

TALMUDICAL INSTITUTE OF UPSTATE NEW YORK

Annual Security and Fire Safety Report

Includes:

- ❖ Campus Crime Statistics
- ❖ Campus Security Procedures
- ❖ Drug and Alcohol Policies
- ❖ Fire Safety Report
- ❖ Fire Safety Statistics

2023-2024

2. Reporting Campus Crime and Other Emergencies: Immediately after becoming aware of criminal action on campus, students or others should notify a 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 Campus Security Authority on campus discreetly and cautiously.

While not defined in statute, regulations provide that Campus Security Authorities 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 Campus Security Authority also includes an official “who has significant responsibility for student and campus activities.”

Campus Security Authorities to whom students and employees should report Clery crimes for the purposes 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 Noble, Campus Security Officer.

Policies for making timely warning reports: Timely warnings are required for all Clery crimes that occur on Clery Geography, are reported to Campus Security Authorities 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 these crimes to Campus Security Authorities 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 be disseminated through the posting of a notice in the institution’s common areas, a bulletin on the school’s website or via a public announcement. Relevant crime information will be disseminated in the same manner, as soon as the information is available.

Rabbi Shlomo Noble, in conjunction with Talmudical Institute of Upstate New York will, in a manner that is timely, that withholds as confidential the names and other identifying information of victims, and that will aid in the prevention of similar crimes, report to the campus community on these crimes.

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 property (including residence halls) or on public property within or immediately adjacent to campus. Crime statistics are obtained from local law enforcement agencies and Campus Security Authorities.

Policies for reporting Clery Act crimes on a voluntary, confidential basis: Talmudical Institute of Upstate New York does not have policies or procedures for reporting Clery crimes on a voluntary, confidential basis.

3. Policies concerning security of and access to campus facilities, including residence halls: Access to school facilities is restricted to students, employees and authorized visitors. School facilities are securely locked after academic programs and study sessions have ended. Access after-hours is only permitted with clearance from specified employees or students.

The dormitory is locked during school hours and at curfew, with student access through a combination lock, fob or key. Dormitory access is limited to students who reside in the dormitory and authorized visitors or employees.

Campus maintenance is performed by school employees or vetted 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 Campus Security Authority. 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 and Voluntary, Confidential Reporting: Talmudical Institute of Upstate New York does not have policies or procedures for reporting Clery crimes on a voluntary, confidential basis.

5. Programs to Educate Students and Employees about Campus Security Procedures: Students and employees are instructed to review all safety and security procedures at least once annually, and to strictly adhere to all policies. They are encouraged to be mindful of the responsibility for their own security and that of others. Attentiveness, 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 basic safety precautions, such as traveling in groups after dark and avoiding high crime areas whenever possible. General safety tips, drug and alcohol awareness, theft prevention and dormitory safety are reviewed at least once annually.

7. Policy Regarding Police Monitoring of Crime at Recognized Off-Campus Organizations: The 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 or employee misusing alcohol on campus or as part of school activities will be subject to reprimands and disciplinary sanctions, up to and including suspension, expulsion or termination.

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 or employee misusing drugs on campus or as part of school activities will be subject to reprimands and disciplinary sanctions, up to and including suspension, expulsion or termination.

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.

The institution provides a drug and alcohol awareness program for students and employees that educates on the risks and dangers of drug and alcohol abuse, reviews the institutional drug and alcohol policy, and provides other essential information on the topic, at least once annually.

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 Sroya London. 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 x 100 or by email at blondon1818@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

Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence.

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 in which the crime of violence occurred.

Sexual assault: An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's UCR program.

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.

Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.

Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.

Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

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

Bystander intervention: Safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking.

Bystander intervention includes:

- Recognizing situations of potential harm.
- Understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking actions to intervene.

If you see someone in danger of dating violence, domestic violence, sexual assault, or stalking:

- Don't hesitate to call 911 if you are concerned for someone else's safety.
- 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: Options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence.

- Be mindful of your surroundings. Avoid isolated or poorly lit areas whenever possible.
- When leaving the campus at night, join a group, rather than venturing out alone.
- 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 any amount of alcohol or drugs 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 choose not to contact the police directly, he may do so with the assistance of Rabbi Shlomo Nobble or a Campus Security Authority. 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 orders 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 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.

Members of the faculty and/or administration are available for counseling within the institution.

Should a student require or request emergency crisis intervention, the institution may refer him to the Chai Lifeline Crisis Hotline. The Chai Lifeline 24-Hour Crisis Helpline can be reached at (853) 3-CRISIS, via email at crisis@chailifeline.org, or through their website at <https://www.chailifeline.org/crisis>.

Chai Lifeline's paraprofessional volunteers are pre-screened and undergo rigorous training by leading experts, enabling them to respond immediately and effectively, with cultural sensitivity and respect.

Victims of sexual abuse may be directed to the organization Amudim. Amudim can be reached at (646) 517-0222, (646) 517-0221 or via email at info@amudim.org. Further information about their available services can be found at <https://amudim.org/services-sexual-abuse/>.

Understanding the particularly delicate nature of sexual abuse in the Jewish community, Amudim's guiding principle is to treat victims and their families with care and compassion. Their knowledgeable and sensitive staff offers a wide range of assistance, maintaining the highest possible comfort level for victims and their families.

Victims of dating or domestic violence may contact Shalom Task Force's confidential hotline via call, text or WhatsApp at (888) 883-2323. Their legal department can be reached via call or text at (212) 742-1110 or email legalintake@shalomtaskforce.org. Their website is <https://shalomtaskforce.org>.

The mission of Shalom Task Force, Inc (STF) is to combat and prevent domestic violence and foster healthy and safe relationships and families. STF focuses its work on the Jewish community, to help those that may not have access to traditional services and need culturally sensitive programming.

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 their 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 x100, 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 on issues related to sexual violence, dating violence, domestic violence and stalking, and on how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.

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. The choice of advisor or presence for either the accuser or the accused in any meeting or institutional disciplinary proceeding will not be limited; however, the institution may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties.

The proceeding will be conducted in a manner that:

- Is consistent with the school's policies and transparent to the accuser and the accused.
- Includes timely notice of meetings at which the accuser or accused, or both, may be present
- Provides timely and equal access to the accuser, the accused, and appropriate officials to any information that will be used during informal and formal disciplinary meeting and hearings.

The proceedings will be conducted by officials who do not have a conflict of interest or bias for or against the accuser or the accused, and will include a prompt, fair, and impartial process from the initial investigation to the final result.

Rabbi Sroya London and the disciplinary committee will interview both parties and any witnesses in order to make a determination of the culpability of the accused. The committee will determine culpability using the "preponderance of evidence" (more likely than not) standard.

Within 30 days, the accuser and the accused will be informed simultaneously in writing on the results of the school's disciplinary proceedings with respect to the alleged offense or incident.

The proceedings will be completed within the timeframes designated above, with the exception of an extension of timeframes for good cause with written notice to the accuser and the accused of the delay and the reason for the delay.

Any student found guilty of sexual violence, domestic violence, dating violence, stalking or any other form of sexual misconduct, as determined by an investigation by a board of inquiry, will immediately be expelled from the institution. Attendance at the institution is a privilege, not a right, and may be withdrawn if the student is deemed a threat to the safety and security of the institution.

Any employee found guilty of sexual violence, domestic violence, dating violence, stalking or any other form of sexual misconduct, as determined by an investigation by a board of inquiry, will immediately be terminated from their position.

The results of the institutional disciplinary proceedings are final, and no appeals will be accepted.

An institution, or an officer, employee, or agent of an institution, may not retaliate, intimidate, threaten, coerce, or otherwise discriminate against any individual for exercising their rights or responsibilities under any provision listed in the policies above.

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 Evacuation Procedures: 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 names and other identifying information of victims. The notification will be issued without delay, unless issuing a notification will, in the professional judgment of Rabbi Shlomo Noble,

compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

In the case of a bomb threat or other emergency/threat which requires evacuation of the building, Rabbi Shlomo Noble will activate an alarm which will sound throughout the entire area under notification. Upon hearing the alarm, all students and employees are expected to immediately evacuate the premises and meet at the designated emergency evacuation site, a safe distance from the school building.

Evacuation Procedures remain in effect until Campus Security Officer, other school official or law enforcement officer declares that the building is clear, and it is safe to re-enter.

Should the emergency or threat, such as an armed intruder, require the students to remain in the building, Lockdown Procedures will go into effect.

In the event of a lockdown, all windows and doors should be locked immediately. Doors that cannot be locked should be blocked or barricaded with a heavy object. Students and employees should remain in the classroom or office, while any student or employee in the hallway should proceed promptly to the nearest room with a door. Lights and air conditioning should be turned off, and blinds or curtains closed. Students and employees should remain quiet, away from windows and doors, and any electronics, such as cell phones, should be silenced.

Lockdown Procedures will remain in effect until Rabbi Shlomo Noble, other school official or law enforcement officer declares that the campus is clear, and the lockdown is over.

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

Emergency response and evacuation 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. The emergency response and evacuation procedures are publicized in conjunction with the test, at least once annually.

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 or a Campus Security Authority at once. Rabbi Shlomo Noble or a Campus Security Authority 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.

Annual Fire Safety Report

1. Fire Safety Statistics

Fire Safety Statistics 2020-2022

	<u>2020</u>	<u>2021</u>	<u>2022</u>
Cause of Fire	N/A	N/A	N/A
Number of Injuries Requiring Treatment at a Medical Center	0	0	0
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 Drills: The institution conducts a minimum of two fire drills – at least one per semester – for each calendar year. Fire drills are carried out to ensure that students and employees 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. Microwaves, heaters, electric blankets, electric lamps 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 students and employees about preventive measures that can eliminate or minimize causes of fire or fire hazards. Action on hearing the fire alarm, action on discovering a fire, proper use of a fire extinguisher and safe evacuation of the premises are among the topics covered. Fire Safety is one of the topics discussed 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.