CAMPUS SAFETY

Annual Security and Fire Safety Report

IONA UNIVERSITY

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STUDENT LIFE TELEPHONE NUMBERS ON THE NEW ROCHELLE CAMPUS

Athletics	(914) 633-2654
Office of Mission and Ministry	(914) 637-2772
Campus Safety Administrative Office	(914) 633-2245
Career Services	(914) 633-2462
Counseling Services	(914) 633-2038
Health Services	(914) 633-2548
Residential Life	(914) 633-2336
Center for Student Engagement	(914) 633-2360
Facilities Management	(914) 633-2454

OTHER IMPORTANT TELEPHONE NUMBERS: NEW ROCHELLE CAMPUS

Emergency Police/Fire/Ambulance	911
Local Police, Non-Emergency	(914) 654-2300
Campus Safety 24 Hr. Phone	(914) 633-2560

OTHER IMPORTANT TELEPHONE NUMBERS: BRONXVILLE CAMPUS

Emergency Police/Fire/Ambulance	911
Local Police, Non-Emergency	(914) 337-0500
Campus Safety 24 Hr. Phone	(914) 654-6100

Contacts:

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Iona University

Mission Statement

Iona University is a caring academic community, inspired by the legacy of Blessed Edmund Rice and the Christian Brothers, which embodies opportunity, justice, and the liberating power of education.

Iona University's purpose is to foster intellectual inquiry, community engagement, and an appreciation for diversity.

In the tradition of American Catholic Higher Education, Iona University commits its energies and resources to the development of graduates recognized for their ethics, creativity, and problem solving abilities; their independent and adaptable thinking; their joy in lifelong learning; and their enduring integration of mind, body, and spirit.

(Adopted May 2, 2012)

THE CAMPUS SECURITY ACT (also known as the Clery Act)

The Campus Security 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.
- Publish 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.")
- Publish "timely warning" notices where a crime has occurred on or near campus that, in the judgment of the Director of Campus Safety or Associate Director of Campus Safety, constitutes an ongoing or continuing threat to members of the University community.
- Make available for public inspection a daily public crime log of "any crime that occurred on campus ... or within the patrol jurisdiction of the campus security department ... and is reported to the campus security department."

The Department of Campus Safety is responsible for preparing and distributing the annual report. The department works with other administrative departments and law enforcement agencies — such as the office of Center for Student Engagement, Title IX and the New Rochelle, Bronxville, and Tuckahoe Police Departments — to compile the information incorporated into the report.

We encourage members of the Iona community to use this report as a guide for safe practices on and off campus. The report is available on the web at: www.iona.edu. Each member of the Iona community receives an email that describes the report and provides its Web address. For more information, contact the Department of Campus Safety at (914) 633-2245 or email anavarrete@iona.edu and/or jhynes@iona.edu.

Security of and Access to Campus Facilities

Access to campus buildings and grounds is a privilege extended to students, faculty, staff, and authorized guests. Iona University encourages an open environment with limited constraints to ensure the reasonable protection of all members of the community. Most campus facilities (except residence halls) are open during weekday business hours. Individuals who wish to access campus facilities during non-business hours or for special events should contact the Department of Campus Safety.

Automated access control systems are also installed in the Hynes Athletics Center, Kelly Center, LaPenta School of Business, LaPenta Student Union, McSpedon Hall (North Entrance), Ryan Library, and Speech Clinic.

Residence Hall Access

All residence halls are equipped with an automated card access control system. Residence halls are accessible to current students and authorized staff and faculty via the system. Guests and other visitors may visit residence halls provided they have been authorized by the Residential Life office. The doors to all residence halls remain locked 24 hours a day and personnel is assigned to cover the front desk of each building lobby.

In addition to the automated card access control system, exterior doors in the residence halls are equipped with an alarm system. The Iona University Facilities Management Department maintains the alarms and works with the Office of Residential Life and the Campus Safety Office for policy guidance.

Security Considerations in the Maintenance of Campus Facilities

Iona University is committed to campus safety and security. The Department of Campus Safety conducts routine checks of lighting on campus during regularly assigned patrol duties. If lights are not working, officers will initiate an immediate work order, which is acted upon by the Facilities Management Department, usually by the next business day. We encourage community members to report any instances of inadequate lighting to the Facilities Department at (914) 633-2454.

The Department of Campus Safety and the Facilities Management Department work together to identify inoperative locking mechanisms, and work to immediately correct these conditions. Maintenance personnel are available to respond to calls for service regarding unsafe facility conditions, or for personal safety and property protection. These conditions also may include unsafe steps or handrails, unsafe roadways on campus, and unsecured equipment.

Solicitation is prohibited on the Iona University campus without prior approval.

POLICY STATEMENTS

POLICY ON A DRUG-FREE COMMUNITY

Iona University recognizes its duty to uphold existing state and federal laws and inform students and staff about the Drug-Free Schools and Communities Act of 1989. This law, by which the University intends to comply fully, was designed to prevent the illegal use of drugs and the abuse of alcohol by students and staff. Iona is a drug-free school and workplace and the University will not protect any member of the community who violates the law. This represents the complete policy on a Drug-Free Community.

Accordingly, any person discovered on campus by University officials who illegally possesses marijuana, hallucinogens or any other drugs prescribed by state or federal laws, will be subject to sanctions up to and including dismissal from the University. It is a violation of the Code of Conduct to fail to comply with the University's regulations and state and federal laws governing the possession, distribution and use of illegal drugs. This includes any paraphernalia used to assist in the possession, distribution or use of illegal drugs either on or off campus. Any student arrested by any governmental authority in connection with illegal possession or use of drugs will be subject to disciplinary action pursuant to the judicial procedures of the University as contained in the Student Handbook.

Should guests, or anyone purporting to be a guest of students or of anyone else in the University community, be actively engaged in the sale, barter, exchange or distribution of an illegal drug on campus, the University will take immediate action by notifying the appropriate governmental authorities. Since the University does not consider itself a "sanctuary" outside the law for its own students, faculty or staff, neither can it be a place of refuge for persons not part of the University community.

New York State penal law states that it is illegal for: persons under the age of 21 to purchase or possess alcoholic beverages with the intent to consume; individuals under the age of 21 to purchase or attempt to purchase an alcoholic beverage through fraudulent means; individuals to furnish alcohol to anyone under 21-years-of-age; individuals to sell, deliver or give away alcoholic beverages to any intoxicated person or any person under the influence of alcohol regardless of the age of the person; and/or individuals to drive while impaired or intoxicated.

Federal law makes it a criminal offense to manufacture, distribute, dispense or possess a controlled substance. (See Title 21 US Code 801, et. seq. Controlled substances are defined by the schedules contained in 812 of Title 21 of the US code.) New York State penal law makes it a criminal offense to possess, possess with intent to sell or actually sell various drugs as listed in the schedules contained in the New York State Public Health Law, 3306 thereof. (See Penal Law Articles 220 and 222.)

New York State has repealed Article 221 in relation to marijuana possession and personal use. However, **marijuana remains illegal under Federal law. Marijuana possession or use is prohibited on campus property**.

The possible sanctions for the violation of federal and state law depend upon the particular offense violated. The various offenses are premised on aggravating factors which include the type and quantity of drugs involved. Depending upon the particular aggravating circumstances involved, violations of said law could result in sanctions from a monetary fine to life imprisonment.

It is a violation of New York State Penal Law 240.40 for a person to appear in public under the influence of narcotics or a drug other than alcohol to the degree that he or she may endanger himself or herself or other persons or property, or annoy persons in the vicinity. A violation of this law could result in imprisonment up to 15 days.

ALCOHOL AND OTHER DRUGS COUNSELING

The Counseling Center provides assessment, education, and treatment services for students whose alcohol and/or drug use is affecting their college lives. At times, students may be referred for formal drug and alcohol evaluations if they are found to be in violation of the Student Code of Conduct policies related to alcohol and other drugs (AOD). Students referred for AOD concerns have the opportunity to: examine the factors which contribute to their alcohol and other drug use, develop a plan to adopt healthier behaviors, and obtain support in a non-judgmental setting.

Students concerned about their AOD use, those in recovery looking for support, or those concerned about the use of a loved one or peer, are also eligible for assessment, education, and treatment services. Contact the Counseling Center for more information.

Know your CUPSS! The following are signs of alcohol poisoning:
- Cold or clammy skin and noticeable changes in complexion
- Unconscious
- Puking and does not awaken
- Slow or irregular breaths
- Seizure

If you notice a friend exhibiting any of these symptoms, this is a medical emergency! Do not wait.
Call Campus Safety at (914) 633-2560 and/or 911.

Facts & Statistics
- Any drug that alters a person's consciousness in a way that makes self-defense or sound decision making difficult can be used as a "date rape drug." Alcohol is the drug most frequently used to facilitate sexual assault. Consent is clear, coherent, willing, and ongoing and cannot be given while intoxicated.
- Binge drinking is the practice of consuming large quantities of alcohol in a single session, usually defined as five or more drinks at one time for biological males, or four or more drinks at one time for biological females (about 2 hours).
- Blackouts are a definite sign that your body can no longer tolerate alcohol. A blackout is when you appear to be fully conscious while drinking but the next morning you cannot remember any of the events of the night. When memories from the night before are spotty and fragmented sometimes this is referred to as a "brown-out." Blackouts are not the same as passing out. Passing out from excessive alcohol use can also occur. This is a loss of consciousness due to the body's inability to process the amount of alcohol you have consumed and in some cases can be a precursor to alcohol poisoning. Blackouts, brownouts, and loss of consciousness are all serious medical events requiring follow-up with a health care provider.

Statistics
- **Death:** About 1,825 college students, ages 18-24, die from alcohol-related unintentional injuries.
- **Assault:** About 696,000 students, ages 18-24, are assaulted by another student who has been drinking.
- **Sexual Assault:** About 97,000 students, ages 18-24, report experiencing alcohol-related sexual assault.
- **Family History:** Students with a family history of alcohol-use problems or drug abuse, or struggles with chronic depression or anxiety, are more vulnerable to developing substance dependency.

There are many resources available for students dealing with and recovering from substance dependency.

Resources at Iona University
- Counseling Center: (914) 633-2038
- Health Services: (914) 633-2548

Off-Campus Resources
- **The Guidance Center of Westchester Sunrise Program:** An outpatient clinic that implements evidence-based interventions to help participants achieve recovery from alcohol or other controlled substances. Sunrise is appropriate for anyone over the age of 18 who is living with addiction. Walk-in assessments are available every Wednesday, 3-6 p.m.
- **The Hub:** Specifically designed to help adolescents and young adults (ages 12-21) make sound and thoughtful decisions as they restore balance to their lives and recover from substance use. Located at 256 Washington Street, Mount Vernon, NY. For more information, call (914) 613-0700 x7104, or for after-hours assistance, call (914) 286-3350.
- **METRO:** A chemical dependency treatment center that focuses on recovery from opiate-based addiction, including addiction to heroin and prescription pain medications. This program uses medication-assisted treatment. METRO provides individual and group counseling, community-based referrals, and vocational and job assistance. METRO is for people 18 and older. Located at 20 Sickles Avenue, New Rochelle, N.Y. For more information, call (914) 613-0700 x7201, or for after-hours assistance, call (914) 286-3350.

Violation	Mandatory Fine	Maximum Jail Term	Mandatory Drivers License Action
Aggravated Driving While Intoxicated (AGG DWI)	$1,000 - $2,500	1 year	Revoked for at least one year
Second AGG DWI in 10 years (E felony)	$1,000-$5,000	4 years	Revoked for at least 18 months
Third AGG DWI in 10 years (D felony)	$2,000-$10,000	7 years	Revoked for at least 18 months
Driving While Intoxicated (DWI) or Driving While Impaired by a Drug (DWAI-Drug)	$500 - $1,000	1 year	Revoked for at least six months
Second DWI or DWAI-Drug violation in 10 years (E felony)	$1,000 - $5,000	4 years	Revoked for at least one year
Third DWI or DWAI-Drug violation in 10 years (D felony)	$2,000 - $10,000	7 years	Revoked for at least one year
Driving While Ability Impaired by a Combination of Alcohol/Drugs (DWAI-Combination)	$500 - $1,000	1 year	Revoked for at least six months
Second DWAI-Combination in 10 years (E felony)	$1,000 - $5,000	4 years	Revoked for at least one year
Third DWAI-Combination in 10 years (D felony)	$2,000 - $10,000	7 years	Revoked for at least one year
Driving While Ability Impaired by Alcohol (DWAI)	$300 - $500	15 days	Suspended for 90 days
Second DWAI violation in 5 years	$500 - $750	30 days	Revoked for at least six months
Third or subsequent DWAI within 10 years (Misdemeanor)	$750 - $1,500	180 days	Revoked for at least six months
Zero Tolerance Law	$125 civil penalty and $100 fee to terminate suspension	None	Suspended for six months
Second Zero Tolerance Law	$125 civil penalty and $100 re-application fee	None	Revoked for 1 year or until age 21
Chemical Test Refusal	$500 civil penalty ($550 for commercial drivers)	None	Revoked for at least one year, 18 months for commercial drivers.
Chemical Test Refusal within five years of a previous DWI-related charge/Chemical Test Refusal	$750 civil penalty	None	Revoked for at least 18 months, one-year or until age 21 for drivers under age 21, permanent CDL revocation for commercial drivers.
Chemical Test Refusal - Zero Tolerance Law	$300 civil penalty and $100 re-application fee	None	Revoked for at least 1 year
Chemical Test Refusal - Second or subsequent Zero Tolerance Law	$750 civil penalty and $100 re-application fee	None	Revoked for at least 1 year
Driving Under the Influence (Out-of-State)	N/A	N/A	Revoked for at least 90 days. If less than 21 years of age, revoked at least one year.
Driving Under the Influence (Out-of-State) with any previous alcohol-drug violation	N/A	N/A	Revoked for at least 90 days (longer term with certain prior offenses). If less than 21 years of age, revoked at least one year or until age 21 (longest term).

It is a violation of New York State Penal Law 260.20 (d) (4) for a person to give or sell an alcoholic beverage to a person less than 21 years old. A violation of this law could result in imprisonment up to three months. Any person who operates, drives or is in control of a motor vehicle while intoxicated (DWI) or impaired (DWAI) is in violation of Section 1192 of the Vehicle and Traffic Law and if found guilty, is subject to fines, imprisonment and license suspension or revocation. The penalties for DWI and DWAI related to this section are listed in the preceding chart.

A drug is a chemical substance that has an effect upon the body or mind. Alcohol is defined as a drug. Drugs and alcohol are capable of impairing judgment and physical capacity and diminishing individual performance in activities of family living. Problems associated with inappropriate use of drugs and alcohol are complex in nature. One class of drugs is the sedative-hypnotic which relaxes the central nervous system. These include alcohol, barbiturates, tranquilizers (depressants), marijuana and hashish. Alcohol is chemically known as ethyl alcohol, C2H5OH, a colorless liquid, and medically is a depressant drug that slows the activity of the brain and spinal cord. Like any drug that affects the mind, alcohol has the potential to be abused.

Alcohol is ingested orally and the average 150 lb person can consume one drink in 1 1/2 hours with no or little accumulation of alcohol in the blood. One drink means the equivalent to 12 oz. of beer, 5 oz. of wine, or 1 1/2 oz. of hard liquor. The legal age for sale and consumption of alcohol is 21 in the State of New York.

Alcohol abuse results in harm or danger to the drinker and other people. The heavy costs of alcohol abuse include drinking and automobile crashes, homicides, arrests, accidents, and loss of productivity, plus the hidden cost of broken families, poor health and alcoholism. About one in 11 drinkers become alcoholics who have lost control over their drinking, resulting in personal, job and family problems. Continued heavy drinking can affect your health and can result in permanent damage. Malnutrition, cancer, heart disease, brain damage and ulcers can be a direct result of prolonged excessive drinking.

Barbiturates and tranquilizers (central nervous system depressants) can cause intoxication and produce such signs as tremors of the hands, lips and tongue, confusion, poor judgment and poor muscular coordination, drowsiness, slurred speech and constricted pupils.

Marijuana and hashish alter mood and perception and produce anxiety, euphoria, talkative behavior, floating feelings and hunger. They interfere with memory, intellectual performance and can impair concentration. Long-term, regular marijuana smoking causes irritation of the respiratory tract and can produce lung disease and possible damage to the heart and immune system.

Nicotine acts as a stimulant on the heart and nervous system. When tobacco smoke is inhaled, the immediate effects on the body are a faster heartbeat and elevated blood pressure. Young smokers may experience shortness of breath and a nagging cough. Some long-term effects of smoking cigarettes are emphysema, chronic bronchitis, coronary heart disease and lung cancer.

Caffeine, one of the oldest and most widely used stimulants, is found in coffee, tea, some soft drinks and some cold medications. Dependence on caffeine generally develops in habitual users, with headaches being the most common symptom of withdrawal.

Cocaine, whether it is smoked (crack), injected or snorted, is risky in all forms. Physical effects include dilated pupils, increased blood pressure, heart rate, breathing and body temperature, and restlessness and anxiety.

Amphetamines increase alertness and activity and are often referred to as speed, uppers, pep pills and diet pills. Mood swings, irritability, nervousness, and muscle pain are some of the effects of continued use. Eventually, hallucinations, paranoia, convulsions, brain damage, heart problems, and death can occur.

Hallucinogens (psychedelics) include PCP, LSD and mescaline. Hallucinogens temporarily distort reality, cause visual hallucinations, perceptual distortion and psychotic experiences and, sometimes, depression and flashbacks.

Dependency causes the deterioration of the moral, physical and intellectual fiber of an individual and abuse impairs the user's health, emotional wellbeing, family life, job performance and friendships. Iona is aware of the stresses associated with daily living, and strongly urges that the entire University community meet these stresses by participating in healthy behaviors. It is the goal of the University to assist in this endeavor by creating an environment that promotes and reinforces healthy and responsible living.

As a condition of employment and in compliance with the Drug-Free Workplace Act of 1988, Iona University employees will abide by the terms of this policy. The use of narcotics, controlled substances and the abuse of alcohol have been a significant problem to business, employees, students and society in general. These substances, when used in the work environment, threaten the safety, morale, productivity and the public image of both the employee and the University. Consequently, the University, in furtherance of the Federal Drug-Free Workplace Act, has established the following policy regarding controlled substances and alcohol.

1. The unauthorized use, possession, unlawful manufacturing, distribution, dispensation or being under the influence, of any controlled substance, narcotic and/or alcohol while on the University premises is strictly prohibited.
2. An employee will notify the University, in writing, of any criminal drug statute conviction for a violation occurring on campus no later than five days after a conviction.
3. In the event the University receives notification from an employee or otherwise of a conviction as described above, the University may take appropriate personnel action against an employee, including termination.

Mission and Ministries, Campus Safety, Counseling Services, Health Services, Residential Life, and/or Center for Student Engagement offer resources, workshops, counseling, and/or referrals for members of the University community regarding substance use and abuse.

Informational pamphlets and handouts are available and workshops, which are open to students, faculty, and staff, provide educational information and encourage preventative attitudes and healthy behaviors. Topics include: creating social alternatives to alcohol-related activities; learning to manage stress without alcohol or drugs; recognizing the warning signs of substance abuse in self and others; intervening when friends or family members appear to be engaged in alcohol or substance abuse; and understanding issues of adult children of alcoholics.

Some of the outside counseling services and agencies are listed below:

SELF-HELP

Alcoholics Anonymous ..... (914) 949-1200
Al-Anon ..... (914) 946-1748
Substance Abuse and Mental Health Services Administration ..... (800) 662-HELP
Suicide/Crisis Lifeline ..... 988 or (800) 273-8255
National Sexual Assault Hotline ..... (800) 656-4673

DETOX PROGRAMS

St. Johns Riverside Hospital ..... Yonkers ..... (914) 964-7537
Westchester Medical Center ..... Valhalla ..... (914) 493-7000

INPATIENT REHAB

New York Presbyterian ..... (914) 682-9100
St. Vincent's Hospital ..... Harrison ..... (914) 967-6500

OUTPATIENT COUNSELING

New York Presbyterian ..... (914) 682-9100
St. Vincent's Hospital ..... Harrison ..... (914) 967-6500 x5261
Lexington Center ..... New Rochelle ..... (914) 235-6633
Phelps Memorial Hospital ATS ..... Ossining ..... (914) 944-5220
St. Johns Riverside Hospital ..... Yonkers ..... (914) 964-7537
The Maxwell Institute ..... Tuckahoe ..... (914) 337-6033
Richard Pruss Wellness Center ..... Bronx ..... (800) 641-8351

REFERRAL RESOURCES

Alcoholism Council of Greater New York ... Manhattan ..... (212) 252-7001
My Sister's Place ..... (800) 298-7233

NON-DISCRIMINATION STATEMENT

Iona University does not discriminate in its educational programs or activities on the basis of race, color, national or ethnic origin, ancestry, age, religion or religious creed, disability or handicap, sex or gender (including pregnancy, sexual harassment and other sexual misconduct including acts of sexual violence such as rape, sexual assault, sexual exploitation and coercion), gender identity and/or expression, sexual orientation, military or veteran status, genetic information, marital status, political or social affiliation or any other characteristic protected under applicable federal, state or local law. Retaliation is also prohibited. Iona will comply with state and federal laws such as Title IX, Title VI and Title VII of the Civil Rights Act, the Americans with Disabilities Act, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination in Employment Act, and other similar laws that prohibit discrimination.

Unlawful discrimination has no place at Iona University and offends the University's core values which include a commitment to equal opportunity and inclusion. All Iona employees, faculty members, students and community members are expected to share this commitment.

Any member of the Iona University community has the right to raise concerns or make a complaint regarding discrimination under this policy without fear of retaliation. Please contact the Office of Human Resources at (914) 633-2496 for a copy of the New York State mandated complaint form. Any and all inquiries regarding the application of this statement and related policies may be referred to:

Lucia Bleidner
Title IX Coordinator,
Employee Relations Manager
715 North Avenue
New Rochelle, NY 10801
(914) 633-2455
titleIX@iona.edu

Daneshea Palmer
Director of Student Access
(914) 633-2366
dpalmer@iona.edu

As set forth in our policies, individuals may also file complaints with administrative agencies such as the U.S. Department of Education, Office for Civil Rights ("OCR"). The contact information for the local office of OCR is Region II New York, Office for Civil Rights, U.S. Department of Health and Human Services, Jacob Javits Federal Building, 26 Federal Plaza - Suite 3312, New York, NY 10278 tel. (212) 264-3313. The email address for OCR is https://ocrcas.ed.gov/contact-ocr?field_state_value=675

HARASSMENT AND DISCRIMINATION POLICY

Section: Employee Conduct & Responsibilities
Responsible Office: Human Resources
Effective Date: 9/1/1996
Revised: 1/1/2013, 9/28/2018, 10/30/20

Iona University is committed to maintaining a workplace free from sexual harassment and discrimination. This Policy is one component of the University's commitment to a discrimination-free work environment.

SCOPE

All members of the University community may use this procedure for complaints and investigations related to Harassment and Discrimination. For the purpose of this policy, the University community includes, but is not limited to, all faculty, staff (including student workers), students, alumni, interns (paid and unpaid), applicants, volunteers and visitors to the University, vendors and service-providers.

Student complaints for sexual misconduct and harassment are covered under the Sexual Misconduct Policy (Part I, II, III and IV). Employee complaints that meet the definition of "covered sexual harassment" in the Final Rule under Title IX of the Education Amendments of 1972 issued by the US Department of Education dated May 19, 2020, are covered under the Title IX Grievance Procedure – For Employees.

DETERMINING JURISDICTION

Upon receipt of a complaint, the Director of Human Resources will determine whether the Harassment and Discrimination Policy or the Title IX Grievance Process for employees should apply to the complaint.

The Title IX Grievance Procedure will apply when all of the following elements are met, in the reasonable determination of the Title IX Coordinator:

- The conduct is alleged to have occurred in Iona University's education program or activity. This includes but is not limited to in-person conduct as well as actions taken virtually, electronically and through social media.
- The conduct is alleged to have occurred on or after August 14, 2020;
- The conduct is alleged to have occurred in the United States;
- The alleged conduct, if true, would constitute covered sexual harassment as defined in the Title IX Grievance Procedure; and
- Complainant is currently participating in, or attempting to participate in, the education programs or activities Iona University.
- Respondent is any individual who has been reported to be the perpetrator of conduct that could constitute covered sexual harassment.
- The Director of Human Resources will advise Complainant of the appropriate procedure to follow.

POLICY

- Iona University complies with applicable provisions of local, state and federal law that prohibit discrimination in employment, in admission or access to its educational or extracurricular programs, activities, or facilities, on the basis of race, color, ethnicity, national origin, religion, sex, sexual orientation, gender identity, age, marital status, service in the armed forces of the United States, or against qualified individuals with disabilities on the basis of disability.
- Harassment and discrimination will not be tolerated by Iona University. Such behavior subverts the mission of the University and threatens the careers, educational experience, and well-being of students, faculty, and staff. In both obvious and subtle ways, harassment and discrimination are destructive to individual students, faculty, staff, and the academic community as a whole. When through fear of reprisal, a student, staff member, or faculty member is subject to harassment or discrimination, the University's ability to carry out its mission is undermined.
- Sexual harassment is a form of workplace discrimination. All employees and students are entitled to work and study in an environment free from sexual harassment and discrimination.
- Harassment and discrimination are especially serious when they threaten relationships between a faculty member and student or supervisor and subordinate. In such situations, harassment and discrimination unfairly exploit the power inherent in a faculty member's or supervisor's position. Through grades or recommendations for graduate work, wage increases or promotions and the like, a faculty member or supervisor can have a decisive influence on a student's, staff member's or faculty member's career at the University and beyond.

- While harassment and discrimination most often take place in situations where there is a power differential between the persons involved, the University also recognizes that harassment and discrimination may occur between persons of the same status or a superior, a subordinate, a coworker or anyone in the workplace including an independent contractor, contract worker, vendor, client, customer or visitor.
- Supervisors, managers and members of the University community are obligated to report harassment or discrimination behaviors as stated below.
- All members of the University community have an obligation to cooperate in the application of this policy and the investigation of complaints of violations of this Harassment and Discrimination policy.

DEFINITIONS OF PROHIBITED HARASSMENT AND DISCRIMINATION

DISCRIMINATION: This includes employment and educational decisions made on the basis of race, religion, color, national or ethnic origin, age, sex (including sexual harassment and sexual violence), sexual orientation, marital status, citizenship status, disability, genetic information, status as a victim of domestic violence or status in the uniformed services of the United States (including veteran status).

DISCRIMINATION-RELATED HARASSMENT: Verbal or physical conduct that creates an unwelcoming and hostile environment for people because of their personal characteristics that are protected by law.

SEXUAL HARASSMENT: means unwelcome conduct of a sexual nature, including but not limited to, sexual advances, requests for sexual favors, and other verbal, nonverbal, graphic or physical conduct of a sexual nature, when:

Submission to, or rejection of, such conduct is made either explicitly or implicitly a term or condition of an individual's employment, education or campus life activities, or used as the basis of any academic, student life or employment decision (quid pro quo); or Such conduct is sufficiently severe, persistent, or pervasive such that it unreasonably interferes with, or limits an individual's ability to participate in, or benefit from, the University's education or work programs or activities (hostile environment). Whether a hostile environment has been created will be evaluated from both a subjective and an objective perspective.

For the purposes of Title IX grievance process, sexual harassment is defined as conduct, **on the basis of sex**, that:

- An employee **conditioning education benefits** on participation in unwelcome sexual conduct (i.e., quid pro quo);
- Unwelcome conduct (by anyone) that a reasonable person would determine is so **severe, pervasive, *and* objectively offensive** that it effectively denies a personal equal access to the educational institution's education program or activity; or
- **Sexual assault** (as defined in the Clery Act), or **dating violence, domestic violence**, or **stalking** as defined in the Violence Against Women Act (VAWA)

EXAMPLES OF HARASSMENT AND DISCRIMINATION: Each member of the University community must exercise his or her own good judgment to avoid engaging in conduct that may be perceived by others as harassment. Forms of discrimination related Harassment and sexual harassment include, but are not limited to:

- **Verbal:** Repeated sexual innuendoes, racial or sexual epithets, derogatory slurs, off-color jokes, propositions, threats or suggestive or insulting sounds, phone calls.
- **Visual/Non-Verbal:** Derogatory posters, cartoons, or drawings; suggestive objects or pictures; graphic commentaries; leering; obscene gestures or exhibitionism; transmission of such offensive material through the mail or using any electronic communication medium (e.g. text messages, email, a social networking service or the Internet)
- **Physical:** Unwanted physical contact, including touching, patting, pinching, hugging, brushing against another's body, or interference with an individual's normal physical movements, attempted sexual assault, sexual assault.

DEFINITION OF RETALIATION

The University prohibits Retaliation against any person who reports Harassment or Discrimination, or participates in any proceeding under this Policy, including person has made a complaint or participated in the complaint process or has engaged in any other protected activity. Retaliation should be reported promptly to the Director of Human Resources. Reports of Retaliation will be investigated, and individuals found to have engaged in Retaliation will be subject to disciplinary action independent of the remedial and disciplinary actions imposed in response to the underlying allegations of harassment and discrimination.

COMPLAINT AND INVESTIGATION PROCEDURES

A. Complaint Procedure

The University cannot prevent or remedy harassment or discrimination claims unless it is made aware. Any member of the University community who believes that he or she has experienced prohibited discrimination or discrimination-related harassment or sexual harassment in employment or in the context of academic pursuits should use the Complaint Procedure described herein for the prompt and equitable resolution of complaints. Similarly, any member of the University community who becomes aware of potentially discriminatory or harassing conduct directed at another member of the University community should report such conduct to Human Resources.

- Staff: Report to Immediate Supervisor or Director of Human Resources.
- Faculty: Report to Department Chair or Dean or Director of Human Resources.
- Students: Report to Dean or Dean of Students or Director of Human Resources.

Individuals may also report a complaint directly to the Human Resources located in McSpedon Hall, 2nd Floor, and may be reached at (914) 633-2067.

A complaint form for submission of a written report of harassment or discrimination may be obtained in human resources, and all employees are encouraged to use this complaint form. Employees who are reporting discrimination or harassment on behalf of other employees should use the complaint form and note that it is on another employee's behalf.

Reporting Responsibility:

a. All supervisors and managers who receive a complaint or information about suspected discrimination or harassment, observe what may be harassing behavior or for any reason suspect that harassment is occurring, are required to report such suspected discrimination or harassment to the Director of Human Resources. Failure to report may subject a manager or supervisor to employment discipline.

b. All University employees who have the authority to redress sexual misconduct, who have a duty to report incidents of sexual misconduct, or who a student could reasonably believe has this authority or duty are required to report any incident involving sexual harassment or discrimination involving a student to the Director of Human Resources. Every effort will be made to maintain Privacy, and information reported to human resources and will be shared only with those having a need to know such information in order to respond in accordance with University policy.

c. Members of the University community are encouraged to report any alleged harassment and/or discrimination immediately in order to maximize the University's ability to conduct a thorough, impartial, and reliable investigation. The University's ability to investigate and respond effectively may be reduced with the passage of time. No individual will be precluded from reporting despite the passage of time. Members of the University community who believe they have been a victim of harassment or discrimination may also seek assistance in other available forums, as explained below in the section on Legal Protections.

B. Investigation Procedure

Upon receipt of complaint, the Director of Human Resources or designee will determine whether the Harassment and Discrimination Policy or the Title IX Grievance Process for employees should apply to the complaint. When the Harassment and Discrimination Policy applies, Human Resources will conduct an immediate review of the allegations, and (if appropriate, in consultation with key supervisory personnel) take any interim actions, including interim suspension, as deemed appropriate. If complaint is verbal, the Director or designee will encourage the individual to complete the complaint form in writing. If he or she refuses, the Director will prepare a Complaint Form based on the verbal reporting. The Director or designee will commence an investigation of the complaint in order to make a determination whether there was a violation of this policy. The investigation may consist of the following:

- Gather and review relevant documents including emails, texts, electronic communications or phone records and preserving them.
- Meet with the individual bringing the complaint and with the individual responding to discuss the available procedures and possible avenues for resolution of the complaint.
- Interview all parties involved, including any relevant witnesses.
- Create a written documentation of the investigation.
- Notify the individual who complained and the individual(s) who responded of the final determination and implement any corrective actions identified.
- Inform the individual who complained of their right to file a complaint or charge externally as outlined below.

Timeliness: An investigation of any complaint, information or knowledge of suspected harassment or discrimination will be prompt and thorough, and the University will make an effort to conclude an investigation within a reasonably prompt manner after the filing of the complaint, provided that the process may be extended for a good reason, including but not limited to administrative delay. The University may, at its discretion, extend any of the time limits imposed in this policy. If the Complainant fails to respond within the time limits provided, upon written notice of such failure, the complaint may be deemed to have been withdrawn.

Privacy and Confidentiality: Matters involving harassment or discrimination are particularly sensitive and demand special attention to issues of confidentiality. Dissemination of information relating to the case should be limited to individuals who have a legitimate need to know or who have information. University employees who learn of incidents of harassment or discrimination have an obligation to report and cannot guarantee confidentiality. Their privacy and that of the complainant will be maintained to the greatest extent possible.

Remedial and Disciplinary Action: The Director of Human Resources (and if appropriate, key supervisory personnel) will communicate as appropriate with the individual complaining and the individual responding any resulting remedial action and/or discipline imposed. When the University finds that a violation of this policy has occurred, appropriate and timely disciplinary action will be taken, up to and including separation from the University. The University will follow applicable University procedures including those provided in the Faculty Handbook, in taking any disciplinary action.

EMPLOYMENT AT WILL

This complaint procedure is intended to provide for the prompt and equitable resolution of student and employee complaints alleging harassment and discrimination. It is not intended to create, and does not create, an employment contract or a guarantee of continued employment for any employee. Therefore, the University is free to discharge at-will employees at any time for any reason, just as an employee may resign at any time for any reason. Furthermore, the University may amend or rescind any of the provisions of this policy and the complaint procedure from time to time in its sole discretion.

LEGAL PROTECTIONS AND EXTERNAL REMEDIES

Aside from the internal process employees may also choose to pursue legal remedies with the following governmental entities at any time.

New York State Division of Human Rights (DHR)
The New York State Human Rights Law (HRL) applies to employers in New York State with regard to discrimination and sexual harassment claims. A complaint alleging violation of the Human Rights Law may be filed either with DHR within one year or in New York State Supreme Court within three years. DHR's main office contact information is: NYS Division of Human Rights, One Fordham Plaza, Fourth Floor, Bronx, New York 10458, (718) 741-8400, www.dhr.ny.gov

United States Equal Employment Opportunity Commission (EEOC)
The EEOC enforces federal anti-discrimination laws, including Title VII of the 1964 federal Civil Rights Act (codified as 42 U.S.C. § 2000e et seq.). An individual can file a complaint with the EEOC anytime within 300 days from the harassment. Contact the EEOC at 1-800-669-4000 (1-800-669-6820 (TTY)), www.eeoc.gov or via email at info@eeoc.gov

Westchester County Human Rights Commission
Westchester County enforces laws protecting individuals from sexual harassment and discrimination. An individual may contact the Westchester County HRC at 112 East Post Rd., 3rd Fl. White Plains, NY 10601 or (914) 995-7710.

Office of Civil Rights
The Office for Civil Rights addresses questions concerning sexual harassment, misconduct and discrimination including Title IX of the Educational Amendments of 1972. Questions concerning civil rights may be made to the Office for Civil Rights (OCR), U.S. Department of Education, Lyndon Baines Johnson Department of Education Building, 400 Maryland Avenue, SW Washington, DC 20202-1100 or call the OCR main numbers (800) 421-3481 FREE, TDD or (800) 877-8339 FRE or email the OCR's New York office ocr.newyork@ed.gov or by telephone at 646-428-3800.

Whistleblower Hotline
Employees of Iona may also report instances of harassment or discrimination or any violation of policy to the Whistleblower hotline. Reports made to the hotline will be reviewed internally by Iona personnel. Phone: (877) 472-2110; reports@lighthouse-services.com; Fax: (245) 689-3885; https://www.lighthouse-services.com/iona

PART I - SEXUAL MISCONDUCT POLICY

SECTION 1 – SEXUAL MISCONDUCT POLICY OVERVIEW

A. Notice of Non-Discrimination and Policy Statement

The health, safety, and well-being of all members of Iona University (the "University") community are the University's primary concerns. The University will not tolerate any form of sexual misconduct in its educational programs or activities. Sexual misconduct is a broad term that encompasses a wide range of prohibited behaviors of a sexual nature that is committed without consent or by intimidation, coercion, threat, or force. Sexual misconduct can occur between strangers, acquaintances, or people who know each other well, including those who are involved in an intimate or sexual relationship, and can be committed by anyone regardless of sex, gender, or gender identity.

This Policy sets forth the University's process and procedures for responding to claims of sexual misconduct, including the investigation and fact-finding process, the process for resolution and the sanctions imposed for violating this Policy. If there is a violation of this Policy, the University will take steps to prevent further acts of sexual misconduct, to prevent any recurrence, and will take appropriate action to remedy the effects of sexual misconduct.

This Policy governs sexual misconduct involving University students, whether part-time or full-time, and applies to such students regardless of sex, race, national origin, disability, sexual orientation, gender identity, or other protected status.

This policy applies to any allegation of sexual misconduct that occurs both off and on Iona University premises, at Iona University-sponsored programs or activities, and off-campus conduct that has a continuing effect on the Iona University community, or individual members of the community. This includes but is not limited to in person conduct as well as actions taken virtually, electronically and through social media. Limited exceptions to the scope of this policy are set forth herein.

Complaints of discrimination or harassment that do not involve sexual misconduct or when a complaint involves a University employee are governed by the Student Code of Conduct or Iona University Harassment and Discrimination Policy.

The University has a designated Title IX Coordinator2 whose primary responsibility is to coordinate the University's compliance with this policy including overseeing the University's response to complaints of sexual misconduct, coordinating investigations into allegations of sexual misconduct, identifying and addressing any patterns or systemic problems of sexual misconduct that arise during the investigation of a complaint, and assessing the effects of sexual misconduct on the campus climate. The Title IX Coordinator addresses all reports of sexual misconduct in an equitable and neutral manner.

In accordance with Title IX of the Education Amendments of 1972 ("Title IX"), the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (the "Clery Act"), as amended by the Violence Against Women Act/Campus Sexual Violence Act ("Campus SaVE Act"), and Article 129-B of the New York State Education Law, the University is committed to providing a safe community, free from all forms of sex discrimination, including sexual misconduct. The University does not discriminate on the basis of sex in its education programs and activities. Discrimination on the basis of sex includes sexual harassment.

B. Information on This Policy

This Sexual Misconduct Policy is separated into four parts:

- **Part I: Sexual Misconduct Policy** – Umbrella Policy that sets forth common elements for both the Sexual Misconduct Grievance Procedure and the Title IX Grievance Procedure both of which address the types of sex-based offenses constituting a violation of campus policy, and the procedures for investigating and adjudicating those sex-based offenses.

- **Part II: Sexual Misconduct Grievance Procedure** – ssets forth procedures for investigation, hearing and appeal of sexual misconduct that do not fall within the definition of Title IX's Final Rule.

- **Part III: Title IX Grievance Procedure** – sets forth procedures for investigation, hearing and appeal of matters falling within the definitions of Title IX's Final Rule.

- **Part IV: Definitions** - sets forth definitions of terms used in the Sexual Misconduct Policy, Parts I, II, and III.

Related Policies which are referenced herein are:

- **Student Code of Conduct** - defines certain behavior as a violation of campus policy.

- **Harassment and Discrimination Policy** to address employee behavior related to harassment and discrimination and Title IX sexual harassment.

C. Title IX Limitation

In recent years, the term "Title IX" has become a short-hand term referring to any campus disciplinary process involving sex discrimination, including those arising from sexual harassment and sexual assault. But under the government's Final Rule1, the University hereby narrows the scope of its authority to act under Title IX and the type of "sexual harassment" that is subject to its Title IX investigation and grievance process.

To the extent that alleged misconduct falls outside the Title IX Grievance Procedure, or misconduct falling outside the Title IX Grievance Procedure is discovered in the course of investigating covered Title IX misconduct, the University retains authority to investigate and adjudicate the allegations under the policies and procedures defined within the Code of Conduct/ Non-Title IX Sexual Misconduct Grievance Procedure through a separate grievance proceeding.

All Incidents of Sexual Misconduct should be reported to the University's Title IX Coordinator by the Complainant or another University Responsible Employee, with the exception of those employees designated as confidential below.

D. Determining Jurisdiction

Upon receipt of a complaint, the Title IX Coordinator2 will determine whether the Sexual Misconduct Grievance Procedure or the Title IX Grievance Process should apply to the complaint. The Title IX Grievance Procedure will apply when all of the following elements are met, in the reasonable determination of the Title IX Coordinator:

1. The conduct is alleged to have occurred in Iona University's education program or activity. This includes but is not limited to in-person conduct as well as actions taken virtually, electronically and through social media.

2. The conduct is alleged to have occurred on or after August 14, 2020;

3. The conduct is alleged to have occurred in the United States;

4. The alleged conduct, if true, would constitute covered sexual harassment as defined in the Title IX Grievance Procedure; and

5. Complainant is currently participating in, or attempting to participate in, the education programs or activities at Iona University.

6. Respondent is any individual who has been reported to be the perpetrator of conduct that could constitute covered sexual harassment.

The Title IX Coordinator will advise Complainant of the appropriate procedure to follow.

SECTION 2 - ELEMENTS IN COMMON OF SEXUAL MISCONDUCT POLICY AND TITLE

IX Grievance Policy

Resources and Reporting Options

There are multiple ways to report prohibited conduct. There are also a wide range of resources for all students to provide support and guidance in response to any incident of Sexual Misconduct.

Medical Assistance and Counseling

If you or someone you know is or may be the victim of any form of Sexual Misconduct, the University strongly urges you to seek immediate assistance. This is the best way to ensure that the victim receives appropriate medical care and emotional support. Assistance is available from:

- Campus Safety (914) 633-2560.
- Local Police and Emergency Assistance - Call 911
- New Rochelle Police Department (914) 654-2300
- Bronxville Police Department (914) 337-0500
- Local hospitals – Call 911 to obtain contact information:
  - Montefiore New Rochelle Hospital
  - Westchester Medical Center
  - White Plains Hospital
  - New York-Presbyterian/Lawrence Hospital
  - Montefiore Mount Vernon Hospital
  - St. John's Riverside Hospital
- Iona University Counseling Center (914) 633-2038
- New York State Office of Victim Services Toll Free Number - (800) 247-8035
- New York State Domestic Violence Hotline - (800) 942-6906
- Westchester Community Opportunity Program, Inc., (WestCOP) Victims Assistance Program:
  - Local Hotline - (914) 345-9111; Main Office - (914) 345-3113; Toll-Free Hotline - (855) 827-2255
- National Sexual Assault Telephone Hotline - (800) 656 - HOPE (4673)
- Safe Horizon Rape and Sexual Assault Hotline - (866) 689-HELP (4357)
- Safe Horizon Domestic Violence Hotline - (800) 621-HOPE (4673)
- Gay & Lesbian Anti-Violence Project - (212) 714-1141
- The Title IX Coordinator: Lucia Bleidner, (914) 633-2455, TitleIX@iona.edu

Anyone who is physically injured or sexually assaulted should consider seeking a medical examination to determine the extent of injuries. Folks may also choose to obtain a sexual assault forensic examination (i.e., rape kit) in the aftermath of a sexual assault. In instances involving physical injury or Sexual Assault, the University strongly encourages the victim to obtain a medical examination to determine the extent of injuries. A hospital, with the victim's permission, will collect physical evidence in a sexual offense evidence collection kit. Consenting to the completion of an evidence collection kit does not obligate the victim to pursue criminal charges with the police; it is a way to preserve evidence should there be a choice to pursue criminal charges at a later time. Hospitals are required by law to preserve such evidence for a minimum of 30 days. Sexual Assault Forensic Examiners (SAFE) are specially equipped and trained to handle Sexual Assault and gather evidence.

Law Enforcement Notification

Complainants have the right to notify or decline to notify law enforcement. If you are the victim of Sexual Misconduct, the University strongly encourages you to promptly report the incident to the police. Contacting law enforcement will ensure the preservation of evidence and facilitate a timely investigation and response. University representatives are available to assist you in notifying law enforcement of an incident of Sexual Misconduct and in contacting law enforcement or legal service organizations to learn about these remedies. Except in instances where the victim is a minor, the University will respect a victim's decision regarding whether or not to report an incident to local law enforcement. University representatives can also assist any Complainant in initiating a legal proceeding in family court or civil court.

A person may report an incident to either the police or the University or to both simultaneously. The filing of a complaint of Sexual Misconduct under this Policy is independent of any criminal investigation or proceeding. The University will not wait for the conclusion of any criminal investigation or proceedings to commence its own investigation or to take any necessary supportive measures to protect the Complainant and the University community. However, the University may temporarily delay its investigation to enable law enforcement to gather evidence and to engage in a preliminary investigation of Sexual Misconduct matters that may also violate the state criminal code.

University Notification

The University also urges victims and anyone who becomes aware of an incident of Sexual Misconduct to report the incident immediately to the University. The University is committed to providing an adequate, reliable, prompt, and impartial investigation and resolution to all allegations of Sexual Misconduct. Any incident of Sexual Misconduct reported to another University employee, with the exception of those employees designated as confidential, as set forth herein, will be reported by the employee to the Title IX Coordinator.

Delays

Each party may request a pause in the Grievance Process of up to five (5) business days for good cause (granted or denied in the sole judgment of the Title IX Coordinator) provided that the requestor provides reasonable notice and the delay does not overly inconvenience other parties.

For example, a request to take a five-day pause made an hour before a hearing for which multiple parties and their advisors have traveled to and prepared for shall generally not be granted, while a request for a five day pause in the middle of investigation interviews to allow a party to obtain certain documentary evidence may generally be granted.

Meetings

All meetings, interviews, hearings described in the Sexual Misconduct Grievance Procedure or the Title IX Grievance Procedure will occur either in person, virtually or via telephone at the discretion of the Title IX Coordinator.

Notification of Rights at the Time of First Disclosure

At the first instance of disclosure by a Reporting Individual to an institution representative, the following information shall be presented to the Reporting Individual: *"You have the right to make a report to Campus Safety, local law enforcement, and/or state police or choose not to report; to report the incident to your institution; to be protected by the institution from retaliation for reporting an incident; and to receive assistance and resources from your institution."*

When the University receives a report from a student that has been the victim of Sexual Misconduct, including Dating Violence, Domestic Violence, Sexual Assault or Stalking, whether the offense occurred on or off-campus, the University will provide the Reporting Individual with a written explanation of their rights and options. The University will provide the Reporting Individual with written notification regarding existing counseling, health, mental health, victim advocacy, and other services available for victims both within the University and in the community. If the Reporting Individual is not the Complainant, and the identity of the Complainant is made known to the University, the University will provide such written notification to the Complainant.

A Complainant will be advised of their right to have emergency access to an appropriate official trained in interviewing victims of Sexual Assault who shall be available upon the first instance of disclosure by a Reporting Individual to provide information regarding options to proceed, and, where applicable, the importance of preserving evidence and obtaining a Sexual Assault Forensic Examination as soon as possible, and detailing that the criminal justice process utilizes different standards of proof and evidence and that any questions about whether a specific incident violated the penal law should be addressed to law enforcement or to the district attorney. Such official shall also explain whether they are authorized to offer the Reporting Individual Confidentiality or Privacy, and shall inform the Reporting Individual of other reporting options.

The University will ensure that Complainant have information about resources including intervention, mental health counseling, and medical services, which shall include information on whether such resources are available at no cost or for a fee. The University will also provide information on sexually transmitted infections, sexual assault forensic examinations, and resources available through the NYS Office of Victim Services.

University Counseling Resources

Regardless of whether or not an official complaint of Sexual Misconduct is made, various counseling options are available from the University at the Iona University Counseling Center. Students can arrange an appointment either by calling the Counseling Center at (914) 633-2038, or by coming to the Center during walk-in hours, which is located on the second floor of Spellman Hall.

Time for Reporting

Members of the University community are encouraged to report any alleged Sexual Misconduct immediately in order to maximize the University's ability to obtain evidence and conduct a thorough, impartial, and reliable investigation. The University's ability to investigate and respond effectively may be reduced with the passage of time. However, reports may be made at any time without regard to how much time has elapsed since the Sexual Misconduct. The University will not allow an impending graduation to compromise resolution of a Sexual Misconduct complaint.

While the time to resolve a reported incident will vary from case to case, depending on the specific facts and circumstances, it is expected that in most cases complaints will be resolved within a reasonably prompt manner. Complainant and the Respondent will be notified in writing as the matter progresses. It is the responsibility of parties to maintain and regularly check their institutional email accounts throughout the entire procedure set forth in Parts II and III.

Privacy and Confidentiality

The University values the Privacy of its students and understands that, for many victims of Sexual Misconduct, Confidentiality is a primary concern. However, certain University employees are required by state and federal laws to share information from a report of Sexual Misconduct with the University and/or governmental agencies. Even University employees who have an obligation to report and cannot guarantee Confidentiality will maintain the Privacy of the Reporting Individual to the greatest extent possible and share information only on a need-to-know basis.

Responsible Employees

A Responsible Employee must report all relevant details (obtained directly or indirectly) about the alleged Sexual Misconduct shared by the Reporting Individual to the Title IX Coordinator. Such information includes dates, times, locations, and names of parties and witnesses. A Responsible Employee will strive to maintain Privacy, and information reported to the Responsible Employee will be shared only with those having a need to know such information.

The Family Educational Rights and Privacy Act (FERPA) allows a University to share information with an individual's parents if there is a health or safety emergency or if the individual is listed as a dependent on either parent's prior year federal tax income form. However, the University will generally not share information about a report of Domestic Violence, Dating Violence, Stalking, or Sexual Assault with parents without the Complainant's permission.

The ability of University employees to maintain Confidentiality is as follows:

- **Professional Counselors**
  A professional, licensed counselor whose official responsibilities include providing mental health counseling to University students, including those who act in the role of providing mental health counseling under the supervision of a licensed counselor, are not required to report any information about an incident of Sexual Misconduct disclosed while acting within the scope of his/her license or certification to the Title IX Coordinator without a victim's permission. State law requires professional counselors to report: (i) when a patient is likely to engage in conduct that would result in serious harm to the patient or to others; or (ii) if there is reasonable cause to suspect that a minor has been sexually abused. Students can arrange an appointment either by calling the Counseling Center at (914) 633-2038, or by coming to the Center, which is located on the second floor of Spellman Hall. For more information on counseling, please visit the Counseling Center website.

- **Pastoral Counselors**
  A pastoral counselor is a person who is associated with a religious order or denomination, is recognized by that religious order or denomination as someone who provides confidential counseling and is functioning within the scope of that recognition. A pastoral counselor is not required to report incidents of Sexual Misconduct to the Title IX Coordinator without a victim's permission.

  Campus Chaplain
  Phone: (914) 633-2630

- **Health Services Staff**
  Professional staff through Iona University's Health Services whose responsibilities include providing medical care to University students, are not required to report any information about an incident of Sexual Misconduct disclosed while acting within the scope of their role to the Title IX Coordinator without the victim's permission. Health services staff may be required to report (i) when a patient is likely to engage in conduct that would result in serious harm to the patient or to others; or (ii) if there is reasonable cause to suspect that a minor has been sexually abused. Students can arrange an appointment with Health Services by calling (914) 633-2548 or by visiting Health Services at 760 North Avenue. For more information please visit the Health Services website.

Risk Assessment/Threat Analysis of an Individual

If a Complainant reports an incident of Sexual Misconduct, but requests that no investigation into the incident be conducted, the University will assess whether it can honor the Complainant's request while still providing a safe, nondiscriminatory environment for all members of the University community, including the Complainant. Title IX Coordinator will evaluate such request and will inform the Complainant that the University's ability to respond may be limited. At all times, Respondent is presumed not to have violated the Policy. However, in the University's discretion, the Respondent can be suspended on an interim basis pending the outcome of the final adjudication process particularly if deemed a continuing threat to the health and safety of the community, and other supportive measures may be imposed including No Contact Orders, change in housing or other limitations depending upon the nature of the allegations and concern for safety of the Complainant and University community.

When determining whether the Reporting Individual's threat to campus safety the Title IX Coordinator will consider a range of factors, including, but not limited to, the following:

- Whether there have been other Sexual Misconduct complaints about the same accused;
- Whether the Respondent has a history of arrests or records from a prior school indicating a history of violence;
- Whether the incident represents an escalation in and unlawful conduct on behalf of the Respondent from previously noted behavior;
- Whether there is an increased risk that the Respondent will commit additional acts of violence;
- Whether the Sexual Misconduct was committed by multiple perpetrators;
- Whether the Reporting Individual's report reveals a pattern of perpetration (e.g., via illicit use of drugs or alcohol) at a given location or by a particular group;
- Whether the alleged Sexual Misconduct was perpetrated with a weapon;
- The age of the victim; and
- Whether the University has other means to obtain relevant evidence (e.g., security cameras or personal, physical evidence.)

The presence of one or more of these factors could lead the University to investigate the alleged Sexual Misconduct and, if appropriate, pursue disciplinary action in a manner that may require the University to disclose the Complainant's identity to the Respondent. If the University determines that an investigation is required, the University will inform the Complainant and take immediate action necessary to protect and assist the Complainant. The University will take all reasonable steps to investigate and respond to the complaint while maintaining the Complainant's Privacy to the greatest extent possible.

Reporting Individual/Anonymous Sources

If the University receives a report of alleged Sexual Misconduct by someone other than the Complainant (e.g., friend or roommate) or from an anonymous source, the University's Title IX Coordinator will promptly notify the Complainant of the report and inform them of the available resources and assistance.

Supportive Measures

Complainants, who report allegations that could constitute covered sexual misconduct under this policy, have the right to receive supportive measures from Iona University regardless of whether they desire to file a complaint, which may include items bulleted below as appropriate. Supportive measures are non-disciplinary and non-punitive.

- **No Contact Order**
  The purpose of a No Contact order is to restore or preserve equal access to the education program or activity, including measures designed to protect the safety of all parties or the educational environment, or deter sexual misconduct. Mutual "No Contact" orders is non-disciplinary in nature, and the imposition of such an order is not and will not be viewed as an indication of the merits of the allegations; The University may impose a No Contact Order between the Complainant and the Respondent, which typically will include a directive that the parties refrain from having contact with one another, directly or through proxies, whether in person or via electronic means, pending the fact-finding and, if applicable, the adjudication. An individual who wishes to report a violation of a No Contact Order can contact the Title IX Coordinator or Campus Safety. If the Respondent and the Complainant observe each other in a public place, it shall be the responsibility of each to follow the terms of the No Contact Order. Individuals who violate a No Contact Order are subject to disciplinary action.

- **Orders of Protection**
  A Complainant also has the right to request the assistance of the University in acquiring an order of protection from either the Family Court or Criminal Court. Designated University staff members are available to assist in obtaining an order of protection (or, if outside New York State, an equivalent protective force or restraining order) and explain the consequences of violating such an order, including but not limited to arrest, additional conduct charges, and interim suspension. The parties are entitled to receive a copy of the order of protection or equivalent when received by the University and have an opportunity to meet with a University representative, or other appropriate individual, who can explain the order and answer questions about it, including information from the order about the Respondent's responsibility to stay away from the protected person or persons. If the order of protection is violated, the Complainant may receive assistance from the University in calling local law enforcement to inform them of the violation.

- **Student Alcohol and Drug-Use Amnesty Policy**
  The health and safety of every student at the University is of utmost importance. The University recognizes that students who have been drinking and/or using drugs (whether such use is voluntary or involuntary) at the time that violence, including but not limited to Domestic Violence, Dating Violence, Stalking, or Sexual Assault occurs may be hesitant to report such incidents due to fear of potential consequences for their own conduct. The University strongly encourages students to report Domestic

Violence, Dating Violence, Stalking, or Sexual Assault to institution officials. A Bystander acting in good faith or a Reporting Individual acting in good faith that discloses any incident of Domestic Violence, Dating Violence, Stalking, or Sexual Assault to University officials or law enforcement will not be subject to The University's Code of Conduct action for violations of alcohol and/or drug use policies occurring at or near the time of the commission of the Domestic Violence, Dating Violence, Stalking, or Sexual Assault.

– **Advisors**
Throughout the resolution process, each party has the right to choose and consult with an advisor. The parties may be accompanied by their respective advisors at any meeting or proceeding related to the investigation and resolution of a complaint under this Policy. Except for the limited circumstances set forth in the Title IX Grievance Procedure, advisors cannot actively participate or speak on behalf of the Complainant or Respondent. The choice of whether or not to invite an advisor is solely that of the Complainant and Respondent. At the Complainant's request or at the Respondent's request, the Title IX Coordinator can appoint the requesting party a trained advisor for the purposes of cross examination at the hearing under the Title IX grievance policy as explained in Part III. The Title IX Coordinator must be advised in writing that an advisor will be present. This notification must include: (1) full name and title of the advisor of choice; and (2) contact information for the advisor of choice (phone, email, and address). The University reserves the right to have its own legal counsel present during the adjudication process. If any advisor's conduct is not consistent with these guidelines or is disruptive of the process, they may be excluded from the conduct process.

Retaliation

The University prohibits Retaliation against any person who reports Sexual Misconduct or participates in any proceeding under this Policy, including testifying as a witness. Retaliation should be reported promptly to the University's Title IX Coordinator. Reports of Retaliation will be investigated and individuals found to have engaged in Retaliation will be subject to disciplinary action independent of the sanction(s) or supportive measures imposed in response to the underlying allegations of Sexual Misconduct.

Records of Investigations and Outcomes

Prior to obtaining access to any reports and evidence, the parties and their advisors must sign an agreement not to copy, photograph, record or disseminate any of the information provided, including but not limited to testimony heard or evidence obtained in the hearing or use such testimony or evidence for any purpose unrelated to the Title IX Grievance Process. Once signed, this Agreement may not be withdrawn. Violation of this Agreement will be considered a violation of the Code of Conduct.

Records of the University

In all student cases, all information and other appropriate records will be maintained for a minimum of five (5) years from the outcome of an investigation. Transcript Policy: In accordance with Article 129-B of the New York State Education Law, if a student is found responsible through the University's conduct process for crime(s) of violence, including, but not limited to Sexual Violence, defined as crimes that meet the reporting requirements pursuant to the federal Clery Act established in 20 U.S.C. § 1092(f)(1)(F)(i)(I)-(VIII), the University will make one of the following notations on the transcript of such student. That they were:

"suspended after a finding of responsibility for a code of conduct violation."; or "expelled after a finding of responsibility for a code of conduct violation." If a student withdraws from the University while such conduct charge(s) is pending and declines to complete the disciplinary process, the University will note on the student's transcript "withdrew with conduct charges pending."

Additionally, if a student has a matter pending at the time of commencement, the University will not confer the student's degree until a final resolution as occurred.

Sexual Assault Public Awareness Events

The University will not begin an investigation based on information that a person chooses to share during public awareness events that are designed and intended to be safe spaces for victims to share experiences. These events could include candlelight vigils, "Take Back the Night," protests, or other public events. The University may decide, however, to use the information learned at such an event to inform its efforts for additional education and prevention efforts.

Clery Act Reporting

When reporting crimes for the purposes of Clery Act compliance, the University will not release any personally identifying information about individuals involved in the Sexual Misconduct. The Clery Act also requires the University to issue timely warnings to the University community about certain crimes that have been reported and may continue to pose a serious or continuing threat to the campus community. Consistent with the Clery Act, the University will withhold the names and personally identifying information of the Reporting Individual when issuing such timely warnings.

Prevention and Awareness Education Programs

Creating a safe and respectful environment is the responsibility of all members of the University's community. To promote and maintain this environment, the University engages in comprehensive educational programming to prevent Sexual Misconduct (including Sexual Harassment, Domestic Violence, Dating Violence, Sexual Assault, Stalking, and Retaliation). The University provides primary prevention and awareness programs for all incoming students and employees, and ongoing prevention and awareness campaigns for all students and employees. The University seeks to ensure that all programs are culturally relevant, responsive to community needs, and informed by research and assessed for value.

Inquiries regarding Title IX, Clery Act, the Campus SaVE Act and/or Article 129-B of the New York State Education Law may be referred to the University's Title IX Coordinator. Questions concerning Title IX may also be referred to the Assistant Secretary of the Office for Civil Rights (OCR), U.S. Department of Education, Lyndon Baines Johnson Department of Education Building, 400 Maryland Avenue, SW Washington, DC 20202-1100 or call the OCR main numbers (800) 421-3481 FREE, TDD or (800) 877-8339 FRE or email the OCR's New York office ocr.newyork@ed.gov or by telephone at 646-428-3800.

The University's designated Interim Title IX Coordinator is:

Lucia Bleidner
Title IX Coordinator
Phone: (914) 633-2455
Email: TitleIX@iona.edu

Consolidation of Cases

The University may consolidate complaints under this policy as appropriate: for example, if there are multiple complaints where the allegations of Prohibited Conduct arise out of the same facts or circumstances, or there are multiple complaints with overlapping parties.

The University also reserves the right to use this policy to adjudicate other allegations and conduct charges as defined by policies outside of the scope of this policy in instances when the conduct is associated with an alleged issue of Prohibited Conduct under this policy. The Title IX Coordinator will address these consolidated complaints in collaboration and coordination with other appropriate offices, such as Student Services and Human Resources. Allegations of a violation of a separate policy are not required to be handled using the procedural requirements set forth in this policy.

Citations

[1] On May 19, 2020, the U.S. Department of Education issued a Final Rule under Title IX of the Education Amendments of 1972 that:

- Defines the meaning of "sexual harassment" (including forms of sex-based violence)
- Addresses how this institution must respond to reports of misconduct falling within that definition of sexual harassment, and
- Mandates a grievance process that this institution must follow to comply with the law in these specific covered cases before issuing a disciplinary sanction against a person accused of sexual harassment.

See, 85 Fed. Reg. 30026 (May 19, 2020). The full text of the Final Rule and its extensive Preamble are available here:
https://www.govinfo.gov/content/pkg/FR-2020-05-19/pdf/2020-10512.pdf

[2] For purposes of the policy, the term "Title IX Coordinator" includes designees.

[2] For purposes of the policy, the term "Title IX Coordinator" includes designees.

PART II – SEXUAL MISCONDUCT GRIEVANCE PROCEDURE

SECTION ONE - GENERAL RULES OF APPLICATION

The following procedure describes the steps the University will take to address reported Sexual Misconduct that do not meet the definition of Title IX. Reports of conduct within the definition of Title IX will be addressed in Title IX Grievance Procedure. The Complainant has the right to withdraw the complaint and their involvement in the process at any time. This action may limit the University's ability to respond irrespective of the withdrawal.

This policy applies to any allegation of sexual misconduct that occurs both off and on Iona University premises, at Iona University-sponsored programs or activities, and off-campus conduct that has a continuing effect on the Iona University community, or individual members of the community. This includes but is not limited to in person conduct as well as actions taken virtually, electronically and through social media.

SECTION TWO – INTAKE PROCEDURE

A. Intake Meetings

Upon notice of any allegation of Sexual Misconduct, the Title IX Coordinator1 will schedule an individual intake meeting with the Complainant either in person or virtually. At the intake meeting, the Title IX Coordinator will

- provide the Complainant with a general understanding of the sexual misconduct Policy
- identify forms of support or immediate assistance available to the Complainant (e.g., referrals to appropriate law enforcement agencies; referrals for medical treatment at local hospitals and trauma centers).
- provide the Complainant with a written explanation of his or her rights and options with respect to his or her report of Sexual Misconduct.
- discuss appropriate supportive measures concerning the Complainant's academic schedule, College housing, and/or College employment arrangements.
- explain the University's prohibition against Retaliation and steps the University will take in response to any act of Retaliation.
- seek to determine how the Complainant wishes to proceed, i.e., whether the Complainant wishes to pursue Formal Resolution, Informal Resolution, or does not wish to pursue resolution of any kind.
- ascertain the facts and evidence and nature of the alleged Sexual Misconduct including name of the Respondent, and the date, location, and nature of the alleged Sexual Misconduct.

B. Notice of Allegations

After receipt of a complaint, the Title IX Coordinator will provide the Notice of Allegations to any party to the allegations. Such notice will occur as soon as practicable after the institution receives a Formal Complaint of the allegations.

The University will provide sufficient time for the parties to review the Notice of Allegations and prepare a response before any initial interview.

1. Contents of Notice

The Notice of Allegations will include the following:

- Notice of the institution's Sexual Misconduct Grievance Process and a hyperlink to a copy of the process.
- Notice of the allegations potentially constituting covered sexual harassment, and sufficient details known at the time the Notice is issued, such as the identities of the parties involved in the incident, if known, including the complainant; the conduct allegedly constituting covered sexual harassment; and the date and location of the alleged incident, if known.
- A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process.
- A statement that the parties may have an advisor of their choice.
- A statement that before the conclusion of the investigation, the parties may inspect and review evidence obtained as part of the investigation that is directly related to the allegations including evidence that both tends to prove or disprove the allegations, whether obtained from a party or other source;
- A statement that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

C. Informal Resolution

At any time after a Formal Complaint has been filed and before a hearing commences, the parties may seek to resolve a report of prohibited conduct through Informal Resolution, an administrative process. Participation in Informal Resolution is entirely voluntary; the University will neither pressure nor compel either party to participate in the process or to agree to any specific terms.

In every case, the Title IX Coordinator has discretion to determine whether the matter is appropriate for Informal Resolution and to determine the appropriate terms. There are two options for Informal Resolution.

1. Alternate Resolution

Alternate Resolution will not involve mediation, or any face-to-face meetings, between the complainant and the responding party.

Before the Title IX Coordinator approves the Alternate Resolution process or the terms of any Alternate Resolution, the Title IX Coordinator will determine that they have sufficient information about the matter to make these decisions.

Before the Alternate Resolution process commences, both the complainant and the respondent must agree to explore Alternate Resolution as a potential means of resolution.

The parties are strongly encouraged, although not required, to consult with their advisors and any support persons during the entire Alternate Resolution process.

The University will allow a Complainant or Respondent to withdraw from the Informal Resolution process at any time, where appropriate. If the Complainant wishes, the matter will be resolved pursuant to the Formal Complaint resolution process under these procedures. Title IX Coordinator may also, at their discretion, terminate the process. The Title IX Coordinator will promptly notify the parties, in writing, of a termination of the informal resolution process and the formal complaint will be investigation and adjudicated pursuant to these procedures.

The Title IX Coordinator, in collaboration with the Student Conduct Administrator will consult separately with both parties and recommend to the parties the terms of a potential Alternate Resolution agreement. Such terms may include, but are not limited to, any sanctions or remedies that could be imposed by a Decision Maker after a hearing under these proceedings.

Both parties must agree to the terms before an Alternate Resolution agreement becomes effective.

If the respondent agrees to an Alternate Resolution that provides for a suspension, withdrawal, or dismissal (i.e. expulsion) from the University there will be a transcript notation consistent with College policy.

If both parties are satisfied with the alternate resolution process, the matter will be resolved with a written agreement. The Title IX Coordinator will provide each party, separately, with a copy of the proposed agreement for the party to review, sign, and return.

Once a party has returned the signed agreement to the Title IX Coordinator, the terms of the agreement will become effective and the Title IX Coordinator will promptly notify both parties in writing that the agreement is final.

Once the agreement is effective, the parties may not appeal the agreement. The parties are expected to honor and comply with the terms of the Alternate Resolution. Noncompliance may be subject to proceedings under the Student Code of Conduct.

If the process is terminated and the matter resolved pursuant to the Formal Complaint resolution process, neither the Title IX Coordinator nor the parties will disclose to the Decision Maker or Appeal Panel either the fact that the parties had participated in the Alternate Resolution process or any information learned during the process.

Once entry of responsibility is made, Respondent may not withdraw from this informal resolution.

2. Acceptance of Responsibility

A respondent may choose to resolve a formal complaint informally by accepting responsibility for the allegations therein. Upon accepting responsibility for one or more allegations in a formal complaint, a finding of responsibility will be entered and the matter will be transferred to the Student Conduct Administrator for imposition of sanction, only. Prior to imposing sanction, the Student Conduct Administrator will review and consider all information about the allegations that are available and known to the University, impact statements of the parties, and any prior disciplinary history.

Once entry of responsibility is made, Respondent may not withdraw from this informal resolution.

D. Formal Resolution

If a matter cannot be resolved through the Informal Resolution process or if the Complainant and/or Respondent chooses not to proceed informally, the Complainant and/or Respondent may seek Formal Resolution. During all phases of the Formal Resolution process, the parties will be provided with advance written notice of any meeting they are required or eligible to attend.

1. Investigation

Upon initiation of the formal resolution process, the University will undertake a neutral fact-finding process and investigate promptly, thoroughly, and impartially. At all times, the Respondent is presumed non-responsible until the determination of a final conclusion of this matter.

Promptly after receiving a decision from the Complainant to proceed with the Formal Resolution process, the Title IX Coordinator will provide the Respondent with written notification that a complaint of Sexual Misconduct has been filed, the date, time, location and factual allegations concerning the alleged violation, and a list of possible sanctions. The Title IX Coordinator will arrange an intake meeting to discuss the allegations against the Respondent and their rights under this Policy.

The Title IX Coordinator will promptly appoint a trained investigator or investigators to conduct the fact-finding. The Title IX Coordinator will provide the investigator(s) with the names of the Complainant and Respondent, and the date, location, and nature of the alleged Sexual Misconduct. Generally, the Department of Campus Safety participates in the investigations in most student-on-student Sexual Misconduct cases.

A party wishing to challenge the participation of the investigator(s) must notify the Title IX Coordinator, in writing, within twenty-four (24) hours of delivery of the written notice of investigation. The party must state the specific reason(s) for the party's objection. The Title IX Coordinator will then review the appointment of the investigator(s) and assess whether the investigator(s) will handle complaints impartially and objectively. When appropriate, the Title IX Coordinator may appoint a different investigator.

The investigation will commence promptly after delivery of the notification. During the investigation, each party will have an equal opportunity to submit evidence, identify witnesses, and submit questions that may be directed by the investigator(s) to the other party or to any witness in the discretion of the investigators. The investigator(s) will collect and review evidence it deems necessary or helpful to the investigation of the alleged Sexual Misconduct. The investigation will include individual interviews with the parties involved and with individuals who may have observed the alleged misconduct or may have other relevant knowledge. The investigation may also include examination of medical records, surveillance video, cell phone and other electronic records, and other evidence. The investigators will write a report and provide it to the Title IX Coordinator at the conclusion of the investigation.

The Complainant and Respondent will each have an opportunity to review the investigative report and any evidence gathered in the presence of a College official or in a manner determined by the Title IX Coordinator. In response to the investigative report, both the Complainant and the Respondent will be given the opportunity to make corrections and submit a written statement no longer than five type written pages within three (3) business days of reviewing the report.

SECTION 3 - HEARING PROCEDURE

A. The Sexual Misconduct Grievance Hearing

After Complainant and Respondent have reviewed the investigative report, the Title IX Coordinator will notify both parties of the date, time and location of the hearing and the names of the Hearing Committee. The Hearing Committee will be comprised of one to three members. Complainant and Respondent may challenge a hearing committee member by providing a written reason to the Title IX Coordinator within twenty-four (24) hours of delivery the hearing notice. The Title IX Coordinator will review and evaluate the objection and replace the Committee member when appropriate.

The hearing is a closed proceeding; no one other than the Hearing Committee members, the Respondent and the Complainant, and their respective advisors, witnesses (when called), and necessary College personnel may be present in the hearing room or rooms during the proceeding.

1. Pre-Hearing Submissions

In addition to the written statements submitted by the parties, the parties will provide the Title IX Coordinator with a list of witnesses they wish the Hearing Committee to call, copies of documents, and a description of any other information they propose to present at the hearing at least three (3) business days prior to the hearing. The Hearing Committee will determine whether such witnesses and

documents are deemed relevant to the Hearing. The Title IX Coordinator will provide each party with a copy of the list of witnesses and copies of documents or other information submitted by each party. A party wishing to challenge the admittance of evidence and/or witnesses must notify the Title IX Coordinator, in writing, at least twenty-four (24) hours before the hearing date. The party must state the specific reason(s) for the party's objection. The Hearing Committee will determine whether the challenge has merit, the relevance of any proposed evidence, and whether to include or exclude certain types of evidence.

In the absence of good cause, as determined by the Hearing Committee, the parties may not introduce witnesses, documents, or other information at the hearing that were not provided by this deadline.

2. Process of the Sexual Misconduct Hearing

The hearing will take place on the date and time specified in the notice of hearing. Any notice of postponement will be conveyed to the parties in writing. The hearing will be recorded or transcribed in the discretion of the TIX Coordinator. Both the Complainant and the Respondent have the right to be present at the hearing and may request to participate virtually. The hearing is a closed proceeding not open to the public or persons with no legitimate reason to attend.

As a non-adversarial process, the hearing will not follow a courtroom model, and formal rules of evidence will not be observed. The Hearing Committee will determine the order of the witnesses and resolve any questions of procedure arising during the hearing. The Hearing Committee will ask for all necessary witnesses to be present, or to have provided written statements in lieu of attending the hearing. This may be done as necessary to accommodate a witness who cannot be present. The Hearing Committee will review in advance of the hearing all the written materials provided.

Only the Hearing Committee may question the individual parties and any witnesses unless permission is granted to modify the questioning process. The Complainant and Respondent will have the opportunity to suggest questions of the other party and/or of witness. The Complainant and Respondent must submit suggested questions to the Hearing Committing in writing. The Hearing Committee reserves the right to decline to ask questions submitted by a party where it determines that the information sought is not relevant to the Resolution process.

In general, any information or questioning about the prior sexual history of the Complainant or Respondent with individuals other than the other party is precluded and will not be admitted as evidence at the hearing. Additionally, any information or questioning about either party's mental health history diagnosis, and/or treatment is precluded and will not be admitted into evidence at the hearing. Prior acts of sexual misconduct will not be considered in the hearing. After all witnesses have been questioned, each party may make a closing statement.

If either party fails to appear at the scheduled hearing, the Hearing Committee may, but is not required to, postpone the proceedings if there is a legitimate documented reason for the absence, or proceed and determine the complaint on the basis of the evidence available, provided the absent party was duly notified of the scheduled hearing date.

If the Hearing Committee determines that unresolved issues exist that would be clarified by the presentation of additional information, the Hearing Committee may suspend the hearing and reconvene it in a timely manner to receive such information. A delay may not be based on the failure of witnesses to appear without good cause or on the proposed introduction of documents, which were readily available at the time of the hearing.

3. Determination

In all investigations into alleged Sexual Misconduct, the University will evaluate evidence under a "preponderance of the evidence" standard. A preponderance of the evidence means that the Hearing Committee, after careful consideration of the evidence has determined that it is "more likely than not" that the Respondent violated this Policy. The Hearing Committee must decide if the Respondent is responsible or not responsible. The Hearing Committee will provide a written statement of such determination the Title IX Coordinator with support for each finding.

4. Complainant and Respondent Impact Statements

Promptly after the conclusion of the hearing, both the Complainant and Respondent will be given access to the record of the hearing and offered an opportunity to provide an impact statement to the Student Conduct Administrator before determination of appropriate sanctions. The record of the hearing may not be copied.

The impact statement may be no longer than five (5) singled-spaced typed pages, using size 12 Times New Roman font and 1-inch margins. The impact statement is the student's opportunity to discuss his or her experience and the incident in question, as well as respond to how the investigation and hearing was conducted and any areas of agreement or/disagreement with the investigation or hearing or determination of the Hearing Committee. The impact statement may not seek to introduce new evidence.

This impact statement must be provided to the Title IX Coordinator who will provide it to the opposing party as well as the Hearing Committee.

SECTION FOUR – SANCTIONS

Sanctions

The Hearing Committee report and impact statement if any will be given to the Student Conduct Administrator for determination of appropriate sanctions. Sanctions may include, but are not limited to, one or more of the following that are determined to be fair and proportionate to the violation:

- Reprimand or warning
- Changing the Respondent's academic schedule
- Disciplinary probation
- Postponement of degree conferral
- Revocation of honors or awards
- Restricting the Respondent's access to College facilities or activities
- Community service
- Issuing a No Contact Order to the Respondent or requiring that such an order remain in place
- Dismissal from or restricting or reassignment of College employment
- Suspension (limited time or indefinite)
- Expulsion

In determining appropriate sanctions, the Student Conduct Administrator will consider any record of past violations of College policies, as well as the nature and severity of such past violation(s). The Student Conduct Administrator will consider as part of the deliberations whether the Respondent poses a continuing risk to the Complainant and/or the University community. The imposition of sanctions is meant to eliminate Sexual Misconduct, prevent its recurrence, and remedy its effects, while ensuring a safe and non-discriminatory environment for the entire College community.

The Title IX Coordinator or Student Conduct Administrator will notify Respondent in writing of any sanctions determination and will notify Complainant at the same time as Respondent. The determination letter will contain the following information: (i) the name of the Respondent; (ii) whether the Respondent has been found responsible or not responsible for specific violation(s) of this Policy; (iii) a list of the possible sanctions ; (iv) the sanctions actually imposed; (v) the rationale for the sanctions imposed; (vi) the University's appeal process; (vii) any change to the results that occur prior to the time that the results become final; and (viii) when the results become final.

The University does not publicly release underlying information regarding investigations unless required by law. However, after students are provided with an outcome, a student can choose whether to disclose or discuss the outcome of the conduct process.

SECTION FIVE – APPEAL

Appeal

Either party may appeal the Hearing Committee's determination and/or the disciplinary decision. A party has three (3) grounds under which to appeal the University's determination:

1. (i) the Hearing Committee committed procedural errors that had a significant impact on the outcome of the case,
2. (ii) there is new evidence that was not reasonably available at the time of the hearing before the Hearing Committee, or
3. (iii) the sanctions are not consistent with past practices or the severity of the alleged Sexual Misconduct.

Final sanctions are in effect until any timely appeal of the decision is resolved. The Student Conduct Administrator may suspend the determination pending exhaustion of appeal, allow the student to attend classes or other activity on a supervised or monitored basis, or make such other modifications to the determination as may be advisable. Supportive measures will remain in effect until the appeal is resolved.

A party wishing to appeal the findings of the Hearing Committee and/or sanctions imposed must file an appeal within seven (7) business days of delivery of the decision letter of the Hearing Committee's finding and the sanctions. The appeal must contain the party's grounds for the appeal. The party should submit copies of any and all material the party wishes to provide as evidence for the appeal. Additionally, the party can submit a written statement that is no longer than five (5) single-spaced typed pages, using size 12 Times New Roman font and 1-inch margins.

If either the Complainant or the Respondent submits an appeal, the Title IX Coordinator will notify the other party after receipt of the appeal. The non-appealing party is given an opportunity to review the appealing party's submissions and material and submit a written response. The response can be no longer than five (5) single-spaced typed pages, using size 12 Times New Roman font and 1-inch margins. The written response must be submitted within seven (7) business days after the appealing party submits a formal appeal.

The Title IX Coordinator will select a three-person committee ("Appeals Committee"), which shall not include members of the Hearing Committee. The Appeal Committee will first evaluate whether the criteria for appeal as stated above is met. If criteria are not met, the appeal will be dismissed. Except for appeals brought under (ii) above, the Appeal Committee's entire review process will be based on the party's appeal, the non-appealing party's response to the appeal, if any, and the Hearing Committee's record of the case. Otherwise, no additional evidence is allowed, and no witnesses may be heard.

The Appeals Committee will make a final determination on the appeal and will report such determination in writing. The Appeals Committee shall review the appeal, the non-appealing party's response to the appeal, if any, the record of the case, and, if applicable, any new evidence pursuant to (ii) above and issue a final determination letter to the Respondent and the Complainant. The Appeals Committee shall render its decision in writing promptly after review of the materials provided. Should an Appeal Committee determine that one or more of the criteria of a successful appeal has been met, that Committee shall:

- dismiss the finding;
- modify the finding; or
- refer the matter to the appropriate hearing body for further review.

Once it has been determined that the appeal has been denied or modified, the matter is concluded.

Citations

[1] For purposes of this Policy, the term "Title IX Coordinator" includes their designee(s).

PART III – TITLE IX GRIEVANCE PROCEDURE

SECTION ONE - GENERAL RULES OF APPLICATION

A. Title IX Grievance Procedure

The following procedure describes the steps the University will take to address reported Sexual Misconduct that meet the definition of Title IX. Reports of conduct that do not meet the definition of Title IX will be addressed in Sexual Misconduct Grievance Procedure. The Complainant has the right to withdraw the complaint and their involvement in the process at any time. This action may limit the University's ability to respond irrespective of the withdrawal.

B. Effective Date

This Title IX Grievance Policy is effective as of August 14, 2020, and will only apply to formal complaints of sexual harassment brought on or after August 14, 2020.1

SECTION TWO – JURISDICTION

A. Jurisdiction

The Title IX Coordinator2 will determine if the Title IX Grievance Process should apply to the Formal Complaint. The Process will apply when all of the following elements are met, in the reasonable determination of the Title IX Coordinator:

1. The conduct is alleged to have occurred in Iona University's education program or activity. This includes but is not limited to in-person conduct as well as actions taken virtually, electronically and through social media.

2. The conduct is alleged to have occurred on or after August 14, 2020;
3. The conduct is alleged to have occurred in the United States;
4. The alleged conduct, if true, would constitute covered sexual harassment as defined in the Title IX Grievance Procedure; and
5. Complainant is currently participating in, or attempting to participate in, the education programs or activities of Iona University.
6. Respondent is any individual who has been reported to be the perpetrator of conduct that could constitute covered sexual harassment.

If all of the elements are met, the University will investigate the allegations according to this Grievance Process.

B. Definitions of Title IX per the Final Rule

Covered Sexual Harassment:
For the purposes of this Title IX Grievance Policy, "covered sexual harassment" includes any conduct on the basis of sex that satisfies one or more of the following:

1. An employee conditioning educational benefits on participation in unwelcome sexual conduct (i.e., quid pro quo)3
2. Unwelcome conduct that a reasonable person would determine is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the educational institution's education program or activity;
3. Sexual assault (as defined in the Clery Act), which includes any sexual act directed against another person, without the consent of the victim including instances where the victim is incapable of giving consent;
4. Dating violence (as defined in the Violence Against Women Act (VAWA) amendments to the Clery Act), which includes any violence committed by a person: (A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (B) where the existence of such a relationship shall be determined based on a consideration of the following factors: (i) The length of the relationship; (ii) The type of relationship; (iii) The frequency of interaction between the persons involved in the relationship.
5. Domestic violence (as defined in the VAWA amendments to the Clery Act), which includes any felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under New York State's domestic or family violence laws or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of New York State.
6. Stalking (as defined in the VAWA amendments to the Clery Act), meaning engaging in a course of conduct directed at a specific person that would cause a reasonable person to-- (A) fear for their safety or the safety of others; or (B) suffer substantial emotional distress.

Note: Conduct that does not meet one or more of these criteria may still be prohibited under the Code of Conduct or Sexual Misconduct Grievance Procedure and will be addressed thereunder.

C. Mandatory Dismissal

If any of the elements of jurisdiction and definition of sexual harassment as stated above are not met, the University will dismiss the Title IX matter per the Mandatory Dismissal directive of the Final Rule, and will utilize existing policy in the Code of Conduct and/or Sexual Misconduct Procedure or Discrimination and Harassment Policy. This dismissal may be appealed per the Appeal procedure below.

D. Discretionary Dismissal

The Title IX Coordinator may dismiss a Formal Complaint brought under the Title IX Grievance Policy, or any specific allegations raised within that Formal Complaint, at any time during the investigation or hearing, if:

- A complainant notifies the Title IX Coordinator in writing that they would like to withdraw the Formal Complaint, or any allegations raised in the Formal Complaint;
- The respondent is no longer enrolled at Iona University; or,
- If specific circumstances prevent the University from gathering evidence sufficient to reach a determination regarding the Formal Complaint or allegations within the Formal Complaint.

The following examples of situations that may present "special circumstances" supporting dismissal:

1. When no complainant is identified during the investigation.
2. When a formal complaint contains allegations that are precisely the same as allegations the recipient has already investigated and adjudicated.
3. When the length of time elapsed between an incident of alleged sexual harassment, and the filing of a formal complaint, prevent a recipient from collecting enough evidence to reach a determination.
4. When the complainant has stopped participating in the investigation but has not sent a written withdrawal request and the only inculpatory evidence available is the complainant's statement in the formal complaint or as recorded in an interview by the investigator.

E. Notice of Dismissal

Upon reaching a decision that the Formal Complaint will be dismissed, the University will promptly send written notice of the dismissal of the Formal Complaint or any specific allegation within the Formal Complaint, and the reason for the dismissal, simultaneously to the parties through their institutional email accounts. Any party may appeal a dismissal determination using the process set forth in "Appeals".

SECTION THREE – INTAKE PROCEDURE

A. Filing a Formal Complaint

The Title IX Grievance Procedure begins with the filing of a Formal Complaint. The Grievance Procedure will be concluded within a reasonably prompt manner, and no longer than ninety (90) business days after the filing of the Formal Complaint, provided that the process may be extended for a good reason, including but not limited to administrative delay, the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities. The procedure for applying for extensions is described in Part I of the Sexual Misconduct Policy.

To file a Formal Complaint, a Complainant must provide the Title IX Coordinator a written (including email), signed complaint describing the facts alleged. Complainants are only able to file a Formal Complaint under this Policy if they are currently participating in, or attempting to participate in, the education programs or activities Iona University.

If a Complainant does not wish to make a Formal Complaint, the Title IX Coordinator may determine a Formal Complaint is necessary if it is determined in good faith that failure to investigate does not adequately mitigate a potential risk of harm to the reporting individual or other members of the community. The University will use the Risk Assessment/Threat Analysis of an Individual as explained in Part 1, section XX of the Sexual Misconduct Policy. The University will inform the complainant of this decision in writing, and take immediate interim action if necessary, to protect and assist the Complainant. The University will take all reasonable steps to investigate and respond to the complaint while maintaining the Complainant's Privacy to the greatest extent possible.

Nothing in the Title IX Grievance Policy prevents a Complainant from seeking the assistance of state or local law enforcement alongside the appropriate on-campus process.

B. Informal Resolution

At any time after a Formal Complaint has been filed and before a hearing commences, the parties may seek to resolve a report of prohibited conduct through Informal Resolution, an administrative process. Participation in Informal Resolution is entirely voluntary; the University will neither pressure nor compel either party to participate in the process or to agree to any specific terms.
In every case, the Title IX Coordinator has discretion to determine whether the matter is appropriate for Informal Resolution and to determine the appropriate terms. There are two options for Informal Resolution.

1. Alternate Resolution

Alternate Resolution will not involve mediation, or any face-to-face meetings, between the complainant and the responding party.

Before the Title IX Coordinator approves the Alternate Resolution process or the terms of any Alternate Resolution, the Title IX Coordinator will determine that they have sufficient information about the matter to make these decisions.

Before the Alternate Resolution process commences, both the complainant and the respondent must agree to explore Alternate Resolution as a potential means of resolution.

The parties are strongly encouraged, although not required, to consult with their advisors and any support persons during the entire Alternate Resolution process.

The University will allow a Complainant or Respondent to withdraw from the Informal Resolution process at any time, where appropriate. If the Complainant wishes, the matter will be resolved pursuant to the Formal Complaint resolution process under these procedures. Title IX Coordinator may also, at their discretion, terminate the process. The Title IX Coordinator will promptly notify the parties, in writing, of a termination of the informal resolution process and the formal complaint will be investigation and adjudicated pursuant to these procedures.

The Title IX Coordinator, in collaboration with the Student Conduct Administrator will consult separately with both parties and recommend to the parties the terms of a potential Alternate Resolution agreement. Such terms may include, but are not limited to, any sanctions or remedies that could be imposed by a Decision Maker after a hearing under these proceedings.

Both parties must agree to the terms before an Alternate Resolution agreement becomes effective.

If the respondent agrees to an Alternate Resolution that provides for a suspension, withdrawal, or dismissal (i.e. expulsion) from the University there will be a transcript notation consistent with College policy.

If both parties are satisfied with the alternate resolution process, the matter will be resolved with a written agreement. The Title IX Coordinator will provide each party, separately, with a copy of the proposed agreement for the party to review, sign, and return.

Once a party has returned the signed agreement to the Title IX Coordinator, the terms of the agreement will become effective and the Title IX Coordinator will promptly notify both parties in writing that the agreement is final.

Once the agreement is effective, the parties may not appeal the agreement. The parties are expected to honor and comply with the terms of the Alternate Resolution. Noncompliance may be subject to proceedings under the Student Code of Conduct.

If the process is terminated and the matter resolved pursuant to the Formal Complaint resolution process, neither the Title IX Coordinator nor the parties will disclose to the Decision Maker or Appeal Panel either the fact that the parties had participated in the Alternate Resolution process or any information learned during the process.

2. Acceptance of Responsibility

A respondent may choose to resolve a formal complaint informally by accepting responsibility for the allegations therein. Upon accepting responsibility for one or more allegations in a formal complaint, a finding of responsibility will be entered and the matter will be transferred to the Student Conduct Administrator for imposition of sanction, only. Prior to imposing sanction, the Student Conduct Administrator will review and consider all information about the allegations that are available and known to the University impact statements of the parties, and any prior disciplinary history.

Once entry of responsibility is made, Respondent may not withdraw from this informal resolution.

C. Notice of Allegations

The Title IX Coordinator will draft and provide the Notice of Allegations to both parties to the misconduct allegations in the Formal Complaint. Such notice will occur as soon as practicable after the institution receives a Formal Complaint of the allegations, if there are no extenuating circumstances.

A) Contents of Notice

The Notice of Allegations will include the following:

- Notice of the institution's Title IX Grievance Process and a hyperlink to a copy of the process.
- Notice of the allegations potentially constituting covered sexual harassment, and sufficient details known at the time the Notice is issued, such as the identities of the parties involved in the incident, if known, including the complainant; the conduct allegedly constituting covered sexual harassment; and the date and location of the alleged incident, if known.

- A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process.
- A statement that the parties may have an advisor of their choice, who may be, but is not required to be, an attorney.
- A statement that before the conclusion of the investigation, the parties may inspect and review evidence obtained as part of the investigation that is directly related to the allegations raised in the Formal Complaint, including the evidence upon which the institution does not intend to rely in reaching a determination regarding responsibility, and evidence that both tends to prove or disprove the allegations, whether obtained from a party or other source;
- A statement that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

B) Ongoing Notice

If, in the course of an investigation, the institution decides to investigate allegations about the complainant or respondent that are not included in the Notice of Allegations and are otherwise covered "sexual harassment" falling within the Title IX Grievance Policy, the institution will notify the parties whose identities are known of the additional allegations by their institutional email accounts or other reasonable means.

Written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings with a party, with sufficient time for the party to prepare to participate will be provided to a party whose participation is invited or expected.

D. Advisor of Choice and Participation of Advisor of Choice

The parties will be provided with equal access to advisors and support persons; any restrictions on advisor participation will be applied equally.

The University has a long-standing practice of requiring students to participate in the process directly and not through an advocate or representative. Students participating as Complainant or Respondent in this process may be accompanied by an Advisor of choice to any meeting or hearing to which they are required or are eligible to attend. The Advisor of choice is not an advocate. Except where explicitly stated by this Policy, as consistent with the Final Rule, Advisors of choice shall not participate directly in the process.

Meetings and hearings will not be intentionally scheduled on dates where the Advisors of choice for all parties are not available, provided that the Advisors act reasonably in providing available dates and work collegially to find dates and times that meet all schedules.

The University's obligations to investigate and adjudicate in a prompt timeframe under Title IX and other college policies apply to matters governed under this Policy, and the University cannot agree to extensive delays solely to accommodate the schedule of an Advisor. The determination of what is reasonable shall be made by the Title IX Coordinator or designee who will not be obligated to delay a meeting or hearing under this process more than five (5) days due to the unavailability of an Advisor, and may offer the party the opportunity to obtain a different Advisor or utilize one provided by the University.

SECTION FOUR – INVESTIGATION

The Title IX Coordinator will appoint a trained investigator or investigators to conduct the fact-finding. The Title IX Coordinator will provide the investigator(s) with the names of the Complainant and Respondent, and the date, location, and nature of the alleged misconduct. Generally, the Department of Campus Safety participates in the investigations involving Title IX matters.

A party wishing to challenge the participation of the investigator(s) must notify the Title IX Coordinator, in writing, within twenty-four (24) hours of delivery of the written notice of investigation. The party must state the specific reason(s) for the party's objection. The Title IX Coordinator will then review the appointment of the investigator(s) and assess whether the investigator(s) will handle complaints impartially and objectively. When appropriate, the Title IX Coordinator may appoint a different investigator.

A. General Rules of Investigations

The Investigator(s) designated by the Title IX Coordinator will perform an investigation under a reasonably prompt timeframe of the conduct alleged to constitute covered sexual harassment after issuing the Notice of Allegations.

The University and not the parties, has the burden of proof and the burden of gathering evidence, i.e. the responsibility of showing a violation of this Policy has occurred.

The University cannot access, consider, or disclose medical records without a waiver from the party (or parent, if applicable) to whom the records belong or of whom the records include information the University will provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence, (i.e. evidence that tends to prove and disprove the allegations) as described below.

B. Inspection and Review of Evidence

Prior to the completion of the investigation, the parties will have an equal opportunity to inspect and review the evidence obtained through the investigation. The purpose of the inspection and review process is to allow each party the equal opportunity to meaningfully respond to the evidence prior to conclusion of the investigation.

Evidence that will be available for inspection and review by the parties will be any evidence that is directly related to the allegations raised in the Formal Complaint. It will include any:

1. Evidence that is relevant, even if that evidence does not end up being relied upon by the institution in making a determination regarding responsibility;
2. Inculpatory or exculpatory evidence (i.e. evidence that tends to prove or disprove the allegations) that is directly related to the allegations, whether obtained from a party or other source.

All parties must submit any evidence they would like the investigator to consider prior to when the parties' time to inspect and review evidence begins.

The institution will send the evidence made available for each party and each party's advisor, if any, to inspect and review through an electronic format or other designated format. The Institution is not under an obligation to use any specific process or technology to provide the evidence and shall have the sole discretion in terms of determining format and any restrictions or limitations on access.

The parties will have ten (10) business days to inspect and review the evidence and submit a written response by email to the investigator. The investigator will consider the parties' written responses before completing the Investigative Report.

The institution will provide copies of the parties' written responses to the investigator to all parties and their advisors, if any.
Any evidence subject to inspection and review will be available at any hearing, including for purposes of cross-examination.

C. Inclusion of Evidence Not Directly Related to the Allegations

Evidence obtained in the investigation that is determined in the reasoned judgment of the investigator not to be directly related to the allegations in the Formal Complaint will be included in the appendices to the investigative report.

D. Investigative Report

The Investigator will create an Investigative Report that fairly summarizes relevant evidence, will provide that Report to the parties at least ten (10) calendar days prior the hearing in an electronic or hard copy format for each party's review and written response.

The Investigative Report is not intended to catalog all evidence obtained by the investigator, but only to provide a fair summary of that evidence.

Only relevant evidence (including both inculpatory and exculpatory – i.e. tending to prove and disprove the allegations - relevant evidence) will be referenced in the Investigative Report.

The investigator may redact irrelevant information from the Investigative Report when that information is contained in documents or evidence that is/are otherwise relevant.

SECTION FIVE – HEARING PROCEDURE

A. The Title IX Grievance Hearing

After Complainant and Respondent have reviewed the investigative report, the Title IX Coordinator will notify both parties of the date, time and location of the hearing and the names of the Hearing Committee. The Hearing Committee will be comprised of one to three Administrative Hearing Officers . No member of the hearing body will have a conflict of interest or bias in favor of or against

complainants or respondents generally, or in favor or against the parties to the particular case. Complainant and Respondent may challenge a hearing committee member by providing a written reason to the Title IX Coordinator within twenty-four (24) hours of delivery the hearing notice. The Title IX Coordinator will review and evaluate the objection and replace the Committee member when appropriate.

A) GENERAL RULES OF HEARINGS

The University will not issue a disciplinary sanction arising from an allegation of covered sexual harassment without holding a live hearing conducted with all parties physically present in the same geographic location, or, at the University's discretion, any or all parties, witnesses, and other participants may appear at the live hearing virtually through a video conferencing option such as Zoom. This technology will enable participants simultaneously to see and hear each other. The University may determine to conduct all elements of investigations, meetings, and hearings in a completely virtual format. At its discretion, the University may delay or adjourn a hearing based on technological errors not within a party's control.

All proceedings will be recorded using Zoom record features or other method determined by the Title IX Coordinator. That recording or transcript will be made available to the parties for inspection and review.

B) HEARING PROCEDURES

For all live hearings conducted under this Title IX Grievance Process, the procedure will be as follows:

- Administrative Hearing Officer will open and establish rules and expectations for the hearing;
- The Parties will each be given the opportunity to provide opening statements;
- Administrative Hearing Officer will ask questions of the Parties and Witnesses;
- Parties will be given the opportunity for live cross-examination after Administrative Hearing Officer conducts its initial round of questioning; During the Parties' cross-examination, Administrative Hearing Officer will have the authority to pause cross-examination at any time for the purposes of asking the Administrative Hearing Officer's own follow up questions; and any time necessary in order to enforce the established rules of decorum.
- Should a Party or the Party's Advisor choose not to cross-examine a Party or Witness, the Party shall affirmatively waive cross-examination through a written or oral statement to the Administrative Hearing Officer.

C) PARTICIPANTS IN THE LIVE HEARING

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

Complainant and Respondent

- The parties cannot waive the right to a live hearing.
- The University will not threaten, coerce, intimidate or discriminate against the party in an attempt to secure the party's participation.
- Regardless of whether a party participates in all or part of cross examination, and regardless of whether a statement offered as part of testimony at the hearing or offered prior to the hearing (such as in a police report or witness interview) is subject to cross examination, the decision maker may rely on such statement, where relevant to the determination.
- The decision-maker cannot draw an inference about the determination regarding responsibility based solely on a party's absence from the live hearing or refusal to answer cross examination or other questions.
- The parties and advisors and witnesses will maintain appropriate decorum and may be asked to leave the hearing if they fail to do so after being asked.

Advisor of Choice

- The parties have the right to select an advisor of their choice, who may be, but does not have to be, an attorney.
- The advisor of choice may accompany the parties to any meeting or hearing they are permitted to attend, but may not speak for the party, except for the purpose of cross-examination.
- The parties are not permitted to conduct cross-examination; it must be conducted by the advisor. As a result, if a party does not select an advisor, the University will select an advisor to serve in this role for the limited purpose of conducting the cross-examination at no fee or charge to the party.
- The advisor is not prohibited from having a conflict of interest or bias in favor of or against complainants or respondents generally, or in favor or against the parties to the particular case.
- The advisor is not prohibited from being a witness in the matter.
- If a party does not attend the live hearing, the party's advisor may appear and conduct cross-examination on their behalf.

Witnesses

– Witnesses cannot be compelled to participate in the live hearing, and have the right not to participate in the hearing free from retaliation.

– Regardless of whether a witness participates in all or part of cross examination, and regardless of whether a statement offered as part of testimony at the hearing or offered prior to the hearing (such as in a police report or witness interview) is subject to cross examination, the decision maker may rely on such statement, where relevant to the determination.

– A witness's identity cannot remain anonymous. In most cases, the identity of the person who provided certain information is a necessary component and others will need to be able to fully understand what was provided.

– Parties may be allowed to call character witnesses and "expert witnesses". Both will be subject to cross examination.

D) LIVE CROSS-EXAMINATION PROCEDURE/RELEVANCE

- **CROSS EXAMINATION:** Each party's advisor will conduct live cross-examination of the other party or parties and witnesses. During this live-cross examination the advisor will ask the other party or parties and witnesses relevant questions and follow-up questions, including those challenging credibility directly, orally, and in real time.
- **RELEVANCE:** Before any cross-examination question is answered, the Administrative Hearing Officer will determine if the question is relevant.

The following may be deemed irrelevant:

- questions regarding privileged information.
- undisclosed medical records, including about a parties' mental health.
- duplicative questions if they have been asked and answered.

Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless:

1. such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or
2. if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.

If a question is relevant but offered in an abusive or argumentative manner, the decision-maker has the discretion to ask the advisor to rephrase the question in an appropriate manner, consistent with the institution's decorum policy for hearings. (For additional guidance on relevance see Part IV, Definitions and Hearing Considerations.)

E) REVIEW OF TRANSCRIPT/RECORDING

The recording of the hearing will be available for review by the parties within five (5) business days unless there are any extenuating circumstances. The recording of the hearing will not be provided to parties or advisors of choice.

F) COMPLAINANT AND RESPONDENT IMPACT STATEMENTS

Promptly after the conclusion of the hearing, both the Complainant and Respondent will be given access to the record of the hearing and offered an opportunity to provide an impact statement to the Student Conduct Administrator before determination of appropriate sanctions. The record of the hearing may not be copied.

The impact statement may be no longer than five (5) singled-spaced typed pages, using size 12 Times New Roman font and 1-inch margins. The impact statement is the student's opportunity to discuss his or her experience and the incident in question, as well as respond to how the investigation and hearing was conducted and any areas of agreement or/disagreement with the investigation or hearing or determination of the Hearing Committee. The impact statement may not seek to introduce new evidence.

This impact statement must be provided to the Title IX Coordinator who will provide it to the opposing party as well as the Hearing Committee.

G) DETERMINATION REGARDING RESPONSIBILITY

A hearing panel will reach a decision, based on majority vote, on whether the respondent has violated the University policy and provide the decision to the Title IX Coordinator. The Title IX Coordinator will provide the decision maker/hearing panel decision to the Student Conduct Officer for the disciplinary sanction.

- **Standard of Proof**
  Iona University uses the preponderance of the evidence standard for investigations and determinations regarding responsibility of formal complaints covered under this Policy. This means that the investigation and hearing determine whether it is more likely than not that a violation of the Policy occurred.

- **Components of the Determination Regarding Responsibility**
  The written Determination Regarding Responsibility and disciplinary sanction will be issued simultaneously to all parties through their institution email account, or other reasonable means as necessary. The Determination will include:
  1. Identification of the allegations potentially constituting covered sexual harassment;
  2. A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
  3. Findings of fact supporting the determination;
  4. Conclusions regarding which section of the Code of Conduct, if any, the respondent has or has not violated.
  5. For each allegation:
     - A statement of, and rationale for, a determination regarding responsibility;
     - A statement of, and rationale for, any disciplinary sanctions the recipient imposes on the respondent; and
     - A statement of, and rationale for, whether remedies designed to restore or preserve equal access to the recipient's education program or activity will be provided by the recipient to the complainant; and
  6. The recipient's procedures and the permitted reasons for the complainant and respondent to appeal (described in "Appeal").

SECTION SIX - SANCTIONS

The Hearing Committee report and impact statement if any will be given to the Student Conduct Administrator for determination of appropriate sanctions. Sanctions may include, but are not limited to, one or more of the following that are determined to be fair and proportionate to the violation:

- Reprimand or warning
- Changing the Respondent's academic schedule
- Disciplinary probation
- Postponement of degree conferral
- Revocation of honors or awards
- Restricting the Respondent's access to College facilities or activities
- Community service
- Issuing a No Contact Order to the Respondent or requiring that such an order remain in place
- Dismissal from or restricting or reassignment of College employment
- Suspension (limited time or indefinite)
- Expulsion

In determining appropriate sanctions, the Student Conduct Administrator will consider any record of past violations of College policies, as well as the nature and severity of such past violation(s). The Student Conduct Administrator will consider as part of the deliberations whether the Respondent poses a continuing risk to the Complainant and/or the University community. The imposition of sanctions is meant to eliminate Sexual Misconduct, prevent its recurrence, and remedy its effects, while ensuring a safe and non-discriminatory environment for the entire College community.

The Title IX Coordinator or Student Conduct Administrator will notify Respondent in writing of any sanctions determination and will notify Complainant at the same time as Respondent. The determination letter will contain the following information: (i) the name of the Respondent; (ii) whether the Respondent has been found responsible or not responsible for specific violation(s) of this Policy; (iii) a list of the possible sanctions ; (iv) the sanctions actually imposed; (v) the rationale for the sanctions imposed; (vi) the University's appeal process; (vii) any change to the results that occur prior to the time that the results become final; and (viii) when the results become final.

The University does not publicly release underlying information regarding investigations unless required by law. However, after students are provided with an outcome, a student can choose whether to disclose or discuss the outcome of the conduct process.

SECTION SEVEN - APPEAL

Either party may appeal the Hearing Committee's determination and/or the disciplinary decision. A party has four (4) grounds under which to appeal the University's determination:

- procedural irregularity affected the outcome;
- new evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome; and/or
- the Title IX Coordinator, investigator, or decision-maker had a conflict of interest or bias that affected the outcome
- the sanctions are not consistent with past practices or the severity of the alleged Sexual Misconduct.

Final sanctions are in effect until any timely appeal of the decision is resolved. The Student Conduct Administrator may suspend the determination pending exhaustion of appeal, allow the student to attend classes or other activity on a supervised or monitored basis, or make such other modifications to the determination as may be advisable. supportive measures will remain in effect until the appeal is resolved.

A party wishing to appeal the findings of the Hearing Committee and/or sanctions imposed must file an appeal within seven (7) business days of delivery of the decision letter of the Hearing Committee's finding and the sanctions. The appeal must contain the party's grounds for the appeal. The party should submit copies of any and all material the party wishes to provide as evidence for the appeal. Additionally, the party can submit a written statement that is no longer than five (5) single-spaced typed pages, using size 12 Times New Roman font and 1-inch margins.

If either the Complainant or the Respondent submits an appeal, the Title IX Coordinator will notify the other party after receipt of the appeal. The non-appealing party is given an opportunity to review the appealing party's submissions and material and submit a written response. The response can be no longer than five (5) single-spaced typed pages, using size 12 Times New Roman font and 1-inch margins. The written response must be submitted within seven (7) business days after the appealing party submits a formal appeal.

The Title IX Coordinator will select a three-person committee ("Appeals Committee"), which shall not include members of the Hearing Committee. The Appeal Committee will first evaluate whether the criteria for appeal as stated above is met. If criteria are not met, the appeal will be dismissed. Except for appeals brought under (ii) above, the Appeal Committee's entire review process will be based on the party's appeal, the non-appealing party's response to the appeal, if any, and the Hearing Committee's record of the case. Otherwise, no additional evidence is allowed, and no witnesses may be heard.

The Appeals Committee will make a final determination on the appeal and will report such determination in writing. The Appeals Committee shall review the appeal, the non-appealing party's response to the appeal, if any, the record of the case, and, if applicable, any new evidence pursuant to (ii) above and issue a final determination letter to the Respondent and the Complainant. The Appeals Committee shall render its decision in writing promptly after review of the materials provided. Should an Appeal Committee determine that one or more of the criteria of a successful appeal has been met, that Committee shall:

- dismiss the finding;
- modify the finding; or
- refer the matter to the appropriate hearing body for further review.

Once it has been determined that the appeal has been denied or modified, the matter is concluded.

SECTION EIGHT - REVOCATION BY OPERATION OF LAW

Should any portion of the Title IX Final Rule, 85 Fed. Reg. 30026 (May 19, 2020), be stayed or held invalid by a court of law, or should the Title IX Final Rule be withdrawn or modified to not require the elements of this policy, this policy, or the invalidated elements of this policy, will be deemed revoked as of the publication date of the opinion or order and for all reports after that date, as well as any elements of the process that occur after that date if a case is not complete by that date of opinion or order publication. Should the Title IX Grievance Policy be revoked in this manner, any conduct covered under the Title IX Grievance Policy shall be investigated and adjudicated under the existing Code of Conduct/ Sexual Misconduct Policy and Sexual Misconduct Grievance Procedure.

Citations

[1] On May 19, 2020, the U.S. Department of Education issued a Final Rule under Title IX of the Education Amendments of 1972 that:

1. Defines the meaning of "sexual harassment" (including forms of sex-based violence)
2. Addresses how this institution must respond to reports of misconduct falling within that definition of sexual harassment, and
3. Mandates a grievance process that this institution must follow to comply with the law in these specific covered cases before issuing a disciplinary sanction against a person accused of sexual harassment.

See, 85 Fed. Reg. 30026 (May 19, 2020). The full text of the Final Rule and its extensive Preamble are available here https://www.govinfo.gov/content/pkg/FR-2020-05-19/pdf/2020-10512.pdf

[2] For purposes of the policy, the term "Title IX Coordinator" includes their designees.

[3] Employee complaints should be brought under the Harassment and Discrimination Policy

PART IV - DEFINITIONS AND HEARING CONSIDERATIONS

GENERAL DEFINITIONS

Term: Affirmative Consent

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

The following six principles, along with above definition, will be used to evaluate whether sexual activity was consensual:

1. Consent to any sexual act or prior consensual activity between or with any party does not necessarily constitute consent to any other sexual act.
2. Consent is required regardless of whether the person initiating the act is under the influence of drugs and/or alcohol.
3. Consent may be initially given but withdrawn at any time.
4. Consent cannot be given when a person is incapacitated.
5. Consent cannot be given when it is the result of any coercion, intimidation, force, threat of harm.
6. When consent is withdrawn or can no longer be given, sexual activity must stop.

Term: Complainant

Definition: The individual who reportedly experienced sexual misconduct, regardless of whether such individual reports such sexual misconduct to the University or participates in the University's conduct process for responding to complaints of sexual misconduct described herein.

Term: Confidentiality

Definition: May be offered by an individual who is not required by law to report known incidents of sexual assault or other crimes to institution officials, in a manner consistent with state and federal law, including but not limited to 20 U.S.C. 1092 (f) and 20 U.S.C. 1681 (a). Licensed mental health counselors, medical providers, and pastoral counselors are examples of College employees who may offer Confidentiality.

Term: Force

Definition: The use of physical violence and/or imposing on someone physically to engage in sexual contact or intercourse. Force can also include threats, intimidation (implied threats), or coercion used to overcome resistance. The use of force to cause someone to engage in sexual activity is, by definition, non-consensual contact, and is prohibited.

Term: Incapacitation

Definition: Occurs when an individual lacks the ability to knowingly choose to participate in sexual activity. Incapacitation may be caused by a lack of consciousness or being asleep, being involuntarily restrained, or if an individual otherwise cannot consent. Depending on the degree of intoxication, someone who is under the influence of alcohol, drugs, or other intoxicants may be incapacitated and therefore unable to consent.

Term: Intimidation

Definition: Implied threats that reasonably cause another to fear for his/her safety or well-being.

Term: No Contact Order

Definition: A directive prohibiting contact between or among designated individuals through any means, direct or indirect, including personal contact, email, telephone, text message, social media, or by means of a third party.

Term: Privacy

Definition: May be offered by an individual when such individual is unable to offer Confidentiality under the law but shall still not disclose information learned from a reporting individual or Bystander to a crime or incident more than necessary to comply with applicable laws, including informing appropriate College employees.

Term: Reporting Individual

Definition: Encompasses the terms victim, survivor, Complainant, claimant, witness with victim status, or any other term used by the University to reference an individual who brings forth a report of a violation of this Policy.

Term: Respondent

Definition: The individual alleged to have committed acts constituting sexual misconduct, regardless of whether such individual has entered into the University's conduct process for responding to complaints of sexual misconduct described herein.

Term: Responsible Employee

Definition: A Responsible Employee is a College employee who has the authority to redress sexual misconduct, who has a duty to report incidents of sexual misconduct, or who a student could reasonably believe has this authority or duty. This definition encompasses virtually every College employee, including all faculty, staff, and administrators. A Responsible Employee must report all relevant details about the learned incident to the Title IX Coordinator.

Term: Retaliation

Definition: Taking any adverse action or attempting to take adverse action against a person for making a good faith report of sexual misconduct or participating in any proceeding under this Policy. Retaliation includes intimidating, threatening, coercing, or in any way discriminating against an individual because of the individual's complaint of sexual misconduct or participation in an investigation or proceeding related to alleged sexual misconduct.

PROHIBITED CONDUCT

The descriptions below are definitions of prohibited conduct. Reports of prohibited conduct that meet the sexual harassment definition and jurisdiction requirements under Title IX grievance policy will be addressed under Part III of this policy. All other prohibited conduct will be addressed under Part II of this policy or if applicable, the Discrimination and Harassment Policy, or Student Conduct Policy.

PROHIBITED CONDUCT TERMS AND DEFINITIONS

Term: Cyberstalking

Definition: The use of technology to stalk, harass, or threaten another person, often used in conjunction with offline stalking.

Term: Dating Violence

Definition: (As defined in the Violence Against Women Act (VAWA) amendments to the Clery Act), includes any violence committed by a person: (A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (B) where the existence of such a relationship shall be determined based on a consideration of the following factors: (i) The length of the relationship; (ii) The type of relationship; (iii) The frequency of interaction between the persons involved in the relationship.

Term: Domestic Violence

Definition: (As defined in the VAWA amendments to the Clery Act), includes any felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under New York State's domestic or family violence laws or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of New York State.

Term: Sexual Activity

Definition: Includes any "sexual act" or "sexual contact." A "**sexual act**" means (a) contact between the penis and vulva or the penis and the anus where penetration occurs, however slight; (b) contact between the mouth and the penis, the mouth and the vulva, or the mouth and the anus; (c) the penetration, however slight of the anal or genital opening of another by hand or finger or by any object, with an intent to abuse, humiliate, harass, degrade, or arouse or gratify the sexual desire of any person; or (d) the intentional touching, not through the clothing of the genitalia of another person who has not attained the age of 16 years with an intent to abuse, humiliate, harass, degrade, or arouse or gratify the sexual desire of any person.
"Sexual contact" means the intentional touching, either directly or through the clothing of the genitalia, anus, groin, breast, inner thigh, or buttocks of any person with intent to abuse, humiliate, harass, degrade or arouse or gratify the sexual desire of any person.

Term: Sexual Assault

Definition: (As defined in the Clery Act), includes any sexual activity directed against another person, without the consent of the victim including instances where the victim is incapable of giving consent.

Term: Sexual Coercion

Definition: The application of unreasonable pressure, including emotionally or physically manipulative actions or statements, or direct or implied threats, in order to compel the person to engage in sexual activity.

Term: Sexual Exploitation

Definition: Abuse or exploitation of another person's sexuality without consent, for the perpetrators own advantage or benefit, or for the benefit or advantage of anyone other than the one being exploited.
Examples of Sexual Exploitation include:

- Causing or attempting to cause the incapacitation of another person for purposes of comprising that person's ability to give Affirmative Consent to the sexual activity;
- Causing the prostitution of another person;
- Electronically recording, photographing, or transmitting intimate or sexual utterances, sounds or images of another person without the person's consent;
- Disseminating or posting images of private sexual activity;
- Engaging in voyeurism;
- Distributing intimate or sexual information about another person; and/or
- Knowingly exposing another individual to a sexually transmitted infection or virus without the other individual's knowledge.

Term: Sexual Harassment

Definition: Means unwelcome conduct of a sexual nature, including but not limited to, sexual advances, requests for sexual favors, and other verbal, nonverbal, graphic or physical conduct of a sexual nature, when:

1. Submission to, or rejection of, such conduct is made either explicitly or implicitly a term or condition of an individual's employment, education or campus life activities, or used as the basis of any academic, student life or employment decision (quid pro quo); or
2. Such conduct is sufficiently severe, persistent, or pervasive such that it unreasonably interferes with, or limits an individual's ability to participate in, or benefit from, the University's education or work programs or activities (hostile environment). Whether a hostile environment has been created will be evaluated from both a subjective and an objective perspective.

For the purposes of Title IX grievance process, sexual harassment is defined as conduct, **on the basis of sex**, that:

- An employee c**onditioning educations benefits** on participation in unwelcome sexual conduct (i.e., quid pro quo)
- Unwelcome conduct (by anyone) that a reasonable person would determine is so **severe, pervasive, *and* objectively offensive** that it effectively denies a personal equal access to the educational institution's education program or activity; or
- **Sexual assault** (as defined in the Clery Act), or **dating violence, domestic violence,** or **stalking** as defined in the Violence Against Women Act (VAWA)

Term: Sexual Misconduct

Definition: A broad term that encompasses a wide range of prohibited behaviors of a sexual nature that is committed without consent or by intimidation, coercion, threat, or force. Sexual Misconduct includes, but is not limited to, Sexual Assault, Sexual Coercion, Sexual Exploitation, Sexual Harassment, Dating Violence, Domestic Violence, and stalking.

Term: Sexual Violence

Definition: Refers to a sexual act perpetrated against a person's will or where a person is incapable of giving consent (e.g., due to the student's age or use of drugs or alcohol, or because an intellectual or other disability prevents the student from having the capacity to give consent). A number of different acts fall into the category of Sexual Violence, including Rape, Sexual Assault, Sexual Battery, Sexual Abuse, and Sexual Coercion. School employees, other students, or third parties can carry out Sexual Violence.

Term: Stalking

Definition: (as defined in the VAWA amendments to the Clery Act), engaging in a course of conduct directed at a specific person that would cause a reasonable person to-- (A) fear for their safety or the safety of others; or (B) suffer substantial emotional distress.

Conduct that violates the University Policy may also violate New York State laws and subject the perpetrator to criminal prosecution. Sex Offenses under New York law are described in Sections 130.00 to 130.96 of the New York State penal Code, are available here http://public.leginfo.state.ny.us/lawssrch.cgi?NVLWO:

STUDENTS' BILL OF RIGHTS

The following Students' Bill of Rights lists the rights students have when reporting sexual offenses (sexual assault, stalking), relationship violence (dating violence, domestic violence), and any other sexual activity that otherwise violates the University's code of conduct, to the designated administrators of the University.

All students have the right to:

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

RELEVANCE

Basically, a relevant question will ask whether the facts material to the allegations under investigation are more or less likely to be true. A question not directly related to the allegations will generally be irrelevant. Relevance decisions should be made on a question-by-question basis, looking narrowly at whether the question seeks information that will aid the decision-maker in making the underlying determination. The relevance decision should not be based on who asked the question, their possible (or clearly stated) motives, who the question is directed to, or the tone or style used to ask about the fact. Relevance decisions should not be based in whole or in part upon

the sex or gender of the party for whom it is asked or to whom it is asked, nor based upon their status as complainant or respondent, past status as complainant or respondent, any organizations of which they are a member, or any other protected class covered by federal or state law (e.g. race, sexual orientation, disability).

If a question is relevant but offered in an abusive or argumentative manner, the decision-maker has the discretion to ask the advisor to rephrase the question in an appropriate manner, consistent with the institution's decorum policy for hearings.

Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless:

1. such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or
2. if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.

GENERAL CONSIDERATIONS FOR EVALUATING TESTIMONY AND EVIDENCE

While the opportunity for cross-examination is required in all Title IX hearings, determinations regarding responsibility may be based in part, or entirely, on documentary, audiovisual, and digital evidence, as warranted in the reasoned judgment of the Decision-maker.

Decision-makers shall not draw inferences regarding a party or witness' credibility based on the party or witness' status as a complainant, respondent, or witness, nor shall it base its judgments in stereotypes about how a party or witness would or should act under the circumstances.

Generally, credibility judgments should rest on the demeanor of the party or witness, the plausibility of their testimony, the consistency of their testimony, and its reliability in light of corroborating or conflicting testimony or evidence.

Still, credibility judgments should not rest on whether a party or witness' testimony is non-linear or incomplete, or if the party or witness is displaying stress or anxiety.

Decision makers will afford the highest weight relative to other testimony to first-hand testimony by parties and witnesses regarding their own memory of specific facts that occurred. Both inculpatory and exculpatory (i.e. tending to prove and disprove the allegations) evidence will be weighed in equal fashion.

Except where specifically barred by the Title IX Final Rule, a witness' testimony regarding third-party knowledge of the facts at issue will be allowed, but will generally be accorded lower weight than testimony regarding direct knowledge of specific facts that occurred. Parties may be allowed to call character witnesses and "expert witnesses". Both will be subject to cross examination. The Administrative Hearing Officer will afford their testimony appropriate weight in making a determination.

Where a party or witness' conduct or statements demonstrate that the party or witness is engaging in retaliatory conduct, including but not limited to witness tampering and intimidation, the Administrative Hearing Officer may draw an adverse inference as to that party or witness' credibility.

SEXUAL ASSAULT PREVENTION INFORMATION

Iona University informs students and employees about the Student Right to Know and Campus Security Act (CSA) of 1990 and related amendments which have been added to the education laws of New York State since 1990. These laws, with which the University intends to comply fully, were designed to create an advisory committee on campus safety, and prepare and disseminate an annual security report for the state and federal government and other interested parties. The report includes a description of policies related to campus safety and statistics concerning specific crimes reported to campus security authorities or local police agencies. These laws are also designed to establish a campus sexual assault program to prevent sex offenses, develop procedures to follow when a sex offense occurs, and distribute sexual assault prevention information to members of the community. It also includes other information for educating students and staff about campus safety. Counseling Services, Health Services, Residential Life, Campus Safety, and/or Center for Student Engagement are available to the victims of any type of crime.

Some of the Sexual prevention programming Iona has provided include,

- Halloween x Consent/AOD table
- Love Smart: Building Healthy Relationships Table
- Safe Travels: Strategies for a Healthy Spring Break
- Walk A Mile in Her Shoes
- Bystander Intervention training

Rape and sexual assault are violent crimes in which another individual subjects a person to involuntary sexual contact. Women in their late teens and early twenties are particularly vulnerable to being victimized in this way.

On university campuses, the most common form of sexual assault is "acquaintance rape," in which the victim knows the assailant. Because the victim is familiar with the assailant, she (or he) may be more trusting and less vigilant in the company of this person. Among college students acquaintance rape often takes place in connection with alcohol and drug use. Female college students are also particularly vulnerable to being victimized by so called "date rape drugs," which are more fully discussed below.

If you or someone you know is sexually victimized, it is extremely important that the incident be reported to Campus Safety and to the local police department. It is equally important that the victim immediately go to the nearest hospital emergency room to be examined for health and physical injury concerns, so that physical evidence can be gathered. It is therefore important that the victim not shower or discard clothing worn during the assault. Note that none of these activities mean that the victim must press charges. However, these actions will strengthen the legal position of the victim, if and when charges are filed. In assisting the victim of a sexual assault, a sensitive, non-judgmental attitude is the most helpful.

The following safety tips are designed to assist in your personal safety:

- Do not go off with or accept rides from an individual that you have just met.
- Avoid isolated areas when you are alone or on a first date. Ideally, go out with another couple.
- Set clear limits with your partner and be sure that both of you are comfortable with these guidelines.
- If you feel that your safety is being compromised, attempt to attract attention. Do not be embarrassed to cause a scene.
- If you are drinking alcohol, drink responsibly. People may attempt to encourage you to drink more, and your judgment could become impaired.
- Never leave your drink unattended at a party or a bar. Always be safety conscious and familiarize yourself with the statutes of rape and sexual assaults.
- In accordance with New York State law, you must be 21 years old or older to drink.

"Date rape" drugs are narcotics that are added to a beverage to induce confusion, loss of control, and sedative effects in a potential victim for the purpose of sexual assault. The victim normally will have minimal recollection of what occurred while under the influence of this drug. Therefore, the victim could be taken advantage of by the offender. It is recommended that you go out with a group of friends, stay together throughout the night, and leave together. The most common "date rape" drugs are Rohypnol ("Roofies") and Gamma-hydroxybutyrate (GHB).

If you believe that you have been victimized by the use of a "date rape" drug, follow the suggestions noted above. Also, do not discard the beverage and its container, as they will potentially provide important evidence.

The cooperation and involvement of students and employees in a campus safety program are important. All members of the University community are asked to assume responsibility for their own personal safety and the security of their personal belongings, by taking simple, common sense precautions. Further information regarding personal safety, which includes fire, first aid, and the reporting of any and all unusual occurrences or irregularities, is available in the Offices of Campus Safety, and Center for Student Engagement. Several important crime prevention techniques are:

1. Walk or study with friends.

2. Avoid being alone in buildings on the grounds.

3. Notify someone in authority when you will be working in any building after hours or on weekends.

4. Report any suspicious persons or activity to campus security or the administrator in charge of a facility or program.

5. Keep doors locked at all times.

The University affirms the dignity of all persons who are victims of crime and recognizes each person's right to privacy and confidentiality. If a student or employee is the victim of a sexual crime, he/she should immediately notify the appropriate official in the Offices of Counseling Services, Health Services, Residential Life, Campus Safety and Security, and/or Center for Student Engagement, who will then assist with making further notifications to the appropriate law enforcement authorities if the sexual assault victim wants a notification made. If a student or employee is the victim of a sexual crime (rape, acquaintance rape, or other sexual offenses) it is imperative not to shower, discard any clothing worn during the assault or do anything else which could destroy evidence. The police department and district attorney will need physical evidence to assist with their investigation and prosecution. The University will make every attempt to assist a sexual assault victim by providing options such as changing the academic and living arrangements precipitated by the offense.

Failure to comply with the University's regulations and the laws of the State of New York and/or the laws of the federal government governing crime and sexual assault constitutes a violation of the Code of Conduct which is contained in the Student Handbook. Violations are punishable by sanctions which have been imposed pursuant to the judicial procedures of the University. These sanctions include dismissal from the University and students may also be accountable to the appropriate law enforcement authorities. The University cannot protect any member of the University community who violates state or federal laws.

Crime Definitions

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

- **Arson:** Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling, house, public building, motor vehicle, aircraft, or personal property of another.
- **Aggravated Assault:** An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury (usually by means of a weapon or other method likely to result in death or great bodily harm).
- **Burglary:** The unlawful entry of a structure to commit a felony or theft.
- **Bullying:** Teasing, taunting, harassing, graphic written statements, or communications by cell phone (calls/texting, or Internet threats, including the sending of messages by email or via social networks) that are threatening, humiliating, harmful, or discriminatory. These are prohibited conduct. Harassment creates a hostile environment when it is severe, pervasive, or persistent, and interferes with one's ability to participate in services, activities, or opportunities at the University.
- **Dating Violence:** Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of:
  - the length of the relationship.
  - the type of relationship.
  - the frequency of interaction between the persons involved in the relationship.
- **Domestic Violence:** A felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim; by a person with whom the victim shares a child in common; by a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner; by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.
- **Motor Vehicle Theft:** The theft or attempted theft of a motor vehicle.

- **Manslaughter by Negligence:** The killing of another person through gross negligence.
- **Murder/Non-Negligent Manslaughter:** The willful (non-negligent) killing of one human being by another.
- **Robbery:** The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force, threat of force, violence, and/or by putting the victim in fear.
- **Rape:** Penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
- **Fondling:** The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental incapacity.
- **Incest:** The sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory Rape:** The sexual intercourse with a person who is under the statutory age of consent.
- **Hate Crimes:** A criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. Although there are many possible categories of bias, under the Clery Act, the following eight categories are reportable: race, religion, sexual orientation, gender, gender identity, ethnicity, national origin, and disability. Hate Crimes include any of the following offenses that are motivated by bias: murder and non-negligent manslaughter, sexual assault, robbery, aggravated assault, burglary, motor vehicle theft, arson, larceny-theft, simple assault, intimidation, destruction/damage/vandalism of property.
- **Stalking:** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others or suffer substantial emotional distress.

BIAS INCIDENT RESPONSE PROTOCOL

I. INTRODUCTION AND MISSION STATEMENT OF THE BIAS INCIDENT RESPONSE (BIR) PROTOCOL

Iona University values a community where all members feel welcomed, included, and supported. Iona University established a Bias Incident Response (BIR) Protocol to ensure that all members of our community, students or employees, affected by an encounter with a bias incident have the necessary support as well as information related to available appropriate resources as soon as possible.

Iona University values the inherent dignity of each member of the Iona community, which is enriched by our diversity and sustained by civility and mutual respect. Grounded in the Iona Mission, the legacy of Blessed Edmund Rice and the Christian Brothers, the Bias Incident Response Protocol was created to advance an educational, working, and living environment free from discrimination, harassment, intolerance, and hate.

The BIR Protocol may be enacted to ensure that affected students and others have access to appropriate resources, assist departments and individuals in response, and to facilitate a coordinated campus response to bias-related incidents and situations that may impact campus climate.

II. WHY IS BIAS INCIDENT RESPONSE PROTOCOL NEEDED?

Some actions may violate the Code of Conduct and will be addressed through the University judicial process. Even when this occurs there may be circumstances where individuals involved will also be referred to the supportive resources enacted by the BIR protocol. Some actions and situations may not violate law or policy but, nonetheless, fail to support our vision of a community of respect, openness, understanding, and civility. This protocol not only provides assistance and support to individuals filing a report, it works with the appropriate offices to keep records of bias incidents when directed, and to recommend that members of the community have appropriate access to information related to these incidents. The members of the Bias Incident Response Team also serve as liaisons to members of the community who may not know where or how to seek appropriate resources.

III. WHAT DOES THE BIAS INCIDENT RESPONSE PROTOCOL AND TEAM DO?

The purpose of the Bias Incident Response protocol is to promote an appreciation for diversity through understanding, respect, civility, and education. Individuals in the response pool will be assigned cases as individuals or small groups by the Dean of Students or their designee. These groups will be called Bias Incident Response Teams (BIRT). BIRTs will respond through enacting the below protocols as directed by the Senior Vice President of Enrollment Management and Student Affairs [SVPEMSA}, Dean of Students, or their designee.

The Bias Incident Response Team pool may consist of, but is not limited to, individuals who serve as members of Iona University Harassment and Discrimination pool, the Student Life Diversity Committee, the University Council Committee on Diversity, and/or members of campus student groups, administrative or academic offices. Their purpose is to:

- Educate the Iona University community about the protocol for reporting bias incidents and the purpose of the Bias Incident Response protocol.
- Assist students and employees who report bias incidents. This will be done by prompt outreach, listening to their account of their experiences, discussion and referral to resources, and available options of addressing the incident.
- Support individuals impacted by bias incidents and/or hate crimes, especially those who have been directly involved including any identified groups that may have been affected.
- Assist the SVPEMSA or their designee and the University in the coordinated campus response to bias incidents or hate crimes that threaten or potentially threaten the wellbeing of our students or the campus community.
- Recommend the dissemination of accurate information to the affected person(s) and the campus community, as necessary.
- Assist in record keeping of the incident and follow-up action steps.
- Recommend and/or plan various community advocacy, educational, and awareness programming and actions that are both preventative and responsive.
- Work closely with the appropriate administrators, committees, organizations, and departments to help foster an inclusive and supporting campus climate for all members of the Iona community. This includes but is not limited to collaboration with and support of the University Council Diversity Committee, the Student Life Diversity Committee, the Student Government Association, and the Student Leadership Alliance for Multiculturalism.

IV. WHAT THE BIAS INCIDENT RESPONSE TEAM DOES NOT DO:

- We do not work parallel to or isolated from the official disciplinary, reporting, and related response protocols of the University.
- We are not a judicial or disciplinary body. We do not decide responsibility, guilt or innocence and are not part of the disciplinary process.
- We are not an investigative team. We take reports about bias incidents and we discuss options for moving forward.
- We are not a crisis response team. If a situation is immediately threatening, the first response is the New Rochelle Police department and the Office of Campus Safety and Security. If the situation involves a bias incident, a bias incident report can be submitted at a later time.

V. HOW IS PRIVACY PROTECTED?

Every effort will be made to treat reporters as confidential if requested, but reports are not anonymous. We recognize that at times sensitive or personal information will come to our attention. It will be handled with discretion and respect. This will be balanced with the determination at times that the University community may need to be made aware that an incident has occurred, and what steps have been taken to address it. Options for confidential consultations are available with the appropriate members of the clergy while acting in their official capacity as well as members of the Iona University Counseling Center staff.

VI. DEFINITIONS AND DETERMINING WHAT TO REPORT

Bias Incident:

A Bias Incident is conduct or behavior—verbal, nonverbal, written or physical—which is threatening, harassing, intimidating, discriminatory, or hostile and is personally directed against or targets and individual or group based on perceived or actual characteristics including but not limited to race, color, religious belief, sex, marital status, sexual orientation, gender identity or expression, national or ethnic origin, disability, veteran status, socioeconomic or age. Behavior reflecting bias may constitute a violation of Iona University Code of Conduct.

Hate Crime:

Federal and state statutes on hate crime vary in terms of the acts and categories of bias that are covered. Under New York State Law, a hate crime is committed when a person commits a specified offense and (1) either intentionally selects the person against whom the offense is committed or intended to be committed, or (2) intentionally commits the act or acts because of a belief or perception of the person's or group's race, color, national origin, ancestry, sex, religion, religious practice, age, disability, or sexual orientation, regardless of whether the belief or perception is correct. When a person is convicted of a hate crime pursuant to Article 485 of New York State Hate Crimes Act of 2000, the law provides for the level of a hate crime to be deemed one category higher than the specified offense, when that specified offense is a misdemeanor or a class C, D or E felony. When the specified offense is a class B or A¬1 felony, the term of sentence is enhanced.

Note: All hate crimes are bias incidents, but not all bias incidents are hate crimes. BIR reports may enact BIR protocols in addition to Code of Conduct, Title IX, and/or other related procedures as determined by the VPSL or their designee.

What are the criteria for selecting what to report ?

When a report is received, the content is reviewed by the SVPEMSA or their designee, to determine if factors of race, color, religious belief, sex, marital status, sexual orientation, gender identity or expression, national or ethnic origin, disability, veteran status, or age are present and if there is evidence or information pointing to possible bias.

The impact of a behavior and spoken or written expression on individuals, groups or the campus community that may not reach the level of a bias incident, but has an impact or potential impact on campus climate is also considered. Iona University protects an individual's right to free speech and open expression. However, free speech does not justify discrimination, harassment or speech that may be biased or hateful.

When recommendations of notifications to the community are made, information such as general descriptions and location of the incident when relevant may be shared. Specific Attempts will be made not to report personal identifying information to the broader community.

VII. REPORTING A BIAS INCIDENT OR HATE CRIME

Students, faculty, and staff may report a Bias related incident directly to the Department of Campus Safety and Security, Office of Residential Life, Dean of Students office. There are multiple points of entry to report an incident and students can report through whichever appropriate pathway they are comfortable doing so.

For record keeping purposes, all reports of an alleged bias related incident should be documented in writing via the appropriate electronic mechanism at some point in the process regardless where they were first reported. The following information should be included:

- Detailed account of incident, date, time, and location
- Relate to the best of your ability the specific content of the words, gestures, or other behavior
- Identify the alleged perpetrator, if known to you and/or provide a detailed description
- List all witnesses and contact information
- Attach or upload written information (such as e-mails or images).

VIII. WHAT HAPPENS WHEN I REPORT?

1. All reports will come to the Senior Vice President of Enrollment Management and Student Affairs [SVPEMSA}, Dean of Students, or their designee. A prompt determination of appropriate response will be made and initiated.

2. The reporter will receive timely confirmation of the report.

3. The SVPEMSA or their designee or their designee will assign an individual or Bias Incident Response Team (BIRT) if appropriate.

4. The BIRT will be comprised of members of the response pool. The Bias Incident Response Team pool may consist of, but is not limited to, individuals who serve as members of Iona University Harassment and Discrimination pool, the Student Life Diversity Committee, the University Council Committee on Diversity, and/or members of campus student groups, administrative or academic offices.

5. When possible, reporters of incidents will be notified and/or consulted on the composition of the bias incident response team. This will be done in the effort of easing reporting to reduce fears of who will have knowledge of the report. Individuals in the response pool will be assigned cases as individuals or small groups.

6. Bias Incident Response teams will respond through enacting protocols.
   - A BIRT member will seek additional information regarding the incident, provide support resources, and schedule a time to meet with reporter and or affected individuals, if appropriate. The main purpose of this contact is to make sure the reporter and other individuals feel safe and cared for.
   - BIRT will recommend and implement, where appropriate, programs or activities
   - BIRT determine what recommendations* will be made to the SVPEMSA or their designee for notification to the Iona Community. Recommendations may include:
     - Campus wide email immediately following the response
     - Notification in the campus newspaper in the following issue
     - Post on the University website
     - Quarterly report in the campus newspaper and on the website
     - Report to the Committee on Diversity
     - *Consideration will be given to the context of the incident, how it will affect campus constituencies, and consult with relevant constituencies if necessary before notifying the community.

7. If no action is possible or necessary, the incident will be documented.

8. If the incident is actionable, the BIRT will develop and recommend an action plan to then execute while documenting the plans and resolutions.
9. If the SVPEMSA or their designee determine the reported incident may violate the law or Iona University policy, the appropriate protocol response will be enacted and may include but is not limited to:
   - Student Code of Conduct
   - Title IX
   - Ombudsperson
   - Harassment and Discrimination Committee
   - Iona Human Resources/Employee Relations
   - Supervisors/Deans/Other Campus Administrators
   - New Rochelle Police Department

IX. WHAT ADDITIONAL ACTION STEPS MAY OCCUR AFTER A REPORT IS FILED?

- Responses may include, but are not limited to, identification of and referral to appropriate support service and resources (on and off campus)
- Facilitated campus discussions in residence halls or other locations,
- Recommendations for campus notices for fact sharing,
- Efforts toward wider educational awareness, prevention, and outreach.

TIMELY WARNING POLICY

In the event that a situation arises, either on or off campus, that, in the judgment of the Director of Campus Safety or Associate Director of Campus Safety, constitutes an ongoing or continuing threat, a campus wide "timely warning" will be issued.

Clear and consistent communication is essential during any emergency situation. As decisions are made by the Crisis Management Team, in conjunction with senior University officials, appropriate communications must be developed and distributed immediately to all key audiences: students, faculty, staff, parents, and the general public.

University distribution channels include the official University email system, the University web site (www.iona.edu), email, and the University emergency text messaging system. Information is also communicated via the news media (television, radio, newspapers, internet, etc.).

Iona University will not reveal the name of any victim related to a case that necessitates a timely warning.

MISSING STUDENT MANDATORY REPORTING POLICY

The purpose of this policy is to establish procedures for the University's response to reports of missing students, as required by the Higher Education Opportunity Act of 2008.

This policy applies to students who reside in on campus housing, including off-campus apartment units leased by the university for resident students.

For purposes of this policy, a student may be considered to be a "missing person" if the person's absence is contrary to their normal pattern of behavior and unusual circumstances may have caused the absence. Such circumstances may include, but are not limited to, a report or suspicion that the missing person may be the victim of foul play, has expressed suicidal thoughts, is drug dependent, is in a life-threatening situation, or has been with persons who may endanger the student's welfare.

PROCEDURE FOR DESIGNATION OF EMERGENCY CONTACT INFORMATION

1. Each student residing in on-campus student housing must identify to the Office of Residential Life a contact person or persons whom the institution shall notify if the student is determined to be missing by the Campus Safety Department, or the New Rochelle Police Department;
   - All student contact information will be maintained in a confidential manner in the Office of Residential Life and this information will only be accessible to authorized campus officials;

2. Students age 18 and above and emancipated minors
   - Students will be given the opportunity to designate an individual or individuals to be contacted by the university no more than 24 hours after the time that the student is determined to be missing.
   - A designation will remain in effect until changed or revoked by the student.

3. Students under the age of 18
   - If a student is under 18 years of age and not emancipated, the institution must notify a custodial parent or guardian when the student is missing, in addition to any additional contact person that may have been designated by the student; and

   Note: Iona University as a matter of policy will ensure that the New Rochelle Police Department has been notified in reference to every missing student.

OFFICIAL NOTIFICATION PROCEDURES FOR MISSING PERSONS

1. All students, employees, or other individuals with knowledge that a student has been missing for 24 hours should report this information to:
   - The Dean of Students; or
   - The Director for Residential Life; or
   - The Director for Campus Safety; or
   - Campus Safety

2. Note: In order to avoid any jurisdictional conflicts, when an off-campus and/or commuter student is believed to be missing, the reporting person should immediately notify the New Rochelle Police Department. The Campus Safety Department will assist with these investigations as requested.

3. The Campus Safety Department will gather all essential information about the residential student from the reporting person and from the student's acquaintances (description, clothes last worn, where student might be, who student might be with, vehicle description, information about the physical and mental wellbeing of the student, an up-to-date photograph, class schedule, etc.). Appropriate campus employees will be notified and requested to assist in the search for the student.

4. If the above actions are unsuccessful in locating the student or it is immediately apparent that the student is a missing person, the Campus Safety Department will immediately contact the local police department to report the student missing. The local police department will take charge of the investigation.

5. No later than 24 hours after determining that a residential student is missing, the Dean of Students for Student Life or designee will notify:
   - If the student has designated a contact person, notifying that contact person within 24 hours;
   - If the student is under 18 years of age and is not emancipated, the student's custodial parent or guardian and any other designated contact person within 24 hours; and
   - Regardless of whether the student has identified a contact person, is above the age of 18, or is an emancipated minor, informing the New Rochelle Police Department that the student is missing within 24 hours.

IONA UNIVERSITY EMERGENCY RESPONSE POLICIES

INTRODUCTION

University Campuses are not immune to incidents such as violent crimes, weather related emergencies, hazardous materials incidents, and the like. The below process is used by Campus Safety to confirm an emergency exist, make the proper notifications, and documentation.

Emergency Confirmation Process

Step 1: Initial Report or Observation

- Emergency or threat is reported by:
  - Campus security authorities (CSAs)
  - Local law enforcement
  - Faculty, staff, students, or third parties
  - Surveillance systems or environmental monitoring tools

Step 2: Preliminary Assessment

- The designated emergency response team (ERT) or campus safety officials:
  - Review the nature of the report
  - Assess credibility and immediacy of the threat
  - Determine if the situation poses a significant risk to health or safety

Step 3: Confirmation of Emergency

- Confirmation may involve:
  - Direct observation by trained personnel
  - Verification from law enforcement or emergency services
  - Use of technology (e.g., fire alarms, weather alerts, chemical sensors)
  - Consultation with subject matter experts (e.g., public health, hazardous materials). If consulting with subject matter experts would cause a significant delay, it is better to err on the side of caution and make the notification.

Note: Confirmation must be made **without delay**, unless doing so would compromise efforts to assist victims or contain the threat.

Step 4: Documentation

- Record:
  - Nature of the threat
  - Time and method of confirmation
  - Individuals or agencies involved in confirmation
  - Decision-making rationale

Step 5: Notification Decision

- Determine:
  - Which segments of the campus community are at risk
  - What information needs to be communicated
  - Which communication channels will be used (e.g., text alerts, email, social media, news agencies)

Step 6: Initiate Emergency Notification System

- Notify affected individuals using pre-established protocols
- Ensure accessibility for individuals with disabilities
- Coordinate with external agencies if broader community notification is needed. The City of New Rochelle does have mass community alert capabilities.

Step 7: Post-Incident Review

- Evaluate response effectiveness
- Update emergency procedures if needed
- Document lessons learned and improvements

In the event of an actual emergency that is a threat to life, the University's Emergency Notification System (ENS) will alert the campus community of the incident.

Student and Staff Guidelines for Managing Active Emergencies

The Office of Campus Safety, as part of the Emergency Response Team, has prepared this series of guidelines for students, faculty, and staff to follow in various emergency situations. It is recommended that you become familiar with this information and keep this guide conveniently located for quick reference.

In the event of an actual emergency, Iona University has designated the following individuals who have the responsibility and authority to activate the Emergency Response Plan and Emergency Notification System:

Vice President of Facilities & Campus Operations
Dean of Students
Director of Campus Safety or his or her designee

Iona University will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

Iona University conducts exercises to test emergency responses and evacuations throughout the year. This may include tabletop exercises and reality-based hands on scenarios involving local first responders. Furthermore, the Iona University text messaging notification system is tested on a regular basis.

Please report all on-campus emergencies, suspicious activities, or criminal offenses to the Office of Campus Safety by dialing "2560" from any Iona University campus phone or dialing (914) 633-2560. Any of the exterior blue light emergency telephones or interior emergency telephones may also be used for direct contact with the Office of Campus Safety.

Shelter-in-Place

What "Shelter-in-Place" Means One of the instructions you may be given in an emergency situation is to "Shelter-in-Place." That is, to remain indoors due to a developing dangerous/hazardous situation outdoors. These guidelines are aimed at keeping you safe while remaining indoors. "Shelter-in-Place" means selecting a small, interior room if possible, with no or few windows, and taking refuge there. It does not mean sealing off your entire building or barricading the room you are using for shelter. If you are told to "Shelter in-Place," follow the guidelines provided.

Why You Might Need to "Shelter-in-Place

For any type of emergency where guidelines for "Shelter-in-Place" would be appropriate, information will be provided by University authorities through the Emergency Text Messaging System. The important thing is for you is to follow these guidelines and know what to do if you are advised to "Shelter-in-Place."

How to Shelter-in-Place

Stop classes or work, or close business operations.

- If there are students, faculty, staff, or visitors in the building, provide for their safety by asking them to stay. When University authorities suggest to "Shelter-in-Place," they want everyone to take those steps now, where they are, and not drive or walk outdoors.
- Close and lock all windows, exterior doors, and any other openings to the outside.
- If you are told there is danger of explosion, close the window shades, blinds, or curtains.
- Select interior room(s) above the ground floor, with the fewest windows or vents. The room(s) should have adequate space for everyone to be able to sit in. Avoid overcrowding by selecting several rooms if necessary. Large storage closets, utility rooms, copy and conference rooms without exterior windows will work well. Avoid selecting a room with mechanical equipment like ventilation blowers or pipes.
- It is ideal to have a hard-wired telephone in the room(s) you select. Have the phone available if you need to report a life-threatening condition. Cellular telephone equipment may be overwhelmed or damaged during an emergency.

- Bring everyone into the room(s). Shut and lock the door(s).
- Be alert for ENS updates until you are told all is safe or you are told to evacuate. These updates may call for evacuation of specific areas.

Supplies

For the workplace, where you might be confined for several hours, the following supplies are suggested to have available:

- Flashlight
- Battery-powered radio
- Food – high-energy foods like granola bars, energy bars, etc.
- Water
- Medications – If you use prescription medications, keep at least a small supply of these available.

More Information

If you would like more information regarding Emergency Preparedness check out: Ready.gov

ACTIVE ASSAILANT

Definition

An active assailant is a person who appears to be actively engaged in killing or attempting to kill people in a populated area. In most cases there is no pattern or method to their selection of victims. These situations are dynamic and evolve rapidly, demanding immediate deployment of law enforcement resources to stop the threat and mitigate harm to innocent victims. University campuses are not immune to serious or violent crime. This document provides guidance to faculty, staff, and students who may be caught in an active assailant situation and describes what to expect from responding police officers.

Guidance to Faculty, Staff, and Students

In general, how you respond to an active assailant will be dictated by the specific circumstances of the encounter, bearing in mind there could be more than one assailant involved in the same situation. If you find yourself involved in an active assailant situation, try to remain calm and use these guidelines to help you plan a strategy for survival. The nationally recognized "Run, Hide, Fight" is discussed below.

When planning to run or hide, knowing your environment can increase your odds of survival.

- Pre-planning for such an event is highly recommended.
- Cover are objects that may stop bullets (brick walls, trees, vehicles, etc.).
- Concealment hides you, but may not protect you from bullets (bushes, interior sheetrock walls, wood doors, etc.).
- Know your exit points (doors and windows) and available escape routes.
- Do the doors swing outward from the room? If they do, they will be difficult to barricade.
- Do the doors swing into the room? If they do, they will be easier to barricade.
- Ask yourself how you can barricade your room or office? What's available? Desks, chairs, other large pieces of furniture?

1. **Run - If possible, use available cover and concealment on your escape route**
   - Have an escape route and plan in mind
   - Leave your belongings behind
   - Evacuate regardless of whether others agree to follow
   - Help others escape, if possible
   - Do not attempt to move the wounded
   - Prevent others from entering an area where the active assailant may be
   - Keep your hands visible
   - Call 911 or the local police department directly at
     - o New Rochelle Police Department .....(914) 654-2300
     - o Bronxville Police Department .....(914) 337-0500

2. **Hide – (Lockdown – Appendix B)**
   - Hide in an area out of the assailant's view
   - Turn off lights and computer monitors
   - Lock door or block entry to your hiding place
   - Silence your cell phone (including vibrate mode) and remain quiet.

3. **Fight**
   - As a last resort and only when your life is in imminent danger
   - Attempt to incapacitate the assailant
   - Act with as much physical aggression as possible
   - Use improvised weapons or throw items at the active assailant
   - Commit to your actions…your life depends on it!

If an active assailant is in the same building you are, and you can safely escape, you should do so (Run). Remember to use cover and concealment as you run, avoid open areas such as a large field if you can. Warn people as you run away from the danger. Leave your valuables behind, keep your hands visible, and follow the instructions of any police officer you may encounter. Do not attempt to remove injured people; instead, leave wounded victims where they are, and notify authorities of their location as soon as possible. You should run to a location that will provide temporary refuge (firehouse, nearby businesses, or neighbors).

If an active assailant is outside your building or outside your office or classroom and running away is not an option, you should immediately seek cover in an attempt to conceal and hide from the assailant. Proceed to a room that can be locked, close and lock all the windows and doors, and turn off all the lights; if possible, get everyone down on the floor and ensure that no one is visible from outside the room. One person in the room should call 911, New Rochelle Police (914) 654-2300, the Bronxville Police Department (914) 337-0500, or Campus Safety (914) 633-2560, advise the dispatcher of what is taking place, and inform him/her of your location; remain in place until the police give the "all clear." Unfamiliar voices may be the assailant attempting to lure victims from their safe space; do not respond to any voice commands until you can verify with certainty that they are being issued by a police officer. This may require calling the New Rochelle Police Department to verify the location of their officers.

If an active assailant enters your office, classroom, or residence, it might be possible to negotiate with the assailant. However, if the assailant is actively killing and there is no opportunity to run/hide, then you must fight as a last resort. There is strength in numbers, and you should use all available options to win including improvised weapons. If the assailant leaves the area, proceed immediately to a safer place if possible or lockdown the room. If you succeeded in disarming the assailant, remember the police are looking for an active assailant. You do not want to be holding the weapon and be mistaken for the assailant when they enter, find a way to secure the weapon. Hide it in a book bag, closet, somewhere away from the assailant and the innocent.

What to Expect from Responding Police Officers

Police officers responding to an active assailant are trained to proceed immediately to the area in which the assailant was last seen; their purpose is to stop the assailant as quickly as possible. The first responding officers will normally be in teams; they may be dressed in regular patrol uniforms, or they may be wearing external bulletproof vests, Kevlar helmets, and other tactical equipment. The officers may be armed with rifles, shotguns, or handguns, and might also be using pepper spray or tear gas to control the situation. Regardless of how they appear, remain calm, do as the officers tell you, and do not be afraid of them. Put down any bags or packages you may be carrying and keep your hands visible at all times; if you know where the assailant is, tell the officers. The first officers to arrive will not stop to aid injured people; rescue teams composed of other officers and emergency medical personnel will follow the first officers into secured areas to treat and remove injured persons. Keep in mind that even once you have escaped to a safer location, the entire area is still a crime scene; police will usually not let anyone leave until the situation is fully under control and all witnesses have been identified and questioned. Until you are released, remain at whatever assembly point authorities designate.

General Quick Response Guide - Lockdown

- Secure immediate area.
- Lock and barricade doors - block the door using whatever is available – desks, tables, file cabinets, other furniture. If safe to do so, allow others to seek refuge with you.
- Turn off lights.
- Close blinds.
- Silence cell phones.
- Block windows.
- Turn off radios and computer monitors.
- Keep occupants calm, quiet, and out of sight.
- Keep yourself out of sight and take adequate cover/protection, i.e. concrete walls, thick desks, filing cabinets (cover may protect you from bullets).
- Place signs in exterior windows to identify the location of injured persons.

Contacting Authorities

- Use (914) 633-2560 to contact the Iona University Office of Campus Safety.
- Dialing 2560 from a campus phone will connect you with Campus Safety.
- Dialing 911 from a cell phone will connect you with New York State Police Emergency Enhanced 911. Be sure to give the call taker your exact location. It is advisable to program (914) 654-2300 into your cell phone to call the New Rochelle Police Department directly. Additionally, program (914) 337-0500 for the Bronxville Police Department.
- During a major emergency, phone lines may become overloaded, social media may provide an available means to communicate with emergency services.

What to Report

- Your specific location – building name and office/room number;
- Number of people at your specific location;
- Injuries – number injured, types of injuries; and
- Assailant(s) – location, number of suspects, race/gender, clothing description, physical features, type of weapons (knife, long gun or handgun, etc.), backpack, assailant's identity if known, separate explosions from gunfire, etc.

Un-Securing an Area

- Consider the risks before un-securing rooms.
- Remember, the assailant will not stop until he or she has been engaged by an outside force.
- Attempts to rescue people should only be considered if it can be accomplished without further endangering the persons inside the secured area.
- Always consider the safety of masses vs. the safety of a few.
- If doubt exists for the safety of the individuals inside the room, the area should remain secured.

Emergency Phone Numbers:

- 911
- The New Rochelle Police Department (914) 654-2300
- Campus Safety New Rochelle Campus (914) 633-2560
- The Bronxville Police Department (914) 337-0500
- Campus Safety Bronxville Campus (914) 654-6100

HOSTAGE SITUATION

If You Hear or See a Hostage Situation

- Immediately remove yourself from any danger.
- Immediately notify the Office of Campus Safety at (914) 633-2560 (or 2560 from any campus phone).
- Be prepared to give the Office of Campus Safety personnel the following information:
  - Location and room number of incident
  - Number of possible hostage takers
  - Physical description and names of hostage takers, if possible
  - Number of possible hostages
  - Any weapons the hostage takers may have
  - Your name
  - Your location and phone number

If You are Taken Hostage

- Remain calm, polite, and cooperate with your captors.
- Do not attempt escape unless there is an extremely good chance for your survival. It is safer to be submissive, and obey your captors.
- Speak normally. Do not complain, avoid being belligerent, and comply with all orders.
- Do not draw attention to yourself with sudden body movements, statements, comments or hostile looks.
- Be observant and attempt to memorize the physical traits, voice patterns, clothing or other details that can help provide later identification of your captors.
- Avoid getting into political or ideological discussions with the captors.
- Try to establish a relationship with your captors and get to know them. Captors are less likely to harm you if they respect you and have established a relationship.

- If forced to present terrorist demands to authorities, either in writing or on tape, state clearly that the demands are from your captors. Avoid making a plea on your own behalf.
- Try to stay low to the ground or behind cover from windows or doors, if possible.

If a Rescue is Taking Place

- Do not run. Drop to the floor, and remain still with your hands clearly visible. Do not make any sudden movements as the police may not be able to clearly identify hostages from hostage takers.
- Wait for instructions from the police, and obey all instructions.
- Do not be upset, resist, or argue if a rescuer isn't sure whether you are a terrorist or a hostage.
- Even if you are handcuffed and searched, do not resist. Just wait for the confusion to clear.
- You will be taken to a safe area, where proper identification will take place as well as an interview.

Bomb Threats

If you receive a bomb threat by telephone, here are some helpful things to remember:

- Remain calm. When the bomb threat is received, the person taking the call must remain calm and obtain as much information as possible.
- Do not put the caller on hold.
- Do not attempt to transfer the call.
- The person taking the call should immediately notify another staff person in the office, preferably while the caller is still on the line.
- Pay attention to the caller and his/her words and speech:
  - Does the caller have any distinguishing voice characteristics such as an accent, stuttering or mispronunciation?
  - Is the caller angry, excited, irrational or agitated?
  - Is the caller a man or woman, young, middle-aged, or old?
  - If you have caller ID, note the phone number of the caller.
- Listen for background noises (traffic, train whistle, music, radio, TV, children, airplanes, etc).
- It is important to document all that you know and hear. This should include filling out the Bomb Threat Checklist.
- Call the Office of Campus Safety at 2560 from a campus phone or (914) 633-2560 from a cell phone.
- Do not evacuate the building until told to do so by the Office of Campus Safety.

Bomb Threat Checklists

Stay calm and collect all the information you can:

- Name of call taker
- Date and time received
- How was threat reported (telephone, e-mail, in-person, by mail)?
- Location threatened
- Exact words used to make threat

Questions to ask the person making the threat:

- When is the bomb going to explode?
- Where is the bomb located?
- What kind of bomb is it?
- What does it look like?
- Who placed the bomb?
- Why was the bomb placed?
- Where are you calling from?

Description of caller's voice:

- Young, old, middle-aged
- Accent
- Male, female
- Race
- Background noises
- Remarks, etc…
- Completed by: (your name)
- Phone: (your phone)

WEATHER EMERGENCIES

Severe Thunder Storms or Tornadoes

The University is prepared to notify the campus community via the Emergency Notification System (ENS) of severe weather emergencies. The following terms are utilized by the National Weather Service:

- Watch: Conditions are right for a severe thunder storm or tornado to develop. Continue with normal activities, but continue to monitor the weather.
- Warning: Radar or weather spotters have identified a severe thunder storm or tornado.

If you are indoors:

- Know the location of the appropriate area(s) for your facility. This can be a basement or a ground floor hallway with no windows or a door frame.
- If you are unable to go to a room with no windows get under a desk or a table.
- Remain in a protected area until the threat has ceased or the danger has passed.
- Call the Office of Campus Safety at 2560 from any campus phone or (914) 633-2560 from a cell phone to report injuries.

If you are outside:

- Try to seek shelter indoors.
- If you cannot, try to get to a protected or safe area away from buildings, windows and glass, telephone or light poles or any place where there could be falling debris.
- A low area such as a ditch or ravine or a depression works well.
- Lie face down and cover your head and face.
- Avoid any downed power lines.
- Call the Office of Campus Safety at 2560 from any campus phone or (914) 633-2560 from any cell phone to report injuries and damage.

FIRE AND HAZARDOUS MATERIAL EMERGENCIES/FIRE AND HAZARDOUS MATERIAL INCIDENTS

In the event of a fire or hazardous materials emergency within a campus building, it is necessary and safest for occupants to evacuate. University policy is total evacuation.

A fire or hazardous materials emergency exists whenever:

- A building fire evacuation alarm is sounding
- An uncontrolled fire or imminent fire hazard occurs in any building or area of campus
- There is the presence of smoke, or the odor of burning
- There is an uncontrolled release of combustible or toxic gas or other hazardous material, or a flammable liquid spill

To Survive a Building Fire

Activate the building fire alarm if it is not already sounding.

- Pull a fire alarm station on the way out.
- If the building is not equipped with a fire alarm, knock on doors and shout on your way out. *Leave the building by the nearest exit.*
- Crawl if there is smoke.
- If you get caught in smoke, get down close to the floor and crawl. Cleaner, cooler air will be near the floor.

Feel doors before opening.

- Before opening any doors, feel the metal knob.
- If it is hot, do not open the door.
- If it is cool, brace yourself against the door, open it slightly, and if heat or heavy smoke are present, close the door and stay in the room.

Go to the nearest exit or stairway.

- If the nearest exit is blocked by fire, heat, or smoke, go to another exit.
- Always use an exit stair, NEVER an elevator.
- Elevator shafts may fill with smoke or the power may fail, leaving you trapped. Stairway fire doors will keep out fire and smoke if they are closed and will protect you until you get outside.
- Close as many doors as possible as you leave. This helps to confine the fire.
- Total and immediate evacuation is safest. Only use a fire extinguisher if the fire is very small and you have received training. Do not delay calling emergency responders or activating the building fire alarm. If you cannot put out the fire, leave immediately. Make sure Campus Safety and the fire department are called - even if you think the fire is out.

If you get trapped, keep the doors closed.
- Place cloth material (wet if possible) around and under door to prevent smoke from entering.
- Be prepared to signal your presence from a window. Do not break glass unless absolutely necessary, this may cause outside smoke to be drawn inside your location.

Signal for help
- Hang an object at the window (jacket, shirt) to attract the fire department's attention.

If there is a phone in the room call either 2560 or (914) 633-2560 from a cellular phone and report that you are trapped in your room and provide a room number and location.
- If all exits from a floor are blocked, go back to your room, close the door, seal cracks, open the windows if safe, and attempt to notify others of your location by waving something out the window, shouting or using a phone for help.

Stop, Drop and Roll
- If your clothes catch on fire, stop, drop, and roll, wherever you are.
- Rolling smothers the fire.

Obstacles
- Storage of any items in the corridors ex: bicycles, chairs, desks, and other items are strictly prohibited in all hallways and stairwells.
- Blocked exits and obstacles impede evacuation, especially during dark and smoke conditions.

Notify emergency responders from a safe distance away from the building.
- Call 2560 from any campus phone.
- Call (914) 633-2560 from a cellular phone.

GUIDELINES FOR SUSPICIOUS LETTERS AND PACKAGES

How to Identify Suspicious Packages and Letters
Some characteristics of suspicious packages and letters include the following:
- Excessive postage
- Handwritten or poorly typed addresses
- Incorrect titles
- Title, but no name
- Misspellings of common words
- Oily stains, discolorations or odor
- No return address
- Excessive weight
- Lopsided or uneven envelope

Protruding wires or aluminum foil
- Visual distractions
- Ticking sound
- Excessive security material such as masking tape, string, etc.
- Marked with restrictive endorsements, such as "Personal" or "Confidential"
- Shows a city or state in the postmark that does not match the return address

Actions to Take Once a Potential Suspicious Package Has Been Identified.
- Stay calm – do not panic.
- Do not move or handle a suspicious package.
- Call the Office of Campus Safety from any campus phone or 914-633-2560 from a cell phone.
- If there is reason to suspect that a package may contain an explosive device based on characteristics described above, do not handle the package. Leave the immediate area and contact the Office of Campus Safety.
- If the suspicious letter or package is marked with a threatening message (such as "anthrax") or if a suspicious powder or substance spills out of the package or envelope, follow these guidelines:
  - Do not clean up a suspicious powder.
  - Turn off local fans or ventilation units in the area if you suspect that a device has been activated and the fan/ventilation switches if they are quickly and easily accessible.

- Leave the room and close the door, or section off the area to prevent others from entering. Call for assistance and keep others away from the area.
- Wash your hands with soap and water to prevent spreading any powder to your face.
- Remove heavily contaminated clothing as soon as possible and place in a plastic bag, or some other container that can be sealed. Give clothing bag to emergency responders.
- Shower with soap and water as soon as possible if contaminated. Do not use bleach or other disinfectant on your skin.
- It is important to note all people who were present in the area when the suspicious package was discovered.
- Provide this information to Campus Safety to facilitate their follow-up investigation and to obtain advice from local health authorities and outside law enforcement officials as to the best standards of care for those affected.

Emergency Preparedness and Response
Emergency responders from the Office of Campus Safety will assess the situation. If the suspicious letter or package is marked with a threatening message, such as "anthrax" or if a suspicious powder or substance has spilled, they will follow certain guidelines and immediately notify the New Rochelle Police Department.

ANTI-HAZING POLICY

ANTI-HAZING POLICY STATEMENT

Hazing is abusive, degrading, psychologically damaging, and may be life-threatening. It is unacceptable in all forms and has no place in the Iona University community. Student groups, organizations, and athletic teams are important contributors to a vibrant and positive campus life and are expected to act in accordance with the Iona University Student Code of Conduct and to treat others with respect. Hazing by individuals and student organizations is prohibited in any form both on campus and off campus.

Definitions

1. Hazing
Any intentional, knowing, or reckless act committed by a person (whether individually or in concert with other persons) against another person or persons regardless of the willingness of such other person or persons to participate, that:

- Is committed in the course of an initiation into, an affiliation with, or the maintenance of membership in, a student organization; and
- Causes or creates a risk, above the reasonable risk encountered in the course of participation in the institution of higher education or the organization (such as the physical preparation necessary for participation in an athletic team), of physical or psychological injury. The following are non-exhaustive examples of conduct that causes or creates such a risk:
  - Whipping, beating, striking, electronic shocking, placing of a harmful substance on someone's body, or similar activity;
  - Causing, coercing, or otherwise inducing sleep deprivation, exposure to the elements, confinement in a small space, extreme calisthenics, or other similar activity;
  - Causing, coercing, or otherwise inducing another person to consume food, liquid, alcohol, drugs, or other substances;
  - Causing, coercing, or otherwise inducing another person to perform sexual acts;
  - Any activity that places another person in reasonable fear of bodily harm through the use of threatening words or conduct;
  - Any activity against another person that includes a criminal violation of applicable local, New York State, Tribal, or Federal law; and
  - Any activity that induces, causes, or requires another person to perform a duty or task that involves a criminal violation of local, State, Tribal, or Federal law.
  - Applicable local, State, and/or Tribal laws related to hazing including:
    New York State Hazing Laws: https://www.nysenate.gov/legislation/laws/PEN/120.16

Hazing in the first degree: §120.16
A person is guilty of hazing in the first degree when, in the course of another person's initiation into or affiliation with any organization, they intentionally or recklessly engages in conduct which creates a substantial risk of physical injury to such other person or a third person and thereby causes such injury.

Hazing in the first degree is a Class A misdemeanor.

Hazing in the second degree: §120.17
A person is guilty of hazing in the second degree when, in the course of another person's initiation or affiliation with any organization, they intentionally or recklessly engages in conduct which creates a substantial risk of physical injury to such other person or a third person.

Hazing in the second degree is a violation.

2. Student Organization
An organization at an institution of higher education (such as a club, society, association, varsity or junior varsity athletic team, club sports team, fraternity, sorority, band, or student government) in which two or more of the members are students enrolled at the institution of higher education, whether or not the organization is established or recognized by the institution.

3. Reporting Incidents of Hazing
Iona University encourages the reporting of incidents of hazing and takes every such report seriously. It will investigate all reports diligently and thoroughly in accordance with the Iona Student Handbook, Code of Conduct, and applicable procedures of the Dean of Students office and Campus Safety. Individuals found responsible for committing, soliciting, encouraging, directing, aiding, or recklessly permitting hazing to occur will be subject to disciplinary sanction that could include suspension or expulsion.

a. How to Report Hazing
Any person may report hazing in person, by mail, by telephone or by electronic mail, using the contact information listed:
Iona University Campus Safety: 914-633-2560 LaPenta Student Union Room 214
Adrian Navarrete, Director of Campus Safety anavarrete@iona.edu
Dean of Students Office 914-633-2360 LaPenta Student Union Room 203
Liz Olivieri-Lenahan, Associate Dean of Students eolivieri@iona.edu
or by utilizing the Iona University General Incident On-Line Reporting Form: https://cm.maxient.com/reportingform.php?IonaUniv&layout_id=1

b. Private and Confidential Reporting
Iona University will respect the privacy of reporters but cannot guarantee confidentiality for hazing reports. The information you provide to a non-confidential resource will be relayed only as necessary to investigate and/or seek a resolution and/or to comply with other appropriate Iona University policies and procedures, and any federal, state and/or local laws, rules and regulations. Iona University will limit the disclosure as much as possible, even if the institution determines that the request for confidentiality cannot be honored.

Offices and officials who are confidential resources will not report to law enforcement or university officials without a complainant/reporting party's permission, except for extreme circumstances, such as a health and/or safety emergency. Iona University offices that are considered confidential are as follows: Iona University Counseling Center, Health Services, Iona University Chaplain during Confession.

4. Amnesty Related to Hazing Reports
Iona University recognizes that students are sometimes reluctant to report hazing activity, due to a fear of potential consequences for their own conduct. For this reason, the University has adopted an amnesty policy which states that a student who acts in good faith to report activity that may fall within the definition of hazing and/or a victim who cooperates fully as a witness in the investigation and disciplinary process may not be subject to student conduct sanctions related to their own participation in hazing behavior and other behavior including related to alcohol and/or drug violations, as determined by the University in its sole discretion.

In the event amnesty is granted for self-reported behaviors, if evidence is presented that the student has continued to engage in hazing behaviors or has knowledge of hazing activity that was not reported, they may be held accountable for past behavior. Students who choose to report and request amnesty for their own conduct should know that amnesty does not apply to any criminal or civil action that may be taken by any law enforcement agency, including local police departments.

5. Investigation Process
After a report is received, Iona University Campus Safety and/or the Dean of Students Office will quickly review the submission and determine the next appropriate actions. If a report is criminal in nature, University Campus Safety and/or local law enforcement will be contacted. Iona University will also conduct its own investigation to prevent a recurrence of the alleged hazing and to determine if there are potential violations of the Student Code of Conduct and/or any other applicable processes depending upon the nature of the complaint.

6. Retaliation

No person may intimidate, threaten, coerce or discriminate against any individual because the individual made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this Hazing Policy and Procedure. Complaints alleging retaliation may be filed with the Dean of Students office and/or Human Resources.

HAZING PREVENTION AND AWARENESS PROGRAMS POLICY

Iona University Hazing Prevention and Awareness Program Policy is grounded in research-informed campus-wide prevention programs designed to reach students staff and faculty including: 1) information related to institutional policies against hazing; and 2) primary prevention strategies intended to stop hazing before it occurs, which may include skill building for bystander intervention, information on ethical leadership, and the promotion of strategies for building group cohesion without hazing.

Iona University is committed to providing hazing prevention and awareness programs. Campus Wide prevention programs for students includes but is not limited to:

- Vector Solutions Hazing module required by all new Iona Undergraduate students as part of the New Student Orientation program curriculum;

- Vector Solutions Hazing module required by student leaders including all presidents, captains, and officers of Student Organizations. This includes clubs, fraternities, sororities, club sports, and performing arts organizations.

- Vector Solutions Student Athlete Hazing module for all members of athletics programs and club sports teams

- University Wide Anti-Hazing working group convened by the Dean of Students and the Office of the General Counsel and comprised of representatives of campus departments with responsibilities in this area. Representation may include the Dean of Students Office, Campus Safety, Title IX/Human Resources, Athletics, Center for Student Engagement including Fraternity & Sorority Life, Club Sports, Performing Arts, Residential Life, and the Office of Mission and Ministry (OMM). This group will review and implement annual Hazing Prevention strategies and programming.

- Additional in-person and online Hazing prevention programs may be administered on an annual or semiannual basis including but not limited to National Anti-Hazing Week programming, Joint Student Leadership Training sessions, and campus speakers and activities.

- Prevention and Awareness programs for faculty and staff include trainings mandated by Human Resources. Training includes but is not limited to Vector Solutions training modules for Campus Safety supervisors, staff of the Athletics department and Club Sports, and appropriate personnel from Student Affairs administration and departments.

The Iona University New Rochelle and Bronxville campuses did not have any hazing incidents in 2025.

2025 ANNUAL FIRE SAFETY REPORT ON STUDENT HOUSING

On-Campus Housing Fire Safety Equipment and Plans for Future Improvement
With the exceptions noted below, all of Iona University's residence halls have full sprinkler systems and networked fire alarm systems. When a networked fire alarm is activated, the alarm sounds on a panel at the Campus Safety office, which is staffed, 24 hours a day, 365 days a year. The alarms are also reported to an alarm company monitoring system. An officer responds to the building and determines the cause of the alarm and whether the fire department should be notified to respond.

Iona University Residence Halls	Fire Alarm Monitoring	Full Sprinkler System	Smoke Detection	Fire Extinguisher	Number of Evacuation Drills/ year	Evacuation Plans/ Placards Residence Halls
Loftus Hall	X	X	X	X	4	X
Conese Hall	X	X	X	X	4	X
Hales Hall	X	X	X	X	4	X
North Hall	X	X	X	X	4	X
Rice Hall	X	X	X	X	4	X
East Hall	X	X	X	X	4	X
Bohm Hall	X	X	X	X	4	X
19 Montgomery Pl	X		X	X	4	X
34 Montgomery Pl	X		X	X	4	X
83 Halcyon Pl	X		X	X	4	X
28 Hubert Pl	X		X	X	4	X
34 Hubert Pl	X		X	X	4	X
2 President St	X		X	X	4	X
12 President St	X		X	X	4	X
84 President St	X		X	X	4	X

Supervised Fire Drills
Mandatory, supervised fire drills are conducted for each residence hall in the fall and spring semesters by officers from the Office of Campus Safety, Facilities Management and the Office of Residential Life. Additionally, each time new residents occupy a building during the summer sessions, a fire drill is conducted to ensure the temporary residents are familiar with evacuation routes and procedures.

Evacuation Policy and Procedures
The Iona University Emergency Action Plan provides the following instructions to be followed in the case of an evacuation emergency: "Evacuation emergencies include fires, hazmat and explosion emergencies (when evacuation is directed by emergency personnel), natural gas leaks, unplanned utility outages, bomb threats and other situations in which emergency personnel direct evacuation of a building. In the event of fire or other evacuation emergencies at Iona University, all persons in the affected premises must evacuate. You will be notified of a fire or other evacuation emergency by a fire alarm signal, which may be a bell or a horn, depending on the building. Initial emergency notifications may also be followed by e-mail, text messages and phone communications (voice mail) if appropriate.

If you discover a fire or smell smoke, or discover any other hazardous emergency condition in a university facility, immediately activate the building fire alarm and call 911 first, and then the Campus Safety at ext. 2560 or (914) 633-2560. Calmly alert others in the affected area that they must leave and may take only important personal possessions that are in their immediate vicinity, if they can carry such items without risk to themselves or others. Items you may take include coats, valuables, medicines, purses, wallets and keys. You should never try to retrieve items in another location in the building.

Building occupants are not required or encouraged to fight fires and may not use a fire extinguisher unless they are designated and trained by the university to do so. Any individual designated and trained by the university in the proper use of a fire extinguisher and confident in his or her ability to cope with the hazards of a fire may use a portable fire extinguisher to fight incipient fires (no larger than a waste basket). Any such efforts must be terminated when it becomes obvious that there is risk of harm from smoke, heat, or flames.

Upon hearing a building fire alarm signal, evacuate immediately unless you have specific emergency responsibilities designated in the Additional Duties section of this plan. Close windows and the doors behind you. Use the nearest safe exit, but DO NOT use elevators. If you are caught in smoke or heat, stay low where the air is better, and attempt to reach a safe exit or area of refuge.

If the door or doorknob to the hallway is hot, do not open it, as fire may be on the other side. If you are unable to leave your room or office due to heat or heavy smoke in the hallway, other obstructions, or physical disability, try to put a cloth or towel under the door to help prevent the entry of smoke. Call 911 and then the Office of Campus Safety at ext. 2560 or (914) 633-2560 and give your exact location so that emergency personnel can be directed to you.

Assist individuals who are blind, visually impaired, deaf, hard of hearing or mobility impaired as needed and immediately inform the nearest emergency responder of the individual's location. Individuals who have a disability that may impede their exit from a building in an emergency are encouraged to inform their supervisor of the nature of their disability in advance so that emergency evacuation procedures can be developed that will ensure their safe evacuation from the workplace.

Know the location of all exits from your building. All exits in university facilities are marked with EXIT signs and directional arrows. Leave the building and assemble in the designated area assigned for your building, where you will not hinder the approaching emergency response personnel and apparatus. Students and employees should attempt to account for individuals that are known to be in the building, including all visitors. Any missing individuals should be reported to the Office of Campus Safety or emergency personnel. In addition, security personnel will conduct a sweep of all floors if sufficient personnel are available and it is safe to do so.

Wait for Campus Safety Officers or emergency personnel to tell you when it is safe to return to the affected building. Even though the alarm may stop, the building may not be safe to re-enter.

If re-entry to the building is not imminent, occupants will be directed to proceed to another location. Depending on the severity and scale of the event that triggered the evacuation, Campus Safety will implement procedures to account for all university employees and residents known to have been in the building, and all are expected to cooperate in the effort. To the extent possible, telephones and computers will be provided to allow employees and residents to contact family members."

Fire Safety Violations and Prohibitions (including rules on portable electrical appliances, smoking and open flames)
Health and Safety Inspection: Room inspections will be conducted periodically by appropriate University officials. Prohibited items will be removed to protect residents' health and safety and to avoid fire hazards. Inspections are also done to provide preventive maintenance and to maintain the quality of the living environment. While the University maintains the cleanliness of all hallways, common rooms, and lounges, it is the student's responsibility to keep his/her room and bathroom in an orderly condition. Below are guidelines to follow:

- do not allow empty cans, bottles or food packages to accumulate;
- remove all trash regularly;
- do not use paper to line drawers;
- do not allow soiled clothing to accumulate;
- do not possess candles, extension cords, or open coil heating devices;
- do not store brown paper bags;
- keep the microwave/kitchen area clean;
- do not overload electrical outlets (only UL surge protected power strips are allowed as extension cords.);
- use only those appliances that have been approved by the Office of Residential Life; and
- all belongings must be at least 18 inches from the ceiling/sprinkler heads.

Fire Equipment/Alarms: Fire alarms, extinguishers, smoke/heat sensors, emergency phones, fire doors, fire escapes and/or exit signs are placed in the residence halls to protect life and property. It is a violation of fire codes and a misdemeanor to misuse or tamper with these protective devices. Students may not place any items in a room within 18 inches of the ceiling in order to ensure the proper operation of the fire sprinkler system. Anyone starting or causing a fire, failing to evacuate during a fire alarm or tampering with a fire alarm or extinguisher for purposes other than an emergency will be subject to severe disciplinary action, including at least a $500 fine and dismissal from Residential Life.

Smoking Policy: In compliance with the New York Clean Indoor Air Act, smoking is not permitted in any part of the residence halls including common areas, stairwells, and individual rooms. This includes, but is not limited to, the use of smoking devices such as cigarettes, cigars, pipes, hookahs, electronic cigarettes, or vaporizers in any University owned or leased facility. Smoking is permitted only in designated locations on campus, and at least 20 feet outside the entrance of each residence hall and campus building.

Designated smoking areas are located in Columba Lot, Montgomery Lot, Murphy Lot and the area behind the parking garage. Smoking is allowed in these areas but littering must be avoided through the use of receptacles provided.

Illegal Items: The following items are prohibited in all residence halls: electric blankets, air conditioning units, space heaters, sun and heat lamps, halogen lamps, lamps with paper shades or covers, heating coils, candles, incense, charcoal grills, open-flame devices, hot plates, dart boards, lava lamps, plug extenders, and extension cords (only power strips with surge protection are permitted). The following items are prohibited in Loftus, Rice, Conese, and South Halls: microwaves, oil popcorn poppers, toaster ovens, George Foreman Grills, toasters, hot pots and coffeepots. Skateboards, bikes and scooters may not be ridden inside any of the residence halls. All kitchen items which are allowed must be kept in the kitchen area of the suite.

The Student Code of Conduct contains a section addressing prohibited fire safety violations. A fire safety violation includes, but is not limited to storing or possession of any hazardous, flammable, or explosive materials; failure to leave a building during a sounded alarm; tampering with fire/safety equipment such as fire extinguishers, smoke detectors, pull stations, or sprinklers; false alarms or the false reporting of a bomb, fire, or other emergency on university premises or at activities sponsored by the University." This would be a violation of Section 6 of the University Code of Conduct.

Fire Safety Education and Training Programs

Many fires are caused as a result of pranks or carelessness. The cooperation of everyone is needed to avoid fire hazards. Residents and RAs are not responsible for putting out fires, but are largely responsible for their own safety. First consideration must always be the safeguarding of life. In any questionable circumstance, alert all people in the building and evacuate. In the event of suspicion of fire, notify the RA, RHD, or security immediately. It is better to report even the suspicion of a fire than to gamble that it may be a false alarm. Also, remember that you are not a trained firefighter - know and abide by your limitations. New York State law requires that three fire drills be held in residence halls during the academic year. Every resident is required to follow instructions for evacuation of the building. Failure to evacuate during a fire alarm will result in disciplinary action and a fine of at least $500.

The following are guidelines that should be followed to prevent fire damage and bodily harm.

1. Be familiar with the exits nearest your room.
2. Do not smoke in the residence halls.
3. Do not use faulty or prohibited electrical equipment.
4. Extinguish all cigarettes before entering the residence halls.
5. Do not burn candles or incense.
6. Do not prop open corridor, entrance, or fire emergency doors.
7. When you hear an alarm, evacuate the building immediately and alert other residents on your way out.
8. Never use an elevator during a fire or fire drill. They could stop working at any time.
9. If you use a fire extinguisher in an emergency, notify your RA so that it can be refilled.
10. Do not tamper with any fire equipment including smoke alarms and fire extinguishers.

All resident students receive fire safety training form a member of the New York State Office of Fire Prevention and Control. Professional staff and resident assistants also receive Emergency Action Plan training during which fire safety and evacuation procedures are reviewed.

Residence Halls New Rochelle	Number of Fires in Building	Date	Time	Cause	Number of Injured	Number of Deaths	Value of Property Damage
Loftus Hall							
2025	0						
2024	0						
2023	0						
Conese Hall							
2025	0						
2024	0						
2023	0						
Hales Hall							
2025	0						
2024	0						
2023	0						
North Hall							
2025	0						
2024	0						
2023	0						
Rice Hall							
2025	0						
2024	0						
2023	0						
19 Montgomery Pl.							
2025	0						
2024	0						
2023	0						
34 Montgomery Pl.							
2025	0						
2024	0						
2023	0						
East Hall							
2025	0						
2024	0						
2023	0						
83 Halcyon Pl.							
2025	0						
2024	0						
2023	0						
28 Hubert Pl.							
2025	0						
2024	0						
2023	0						
34 Hubert Pl.							
2025	0						
2024	0						
2023	0						

2 President St.							
2025	0						
2024	0						
2023	0						
84 President St.							
2025	0						
2024	0						
2023	0						
12 President St.							
2025	0						
2024	0						
2023	0						

Residence Halls Bronxville	Number of Fires in Building	Date	Time	Cause	Number of Injured	Number of Deaths	Value of Property Damage
Bohm Hall							
2025	0						
2024	N/A						
2023	N/A						
Koepchen Hall							
2025	N/A						
2024	N/A						
2023	N/A						
Ressmeyer Hall							
2025	N/A						
2024	N/A						
2023	N/A						
Rippe Hall							
2025	N/A						
2024	N/A						
2023	N/A						
Romoser Hall							
2025	N/A						
2024	N/A						
2023	N/A						
Sieker Hall							
2025	N/A						
2024	N/A						
2023	N/A						

The Iona University Bronxville campus did not have any student housing from 2023-2024.

CAMPUS SAFETY POLICY ON REPORTING CRIMES

The Campus Safety Officers within the Department of Campus Safety at Iona University are licensed by the State of New York as Security Guards. They do not have police or peace officer status.

The New Rochelle Police Department is the agency responsible for investigating any alleged criminal offenses within the Iona University New Rochelle Campus.

The Bronxville, Tuckahoe, and Eastchester Police Departments are the agencies responsible for investigating any alleged criminal offenses within the Iona University Bronxville Campus. The Bronxville campus is covered by all three jurisdictions.

Contact	Phone (Non-Emergency)	Emergency
New Rochelle Police Department	(914) 654-2300	Dial 911
Bronxville Police Department	(914) 337-0500	Dial 911
Eastchester Police Department	(914) 961-3464	Dial 911
Tuckahoe Police Department	(914) 961-4800	Dial 911
New Rochelle Campus Safety	(914) 633-2560	Dail 911
Bronxville Campus Safety	(914) 654-6100	Dial 911

If you become the victim of a crime while at Iona University, you are strongly encouraged to report it immediately to the Department of Campus Safety. Prompt reporting and specific information will increase the likelihood of achieving positive results of your incident. When you call Campus Safety, please give your name, the location you are calling from, and a brief description of what occurred. If the person who committed the crime is still in the area, please let the dispatcher know. If this is an incident of sexual assault, domestic violence, dating violence, or stalking and you are unsure if you want to report this to the local police, please advise the dispatcher. A Campus Safety Officer will be dispatched to your location, and the New Rochelle Police will be notified upon your decision to proceed with a police investigation.

Police will be notified to respond for all other appropriate incidents. If you want to have the police notified, Campus Safety will assist you and the police will meet with you and obtain all of the necessary information in the case. If evidence from the crime is still intact, please do not move or destroy it. This is especially important in sexual assault cases. It is important to remember that showering, changing clothes, or grooming can destroy vital evidence.

Many students worry about reporting crimes to the Department of Campus Safety and/or the police because they do not want to testify in a trial. Victims are nonetheless encouraged to contact Campus Safety so they can be informed about other services available (counseling services, medical treatment, etc.) that might lessen the trauma of the incident. If the victim does not wish to pursue criminal charges, their wishes will be respected.

Students who are victims of crimes may pursue another avenue through the Iona University student adjudication system. While this is not a substitute for the criminal justice system, it affords the students the opportunity to have their side heard in a less formal environment. This can be done in conjunction with criminal charges. If a student is found to have violated the University Code of Conduct, he or she may be subject to disciplinary action, up to and including expulsion from Iona University. Students interested in this course of action may call the Office of the Dean of Students at ext. 2360, or obtain further information in the Iona University Student Handbook, or through the Department of Campus Safety.

For crime statistics please refer to the Campus Safety and Security Annual Crime Statistics booklet. The Advisory Committee on Campus Safety can be reached at (914) 633-2245 and they will provide upon request all campus crime statistics as reported to the United States Department of Education or you may view online at www.ope.ed.gov/security/Search.asp the federal website.

CAMPUS SECURITY AUTHORITIES

Iona University has designated certain administrators and staff as "Campus Security Authorities" (CSA) in recognition that many students, faculty and staff may be hesitant about reporting crimes to the New Rochelle Police Department or the Iona University Department of Campus Safety, and may be more inclined to report incidents to non-law enforcement administrators and staff instead.

Campus Security Authorities are charged with reporting to the appropriate law enforcement personnel, or to any official or office which should be informed of the crime or complaint due to the nature of the crime or complaint, those allegations of Clery Act crimes that the campus security authority concludes are made in good faith. A campus security authority is not responsible for determining whether a crime took place.

A Campus Security Authority is required to report all allegations, even if the Campus Security Authority was told of a crime in the context of providing emotional support or health care support. The allegations must be reported whether or not the victim chooses to file a report with law enforcement or press charges, although the Campus Security Authority may withhold the identity of the victim/reporting person.

If the victim/reporting person chooses to report the incident to the New Rochelle Police Department, the Iona University Department of Campus Safety, or to any official or office which should be informed of the incident the Campus Security Authority must assist them in doing so.

Crimes that should be reported to Campus Safety by a "Campus Security Authority":

- **Criminal Offenses:**
  - Criminal homicide: murder and non-negligent manslaughter, manslaughter by negligence
  - Sexual assault: rape, fondling, incest, statutory rape
  - Robbery
  - Aggravated assault
  - Burglary
  - Motor vehicle theft
  - Arson
- **Hate Crimes (any of the above mentioned offenses, and any incidents of):**
  - Larceny-theft
  - Simple assault
  - Intimidation
  - Destruction/damage/vandalism of property
- **Violence Against Women Act Offenses:**
  - Domestic violence
  - Dating violence
  - Stalking
- **Arrests and Referrals for Disciplinary Action**
  - Weapons law violations
  - Drug abuse violations
  - Liquor law violations

Campus Security Authority

Mandated reporters are virtually every Iona University employee that learn about a possible sexual misconduct incident and are required to contact the Title IX Coordinator. That includes all faculty, staff, and administrators, as well as student leaders (e.g., RA, Orientation Leader, Campus Ministers). The Title IX Coordinator will determine what steps, if any, to take next.

There are certain campus reporters who are privileged under the law and who, therefore, are generally prohibited from disclosing information they receive without the permission of the person(s) who shared the information with them. At Iona University this includes all counseling center clinicians and Pastoral Counselors.

Security & Crime Awareness Programs

During freshman orientation, students are informed of services offered by the Department of Campus Safety. Information is disseminated that outlines ways to maintain personal safety and residence hall security. Similar information is also available to new employees. Crime Prevention Information and Fire Safety Information are offered on a continual basis by the Departments of Campus Safety and Residential Life.

Annually, Iona University provides a variety of sexual assault awareness and prevention programs to staff and students. These programs are presented both independently and in collaboration with the Counseling Center and the Title IX office.

Each year, the Department of Campus Safety also offers a security overview to all Resident Assistants within the Office of Residential Life.

A common theme of all awareness and crime prevention programs is to encourage students and employees to be aware of their responsibility for their own security and the security of others.

For a more comprehensive overview of campus crime statistics at Iona University, as well as comparative rates with other universitys nationwide, visit the Office of Postsecondary Education's Campus Security Statistics website at: http://ope.ed.gov/security/

ANNUAL STATISTICAL REPORT – IONA UNIVERSITY 2023 – 2025
NEW ROCHELLE CAMPUS

Crime	On Campus			Non-Campus Building/Property			Public Property			Residence Hall		
	2023	2024	2025	2023	2024	2025	2023	2024	2025	2023	2024	2025
Criminal Homicide												
Murder and Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offenses												
Rape	3	4	2	0	0	0	0	0	0	3	4	1
Fondling	2	0	0	0	0	0	0	0	0	2	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0
Other Criminal Offenses												
Robbery	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0
VAWA Offenses												
Domestic Violence	1	0	0	0	0	0	0	0	0	0	0	0
Dating Violence	6	2	2	0	0	0	0	0	0	3	2	2
Stalking	4	1	8	0	0	0	0	0	0	2	0	1
Referred for Disciplinary Action												
Liquor Law Violations	65	71	92	0	0	0	0	0	0	65	71	92
Drug Law Violations	15	21	17	0	0	0	0	0	0	15	21	17
Illegal Weapons Violations	1	1	1	0	0	0	0	0	0	1	1	0
Arrests												
Liquor Law Violations	0	0	0	0	0	0	0	0	0	0	0	0
Drug Law Violations	0	1	0	0	0	0	0	0	0	0	1	0
Illegal Weapons Violations	0	0	0	0	0	0	0	0	0	0	0	0

There were no reported Hate Crimes for the year 2023.

There were no reported Hate Crimes for the year 2024.

There were no reported Hate Crimes for the year 2025.

ANNUAL STATISTICAL REPORT – IONA UNIVERSITY 2023 – 2025
BRONXVILLE CAMPUS

Crime	On Campus			Non-Campus Building/Property			Public Property			Residence Hall		
	2023	2024	2025	2023	2024	2025	2023	2024	2025	2023	2024	2025
Criminal Homicide												
Murder and Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offenses												
Rape	0	0	0	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0
Other Criminal Offenses												
Robbery	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0
VAWA Offenses												
Domestic Violence	0	0	0	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0	0	0	0
Referred for Disciplinary Action												
Liquor Law Violations	0	0	0	0	0	0	0	0	0	0	0	0
Drug Law Violations	0	0	1	0	0	0	0	0	0	0	0	1
Illegal Weapons Violations	0	0	0	0	0	0	0	0	0	0	0	0
Arrests												
Liquor Law Violations	0	0	0	0	0	0	0	0	0	0	0	0
Drug Law Violations	0	0	0	0	0	0	0	0	0	0	0	0
Illegal Weapons Violations	0	0	0	0	0	0	0	0	0	0	0	0

The Iona University Bronxville campus did not have any student housing from 2022-2024.

There were no reported Hate Crimes for the year 2025.

IONA UNIVERSITY
Office of Campus Safety
715 North Avenue
New Rochelle, NY 10801-1890