

TALMUDICAL INSTITUTE OF UPSTATE NEW YORK

Annual Security and Fire Safety Report

- Campus Security Procedures
 - Missing Student Policy
 - Campus Crime Statistics
 - Drug and Alcohol Policy

2022-2023

Talmudical Institute of Upstate New York

ANNUAL CAMPUS SECURITY AND FIRE SAFETY REPORT 2022-2023

1. Annual Crime Statistics

Campus Crime Statistics 2019-2021

	On-Campus	Public Property
2019		
Murder/Non-Negligent Manslaughter	0	0
Negligent Manslaughter	0	0
Rape	0	0
Fondling	0	0
Incest	0	0
Statutory Rape	0	0
Robbery	0	0
Aggravated Assault	0	0
Burglary	0	0
Motor Vehicle Theft	0	0
Arson	0	0
Arrests for Liquor Law Violations	0	0
Arrests for Drug Law Violations	0	0
Arrests for Illegal Weapons Possession	0	0
Liquor Law Violation Referrals	0	0
Drug Law Violation Referrals	0	0
Illegal Weapons Possession Referrals	0	0
Dating Violence	0	0
Domestic Violence	0	0
Stalking	0	0
Hate Crimes	0	0
Criminal Homicide	0	0
Sex Offenses	0	0
Robbery	0	0
Aggravated Assault	0	0
Burglary	0	0
Motor Vehicle Theft	0	0
Arson	0	0
Larceny-Theft	0	0

Simple Assault	0	0
Intimidation	0	0
Destruction/Damage/Vandalism of Property	0	0
2020		
Murder/Non-Negligent Manslaughter	0	0
Negligent Manslaughter	0	0
Rape	0	0
Fondling	0	0
Incest	0	0
Statutory Rape	0	0
Robbery	0	0
Aggravated Assault	0	0
Burglary	0	0
Motor Vehicle Theft	0	0
Arson	0	0
Arrests for Liquor Law Violations	0	0
Arrests for Drug Law Violations	0	0
Arrests for Illegal Weapons Possession	0	0
Liquor Law Violation Referrals	0	0
Drug Law Violation Referrals	0	0
Illegal Weapons Possession Referrals	0	0
Dating Violence	0	0
Domestic Violence	0	0
Stalking	0	0
Hate Crimes	0	0
Criminal Homicide	0	0
Sex Offenses	0	0
Robbery	0	0
Aggravated Assault	0	0
Burglary	0	0
Motor Vehicle Theft	0	0
Arson	0	0
Larceny-Theft	0	0
Simple Assault	0	0
Intimidation	0	0
Destruction/Damage/Vandalism of	0	0

Property		
2021		
Murder/Non-Negligent Manslaughter	0	0
Negligent Manslaughter	0	0
Rape	0	0
Fondling	0	0
Incest	0	0
Statutory Rape	0	0
Robbery	0	0
Aggravated Assault	0	0
Burglary	0	0
Motor Vehicle Theft	0	0
Arson	0	0
Arrests for Liquor Law Violations	0	0
Arrests for Drug Law Violations	0	0
Arrests for Illegal Weapons Possession	0	0
Liquor Law Violation Referrals	0	0
Drug Law Violation Referrals	0	0
Illegal Weapons Possession Referrals	0	0
Dating Violence	0	0
Domestic Violence	0	0
Stalking	0	0
Hate Crimes	0	0
Criminal Homicide	0	0
Sex Offenses	0	0
Robbery	0	0
Aggravated Assault	0	0
Burglary	0	0
Motor Vehicle Theft	0	0
Arson	0	0
Larceny-Theft	0	0
Simple Assault	0	0
Intimidation	0	0
Destruction/Damage/Vandalism of Property	0	0

2. Reporting Campus Crime and Other Emergencies: Immediately after witnessing a crime on campus, a student or other witness should notify a CSA (Campus Security

Authority) or an officer at the local law enforcement agency. In the event of any danger, risk or emergency, such as a bomb threat, suspected criminal or suspicious character on premises, etc., students or others should notify a CSA on campus discreetly and cautiously.

Policies for making timely warning reports: Prompt reporting of any emergencies or criminal actions to local law enforcement agencies or CSAs will prompt timely notification to all students and employees as to precautions to take while avoiding panic. Relevant information will be communicated to the employees and student body as soon as the information is available.

Policies for preparing the annual disclosure of crime statistics: Talmudical Institute of Upstate New York prepares and publishes a crime statistics report annually as required by the Clery Act. The report contains statistics for the previous three calendar years on Clery crimes that were reported to have occurred on Clery Geography – on campus, and on public property within or immediately adjacent to campus. Crime statistics are obtained from local law enforcement agencies and CSAs.

Policies for reporting Clery Act crimes: Victims or witnesses are encouraged to report Clery act crimes on a voluntary, confidential basis for inclusion in the annual disclosure of Crime Statistics.

While not defined in statute, regulations provide that CSAs include: campus police or security department personnel; individuals or organizations identified in institutional security policies; and individuals with security-related responsibilities. The definition at § 668.46(a)(iv) states that a CSA also includes an official “who has significant responsibility for student and campus activities.”

CSA’s to whom students and employees should report Clery Act crimes for the purpose of making timely warning reports and the annual statistical disclosure include, but are not limited to, the Dean/Registrar or Chief Operating Officer.

Reports can also be made to Rabbi Shlomo Nobel, Campus Security Officer.

3. Policies concerning security of and access to campus facilities, including residence halls: Access to all school facilities is restricted to approved students and employees, and authorized visitors. All buildings are securely locked after programs and study sessions have ended, and the dormitory is locked at curfew. The dormitory is locked during the day, with student access through a combination lock, fob or key. After-hours student access is provided only by contacting appointed employees and/or students. Campus maintenance is performed during daylight hours by trusted employees or contractors.

4. Policies concerning Campus Law Enforcement: The institution maintains no security department of its own.

A victim or witness to a criminal, dangerous or suspect situation on campus is encouraged to promptly and accurately report the crime to the local law enforcement agency or a CSA. Should the victim of a crime be unable or elect not to make a report, a report may be made on his or her behalf.

Policies Concerning Pastoral and Professional Counselors: When deemed appropriate, pastoral or professional counselors are encouraged to inform the persons they are counseling of any procedures to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics.

5. Programs to Educate Students and Employees about Campus Security Procedures: Students and employees are instructed to review all security materials annually, and to strictly adhere to all policies. They are encouraged to be mindful of the responsibility for their security and that of others. Alertness, awareness and prompt reporting of any suspicious or criminal activity can help ensure a safer campus.

6. Programs to Educate Students and Employees about Crime Prevention: Students and employees are frequently reminded to observe rudimentary safety precautions, such as traveling in groups after dark and in high crime areas. General safety tips, alcohol awareness, theft prevention and dormitory safety are discussed at least once annually.

7. Policy Regarding Police Monitoring of Crime at Recognized Off-Campus Organizations: Our institution does not have any recognized off-campus organizations.

8. Policy on the possession, use, and sale of alcoholic beverages and enforcement of state underage drinking laws: The unlawful possession, use or sale of alcoholic beverages on campus, or as part of school activities is strictly prohibited. State underage drinking laws will be fully enforced, and any student misusing alcohol on or off-campus will be subject to reprimands and disciplinary sanctions, up to and including suspension or expulsion.

9. Policy on the possession, use, or sale of illegal drugs and enforcement of federal and state drug laws: The unlawful possession, use or sale of illegal drugs on campus, or as part of school activities is strictly prohibited. Both federal and state drug laws will be fully enforced, and any student misusing drugs on or off-campus will be subject to reprimands and disciplinary sanctions, up to and including suspension or expulsion.

10. Description of drug or alcohol-abuse education programs: See the Biennial Review of Drug and Alcohol Abuse Prevention Program <https://www.tiuny.org/wp-content/media/Biennial-Review-of-Drug-and-Alcohol-Abuse-Prevention-Program.pdf> and the Drug and Alcohol Abuse Prevention Policy <https://www.tiuny.org/wp-content/media/Drug-and-Alcohol-Abuse-Prevention-Policy.pdf> for specifics of the drug and alcohol abuse programs.

11. Policies on Dating Violence, Domestic Violence, Sexual Assault, and Stalking: Talmudical Institute of Upstate New York is completely committed to maintaining a safe and secure environment for all students. Accordingly, the school adheres to a strict and uncompromising no-tolerance policy with regard to any form of dating violence, domestic violence, sexual assault or stalking.

Should Talmudical Institute of Upstate New York become aware of an incident of sexual assault, dating violence, domestic violence or stalking, Talmudical Institute of Upstate New York will promptly and effectively respond in a manner designed to eliminate the misconduct, prevent its recurrence, and address its effects.

The school official who is responsible for coordinating efforts to prevent sexual assault, dating violence, domestic violence and stalking is Rabbi Shlomo Nobel. He can be contacted at Talmudical Institute of Upstate New York, Administrative Offices, 769 Park Ave. Rochester, NY 14607. He can also be reached by phone at (585) 473-2810 or by email at rabbinoble@gmail.com.

Description of the institution's educational programs and campaigns to prevent and promote awareness of Dating Violence, Domestic Violence, Sexual Assault, and Stalking: Talmudical Institute of Upstate New York provides annual primary prevention and awareness programs for all students and employees. As detailed below, primary prevention and awareness defines dating violence, domestic violence, sexual assault, and stalking, as well as consent with relation to sexual activity. Topics such as risk reduction and bystander intervention, among others, are also covered.

Definitions:

Consent: In the state of New York, affirmative consent is a knowing, voluntary, and mutual decision among all participants to engage in sexual activity. Consent can be given by words or actions, as long as those words or actions create clear permission regarding willingness to engage in the sexual activity. Silence or lack of resistance, in and of itself, does not

demonstrate consent. The definition of consent does not vary based upon a participant's sex, sexual orientation, gender identity, or gender expression.

a. Consent to any sexual act or prior consensual sexual activity between or with any party does not necessarily constitute consent to any other sexual act.

b. Consent is required regardless of whether the person initiating the act is under the influence of drugs and/or alcohol.

c. Consent may be initially given but withdrawn at any time.

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

e. Consent cannot be given when it is the result of any coercion, intimidation, force, or threat of harm.

f. When consent is withdrawn or can no longer be given, sexual activity must stop.

Dating Violence: Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim is dating violence. The existence of such a relationship shall be determined based on a consideration of the following factors:

- 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,
- a person with whom the victim shares a child in common,
- a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner,
- a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies [under VAWA], or
- 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.

Sexual assault: An offense that meets the definition of rape, fondling, incest, or statutory rape.

Stalking: Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others, or suffer substantial emotional distress.

Talmudical Institute of Upstate New York prohibits any and all forms of dating violence, domestic violence, sexual assault or stalking.

An **engaged bystander** is someone who intervenes in a positive way before, during, or after a situation or event in which they see or hear behaviors that promote sexual violence (NSVRC, 2013). The bystander approach attempts to teach community members how to be engaged bystanders in a safe and effective way.

If you see someone in danger of being assaulted:

- Call 911.
- Before becoming actively involved, evaluate the risk. If you feel it is safe to do so, offer assistance. Ask if the person needs help.
- Assess if it is safe for you to remain at the scene. If it is, remain there. If there is a witness the perpetrator is less likely to follow through.
- Solicit help from other bystanders.
- If you know the perpetrator, tell them you do not approve of their actions. Ask them to leave the potential victim alone.

Risk Reduction:

- Be mindful of your surroundings. Avoid isolated or poorly lit areas if at all possible.
- Don't be afraid to be firm, speak up and verbalize any misgivings you may have.
- At social events, stick together with friends you trust. Arrange to look out for one another.
- Plan to check in with your friends during and after social events.
- Always listen to your gut feelings. If you feel uneasy or unsafe, leave the area immediately.
- Never accept alcohol or any drink from someone you don't know.
- Be aware that drinking can impair your judgment.

Procedures victims should follow if a crime of dating violence, domestic violence, sexual assault, or stalking has occurred: It is important for the victim to preserve all physical evidence that may assist in proving that the alleged criminal offense occurred. This evidence may also be helpful in obtaining a protection order.

Victims are urged to report the alleged offense to the police immediately. The nearest police station is located at 185 Exchange Blvd, Rochester, NY 14614. The phone number is

(585) 428-7033. Should the victim feel uncomfortable contacting the police directly, he may do so indirectly through the Yeshiva's police liaison, Rabbi Shlomo Nobel or with the assistance of any of the CSAs listed above. He may also decline to notify such authorities.

Rights of Victims and the Institution's Responsibilities for Orders of Protection, "No-Contact" Orders, Restraining Orders, or Similar Lawful Orders Issued by a Criminal, Civil, or Tribal Court or by the Institution: Talmudical Institute of Upstate New York will comply with New York State law in regard to orders of protection and similar lawful orders. Talmudical Institute of Upstate New York does not issue restraining or other orders of protection.

Talmudical Institute of Upstate New York will complete publicly available recordkeeping, including Clery Act reporting and disclosures, without the inclusion of personally identifying information about the victim. Talmudical Institute of Upstate New York will also maintain as confidential any accommodations or protective measures provided to the victim, to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.

Talmudical Institute of Upstate New York will provide written notification to students and employees regarding available resources (including confidential resources) relating to existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims, both within the institution and in the community.

Victims may also be directed to contact a special culturally-sensitive project called Amudim. Their confidential hotline is (646) 517-0222. This is a dedicated hotline and is answered by culturally sensitive social workers and legal staff. Information about their services is available at the following website: Amudim.org.

Victims of domestic violence may also contact the Shalom Task Force's Confidential Hotline at (718) 337-3700.

Counseling is available on campus and is provided by faculty and administration members. Should the victim prefer to work with someone outside of the school administration, the institution may refer him to the Chai Lifeline Crisis Hotline. Their phone number is (212) 465-1300 or toll free (877) 242-4543.

Talmudical Institute of Upstate New York will also provide written notification to victims about options for, available assistance in, and how to request changes to academic, living, transportation, and working situations or protective measures. Upon request and if

reasonably attainable, Talmudical Institute of Upstate New York will provide such accommodations after the alleged sex offense, regardless of whether the victim chooses to report the crime to local law enforcement.

Should a student or employee report to the institution that the student or employee has been a victim of dating violence, domestic violence, sexual assault, or stalking, whether the offense occurred on or off campus, the institution will provide the student or employee a written explanation of the student's or employee's rights and options.

Policies regarding Disciplinary Proceedings in Cases of Alleged Dating Violence, Domestic Violence, Sexual Assault or Stalking: A student or employee who wishes to file a complaint or a report of sexual violence, dating violence, domestic violence and stalking or any other form of sexual misconduct should contact Rabbi Sroya London at 585-473-2810 x-100, 769 Park Ave. Rochester NY 14607 or via email at blondon1818@gmail.com.

Within 10 days of the complaint or report filing, disciplinary proceedings will begin. Both the accuser and the accused will be called before a disciplinary committee headed by Rabbi Sroya London, who receives annual training in sexual violence, dating violence, domestic violence and stalking, and will include a prompt, fair, and impartial process. The accuser and the accused are entitled to the same opportunities to have others present - including an advisor of the individual's choosing - during the disciplinary proceedings. Rabbi Sroya London will interview both parties and any witnesses in order to make a determination of the culpability of the accused. Within 30 days, the accuser and the accused will be informed simultaneously in writing the results of the school's disciplinary proceeding with respect to the alleged offense or incident.

Any student found guilty of sexual violence, domestic violence, dating violence or stalking, or any other form of sexual misconduct, as determined by an investigation by a faculty board of inquiry, will immediately be expelled from the institution. Attendance at our institution is a privilege, not a right, and may be withdrawn without notice if the student is deemed a threat to the safety and security of the institution. There is no due process involved, and no appeals will be accepted.

Any employee found guilty of sexual violence, domestic violence, dating violence or stalking, or any other form of sexual misconduct, as determined by an investigation by a faculty board of inquiry, will immediately be terminated from their position. There is no due process involved, and no appeals will be accepted.

12. Sex Offender Registration: The following link is provided to enable students and employees of Talmudical Institute of Upstate New York access to information concerning registered sex offenders in the state of NY - <http://www.criminaljustice.ny.gov/nsor>.

13. Emergency Notifications and Timely Warnings: Institutions are required to provide emergency notifications or timely warnings based upon the circumstances. Emergency notifications are required to provide immediate notification to the campus community upon confirmation of a significant emergency or dangerous situation occurring on campus that involves an immediate threat to the health or safety of students or employees.

In the event of an emergency or dangerous situation on campus confirmed by Rabbi Shlomo Noble, Rabbi Shlomo Noble will determine the appropriate community to notify and the content of the notification, including the withholding as confidential the names and other identifying information of victims. Rabbi Shlomo Noble will then activate an alarm which sounds throughout the entire area under notification. Upon hearing the alarm, students and employees are expected to immediately evacuate the premises and meet at the designated emergency evacuation site.

If an emergency or threat requires that students remain in the building and that the building remains securely locked, Lockdown Procedures will go into effect securing the building and students from any outside threat.

Rabbi Shlomo Noble will also coordinate the disseminating of emergency information to the larger community via the school's website or local news station.

Emergency procedures are tested at least once annually, on an announced or unannounced basis. Each test is documented, with the description of the exercise, date and time, as well as whether it was announced or unannounced.

Timely warnings are required for all Clery Act crimes that occur on Clery Geography, are reported to CSAs or local law enforcement agencies and are considered by the institution to represent a serious or continuing threat to students and employees.

Prompt reporting of Clery Act crimes on Clery Geography to CSAs or local law enforcement agencies will initiate timely warnings to all students and employees as to precautions to take while avoiding panic. Timely warnings may include the posting of notices in the schools common areas, a bulletin on the schools website or via a public announcement. Relevant crime information will be disseminated in the same manner, as soon as the information is available.

In an emergency or a dangerous situation, the institution will, without delay and accounting for the safety of the community, determine the content of the notification and initiate the notification system unless issuing a notification will, in the judgment of responsible authorities, compromise efforts to assist a victim or contain, respond to, or otherwise mitigate the emergency.

14. Missing Student Policy: In the event that a student, employee, or any individual becomes aware of a student missing for 24 hours he or she should notify Rabbi Shlomo Noble. Rabbi Shlomo Noble will immediately file a missing persons report with the local law enforcement agency that has jurisdiction over the area.

Students may identify a contact person(s) whom the school shall notify within 24 hours of the determination (by the local law enforcement agency) that the student is missing. All contact information will be registered confidentially, will only be accessible to authorized campus officials, and will not be disclosed, except to law enforcement personnel in furtherance of a missing person investigation.

If the student is under 18 years of age and not emancipated, the institution will notify a custodial parent or guardian within 24 hours of the determination that the student is missing, in addition to notifying any contact person(s) designated by the student.

In all cases, the institution will notify the local law enforcement agency within 24 hours of the determination that the student was missing, unless the local law enforcement agency was the entity that made the determination that the student was missing.

Information for Crime Victims about Disciplinary Proceedings: Upon written request, Talmudical Institute of Upstate New York will provide the alleged victim of any crime of violence or non-forcible sex offense the report on the results of any disciplinary hearing against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of the crime, the next of kin shall be treated as the alleged victim for purposes of disclosure.

Annual Fire Safety Report

1. Fire Safety Statistics

Fire Safety Statistics 2019-2021

	<u>2019</u>	<u>2020</u>	<u>2021</u>
Cause of Fire	N/A	N/A	N/A
Number of Injuries Requiring Treatment at a	0	0	0

Medical Center			
Number of Fire Related Deaths	0	0	0
Value of Property Damage	\$0.00	\$0.00	\$0.00

2. Fire Safety Systems: The dormitory is equipped with smoke detectors in each sleeping room, as well as in the common areas. Fire alarms and extinguishers are located on each floor.

3. Fire Alarms: The institution conducted a total of two fire drills - 1 per semester - during the previous calendar year. Fire drills are carried out to ensure that students, faculty and staff are familiar with fire evacuation protocol.

4. Policies on Portable Electrical Appliances, Smoking and Open Flames in Student Housing: To prevent potential fires and reduce the number of fire hazards, students are not permitted to bring any cooking and/or heating appliances or other large electrical appliances into the dormitory. The exception is one small refrigerator per room, no larger than 1.7 cubic ft. Irons, microwaves, heaters, electric blankets, electric lamps, hair dryers and similar items are all prohibited. Open flames, such as candles or incense, and smoking are also prohibited in the dormitory.

5. Procedures for Student Housing Evacuation in Case of a Fire: In the event of a fire in the dormitory, the fire alarm will sound throughout the building. Students are to immediately evacuate the premises and meet at the designated emergency evacuation site upon hearing the fire alarm.

6. Policies on Fire Safety Training: Fire Safety Training is designed to teach faculty, staff and students about preventive measures that can eliminate or minimize causes of fire or fire hazards. Fire extinguisher use, proper emergency and evacuation procedures, such as the designated emergency spot in the event of a fire are among the topics covered. Fire Safety is covered during orientation prior to the first day of dormitory occupancy.

7. Fire Safety Reporting: Reports of fires on campus should be reported to Rabbi Shlomo Noble, Fire Safety Officer for the purpose of inclusion in the fire safety statistics.