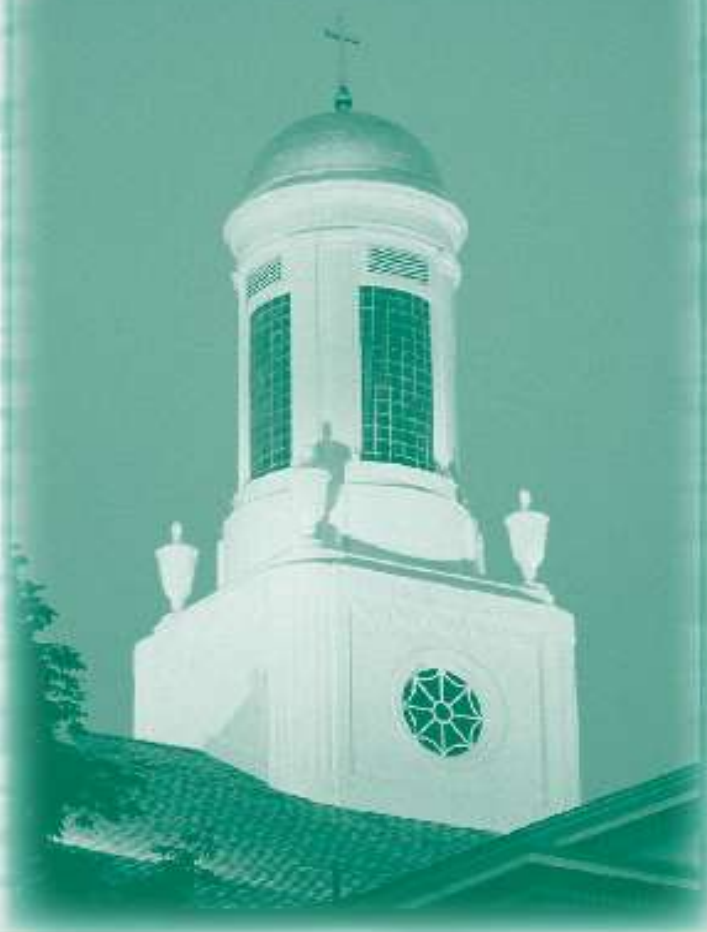


PUBLIC SAFETY

at Siena College

2010 Annual Security and Fire Report





**Annual Security and Fire
Safety Report
Under the Clery Act**

Updated September 2011

Annual Security and Fire Safety Report

Statistics from Calendar Years:

2008

2009

And

2010

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The Jeanne Clery Campus Security Policy & Crime Statistics Disclosure Act

In 1990, Congress enacted the *Crime Awareness and Campus Security Act* (Title II of Public Law 101–542), which amended the *Higher Education Act of 1965* (HEA). This act required all postsecondary institutions participating in Title IV student financial aid programs to disclose campus crime statistics and security information. The act was amended in 1992, 1998 and 2000. The 1998 amendments renamed the law the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act* (commonly referred to as “the Clery Act”) in memory of a Jeanne Clery who was slain in her dorm room in 1986.

The Clery Act requires colleges and Universities to:

- publish an annual report every year by October 1 that contains three years of campus crime statistics and certain campus security policy statements;
- disclose crime statistics for the campus, public areas immediately adjacent to or running through the campus, and certain non-campus facilities and remote classrooms. The statistics must be gathered from campus police or security, local law enforcement, and other University officials who have “significant responsibility for student and campus activities”;
- provide “timely warning” notices of those crimes that have occurred and pose an ongoing “threat to students and employees”;
- and
- disclose in a public crime log “any crime that occurred on campus...or within the patrol jurisdiction of the campus police or the campus security department and is reported to the campus police or security department.”

Siena College Public Safety is responsible for preparing and distributing this report. We work with many other departments and agencies, such as the Offices of Student Affairs, Department of Athletics, Campus Programs, the New York State Police and the Town of Colonie Police Department to compile the information.

We encourage members of the Siena community to use this report as a guide for safe practices on and off campus. Each member of the Siena community receives an e-mail that describes the report and provides its web address. For more information, contact the Department of Public Safety at 518-783-2376, or e-mail tbreslin@siena.edu.



A. Campus Law Enforcement Authority

Siena College is committed to using its best efforts to ensure the well-being and peace of mind of the men and women who make up the College community. This commitment includes providing a safe and secure environment for all students, employees, and guests. Siena has policies and procedures that are designed to prevent incidents that may interfere with the normal life of the College. Prevention of crime on campus is of critical importance to all members of the Siena community and their families. Siena enrolls more than 3,000 full-time students. The College employs more than 750 staff members including some 225 faculty. The campus covers 176 acres, on which 66 buildings and townhouses are located. The following describes the policies and procedures of Siena in regard to public safety on campus.

The Public Safety Department, which is located in the Haas Building on the north end of the College campus, provides a wide range of services designed to meet the needs of the College community. Siena Public Safety is composed of the Assistant Vice President of Student Affairs/Director of Public Safety, an Associate Director of Public Safety, Assistant Director of Safety, an Assistant Director of Public Safety, an office staff, dispatchers, and 16 full-time public safety officers, as well as 8 part-time officers. These men and women are private security officers who are certified by the State of New York and are trained in New York State Penal Law and Criminal Procedure Law. Article 7-A of the New York State Business Law, entitled the Security Guard Act, governs the officer’s authority. In addition, the officers receive training in emergency procedures, first aid, and CPR/AED. Public Safety conducts foot, vehicular, and bicycle patrols of the campus 24 hours a day, seven days a week. The Assistant Director of Safety inspects all campus buildings on a regular basis for fire and health hazards. Public Safety is charged by the College administration with enforcing College policies and regulations and cooperating with State and Municipal authorities. The Department of Public Safety works closely with the Colonie Police Department and a written Memorandum of Understanding is in place with regards to the coordination of law enforcement efforts between the College and the police department. We rely on these relationships for support on several levels. In

addition to sharing critical information, the Department of Public Safety has a working relationship with the Town of Colonie 911 Center. This arrangement gives us immediate access to mutual aid and support from Police, Fire and EMS. Officers from these agencies frequently support events on campus.

The Public Safety Department's Mission Statement

Our mission statement flows from the College's Mission Statement. The mission of this department is to foster a safe campus, which helps to ensure an academic environment that includes respect for others and their property and that encourages a feeling of community and safety among students, faculty and staff.

The Siena College Public Safety Department is a full-service security agency empowered by the College. The Department is dedicated to preserving the peace, enforcing the laws of the State and policies of the College, protecting life and property, preventing and detecting crime, apprehending criminals and violators of the College's Rules and Regulations, promoting vehicle safety on campus and fostering a safe environment for our students and employees. To this end, the Public Safety Department serves all campus departments as well as all State and Local Authorities.

To accomplish its multifaceted mission, the Department relies upon traditional security strategies, as well as innovative patrol and investigative techniques. These are both developed internally and adapted from those that have been successfully used by other agencies with a comparable mission and similar structure.

B. Working Relationship with Local Law enforcement

Siena College recognizes that laws and rules are necessary for society to function and supports the enforcement of law by governmental agencies and rules by officials of the College. All persons on the campus are subject to these laws and rules at all times. The Department of Public Safety works closely with the Colonie Police Department and a written Memorandum of Understanding is in place with regard to the coordination of law enforcement efforts between the College and the police department. We rely on this relationship for support on several levels: investigations, arrests, or in cases where added security is warranted. In cases of emergency, the response time of the police department to campus averages less than two minutes. Public Safety officers are expected to render all possible assistance provided such assistance can be given without significantly endangering the officer or others not involved in the crime. The College relies on the telephone to contact the town emergency dispatch center for fire and emergency medical needs. All victims are offered an opportunity to report crimes to the Colonie Police Department.

Annually, the Chief of Police in for the Colonie Police Department is provided with a summary of all crime occurring on campus. Frequent meetings or telephone conversations between the chief of police (or his designee) and the director of campus safety allow for exchanges of routine information on a timely basis. Additionally, special needs are communicated between agencies as they occur.

In addition to sharing critical information, the Department of Public Safety has a working relationship with the Town of Colonie 911 Center. This arrangement gives us immediate access to mutual aid and support from Police, Fire and EMS. Officers from these agencies frequently support events on campus.

Addressing Criminal Activity Off Campus

When a Siena student is involved in an off-campus offense, Siena College Public Safety officers may share information to assist with the investigation in order to cooperate with local, state or federal law enforcement. Colonie Police routinely work and communicate with campus officers on any serious incidents occurring on-campus or in the immediate neighborhood and business areas surrounding campus. Siena College operates no off-campus housing or off-campus student organization facilities. However, some students live in the neighborhoods surrounding campus. While Colonie Police have primary jurisdiction in all areas off campus, Siena College Public Safety officers may respond to student-related incidents that occur in close proximity to campus. Siena College Public Safety coordinates communication with the police, fire department and ambulance services to facilitate rapid response in any emergency situation.

Siena College reserves the right to bring charges against a student for any violation(s) of the Code of Conduct prior to, concurrent with or following criminal charges being filed in a court of law for the same act(s). All College rules and regulations apply to students and their conduct, behavior and activity, both on and off College premises and at College-sponsored events and activities, regardless of where they are being held. Since the standards of conduct apply to all students of the College both on and off campus, students arrested for criminal offenses (misdemeanor or felony) may be subject to disciplinary actions. Police or court reports or documents, reports from College officials or student complaints may be considered when reviewing allegations of off-campus misconduct. In certain cases in which the College determines that the behavior of students occurring off of the College premises is likely to adversely affect or create a danger to the College community, the vice president for student affairs or designee may initiate College disciplinary proceedings, whether or not criminal charges have been filed. Student members of the Siena community are expected to act with respect for the safety, personal rights and property of individual groups outside the College as well as to respect the proper authority of local, state and federal officials. The College reserves the right to take disciplinary action against students or student organizations responsible for organizing non-College-sponsored events (dances, theme parties, etc.) that result in underage drinking, misconduct or criminal activity. Hosting a non-College sponsored event at a third-party vendor shall not exonerate the student or student organization from responsibility.

Reporting Criminal Incidents and other Emergencies

All students, employees, and guests should promptly report criminal incidents, fires, accidents, and other emergencies to the Department of Public Safety. If it is an emergency, contact the Department of Public Safety at (518) 783-2999 or by dialing 911 from any phone on campus. Public Safety can also be contacted by using the Emergency Call Boxes located near the Residential Halls, Parking Lots or walkways. Any suspicious activity or person seen in the parking lots or loitering around vehicles, inside buildings or around Residential Halls should be reported to Public Safety. If it is a non-emergency dial (518) 783-2376. In addition you may report a crime to the following areas: All numbers are in area code 518

Student Affairs	783- 2328	Sarazen Student Union 310
Center for Counseling	783-2432	Foy Hall 110
Health Services	783-2554	MacClosky Sq. Basement
Human Resources	783-2420	Siena Hall 204
Damietta Cross-Cultural Center	783-2330	Sarazen Student Union 304
Thea Bowman Women's Center	782-5944	New Hall
Residence Life	783-2919	Sarazen Student Union 318

Voluntary Confidential Reporting

If you are the victim of a crime and do not want to pursue action within the Siena College Student Conduct System or the Criminal Justice System, we strongly encourage you to make a confidential report. The Office of Public Safety, along with the College, will make every effort to safeguard a confidential report. The College may be required to share information but will only do so when it is completely necessary; therefore, we cannot guarantee total confidentiality and your anonymity, but will take extra measures to protect them. A confidential report allows the Office of Public Safety and other responding College officials to protect your safety as well as others. With such information, Siena College can keep an accurate record of the number of incidents involving students, determine where there is a pattern of crime with regard to a particular location, method, or assailant, and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crimes statistics for the College.

In accordance with the Clery Act the only persons excluded from reporting crime statistics are pastoral and professional counselors. A “pastoral counselor” is defined as a person who is associated with a religious order or denomination; and is recognized by that religious order or denomination as someone who provides confidential counseling; and is functioning within that confidential counseling role at the time the crime is reported. A “professional counselor” is defined as a person whose official responsibilities include providing mental health counseling to the institution’s community; and who is functioning within the scope of his or her license.

There are numerous ways to report on a confidential basis.

1. Report the incident with confidentiality to any college designated official
 - A. Public Safety Director 783-2376
 - B. Student Affairs Personnel 783-2328
 - C. Friars
 - D. Counseling Center 783-2342
 - E. Thea Bowman Women’s Center 783-5944
 - F. Team or Club Coaches

2. Use the anonymous tip page on the Public Safety Website or go directly to www.siena.edu/pages/3166.asp

Campus Security Authorities

Under Clery, a crime is “reported” when it is brought to the attention of a campus security authority (CSA) or local law enforcement personnel by a victim, witness, other third party or even the offender. It doesn’t matter whether or not the individuals involved in the crime, or reporting the crime, are associated with the institution. If a campus security authority receives the crime information and believes it was provided in good faith, he or she should document it as a crime report. In “good faith” means there is a reasonable basis for believing that the information is not simply rumor or hearsay. That is, there is little or no reason to doubt the validity of the information. Because official responsibilities and job titles vary significantly on campuses, a list of specific titles is not provided in the regulations. To determine specifically which individuals or organizations are campus security authorities for the college, Siena considers the **function** of that individual or office. **If someone has significant responsibility for student and campus activities, he or she is a campus security authority.**

The following is a list of Campus Security Authorities for Siena College.

- I. Public Safety
 - A. All members of Public Safety

- II. Student Affairs
 - A. Vice President of Student Affairs
 - B. Dean of Students

- C. Associate Deans of Students
 - D. Director of Residential Life
 - E. Associate Director of Residential Life
 - F. Assistant Director of Residential Life
 - G. Resident Directors
 - H. Resident Assistants
 - I. Director of the Damietta Cross-Cultural Center
 - J. Assistant Director of the Damietta Cross-Cultural Center
 - K. Director of Campus Programs
 - L. Associate Director of Campus Programs
 - M. Assistant Director of Campus Programs
 - N. All Club Coaches
 - O. All Club Advisors
 - P. Director of Health Services
 - Q. Director of the Thea Bowman Women’s Center
 - R. Director of Services for Students with Disabilities
- III. Athletics
- A. Athletic Director
 - B. Associate Director of Athletics/Compliance Coordinator
 - C. All Coaches and Assistant Coaches
 - D. Athletic Trainers
 - E. Strength and Conditioning Coach
 - F. Director of Student Engagement
 - G. Athletic Academic Advisor
- IV. Academic Affairs
- A. Vice President of Academic Affairs
 - B. Associate Vice President for Academic Affairs
 - C. Director of Academic Advising
 - D. Dean of the School of Business
 - E. Dean of the School of Science
 - F. Dean of the School of Liberal Arts
 - G. Any faculty member who is a club advisor or supervises any academic trip
- V. Admissions
- A. Any advisor to an Admissions Office club or group.
- VI. Finance and Administration
- A. Director of Risk Analysis / Project Management
- VII. Higher Education Opportunity Program
- A. Director of HEOP
 - B. Associate Director of HEOP
 - C. HEOP Counselor

Any employee or volunteer of Siena who serves as a club or organization advisor is considered to be a CSA for the Siena community.

Timely Warnings to the Campus

In the event that a situation arises, either on or off campus, that, in the judgment of the Director of Public Safety, constitutes an ongoing or continuing threat, a campus wide “timely warning” will be issued. The warning will be issued by the Department of Public Safety or the Dean’s Office through the college e-mail to students, faculty, staff, and administration. If appropriate, the timely warning will also be published in the campus student newspaper, *The Promethean*.

Depending on the particular circumstances of the crime, especially in all situations that could pose an immediate threat to the community and individuals, the Office of Public Safety may also post a notice on the Public Safety website at: <http://www.siena.edu/publicsafety>, providing the college community with more immediate notification. In such instances, a copy of the notice is posted in each residence hall and in on-campus buildings.

Anyone with information warranting a timely warning should report the circumstances to the Office of Public Safety, by phone (518)783-2999 or in person at the dispatch center within Public Safety, Haas Building, at the north end of campus near MacClosky Square.

If any situation is deemed to be an emergency, Siena College will utilize its mass notification system to warn the community of any threat.

Emergency Preparedness, Notice and Evacuation



Siena College has long recognized the need to be prepared for critical incidents. Under the guidance of the Emergency Operations Team, various departments and offices work together to ensure the College is doing all it can to prepare for, prevent, respond to, and recover from emergency situations. The designated college officials train with the Colonie Police Department, Colonie EMS, Shaker Road-Loudonville Fire Department, Latham Fire Department and the Town of Colonie Emergency Management Coordinator so that the College is well-prepared to respond to a full range of critical incidents. The Office of Student Affairs and the Department of Public Safety work together to ensure our emergency operations plan is updated, as needed, and are applicable as new risks are identified.

The college Emergency Operation Plan outlines procedures which must be followed in order to inform the campus community of an emergency.

Emergency Notification Siena Alert System

The Siena Alert System (SAS) enables officials from Public Safety, Student Affairs, or Academic Affairs to communicate on matters of CRITICAL EMERGENCIES with all members of the College community who sign up for this service. This system enables the college to send urgent text alerts to cell phones with text message capability, e-mail accounts, pagers, and web pages within moments of a critical incident. The purpose of these messages is to alert, inform, and reassure the community during emergencies.

Students, faculty, staff and administrators are encouraged to subscribe to the Siena Alert System. Siena Alert messages will be sent only in cases where there is a need to provide immediate information to the Siena College community.

PLEASE REGISTER - it only takes a few minutes. To sign-up, you must authenticate using your Network ID and Password.

For further instructions on how to create an account click [here](#).

[Login to the Siena Alert System](#)

Speakers / Alarm Sirens

The Siena campus is equipped with 31 Blue Light Call Boxes which are located throughout the campus. Affixed to these call boxes are speakers and strobe lights which would be utilized to communicate on matters of CRITICAL EMERGENCIES with all members of the College community. When activated, this system would start with a siren and then the alert is broadcast over the system.

There are also 10 speakers located in buildings around campus which are integrated into this system. The Siena Alert System and the call box speaker system would be utilized in conjunction with each other. The text messaging system is utilized and tested by all Public Safety Officers twice a month.

This not only insures that the system is operating properly but it also keeps the officers proficient in operating the system. The call box system is tested once each semester while the students are on campus. This insures that the system is functional and it allows the campus community to become familiar with the sound of the warning.



Missing Person Notification

If a member of the Siena College community has reason to believe that a student who resides in on-campus housing is missing, he or she should **immediately** notify Public Safety at 783-2999. Siena College Public Safety will generate a report and initiate an investigation.

In addition to registering a general emergency contact, students residing in on-campus housing have the option to identify confidentially an individual to be contacted by Siena College in the event the student is determined to be missing for more than 24 hours. If a student has identified such an individual, Siena will notify that individual no later than 24 hours after the student is determined to be missing. A student who wishes to identify a confidential emergency contact can do so through the Office of Residential Life (www.siena.edu/residentiaallife). A student's confidential contact information will be accessible only by authorized campus officials and law enforcement in the course of an investigation.

After investigating a missing person report, should Siena College Public Safety determine that the student has been missing for 24 hours, Siena College will notify Colonie Police and the student's emergency contact no later than 24 hours after the student is determined to be missing. If the missing student is under the age of 18 and not an emancipated individual, Siena College will notify the student's parent or legal guardian immediately after Siena College Public Safety has determined that the student has been missing for 24 hours.

Crime Prevention and Security Awareness Programs

Crime Prevention Programs on personal safety and theft prevention are sponsored by various campus organizations throughout the year. Siena Public Safety personnel facilitate programs for student, parent, faculty, and new employee orientations, student organizations, community organizations, and the Residence Life staff providing a variety of educational strategies and tips on how to protect themselves from sexual assault, theft and other crimes. Throughout the academic year, Public Safety offers Rape Aggression Defense System (RAD) training and will have classes in both the fall and spring semester. It is a comprehensive course that begins with awareness, prevention, risk reduction and avoidance, while progressing on to the basics of hands-on defense training. Certified RAD instructors will teach the courses provided.

Siena College Public Safety also offers Operation Identification. This nationally organized program encourages engraving personal identification numbers on valuable property.

The department publishes a general crime prevention brochure that outlines the many crime prevention programs and strategies available in the community. In addition, the department periodically chooses a special topic to highlight in flyers and on the department's website. The department also uses a "stay safe 360" video prevention program which is posted on the Public Safety homepage.

The Department of Public Safety also affords the students with the option of obtaining a ride from Public Safety through our safe ride service. We encourage all members of the campus community to use common sense and practice good personal safety techniques at all times. Students and employees alike are encouraged to walk in pairs and groups especially during the hours of darkness. If you need to walk alone and want an escort, you can call Public Safety at 783-2376 and they will provide an officer to escort you to your dorm or other buildings on campus.

Crime prevention education and awareness

Preventing crime through collaboration and cooperation

Crime prevention is a top priority of the department. Together with other campus offices, the department provides programs to enhance personal safety, teach proactive crime-reduction strategies, which contributes to a healthy community.

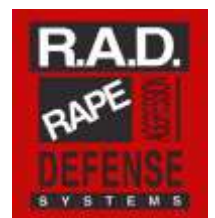
The campus's crime-prevention strategy rests on a multilayered foundation of a proactive area patrol of the campus, crime prevention education and training, and building and area security surveys. This approach relies on the dual concepts of eliminating or minimizing criminal opportunity whenever possible, and encouraging community members to take responsibility for their own and other's safety. Members of the department are available to assist any individual or group in planning, presenting, and coordinating programs of interest or concern. Listed to the right are some of the programs and services offered by the department.

Community Liaison Program

The Community Liaison Program assigns Public Safety Officers to each residential facility on campus. The member serves as the primary liaison for public safety services to that residential facility. These activities include holding special topic and general crime prevention seminars, attending hall meetings, conducting building surveys, distributing literature, solving problems, and developing substantive relationships with members of the community.

Rape Aggression Defense (RAD)

The Department of Public Safety offers the Rape Aggression Defense (RAD) Systems program. This self-defense class, designed specifically for women, is a nationally recognized course that gives women the skills they need to prevent and survive a violent attack. RAD is a twelve-hour course taught by certified instructors and offered in three-hour segments. The course is offered free of charge to members of the Siena community by the Public Safety Department. The department usually offers a RAD Systems program each semester.



Operation Identification

This nationally organized program encourages engraving personal identification numbers on valuable property. Thieves tend to shy away from property with engraved numbers due to the difficulty of selling it on the open market. If an item is stolen and later recovered, the identification number will assist law enforcement agents in returning it to its rightful owner.



Crime prevention promotions, flyers, and other advertisements

The department publishes a general crime prevention brochure that outlines the many crime prevention programs and strategies available in the community. In addition, the department periodically chooses a special topic to highlight in flyers and on the department's website. The department also uses a "stay safe at college" video prevention program which is posted on the Public Safety homepage.

Defensive Driving Course



Siena College Department of Public Safety offers a six hour course developed by the National Safety Council that provides practical knowledge and techniques to become a more safe and responsible driver

Participants who complete the course receive:

- A ten percent discount on their automobile liability and collision insurance each year for 3 years – *including motorcycles!*
- A reduction of up to 4 points on their driving record for any violation occurring within the past 18 months
- An enhancement of participant driving skills

Campus Transport Program

Siena College Department of Public Safety offers transport services around campus for those students who are disabled, injured or otherwise cannot get around campus. This service is also provided for those individuals who need a safe escort.

Siena's Bike Patrol

Siena College's Public Safety bike patrol provides more effective access to residential and academic areas of the campus and gives the community greater access to the officers.

Advisory Committee on Campus Safety

A group of policy level personnel, including faculty, professional staff and students that examines and makes recommendations relative to safety conditions on the campus.

Access and Security to Siena Facilities

Access to campus buildings and grounds is a privilege extended to students, faculty, staff, and authorized guests. Siena College

encourages an open environment with constraint limitations to ensure the reasonable protection of all members of the community. Except for residence halls, most campus facilities are open during weekday business hours. All residence halls are equipped with a card access control system. Unlimited access is available to students and authorized staff and faculty via the system. Guests and other non-students may visit residence halls as long as they have been registered as a guest as outlined in Siena Life's visitation policy.

All campus facilities are patrolled by Public Safety, which routinely locks campus buildings evenings, weekends, and



during holiday breaks. Most campus buildings have alarms that sound in Public Safety, which is staffed 24 hours a day. Areas of the campus are monitored and recorded in the Public Safety office by 68 cameras. There are also routine patrols throughout all buildings. The College has also placed 31 Emergency Call Boxes around campus which are answered by the Public Safety Dispatcher at all hours.

Siena residence halls are locked 24 hours a day with access by magnetic card readers. Each resident student's identification card allows access to his or her residence hall. Students are responsible for upholding the integrity of the residence hall security system by not giving their cards to others, using only authorized exit doors, and not allowing unauthorized individuals into the buildings. Each residence room within the dorms is equipped with a key lock. The Townhouse Complex, which houses upper class students, consists of individual housing units that have keyed entrance doors and window locks. If keys are lost, Public Safety should be contacted immediately. Lock changes will be done by Facilities Management and all room or house members are issued new keys.

In each residence hall, a Residence Director, Resident Assistants (upper class students residing on each floor), and Friars in Residence are available to assist students. Residence Directors have the overall administrative responsibility for the buildings and their residents. Resident Assistants live in the residence halls and are trained by the Residence Life Staff. They are available 24 hours a day, and provide Siena students with a direct and ongoing source of information concerning campus procedures and practices. Throughout the year, Residential Life staff conducts programs relating to personal safety. Many are conducted in conjunction with the Department of Public Safety. The Advisory Committee on Campus Security meets regularly to recommend safety improvements to the campus. Residence Assistants have the authority to enforce campus policies. Student residence rooms have telephone service available, and are provided with a list of emergency numbers. Student rooms also have peepholes in all doors. Students are an integral part of the security of their residence units and the campus as a whole. They are reminded frequently through Public Safety Alerts and articles in the student newspaper to report strangers and suspicious activity to Public Safety and to keep doors locked.

Siena College is committed to using its best efforts to ensure campus safety and security. Exterior lighting and landscape control is a critical part of that commitment. Representatives from various departments continually conduct security surveys to ensure campus lighting is adequate and that the landscape is appropriately controlled. Department members conduct routine checks of lighting on campus during regularly assigned patrol duties. If lights are out or dim, officers will initiate an immediate work order, which is acted upon by a representative of the appropriate maintenance office, usually within 24 hours or the next business day. We encourage community members to report any deficiency in lighting or any concern about physical security to the Public Safety Department at 783-2376.



Fire Safety and Education Training

Fire safety education programs for all students living in on-campus student housing and all employees that have any association with on-campus student housing are held at the beginning of each semester. These programs are designed to: familiarize everyone with the fire safety system in each housing facility, train everyone on the procedures to be followed in case there is a fire and distribute information on the college's fire safety policies. Everyone is also provided with maps of each on-campus student housing facility that illustrate evacuation routes and fire alarm equipment locations. During these programs, trainers emphasize that participating in fire drills is mandatory. Students with disabilities are given the option to have a "buddy" assigned to them.

Fire safety education and training programs are taught by the Colleges Safety Officer as well as the director of Student Housing who is experienced in fire safety matters.

If a fire occurs, students are instructed to leave hazardous areas per the evacuation routes and get to a predetermined location before calling 911 for help. They are to remain in that location so that the director of Student Housing or someone from the Student Housing office has documented that the student has left the building. RAs are instructed to pull the fire alarm as they are leaving the building if they can do so without risking their safety.

Alcohol and Drug Policy and Substance Abuse Education

ALCOHOL AND DRUG POLICY

The problems associated with drug and alcohol abuse are a major concern in this country. As such, the passage of the *Drug-Free Schools and Communities Act Amendments* has placed requirements on institutions of higher education to develop policies and to provide information to students on drug and alcohol abuse, which Siena College has done herein.

This section provides students with the College's alcohol and drug policy, as well as information on the health risks associated with drug and alcohol abuse. This section also provides information, counseling and rehabilitation services available, and the federal, state and College sanctions that may be imposed for violations. The College collaborates with civil authorities. Violations of the Siena College alcohol and drug policy that are also violations of federal state or local law may be referred to the appropriate law enforcement agencies. In such situations, cases may proceed concurrently at the College and in the criminal justice system.

ALCOHOL POLICY

Siena College has established an alcohol policy in accordance with New York state law and based on the unique needs of the Siena College community. It is students' responsibility to know and obey the law and campus policies. The legal age for alcohol possession, procurement and consumption in New York State is 21. Anyone who gives or sells an alcoholic beverage to a person under 21 is in violation of the law. Siena expects all members of the College community to comply with the law and College policies. New York state explicitly forbids the sale of alcoholic beverages unless the seller holds a state liquor license. The College's liquor license is the responsibility of our food service vendor, which is solely responsible for the sale and distribution of alcohol at all College-sponsored events.

Regulations

- 1. Dispensing of Alcohol on Campus:** No alcoholic beverages may be sold anywhere on the Siena campus or dispensed outdoors or in public areas except under direct supervision by the Sodexo Food Service Corp. Strategies such as the sale of tokens, tickets or any article that may be redeemed for alcoholic beverages are the equivalent of paying money and are prohibited.
- 2. Events with Alcohol:** Alcoholic beverages may not be served at an event without specific approval of the Director of Campus Programs and Student Activities or designee, to be confirmed in writing. No privately obtained alcoholic beverages may be brought into an organized event. Any organization or group that fails to comply with these regulations may lose its privilege of serving alcoholic beverages at events and/or the right to schedule facility use at Siena. Student clubs and organizations sponsoring or organizing events off campus must obtain written prior approval from the Director of Campus Programs and Student Activities or designee. No club or organization monies may be used to purchase alcohol or fund or sponsor alcohol-related events at on- or off-campus locations.
- 3. Advertising:** Advertising for College-sponsored events shall not emphasize the availability of alcoholic beverages and must be pre-approved by the Director of Campus Programs and Student Activities or designee prior to posting. Advertising for off-campus alcohol-related events and/or establishments must be approved by the Director of Campus Programs and Students Activities or designee prior to posting/distribution.
- 4. Restriction from Campus Events:** The College reserves the right to prevent any visibly intoxicated person from entering a campus activity or event and to require persons who appear visibly intoxicated to leave an event/activity.
- 5. Alcohol in the Presence of Individuals Under 21:** Alcohol may not be consumed in the presence of minors (under 21), with the exception of underage roommates.

6. Alcohol Policy for Individuals Under the Age of 21:

- Individuals under the age of 21 may not purchase, possess or consume alcohol in accordance with New York state law.

- Students under the age of 21 may not be in a residential room, suite or townhouse where alcohol is visible and/or being consumed. The only exception is the underage student who resides with students of legal drinking age who may be in the presence of alcohol in their assigned residence.
- No empty alcohol containers are allowed for persons under the age of 21, including empty alcohol containers for decorative or keepsake purposes. Underage students with empties fitting this description will be sanctioned based upon the quantity and type of containers found. The minimum sanction is a student reprimand (formal written warning with 10 lottery points) and the room will be subject to a re-inspection.

7. Designated Freshmen Living Areas: Any wing that contains a majority of first-year students will be designated as a —freshmen living area. Alcohol is never permitted in these areas. Residents and visitors or guests of students residing in these areas are not permitted to possess or consume alcohol in these areas, regardless of whether they are of legal drinking age.

8. Other Areas: Rooms/suites/townhouses where all students are under 21 years of age may never have alcohol, even in the presence of a guest/visitor who is 21 years of age or older.

9. Proof of Identity and Age: Students must carry and present College ID at all times. Compliance with all requests of College officials, including Public Safety personnel and residential life staff, for proof of identity and 21-year-old status is required.

10. Quantity Limit: Students of legal drinking age may possess what College officials determine to be a reasonable quantity of alcohol for their personal consumption only. College officials may consider empty alcohol containers in determining whether this standard has been violated or if they suspect underage drinking and/or excessive alcohol consumption has occurred. Residential Life and Public Safety staff may consider empty alcohol containers when documenting quantity-limit violations if they suspect underage drinking and/or excessive alcohol consumption has occurred.

11. Open Container: Students are prohibited from possessing open containers of alcoholic beverages in common areas of the College, including, but not limited to, hallways, lounges, bathrooms, campus grounds, classrooms and townhouse stoops/front steps. A container is any bottle, can, glass, cup or similar receptacle designed to hold or capable of holding a liquid. College Officials acting in their official capacity may require individuals to discard or pour out any container in their possession if they believe it contains alcohol. Individual(s) acting in a manner that is inconsistent with College policies, including, but not limited to, disorderly conduct and/or public intoxication will be expected to empty all containers in their possession and are subject to violations of the Code of Conduct.

12. Gift, Sale or Distribution of Alcohol: Gift, sale or distribution of alcohol to anyone under the age of 21 is prohibited. Note: If an individual under 21 years of age is in possession of alcohol in a student room and is not a resident of that room, a charge of —gift, sale or distribution of alcohol will be brought against the residents of the room. The person who supplied the alcohol may accept responsibility for the gift, sale or distribution of alcohol charge if he/she provided the alcohol.

13. Communal Source: Kegs, mini-kegs, beer balls and large communal sources of alcohol (trashcan punch, punch bowls, etc.) are prohibited. Sanctions apply to all residents of the space who are present at the time of the infraction or were involved in any way with the planning, purchase, etc. Use of empty beer balls or kegs as decorations or furnishings is prohibited.

14. Disorderly Conduct/Alcohol Policy Violation: Disorderly conduct, noisy and/or disruptive behavior associated with the consumption of alcohol is prohibited.

15. Rapid Consumption Devices: Objects used as drinking apparatuses that promote rapid consumption of alcohol such as, but not limited to, funnels, beer bongs, ice block tunnels, and Beirut tables are prohibited. All residents of the space who are present are responsible.

16. Public Intoxication: Public intoxication is strictly prohibited. The College states that public drunkenness will not be tolerated since intoxicated students act in a manner that is inconsistent with the values of the College, pose a threat to themselves and others and make life unpleasant and difficult for those with whom they live. A judgment as to whether a student is intoxicated may be made on the basis of the following factors related to the use of alcohol, including, but not limited to, whether the student is:

- unable to walk without assistance
- speaking incoherently
- unconscious

- vomiting
- emitting a strong odor of alcohol and/ or has bloodshot/ glassy eyes
- behaving in a loud and/or disorderly manner

The College states unequivocally its position that social drinking must never be undertaken to the detriment or in violation of the rights of others. A student identified as being publicly intoxicated will meet with the Residence Director to discuss concerns and further action, if necessary. A student violating other College policies while intoxicated will be charged appropriately in accordance with the current College policies.

17. Alcohol-Related Transports: If a student is found to be intoxicated to the point that medical attention is warranted, he/she may be transported to a local hospital for evaluation and treatment, if necessary. In those cases, the parent of the transported student will be notified. Further, in alcohol-related situations in which emergency medical attention is necessary, the recipient of medical attention will be referred for an alcohol/drug assessment and be required to comply with the recommendations resulting from this assessment. Any student transported multiple times for alcohol-related treatment may be charged in a formal conduct review action. The College encourages students who have concerns regarding immediate health of a student in an intoxicated state to contact the appropriate College authorities.

18. Guests and Alcohol: Guests are not permitted to bring alcohol on campus, regardless of the age of the host.

Sanctions

These sanctions are designed to foster an environment that reduces the risks of high risk drinking and promotes responsible behavior while holding individuals accountable for their choices. Hearing officers will take into account prior conduct record, mitigating circumstances, alcohol abuse issues and high risk drinking factors in determining the appropriate sanction from within the ranges outlined below in order to best educate the student(s) while maintaining community standards when assigning sanctions. Sanctions range from a written warning (for minor first-time offenses) to student reprimand, residence hall probation or disciplinary probation, dismissal from housing, suspension or expulsion from the College for more serious and/or repeat violations. In addition to the administrative sanctions previously listed, sanctions generally also include an educational component (i.e., AlcoholEdu for Sanctions - an on-line alcohol education course, BASICS – Brief Alcohol Intervention and Screening for College Students, substance abuse assessment and treatment, reflection paper), and a fine to support the costs of the educational component and community programs. Parents are notified of the alcohol related offense for students under the age of 21 at the time of the incident or at the resolution of the conduct case.

DRUG POLICY

Siena College students are subject to all applicable drug regulations as outlined in the Community Standards section or other applicable rules when adopted. Sanctions imposed by the College for violations of the drug policy may include drug education programs, substance abuse assessment and treatment, suspension, dismissal or expulsion.

Regulations:

Conduct that violates the Code of Conduct includes (but is not limited to):

1. **Possession** or use of illegal drugs, narcotics, controlled substances or drug paraphernalia (such as, but not limited to, bongos, pipes, hookahs and scales).
2. **Intended or actual sale or distribution** of illegal drugs, narcotics or controlled substances.
3. **Presence** at a gathering where there is obvious illegal drug use.
4. **Possession and/or use of prescription drugs** which have not been prescribed for you.
5. **Misuse** of prescription drugs.

Policy statement addressing substance abuse education

In an effort to educate students about alcohol and the risks associated with its use, the College requires all first-year students (first-time freshmen) to pass an online alcohol education course. Students will have an allotted time period to do so. Students will be held from registering for classes and from reserving housing for the subsequent term until they complete the course successfully.

Student founds responsible for alcohol and/or drug policy violations may be referred for specific alcohol or substance abuse education programs, interventions (including BASICS) and/or an assessments and treatment.

In addition, the College offers ongoing alcohol and drug awareness programs. The Center for Counseling and Student Development and Health Services provide students with information on drug and alcohol abuse. In addition, assessment, education and referral services are provided. Individuals may contact the dean of students or the Center for Counseling and Student Development for additional information.



Preventing and Responding to Sexual Assaults

INTRODUCTION

Sexual violence is an issue of significant concern on American college campuses, including Siena College. In keeping with our Franciscan and Catholic Tradition, Siena College is dedicated to providing first-rate information and resources to educate our students and the public about sexual violence prevention and awareness. The College has an established policy, separate from other related standards, which specifically addresses issues of Relationship Abuse, Sexual Misconduct (sexual assault and rape), and Stalking; behaviors which are antithetical to our core values of respect for the dignity of each individual and care for our community.

In the following sections you will find information about what to do to reduce your risk of being sexually assaulted and help protect your friends and loved ones against sexual violence, how to get help if you or someone you know has been sexually assaulted, important related Siena College policies, and pertinent New York State laws.

STAND UP AND SPEAK OUT! TIPS FOR PREVENTION, INTERVENTION AND RISK REDUCTION

Be an ACTIVE Bystander

The term bystander conjures up many, and sometimes conflicting images. For some the word connotes a passiveness, an innocent bystander who could not, or would not, do anything in a dangerous situation. For other the term includes more engagement, such as someone who sees a car crash and calls for help or someone who “stands by” a friend when he or she is being harassed. Every day we witness situations in which someone makes an inappropriate sexual comment or perpetrates sexual harassment. Sometimes, we say something or do something, but at other times, we choose simply to ignore the situation. How do we make those decisions? Anyone who lives in today’s society likely feels the impact of the sexual violence surrounding us. The visibility of sexual violence has become more apparent in the mainstream media, the news, and on talk shows. In fact, most of society bears witness – is a bystander – to sexual violence.

A bystander is someone who witnesses a problem behavior and doesn’t do anything about it. An ACTIVE bystander is someone who intervenes and makes a difference. Here are some tips for becoming an active bystander.

Intervene by word or action (examples: call Public Safety confidentially or seek assistance from a residential life staff member. Don’t let a friend or someone you see be stalked, in an abusive relationship or coerced into leaving with someone they don’t know.)

USE THE 3-D INTERVENTION MODEL:

Direct – if comfortable, approach the person(s) yourself

Delegate- Find friends of the victim (or potential perpetrator) to intervene, call the Residence Director, Public Safety, police or another campus professional

Distract- Divert attention away from the situation, distract one of the parties into shifting attention (interrupt and ask the person to make sure you get home safely, spill a drink...)

Students are sometimes afraid to report incidents when drinking or drug use is a factor in the situation for fear that because they were present, they will get into trouble. At Siena we believe in safety first and, as a result, we have enacted a Welfare of the Community policy: In situations like these, any possible negative consequences for the reporter of the problem will be evaluated against the possible negative consequences for the student who needed assistance, those who assisted in an investigation about the incident, and/or the larger community. In such cases, the positive impact upon the welfare of the community will be given great weight in determining the appropriate response to the student conduct code violations. The College will consider very favorably the positive impact of reporting, aka of serving as an active bystander. You can learn more about the Welfare of the Community policy in *Siena Life* or by talking with the Dean or an Associate Dean of Students. (Please see below for the full policy as outlined in *Siena Life*)

In short, DO SOMETHING!!!!!!

DID YOU KNOW?

98% of Siena students would intervene through words or actions to prevent incapacitated sex/sexual assault. (*Siena College Health Survey Fall 2009 n=923, Fall 2010 n=903*)

REDUCE YOUR RISK

Forcing or pressuring someone, without his or her consent, to engage in sexual contact is a crime. **NOTHING** – not a previous relationship, excessive use of alcohol, previous sexual involvement, the way in which someone is dressed, or incapacitation due to drugs – gives one person the right without consent to coerce or force another person into sexual contact. No one wants to be victimized or assaulted.

There are some things you can do to reduce your risk.

- Use the “buddy” system – don’t go anywhere alone
- Have a signal worked out with friends ahead of time for check in and/or assistance
- Express your expectations and limits clearly before you get into a sexual situation.
- Limit alcohol and drug use. They make it more difficult for you to be in control.
- Pay attention to your “gut” – if you are uncomfortable for any reason – act on it. Don’t wait to react – leave, resist or intervene early.
- Never ride with someone who has used alcohol or drugs.
- Avoid meeting in secluded places and walking alone. If you are concerned, ask campus security to escort you.
- Try to be aware of attitudes that your date expresses concerning women or men: hostility, unrealistic views of women or men and/ or viewing people as “sex objects.”
- Use assertive language such as, “I feel uncomfortable when you don’t listen to me or when you touch me like that.”
- Scream “fire” (rather than “rape” or “help”), if you need assistance.
- Be alert to what is happening around you.

WHAT TO DO IF YOU OR SOMEONE YOU KNOW IS ASSAULTED:

Immediately following the incident:

- **Get yourself to a safe place** (e.g. friend’s place, RA office, etc.)
- **Call Public Safety** (518-783-2999) **or Police** (911) if you or someone else is in immediate danger.
- **Save evidence**
 - Do not shower, wash, brush your teeth or change your clothes. Important physical evidence can be gathered up to 72 hours after an assault. Evidence can only be gathered at a hospital.
 - Save all of the clothing you were wearing at the time of the assault. Place each item of clothing in a separate paper bag. Do not use plastic bags. Do not disturb anything in the area where the assault occurred. If you suspect that

you may have been given a rape drug, ask the hospital or clinic where you receive medical care to take a urine sample. Rape drugs, such as Rohypnol and GHB, are more likely to be detected in urine than in blood.

- **Get medical help**
 - Following an assault, it is important to have a physical exam to test for sexually transmitted infections, internal and external injuries and pregnancy. The Sexual Assault Nurse Examiner (SANE) Program at Albany Memorial Hospital provides these support services free of charge to you. Once you arrive at Albany Memorial Hospital, staff will also contact an advocate from the Albany County Crime Victim & Sexual Violence Center who will meet you at the hospital to assist you through the process and provide support. You may accept or refuse the advocate's presence. You may also have a friend or RD accompany you.
 - Presently, Albany Memorial is the only hospital in the area that has a SANE program to collect evidence from a sexual assault.
 - Having evidence gathered at the hospital does not commit you to pursuing a criminal complaint.
 - In New York State, if you have a rape kit done it can be held up to 30 days at the hospital while you decide what you want to do. It will not leave the hospital unless you file a report.
 - The tests provided are confidential and will not cost you anything or be billed to your insurance.
- **Call a supportive person;** a friend, family member, RA, RD, or an advocate from a crisis line.
 - Local Crisis Hotlines:
 - Albany County Crime Victim & Sexual Violence Center: (518) 447-7716
 - New York State Hotline for Sexual Assault and Domestic Violence: 1-800-942-6906
 - LISTEN, RESPECT, REASURRE: Tips for Helping a Friend or Loved One Who Has Been Assaulted:
 - **Do** listen carefully to what is shared with you.
 - **Don't** ask for details.
 - **Do** help the student or loved one gain access to desired help and resources.
 - **Don't** make decisions for the survivor; let her or him have control over the situation.
 - **Do** explain that rape is never the survivor's fault, even if she or he feels guilty.
 - **Don't** ask if the survivor flirted with or "led on" the perpetrator.
 - **Do** explain that obeying the rapist's orders or having a physiological reaction does not mean that the survivor wanted the assault to occur.
 - **Don't** ask why the student or loved one didn't scream or run.
 - **Do** tell the survivor that she or he did everything right.
 - **Don't** state what you would have done in a similar situation.
 - **Do** tell your loved one: "However you are feeling right now is ok."
 - **Don't** tell the survivor: "I understand how you feel."
 - Supporting a person who has been sexually assaulted can be difficult and emotionally draining. **Do** take care of yourself during this process by reaching out to your own support network of friends and/or College support services like the Counseling Center.
- **Write down as much as you can remember** about the circumstances of the assault, including a description of the assailant.
- **Consider filing a report** with the police and/or the college. (See "Why Reporting is Important".)
 - Reporting does not commit you to pursuing a complaint.
 - Reporting also enables you to access possible accommodations, orders of no contact, etc.
 - Someone from the college is available to assist you in filing a report with the police.
- **Seek support and counseling.** (Please see below for detailed information.)

If an extended period of time has passed:

- Consider filing a report with the Dean of Students, the Title IX Coordinator, the local police, and/or the District Attorney's Crime Victim's Services Unit
 - Consider meeting with the Dean of Students or Title IX Coordinator at Siena College to obtain information about support services, no contact orders, and the steps taken when filing a report. You are not obligated to file a report after obtaining information.
 - You are always welcome to call the Albany County District Attorney's office to speak with a victim specialist or an assistant district attorney from the Special Victims Unit regarding the criminal justice process and any concerns you may have about moving forward with a criminal complaint before moving forward on a complaint. You are not obligated pursue criminal action after meeting with the DA. Please note: Assault (physical and/or sexual) is a

violation of Siena College policies and the state criminal code. Violators could face disciplinary action under either or both judicial systems.

- Seek support and counseling. (Please see below for detailed information.)

WHERE YOU CAN FIND SUPPORT AND COUNSELING

Siena College is committed to offering victims of sexual assault, relationship abuse and stalking immediate treatment, counseling support, and police assistance, if desired. Care and consideration of the victim's wishes will be honored throughout the intervention process. Should a student be involved in any type of incident, there are a number of resources and options available, both on and off campus.

On-Campus

Siena College Public Safety (Emergency #)	518-783-2376 518-783-2999
Dean of Students	518-783-2328
Human Rights Committee, chair	518-783-2328
Bowman Center for Women	518-782-6109
Residential Life	518-783-2919
Health Services	518-783-2554
Center for Counseling and Student Development	518-783-2342
Equal Opportunity and Employee Relations Specialist/ Title IX Coordinator	518- 782-6673

Off-Campus

24 hour emergency hotlines:

Sexual Assault:	518-447-7716
Domestic Violence:	518-432-7865
Albany County Crime Victim and Sexual Violence Center	518-447-5500
Equinox Inc. Domestic Violence Services www.equinoxinc.com	518-434-6135
Albany County District Attorney (Includes the Crime Victim Services Unit)	518-487-5460
The Legal Project (free/low cost legal services) www.legalproject.org	518-435-1770

VICTIM SAFETY AND ASSISTANCE ACCOMMODATIONS

Siena College provides options for victim safety and autonomy through alternative housing locations, class schedule changes, letters directing no contact by the accused with the alleged victim and transportation to medical facilities as requested by the victim and if reasonably available. In addition, College personnel WILL assist a student in notifying off-campus law enforcement authorities (police, district attorney) if the student requests such assistance and will also assist a student through the on-campus disciplinary process.

SIENA COLLEGE'S "WELFARE OF THE COMMUNITY" POLICY:

The health and safety of Siena College's students and the Siena Community is of the highest priority. At times, students may need immediate medical or other professional assistance. However, students may be reluctant to get help because of concerns that their own behavior may be a violation of the student conduct code. To minimize any hesitation students may have in obtaining help due to these concerns, the College has enacted this Welfare of the Community policy. Although policy violations cannot be overlooked, the College will consider very favorably, the positive impact of reporting (and/or cooperating thoroughly in an investigation in) an incident when determining the appropriate response for policy violations. In such cases, the positive impact upon the welfare of the community will be given great weight in determining the appropriate response to the student conduct code violations. Any possible negative consequences for the reporter of the problem will be evaluated against the possible negative consequences for the student who needed assistance, those who assisted in an investigation about the incident, and/or the larger community. This policy may be

applied, but not limited to: alcohol or drug related incidents, cases of sexual assault, or situations of vandalism and damage. When necessary, the vice president for student affairs, or designee, will render the final decision regarding whether the Welfare of the Community policy applies in a particular case. The policy only applies to the College's Student Code of Conduct and has no status in other jurisdictions such as local or state courts.

REPORTING INCIDENT(S)

Why reporting is important

If you have been sexually assaulted, reporting the crime can help you regain a sense of personal power and control and can also help to ensure the safety of other potential victims. Reporting sexual violence is **critical** to ensuring the victim's future safety and the welfare of the college community. Research indicates that, while most men are not rapists, **men who commit acts of sexual violence are likely to have committed similar crimes in the past and/or intend to commit similar crimes in the future**. According to one researcher, **90% of rapes that occur on college campuses are committed by serial rapists**.¹ Reporting helps to protect individuals and communities against these repeat offenders. If a victim reports an incident of sexual violence, s/he does not have to pursue formal complaints on campus or criminally.

Reporting to on-campus personnel

Reporting to on-campus personnel helps to ensure that a victim is aware of all the resources available, both on and off campus. If you contact any of these offices, an administrator will offer you support and explain the resources available to provide you with support and ensure your safety.

Siena College Public Safety (Haas Building) (Emergency #)	518-783-2376 518-783-2999
Dean of Students (310 SSU)	518-783-2328
Human Rights Committee, chair (310 SSU)	518-783-2328
Bowman Center for Women (G106, New Hall)	518-782-6109
Residential Life (318 SSU)	518-783-2919
Health Services (McCloskey Commons)	518-783-2554
Center for Counseling and Student Development (Foy 110)	518-783-2342
Equal Opportunity and Employee Relations Specialist/ Title IX Coordinator (103D SH)	518- 782-6673

These officials have specified roles and responsibilities in relation to the Human Rights Policy and Procedures, which are explained in more detail below and are available upon request.

The Dean of Students: The Dean of Students serves as the Designated Official responsible for reports and complaints against students. Individuals who believe they have been a victim of harassment or discrimination due to the conduct of a student may report the incident to the Dean of Students or Associate Dean of Students.

The Title IX Coordinator: Individuals who believe they have been a victim or accused of harassment or discrimination may speak with the **Equal Opportunity and Employee Relations Specialist**, who is also referred to as the Title IX Coordinator. The Title IX Coordinator serves as an ombudsman and will assist the reporting witness, complainant and respondent in exploring options to address the human rights concern. The Title IX Coordinator has responsibility for overseeing all human rights reports and complaints.

The Title IX Coordinator also serves as the Designated Official responsible for reports and complaints against any non-student employee (faculty, administrative and/or support staff). Individuals who believe they have been a victim of harassment or discrimination due to the conduct of an administrator, faculty member or staff member may report the incident to the Title IX Coordinator.

¹ Shapiro, Joseph (March 4, 2010). "Myths That Make It Hard To Stop Campus Rape." NPR. Cf. the research of David Lisak, including, Lisak, David; Miller, Paul M. (February 2002). "Repeat rape and multiple offending among undetected rapists". *Violence and Victims* 17 (1): 73–84.

The Human Rights Committee Chair: Individuals who believe they have been a victim or accused of harassment or discrimination may speak with the Chair of the Human Rights Committee. The Chair is a non-voting member of the Human Rights Committee, who serves in an ombudsman role advising the reporting witness, complainant and respondent as to their rights and possible courses of action through the Human Rights process.

Reporting to off-campus law enforcement/criminal justice agency

Whether or not the perpetrator is a member of the Siena College community, you are encouraged to call or go directly to the Police to report sexual assault, relationship abuse or stalking. You may also talk directly with a member of the Crime Victims Services Unit from the District Attorney’s office about the process for criminal complaints. They will also be able to assist with obtaining financial assistance, if needed, for medical care, etc. We suggest that you call the Residence Director on duty or Public Safety to accompany you. Someone from the campus will assist you in filing a report with the police. If the perpetrator is a member of the College community, you may also pursue campus conduct review proceedings.

Police

Local police in an emergency	911
Colonie Police Department	518-783-2811
Albany Police Department	518-438-4000

24 hour emergency hotlines:

Sexual Assault:	518-447-7716
Domestic Violence:	518-432-7865

Albany County Crime Victim and Sexual Violence Center 518-447-5500

Equinox Inc. Domestic Violence Services 518-434-6135

Albany County District Attorney 518-487-5460
(Includes the Crime Victim Services Unit)

APPLICABLE LAWS/ORDINANCES/LEGAL PENALTIES

New York State Sexual Offenses/Penalties

New York State Penal Law, Article 130, defines sexual offenses. It lists the sections and degree of sex crimes. Sexual assault is a criminal act carrying a penalty of varying degrees. Some sexual offenses (e.g., rape) are defined as felonies, which may carry sentences of up to 25 years in prison. A copy of Article 130 is available in the offices of Student Affairs and Security. The following is a brief synopsis of the main offenses listed therein.

Rape: If a person engages in nonconsensual sexual intercourse due to the other person’s incapacity to give consent by reason of being physically helpless (that is, the person is unconscious or for any other reason is physically unable to communicate unwillingness) or due to forcible compulsion (which is the use of physical force or the use of threat-express or implied, which places the other person in fear of immediate death or physical injury to himself, herself or another person, or in fear that he, she or another person will immediately be kidnapped) -the act is considered rape in the first degree. (NYS Penal Law §§ 130.35 (1) &(2) and 130.00 (7) &(8)). Rape in the second degree occurs, among other instances, where the nonconsensual sexual intercourse takes place by reason of the victim’s mental disability or incapacity. (NYS Penal Law §130.30 (2)). Mentally incapacitated means that a person is rendered temporarily incapable of appraising or controlling his or her conduct owing to the influence of a narcotic or intoxicating substance administered to him or her without his or her consent, or to any other act committed upon him or her without his or her consent. (NYS Penal Law §130.00(6)). Rape in the third degree occurs, among other instances, in the event of nonconsensual sexual intercourse where the lack of consent results from the victim’s clear expression at the time of the act of intercourse 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. (NYS Penal Law §§ 130.05(2)(d) and 130.25(3)).Sexual intercourse has its ordinary meaning and occurs upon any penetration, however slight. (NYS Penal Law § 130.05(1)).

Sexual Abuse: If a person is forced to engage in any form of sexual contact without consenting, it is considered sexual abuse. (NYS Penal Law §§ 130.53 et al). Sexual contact means any touching of the sexual or other intimate parts of a person for the purpose of gratifying sexual desire of either party. (NYS Penal Law §130.00(3)).

New York State Domestic Violence/Stalking Laws and Penalties

Code Section	NYS Penal Law §§120.40 et al.
Stalking Defined as	Stalking in the 4th degree: intentionally and with no legitimate purpose engages in conduct that s/he knows or should reasonably know: will cause reasonable fear of material harm to victim or member of victim's immediate family or causes material harm to mental or emotional health of victim or member of victim's immediate family or causes a reasonable fear that victim's employment or business is threatened; The other varying degrees of stalking relate to different specific circumstances.
Punishment/Classification	4th degree is a Class B misdemeanor. 3rd degree is a Class A misdemeanor. 1st degree is a Class D felony.
Penalty for Repeat Offense	If within 10 yrs. of prior conviction, stalking in 3rd degree. If within 5 yrs. of prior conviction, 2nd degree stalking.

Domestic violence is dealt with under the penal law based upon the type of conduct (stalking, harassment assault, etc.) It doesn't have a separate specific law.

APPLICABLE COLLEGE POLICY/PROCEDURES/SANCTIONS

Relationship Abuse, Sexual Misconduct and Stalking are all violations of Siena College's Code of Conduct, as outlined in *Siena Life*. These offenses also may fall under the College's Human Rights Policy. The complete text of these policies is available in full, along with the entire Student Code of Conduct, in *Siena Life*, the Student Handbook. The college's disciplinary proceedings, both those of the Student Conduct Review Process and the Human Rights Policy and Procedures, are also outlined in detail in the Student Handbook, *Siena Life*. *Siena Life* is available on-line at www.siena.edu/sienalife and all students receive an abbreviated hard copy version which includes these procedures.

Violations

RELATIONSHIP ABUSE

Relationship abuse is a pattern of coercive or abusive behaviors used to gain and/or exercise control and power in a relationship with an individual with whom the student had, or has, or seeks to initiate, a dating, or interpersonal, or sexual relationship. Behaviors can be physical, sexual, psychological, verbal or emotional and include, but are not limited to: harassment; stalking; intimidation; emotional, verbal or economic threats, infliction or threat of bodily harm. Relationship abuse is sometimes also called domestic violence, dating violence or intimate partner violence.

Examples include:

- name-calling, insulting or putdowns
- keeping or limiting the person from contacting their family or friends (isolation)
- withholding money, food or other types of necessities
- stopping the person from getting or keeping a job
- actual or threatened physical harm (including throwing objects)
- sexual assault (including pressuring or forcing sexual activity)
- stalking
- possessiveness, extreme jealousy
- intimidation
- physical assault (hitting, pushing, shoving, etc.)
- sexual abuse (unwanted or forced sexual activity)
- emotional isolation/manipulation

STALKING

Stalking includes any behaviors or activities occurring on more than one occasion in person, online or by any other means that place another person in reasonable fear of harm or threatens his or her mental health and/or are intended to cause emotional distress. Such behaviors may include, but are not limited to:

- a. unwelcome communications of any type, including face-to-face, telephone calls, voice messages, e-mail, text messages, written letters or notes and unwanted gifts
- b. use of threatening words or conduct
- c. pursuing or following
- d. observing and/or surveillance

Common types of stalking behaviors

- Non-consensual communication including in-person, telephone calls, voice messages, emails, social networking site postings, instant messages, posting of pictures or information on web sites, written letters, gifts or any other communications that are undesired and/or place another person in fear
- Following, pursuing, waiting or showing up uninvited at a workplace, place of residence, classroom or other locations frequented by a victim
- Surveillance and other types of observation, whether by physical proximity or electronic means
- Trespassing
- Vandalism
- Non-consensual touching
- Direct physical and/or verbal threats against victim or victim’s loved ones
- Gathering information about victim from family, friends, co-workers or classmates
- Manipulative and controlling behaviors such as threats to harm one-self, threats to harm someone close to victim
- Defamation or slander against victim

SEXUAL MISCONDUCT

Sexual misconduct is behavior which is reasonably construed as unwanted physical contact of a sexual nature or contact which causes physical or emotional discomfort to the person who is the recipient of that contact. For the purpose of these standards, —unwanted physical contact and —sexual nature are defined as follows:

- **Unwanted physical contact** is physical contact to which the recipient has not voluntarily consented or which continues after the recipient has withdrawn such voluntary consent.
- **Sexual nature** is contact which constitutes a touching of any part of another person’s body with sexual intent and/or for sexual effect as determined by the College.
- **Incapacitated sex** is to have sex with someone who is incapable of consenting under NYS Penal Law, for instance, he or she is physically helpless (the person is unconscious or for any other reason is physically unable to communicate unwillingness) or is operating under a mental disability or incapacity. (See NYS Penal Law §§ 130.00 (6) &(7) for definitions of mentally incapacitated and physically helpless). A person who engages in sexual activity with a person who is incapacitated is in violation of New York State Law and College policy and will be held accountable.

Verbal misconduct, without accompanying physical contact, is not defined as sexual misconduct.

HUMAN RIGHTS

The College’s Human Rights Policy and Procedure also addresses sexual assault, misconduct and the like as a form of sexual harassment which violates the College’s Human Rights Policy.

Procedures

Complaints of Sexual Misconduct, Relationship Abuse and Stalking shall be received and adjudicated pursuant to the Siena College Student Conduct Review Process through the Student Affairs division; or the Siena College Human Rights Policy and Procedures. The Dean of Students, Associate Dean of Students, Title IX Coordinator or designee after consultation with the complainant, shall determine which procedures shall be applied to receive, investigate and adjudicate the complaint.

Sanctions

College sanctions range from warnings, education and probation up to and including expulsion from the College.

DISCLOSURE OF OUTCOMES OF CAMPUS DISCIPLINARY ACTION

Siena College will, upon written request, disclose to the alleged victim of a crime of violence, or non-forcible sex offense, the result of any disciplinary action conducted by the College against the alleged perpetrator of the crime or offense. If the alleged victim is

deceased as a result of the crime or offense, Siena College will provide the results of the disciplinary action to the victim's next of kin, if so requested.

Cases reviewed under the Human Rights policy and procedures will, as part of written procedures, notify in writing the complainant and respondent (accused individual) of the outcome of the investigation and hearing, if applicable.

EDUCATIONAL PROGRAMS TO PROMOTE AWARENESS

Each year a number of programs are offered to students covering sexual misconduct, relationship abuse and stalking awareness and prevention. Specific programs on awareness are offered beginning with new student orientation and continue throughout the year. Programs include videos, plays performed by the College's theater troupe that allow for interactive discussion following the presentation, speakers from area domestic violence agencies and other experts in the field. Additionally, bulletin boards and other campus advertising means are used to display/distribute information about relationship violence and available resources. An associate dean of students coordinates the College's education and awareness programs. For any questions regarding this topics or how to access on campus and off campus resources or make a report, please contact the dean of students office at 518-783-2328.



New York State Sex Offender Registry

SEX OFFENDER REGISTRATION ACT (SORA)

The Sex Offender Registration Act requires the Division of Criminal Justice Services (DCJS) to maintain a Sex Offender Registry. The Registry contains information on sex offenders classified according to their risk of reoffending: low-risk (Level 1), moderate-risk (Level 2) and high-risk (Level 3). The Act requires that the Division also maintain a Subdirectory of Level 3 Sex Offenders. The DCJS Sex Offender Registry site may be found on the web and contains their Subdirectory of Level 3 Sex Offenders as well as other information regarding New York State's Sex Offender Registry.

Sex offenders registered in New York are now required to notify the Registry of any institution of higher education at which he or she is, or expects to be, whether for compensation or not, enrolled, attending or employed, and whether such sex offender resides or expects to reside in a facility operated by the institution. Changes in status at the institution of higher education must also be reported to the Registry no later than ten days after such change. The College shall comply with federal and state law concerning the Sex Offender Registration Act (SORA), and should the Vice President for Student Affairs or designee be informed that a student is listed as part of a sex offender registry, the College reserves the right to take immediate action, to include temporary suspension pending a College administrative hearing. The College also reserves the right to take immediate action, to include the right to suspend or dismiss the student from the College where the student represents a risk to the health, safety or welfare of the community, or to any person or property. Registry information can be accessed in several ways:

Telephone: Information about offenders of all risk levels, including those whose risk levels are pending, is available by calling 1- 800-262-3257. Callers must have an individual's name and one of the following – an exact address, date of birth, driver's license number, or Social Security number – to learn if the individual is on the Registry.

Internet: Information regarding high risk sex offenders (Level 3) may be accessed through the DCJS (Division of Criminal Justice Services) website: www.criminaljustice.state.ny.us/nsor/.

Local Police Department: Each month, local police agencies receive updated copies of the *Subdirectory of High-Risk (Level 3) Sex Offenders*, which lists all level 3 offenders in New York State. The *Subdirectory* is made available for review by the general public, along with photographs of those offenders. Contact your local police agency for further information. In the Town of Colonie, the town in which Siena College is located, one should contact the Colonie Police Department at 783-2811. Their investigative division has access to the *Subdirectory* and can supply information relative to any registered sex offenders in the vicinity of Siena College.

Siena College Public Safety maintains on their website a listing of any registered sexual offenders reported to the College as being enrolled, attending or employed at the College. *If additional information is needed, contact Siena College Public Safety at 518-783-2376.*

Annual Disclosure of Crime and Fire Statistics

The Clery Act (See page 4 above) requires Siena College to:

- publish an annual report every year by October 1 that contains three years of campus crime and fire statistics and certain campus security policy statements;
- disclose crime statistics for the campus, public areas immediately adjacent to or running through the campus, and certain non-campus facilities and remote classrooms. The statistics must be gathered from Siena Public Safety, local law enforcement, and other College officials who have “significant responsibility for student and campus activities”;
- provide “timely warning” notices of those crimes that have occurred and pose an ongoing “threat to students and employees”; and
- disclose in a public crime log “any crime that occurred on campus, in or on off-campus buildings or property owned or controlled by the school and on public property within or immediately adjacent to the campus, or within the patrol jurisdiction of campus Public Safety and is reported to Siena Public Safety.
- disclose in a public crime log any fire that has occurred in any on campus student housing facility.

In accordance with the Clery Act, Siena College’s Public Safety Department compiles annual crime and fire statistics for the College. Public Safety is also responsible for timely warning notifications of crime on campus to the Campus Community. Notice of crime on campus is made in several ways. Daily, crime reports are received by the Public Safety Department. These reports can be received either through direct reporting from a crime victim, crimes observed while on patrol by security staff, through mandated reporters as specified by the Clery Act, or from police departments that may respond to incidents on or adjacent to campus. On a daily basis the reports received are evaluated. In instances where a specific threat may still exist to the community or where an on-going course of conduct may be observed an immediate notice to the Community may be warranted. Such notices at Siena College are called “*Security Alerts*.” When called for, these notices are made in many ways. Electronic mail, voice mail, and printed flyers being some of the ways these notifications are made. A “*Daily Crime Report*” is also prepared based on the previous day’s events. The “*Daily Crime Report*” is posted on the Public Safety web site (<http://www.siena.edu/pages/4361.asp>) and is also available at the Public Safety Department’s office.

The Public Safety Department also prepares a statistical “*Annual Crime and Fire Report*.” This report is based on all the College’s reported crime and fire statistics. The “*Annual Report*” is available on the Department’s web site (www.siena.edu/publicsafety) and may be found on the U.S. Department of Education’s web site. Notice of the report is sent to all Students, Faculty and Staff of the College. The printed report is also available upon request or may be printed in .pdf format from the website. The Clery Crime statistics may be viewed directly at www.siena.edu/security/statistics.

Each year, an e-mail notification is made to all enrolled students, faculty and staff that provides the web site to access this report. All employees receive similar notification with their paycheck. Copies of the report may also be obtained at the Department of Public Safety located in the Haas Building or by calling (518) 783-2376. All prospective employees may obtain a copy from Human Resources in Siena Hall by calling (518) 783-2420 or by accessing their website at www.siena.edu/humanres. All prospective students may obtain a copy of the report by contacting the Office of Admissions at 1-888-AT-SIENA or by accessing their website at www.siena.edu/admissions.

Preparing and Reporting Annual Disclosure of Crime Statistics

The Office of Public Safety prepares this report to comply with the Clery Act. The full text of this report can be located on our website at www.siena.edu/security/statistics. You will also be able to connect to our site via the Public Safety Home page at www.siena.edu/publicsafety. This report is prepared in cooperation with local law enforcement agencies surrounding our main campus and alternate sites, Housing and Residential Services, the Judicial Affairs Officer, the Division of Business Affairs, Human Resources and the Division of Student Affairs. Each entity provides updated information on their educational efforts and programs to comply with the Clery Act.

Campus crime, arrest, referral, and fire statistics include those reported to the Office of Public Safety, designated campus officials (including but not limited to directors, deans, department heads, designated Human Rights Members, judicial affairs, advisors to students/student organizations, athletic coaches), and the local law enforcement agencies. These statistics may also include crimes that have occurred in the private residences or businesses and is not required by law. Section 265.25 of the New York Penal Law requires prompt, mandatory reporting to the local law enforcement agency by health care practitioners (such as those at Student Health Services) when they provide medical services to a person they know or reasonably suspects is suffering from wounds inflicted by a firearm or from wounds likely to result in death and inflicted by a sharp instrument, such as a knife. The Center for Counseling and Student Development staff informs their clients of the procedures to report crime to the Office of Public Safety on a voluntary or confidential basis, should they feel it is in the best interest of the client. A procedure is in place to anonymously capture crime statistics disclosed confidentially during such a session.

Each year, an e-mail notification is made to all enrolled students that provides the website to access this report. Faculty and staff receive similar notification by email and with their paychecks. Copies of the report may also be obtained at the Public Safety Office located in the Haas Building or by calling (518)783-2376. All prospective employees may obtain a copy from Human Resources in Siena Hall by calling (518) 783-2420 or by accessing their website at www.siena.edu/humanres. All prospective students may obtain a copy of the report by contacting the Office of Admissions at 1-888-AT-SIENA or by accessing their website at www.siena.edu/admissions.

Daily Crime and Fire Log

The Department of Public Safety maintains a Daily Crime and Fire Log that records, by the date the incident was reported, all crimes and other serious incidents that occur on campus, in a non-campus building or property, on public property, or within the department's patrol jurisdiction. The Daily Crime and Fire Log is available for public inspection at the Department of Public Safety or at <http://lw.siena.edu/securityreports/>. The Daily Crime and Fire Log includes the nature, date, time, and general location of each crime or fire reported to the department, as well as the disposition of the complaint, if this information is known at the time the log is created.

The department posts specific incidents in the Daily Crime and Fire Log within two business days of receiving a report of an incident.

Geographic locations

Under the Clery Act campuses are required to report campus crime statistics for certain offenses, hate crimes, arrests and disciplinary referrals to the campus judicial process. In all cases this data must be broken down according to the geographic location of the occurrence of the offense.

The geographic locations used under the Clery Act are:

On Campus

Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution’s educational purposes, including residence halls; and

Any building or property that is within or reasonably contiguous to paragraph (1) of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).

On Campus – in Residential Halls

“Dormitories or other residential facilities for students on campus” are a subset of the on-campus category. Institutions must disclose the total number of on-campus crimes, including those in dorms or other residential facilities for students on campus, and must also make a separate disclosure limited to the number of crimes occurring in student dorms or residential facilities on campus. As a subset, the number of crimes reported for dormitories or other residential facilities must be less than or equal to the number of reported crimes for the on-campus category.

Non-campus Building or Property

Any building or property owned or controlled by a student organization that is officially recognized by the institution; or

Any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution’s educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

On Public Property

All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.

Siena College does not have any non-campus student organizations that must be monitored for any crime reporting statistics.

Definitions of Reportable Crimes

Criminal Homicide

- **Murder and non-negligent manslaughter.** The willful (non-negligent) killing of one human being by another.
- **Negligent manslaughter.** The killing of another person through gross negligence.

Forcible sex offenses

- **Forcible rape.** The carnal knowledge of a person, forcibly and/or against that person’s will; or not forcibly or against the person’s will, where the victim is incapable of giving consent because of his or her temporary or permanent mental or physical incapacity (or because of his or her youth).
- **Forcible sodomy.** Oral or anal sexual intercourse with another person, forcibly and/or against that person’s will; or not forcibly against the person’s will, where the victim is incapable of giving consent because of his or her youth or because of his or her temporary or permanent mental or physical incapacity.
- **Sexual assault with an object.** The use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person’s will; or not forcibly or against the person’s will, where the victim is incapable of giving consent because of his or her youth or because of his or her temporary or permanent mental or physical incapacity.
- **Forcible fondling.** The touching of the private body parts of another person for

How do we compile these statistics?

The Department of Public Safety collects the crime statistics disclosed in the following charts through a number of methods. Public Safety officers enter all reports of crime incidents made directly to the department through Report Exec CAD/RMS integrated record management system. After an officer enters the report in Report Exec, a department administrator reviews the report to ensure it is appropriately classified in the correct crime category. The Public Safety Department also solicits crime statistics from local law enforcement agencies and those are included if provided. The department periodically examines the data to ensure that all reported crimes are recorded in accordance with the crime definitions outlined in the *FBI Uniform Crime Reporting Handbook* and the *FBI National Incident-Based Reporting System Handbook*.

the purpose of sexual gratification, forcibly and/or against that person's will; or, not forcibly or against the person's will, where the victim is incapable of giving consent because of his or her youth or because of his or her temporary or permanent mental or physical incapacity.

Non-forcible sex offenses

- **Incest.** Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory rape.** Non-forcible sexual intercourse with a person who is under the statutory age of consent.

Robbery

The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

Aggravated assault

An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by a means likely to produce death or great bodily harm. (It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used that could and probably would result in serious personal injury if the crime were successfully completed.)

Burglary

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

Motor vehicle theft

The theft or attempted theft of a motor vehicle. (Motor vehicle theft is classified as any case where an automobile is taken by a person not having lawful access, even if the vehicle is later abandoned, including joy riding.)

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.

Other offenses

- **Liquor law violations.** The violation of laws or ordinances prohibiting: the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; furnishing liquor to a minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; and all attempts to commit any of the aforementioned activities. (Drunkenness and driving under the influence are not included in this definition.)
- **Drug abuse violations.** Violations of state and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, methadone); and dangerous non-narcotic drugs (barbituates, Benzedrine).
- **Weapon law violations.** The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as: the manufacture, sale, or possession of deadly weapons; the carrying of deadly weapons, concealed or openly; the furnishing of deadly weapons to minors; aliens possessing deadly weapons; and all attempts to commit any of the aforementioned acts.

Hate crime

Any act of intimidation, harassment, physical force, or the threat of physical force directed against any person or family, or their property or advocate, motivated either in whole or in part by hostility to their real or perceived race, ethnic background, national origin, religious belief, sex, age, disability, or sexual orientation, with the intention of causing fear or intimidation, or to deter the free exercise of enjoyment of any rights or privileges secured by the Constitution or the laws of the United States whether or not performed under the color of law.

Clery Act Criminal Offenses

The following criminal offenses (as defined under the FBI's Uniform Crime Reporting Handbook) are reportable offenses under the Clery Act. On campus statistics include both incidents reported to police and those reported to non-police officials and may therefore contain multiple entries for the same incident.

On Campus

Criminal Offense	2008	2009	2010
Murder / Non-Negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
Forcible Sex Offenses (Including forcible Rape)	4	5	3
Non-Forcible Sex Offense	0	0	0
Robbery	0	0	0
Aggravated Assault	1	1	0
Burglary	15	11	3
Motor Vehicle Theft	0	0	0
Arson	1	0	0

On Campus – in Residential Halls

Criminal Offense	2008	2009	2010
Murder / Non-Negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
Forcible Sex Offenses (Including forcible Rape)	4	4	3
Non-Forcible Sex Offense	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	0
Burglary	14	10	3
Motor Vehicle Theft	0	0	0
Arson	0	0	0

Non-Campus Building or Property

Criminal Offense	2008	2009	2010
Murder / Non-Negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
Forcible Sex Offenses (Including forcible Rape)	0	0	0
Non-Forcible Sex Offense	0	0	0
Robbery	0	0	0
Aggravated Assault	1	0	0
Burglary	0	0	0
Motor Vehicle Theft	0	0	0
Arson	0	0	0

On Public Property

Criminal Offense	2008	2009	2010
Murder / Non-Negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
Forcible Sex Offenses (Including forcible Rape)	0	0	0
Non-Forcible Sex Offense	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	0
Burglary	2	0	0
Motor Vehicle Theft	0	0	0
Arson	1	0	0

Clery Act Hate Offenses

As required under the Clery Act the following report indicates the number of reported occurrences of the listed offense that manifest evidence of bias based on race, religion, sexual orientation, gender, disability or ethnicity/national origin ("Hate Crimes") as prescribed by the Hate Crimes Statistics Act (28 U.S.C. 534) that took place in the geographic locations specified under the Clery Act. For all offenses reported below the category of bias will be noted in the table footnotes.

On Campus

Criminal Offense	2008	2009	2010
Murder / Non-Negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
Forcible Sex Offenses (Including forcible Rape)	0	0	0
Non-Forcible Sex Offense	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	0
Burglary	0	0	0
Motor Vehicle Theft	0	0	0
Arson	0	0	0
Larceny	0	0	0
Simple Assault	0	0	0
Intimidation	0	0	0
Criminal Mischief	0	0	0
Destruction/Damage/Vandalism Of Property	0	0	1

On Campus – in Residential Halls

Criminal Offense	2008	2009	2010
Murder / Non-Negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
Forcible Sex Offenses (Including forcible Rape)	0	0	0
Non-Forcible Sex Offense	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	0
Burglary	0	0	0
Motor Vehicle Theft	0	0	0
Arson	0	0	0
Larceny	0	0	0
Simple Assault	0	0	0
Intimidation	0	0	0
Criminal Mischief	0	0	0
Destruction/Damage/Vandalism Of Property	0	0	0

Non-Campus Building or Property

Criminal Offense	2008	2009	2010
Murder / Non-Negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
Forcible Sex Offenses (Including forcible Rape)	0	0	0
Non-Forcible Sex Offense	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	0
Burglary	0	0	0
Motor Vehicle Theft	0	0	0
Arson	0	0	0
Larceny	0	0	0
Simple Assault	0	0	0
Intimidation	0	0	0
Criminal Mischief	0	0	0
Destruction/Damage/Vandalism Of Property	0	0	0

On Public Property

Criminal Offense	2008	2009	2010
Murder / Non-Negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
Forcible Sex Offenses (Including forcible Rape)	0	0	0
Non-Forcible Sex Offense	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	0
Burglary	0	0	0
Motor Vehicle Theft	0	0	0
Arson	0	0	0
Larceny	0	0	0
Simple Assault	0	0	0
Intimidation	0	0	0
Criminal Mischief	0	0	0
Destruction/Damage/Vandalism Of Property	0	0	0

Clery Act Arrests and Disciplinary Referrals

Arrests

On Campus

Criminal Offense	2008	2009	2010
Liquor Law Violations	0	2	0
Drug Law Violations	2	2	6
Illegal Weapons Possession	0	0	0

On Campus – in Residential Halls

Criminal Offense	2008	2009	2010
Liquor Law Violations	0	1	0
Drug Law Violations	1	1	5
Illegal Weapons Possession	0	0	0

Non-Campus Building or Property

Criminal Offense	2008	2009	2010
Liquor Law Violations	0	0	0
Drug Law Violations	0	0	0
Illegal Weapons Possession	0	0	0

On Public Property

Criminal Offense	2008	2009	2010
Liquor Law Violations	5	0	0
Drug Law Violations	2	0	0
Illegal Weapons Possession	0	0	0

Number of Disciplinary Actions/Referrals

On Campus

Criminal Offense	2008	2009	2010
Liquor Law Violations	357	315	262
Drug Law Violations	43	40	68
Illegal Weapons Possession	6	4	1

On Campus – in Residential Halls

Criminal Offense	2008	2009	2010
Liquor Law Violations	299	240	204
Drug Law Violations	32	33	53
Illegal Weapons Possession	6	4	1

Non-Campus Building or Property

Criminal Offense	2008	2009	2010
Liquor Law Violations	2	0	0
Drug Law Violations	0	0	0
Illegal Weapons Possession	0	0	0

On Public Property

Criminal Offense	2008	2009	2010
Liquor Law Violations	0	0	0
Drug Law Violations	0	0	0
Illegal Weapons Possession	0	0	0

FIRE SAFETY REPORT

Overview

The Higher Education Opportunity Act (Public Law 110-315) became law in August 2008, and requires institutions that maintain on campus housing facilities to publish an annual fire safety report which outlines fire safety practices, standards, and all fire related on campus statistics. The following public disclosure report details all information required by this law as it relates to Siena College.

Smoking

Smoking is prohibited in all college facilities including Residence Halls.



Fire Safety in the Residence Halls

Siena College fully recognizes its responsibility to provide both awareness and safety training for its resident students and undertakes an ambitious program each year. Fire safety and emergency training for students begins with discussions about fire prevention and safety during the freshman orientation programs. Information regarding fire safety is also highlighted when students check into the residence halls and during the Resident Assistant opening meetings that occur each semester. Students are further reminded about fire safety and evacuation procedures in the Emergency Response Guide. During the first two weeks of school in September, the Department of Public Safety sponsors a Safety Awareness Day in conjunction with the New York State Office of Fire Prevention and the Shaker Road Fire Department in which fire

safety techniques are displayed. The students have the opportunity to learn the proper way to fight a fire and the proper use of fire extinguishers.

Emergency procedures are reviewed periodically with residents by way of hall fire drills. The drills are conducted in a realistic manner to enable student, faculty and staff residents and employees to be prepared in the event of an actual emergency. Staff members themselves are trained concerning fire safety and evacuation procedures during their staff training and these procedures are highlighted in the Emergency Response Guide. In accordance with New York State Education Law, four fire drills are conducted each year in the residence halls by the Department of Public Safety in coordination with the facilities department. There are two scheduled drills in the fall semester and two scheduled drill in the spring for every Residence Hall on campus. In conjunction with these drills, the local fire department routinely contacts Siena for specific fire training on campus. Siena College's Assistant Director of Safety administers an aggressive program of regular inspection, testing and maintenance of all college premises to ensure compliance with applicable fire and life safety codes and standards, conducting regular egress drills and providing a variety of educational and training programs in fire safety and prevention techniques for students, faculty and staff. All residence halls meet or exceed local and national fire safety codes and are equipped with modern fire alarm systems including smoke detectors and sprinkler systems. Students are always required to evacuate a building when the alarm sounds.



General Statement of College Owned Student Housing

At Siena College all residence halls are completely covered by a sprinkler system and a fire alarm system that is monitored by the Department of Public Safety 24 hours a day, seven days a week.

All Residence Halls are equipped with a copy of the Emergency Response Guide which includes information on fire safety and what appropriate action to take during a fire alarm or fire emergency. On every floor there will be a fire evacuation plan posted which also gives information as to what to do in the event of a fire. A copy of the Emergency Response Guide can be found on the Department of Public Safety's website or a hard copy may be obtained at the Public Safety Office located in the Hass Building.

Additional information on fire safety can be found on the Siena College Department of Public Safety website.

Campus Fire Emergencies – Evacuation and Assembly Points

Steps to follow if you become aware of a fire:

- In a building, activate the nearest fire alarm and call the Public Safety at 911 from any campus phone or (518) 783-2999 if from a cell phone.
- Do not attempt to extinguish the fire if you have not been trained to do so.
- Sounding the alarm and making the call can save lives and property by giving firefighters the maximum amount of response time and building occupants the maximum amount of time to evacuate the building.
- Calmly assist others to evacuate the building by following exit signs to the nearest safe exit. The nearest exit may not be the one you use to enter the building. DO NOT use any elevator.
- If possible, assist any person with disabilities who may need assistance in evacuating the building.
- Remain outside the building at a safe distance to wait for Public Safety, police and fire departments.
- Give any information you have to the responding Public Safety, police or fire officials and then report to the designated staging area.

ASSEMBLY POINTS

Building Name	Assembly Point
Hennepin Hall	Lawn area between Plassman Hall and Serra Hall If inclement weather, Sarazen Student Union, Room 240
Hines Hall	Lawn area between Padua and Sarazen Student Union If inclement weather, Sarazen Student Union, Room 240
Padua Hall	Lawn area between Padua and Sarazen Student Union If inclement weather, Sarazen Student Union, Room 240
Plassman Hall	Lawn area between Serra Hall and the Standish Library If inclement weather, Sarazen Student Union, Room 240
Ryan Hall	Lawn area between Padua and Student Union If inclement weather, Sarazen Student Union, Room 240
MacClosky Townhouses	Lawn area in front of town house If Inclement weather, MacClosky Square Commons
Cushing Village Townhouses	Lawn area in front of town house If Inclement weather, Cushing Village Commons

Residence Halls – Fire Protection Systems

Each of the six residence halls as well as all 108 town houses are equipped with a sprinkler system with flow and valve tamper switches monitored by the fire alarm panel system. The building fire alarm panel is hard wired to smoke/heat detectors. Fire alarm panel annunciates directly to the Siena Public Safety dispatch center which maintains coverage 24/7.

Specific Fire Prevention Related Policies

Siena College does not allow smoking in any campus building or Residence Hall. Smoking is only permitted outside buildings and away from any exterior doors. It is the policy of the Siena College to provide faculty, staff, students and visitors with the safest possible environment, free from potential fire hazards. Periodic fire inspections of all campus buildings are conducted by the Department of Public Safety, Campus Facilities and the New York State office of Fire Prevention and Control.

To minimize the potential for fires, it is Siena's policy to prohibit the open burning at all times. Open burning as defined by Siena is any open/exposed flame or combustion that produces heat, light or smoke, and has the potential to cause a fire. Examples of open burning are, but not limited to, candles, incense and related accessories such as gasoline and lighter fluid.

In addition, the following items are prohibited in the Residence Halls.

1. Cooking including the use of toaster ovens or grills
2. Space heaters except when issued by Campus Facilities for emergency heat outages.
3. Halogen lamps or halogen light bulbs.

Fire Safety Training

Two drills are conducted in the academic buildings annually. Local Fire Department routinely contacts Siena for specific training on campus.

Plans for future improvements in fire safety

Siena continually evaluates the fire protection systems in all campus buildings. Upgrades occur through ongoing testing and inspection of the life safety systems and equipment with deficiencies being repaired or replaced through building renovations.

The Terms and Conditions of the Residence Hall License sets forth a list of prohibited items including;

Prohibited Appliances:

- Microwave ovens (except in townhouses) with the exception of the Microfridge option
- Hot plates, personal sandwich makers, grills (George Foreman, etc.) and waffle makers
- Toasters and toaster ovens (except in townhouses)
- Space heaters
- Appliances with exposed heating elements
- Commercial type popcorn makers
- Air conditioners
- Iron without auto shut-off
- Curling irons without auto shut-off
- Smoke / fog machines
- Motorized exercised equipment, treadmills

Prohibited Decor / Furnishings:

- Curtains / window treatments (the College has installed blinds in all resident spaces to ensure privacy)
- Lofts, homemade beds and water beds
- Halogen lamps (floor or desk) and 5 light/arm floor lamp
- Candles (with or without wicks) and incense
- Bed/furnishings placed in such a way as to require residents to stand on the furnishings to open or close the window or impeded emergency access/egress

- Live greens, evergreen decorations
- Decorative electric lights of any kind (i.e. rope lights, string lights, holiday lights)
- Large or bulky paper or fabric decorations (tapestries, large flags, sheets, etc.) hanging from ceiling, walls or windows are not permitted nor are items, other than those originally provided by the College, that divide a room or take up a significant amount of space (such as room dividers, bars, etc.)
- Pets (other than fish in 5 gal. aquariums)

Fire/Safety:

- Items placed on or over smoke/heat detectors/sprinkler piping or heads: no item may obstruct airflow or water disbursement for fire safety equipment.
- Items too close to sprinkler heads (18" minimum clearance required) no item may obstruct airflow or water disbursement for fire safety equipment
- Multiple electrical connectors (other than breaker equipped outlet strips)
- Splicing electrical extension cords into lighting or other fixtures
- Hookahs
- Fireworks
- Flammable liquids (gasoline, kerosene, charcoal lighter fluid, etc.) and machines that use them
- Propane and Gas grills

Residential Fire Safety Precautions

The Residence Director, accompanied by the Siena College Safety Officer, will make an inspection of student rooms and townhouses at least once each semester. The inspection team will look for various fire and life safety hazards, proper waste disposal and other prohibited items. In the townhouses, an inspection of College supplied fire extinguishers will also be performed. Students will be notified of any safety concerns/violations and will be directed how to correct any safety concerns/violations. Failure to comply will result in disciplinary action. In the interest of safety and protection of property, Siena students are urged to exercise caution in the use of all electrical appliances and, in the townhouses, the heating system. Townhouse residents may not tamper with the heat meters and will be charged through the student conduct system. Each residence hall room and townhouse is equipped with a smoke detector and sprinkler system. These early warning devices are not to be covered and/or tampered with under any circumstances.

Each townhouse is provided a fire extinguisher and students should become familiar with its proper use. Townhouse residents must immediately report discharged fire extinguishers to Public Safety. Failure to do so will result in the residents of the townhouse being charged with violations of established residence hall living guidelines and billed for recharging the extinguisher. During regularly scheduled safety inspections, fire extinguishers in each townhouse will be checked to make sure they are in operating order.

ALL FIRES MUST BE REPORTED TO PUBLIC SAFETY AND TO THE RESIDENCE DIRECTOR.

- Access to the room must be kept unobstructed for emergency first responders.
- No furniture may block hallways, corridors, walkways, fire lanes and/or stoops.
- In addition, no furnishings will be allowed to reduce the normal height and width of the door opening.
- The College may require students to remove any item blocking any area or any items considered safety hazards. This includes residence hall and townhouse areas, interior and exterior.

Overview of Fire Protective Systems in the Siena College Residence Halls

Facility	Fire Alarm Monitoring done on site	Full (2) Sprinkler system	Smoke Detection	Fire Extinguisher devices	Evacuation plans and placards	Number of Evacuation (fire) drills each calendar year
Hines Hall	X	X	X	X	X	4
Plassman Hall	X	X	X	X	X	4
Hennepin Hall	X	X	X	X	X	4
Padua Hall	X	X	X	X	X	4
Ryan Hall	X	X	X	X	X	4
The New Hall	X	X	X	X	X	4
MacClosky Townhouses	X/0	X	X	X	0	0
Cushing Townhouses	0	X	X	X	0	0

5 Fiddlers Lane	0	0	X	X	0	0
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Facility	local alarm	strobes	fire doors	fire walls
Hines Hall	X		X	
Plassman Hall	X		X	
Hennepin Hall	X		X	
Padua Hall	X		X	
Ryan Hall	X		X	
The New Hall	X		X	
MacClosky Townhouses	X		X	
Cushing Townhouses	X		X	
5 Fiddlers Lane	X		X	

2010 Campus residential student housing fire report

The Higher Education Opportunity Act of 2008 and its accompanying regulations established new requirements for colleges in the areas of personal safety and crime reporting, fire safety and reporting, and missing students. In addition, for the first time, colleges must issue an Annual Fire Report. This regulation took effect on July 1, 2010. The statistics below are for the calendar year 2010 only. In subsequent years, the statistics will reflect up to three years as required.

Resident Hall	Fires in Building	Fire Number	Cause of Fire	Injuries	Deaths	Value of Property Damaged
Cushing Village	0	0	0	0	0	0
5 Fiddlers Lane	0	0	0	0	0	0
Hennepin Hall	0	0	0	0	0	0
Hines Hall	0	0	0	0	0	0
MacClosky Square	0	0	0	0	0	0
New Hall	0	0	0	0	0	0
Padua Hall	0	0	0	0	0	0
Plassmann Hall	0	0	0	0	0	0
Ryan Hall	0	0	0	0	0	0

Map of Siena Campus for Clery Report

