human Resources. New York Law School is required to notify the appropriate federal funding agency or

agencies within ten (10) days of receiving notice of the conviction of an employee for a violation of any criminal drug statute occurring in the workplace.

2. Consequences

If a faculty member or employee engages in any prohibited conduct, the consequences of that action will be in keeping with existing guidelines governing the resolution of cases of unprofessional conduct, up to and including dismissal. Furthermore, although New York Law School may offer help to employees to address their substance abuse problems, nothing in the policy will ultimately insulate an employee from the consequences of unprofessional conduct, poor work performance, or attendance problems that may have been induced by the abuse of drugs or alcohol.

NYLS Policy Related to Weapons

A. New York State Law

Per New York State Penal Law Article 265, Sections 265.01-a and 265.06, it is a crime in New York State to possess a rifle, shotgun, air gun (which also includes BB guns), spring gun, or other firearms when in the buildings or on the grounds of any school, college, or university, even if you have a valid New York State firearm permit. It is also a crime to possess karate sticks (nunchaku), daggers, switchblades, locking butterfly knives, stun guns, and any other instruments that are deemed unlawful.

New York Penal Law Article 265 §§ 265.00 Definitions

As used in this article and article four hundred, the following terms shall mean and include: 3. "Firearm" means (i.) Any pistol or revolver; or (ii.) A shotgun having one or more barrels less than eighteen inches in length; or (iii.) A rifle having one or more barrels less than sixteen inches in length; or (iv.) Any weapon made from a shotgun or rifle whether by alteration, modification, or otherwise if such weapon as altered, modified, or otherwise has an overall length of fewer than twenty-six inches.

B. Law School Policy

It is a violation to possess, carry, or use firearms, including rifles, shotguns, and other assault and automatic weapons, ammunition, explosive devices of any description, other dangerous weapons, instruments, or substances on owned or leased New York Law School property, or at any event sponsored by New York Law School on any other property. This policy applies to weapons carried about the person or stored within any parked vehicle on Law School property. "Dangerous weapons" also include harmless instruments that are designed to look like or may be used by a person to cause fear and/or produce bodily harm. New York Law School reserves the right to further determine the definition of a weapon and may prohibit other devices on an individual basis.

1. Students

Students found to violate the above Weapons policy may be found in violation of the New York Law School Code of Academic Responsibility and referred to the Academic Responsibility Committee for disciplinary action under the Committee's procedures. Such disciplinary actions may include but are not limited to one or more of the following: expulsion, suspension, reprimand, and permanent notation on the record of the violator. The Law School will report the violation to local law enforcement authorities.

2. Faculty Members/ Employees

If a faculty or employee is found to violate the above Weapons policy, the consequences of that action will be in keeping with existing guidelines governing the resolution of cases of unprofessional conduct, up to and including dismissal and promptly reporting this violation to local law enforcement authorities.

This policy also applies to all other contract and non-contract employees (except where exempted) who provide services on owned or leased Law School property. Individuals who violate this policy will be promptly reported to local law enforcement authorities.

3. Exceptions to this Policy

i. NYLS Student Law Enforcement Officers

Sworn federal, state, or local law enforcement officers who are enrolled as New York Law School students and are authorized by their employer to carry a firearm may do so while on owned or leased Law School property. Any law enforcement agent, not in full uniform, when carrying a weapon on their person, must inconspicuously carry the weapon. The agent must also have in their possession valid identification which confirms their law enforcement status.

To be subject to this exception, law enforcement agents must submit to the Chief of Building Operations and Security a completed Firearm Registration Form for Law Enforcement Officers and proof of law enforcement status by the end of the first week of classes each semester.

A copy of this form may be obtained from the Office of Security and Life Safety or Student Life, or <https://go.nyls.edu/group/campus/forms-for-students> The Law School reserves the right to confirm law enforcement status with the noted employer. If the employment status is not confirmed, permission granted by this section to carry a firearm will automatically be revoked. All law enforcement agents must promptly notify the Chief of Building Operations and Security if their license to carry a firearm is revoked.

ii. Other Law Enforcement Officers and Armored Vehicle Guards

Sworn Federal, state, or local law enforcement officers who are not enrolled as NYLS students and licensed armored vehicle guards who are authorized to carry a weapon in the performance of their duties may carry firearms on their person when conducting official business on owned or leased Law School property. Any law enforcement agent, not in full uniform, when carrying a weapon on their person, must inconspicuously carry the weapon. The agent must also have in their possession at all time's valid identification which notes their law enforcement status.

4. Prop Weapons or Facsimiles

The use of an otherwise harmless instrument designed to look like a firearm, explosive, or a dangerous weapon in an instructional or entertainment re-enactment must first be approved by the Associate Dean of Academic Affairs and Student Life or the Chief of Building Operations and Security for an event.

Once approved for use, the Chief of Building Operations and Security will be notified of the date, time, and location where the simulation will be held and security will be notified before the start of the class or event and the professor or event host will post proper signage.

Non-Discrimination Policies

In compliance with federal, state, and local laws, New York Law School does not discriminate based on race, color, ethnicity, ancestry, citizenship, religion, sex, pregnancy, sexual orientation, gender identity, gender expression, national origin, age, disability, HIV/AIDS status, predisposing genetic characteristics, marital or parental status, military status, domestic violence victim status, or any other classification protected by local, state, or federal law, in the administration of any of its educational programs and activities or its employment practices.

NYLS is committed to building an inclusive community and welcomes all individuals. The Law School does not tolerate discrimination, harassment, or retaliation on the above bases and takes steps to ensure that students, employees, and third parties are not subject to a hostile environment in Law School programs or activities.

Please refer to the following Law School institutional plans and policies for additional information:

- [NYLS Institutional Diversity Plan](#)
- [Anti-Discrimination and Anti-Harassment Policy \(Employee\)](#)
- [Anti-Discrimination and Anti-Harassment Policy \(Students\)](#)
- [Notice of Non-Discrimination](#)
- [NYLS Policies and Reports](#)
- [Handbook for Students with Disabilities](#)

The following persons have been designated to handle inquiries and complaints from students, faculty, and staff regarding discrimination or harassment based on sex, gender (including gender identity and gender expression), pregnancy, sexual orientation, marital or parental status, or domestic violence victim status, under Title IX of the Education Amendments of 1972 and New York law:

Nina Jody	Title IX Co-Coordinator	See page 25 for contact information.
Brian Kaszuba	Title IX Co-Coordinator	See page 25 for contact information.

Persons designated to handle inquiries and complaints regarding all other forms of discrimination and harassment from:

Jody Pariante Vice President of Human Resources EO Coordinator New York Law School 185 West Broadway, Room C344.5 (Telephone) 212-431-2137 jody.pariante@nyls.edu	Brian Kaszuba Associate Director of the Center for NYC Law Adjunct Professor/Deputy EO Coordinator New York Law School 185 West Broadway – Room E703B Telephone: 212-431-2817 brian.kaszuba@nyls.edu
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Inquiries may also be directed to the **U.S. Department of Education, Office of Civil Rights**. See page 25 for contact information.

Equal Employment Opportunity Policy

New York Law School has been built upon teamwork and equal opportunity. We will continue to be successful when people are treated fairly and allowed to advance and achieve their full potential. We are proud that we extend equal employment opportunities to all qualified employees and applicants for employment without regard to race, color, ethnicity, ancestry, citizenship, religion, sex, pregnancy, sexual orientation, gender identity, gender expression, national origin, age, disability, HIV/AIDS status, predisposing genetic characteristics, marital or parental status, military status, domestic violence victim status, or any other classification protected by local, state, or federal law (“Protected Classification”). This policy applies to all areas of the academic environment and all phases of employment including, but not limited to, recruiting, hiring, selection for training, promotion, demotion, discipline, rates of pay or other compensation, termination, use of all facilities, and participation in all Law School sponsored activities.

Anti-Discrimination and Anti-Harassment Policy

Prohibition against Discrimination

Discrimination based on a Protected Classification (“Discrimination”) is strictly prohibited. Discrimination is the adverse treatment of another individual based on a Protected Classification; the use of facially-neutral employment policies or practices that disproportionately disadvantage individuals based on a Protected Classification; or retaliation against an individual for filing a complaint of discrimination, participating in an investigation, or opposing discriminatory practices. Any faculty or staff member who is determined to have engaged in such conduct may be subject to disciplinary action, up to and including termination of employment.

Any student who is determined to have engaged in such conduct may be subject to disciplinary action, up to and including expulsion. All faculty, staff members, and students are requested to act responsibly in helping New York Law School maintain a workplace, academic, and residential environment that is free of Discrimination.

Prohibition against Harassment

Harassment based on a Protected Classification is strictly prohibited (“Harassment”). The Law School prohibits such Harassment, whether on or off Law School premises, at Law School-sponsored social or non-social functions, events, or programs. Should such Harassment occur, the Law School will take appropriate corrective action to prevent its continuation or recurrence. Also, the Law School will endeavor to prevent the Harassment of its students by persons who are not Law School employees, but who are on the Law School’s premises or who have a relationship with the Law School, including other students.

Any student, faculty, or staff member determined to have engaged in Harassment will be subject to disciplinary action, up to and including termination of employment or expulsion. All members of the New York Law School community are requested to act responsibly in helping New York Law School maintain a workplace, academic, and residential environment that is free of Harassment.

The Law School’s Anti-Discrimination and Anti-Harassment Policy for students, which details procedures for making and resolving complaints of violations of that policy, may be viewed here: [Anti-Discrimination and Anti-Harassment Policy \(Students\)](#). **The policy that applies to staff may be found here:** [Anti-Discrimination and Anti-Harassment Policy \(Employee\)](#).

Annual Report

Advisors and the Board shall provide the Dean of the Law School with an annual confidential report detailing the number and disposition of the incidents, allegations, and complaints of Sexual Harassment that have come to their attention.

SEXUAL MISCONDUCT

In compliance with federal, state, and local laws, New York Law School does not discriminate based on race, color, religion, creed, national or ethnic origin, sex, sexual orientation, gender (including gender identity and expression), age, disability, or any other protected class in the administration of any of its educational programs and activities or its employment practices.

Specifically, under Title IX of the Education Amendments of 1972 (“Title IX”), NYLS does not discriminate based on sex in its educational programs or activities. Inquiries concerning the Law School’s application of Title IX may be referred to the Law School’s Title IX Co-Coordinator **Nina Jody**, the Title IX Co-Coordinator **Brian Kaszuba**, any member of the Title IX Board, and/or to the Department of Education, Office of Civil Rights (“OCR”), as identified in Section III below.

Prohibited Conduct

This Policy prohibits all forms of sex or gender-based harassment or violence (together, “Prohibited Conduct”), including but not limited to:

- Sexual assault
- Non-consensual sexual contact
- Sexual exploitation
- Stalking (includes cyberstalking & revenge porn)
- Domestic violence
- Dating violence

This Policy also prohibits retaliation against an individual for reporting Prohibited Conduct under this Policy or for participating in an investigation of an alleged violation of this Policy. This Policy also defines prohibited

relationships of a sexual or intimate nature between individuals where one individual has power or authority over another. Prohibited Conduct undermines the character and purpose of NYLS and will not be tolerated.

Title IX Co-Coordinator

Nina Jody

New York Law School

185 West Broadway, Room C105

New York, New York 10013

Telephone: 212-431-2845

Email: Nina.Jody@nyls.edu

Title IX Board

Professor Claudine Caracciolo

Professor Arthur Leonard (Fall)

Professor Richard Sherwin (Spring)

Professor Rebecca Roiphe

Professor Vicki Eastus

Title IX Co-Coordinator

Brian Kaszuba

Associate Director of the Center for NYC Law

& Communications Manager

New York Law School

185 West Broadway, Room E703B, NY, NY 10013

Telephone: 212-431-2817 Email: Brian.Kaszuba@nyls.edu

US Department of Education

Office of Civil Rights

New York - Region 11

32 Old Slip, 26th Floor

New York, New York 10005

Telephone: 646-428-3800

Email: OCR.NewYork@ed.gov

Persons Covered

This Policy applies to any individuals regularly or temporarily employed, conducting business, studying, living, visiting, or having any official capacity with the Law School or on its property (“Community Members”). Community Members include:

- Students, Admitted Students, Applicants, and Alumni
- Full-time faculty, Adjunct, Emeritus, and visiting faculty
- Administration and Staff
- Supervising attorneys for NYLS clinical and experiential learning program
- Volunteers, Vendors, Contractors, Visitors, and Guests

NYLS may be limited in what actions it may take when investigating or responding to a report if an accused person is not known to NYLS, not affiliated with NYLS, or is no longer affiliated with NYLS at the time a report of Prohibited Conduct is made. In such cases, NYLS will, to the best of its ability, conduct an inquiry, take steps to prevent the recurrence of such conduct to any Community Members, and remedy the effects, if appropriate. If one of the parties involved in a report is not affiliated with NYLS for example, if a student is participating in a joint program with another school — NYLS may cooperate with that institution or organization to complete an investigation.

Locations Covered

This policy applies to conduct that occurs:

- On-campus, including conduct that occurs on property owned or controlled by the Law School, or at any NYLS residence hall.
- In the context of NYLS’s employment, education, or extracurricular programs or activities, including, but not limited to, study abroad and NYLS-sponsored clinical or internship programs, and externship programs offered for academic credit.
- Off-campus and has continuing adverse effects on or creates a hostile environment for any Community Member on-campus or in any Law School employment or education program or activity. This may include, but is not limited to, conduct that occurs on social media and other online platforms.

Academic Freedom

Nothing in this policy shall abridge academic freedom or NYLS's educational mission. Prohibitions against discrimination and harassment do not extend to statements or written materials that are relevant and appropriately related to the subject matter of Law School courses.

Title IX Co-Coordinator and Title IX Board

Title IX Co-Coordinator

The Law School has designated **Brian Kaszuba** and **Nina Jody** to serve as NYLS's Title IX Co-Coordinators. The Title IX Co-Coordinators are responsible for overseeing and ensuring:

- Compliance with Title IX
- Anti-discrimination and harassment training and education
- Response, investigation, and resolution of reports made under the Policy.
- Coordinating the timely response to complaints under this Policy, and, if necessary
- Approving reasonable requests for extensions of time

Upon receiving reports of Prohibited Conduct, the Title IX Co-Coordinators will ensure the appropriate action to eliminate the conduct, prevent its recurrence, and remedy its effects. The Title IX Co-Coordinators can be contacted by telephone, email, or in-person during regular office hours

Title IX Board

The Title IX Co-Coordinators are supported and assisted by the Title IX Board ("Board"). The Board consists of a group of NYLS faculty and administrators who are trained on issues related to this Policy. Members of the Board are responsible for:

- Serving as investigators in a Title IX complaint.
- Reviewing investigation materials and determining violations of this Policy.
- Convening hearings, if appropriate.
- Designating a member of the Board to perform the functions of a Title IX Co-Coordinator should one of the Title IX Co-Coordinators be unavailable or is recused from a specific Complaint.

The Title IX Co-Coordinators will direct and oversee the performance of the Board's duties, and the training of the Board's members. The Title IX Co-Coordinators will:

- Act as a non-voting Chairperson of the Title IX Board
- Keep Board members informed of recent legal decisions and other related issues.
- Ensure that each member has been appropriately trained before serving and during their tenure on the Board.
- Ensure that Board members do not serve in conflicting roles by resolving questions or concerns regarding conflict of interest or bias. Any Board member having a real or perceived conflict of interest or bias under this Policy will be recused during the resolution of the complaint.

Any inquiries concerning the Law School's application of Title IX and its implementing regulations may be referred to the Title IX Co-Coordinators, any member of the Title IX Board, and/or the United States Department of Education, Office of Civil Rights ("OCR").

Sexual Misconduct Prevention and Response

Reporting Prohibited Conduct

NYLS strongly encourages all individuals to seek assistance from a medical provider and/or law enforcement immediately after an incident involving sexual violence, as defined in Appendix 1. This is the best option to ensure the preservation of evidence and to begin a timely investigative and remedial response.

NYLS also encourages all individuals to make a report of all Prohibited Conduct to both NYLS and local law enforcement, although neither is required. NYLS authorities will assist students in making reports of Prohibited Conduct to notifying law enforcement authorities if the student requests such assistance. These reporting options are not mutually exclusive. Both internal and external reports may be made simultaneously. The procedures under this Policy may run concurrently with any criminal justice investigation, and will only be subject to temporary delays at the specific request of law enforcement. Students also have the right not to notify law enforcement authorities or Prohibited Conduct, should they so choose.

When a student or employee reports to the Law School that the student or employee has been a victim of dating violence, domestic violence, sexual assault, or stalking, whether the offense occurred on or off-campus, the Law School Department of Human Resources and the Student Hub will provide the victim with materials regarding all assistance programs, counseling services and resources available to them and will refer them to the office of a Title IX Co-Coordinator for further assistance if necessary.

Emergency Reporting Options

If an individual has experienced sexual violence, their priority should be to get to a place of safety and dial 911. They also should consider seeking any necessary medical attention as soon as possible. Prohibited Conduct that violates this Policy may also violate New York State or other applicable laws. Individuals can make a report to law enforcement at any time, and doing so does not preclude the individual from also making a report to NYLS. The best option to ensure the preservation of evidence and the timely investigation of concerns is by making a prompt report to the police. If requested, the Title IX Co-Coordinator will assist an individual with filing a police report, ensuring access to a sexual assault forensic examination, obtaining an Order of Protection or equivalent restraining order, and contacting and assisting local law enforcement if an Order of Protection is violated. Nothing in this Policy shall prohibit NYLS from initiating its report to the police.

NYPD Emergency	911 (Will also alert security from any campus phone)
NYPD Non-Emergency	
185 West Broadway Campus, 1 st Precinct	212-334-0611
301 Gold Street, 84 th Precinct	718-875-6811 (Saint George Residence Hall)
Rape Hotline	212-267-RAPE (7273)

Nearest Hospitals:

[New York-Presbyterian Lower Manhattan Hospital](#)

69 Gold Street (Emergency room; between Beekman Street and Spruce Street)/170 William Street
New York, New York 10038 **212-312-5070/5094/5000**

On-Campus Reporting Options

Any individual who wishes to report Prohibited Conduct by a Community Member is encouraged to report directly to a Title IX Co-Coordinator, any member of the Title IX Board, Campus Security, Residence Hall Security, or another Responsible Employee, as defined below. Reports may be made in person, in writing (including by email), or by telephone. Contact information for the Title IX Coordinator, the Title IX Co-Coordinator, and the Title IX Board is located on page 25 of this report, and below, along with contact information for other relevant individuals:

Title IX Co-Coordinator	212-431-2845
Title IX Co-Coordinator	212-431-2817
Any Member of the Title IX Board	
Campus Security	212-431-2123
Saint George Residence Hall Security	718-552-8470
Any Responsible Employee	Any full-time faculty member, administrator, or staff Member or any NYLS Security Officer is a Responsible Employee.
If the accused individual is an employee of NYLS, individuals may report Prohibited Conduct to NYLS Human Resources	NYLS Human Resources 185 West Broadway, Room C344 212-431-2131 HumanResources@nyls.edu

If a report of Prohibited Conduct is made to any member of the Board, a Responsible Employee, or Residence Hall Security, that individual is required to inform the Title IX Co-Coordinator of the report. These individuals cannot guarantee confidentiality; they will, however, maintain the individual's privacy to the greatest extent possible. The information an individual provides to a non-confidential resource will be relayed only as necessary for the Title IX Co-Coordinator to investigate and/or seek a resolution. *See Confidential and Anonymous Reporting Options.*

Confidential and Anonymous Reporting

Confidential Reporting

Medical service providers and counselors, who serve the Law School in a privileged professional capacity, are not bound by the requirement to inform the Title IX Co-Coordinator of a report of Prohibited Conduct. Information shared with these individuals is confidential, except as required by law. The following resources are made available by the Law School for confidential reporting:

NYLS students who desire strict confidentiality may contact one of the professional counselors at Horizon, available 24 hours a day, 7 days a week at 1-866-486-4334 or www.mylifevalues.com [login: new york law school ---- password: cap]. NYLS works with Horizon to provide off-site confidential counseling services to students.

Mount Sinai Beth Israel is prepared to provide medical services to NYLS students who have been the victims of sexual assault. Mount Sinai Beth Israel provides 24-hour emergency care (including sexual assault forensic examinations), confidential crisis intervention, counseling, and referrals. Mount Sinai Beth Israel is located at 281 1st Avenue, New York, NY 10003 (First Avenue and 16th Street in Manhattan). The Emergency Department can be contacted by phone at (212) 420-2840.

The Violence Intervention and Treatment program at Wyckoff Heights Medical Center is prepared to offer medical services to NYLS students and faculty members who have been the victims of sexual assault, domestic violence, and/or, other related crimes. The program provides 24-hour emergency care that includes sexual assault forensic examinations, confidential crisis intervention, counseling, referrals, and access to a Violence Intervention and Treatment Program Advocate to support the students and/or faculty members who have experienced sexual assault, domestic violence and/or other related crimes. Wyckoff Hospital is located at 374 Stockholm Street, Brooklyn, New York 11237. For business hours, the Violence Intervention and Treatment Program can be contacted by phone at (718) 963-7272. For after-hours, please call Nelsy Rodriguez (Program Coordinator) at 718-963-7788. See <https://whmcny.org/patients-visitors/services-facilities/services-for-the-victims-of-abuse>.

NYLS employees who desire strict confidentiality may contact one of the counselors at LifeCare, available 24 hours a day, 7 days a week at 1-800-697-7315 or [Life Solutions - LifeCare](#). NYLS works with

LifeCare to provide off-site, confidential counseling services to employees.

First-time users of LifeCare must first register using <https://workforcenow.adp.com/public/index.htm>

- 1) Navigate to the “Resources” page and select the LifeCare – Work/Life, EAP, Discounts link Register by completing the simple, one-time process
- 2) Once registered, two options are available to access LifeCare:
- 3) Visit the OR <https://workforcenow.adp.com/public/index.htm>
- 4) Visit directly via <http://member.lifecare.com>

Some additional resources that may be consulted by NYLS students or employees who desire strict confidentiality are included on page 45 of this report.

NYLS visitors and other individuals who desire strict confidentiality may contact one of the resources described on page 45, other than the Student Counseling Center and Employee Assistance Program.

Anonymous Reporting

Anonymous reports may be made to Title IX Co-Coordinator **Nina Jody** by phone at (212) 431-2845, by mail, or at her office at 185 West Broadway, Room C105, New York, NY 10013 or to Title IX Co-Coordinator **Brian Kaszuba** by phone (212) 431-2817, by mail, or at his office at 185 West Broadway, Room E703B, New York, New York 10013. Individuals leaving an anonymous report should be aware that failure to disclose identifying information about the accused party, the victim of the Prohibited Conduct, or the facts and circumstances regarding the Prohibited Conduct severely limits the Law School’s ability to respond and remedy the effects of the misconduct. Anonymous reports that provide enough information to constitute a criminal offense will be reported to Campus Security, less any identifying information regarding the complainant, for purposes of inclusion in the Annual Security Report and to assess for purposes of sending out a Timely Warning under the Clery Act.

The Complaint

NYLS has established the following complaint and resolution procedure to provide members of the NYLS community the opportunity to seek redress from the Law School. The procedures outlined below are not intended to replace or replicate a formal judicial process.

The investigation and sanctioning procedures discussed below will supersede any contrary procedures or provisions when a report of Prohibited Conduct is made under this Policy, including but not limited to those in the Student Handbook related to Academic Responsibility Code violations, those in the Administrative Staff Human Resource Policy Guide, procedures outlined in the Faculty Standards and Procedures Manual, and any applicable rights or procedures granted under collective bargaining agreements.

Initial Meeting and Notice of Investigation (*Initial Meeting*)

As soon as possible upon receipt of a report of potential Prohibited Conduct, the Title IX Co-Coordinator will conduct an initial meeting (the “Initial Meeting”) with the individual making the complaint (“Complainant”). At that meeting, the Title IX Co-Coordinator must address the following topics:

- Assess the Complainant’s physical safety, and health and emotional needs.
- Notify the Complainant of the Students’ Bill of Rights. *See* Page 44.
- Notify the Complainant of their right to report or not report the incident to law enforcement, and the extent practicable, assist the Complainant with locating criminal justice resources.
- If requested, assist the Complainant with ensuring access to a sexual assault forensic examination; obtaining an Order of Protection, or equivalent restraining order, and contacting and assisting local law enforcement if an Order of Protection is violated.
- Provide the Complainant with information about on- and off-campus support and reporting resources, including counseling, health care, mental health assistance, victim advocacy, legal assistance, and other available services.

- Provide the Complainant with information about the on-campus resolution procedures, including the reporting process, interim remedies, the informal and formal resolution options, and other measures that can be taken regardless of whether the Complainant wishes to file a formal report with NYLS.
- Explain NYLS’s policies regarding retaliation and amnesty for substance abuse.
- Explain mandated reporting requirements (including Clery Act requirements).

The Title IX Co-Coordinator will seek permission from the complainant to make a formal report. Permission for a formal report may be given initially but can be withdrawn at any time. If a Complainant declines to make a formal report, requests that the report remains confidential, and/or later withdraws permission for the formal report, the Title IX Co-Coordinator will weigh the request against the Law School’s obligation to provide a safe, non-discriminatory environment for all members of its community. Factors that the Title IX Co-Coordinator may consider in determining whether to proceed against the Complainant’s wishes include, but are not limited to: the accused’s history of violent or similar behavior; an escalation of previous behavior; risk that the accused will commit additional acts of violence; use of a weapon or force; and involvement of a minor. If the Complainant declines to make a report, the Title IX Co-Coordinator may still be required to make certain disclosures under applicable law. *See* Required Disclosures on page 42. If the Complainant permits a formal report to be filed, the Title IX Co-Coordinator will proceed with the Law School’s resolution procedures as described below.

Notification of Investigation

If the Complainant chooses to make a formal report and proceed with NYLS resolution procedures (“Complaint”), the Title IX Co-Coordinator will ask the Complainant additional questions to gain a basic understanding of the allegations. If the facts alleged, if true, describe conduct that may violate this policy, the Title IX Co-Coordinator shall determine whether a resolution can proceed through Informal or Formal Resolution (*see* page 34, Resolution of the Complaint). A determination that Informal Resolution is inappropriate under the circumstances may not be appealed or reconsidered. The Title IX Co-Coordinator shall concurrently notify the Complainant and the alleged violator of this Policy (“Respondent”) of the decision to proceed with the Complaint in writing within two (2) business days of the Initial Meeting (the “Notification of Investigation”).

The Notification of Investigation must contain: (1) a brief description of the factual allegations; (2) the approximate date and time of the alleged violation; and (3) a summary of potential sanctions associated with the alleged violation. The Notification of Investigation shall inform the Parties of their right to bring an advisor to meetings; state that if either Party wishes to have an attorney serve as an advisor, they may retain counsel independently at their own cost; and include the language in section 5.A.3 of the Policy concerning “Advisor Information and Guidelines.” The Notification of Investigation may also state whether an Informal Resolution is inappropriate. *See* page 34, Resolution of the Complaint. The Notification of Investigation shall further state that behavior that violates this Policy may also violate criminal law and that either Party may seek advice from independently retained legal counsel.

The Title IX Co-Coordinator should attempt to meet with the Respondent within three (3) business days from the date of the Notification of Investigation to provide the Respondent with the Students’ Bill of Rights and other similar procedural and resource information as was provided to the Complainant during the Initial Meeting and to answer any of the Respondent’s procedural questions. If the Respondent is unable to meet or does not respond to the Title IX Co-Coordinator within three (3) business days, the Title IX Co-Coordinator will mail or email the Respondent the required information.

Within three (3) business days from the date of the Notification of Investigation, the Respondent may also object, in writing, to the Title IX Coordinator’s involvement based on a real or perceived bias or a conflict of interest. The Title IX Co-Coordinator will refer the objection to the Title IX Board to determine whether

the allegation of bias or conflict is sustained. The Title IX Co-Coordinator may also voluntarily recuse themselves at any point in the process if it appears that they may have a real or perceived conflict of interest. If the Title IX Co-Coordinator voluntarily recuses themselves, or if the Title IX Board determines that a Title IX Co-Coordinator has a real or perceived bias or conflict, the Title IX Co-Coordinator will be recused from their responsibilities for the Complaint in question and the other Title IX Co-Coordinator will perform the duties of the Title IX Co-Coordinator for the Complaint until the Complaint has been resolved.

If the Title IX Co-Coordinator determines that the Complainant's allegations, if true, do not describe a violation of this policy, then the Title IX Co-Coordinator shall, within two (2) business days of the initial meeting, notify the Complainant of this determination in writing. The Complainant may appeal this determination to the Title IX Board within three (3) business days of the date of notification of this determination. The Board shall determine within ten (10) business days whether the Complainant's allegations, if true, describe a violation of this policy. If the Board determines that the allegations state a violation of this policy, then the Title IX Co-Coordinator shall issue the Notification of Investigation as described above and will proceed with the resolution of the Complaint. If the Board determines that the allegations do not state a violation of this policy, the Board shall affirm the determination of the Title IX Coordinator, and the Complaint will not proceed under this Policy. If the allegations, taken as true, may violate the NYLS Non-Discrimination and Harassment Policy, the Title IX Co-Coordinator shall refer the matter to the Harassment and Discrimination Review Board. If the allegations, taken as true, may violate the NYLS Code of Conduct, the Title IX Co-Coordinator shall refer the matter to the Academic Responsibility Committee or other appropriate committees.

Advisor Information and Guidelines

Any individual being interviewed by the Investigators, including the Complainant and Respondent, has the right to be accompanied to any meeting or proceeding related to this resolution procedure by an advisor of their choice. An advisor is an individual who attends as a supportive presence. An advisor may take notes and quietly confer with the individual being advised, but may not speak on behalf of the individual or in any way disrupt any meeting or the resolution procedure. Individuals who may have factual information relevant to the Complaint may not serve as advisors.

If an individual being interviewed wishes to have an attorney serve as their advisor, they may retain counsel independently and at their own cost. Attorney-advisors may participate in the resolution process to the same extent as other advisors, and will not be permitted to speak on behalf of any individual or to interfere with the resolution procedure.

Although the Parties are not required to choose an advisor or to bring their advisor to any meetings, utilizing the same advisor throughout the process, unless there are extenuating circumstances, allows the process to move forward most efficiently. In the event that a Party wants to make a change to their advisor, they must provide written notice to the Title IX Co-Coordinator. Although reasonable attempts will be made to schedule proceedings consistent with an advisor's availability, the process will not be delayed to schedule the proceedings at the convenience of the advisor. If an advisor fails to comply with the procedures set forth herein, including by engaging in a material breach of confidentiality, the Law School reserves the right to exclude the advisor from further process participation.

Interim Measures Pending Resolution of the Complaint

The Dean may take action to deal with situations of an emergency nature posing a threat to the safety or health of the Law School community or the integrity of its programs. Such emergency action may include suspension of a student, faculty member or staff member for a period deemed appropriate by the Dean. The Dean will determine whether and which emergency action is required, and shall inform the Title IX Co-Coordinator, who shall then proceed according to the provisions of this policy. Based upon the nature of

the Complaint, NYLS may impose immediate temporary restrictions (“Interim Measures”) after a Complaint has been made, including, but not limited to:

Students

- Suspension and Interim suspension
- **Changing** or **modifying** schedules, work schedule, housing assignment
- **Providing** an escort to ensure safe movement on campus, academic services (including tutoring), alternate course completion
- No contact orders, leave of absence, or other campus access restrictions

Any other remedy that can be tailored to the individuals and which reasonably helps to achieve the goals of this policy.

Graduates

- No contact orders and other campus access restrictions
- **Providing** an escort to ensure safe movement on campus

Any other remedy that can be tailored to the individuals and which reasonably helps to achieve the goals of this policy.

Staff, Independent Contractors, Visitors, and Other Individuals

- No contact orders, leave of absence, and other campus access restrictions
- **Changing** in work schedule
- **Providing** an escort to ensure safe movement on campus

Any other remedy that can be tailored to the individuals and which reasonably helps to achieve the goals of this policy.

Faculty

- Suspension and Interim suspension
- **Changing** or **modifying** schedules, work schedule, housing assignment
- **Providing** an escort to ensure safe movement on campus, academic services (including tutoring), alternate course completion
- No contact orders, leave of absence, or other campus access restrictions

Any other remedy that can be tailored to the individuals and which reasonably helps to achieve the goals of this policy. Requests for specific Interim Measures may be discussed with the Title IX Co-Coordinator and/or the Dean. The Title IX Co-Coordinator may recommend to the Dean specific Interim Measures based on the Parties’ relationship with the Law School, the factual circumstances surrounding the Complaint, and measures requested by either Party or any other factors that the Title IX Co-Coordinator determines are relevant. If requested, the Law School can assist the individual with filing a police report, ensuring access to a sexual assault forensic examination, obtaining an Order of Protection or equivalent restraining order; and contacting and assisting local law enforcement if an Order of Protection is violated. Both the Respondent and the Complainant shall, upon request to the Title IX Co-Coordinator, be afforded a prompt review of Interim Measures and either Party can submit evidence in support of the review. Interim measures imposed on the Respondent are not determinations of guilt. Failure to adhere to the parameters of any Interim Measures is a violation of the NYLS Code of Academic Responsibility and may lead to additional disciplinary action.

In addition to these Interim Measures, the Law School will provide written notification to victims of Prohibited Conduct about options for, available assistance in, and how to request changes to academic, living, transportation, and working situations or other protective measures. The Law School must make such accommodations or provide such protective measures if the complainant requests them and if they are

reasonably available, regardless of whether the victim chooses to report the crime to Law School security or the NYPD. The Title IX Co-Coordinator will determine what measures to take after speaking with the victim student and considering the totality of the circumstances. Factors that might be considered during this process include, but are not limited to the following: the specific need expressed by the complainant; the age of the students involved; the severity or pervasiveness of the allegations; any continuing effects on the complainant; whether the complainant and alleged perpetrator share the same residence hall, classes, transportation or job location; and whether other judicial measures have been taken to protect the complainant (e.g., civil protection orders).

Resolution of the Complaint

Informal Resolution

Recognizing that a wide spectrum of behaviors can constitute violations of this Policy, the Title IX Co-Coordinator may offer Informal Resolution (mediation) in appropriate circumstances. Informal Resolution is not available for allegations of sexual assault and sexual violence. The Title IX Co-Coordinator will determine whether an Informal Resolution is appropriate.

If appropriate and agreed to by all Parties, the Title IX Co-Coordinator will initiate the Informal Resolution process within five (5) business days from the date of the Notification of Investigation has been decided. Informal Resolution may only be initiated with the agreement of both Parties and is entirely voluntary.

The nature of Informal Resolution is flexible, but in general, the Parties meet together with the Title IX Co-Coordinator to discuss the incident(s) that led to the Complaint and potential resolutions. While fault is not determined in the Informal Resolution proceeding, the goal of Informal Resolution is for the Parties to agree on a solution or resolution together. Such resolutions may include a permanent no-contact order, academic or residential reassignment, a written apology, community service, or other alternate resolutions. Any agreement between the Parties will be reduced to writing and signed by both Parties. If the Title IX Co-Coordinator and the Parties reach an agreement, the matter will be closed. The Informal Resolution procedure must conclude within fifteen (15) business days from the date of the Notification of Investigation has been decided, unless all parties, including the Title IX Co-Coordinator, agree to an extension of time. After the time for Informal Resolution has expired, the Title IX Co-Coordinator shall initiate Formal Resolution.

Any Party, including the Title IX Co-Coordinator, may elect to end Informal Resolution and proceed to Formal Resolution at any time. If Informal Resolution is ended by request or because the time for Informal Resolution expires, and Formal Resolution is initiated, any information obtained during Informal Resolution may be used in the subsequent Formal Resolution process.

Formal Resolution

If (1) the Title IX Co-Coordinator decides that the Complaint must be processed through Formal Resolution; (2) any Party, at any time, does not agree to Informal Resolution or requests to end Informal Resolution; or (3) the timeline for Informal Resolution expires before the Parties have settled the matter, the Title IX Co-Coordinator shall immediately refer the matter to the Title IX Board for Formal Resolution. The Title IX Co-Coordinator will notify both parties in writing of the referral to Formal Resolution and of the identity of the members of the Title IX Board.

Both Parties will have three (3) business days to object to the involvement of any member(s) of the Board based on concerns regarding a real or perceived bias or conflict of interest. If either party objects, the Title IX Co-Coordinator will determine whether the objection is sustained. A Title IX Board member may also Voluntarily recuse themselves at any point in the process if it appears that they may have a real or perceived conflict of interest. The Title IX Co-Coordinator will excuse any Board member determined to have a real

or perceived conflict of interest or bias. Within five (5) business days from a referral of the Complaint, the Title IX Co-Coordinator, as Chair of the Title IX Board, will appoint a two-person investigative team (“Investigators”). The Title IX Co-Coordinator can select the Investigators from the Title IX Board or may retain experienced external investigators to conduct the investigation.

Investigation

The goal of the Investigators is to conduct a thorough investigation of the allegations in the Complaint to determine whether any conduct alleged in the Complaint occurred in the manner and circumstances alleged, whether the alleged conduct constitutes Prohibited Conduct, and to recommend appropriate action to the Board. The investigation must include interviewing the Complainant and Respondent, if possible; it may also include interviewing other relevant witnesses or individuals with relevant information, including witnesses identified or requested by the Complainant and Respondent. All Parties will have an equal opportunity to offer witnesses and other evidence. The Investigators will interview the Complainant, the Respondent, and any witnesses in separate, private sessions. The Investigators will provide the Parties with reasonable notice of any meetings that require their attendance.

The Investigators shall have access to all potentially relevant documents. The Investigators will request and review any relevant evidence such as emails, text messages, videos, and photographs. The Investigators may also choose to interview witnesses not identified by the Parties or to request relevant evidence that was not presented to them. The Parties must cooperate with the Investigators by providing any additional information that the Investigators may request, however, Parties have the right to request that the Investigators exclude from evidence their prior sexual history with persons other than the other party, or their mental health diagnosis and/or treatment. The Investigators will maintain notes of each witness interview and will maintain a file of all documentary evidence reviewed during the investigation.

The investigation must be concluded within ten (10) business days from the date of the Notification of Investigation. The Title IX Co-Coordinator may grant a reasonable extension of time upon request from the Investigators. The Investigators should periodically check in with the Title IX Co-Coordinator during the Investigation to update the Title IX Co-Coordinator on the progress of the Investigation.

Investigators’ Report and Recommendation

The Investigators must prepare a written report to the Board that contains: (1) a summary of the Investigators’ findings of fact; (2) a recommendation as to whether a violation of the Policy occurred (“Recommendation”); and (3) the rationale for the Recommendation (collectively, the “Report and Recommendation”). The Investigators may also suggest an appropriate sanction. The Recommendation can include a recommendation that the Board holds a hearing. When determining the Recommendation, the Investigators shall evaluate whether a violation of this Policy occurred under the “*preponderance of the evidence*” standard. Under this standard, it must be more likely than not that a violation of the Policy occurred.

The Investigators will present the Report and Recommendation to the Title IX Co-Coordinator within five (5) business days of the conclusion of the investigation. A confidential record of the Complaint, the Report, and Recommendation, and any evidence reviewed or interview notes maintained by the Investigators will be compiled and maintained by the Title IX Co-Coordinator (the “investigative file”).

Board Decision

The Title IX Co-Coordinator will submit the investigative file to the Board for consideration and a final determination. The Investigators may not participate in the Board’s deliberations or determination, and may not be voting members of the Board for any case they investigated. After consideration of the investigative file, but within five (5) business days, the Board will decide whether it will adopt the Recommendation of the Investigators.

Should the Board adopt the Recommendation of the Investigators, the Recommendation will become the final decision of the Board regarding whether a violation of this Policy occurred (the “Decision”). The Board shall make its decision based on a majority vote of the voting members. Within one (1) business day of the Board’s Decision, the Title IX Co-Coordinator must simultaneously deliver the Report and Recommendation to the Parties either in person, by mail, or by email, along with a statement of the Board’s adoption of the Recommendation as its Decision. If there is a finding of responsibility and no hearing is convened, the Board will determine sanctions or remedies, per page 36.

If the Board decides not to adopt the Recommendation of the Investigators, it may instead adopt a different Decision by a majority vote of its voting members. If the Board does not adopt the Report and Recommendation of the Investigators, it will prepare its report, which shall include: (1) a summary of the Board’s findings of fact; (2) a recommendation as to whether a violation of the Policy occurred (“Decision”); and (3) the rationale for the Decision (collectively, the “Report and Decision”). When determining the Decision, the Board shall evaluate whether a violation of this Policy occurred under the “*preponderance of the evidence*” standard. The Board will present the Report and Decision to the Title IX Co-Coordinator within five (5) business days of receipt of the Report and Recommendation. Whether or not the Board determines that a violation occurred, the Title IX Co-Coordinator, within one (1) business day of the date of the Decision, must deliver the Board’s Report and Decision to the Parties simultaneously, either in person, by mail, or by email. If there is a finding that the Respondent violated the policy, the Board will determine sanctions or remedies, per page 37.

Hearing (if applicable)

If the Board determines a hearing is necessary, it must designate the Complaint for hearing and select a date for such hearing. The hearing shall occur within five (5) business days of the Board’s receipt of the Report and Recommendation. The Title IX Co-Coordinator will simultaneously notify each Party (in person, by mail, or by email) within one (1) business day that a hearing is being convened and the date of the hearing. In any hearing before the Board, the Board may question the Parties and other witnesses and may request and/or accept the evidence. The formal rules of evidence and other judicial formalities do not apply to the NYLS hearing procedure. All Parties will have an equal opportunity to offer witnesses and other evidence. Only members of the Board may ask questions of the Parties and witnesses. Both Parties may submit written questions to the Title IX Co-Coordinator in advance for the Board to consider asking of the other Party and witnesses. The Board may determine which questions are relevant and reserves the right to revise or remove submitted questions. For each written question submitted by a Party, the Board shall maintain a record as to whether the question was asked at the hearing. If the Board asks for a revised version of the question at the hearing, the Board shall maintain a record of how the question was revised. The Title IX Co-Coordinator will arrange for an audio recording of the hearing to be created; no other individual may record the hearing. To the extent practicable, the hearing should be held in one (1) business day. The Board will use its best efforts to ensure the appearance of witnesses and the production of documents relevant to any matter before it. The Law School will cooperate with the Board and will use sanctions at its disposal in ensuring the appearance of witnesses and the production of documents in all proceedings before the Board.

Hearings are closed to the public. Witnesses and their advisors (other than the Complainant, the Respondent, and their advisors, as discussed below) are not permitted to observe the hearing before or after their questioning. Any witnesses, including the Complainant and Respondent, have the right to be accompanied to the hearing by an advisor of their choice. (*See* page 32. Advisor Information and Guidelines.) Advisors may not address the Board, may not ask questions, and may not serve as witnesses. The Title IX Co-Coordinator may remove any individual from the hearing who is disrupting the proceeding or is not abiding by the rules of the hearing.

The Complainant and Respondent (and their advisors) may, if they choose, observe the proceeding; neither Party is required to be present for the hearing, other than to provide relevant testimony. Upon timely request by either Party, the Title IX Co-Coordinator may, in their discretion, accommodate concerns for a Party's personal safety, well-being, and/or fears of confrontation during the hearing by permitting the use of available technology to conduct the hearing while allowing the Complainant and Respondent to be in separate rooms. At the conclusion of the hearing, the Board will deliberate in private to determine if there was a violation of this Policy. The Board's deliberations will not be recorded. The Board shall determine whether a violation of this Policy occurred under the "*preponderance of the evidence*" standard. Under this standard, it must be more likely than not that a violation of the Policy occurred. Based on this standard, the Board may find the Respondent responsible for a violation of this Policy or not responsible, based on a majority vote.

After deliberations, the Board shall prepare a Report and Decision, as described above. *See page 36.* The Board will present the Report and Decision to the Title IX Co-Coordinator within five (5) business days of the conclusion of the hearing.

Whether or not the Board determines that a violation occurred, the Title IX Co-Coordinator, within one (1) business day of the date of the Decision must deliver the Board's Report and Decision to the Parties simultaneously, either in person, by mail, or by email. If there is a finding that the Respondent violated the policy, the Board will determine sanctions or remedies consistent, per page 37.

Case File

The Case File will be comprised of the Complaint, the Report and Recommendation, any interview notes or evidence considered by the Board in making its determination, any recording of the hearing (if applicable), any written questions or other materials submitted to the Board by the Parties in connection with a hearing (if applicable), the Board's record concerning which questions submitted by the Parties were asked at the hearing and whether any questions were revised (if applicable), the Report and Decision (if applicable), and any materials regarding an appeal, as described below (if applicable). The Title IX Co-Coordinator will maintain the Case File. The Title IX Co-Coordinator may redact sensitive information that is not directly relevant to the questions raised in the investigation or hearing.

Upon request, the Parties and their advisors may review the Case File. Given the sensitive nature of this information, the Title IX Co-Coordinator will securely provide this information (*e.g.*, by providing a hard copy to be reviewed in a location designated by the Title IX Co-Coordinator). Neither of the Parties nor their advisors may copy, remove, photograph, take notes regarding, or in any other manner duplicate or disseminate the information in the Case File.

Sanctions and Remedies

In addition to taking disciplinary action against the Respondent, effective corrective action may require remedies for the Complainant. The Law School may take continuing steps to ensure that it is meeting the needs of the Complainant, preventing the recurrence of Prohibited Conduct, and remedying the effects of any Prohibited Conduct by, for example, issuing a permanent no-contact order, providing continuing access to counseling services, and any other appropriate ongoing remedies, including but not limited to the remedies discussed on page 32 (concerning Interim Measures). If the Respondent is found to have violated the Policy, the Law School will issue sanctions commensurate with the violation(s). The Board will oversee the sanctioning process.

Either or both parties may submit a statement regarding their view of the appropriate sanction or remedy ("Impact Statement") to the Board within five (5) business days of notification of the Board's Decision. Impact Statements will become part of the Case File and will be maintained by the Title IX Co-Coordinator. The Board will review the Case File, including any Impact Statements, in assessing the appropriate sanction,

and will make a determination regarding the appropriate sanction within three (3) days after the time to submit Impact Statements has expired.

The Board has the discretion to implement a variety of sanctions consistent with the severity of the violation, the Respondent's prior history, the Respondent's role within the Law School, and sanctions assigned to other individuals with similar violations. Past findings of domestic violence, dating violence, stalking, or sexual abuse may be considered when evaluating sanctions.

The Respondent must be informed in writing of the sanction and the rationale for the sanction within one (1) business day of the sanction determination. The Complainant will concurrently be informed in writing of the finalization of the sanctioning process, and, to the extent that such disclosure would be reasonable and permissible, will be informed of the final sanction.

Students

All sanctions as to students will be noted in the student's academic file, along with a concise written statement as to the circumstances. The statement shall be written by the Dean of the Law School or the Dean's designee. Such file notation shall include an indication as to whether the statement should be made available to employers, employment screening groups, and similar entities in the future. Should the Respondent seek admission to a bar of any jurisdiction, information about proceedings or sanctions under this policy will be reported to the appropriate committee of that jurisdiction in accordance with the jurisdiction's requirements. Certain sanctions for students may also be subject to transcript notation as described below on page 41.

Any current or future student found to have violated this Policy may also be required to complete non-disciplinary, educational initiatives designed to educate the student. Sanctions for students may include, but are not limited to, one or more of the following:

- Warning, with appropriate documentation of the circumstances
- Restitution
- Probation, for a time certain, with terms and conditions set forth by the Board as to the termination of probation
- Suspension, for a time certain
- Revocation of admission (if the individual is an admitted student)
- Removal from a journal or other student organization, or a leadership position within such organization
- Revocation or non-renewal of credits for participation in a journal or other student organization
- Expulsion, with or without terms and conditions as to any application for re-admission
- Withholding of degree

Graduates

Sanctions for graduates may include but are not limited to, one or more of the following:

- Warning
- Restitution
- Revocation of degree
- *Persona non grata* order
- In the case of a graduate not yet admitted to practice, the Law School may withhold certification of the student to the appropriate bar admission entity
- In the case of a graduate already admitted to practice, the Law School may notify the appropriate bar

disciplinary entity of the proceeding outcome

Staff

All sanctions as to staff will be noted in the employee's file, along with a concise written statement as to the circumstances. The statement will be written by the Dean of the Law School or the Dean's designee. Such notation shall include an indication as to whether the statement should be made available to future employers and the like, and as to whether such notation shall be expunged at a specified later date.

Sanctions for staff, independent contractors, visitors, and other individuals may include, but are not limited to, one or more of the following (consistent with state and local law, collective bargaining agreement, and any other existing contract):

- Warning, with appropriate documentation of the circumstances
- Restitution
- Suspension, with or without pay, for a time certain
- Probation, for a time certain, with terms and conditions set forth by the Board as to the termination of probation
- Denial or limitation of future increases in salary, benefits, perquisites, and the like, upon specified terms and conditions
- Reduction in grade or position
- Transfer to another position
- Termination of employment
- *Persona non grata* order

Non-Tenured and Non-Long-Term Contract Faculty

All sanctions as to non-tenured faculty will be noted in the faculty member's file, along with a concise written statement as to the circumstances. The statement will be written by the Dean of the Law School or the Dean's designee. Such notation shall include an indication as to whether the statement should be made available to future employers and the like, and as to whether such notation shall be expunged at a specified later date. Sanctions for non-tenured and non-long-term contract faculty may include, but are not limited to, one or more of the following (consistent with state law and any existing contract with the faculty member):

- Warning, with appropriate documentation of the circumstances
- Restitution
- Suspension, with or without pay, for a time certain, under stated terms and conditions
- Probation, for a time certain, with terms and conditions set forth by the Board as to termination of probation
- Denial or limitation of future increases in salary, benefits, perquisites, courses, summer teaching assignments, research grants, and the like, upon specified terms and conditions
- Reduction in position
- Termination of employment

Tenured and Long-Term Contract Faculty

All sanctions as to tenured and long-term contract faculty will be noted in the faculty member's file, along with a concise written statement as to the circumstances. The statement will be written by the Dean of the Law School or the Dean's designee. Such notation shall include an indication as to whether the statement should be made available to future employers and the like, and as to whether such notation shall be expunged at a specified later date.

Sanctions for tenured and long-term contract faculty may include, but are not limited to, one or more of the following (consistent with state law and any existing contract with the faculty member):

- Warning, with appropriate documentation of the circumstances

- Restitution
- Suspension, with or without pay, for a time certain, under stated terms and conditions, to the extent permissible under the Standards and Procedures for Tenure, Promotion and Reappointment (“Tenure Rules”)
- Probation, for a time certain, with terms and conditions set forth by the Board as to termination of probation, to the extent permissible under the Tenure Rules
- Reduction in grade or position, to the extent permissible under the Tenure Rules
- Denial or limitation of future increases in salary, benefits, perquisites, courses, summer teaching assignments, research grants, and the like, upon specified terms and conditions
- Termination of employment, to the extent permissible under the Tenure Rules. In such a case, the Board shall recommend to the Law School that it commence a proceeding pursuant to Article IX of the Tenure Rules

Appeal

Both the Complainant and Respondent have a limited right to appeal from the Decision and sanction or remedy. Either Party may submit a written appeal to the Title IX Co-Coordinator within ten (10) business days of the date of the Decision or written notification of the sanction determination, whichever occurs later. An appeal of the Decision shall be based only on: (1) insufficient evidence to support the Decision; and/or (2) the discovery of new, relevant evidence that was not available during the investigation and which could affect the outcome of the case. A party may appeal the sanction or remedy if the party feels that the severity of the sanction or remedy is substantially disproportionate given the details of the case. Disagreement with the finding or sanction is not, by itself, grounds for an appeal.

The Party who submits the appeal will be the “Appellant” and the other Party will be the “Appellee.” Upon receiving an appeal, the Title IX Co-Coordinator shall, within three (3) business days of receiving the appeal, convene an Appeal Panel to review the appeal. The Appeal Panel will consist of three administrators who oversee the Law School’s academics, administration, and/or operations (for example, The Associate Dean of Academic Affairs or the Executive Vice President and Chief Financial Officer). Members of the Title IX Board may not serve on the Appeal Panel.

Both Parties will have three (3) business days to object to any member of the Appeal Panel based on a real or perceived bias or conflict of interest. If an objection is sustained, the Title IX Co-Coordinator shall replace any member of the Appeal Panel determined to have such a conflict of interest or bias with another similarly situated individual. The Appellee will simultaneously have five (5) business days to submit a written response to the appeal.

Appeals are not intended to be a full rehearing of the Complaint. The Appeal Panel will have the opportunity to review the Case File. The findings of fact contained in the Report and Decision are presumed to have been decided reasonably and appropriately. The Appellant carries the burden of proof based on clear and convincing evidence to demonstrate that the Decision, sanction, or remedy, or both were improper. The Appeal Panel shall determine, by a simple majority vote, whether it believes a violation of the Policy occurred. If the Appeal Panel believes that a violation of the Policy has occurred, the Appeal Panel may also review the propriety of the sanction or remedy determination. The Appeal Panel may recommend either to uphold the Board’s sanction or remedy or may implement a new sanction or remedy. The Appeal Panel shall forward its recommendations to the Dean, who will review the Appeal Panel’s recommendation and take appropriate action. Appellant and Appellee will be notified in writing of the outcome of the appeal and the rationale for the Appeal Panel and Dean’s decision within ten (10) business days of receipt of Appellee’s response statement. The appeal decision is final and is not subject to further appeal. A copy of the Appeal Panel and/or Dean’s decision will be sent to the Title IX Co-Coordinator and made a part of the Case File.

Additional Rights

Family Educational Rights and Privacy Act

The privacy of student education records will be protected in accordance with the Family Educational Rights and Privacy Act (“FERPA”). The privacy of an individual’s medical and related records may be protected by the Health Insurance Portability and Accountability Act (“HIPAA. Similarly, access to an employee’s personnel records may be restricted by applicable New York and federal law.

While there are certain limitations on privacy, all information obtained during the resolution procedure will be protected from public release until the appeals panel makes a final determination, unless otherwise required by law. The Law School generally will not release the names of the Complainant or Respondent to the general public without express written permission or absent another exception consistent with the law, including FERPA and the Clery Act. Further, to the extent that it is practical and permissible by law, the Law School will maintain records created under these procedures described herein in a manner that excludes personally identifiable information on victims. Note, however, that NYLS does not place restrictions on the right of Parties to disclose the outcome of matters resolved under these procedures.

Failure to Comply with Investigation or Sanctions

If an individual fails to comply with the procedures described herein, including through a material breach of confidentiality or by a refusal to abide fully with any assigned sanctions, NYLS reserves the right to bring additional charges of misconduct against the individual. The Title IX Co-Coordinator is responsible for interpreting and applying this provision.

Transcript Notation Requirement and Appeal Procedure

Students suspended or expelled for committing an act of sexual assault, domestic violence, dating violence, stalking, or a “violent crime,” as defined by the Clery Act, will have a notation placed on their transcript as follows: “suspended after a finding of responsibility for a code of conduct violation” or “expelled after a finding of responsibility for a code of conduct violation.” A transcript notation will not be removed until at least one (1) year after the conclusion of the suspension. Expulsion notations will not be removed in any case. If a finding of responsibility is later vacated for any reason, a corresponding transcript notation will be removed.

If a student who has been charged with a violation withdraws from the Law School while charges are pending and declines to complete the disciplinary process, the following notation will be placed on their transcript: “withdrew with conduct charges pending.” Suspension and expulsion transcript notations are applied after the conduct proceedings and appeals processes. If a student withdraws with charges pending, but conduct proceedings are nonetheless completed, any final transcript notation will be based on the outcome of those proceedings. A student who withdraws from the Law School before an outcome of a pending conduct case should understand that the investigation and proceeding may continue, even without their participation. Pending completion of those proceedings, the transcript will carry the above withdrawal notation.

Transcript notations for a suspended student are required by law to remain on the transcript for at least one (1) year following completion of the suspension. By law, expulsion notations are not subject to removal. By Law School policy, a withdrawal notation will remain on a transcript for at least one (1) year following the withdrawal. Subject to these minimum periods, a student may request to have a suspension/withdrawal transcript notation removed by submitting a petition in writing to the Title IX Co-Coordinator, who will share the request with the Dean. The petition must contain the rationale for requesting the removal of the notation and documentation of the successful completion of any terms imposed in the underlying conduct proceeding.

The Title IX Co-Coordinator and the Dean will make all decisions about notation removal. Petitions will be reviewed and a decision will be provided in writing, generally within thirty (30) days of submission. A

student may submit multiple petitions, however, the period between such petitions will be considered in evaluating the merits of the petition.

Special Reporting Considerations

Amnesty for Alcohol and/or Drug Use

See page 13 of this report titled “Drug and Alcohol Policy”

Public Awareness Events

Consistent with guidance from the Office for Civil Rights of the Department of Education, public awareness events such as “Take Back the Night,” the Clothesline Project, candlelight vigils, protests, or other forums in which community members disclose incidents of Prohibited Conduct do not initiate the Law School’s Title IX obligations, including its obligation to investigate reports of sexual harassment or sexual violence. Such events may, however, inform the need for campus-wide education and prevention efforts, and the Law School may implement broad community initiatives in response to such events where appropriate.

Reports Involving Minors

Under New York law, Law School employees must make a mandatory report of suspected child abuse and neglect, including sexual assault, when that individual, in their professional capacity or within the scope of their employment, has knowledge of or observes a minor under the age of 18 whom the individual knows or reasonably suspects has been the survivor of child abuse or neglect. All Law School employees are required to immediately report any such suspected child abuse and neglect to the Title IX Co-Coordinator and the Chief of Building Operations and Security. In addition to notifying these individuals, any individual can make a direct report to 911 if a child is in immediate danger, or to the Child Protection Hotline at 1-800-342-3720.

The source of abuse does not need to be known to file a report. The Law School will report all suspected child abuse and neglect, including sexual assault, law enforcement, and/or the New York State Office of Children and Family Services (“OCFS”). It is not the responsibility of any employee, student, or volunteer to investigate suspected child abuse.

Malicious Allegations

False and malicious reports of Prohibited Conduct can place a permanent stigma on members of the NYLS community, regardless of the outcome of any investigation. Accordingly, NYLS prohibits malicious allegations of Prohibited Conduct. If at any point during the investigation or resolution process it appears reasonably likely that a Complainant, witness, or other individual acted in bad faith, deliberately and knowingly filed a false report or complaint, or provided false testimony, such individuals may be subject to discipline. Note that a Decision that an individual did not violate the Policy, by itself, will not be treated as a malicious allegation; only information provided in bad faith or which the individual reasonably knows to be false will be determined to be a malicious allegation.

Retaliation

NYLS will not tolerate retaliation (as defined in Appendix 1 to this Annual Report). Retaliation is prohibited by Title IX and NYLS policy. An individual reporting Prohibited Conduct is entitled to protection from any form of retaliation following a report that is made in good faith, even if the report is later not proven. The Law School will take immediate and responsive action to any report of retaliation and will pursue disciplinary action as appropriate.

Required Disclosures (Clery Act)

In compliance with the Clery Act, the Law School records and reports certain information about campus safety, including the number of incidents of certain crimes on or near campus, some of which constitute

sexual and gender-based misconduct investigated under these procedures. The Title IX Co-Coordinators work in collaboration with Campus Security to ensure such incidents are captured for statistical reporting purposes while protecting the identity of the victim of such crimes. These notifications may include the classification and location of the reported crime but do not include personally identifying information about the students involved. “Personally, identifying information” includes the student’s first and last name; home or other physical address; contact information (including a postal, email, or Internet protocol address, or telephone or facsimile number); social security number, driver’s license number, passport number or student identification number; and any other information, including date of birth, racial or ethnic background, or religious affiliation that would serve to identify any individual.

The Clery Act also requires the Law School to issue a “timely warning” when it receives a report of certain crimes that pose a serious or continuing threat to the community. The Law School may disclose aggregate information regarding incidents investigated and related outcomes. Such reports will not contain personally identifying information.

Sexual Misconduct Prevention and Awareness Programming and Training

New York Law School prohibits the crimes of dating violence, domestic violence, sexual assault, non-consensual sexual contact, sexual exploitation, and stalking, as those terms are defined for purposes of the Clery Act. As part of its commitment to the prevention of such Prohibited Conduct, NYLS offers sexual misconduct education and awareness programs. Incoming students and new faculty and staff receive prevention and awareness programming as part of their orientation, and all students, faculty, and staff receive ongoing training and related programs on an annual basis. For a description of NYLS’s Prohibited Conduct prevention and awareness programs, contact the Title IX Co-Coordinator.

The Office of Human Resources provides online training for Harassment Prevention for employees through our HR Information/Employee Self-Service System. All employees receive training on an annual basis, new employees are required to take the training within ninety days of hire.

Prohibited Conduct Definitions and Related Terms

See Appendix 1 to this Annual Report for all prohibited conduct definitions and related terms concerning the Sexual Misconduct Policy.

Students’ Bill of Rights concerning Prohibited Conduct

All students have a right to:

1. Make a report to local law enforcement and/or state police;
2. Have disclosures of domestic violence, dating violence, stalking, and sexual assault treated seriously;
3. Decide whether or not to disclose a crime or violation and participate in the judicial or conduct process and/or criminal justice process free from pressure by the institution;
4. Participate in a process that is fair, impartial, and provides adequate notice and a meaningful opportunity to be heard;
5. Be treated with dignity and to receive from the institution courteous, fair, and respectful health care and counseling services, where available;
6. Be free from any suggestion that the reporting individual is at fault when these crimes and violations are committed, or should have acted differently to avoid such crimes or violations;
7. Describe the incident to as few institution representatives as practicable and not be required to unnecessarily repeat a description of the incident;

8. Be protected from retaliation by the institution, any student, the accused and/or the respondent, and/or their friends, family, and acquaintances within the jurisdiction of the institution;
9. Access to at least one level of appeal of a determination;
10. Be accompanied by an advisor of choice who may assist and advise a reporting individual, accused, or respondent throughout the judicial or conduct process including during all meetings and hearings related to such process; and
11. Exercise civil rights and practice of religion without interference by the investigative, criminal justice, or judicial or conduct process of the institution.

List of Resources for Support

Below is a list of reporting, care, and support options, with accompanying contact information.

Medical Assistance

If you have been assaulted, consider visiting an ER (where you will likely find staff such as Sexual Assault Nurse Examiners, who are trained in working with individuals who experience sexual violence). Medical professionals can help you check for injuries, be screened and educated regarding sexually transmitted infections or pregnancy, and to collect evidence.

Evidence collection in NYC does not require you to file a police report, but preserving evidence allows you options. For evidence collection, it is recommended that you avoid eating/drinking, showering, brushing your teeth, or changing your clothes. Even if you have done any of these things, evidence can still be collected and it remains important that you seek medical attention. You may wish to bring a change of clothes with you (or have a friend bring you a change of clothes) when you do seek medical attention.

Following these steps promptly after an incident can be very helpful in later criminal proceedings and/or in seeking a civil order of protection. The medical treatment resources listed below can provide treatment for injuries and potential exposure to sexually transmitted diseases. They also provide emergency contraception and other health services. They can assist in preserving evidence of documenting any injuries, including by helping find a Sexual Assault Nurse Examiner, who is specially trained to collect evidence.

Medical Resources

Mount Sinai Beth Israel is prepared to provide medical services to NYLS students who have been the victims of sexual assault. Mount Sinai Beth Israel provides 24-hour emergency care (including sexual assault forensic examinations), confidential crisis intervention, counseling, and referrals. Mount Sinai Beth Israel is located at 281 1st Avenue, New York, NY 10003 (First Avenue and 16th Street in Manhattan).

The Emergency Department can be contacted by phone at (212) 420-2840.

New York City Hospitals with SAFE (Sexual Assault Forensic Examiner) Centers

[New York-Presbyterian – Columbia](#)

622 W. 168th St.

[Bellevue Hospital](#)

462 First Ave. at E. 27th St.

[Beth Israel-Petrie Campus](#)

First Avenue at E. 16th St.

[New York-Presbyterian- The Allen Pavilion](#)

5141 Broadway at W. 221th St.

[Wyckoff Hospital](#)

374 Stockholm Street -Brooklyn NY

[Harlem Hospital](#)

506 Malcolm X Blvd. at W. 135th St.

[Metropolitan Hospital Center](#)

1901 1st Ave. at 96th St.

[Mount Sinai Medical Center](#)

1 Gustave L Levy Pl. (5th Ave.) at E. 98th St

[New York-Presbyterian- Weill Cornell](#)

525 E. 68th St. at York Ave.

[Mt. Sinai Morningside \(Formerly St. Luke's\)](#)

1111- Amsterdam Ave, NY, NY 10025

Counseling, Legal, and Informational Resources

If you believe you have experienced an assault – remember, it is not your fault. If you experience sexual assault, the following guidance is important to consider:

Safety First

Get to a safe place. After experiencing a traumatizing event such as sexual assault, it can be important to find a place where you feel comfortable and safe from harm. This location could be your room, a friend's room, a local hospital, Campus Security, or a Police station. Other resources include:

- **Student Counseling Center:** Horizon, our counseling service, is available 24 hours a day/7 days a week. 1-866-486-4334; www.mylifevalues.com [login: new york law school – password: eap]
- **Employee Assistance Program (EAP):** The EAP is offered through LifeCare; LifeCare services are available through our ADP vendor. Employees can call LifeCare directly at 1-800-697-7315. To access LifeCare's website visit NYLS's HR Self-Service Center - go to the Home Tab, to the Resources Tab to LifeCare.
- **Crime Victims Treatment Center** of St. Luke's Roosevelt Hospital (CVTC): <http://www.cvtc-slr.org>
CVTC provides respectful treatment of survivors of family and intimate partner violence, sexual assault, childhood sexual abuse, and other forms of violence and crime.
- **Anti-Violence Project (AVP)** is a New York-based resource.
AVP provides free and confidential assistance to thousands of lesbians, gay, bisexual, transgender, queer, and HIV-affected (LGBTQH) people each year from all five boroughs of New York City through direct client services and community organizing, and public advocacy. Find more information on their website at www.avp.org or reach their bilingual (English/Spanish) hotline at (212) 714-1141.
- **Sanctuary for Families**, PO Box 1406, Wall Street Station, (212) 349-6009
<https://www.sanctuaryforfamilies.org/>
Annually, Sanctuary for Families serves more than 10,000 individuals who experience some form of domestic violence, sex trafficking, and related forms of gender violence. Its services include counseling, legal assistance, crisis, and temporary shelter, community education, and advocacy, among others.
- **Safe Horizon**, 2 Lafayette Street, 3rd Floor, 1 (800) 621-HOPE (4673)
<http://www.safehorizon.org/>
Through its 57 programs, Safe Horizon assists those who have experienced domestic and intimate partner violence, child physical and sexual abuse, human trafficking, stalking, youth homelessness, and other violent crimes. Its services include counseling, legal representation, and housing and employment assistance, among others.

Other helpful external resources: NYC Alliance Against Sexual Assault: <http://www.svfreenyc.org/>

- Support Orthodox Victims of Rape and Incest (SOVRI) Sexual Abuse Helpline (in conjunction with The Beth Israel Victim Services Program): (212) 844-1495
- Rape, Abuse, and Incest National Network: <https://ohl.rainn.org/online/>
- Rape, Sexual Assault, and Incest Hotline: (212) 227-3000 (24 hours a day)
- Bronx Rape Crisis Program: (718) 933-1000
- Brooklyn Rape Crisis Program: (718) 827-4700
- Queens Rape Crisis Program: (718) 291-2555
- Staten Island Rape Crisis Program: (718) 720-2591
- The New York District Attorney's office offers centralized information about options and resources, including information about protective orders, related to domestic violence.
Please visit: <http://manhattanda.org/resources-victims-domestic-violence>

A note about protective orders: In Manhattan, the [Family Justice Center](#) or the [District Attorney's office](#) assists with the process of seeking an Order of Protection. Campus Security or the Title IX Co-Coordinator can assist in accessing these resources. The Law School will assist in appropriate planning relating to access to campus or related protections for any individual who obtains an Order of Protection and shares it with Campus Security. Additional New York City resources and information can be found on the city government website at [Domestic Violence Support - HRA](#)

New York State Criminal Definitions

The Violence against Women Act (VAWA) requires NYLS to include certain New York State criminal definitions in its Annual Security Report and also requires that these definitions be provided in other materials disseminated by the Law School. Relevant New York definitions are set forth below. Ultimately, the New York District Attorney will determine whether an activity meets the criminal standard. **For these definitions please see Appendix 2 to this Annual Report.**

Fire Safety

Under the Higher Education Act of 2008, New York Law School expanded its annual report in 2009 to provide mandatory fire incidents on campus (though not required) and in on-campus student housing. Statistical information submitted to the Department of Education must include the following:

- Number of fires and cause of each fire
- Whether the fire cause was intentional, unintentional, or undetermined
- Number of deaths related to the fire
- Number of injuries related to the fire
- Number of injuries related to the fire that resulted in the treatment at a medical facility
- Value of property damaged

The Annual Fire Safety Report must also be issued to the campus community on time and the Department of Education when requested. The report must include the following:

- Fire Statistics
- A description of the new fire safety systems for each on-campus student housing facility
- Number of fire drills held the previous year
- Policies or rules on portable electrical appliances, smoking, and open flame in student housing facilities
- Student housing evacuation procedures
- Fire safety education and training programs for students, faculty, and employees
- Titles of each person or organization to which individuals should report that a fire has occurred
- Plans for future improvements in fire safety

A Fire Log, similar to the Crime Log, must also be made available to the community and include the following information:

- The date the fire was reported
- Nature and cause of the fire
- Whether the fire cause was unintentional, intentional, or undetermined
- The date the fire occurred
- The time of day the fire occurred
- The location of the fire

This public Fire Log containing all fire-related incidents is maintained by the Chief of Building Operations and Security and is available for inspection weekdays during regular business hours. An electronic version of

the Log is posted at <http://emergency.nyls.edu>. The definition of fire for reporting is any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner. The Law School has expanded the reporting requirement and will also report all fires in non-residential buildings owned or leased by the Law School.

NYLS Campus Tribeca

During the period covered under this twelfth fire safety report, there was one (1) false alarm experienced on March 10, 2021, when a smoke detector in a mechanical room in the east campus building was inadvertently activated by a steam leak, the system was offline at the time and the FDNY did not respond to the campus. The campus maintains Fire Life Safety Directors (FLSD's) per Local Law #5 of 1973 covering commercial buildings when occupancy is over a certain threshold. Those buildings are also required to develop and maintain a Fire Safety Plan (FSP) approved by the New York City Fire Department on January 11, 2017, and amended on December 25, 2017.

NYLS Campus Fire Alarm System (Description)

Our Tribeca campus is currently protected by a Class "E" Campus-Wide System that was approved by the New York City Fire Department on July 7, 2016. The system consists of two panels covering the West, Center, and East campus buildings, the panel in the West campus building is manned during the hours of 7 am to 11 pm weekdays and 7 am to 8 pm weekends by a licensed certified FLSD and is considered the primary fire panel for the entire campus. The panel located in the East campus building serves as a remote panel or a secondary panel to the primary.

Although each Campus building is unique as to the fire safety equipment it has, the Tribeca campus buildings collectively are covered 100% by automatic sprinkler heads and protected by various fire alarm devices as follows:

- Smoke Detectors
- HVAC Duct Detectors
- Elevator Lobby Detectors
- Waterflow Detectors
- Manual Pull Stations
- Warden Phones
- Fire Suppression Systems (cafeteria only)
- Fire Pump
- Tamper Switches (valves)
- Standpipe Systems (West and East campus)

Also, both system panels are monitored 24 hours a day by a central station operator as required by law. NYLS works with a consultant and the Fire Department of New York whenever the campus-wide Fire Safety Plan needs to be amended.

Evacuation Drills

The NYLS campus conducts evacuation drills three (3) times per year during the morning and evening. During this reporting period six (6) total evacuation drills were conducted under the tenth fire safety report on the following dates:

- September 23, 2020 (Fall 10:30 am and 7:30 pm, each evacuation drill took approximately fifteen minutes to conduct)
- April 1, 2021 (Same as fall evacuation drill)
- June 2, 2021 (Summer as fall evacuation drill)

During such evacuation drills all community members are required to vacate the buildings and report to the designated assembly areas below:

Assembly Area A – between Leonard Street (One block north of Worth Street) and Franklin Street is the primary evacuation location for all Law School community members.

Assembly Area B – Surrounding the Greenspace –Finn Square bordered by Varick Street (on the west) West Broadway (on the east) and Franklin Street (to the north).

Overflow from both these locations should utilize Varick Street north of the Square Diner.

Fire Safety Policy and Procedures

- The use of electrical heaters, grills, and any gas-powered equipment and appliances is strictly prohibited in any campus building.
- Smoking of any kind, including electronic cigarettes and “vaping” is not permitted inside any campus building or within twenty feet of any campus building's main entrance.
- Use of any open flame is not permitted unless authorized; proper permits and certificates must be in place before commencing the use of any device such as a torch, welder, or grinder that will emit a flame or spark. The Manager of Maintenance is responsible to ensure such Hot Work Permits are issued following the building rules and regulations.

Evacuation Guidelines

These guidelines apply to all campus buildings directly owned by the Law School (185 West Broadway, 55 Worth Street, and 57 Worth Street).

Campus Assembly Areas

When instructed by the Fire Life Safety Director to evacuate the buildings, upon arriving at the sidewalk, walk to and gather at one of the assembly areas indicated above, as instructed. Meeting at an assembly area will further enhance the safety of the community following an evacuation of the buildings by:

- 1) Eliminate street crossings at busy vehicular intersections along Church Street.
- 2) Re-locating away from the Law School buildings.
- 3) Gathering at one location to obtain additional safety information or instructions.

Do not attempt to cross mid-block. Always cross at the pedestrian crosswalk and obey the traffic signal. Walk north on the sidewalks to the Assembly Areas identified as A and B below.

Emergency Evacuation

Await instructions from the Fire Life Safety Director. If directed, all occupants must exit the building by using *all available stairs- not just a favorite stair-* and *all available doors at sidewalk level- not just the entrance you normally use* - when instructed by the Fire Life Safety Director or the floor Fire Warden.

- 1) **Do not panic- remain calm.** Follow the instructions of the floor Fire Wardens, Searchers, and faculty members.
- 2) Close all doors behind you. Do not stop collecting personal belongings. Proceed to the nearest stairs and exit the building. Do not run and do not use the elevators to exit the floor!
- 3) Disabled persons evacuation assistance: see “Volunteers to Assist ADA Community Members on page 49.”
- 4) Meet at the Assembly Areas

After you exit the building, you must walk toward West Broadway and gather along the sidewalks near the assembly areas. The assembly areas comprise the sidewalks along West Broadway: (A) Between Leonard Street (one block north of Worth Street) and Franklin Street; and (B) Surrounding the triangular Greenspace- Finn Square- bordered by Varick Street (on the west), West Broadway (on the east), and Franklin Street (to the north). The assembly areas are the only locations where you should go after you evacuate the building, should either assembly location be crowded or unavailable due to construction please use either one. *Never* attempt to extinguish a fire yourself! Fire and smoke can quickly fill the area. Use this time to alert others to evacuate by activating a pull station. Also, the

elevators must *never* be used to exit a floor. Fire department personnel will need to use the elevators to evacuate disabled persons and for other firefighting duties. *Unless otherwise directed by fire department personnel, you must only exit a floor by use of the emergency stairways. **In an actual emergency do not wait to collect personal property. Begin evacuating the floor when directed.*** Mounted on the wall of every elevator lobby is a copy of the Emergency Evacuation Guidelines.

If You Discover or Are Near a Smoke Condition or Fire

- 1) Evacuate the area and close all doors in the vicinity of the fire or major smoke condition.
- 2) Activate a pull station device by pulling the black lever down to alert other persons in adjacent offices, classrooms, and restrooms and throughout the building.
- 3) Do not open any doors that feel warm to the touch. If there is heat or smoke in an area, crawl on the floor to the nearest exit. If you are trapped in a smoke-filled room stay near the floor or near a window where you can call or signal. Use a handkerchief or a shirt to draw attention for help.
Do not panic.
- 4) Proceed to the nearest stair. **Do not run** and do not use the elevators as a means to exit the floor! Follow the instructions of the floor Fire Wardens and faculty members.
- 5) Disabled persons' evacuation assistance: see "Volunteers to Assist ADA Community Members" on Page 50."
- 6) If the situation permits, use the floor warden station (Instructions- Open the red box mounted near the elevators, lift the receiver, and speak) to notify the Fire Life Safety Director. Otherwise, evacuate the floor. At the building lobby, inform a security officer about what you observed so the evacuation plan can be activated.
- 7) Meet at the Assembly Areas – See emergency evacuation above item #4.

Volunteers to Assist ADA Community Members

Instead of relying solely on the Fire Wardens and Searchers as their primary person for evacuation assistance, the persons with disabilities, or otherwise in need of evacuation assistance can identify volunteers in advance who will assist in a drill or emergency evacuation. A meeting will be scheduled with each person with disabilities to discuss the evacuation plan and to incorporate any additional assistance that may be needed. This guideline will apply to all ADA persons whether members of the community or outside visitors. Any community member that requires assistance during evacuation drills or in emergencies should contact the Office of Security and Life Safety at 212-431-2123.

Reporting and Preventing Dangerous Conditions

Although the maintenance employees conduct daily checks of all mechanical equipment and service rooms and the security employees conduct periodic patrols throughout the Law School facilities, we also need your assistance to help us maintain a safe environment. Please do the following:

1. Report all suspicious odors to the officer at the 185 West Broadway Lobby Desk @ 2123.
2. Do not block exit doors, corridors, exterior walkways, or aisles with packages, trash, or furniture. Contact the Office of Maintenance and Operations to have these items removed directly to storage or the trash area for disposal.
3. Keep exit stair doors closed *at all times!* It is a violation of the New York City Fire Prevention Code to prop open exit stair doors. If a fire were to occur, smoke, heat, and flames could enter the stair and block this exit route.
4. Contact the Office of Maintenance and Operations if a light bulb has blown out, there is water on the floor, carpets, or other floor materials present a tripping hazard, a door does not close properly, or you note other conditions which could prevent a safe evacuation.
5. Limit the use of personal appliances and non-office equipment that generate power surges. Always turn

off all appliances and equipment when you are away from your office for extended periods and before you leave at the end of the day.

6. Limit the use of power strips and extension cords. If you must use an extension cord, use only electrical devices with the Underwriters Laboratories (UL) seal of approval. Do not place electrical cords across a hall or path.
7. Keep your office and storage spaces neat. Do not leave trash around; dispose of it promptly. If your storage room contains mechanical equipment, please do not store materials on top of or in close proximity to this machinery.
8. Do not store materials on top of or near a computer monitor or central processing unit. This equipment requires a minimum of six inches between it and other items for proper ventilation.
9. All New York Law School facilities and the Student Residence are smoke-free environments. Report all violators to the officer at the 185 West Broadway Lobby Desk on extension 2123.
- 10) *Never* attempt to extinguish a fire yourself! Fire and smoke can quickly fill an area. Use this time to alert others of this emergency. The elevators must *never* be used to exit a floor. The fire department personnel will need to use the elevators to evacuate disabled persons and for other firefighting **duties, *Unless otherwise directed by fire department personnel, you must only exit a floor by use of the stairs!*** Never prop open or block the doors that lead to these stairs.

Evacuation Preparedness Contacts

185 West Broadway Lobby (Office of Security and Life Safety)	212-431-2123
Office of Maintenance and Operations	212-431-2820/2847
FDNY	212-999-2222/911
NYPD 1 st Precinct	212-334-0611/911

Know All Available Exits

Posted on the wall at the elevator are an egress sign and floor organization charts with emergency information. The sign denotes your present location (*You are here*). Every stair and the elevator is identified by a letter of the alphabet. A sign which notes the alphabet designation is mounted on the lobby and stair side of the fire exit stair door. A sign which notes the floor number is also mounted on the stair side of the same stair door. The stair is also identified by an illuminated sign near or above it with the word *Exit* in red letters. Please study this map while you are waiting for the elevator. During an evacuation, you should use *all* available stairs- not only the one you commonly use.

Response to Medical Emergencies

If you or a fellow member of the community requires medical assistance, contact the security agent at the 185 West Broadway Lobby Desk on extension 2123. ***Remember to tell the agent your location, who is injured, and what happened.*** The agent will notify the Chief of Building Operations and Security, and/or a security employee who is a certified first aid responder. If this is an emergency, the agent will contact the New York City Police Department 9-1-1 Operator to request EMS assistance. New York-Presbyterian Lower Manhattan Hospital is located at 69 Gold Street (between Beekman Street and Spruce Street), a six-minute car ride from the Law School. Since May 22, 2000, the Law School has been licensed to possess and operate an automatic external defibrillator (AED). When used by certified security personnel along with cardio-pulmonary resuscitation, an AED could help extend the life of an individual who is experiencing cardiac arrest.

Non-Emergency Medical Care

New York Law School faculty, students, and employees may obtain non-emergency medical care through Pace University's Primary Health Care Associates, University Health Care Unit (Health Care Unit). The Health Care Unit is located at 41 Park Row, Room 313. The contact number is 212-346-1600.

Employee Training

On-site employees who comprise the certified AED response team include all Security Supervisors and Law School full-time and contract security agents. The Manager of Security and Life Safety is the administrator of the training program as well as our First Aid/CPR/AED certification programs for the department. All staff receives refresher courses each year and re-certification every two years. Training for this reporting period was conducted remotely and via training videos created by the Office of Security & Life Safety that each member viewed.

Fire Safety and Training

All community members involved with the Fire Safety Plan of NYLS receive the following training via video due to COVID-19 restrictions in place:

Floor Organization Teams

All Wardens, Deputy Wardens, and Searchers receive training at least one time per year. Training sessions are scheduled twice per year, this reporting period they were conducted via email with training videos provided to community members by the Office of Security & Life Safety.

Fire Brigade & BES Teams

All members of the NYLS fire brigade team received training twice per year. For this reporting period, training was conducted via safety videos created by the office of Security and Life Safety.

Fire & Life Safety Improvements

NYLS continued with various improvements to our campus security including additional air assists on ADA doors at several key locations. In addition, due to COVID-19 restrictions in place and primarily remote classes during this reporting period, the Office created various videos that were shared with community members to remind them of their specific duties when they return.

Campus Crime Statistics (On-Campus and Non-Campus Properties)

The Clery Act requires the disclosure of crime statistics in an annual security report and web-based collection for specific crimes that occur on campus, on non-campus, and contiguous public property. Statistics are reported for all times of the day, including the times outside of Monday through Friday regular business hours or the times the Law School is officially closed. Although the Clery Act's first required reporting period began on September 1, 1992, this and all earlier reports have included statistics beginning with the 1989 - 1990 academic year.

To see historical records please speak with the Chief of Building Operations and Security or a Security Manager. On page 53 is a list of campus crimes reported to employees in the Office of Security and Safety for the period of September 1, 2020, through August 31, 2021, that are reportable. Although larceny is not on the list of required reportable Clery defined crimes (except for Hate Crimes), larceny crimes have been included since the first required reporting period. The Office of Security and Life Safety documents all reported crimes whether or not they are Clery-defined crime-reporting incidents. Effective with the 2014-2015 report, the annual security and fire report for colleges and universities is required to include statistics compiled for instances of sexual assault, domestic violence, dating violence, and stalking that are reported to campus security authorities, Title IX Coordinators, and local police agencies.

All Campus Security Authorities were contacted by electronic mail on June 3, 2021, by the Chief of Building Operations and Security, and asked whether there were any crime incidents which they were aware of but had not yet reported. There were two reports provided that were filed with the Office of Security and Life Safety and classified. Of the eleven incidents, three were deemed reportable by Clery definition. There were no additional first-hand reports of any other campus crimes.

Sources for Criminal Statistics

Statistics for the required geographic reporting area for campus and non-campus locations were requested from senior police officials at the First and Eighty Fourth Precincts on Tuesday, September 2, 2021. As of the due date of this report, October 1, neither precinct has provided this data as requested to NYLS. The website for access to Precinct-wide crime computer statistics (COMPSTAT) was made available at the Office of Security and Life Safety.

Current statistics for the First Precinct can be found at the following website:

<http://www1.nyc.gov/site/nypd/bureaus/patrol/precincts/1st-precinct.page>

Current statistics for this Eighty Fourth Precinct can be found at the following website:

<http://www1.nyc.gov/site/nypd/bureaus/patrol/precincts/84th-precinct.page>

Sex Offender Registries

Law enforcement agency information provided by New York and other nearby states concerning registered sex offenders may be obtained from the following websites:

- New York [The Official New York State Sex Offender Registry - NY DCJS](http://www.criminaljustice.ny.gov/nsor/index.htm)
- Neighborhood <http://www.criminaljustice.ny.gov/nsor/index.htm>
- Connecticut http://www.communitynotification.com/cap_office_disclaimer.php?office=54567
- New Jersey http://www.state.nj.us/njsp/info/reg_sexoffend.html
- Pennsylvania <http://www.pameganslaw.state.pa.us/>

Campus Crime Log

The Law School's Campus Crime Log lists all crimes including date, time, location, nature, and disposition reported to employees in the Office of Security and Life Safety during the reporting period. This public Log is maintained by the Chief of Building Operations and Security and is available for inspection weekdays during regular business hours. An electronic version is also posted on the portal at <https://www.nyls.edu>.

Crime statistics must be reported under the definitions used in the Federal Bureau of Investigation's Uniform Crime Reporting (UCR) System and presented by the following geographical locations: (i.) The on-campus property, (ii.) The non-campus property, and (iii.) Public property. The Clery Act requires crime statistics to be reported for a public property that is reasonably contiguous to the Law School.

Entries to the Campus Crime Log must be made within two business days of the report of the incident. The only instance where information would be withheld is where the information could jeopardize an ongoing criminal investigation or poses a threat to the safety of an individual.

TOTAL REPORTABLE ON-CAMPUS CRIME STATISTICS

(September 1, 2020 - August 31, 2021)

<u>Campus Property</u>		<u>185 West Broadway, 55 & 57 Worth Street</u>	
Crime Categories	Date & Time	Location & Building	Description of Crime
No incidents to report this period			
<u>Public Property Streets</u>		<u>185 West Broadway, 55 & 57 Worth Street</u>	
Crime Categories	Date & Time	Location & Building	Description of Crime
No incidents to report this period			

No incidents to report this period

Grand Total Crimes Reporting Period: 0

General Provisions

How to Obtain Crime and Fire Statistics reported to the Office of Post-Secondary Education

In compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (1990), codified as 20 U.S.C. 1092 (f); Public Law 89-329, Section 485(a) and (f) of the Higher Education Reauthorization Act (the Clery Act), all federally funded public and private colleges and universities are required to annually report crime and fire statistics by October 1 to the office of Post-Secondary Education of the United States Department of Education (DOE). The Chief of Building Operations and Safety submits this information annually. The most current statistics were reported to the DOE on September 23, 2021, you can view the statistics reported to the Office of Post-Secondary Education by visiting their website <https://ope.ed.gov/security>

The Clery Act took effect on September 1, 1991. The Clery Act was passed in response to concerns that higher educational institutions were not making public information that would allow people to know how well institutions were providing for the safety of all persons who lived or worked on campus and to prospective members of the college or university community. The DOE was charged with enforcing the Clery Act and working with colleges and universities to meet its mandate. Amendments to the Clery Act were passed in 1992, 1998, 2000, 2008, and 2013 which expanded the scope of the law to include sexual assault reporting, stating requirements where sexually violent offenders are on college and university campuses, clarification on crime records status under the Family Educational Rights and Privacy Act, emergency response and evacuation procedures, missing student notification, fire incidents, and safety and general clarifications on key provisions.

The Clery Act requires that a higher education institution give timely warnings of crimes that pose a threat to personal safety, publish emergency response guidelines, notify the college and university community of real-time emergencies and threats, and make public campus security policies and procedures. By October 1 of each year the Clery Act requires each higher education institution participating in any federal program to prepare, publish, distribute, and provide in hard or electronic means to all current students and employees, and any applicant for enrollment or employment, upon request, an annual security and fire report that includes at a minimum the following information:

- 1) How to report criminal actions or emergencies and a description of how security employees will respond.
- 2) Emergency response and evacuation procedures and timely warning communication policy.
- 3) Outline current policies concerning security and access to campus facilities.
- 4) Describe campus security personnel and their relationship to local police.
- 5) Identify security programs and activities for encouraging personal and community safety.
- 6) Describe missing student notification procedures.
- 7) Policy concerning possession, use, and sale of alcoholic beverages or illegal drugs and the enforcement of a drug-related law.
- 8) Describe drug and alcohol abuse education programs.
- 9) Statistics for the September 1 through August 31 reporting year and the three most recent calendar years of the occurrence on campus, on non-reporting campus property, and on public property of the following that are reported to local police agencies or a campus security authority: criminal

homicide (murder and non-negligent and negligent manslaughter), forcible sex offenses and non-forcible sex offenses, robbery, aggravated assault, burglary, motor vehicle theft, arson, arrests or persons referred for campus disciplinary action for illegal weapons violations, drug-related violations, liquor law violations.

- 10) Statistics for the September 1 through August 31 reporting year and three most recent calendar years by category of prejudice, of any crimes noted in item #9 above involving bodily injury to any persons in which the victim is intentionally selected because of the actual or perceived race, gender, religion, sexual orientation, ethnicity, or disability including crimes of larceny-theft, simple assault, intimidation, and destruction/damage/vandalism of property.
- 11) Statistics for the September 1 through August 31 reporting year concerning the occurrence in campus student housing facilities of fires reported to local fire department agencies or to a campus security authority including the date the fire was reported, the nature of the fire, the date and time of the fire, and the general location of the fire.
- 12) Sexual assault prevention program policy, and information on where to report a sexual assault to campus and local law enforcement authorities.
- 13) Location of a campus crime log that notes all reported crimes by date, time, location, nature and disposition.
- 14) Location of a campus fire log that notes all reported fires in on-campus student housing including the date the fire was reported, the nature of the fire, the date and time of the fire, and the general location of the fire.
- 15) Submit crime and fire statistics to the Law School community and the DOE online by October 17 for this reporting period. This year's results were transmitted to the DOE on or about October 1, 2020.

The Law School provides printed copies of this annual security and safety report for students through the Office of Student Engagement (Office: 57 Worth Street, Fifth Floor, 212-431-2851), for prospective students through the Office of Admissions (Office: 185 West Broadway, First Floor 212-431-2888), and current and prospective employees through the Office of Human Resources (Office: 55 Worth Street, Third Floor, 212-431-2131). There will also be copies of this annual security and fire safety report and other health and safety brochures available from the literature rack on the first floor of 55 Worth Street. This annual security and fire safety report is also available at the Office of Facilities Management, Security and Safety, and online at www.nyls.edu.

Strictly Prohibited

Under Article 129-A, Section 6437 prohibits the marketing of credit cards except within specific guidelines stated by law. The Law School has adopted this guideline as its marketing policy. The open advertising, marketing, or merchandising of credit cards to faculty, students, or employees is prohibited. The Law School has an ATM that is operated and maintained by a private contractor in the lobby of the west campus for members of the Law School community and visitors.

Title IX of the Education Amendments of 1972

Title IX of the Education Amendments of 1972 (Title IX) protects people from discrimination based on sex in education programs or activities that receive federal financial assistance. The DOE Office of Civil Rights is responsible for enforcing Title IX. The law states that no person in the United States shall, based on sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance. The law creates obligations for a college or university to investigate and to provide a "prompt and effective remedy." If the victim is a student, Title IX means among other things that the college or university must provide an environment that does not

interfere with the victim’s right to pursue an education. The college or university incurs this obligation when a victim has given notice to a “responsible employee” or when the college or university, in the exercise of reasonable care, should have known about the assault or harassment.

Violence against Women Reauthorization Act of 2013 (Pub. Law 113-4)

On March 7, 2013, President Barack Obama signed the Violence against Women Reauthorization Act of 2013 (Public law 113-4). Among other provisions, this law amended Section 485(f) of the Higher Education Authorization Act. The statutory changes required colleges and universities to complete statistics for instances of sexual assault, domestic violence, dating violence, and stalking that are reported to campus security authorities or local police agencies. These revisions will be incorporated into the annual report for colleges and universities about these crimes and regulations set forth by the established DOE guidelines.

State of New York Education Law

State Education Law Article 129-A, entitled “Regulation by Colleges of Conduct on Campuses and Other College Property Used for Educational Purposes,” requires all colleges in the State of New York to create certain policies and procedures and to certify annually that the information concerning such policies and procedures has been provided to students. This information is included under the security section in the online student handbook. Also, all first-year students are provided a hard copy with the information contained under Article 129-A during the first-week orientation and it was posted via an announcement on the Law School portal on or about the week of August 11, 2021.

The requirements of Article 129-A are fully covered in this Annual Report. The Article outlines requirements for maintaining public order on higher education campus properties, including the creation of an Advisory Committee on Campus Security (Section 6431); informing the community of sexual assault, domestic violence, and stalking prevention information (Section 6432); noting campus crime reporting procedures and statistics (Section 6433); and outlines procedures for investigating violent felony offenses and reports of missing students (Section 6434); Section 6435 describes the responsibilities for campus security officers who are employed at colleges outside the limits of any city having a population of fewer than one million persons. (This section does not apply to New York Law School); Section 6436 establishes requirements that the Law School must adhere to in providing information to students about bias-related crimes; Section 6437 prohibits the marketing of credit cards except within specific guidelines stated by the law. The Law School has adopted this guideline as its marketing policy. The open advertising, marketing, or merchandising of credit cards to faculty, students, or employees is prohibited. The Law School has an ATM which is operated and maintained by a private contractor and is provided for and accessible to the Law School community and its visitors; and Section 6438 requires the Law School to provide written notification to students residing in NYLS-owned or operated housing concerning a description of such housing facility’s fire safety system, including whether the housing is or is not equipped with a sprinkler system. The Law School must also indicate, within such written notification, how to access the campus fire safety report on student housing.

All colleges that receive state aid must provide information to students about bias-related crimes under Section 6436 of the New York State Education Law. Also, this annual security and fire report notes, in several references, the location of the Office of Security and Life Safety and contact information for the Chief of Building Operations and Security who can provide the same statistical information.

Section 6434 of the Education Law requires college and university security department investigations to investigate any violent felony offense, as defined in 70.02 of the New York State Penal Law, occurring at or on the grounds of each such institution, and providing for the investigation of a report of any missing student. Campus security must coordinate the investigation of such crimes and reports with local law enforcement agencies. This includes situations where a student is at or on the grounds of a college or university, or a report that any college or university student who resides in a facility owned or operated by

the college or university is reported missing from their residence. In these instances, the local police authority must be promptly contacted.

Article 129-B, entitled “Implementation by Colleges and Universities of Sexual Assault, Dating Violence, Domestic Violence and Stalking Prevention and Response Policies and Procedures, requires higher education institutions to adopt written rules implementing Article 129-B by amending its code of conduct or other comparable policies (Section 6440); Article 129-B, the provisions of which are fully covered in this Annual Report, requires such institutions to: adopt a definition of “affirmative consent to sexual activity,” as set forth in Section 6441(1)(see below at p. 60); adopt a policy for alcohol and/or drug use amnesty, as set forth in Section 6442 (see above at p. 13); adopt a Student’s Bill of Rights, as set forth in Section 6443 (see above at p. 44); advise reporting individuals of their rights regarding reports of sexual assault (Section 6444); conduct, no less than every other year, a campus climate assessment to ascertain general awareness and knowledge of the provisions of Article 129-B (Section 6445). The Law School last conducted such a campus climate assessment in on or about April of 2021 the results of such survey were posted on the Law School portal for the community, the next climate assessment report is due in the spring of 2023 and will continually ensure that reporting individuals always have information regarding the confidential reporting of domestic violence, dating violence, stalking, or sexual assault, and related procedures (Section 6446); adopt a comprehensive student onboarding and ongoing education campaign to educate members of the Law School community about domestic violence, dating violence, stalking, and sexual assault, in compliance with applicable federal laws, including the Clery Act as amended by the Violence Against Women Act (Section 6447) and make an annual report to the State education department specified information about reports of domestic violence, dating violence, stalking and sexual assault (Section 6449).

The Federal Bureau of Investigation’s Hierarchy Rule must apply when counting multiple offenses. This rule requires that the most serious offense be counted when more than one offense was committed during a single incident at the same time and place.

The Clery Act hierarchy and primary crimes are:

- Murder and Non-negligent Manslaughter
- Negligent Manslaughter
- Sex Offenses (Rape, Fondling, Incest, Statutory rape)
- Robbery
- Aggravated Assault
- Burglary
- Motor Vehicle Theft
- Arson
- Disciplinary Action
- Hate Crimes (Larceny/Theft, Simple Assault, Intimidation, Destruction/Vandalism Property)
- Dating, Domestic Violence, and Stalking

Appendix 1 – NYLS Sexual Misconduct Policy

Terms and Definition

Confidentiality generally means that information shared by an individual with a designated campus or community professionals cannot be revealed to any other individual without the express permission of the individual.

- The confidentiality of information shared by an individual with designated campus or community professionals generally is governed by New York law, including restrictions on disclosure of information by mental health providers, ordained clergy, rape crisis counselors, and attorneys, all of whom have legally protected confidentiality. These individuals are generally prohibited from breaking confidentiality unless there is an imminent threat of harm to themselves or others.

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

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

Dating Violence means violence by a person who has been in a social romantic or intimate relationship with the Complainant (victim). The existence of such a relationship shall be determined based on a consideration of the following factors: (1) the length of the relationship; (2) the type of relationship; and (3) the frequency of interaction between the persons involved in the relationship.

- Dating violence can be a single act or a pattern of behavior in relationships. Dating violence includes the use or threat of physical force or restraint carried out with the intent of causing pain or injury to another within a dating relationship. Dating Violence may also include taking away a person's cell phone during an argument so the person cannot call a friend or the police for help, or threatening to self-harm if another does not do what is asked. Dating violence does not include acts covered under the definition of Domestic Violence.
- Examples of dating violence may include, but are not limited to: slapping, kicking, pinching, biting, pulling hair, punching, threatening to hit, harm, or use a weapon on a partner's family, hurting or threatening to hurt a partner's pet or children.

Discrimination occurs when one experiences negative or adverse conduct based on characteristics protected in this policy and/or applicable local, state, and federal laws, where such conduct has the effect of denying or limiting one's ability to benefit from and fully participate in educational programs or activities or employment opportunities.

- **Sex or Gender-Based Discrimination** refers to the disparate treatment of a person or group because of that person's or group's sex, sexual orientation, actual or perceived gender, gender identity, or gender expression.

Domestic Violence includes asserted violent misdemeanor and felony offenses committed by (1) a current or former spouse or intimate partner of the victim; (2) a person with whom the victim shares a child in common; (3) a current or former cohabitant who is or has previously been in an intimate relationship with the victim; (4) a person similarly situated to a spouse under domestic or family violence law; or (5) anyone else protected under domestic or family violence law.

- Domestic violence may include emotional abuse, psychological abuse, or economic abuse. Domestic violence can be a single act or a pattern of behavior in relationships. Examples of behaviors that may constitute domestic violence include, but are not limited to: hitting, punching, pinching, slapping, choking, violating a protective order, or harming a person's children or animals.

Gender-Based Misconduct comprises a broad range of behaviors focused on sex and/or gender discrimination that may or may not be sexual. Sexual harassment, sexual assault, sexual exploitation, gender-based harassment, domestic violence, dating violence, and stalking are forms of gender-based misconduct under this policy. Misconduct can occur between strangers or acquaintances, including people involved in an intimate or sexual relationship (current or former). Gender-based misconduct can be committed to people of any sex or gender identity and it can occur between people of the same or different sex or gender identity.

Harassment is certain unwelcome conduct based on a protected classification. It includes subjecting an individual to humiliating, offensive, abusive or threatening conduct that creates an intimidating, hostile, or abusive work, residential or academic environment; alters the conditions of employment, or unreasonably interferes with an individual's academic or work performed based on that individual's protected classification. Harassment includes communicating, sharing, or displaying written or visual materials; making verbal comments; or engaging in physical conduct that is demeaning or derogatory to a person because of a protected classification. Whether or not conduct is Harassment will depend on the totality of the circumstances, including the frequency and severity of the discriminatory conduct; whether the conduct is physically threatening or humiliating, or a mere offensive utterance; and whether the conduct unreasonably interferes with the alleged victim's employment, academic or residential environment.

- Discriminatory harassment includes but is not limited to: epithets or slurs; negative stereotyping; denigrating jokes; and display or circulation in the working, learning, or living environment (including electronic transmission) of written or graphic material.
- See “**Sexual Harassment**,” listed below, for information on Sexual Harassment.
- **Gender-Based Harassment** is harassment based on an individual's gender or gender identity. It includes acts of verbal, non-verbal, or physical aggression, intimidation, or hostility based on actual or perceived gender, gender identity, or gender-stereotyping that are sufficiently severe and pervasive to adversely affect an individual's participation in employment, education, or other NYLS activities. Gender-based harassment can occur when an individual or group is harassed either for exhibiting stereotypical characteristics of a particular sex or failing to conform to stereotypical notions of masculinity or femininity.

Incapacitation under this Policy includes, but is not limited to, lack of consciousness, being asleep, being involuntarily restrained, or otherwise being unable to consent. Indicators of incapacitation include slurred speech, bloodshot or unfocused eyes, unsteady gait (needing assistance walking or standing), vomiting, concern expressed by others about the individual, expressed memory loss, or disorientation.

Non-Consensual Sexual Activity includes any sexual contact (as defined below), however slight, with an object or bodily part, by a person upon another person that is without affirmative consent (as defined above). **Privacy** under this Policy generally means that information related to a report of Prohibited Conduct will only be shared with a limited circle of individuals who “need to know” to assist in the assessment, investigation, or resolution of the report. While not bound by confidentiality generally, the Law School will be discreet and respect the privacy of all individuals involved in the process. No information shall be released from a proceeding to enforce this Policy except as required or permitted by law and NYLS policy.

A Responsible Employee is any employee: who has the authority to take action to redress sexual harassment/misconduct; who has been given the duty of reporting incidents of sexual harassment/misconduct or any other misconduct by students to the Title IX Co-Coordinator or other appropriate designees; or who a student reasonably believes has this authority or duty. Any full-time faculty member, full-time administrator or staff member, or NYLS Security Officer is a Responsible Employee. Examples of employees who are not Responsible Employees include, but are not limited to: Adjunct Faculty; Dining Services Employees; Temporary Employees; and Contract Employees other than Security Officers.

Retaliation is any action to penalize, intimidate, harass, or take adverse action against a person who makes a report of discrimination or harassment, participates in an inquiry or investigation, or otherwise asserts rights protected by non-discrimination laws. In some cases, knowingly making a false report of discrimination or harassment can amount to retaliation.

Sexual Assault is any non-consensual intentional physical contact of a sexual nature, such as unwelcome physical contact with a person’s genitals, buttocks, or breasts, or any form of sexual intercourse without consent. Rape is a form of sexual assault. Sexual assault occurs when the act (non-consensual sexual contact or non-consensual sexual intercourse) is committed by a) physical force, violence, threat, or intimidation; b) ignoring the objections of, or without the consent of, another person; c) causing another’s incapacitation through intoxication or impairment through the use of alcohol or other drugs; and/or d) taking advantage of another person’s incapacitation by alcohol or drug use, disability, unconsciousness, or helplessness which renders them unable to give consent. Per New York State law, a person under the age of 17 cannot give consent. (See also the definition of “Consent,” above).

Sexual contact means the intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks of any person with an intent to abuse, humiliate, harass, degrade, or arouse or gratify the sexual desire of any person.

Sexual Exploitation is non-consensual sexual abuse or exploitation of another when such behavior does not otherwise constitute another specifically defined behavior. Examples of sexual exploitation include, but are not limited to, non-consensual use of electronics to capture, reproduce, or share images of a sexual

nature without the consent of parties involved, public indecency, or exposing genitals to others without consent, or engaging in ‘peeping’ (observing another when privacy would be reasonably expected) without consent.

Sexual Harassment is harassment of a sexual nature. Sexual assault and requests for sexual favors that affect educational or employment decisions constitute sexual harassment. Sexual harassment may also consist of unwelcome physical contact, visual displays of degrading sexual images, sexually suggestive conduct, or remarks of a sexual nature. Unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal (including print or electronic communication), or sexual contact constitute sexual harassment when:

- 1) Submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment or admission to or participation in an academic program or Law School-sponsored activity; or
- 2) Submission to or rejection of such conduct is used as the basis for decisions affecting an individual’s employment status, grades, participation in curricular or extracurricular activities, academic standing, or post-graduate employment (including references); or
- 3) Such conduct has the purpose or effect of unreasonably interfering with an individual’s performance on the job or in the classroom; or
- 4) Such conduct has the purpose or effect of creating an intimidating or hostile work or study environment for an individual or group of individuals.

Sexual harassment can occur regardless of the relationship, position, or respective sex of the parties: same-sex harassment violates this policy. Harassment because of one’s actual or perceived sexual orientation also constitutes sexual harassment under this Policy. Violation of this policy also includes sexual harassment by a student of a faculty member or a subordinate employee of their supervisor.

Sexual Misconduct is a broad term that incorporates a range of behaviors including sexual assault, sexual harassment, domestic violence, dating violence, stalking, and any other conduct of a sexual nature that is non-consensual, or has the purpose or effect of threatening, intimidating, or coercing a person.

- Much sexual misconduct includes non-consensual sexual contact, but this is not a necessary component. For example, threatening speech that is sufficiently severe or pervasive to constitute sexual harassment will constitute sexual misconduct. Making photographs, video, or other visual or auditory recordings of the sexual nature of another person without consent constitutes sexual misconduct, even if the activity documented was consensual. Similarly, sharing such recordings or other sexually harassing electronic communications without consent is a form of sexual misconduct. All members of our community are protected from sexual misconduct, and sexual misconduct is prohibited regardless of the sex of any party involved.

Sexual Violence involves sexual contact perpetrated against an individual’s will, without valid consent, or when an individual is incapable of giving consent. Examples of sexual violence include sexual assault, dating violence, or domestic violence.

Stalking under this Policy means a course of conduct directed at a specific person based on their sex or gender that would cause a reasonable person to feel fear for their or others’ safety or to suffer substantial emotional distress. Stalking involves repeated and continued harassment made against the expressed wishes of another individual, which causes the targeted individual to feel emotional distress, including fear and apprehension. Stalking behaviors may include: pursuing or following; non-consensual (unwanted) communication or contact – including face-to-face, telephone calls, voice messages, electronic messages, text messages, unwanted gifts, etc.; trespassing; and surveillance or other types of observation.

Appendix 2 – New York State Law and Other Definitions

The Violence against Women Act (VAWA) requires NYLS to include certain New York State criminal definitions in its Annual Security Report and also requires that these definitions be provided in other materials disseminated by the Law School. Relevant New York definitions are set forth below. Ultimately, the **Office of the District Attorney will determine whether an act meets the criminal standards.**

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

A person is incapable of consent when he or she is:

- (a) less than 17 years old; or
- (b) mentally disabled; or
- (c) mentally incapacitated; or
- (d) physically helpless; or
- (e) committed to the care and custody or supervision of the state department of corrections and community supervision or a hospital, and the actor is an employee who knows or reasonably should know that such person is committed to the care and custody or supervision of such department or hospital. For purposes of this paragraph, "employee" means
 - (i) an employee of the state department of corrections and community supervision who, as part of his or her employment, performs duties:
 - (a) in a state correctional facility in which the victim is confined at the time of the offense consisting of providing custody, medical or mental health services, counseling services, educational programs, vocational training, institutional parole services, or direct supervision to inmates; or
 - (b) of supervising persons released on community supervision and supervises the victim at the time of the offense or has supervised the victim and the victim is still under community supervision at the time of the offense; or
 - (c) an employee of the office of mental health who, as part of his or her employment, performs duties in a state correctional facility or hospital, as such term is defined in subdivision two of [section four hundred of the correction law](#) in which the inmate is confined at the time of the offense, consisting of providing custody, medical or mental health services, or direct supervision to such inmates; or
 - (d) a person, including a volunteer, providing direct services to inmates in a state correctional facility in which the victim is confined at the time of the offense under a contractual arrangement with the state department of corrections and community supervision or,
 - (e) in the case of a volunteer, a written agreement with such department provided that the person received written notice concerning the provisions of this paragraph; or
 - (f) committed to the care and custody of a local correctional facility, and the actor is an employee, not married to such person, who knows or reasonably should know that such person is committed to the care and custody of such a facility. For purposes of this paragraph, "employee" means an employee of the local correctional facility where the person is committed who performs professional duties consisting of providing custody, medical or mental health services, counseling services, educational services, or vocational

training for inmates. For purposes of this paragraph, “employee” shall also mean a person, including a volunteer or a government employee of the state department of corrections and community supervision or local health, education, or probation agency, providing direct services to inmates in the local correctional facility in which the victim is confined at the time of the offense according to a contractual arrangement with the local correctional department or, in the case of such a volunteer or government employee, a written agreement with such department, provided that such person received written notice concerning the provisions of this paragraph; or

(g) committed to or placed with the office of children and family services and in residential care, and the actor is an employee, not married to such person, who knows or reasonably should know that such person is committed to or placed with such office of children and family services and in residential care. For purposes of this paragraph, “employee” means an employee of the office of children and family services or of a residential facility in which such person is committed to or placed at the time of the offense who, as part of his or her employment, performs duties consisting of providing custody, medical or mental health services, counseling services, educational services, vocational training, or direct supervision to persons committed to or placed in a residential facility operated by the office of children and family services; or

(h) a client or patient and the actor is a health care provider or mental health care provider charged with rape in the third degree, a criminal sexual act in the third degree, aggravated sexual abuse in the fourth degree, or sexual abuse in the third degree, and the act of sexual conduct occurs during a treatment session, consultation, interview, or examination; or

(i) a resident or inpatient of a residential facility operated, licensed or certified by (i) the office of mental health; (ii) the office for people with developmental disabilities; or (iii) the office of alcoholism and substance abuse services, and the actor is an employee of the facility not married to such resident or inpatient. For purposes of this paragraph, “employee” means either: an employee of the agency operating the residential facility, who knows or reasonably should know that such person is a resident or inpatient of such facility and who provides direct care services, case management services, medical or other clinical services, habilitative services or direct supervision of the residents in the facility in which the resident resides; or an officer or other employee, consultant, contractor or volunteer of the residential facility, who knows or reasonably should know that the person is a resident of such facility and who is in direct contact with residents or inpatients; provided, however, that the provisions of this paragraph shall only apply to a consultant, contractor or volunteer providing services pursuant to a contractual arrangement with the agency operating the residential facility or, in the case of a volunteer, a written agreement with such facility, provided that the person received written notice concerning the provisions of this paragraph; provided further, however, “employee” shall not include a person with a developmental disability who is or was receiving services and is also an employee of a service provider and who has sexual contact with another service recipient who is a consenting adult who has consented to such contact; or

(j) detained or otherwise in the custody of a police officer, peace officer, or other law enforcement official and the actor is a police officer, peace officer, or other law enforcement official who either: (i) is detaining or maintaining custody of such person; or (ii) knows, or reasonably should know, that at the time of the offense, such person was detained or in custody. (Penal Law § 130.05)

CONSENT, ABBREVIATED: Clear, unambiguous, and voluntary agreement between the participants to engage in specific sexual activity.

DATING VIOLENCE: Though New York State does not specifically define “dating violence.” NYLS defines in Appendix 1. Further, under New York Law, intimate relationships are covered by the definition of domestic violence when the crime is committed by a person in an “intimate relationship” with the victim. See “Family or Household Member” for the definition of “intimate relationship.”

DOMESTIC VIOLENCE: An act that 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 of 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 sixteen, any married person, or any parent accompanied by his or her minor child or children in situations in which such person or such person's child is a victim of the act.

FAMILY OR HOUSEHOLD MEMBER: Persons related by consanguinity or affinity; persons legally married to one another; persons formerly married to one another regardless of whether they still reside in the same household; persons who have a child in common regardless of whether such persons are married or have lived together at any time; unrelated persons who are continually or at regular intervals living in the same household or who have in the past continually or at regular intervals lived in the same household; persons who are not related by consanguinity or affinity and who are or have been in an intimate relationship regardless of whether such persons have lived together at any time. 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; 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. Intimate relationship status shall be applied to teens, lesbian/gay/bisexual/transgender, and elderly individuals, current and formerly married and/or dating heterosexual individuals who were, or are in an intimate relationship.

PARENT: means a natural or adoptive parent or any individual lawfully charged with a minor child's care or custody.

SEXUAL ASSAULT: New York State broadly defines sexual assault as **sexual contact without consent**. Sexual assault includes offenses that meet the definitions of rape, fondling, incest, or statutory rape.

SEX OFFENSES; LACK OF CONSENT: Whether or not specifically stated, lack of consent of the victim is an element of every sexual offense. (Penal Law § 130.05)

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. (Penal Law § 130.20)

RAPE IN THE THIRD DEGREE: When a person: (1) engages in sexual intercourse with another person who is incapable of consent because 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 because of some factor other than incapacity to consent. (Penal Law § 130.25)

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 because of being mentally disabled or mentally incapacitated. It is an affirmative defense to the crime of rape in the second degree that the defendant was less than four years older than the victim at the time of the act. (Penal Law § 130.30)

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 because 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. (Penal Law § 130.35)

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 because 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; or (3) with another person without such person's consent where such lack of consent is because of some factor other than incapacity to consent. (Penal Law § 130.40)

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 or more and the other person is less than 15 years old; or (2) who is incapable of consent because of being mentally disabled or mentally incapacitated. It is an affirmative defense that the defendant was less than four years older than the victim at the time of the act. (Penal Law § 130.45)

CRIMINAL SEXUAL ACT IN THE FIRST DEGREE: When a person engages in oral or anal sexual conduct with another person: (1) by forcible compulsion; or (2) who is incapable of consent because 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. (Penal Law § 130.50)

FORCIBLE TOUCHING: When a person intentionally, and for no legitimate purpose: (1) forcibly touches the sexual or other intimate parts of another person to degrade or abuse such person; or to gratify the actor's sexual desire; or (2) subjects another person to sexual contact to gratify the actor's sexual desire and with intent to degrade or abuse such other person while such other person is a passenger on a bus, train, or subway car operated by any transit agency, authority or company, public or private, whose operation is authorized by New York state or any of its political subdivisions. (Penal Law § 130.52). Forcible touching 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 ten-year period, has been convicted two or more times in separate criminal transactions for which a sentence was imposed on separate occasions for one of the above-mentioned crimes or any offense defined in Article 130 of the Penal Law, of which the commission or attempted commission thereof is a felony. (Penal Law § 130.53)

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 because of being less than 17 years old; and (2) such other person was more than 14 years old; and (3) the defendant was less than five years older than such other person. (Penal Law § 130.55)

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 because of some factor other than being less than 17 years old; or (2) less than 14 years old. (Penal Law § 130.60)

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 because 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 twenty-one years old or older. (Penal Law § 130.65)

AGGRAVATED SEXUAL ABUSE: Conduct performed for a valid medical purpose does not violate the provisions of the Penal Law concerning aggravated sexual abuse.

AGGRAVATED SEXUAL ABUSE IN THE FOURTH DEGREE: When a person: inserts a (1) foreign object in the vagina, urethra, penis, rectum, or anus of another person and the other person is incapable of consent because 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 because of some factor other than being less than 17 years old. (Penal Law § 130.65-a)

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 because 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 because of being mentally disabled or mentally incapacitated. (Penal Law § 130.66)

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 because of being physically helpless; or (3) when the other person is less than 11 years old. (Penal Law § 130.67)

AGGRAVATED SEXUAL ABUSE IN THE FIRST DEGREE: When a person inserts a foreign object in the vagina, urethra, penis, rectum, or anus of another person causing physical injury to such person by: (1) By forcible compulsion; or (2) when the other person is incapable of consent because of being physically helpless; or (3) when the other person is less than eleven years old. (Penal Law § 130.70)

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, telephoning, or initiating communication or contact with such person, a member of such person's immediate family, or a third party with whom such person is acquainted, and the actor was previously clearly informed to cease that conduct; or (3) is likely to cause such person to reasonably fear that his or her employment, business, or career is threatened, where such conduct consists of appearing, telephoning or initiating communication or contact at such person's place of employment or business, and the actor was previously clearly informed to cease that conduct. "Following" includes the unauthorized tracking of such a person's movements or location through the use of a global positioning system or other devices. (Penal Law § 120.45)

STALKING IN THE THIRD DEGREE: When a person: (1) Commits the crime of stalking in the fourth degree against three or more persons, in three or more separate transactions, for which the actor has not been previously convicted; or (2) Commits the crime of stalking in the fourth degree against any person, and has previously been convicted, within the preceding ten years of a specified predicate crime, , and the victim of such specified predicate crime is the victim, or an immediate family member of the victim, of the present offense; or (3) With 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.. (Penal Law § 120.50)

STALKING IN THE SECOND DEGREE: When a person: (1) Commits the crime of stalking in the third degree and in the course of and in furtherance of the commission of such offense: (i) displays, or possesses and threatens the use of, a firearm, pistol, revolver, rifle, shotgun, machine gun, electronic dart gun, electronic stun gun, cane sword, billy, blackjack, bludgeon, plastic knuckles, metal knuckles, chuka stick, sand bag, sandclub, slingshot, slungshot, shirken, “Kung Fu Star”, dagger, dangerous knife, dirk, razor, stiletto, imitation pistol, dangerous instrument, deadly instrument or deadly weapon; or (ii) displays what appears to be a pistol, revolver, rifle, shotgun, machine gun or other firearm; or (2) Commits the crime of stalking in the third degree against any person, and has previously been convicted, within the preceding five years, of a specified predicate crime, and the victim of such specified predicate crime is the victim, or an immediate family member of the victim, of the present offense; or (3) Commits the crime of stalking in the fourth degree and has previously been convicted of stalking in the third degree as defined in subdivision four of section 120.50 of this article against any person; or (4) Being twenty-one years of age or older, repeatedly follows a person under the age of fourteen or engages in a course of conduct or repeatedly commits acts over a period of time intentionally placing or attempting to place such person who is under the age of fourteen in reasonable fear of physical injury, serious physical injury or death; or (5) Commits the crime of stalking in the third degree, against ten or more persons, in ten or more separate transactions, for which the actor has not been previously convicted. (Penal Law § 120.55)

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: (1) intentionally or recklessly causes physical injury to the victim of such crime; commits a class A misdemeanor defined in article one hundred thirty of this chapter, or a class E felony defined in section 130.25, 130.40 or 130.85 of this chapter, or a class D felony defined in section 130.30 or 130.45 of this chapter. (Penal Law § 120.60)

Appendix 3 – NYLS Student Housing

New York Law School formerly housed students at the Saint George Residence Hall located in Brooklyn at 100 Henry Street. During the annual period covered by this report, the Law School ceased to provide any off-campus housing. The below statistics represent the portion of the reporting period in which NYLS students were housed in the Saint George Residence Hall.

TOTAL REPORTABLE NON-CAMPUS CRIMES

(September 1, 2020 - August 31, 2021)

Non-Campus Property Saint George Residence Hall, 100 Henry Street, Brooklyn, NY 11201

Crime Categories	Date & Time	Location & Building	Description of Crime
Stalking	5/18/21	Virtually	Student and a community member

Public Property Streets Saint George Residence Hall, 100 Henry Street, Brooklyn, NY 11201

Crime Categories	Date & Time	Location & Building	Description of Crime
No incidents to report this period			

Public Property Sidewalks Saint George Residence Hall, 100 Henry Street, Brooklyn, NY 11201

Crime Categories	Date & Time	Location & Building	Description of Crime
No incidents to report this period			

Grand Total Crimes Reporting Period: 1

Appendix 4 – Fire Safety Definitions

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. Maybe classified as structural, mobile, or other.

Cause of Fire – The factor or factors that give rise to a fire. The casual factor may be but is not limited to, the result of an unintentional action, mechanical failure, or an act of nature.

Evacuation Drill – A supervised practice of a mandatory evacuation of a building in the event of an emergency such as a fire.

Fire – Any open flame or burning in a place not intended to contain the burning or in an uncontrolled manner.

Fire Related Injury – Any instance in which any person is injured as a result of a fire, including an injury sustained from a natural or accidental cause while involved in fire control, attempting rescue, or escaping from the dangers.

Fire Related Death - Any instance in which any person is killed as a result of a fire, including death sustained from a natural or accidental cause while involved in fire control, attempting rescue, or escaping from the dangers, or who passes away within one year of their injuries sustained in such fire.

Fire Safety System – Any mechanism or system related to the detection of fire, the warning resulting from fire, or control of a fire including:

- Sprinkler Systems and all associated devices (water flows, tampers, etc...)
- Standpipe Systems (Hose Racks, Gravity Tanks, Siamese Connections)
- Speakers and Strobes (Visual and Audio)
- Supervised or Stand Alone Smoke Detectors
- Fire Doors and Fire Rated walls
- Fire Dampers
- Smoke Control and Reduction Mechanisms
- Fire Pumps

Property Value – The estimated value of the items and contents within a structure lost as a result of a fire, in terms of the replacement cost in kind and quantity including contents damaged, related damages from water and/or smoke and overhaul.

Appendix 5 - New York Law School Crime Statistics Three Year History

Reporting Period (September 1, 2018 to August 31, 2019)

Category	OC	NC	PP	U	Totals
Fondling		1			1
Vandalism	2				2
Vandalism	4				4
Simple Assault	2				2
Harassment		1			1
Theft	1				1
Total Incidents Reported					11

Reporting Period (September 1, 2019, to August 31, 2020)

Category	OC	NC	PP	U	Total
Theft	2				2
Stalking	1				1
Sexual Assault		1			1
Total Incidents Reported					4

Reporting Period (September 1, 2020, to August 31, 2021)

Category	OC	NC	PP	U	Total
Stalking		1			1
Total Incidents Reported					1

Title IX Co-Coordinator –Nina Jody

Title IX Co-Coordinator – Brian Kaszuba

OC On campus
 NC Non campus
 PP Public Property
 U Unfounded

Highlighted indicates reported to DOE.

Appendix 6 - New York Law School Fire Statistics Three-Year History

Reporting Period (September 1, 2018, to August 31, 2019)

Saint George Residence Hall – 100 Henry Street, Brooklyn NY 11201

Date & Time	Location	Cause	Number of Deaths	Injuries requiring medical attention	Dollar value of property damage
None	-	-	0	0	\$0

Reporting Period (September 1, 2019, to August 31, 2020)

Saint George Residence Hall – 100 Henry Street, Brooklyn NY 11201

Date & Time	Location	Cause	Number of Deaths	Injuries requiring medical attention	Dollar value of property damage
None	-	-	0	0	\$0

Reporting Period (September 1, 2020, to August 31, 2021)

Saint George Residence Hall – 100 Henry Street, Brooklyn NY 11201

Date & Time	Location	Cause	Number of Deaths	Injuries requiring medical attention	Dollar value of property damage
None	-	-	0	0	\$0

Campus Fire Log

The Law School's Campus Fire Log lists all crimes including date, time, location, nature, and disposition reported to the Office of Security and Safety. This public Log is maintained by the Chief of Building Operations and Security and is available for inspection weekdays during regular business hours in the Office of Security & Life Safety. In compliance with the Clery Act, a fire is any instance of open flame or other burning in a place not intended to contain the burning or in a controlled manner.

False Alarms

The Tribeca campus had one (1) false alarm this reporting period that occurred on March 10, 2021, when a smoke detector activated in the sub-cellar mechanical room of the east campus building due to a steam leak. Because the system was offline at the time FDNY did not respond and building staff corrected the condition.

Appendix 7 – Timely Warning & Emergency Notification Policy

Overview

In the event of criminal activity occurring on the New York Law School (also known as the “Law School” or “NYLS”) campus, or on certain other property, that constitutes a serious or continuing threat to members of the campus community, a campus-wide Timely Warning will be issued to all students and employees. The intent of a timely warning is to aid in the prevention of similar crimes, including helping members of the NYLS community protect themselves.

Anyone with information regarding criminal activity that may warrant a timely warning should immediately report the circumstances to Paul Repetto, Chief of Building Operations & Security, at paul.repetto@nyls.edu or 212-431-2836. In an emergency, please call 911.

The school has a Memorandum of Understanding with the New York City Police Department (NYPD) to foster cooperation and information sharing. NYLS has communicated with the NYPD, asking the NYPD to notify the school if they receive reports or information warranting a Timely Warning.

In addition to the Timely warnings that the School is required to issue pursuant to the criteria set forth herein, NYLS may also issue Emergency Notifications, when appropriate. Emergency Notifications are issued concerning significant emergencies or dangerous situations involving an immediate threat to the health or safety of students or employees occurring on or in the vicinity of the NYLS campus.

Timely Warning Criteria

New York Law School will issue a timely warning when the criteria below have been met:

1. A crime is reported to NYLS, or NYLS is otherwise made aware of the incident. For example, NYPD notifies the School that a crime has been reported to that agency;
2. The crime is reported to have occurred on the Law School’s “Clery geography,” which generally includes NYLS buildings, adjacent public property (i.e., streets and sidewalks), and other properties owned or controlled by the NYLS (which for purposes of this definition includes the portions of the St. George Residence Hall in Brooklyn Heights occupied by NYLS students
3. The crime is a Designated Crime (see below); and
4. The circumstances present a serious or continuing threat to the NYLS community (see below). NYLS has the discretion to issue Timely Warnings in other situations as well.

Designated Crimes

Assuming all other criteria have been met, crimes necessitating a timely warning are listed in the chart below.

Primary Criminal Offenses include Murder/non-negligent manslaughter; manslaughter by negligence; rape; fondling; incest; statutory rape; robbery; aggravated assault; burglary; motor vehicle theft; and arson.

Hate Crimes are a criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator’s bias against the victim. Hate crimes include: murder/non-negligent manslaughter; manslaughter by negligence; rape; fondling; incest; statutory rape; robbery; aggravated assault; burglary; motor vehicle theft; arson; larceny-theft; simple assault; intimidation; and destruction/damage/vandalism to property. The eight categories of bias that may result in a hate crime designation for purposes of this policy are as follows: race, gender, gender identity, religion, sexual orientation, ethnicity, national origin, and disability.

Violence against Women Act (VAWA) Offenses include dating violence, domestic violence, and stalking.

Arrests and Disciplinary Referrals for Disciplinary Action as a result of the following violations include; drug abuse violations, liquor law violations, and weapons violations (e.g. carrying, possessing, etc.).

Serious or Continuing Threat Analysis

The Chief of Building Operations and Security or their designee, in collaboration with the General Counsel and senior members of the Administration as necessary, is responsible for determining what constitutes a serious or continuing threat to the New York Law School community.

This evaluation is completed on a case-by-case basis in consideration of the relevant circumstances.

There may be instances when a Designated Crime occurs on NYLS Clery geography, but the situation does not present an ongoing danger to the NYLS community; thus, it would not necessitate a Timely Warning. For example, a robbery on or near NYLS may have been reported, but the suspect was immediately apprehended by police and, therefore, presents no ongoing danger to the NYLS community.

The factors used when analyzing whether a reported crime presents a serious or continuing threat to the campus community includes, but are not limited to, the following:

- How much time has passed between the incident and the report?
- Has the perpetrator been apprehended?
- Were their multiple perpetrators working together?
- Was the incident violent in nature?
- Were date rape drugs or other substances used to facilitate the crime?
- Was a weapon used during the commission of the crime?
- Does the incident appear to be an isolated incident with a specifically targeted victim(s)?
- Is there a pattern of similar incidents? (e.g., the same or similar crimes occurring in a short period; a particular group being targeted on multiple occasions; etc.)
- Are there other aggravating circumstances or predatory behaviors at issue suggesting that a threat/ongoing danger exists?
- Are there enough details available to determine whether a threat/ongoing danger exists?

Timely Warning Content

Because a timely warning intends to aid in the prevention of similar crimes, including by helping members of the NYLS community protect themselves, these warnings will include information that NYLS determines is necessary and appropriate to further these goals.

The content of a Timely Warning will, at minimum, include pertinent information about the crime that triggered the warning (e.g., type of crime and a description of where and when it occurred). The Warning may also provide other brief information about the situation if warranted, such as any available information about the suspect(s). However, caution will be taken to not issue such a lengthy warning that it cannot be quickly understood by recipients. An example of a timely warning is as follows:

WARNING (6/12/19): Armed Robbery outside of 185 West Broadway reported at 9:32 p.m. Perpetrator described as a tall male in a red hooded sweatshirt. Last seen running to the north across Franklin Street. This is an active situation. Please be alert if you are in the area.

Names of victims will be withheld from timely warnings, and the Law School will also refrain from including information that could compromise law enforcement efforts.

Timely Warning Methods

Timely warnings will be communicated to all students and employees via mass e-mail or the Notify NYLS system. The Notify NYLS system requires both students and employees to register. Students may register by logging in to go.nyls.edu, Staff may register at notifynyls.bbcportal.com.

NYLS may also supplement the email and/Notify NYLS notifications with other methods, such as hard copy postings on campus, messages on video monitors located throughout the building, and more.

Timely Warnings will be posted on www.nyls.edu as well as <http://emergency.nyls.edu>

Updating the Timely Warning

After a timely warning has been issued, the School will consider whether a follow-up warning is necessary. If it is determined that a follow-up warning is necessary, it will be made in the manner described above.

Appendix 8 – NYLS Policy Related to COVID-19

The top priority of New York Law School (“NYLS” or the “Law School”) is the health, safety, and well being of our community and visitors. In order to maintain a campus that is as safe as possible, and in accordance with applicable public health guidelines regarding COVID-19, NYLS has implemented the following policy. The policy builds on, and where appropriate modifies, the NYLS Policy Related to COVID-19 announced in August 2020 and reflects, among other things, the widespread availability of COVID-19 vaccines and improved understanding of COVID-19 transmission and prevention. Except where otherwise noted, the August 2020 policy and associated protocols remain in effect.

All members of the NYLS community—which includes students, faculty, staff, trustees, alumni, tenant organization personnel, contract personnel working at the Law School, and clients—and visitors to the Law School are expected to fully comply with the procedures outlined in this document. Failure to do so may result in disciplinary action and/or being asked to leave campus.

Because medical and epidemiological understanding of the novel coronavirus continues to evolve, NYLS will continuously monitor all relevant public health guideline, executive orders, state and local health codes, legislation, and rulemaking, as well as the status of the epidemic in New York City and neighboring areas, and will update this policy accordingly.

The policy may be changed at any time and for any reason at the sole discretion of the law school. NYLS will also conduct trainings and provide written guidance for community members on aspects of this policy where necessary. The latest policy can be found at the below link as follows:

<http://www.nyls.edu/covid-19-related-policy>