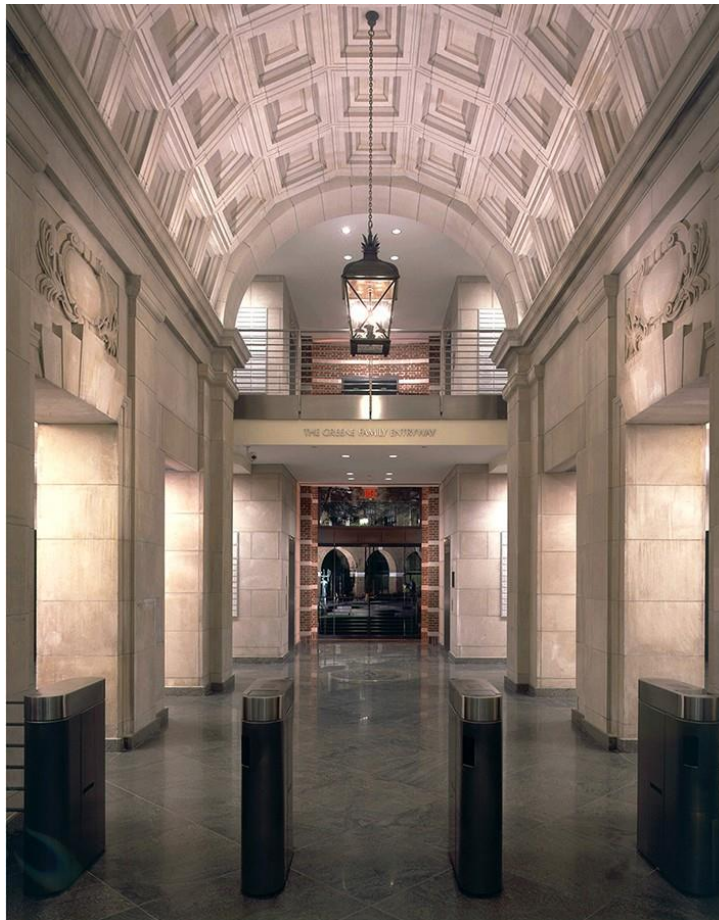




# **Annual Campus Security & Fire Safety Report 2023**

*Jewish Theological Seminary*

*3080 Broadway New York, NY 10027*





## **ABOUT THIS ANNUAL SECURITY REPORT**

On or about October 1<sup>st</sup> of each year, the Jewish Theological Seminary (JTS) is pleased to present this Annual Campus Security and Fire Safety Report. This report contains important information for the JTS Community and is prepared in accordance with the federal Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act), and New York State Education Law Article 129A.

JTS requests and collects annual crime statistics reported to and in the possession of local law enforcement, in addition to any information reported to JTS's Security Department.

Each year before the deadline imposed by the Clery Act, JTS will disseminate via an email sent to all currently enrolled students, faculty and staff a Notice of the Availability with a direct link to the Annual Campus Security & Fire Safety Report. JTS provides notice to students and employees on its website of the availability of the Annual Security & Fire Safety Report upon request.

Paper copies are available at the Office of Student Life (located in 209 Unterberg) and the Office of Human Resources (located in 412 Brush Hall).

## **The Clery Act (Campus Security Act)**

The Campus Security Act, also known as the Clery Act, requires colleges and universities to publish annual security and fire safety reports. These reports must contain certain security and fire safety policies and procedures as well as campus crime and fire statistics. The campus crime and fire statistics are also reported to the U.S. Department of Education and are available on the Department's website. These statistics are compiled by the Security Department based not only on information reported directly to it but also on information provided by local New York City Police precincts and by College "Security Authorities". College Security Authorities are individuals who "have significant responsibility for student and campus activities, including student housing and student discipline." The Campus Security Act also requires "timely warning" notices of reported crimes that pose an ongoing threat to students and employees, the maintenance of crime and fire logs, and other efforts designed to protect and inform students, faculty and staff.

## **Campus Crime and Fire Statistics**

The Clery Act requires publication of certain crime statistics for the three most recent calendar years. The charts contained within this report reflect those statistics. Fire statistics are reported as well. The crimes reported are not necessarily committed against members of the JTS community. Crimes reported on the campuses of other Morningside Heights institutions (Columbia University, Barnard College, Union Theological Seminary and Teachers College) are not included in the JTS statistics, as those institutions compile their own crime statistics.

## **The Jewish Theological Seminary Campus**

Jewish Theological Seminary's main campus is in the Morningside Heights neighborhood of the Upper West Side of the Borough of Manhattan in New York City. The main campus is bordered by West 123rd Street, Broadway, and West 122nd Street. There are four buildings on campus: Kripke, Schiff, Unterberg and Brush. Two residential halls are part of the JTS campus: Brush, which has the address of 3080 Broadway and the Residence Hall, which is located at 563 West 122<sup>nd</sup> Street.

## **SAFETY AND SECURITY AT JTS**

### **Safety and Security Telephone Numbers**

JTS Emergency..... (212) 678-8888, x8888 from within JTS

JTS Security..... (212) 678-8087

- Columbia Security .....(212) 854-2796
- Barnard Security .....(212) 854-3362
- Facilities and Maintenance ....(212) 678-8095
- Residence Hall..... (212)280- 6180
- NYPD, 26th Precinct .....(212) 678-1311
- St. Luke's Emergency Room (212) 523-3336
- Residence Life .....(212) 678-8035

**JTS Security**

JTS's Security Department, at the main entrance of 3080 Broadway, is on duty twenty-four hours a day. The Security Office may be reached from any JTS telephone by calling x8888.

JTS has two entrances to its campus in New York City: the main entrance at 3080 Broadway, and via the Residence Hall at 563 West 122nd Street. Security is on duty at each location twenty-four hours a day, seven days a week. The guards do rounds on campus and are able to communicate building-to-building and between other security safety departments in the area. All our guards have access to the 26th Precinct police station. Guests at JTS must sign in before entry to the campus is permitted. JTS has security cameras facing the adjacent sidewalks to provide the security team external visibility.

Should a problem occur, report it immediately to the appropriate resident hall adviser or the guard on duty. A report, either by JTS or the victim, is conveyed immediately to the precinct, unless otherwise requested by the victim.

JTS is a member of the Morningside Heights Area Alliance Patrol, which you can contact at (212) 280-4524 if you need assistance or see something suspicious.

Uniformed staff from this community organization patrol the area by car. New York Police Department (NYPD), 26th Precinct: (212) 678-1311. The NYPD is located on 126th Street near Broadway. JTS maintains a strong working relationship with the 26<sup>th</sup> Precinct.

## **Notifying the Campus About Crimes and Emergency Situations**

### **Timely Warning Policy**

To help prevent crimes or serious incidents, the Security Department will issue a warning in a timely manner (i.e., generally as soon as pertinent information is available to it or other campus authorities) about the commission of any Clery Act Crime (i.e., those listed in the annual crime statistics disclosure) committed on campus or in the vicinity via one or more of the following: text-message, voicemail, email, the JTS website, and other available communication channels (which may include campus flat screens).

In order for JTS's efforts to be effective, security must be a responsibility shared by all members of the campus community. Anyone with information which may necessitate a timely warning or advisory should immediately report the circumstances to the Security Department ((212) 678-8888, x8888 from within JTS). Warnings and advisories will withhold the names of victims as confidential.

### **Emergency Response Policy**

Pursuant to federal law, JTS has specific procedures to address emergency situations requiring immediate notification to the campus community. JTS employs separate procedures that govern timely warnings of campus crimes that are sent to the campus community. This policy applies only in situations where the Security Department, or when necessary, in consultation with other members of the Emergency Response Group, determines that there is an immediate threat of danger to the campus community.

The Emergency Response Group consists of the Vice Chancellor for Administration & Finance and representatives from the Security, Facilities, Marketing/Communications, Information Technology, Residence Hall and Student Life Departments and is consulted by the General Counsel.

### **Immediate Notification**

Immediate notification will be used in only those situations (e.g., severe weather, major fires and serious crimes) that occur on campus and involve an imminent threat to the health or safety of students or staff. This may include certain criminal activity in progress, but it may also include serious fires, outbreaks of serious illnesses, extreme weather conditions, earthquakes, gas leaks, terrorist incidents, armed intruders, bomb threats, civil unrest or rioting, explosions, or nearby chemical or hazardous waste spills.

In the event of a significant emergency or dangerous event requiring immediate notification, JTS will employ an alert system that includes any or all of the following: text-message, voicemail, email, the JTS website, and other available communication channels (which may include campus flat screens). JTS will generally provide follow-up information to the larger community as appropriate via JTS's website. The alert system is provided in addition to existing emergency notification procedures and does not replace or eliminate any other emergency notification system (e.g., fire alarms or intrusion alarm systems). If JTS follows its immediate notification procedures in the case of an immediate threat, JTS is not obligated to issue a timely warning based on the same circumstances.

### Emergency Response

The Emergency Response Group is responsible for determining whether there is a significant emergency or dangerous situation on campus.

If any member of the Emergency Response Group confirms the existence of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or staff, the Emergency Response Group will determine the appropriate segment or segments of the campus community to receive the alert message. The Emergency Response Group will use JTS emergency notification systems to immediately notify those persons of any emergency or dangerous situation.

The Emergency Response Group will, without delay, and taking into account the safety of the community, determine the content of the immediate notification and initiate the alert system, unless issuing an alert will, in the professional judgment of the Emergency Response Group or other responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency situation.

The Chancellor will also be immediately notified of any emergency or dangerous situation and as appropriate, consulted in making any such determination.

### Notification System

JTS maintains multiple systems for alerting students and staff about campus emergencies via cell phone and JTS email address.

### Annual Test

The Security Department is responsible for testing JTS's emergency response and evacuation procedures at least once per year. These tests may be announced or

unannounced. The Security Department is responsible for maintaining documentation for each test, including a description of the exercise, the date and time of the exercise, and whether the drill was announced or unannounced.

### **In the Residence Hall**

Keep your room and suite doors always locked, even if you are away for just a few minutes. Keep your keys with you. Do not, however, put your name or address on your key ring. Draw curtains and blinds after dark. If you return to your room and suspect it has been entered illegally, call Security or the RA.

### **On the Street**

Stay in well-lit areas. Whenever possible, walk with somebody or stay near people. Do not walk/jog in any park after dark or early in the morning. The Columbia University Gym is available to JTS students for their exercise needs. If you carry a purse or a backpack, keep it across your shoulder and close to your body. If your purse is snatched, don't fight! Give it up rather than risk personal injury. If you use an ATM, try to use it in daylight hours or in access centers where other people are present.

### **Obscene Telephone Calls and Telephone Abuse**

In an effort to prevent telephone abuse, it is recommended that you do not record your full name or telephone number on your voice mail or answering machine. This will prevent an obscene caller from addressing you by name. If the caller's voice is unfamiliar, ask the caller to identify himself or herself.

If the caller asks "Who is this?", do not identify yourself. Ask instead, "What number are you dialing?" or "To whom do you wish to speak?" If the caller does not provide adequate identification, says nothing, or begins using abusive language, hang up immediately.

### **Campus Sexual Assault Policies including Sexual Harassment, Sexual Abuse/Assault, Stalking, and Dating Violence/Domestic Violence**

Respect for one another is essential to preserving the spirit of the JTS community. Membership in the community entails certain rights and responsibilities. All members of the community are afforded these rights and are equally accountable to uphold their responsibilities. Members are also expected to abide by all Federal, New York State, and New York City laws.

JTS prohibits the crimes of dating violence, domestic violence, sexual assault and stalking,

as those terms are defined for purposes of the Clery Act.

### To Whom Applicable

The Policy applies to all JTS faculty, administration (whether supervisors, administrators, senior or otherwise, and managers), athletic personnel, and other staff, whether full-time or part-time, non-employees working at the JTS (such as employees of contracted service providers, volunteers, and interns), applicants for employment, students and visitors, and covers their treatment of each other as well as others with whom they come into contact at the JTS and/or at JTS-sponsored and affiliated activities and events. The JTS's disciplinary authority may not extend to third parties who are not students or employees of the JTS; however, a complaint that such a person engaged in a violation of the Policy will be investigated in accordance with the Policy as will a complaint of Other Sexual Misconduct made to the JTS by a third party if such complaint is connected to the JTS's educational programs or activities. At the time of filing a complaint of Title IX Sexual Harassment, a complainant must be participating in, or attempting to participate in, the JTS's education programs or activities.

### Where Applicable

The Policy is intended to protect all aforementioned people and applies to conduct that occurs on JTS premises and/or at JTS-sponsored and affiliated activities and events, whether on JTS premises or at other locations, including, but not limited to, overnight trips, sporting events and practices, study abroad programs, service learning programs, internships and external business meetings, and to all forms/uses of technology by all individuals covered by the Policy.

### **The prohibition against Title IX Sexual Harassment applies to conduct that occurs in the United States in JTS's education programs and activities.**

Education programs and activities include locations, events or circumstances where JTS exercised substantial control over both the person accused of misconduct and the context in which the harassment occurred, and also includes any event controlled by a student organization that is officially recognized by JTS.

**Conduct that occurs outside of JTS's education programs and activities or that occurs outside of the United States or at locations, events, or under circumstances where JTS does not exercise substantial control over both the person accused of misconduct and the context in which the harassment occurred, although not covered by the Title IX Sexual Harassment policy, may be covered by JTS's Other Sexual Misconduct policy if JTS determines that the**



behavior, or the continued presence of the accused perpetrator, impairs, obstructs, substantially interferes with or adversely affects the mission, processes or functions of JTS. Calls, texts, emails, and social media usage by employees can constitute unlawful workplace harassment, even if it occurs away from the workplace premises or not during work hours.

### **Title IX Sexual Harassment**

Sexual Harassment, including sexual abuse/assault, is a form of sex discrimination prohibited by Title IX, Title VII of the 1964 federal Civil Rights Act, the New York State Human Rights Law, and the New York City Administrative Code. Sexual harassment is offensive and includes harassment on the basis of sex, sexual orientation, gender identity and the status of being transgender. Sexual harassment refers to any unwelcome or unwanted sexual advances, requests for sexual favors, or other verbal, physical, demonstrative, or electronic conduct or communication of a sexual nature, or which is directed at an individual because of that individual's sex, and includes (i) Hostile Environment Harassment, (ii) Quid Pro Quo Harassment, (iii) Sexual Assault, including Rape, Statutory Rape, and Fondling, (iv) Dating Violence, (v) Domestic Violence, and (vi) Stalking.

### **Other Sexual Misconduct**

In addition to Title IX Sexual Harassment, JTS prohibits a broader range of misconduct under its prohibition against other sexual misconduct. This captures any unwelcome or unwanted sexual advances, requests for sexual favors, or other verbal, physical, demonstrative, or electronic conduct or communication of a sexual nature, or which is directed at an individual because of that individual's sex but falls outside the scope of Title IX Sexual Harassment.

JTS has a comprehensive Non-Discrimination and Anti-Harassment Policy (including Sexual Harassment, Sexual Abuse/Assault, Stalking, Domestic Violence and Dating Violence) which can be found on-line on JTS's website at [www.jtsa.edu/policies](http://www.jtsa.edu/policies).

### **Title IX Coordinator (per Title IX of the Higher Education Act of 1972 (“Title IX”))**

JTS has designated an employee, Diana Torres-Petrilli, to coordinate its efforts to comply with and carry out its responsibilities under Title IX. This employee is called the Title IX Coordinator and is responsible for ensuring Title IX compliance at JTS, as well as compliance with the Policy. The Title IX Coordinator is responsible for the effective implementation of supportive measures. At the conclusion of a grievance process, the Title IX Coordinator is also responsible for the effective implementation of any remedies. Ms. Petrilli can be contacted as follows:

Diana Torres-Petrilli  
JTS Title IX Coordinator, ADA/Section 594 Compliance Officer  
3080 Broadway  
Brush Hall #412  
New York, NY 10027  
Telephone 212-678-8011  
[dipetrilli@jtsa.edu](mailto:dipetrilli@jtsa.edu)

JTS encourages anyone who has experienced conduct that may constitute an offense addressed in this Annual Campus Safety and Fire Security Report or pursuant to JTS's Non-Harassment or Discrimination Policy ("Prohibited Conduct") to report directly to the JTS Title IX Coordinator.

### Reporting

Anyone (whether the victim or anyone else) who has knowledge of a suspected violation of the Policy may notify JTS by contacting: (i) the Title IX Coordinator; (ii) the Security Department; (iii) the Dean of Student Life; or (iv) the Office of the General Counsel. Suspected violations also may be reported to any other campus security authorities.

There is no time limit on when a report or complaint pursuant to the Policy can be made to JTS, however, JTS's ability to investigate and respond may be affected by any time delay in reporting. Therefore, JTS strongly encourages victims to file complaints promptly. Prompt reporting will serve to enhance JTS's ability to investigate effectively and to preserve important evidence for future proceedings, including, for example, legal and disciplinary proceedings.

In the case of an anonymous report, such report will be investigated to the extent possible, however, all anonymous reporters should be aware that reporting anonymously may affect JTS's ability to investigate and respond effectively.

No JTS employee may discourage an individual from reporting misconduct covered by the Policy. Any JTS employee with any knowledge, whether from firsthand observation, having been confided in or having heard about it in some other fashion, of a violation of the Policy must report the incident, even if the actual victim of such discrimination or harassment is not interested in filing a formal complaint. Anyone who has been the victim of a crime may (but is not required to) initiate a complaint with the local police department as well as with JTS. Should an individual decide to file a complaint with the police, JTS will support such individuals in doing so. Regardless of whether such person wants to make a complaint to either JTS or the local police, he/she should promptly seek medical attention both to address his/her own health and to preserve potential evidence should he/she later decide to

file charges or obtain a protective order. JTS can help guide a victim through the process of obtaining a judicial order of protection and/or JTS-issued “no contact” order.

JTS and the police/legal system work independently from one another. Because the standards for finding a violation of criminal law are different from the standards in the Policy, criminal investigations or reports are not determinative of whether misconduct under the Policy has occurred. JTS will cooperate with police investigations but will not delay its investigation of a complaint in the absence of extenuating circumstances and will conduct its investigation simultaneously with any police/legal system investigation.

For a full description of JTS’s policies pertaining to how it investigates allegations of sexual violence or sexual harassment, please review the Non-Discrimination and Anti-Harassment Policy (the “Policy”) at [www.jtsa.edu/policies](http://www.jtsa.edu/policies).

JTS’s first and foremost concern for anyone who has been the victim of a crime is their physical safety. Thus, if anyone is feeling physically unsafe, he/she should immediately call the Security Department, the local police precinct or 911 for assistance. They may also contact the various support organizations identified below and/or call the Counseling Center at JTS at 212-280-6161 and request an appointment.

If someone is in need of immediate medical treatment, the person should go to the nearest hospital emergency room, or call 911 or call Hatzalah at (212) 230-1000.

## **Rights of Victims**

Students and employee-victims have the right (i) to make a report to JTS's Security Department, local law enforcement and/or State Police or choose not to report; (ii) to report the incident to JTS; (iii) to be protected by JTS from retaliation for reporting an incident (or testifying or assisting in a proceeding); and (iv) to receive assistance and resources from JTS. See Addendum B, Student Bill of Rights, for certain rights of student victims/survivors of sexual assault, domestic violence, dating violence, and/or stalking.

## **Support Resources (Confidential and Non-Confidential)**

### Confidential Resources:

A report made to the following resources will not trigger an investigation by JTS:

JTS Counseling Service:

Dr. David Davar

Director of Student Counseling

Non-Confidential University Resources:

A report also may be made to JTS's Title IX Coordinator, Security Department, or other campus authorities; however, reports to these resources will trigger a review by JTS in accordance with this Policy.

Other Resources not affiliated with JTS:

There are also many outside sources of support available to victims. Reporting to one of these resources will not trigger an investigation by JTS. These include:

Medical Centers:

- For students with access to Columbia's health services:
  - Columbia University Rape Crisis Anti-Violence Support Center – (212) 854-9255
  - Columbia University EMS – (212) 854-5555
  - Columbia University Health Services – (212) 854-2284
- For students with access to Barnard's health services: Barnard Health – (212) 854-2091
- Emergency Medical Treatment for Sexual Assault/Rape Victims at St. Luke's-Roosevelt Hospital 411 West 114th St., Crime Victims Treatment Center (212) 523-4728
- Beth Israel Medical Center Rape Crisis Center, 1st Ave. at 16th St. – (212) 420-4516
- Harlem Hospital Rape Crisis Program, 506 Lenox Ave. and 135th St., – (212) 939-4613
- NY Presbyterian Hospital – Columbia University Medical Center Rape Crisis Intervention Program, 622 West 168<sup>th</sup> Street – (212) 305-9060
- Mt. Sinai Medical Center Sexual Assault & Violence Intervention Program, 40 East 98th St. – (212) 423-2140
- Bellevue Hospital Center Rape Crisis & Victims Intervention Program, 27th St. and 1st Ave. – (212) 562-3755

Non-Medical Centers:

- New York City Police Department Rape Hotline – (212) 267-7273, Crime Victim

Hotline – (212) 577-7777

- Gay and Lesbian Anti-Violence Project Hotline – (212) 714-1141
- New York State Division of Human Rights has a toll free Sexual Harassment Hotline: 1-800-HARASS-3 for advice on issues of workplace sexual harassment.
- The NYC Alliance Against Sexual Assault (online at [www.svfreenyc.org](http://www.svfreenyc.org)) has compiled numerous resources available to victims.
- Manhattan Family Justice Center can provide a wide range of services and support. The Manhattan location is at 80 Centre Street, New York, NY 10013; Phone: (212) 602-2800; <https://www1.nyc.gov/site/ocdv/programs/familyjustice-centers.page>.
- Family Court Volunteer Lawyer Program (part of the New York State Access to Justice Program) 900 Sheridan Avenue Bronx, NY 10451 Phone: (718) 618-2150 Hotline: (718) 618-2150
- Safe Horizon (NYC) 2 Lafayette Street, 3rd Floor New York, NY 10007 Phone: (212) 227-3000 <http://www.safehorizon.org/> [help@safehorizon.org](mailto:help@safehorizon.org) Hotline: (866) 689-4357

## Confidentiality

Information gathered during the informal or formal investigation process will be handled by JTS with due diligence and care. Discreet inquiry, corrective counseling, and trust will be stressed by the University in dealing with all complaints. Records and information concerning complaints will be kept confidential to the greatest extent possible, and the University will comply with all applicable laws in maintaining the confidentiality of the investigation. However, subject to applicable laws, JTS cannot guarantee complete confidentiality where it would conflict with JTS's obligations to ensure a safe, non-discriminatory and harassment-free environment. For example, under conditions of potential imminent harm to the community, JTS may be required by federal law to inform the community of the occurrence of an incident of sexual violence (but would not identify the victim). In addition, consistent with law, information regarding violations of this Policy may be shared among JTS personnel as appropriate and necessary.

Please note that under the formal resolution process for complaints involving Title IX sexual harassment, a complainant cannot remain anonymous or prevent his or her identity from being disclosed to the respondent.

## **Investigation Procedures and Reporting for Allegations of Sexual Assault**

Upon receipt of a formal complaint alleging an incident of sexual assault, the Title IX Coordinator will follow the investigations procedures outlined in the Policy. This may result in the Title IX Coordinator investigating the complaint or appointing a trained investigator (the “Investigator”) to conduct such an investigation. For allegations that constitute a violation of Title IX, investigations generally include interviews with those directly involved with the proceeding (the “Party” or “Parties”) and witnesses, as well as follow up interviews, if necessary. The Parties will have an equal opportunity to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence, such as documents, communications, photographs, and other evidence.

Parties and witnesses are expected to provide all available relevant evidence to the Investigator during the investigation. The Parties will have the ability to discuss the allegations under investigation and gather and present relevant evidence. The Parties will have an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint.

Allegations of a violation of this Policy are addressed under “Process A” or “Process B” as determined by the JTS Title IX Coordinator, and as set forth in the Policy. Process A only applies to qualifying allegations of sexual harassment under Title IX (“Title IX sexual harassment”), including sexual assault, dating violence, domestic violence, and stalking. Process B applies to all other forms of prohibited conduct, including sexual misconduct that the Title IX Coordinator determines does not fall within Process A. Both Processes A and B contain an informal process.

Unless the Investigator obtains a Party’s voluntary, written consent, the Investigator will not access, consider, disclose or otherwise use a Party’s records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting or assisting in such capacity, and which are made or maintained in the connection with the provision of treatment to the Party. In addition, JTS will not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognizable privilege, unless the person holding such privilege has waived the privilege. At the conclusion of the investigation, the Investigator will prepare a case file, which will include all collected evidence that is directly related to the allegations raised in the formal complaint, including the evidence upon which JTS does not intend to rely in reaching a determination of responsibility and any inculpatory or exculpatory evidence, whether obtained from a Party or other source as part of the investigation. The Investigator will also prepare an investigative report that fairly

summarizes the investigation and all relevant evidence. Prior to completion of the investigative report, the Investigator will send to each Party and Party's advisor, if any, the case file, subject to review in an electronic format or hard copy. The Parties will have 10 business days to submit a written response. The Investigator will consider the written responses before completing the investigative report.

The Investigator will finalize the investigative report that summarizes relevant evidence and, at least 10 business days prior to the hearing, send the investigative report to each Party and the Party's advisor, if any, in an electronic format or hard copy, for their review and written response. The Parties and their advisors, if any, will be provided with the other Party's written response to the investigative report, if any, in electronic format or hard copy prior to the hearing.

For allegations that do not constitute a Title IX violation, either the Complainant may file a complaint or the Title IX Coordinator may sign a complaint alleging prohibited conduct by a Respondent and requesting that JTS investigate the allegation(s). If a Complainant files or the Title IX Coordinator signs a complaint, JTS will initiate its complaint process, including investigation into the Complainant's allegations. A complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail, by using the contact information in Section I of Part I. The complaint must contain the Complainant's physical or digital signature, or otherwise indicate that the Complainant is the person filing the complaint. The Title IX Coordinator does not become the Complainant if they sign the complaint. Upon the filing of a complaint, the Title IX Coordinator will promptly contact the Complainant and provide the Complainant a general understanding of this Policy, as well as identify the Complainant's rights and any available supportive measures, if the Title IX Coordinator had not already done so. The Title IX Coordinator will also seek to determine how the Complainant wishes to proceed.

JTS will seek the Complainant's consent prior to initiating an investigation and the Complainant's decline to consent will be honored unless JTS determines in good faith that failure to investigate does not adequately mitigate a potential risk of harm to the Complainant or other members of the JTS community.

If the Complainant wishes to proceed with either a formal or informal grievance process, or JTS believes it is otherwise necessary, the Title IX Coordinator will notify the Respondent that a complaint has been filed and provide the date, time, location, and factual allegations concerning the alleged violation, a reference to the specific Policy provisions that have been violated, JTS's retaliation prohibition, and possible disciplinary sanctions. The Title IX Coordinator will provide the Respondent with a general understanding of this Policy, identify any available supportive measures, and inform the Respondent that they may have

an advisor of their choice, who may be, but is not required to be, an attorney.

Once the decision to commence a grievance process is made and the Parties have received notice, the Title IX Coordinator or designee may determine that they will conduct the investigation or utilize trained personnel who are external to JTS to conduct the interviews and/or investigation (collectively, the “Investigator”). A Party wishing to challenge the selection of the Investigator must notify the Title IX Coordinator, in writing, within 3 business days of receipt of the name and contact information of the Investigator, stating the specific reason(s) for the Party’s objection. The Title IX Coordinator will determine whether the challenge has merit, and reserves discretion to make changes to the individual assigned as the Investigator at any time. If the Investigator is the Title IX Coordinator, the Party may contact Keath Blatt at keblatt@JTSA.EDU.

Complaints of prohibited conduct will be investigated promptly, thoroughly, and impartially by the Investigator, normally within thirty (30) business days of filing a complaint with the Title IX Coordinator. JTS will make a good faith effort to complete investigations as promptly as possible and will communicate regularly with the Parties to update them on progress, the timing of the investigation and delay for good cause, if necessary.

The Investigator will conduct interviews of the Complainant, Respondent, and, when appropriate, third-party witnesses. The Investigator will also collect any other available evidence, such as relevant documents, including text messages, emails, social media posts, etc. If a student-Respondent chooses not to participate or does not make themselves available to meet with the Investigator within a reasonable time, the Investigator shall be authorized to proceed with this process based on the evidence provided by other Parties. The Investigator will not make an adverse inference against the student- Respondent for choosing not to participate in the investigation, but the Investigator will make a determination based only on the evidence available. Employee-Respondents must participate in the investigation process; failure to do so will result in disciplinary action, which may include termination of employment.

The Parties will have the opportunity to provide evidence to the Investigator and/or recommend witnesses. The Investigator will have sole discretion to determine which witnesses to interview. The Parties shall have the right to exclude evidence relating to their own prior sexual history with persons other than the other Party. The Parties shall also have the right to exclude evidence relating to their own mental health diagnosis and/or treatment.

The Investigator evaluates the information received and, using a standard of preponderance of evidence, writes an investigative report or summary. The Complainant and Respondent



will have an opportunity to review the investigative report, as well as review available evidence in the case file, or otherwise in possession or control of JTS, and relevant to the case. If all Parties accept the recommended resolution, the Title IX Coordinator shall be responsible for ensuring implementation of and compliance with the provisions of the grievance process and shall retain a copy of the resolution, along with written evidence of the Parties' acceptance, for an appropriate period.

If the Complainant or the Respondent is unsatisfied with the investigative report or resolution proposed by the investigator, such Party may, within 10 business days of being given the opportunity to review the investigative report and recommended resolution, submit a written request to the Investigator that the complaint be referred for a hearing.

### **The Hearing**

For allegations that constitute a Title IX violation, the Title IX Coordinator will assign the matter to be heard by the Hearing Officer(s) from a group of specially trained JTS personnel after the investigative report is shared with the Parties. The Title IX Coordinator may determine that a Hearing Officer(s) external to JTS will be assigned. The assigned Hearing Officer(s) will not participate in the process until this stage of the proceeding.

A live hearing is required as part of this process. The hearing cannot take place less than ten (10) business days from the conclusion of the investigation, which is when the final investigative report is provided to the Parties. The Title IX Coordinator will provide written notice of the hearing to the Parties at least five (5) business days before the hearing date. The written notice will include:

- The date, time, and place of the hearing;
- The participants in the hearing (including but not limited to the Parties, witnesses, etc.);
- The purpose of the hearing; and
- The name and contact information of the Hearing Officer(s). A Party wishing to challenge the participation of the Hearing Officer(s) must notify the Title IX Coordinator, in writing, within three (3) business days of receipt of the notice of hearing, stating the specific reason(s) for the Party's objection. The Title IX Coordinator will determine whether the challenge has merit, and reserves discretion to make changes to the Hearing Officer(s) at any time.

The hearing will take place on the date and time specified in the notice of hearing. If circumstances arise that require a change in the hearing date or time, JTS will provide the

Parties with written notice explaining the reason for such change. JTS will create an audio or audiovisual recording, or transcript, of all live hearings under this Policy and will make it available to the Parties for inspection and review.

The Hearing Officer(s) may consider all evidence that they determine is relevant. The Hearing Officer(s) is responsible for maintaining an orderly, fair, and respectful hearing and will have broad authority to respond to disruptive or harassing behaviors, including adjourning the hearing or excluding the offending individual, including a Party, witness, or advisor. During the hearing, the Parties may: speak on their own behalf, including providing an opening and closing statement; be accompanied by an advisor, who may be, but is not required to be, an attorney; have an advisor cross-examine the other Party and any witnesses; and the opportunity to attend the entire hearing, except for the deliberation phase. The Hearing Officer(s) will determine the order of Parties and witnesses and answer any procedural questions. During any hearing, JTS will make all directly related evidence available for the Parties' inspection and review to give each Party an equal opportunity to refer to the evidence during the hearing.

Live hearings may be conducted with all Parties physically present in the same geographic location, or under the discretion of JTS, any or all Parties, witnesses, and other participants may appear at the live hearing virtually, with technology enabling participants to simultaneously see and hear each other. The Parties may request that the live hearing occur in this manner.

For allegations that do not constitute a Title IX violation, those complaints that are not resolved at the investigation stage and are not addressed by an applicable procedure in a collective bargaining agreement shall be directed to a review by a Hearing Officer(s) from a group of specially trained JTS personnel. The Title IX Coordinator may determine that a Hearing Officer(s) external to JTS will be assigned. The assigned Hearing Officer(s) will not participate in the process until this stage of the proceeding.

The Parties shall be promptly advised when the Hearing Officer(s) has been selected. If either Party has reason to believe that the Hearing Officer(s) has a conflict of interest, the Party must raise that concern to the Title IX Coordinator, in writing, and within three (3) business days from receipt of notice of the Hearing Officer's identity. If the Title IX Coordinator determines that a conflict exists, the Hearing Officer(s) will be replaced.

The hearing will be conducted within 10 business days from the conclusion of the investigation. The Hearing Officer(s) will review the Investigator's report. The Hearing Officer(s) is not bound by the Investigator's report and should objectively evaluate relevant evidence. The Hearing Officer(s) will hold a hearing to include interviews with both Parties, and may, if deemed necessary, communicate with witnesses as part of the hearing process.

Both Parties may be present at the hearing and may be accompanied by their respective advisors, but neither Party (nor their respective advisors) will be permitted to cross-examine the other or any third-party witness at any time during the hearing process. If one or both of the Parties request, arrangements will be made to allow one or both Parties to participate in the hearing remotely or to have the Parties attend the hearing separately in different rooms where the Parties can see and hear one another.

The Hearing Officer(s) also may, but is not required to, collect additional evidence and/or call additional witnesses after reviewing the Investigator's report and considering the Complainant's and Respondent's statements. The Parties will have access to any additional evidence the Hearing Officer(s) may consider prior to the issuance of any decision.

The Hearing Officer(s) has sole discretion to determine whether to call additional witnesses. The Parties have the right to exclude evidence relating to their own prior sexual history with persons other than the other Party in the judicial or conduct process or their own mental health diagnosis and/or treatment from admittance in the hearing. The Parties also have the right to exclude evidence relating to their own mental health diagnosis and/or treatment. The Hearing Officer(s) will not consider prior allegations or findings of violations of this Policy, except in determining appropriate disciplinary sanctions where a violation is found.

### **Supportive Measures**

The Title IX Coordinator is responsible for the effective implementation of supportive measures. Supportive measures are non-disciplinary, non-punitive, individualized services offered as appropriate, as reasonably available, and without fee or charge to the alleged victim, the reporting individual (if different than the alleged victim), the respondent (i.e., the person against whom a report has been filed), and all third party witnesses at any point. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact (i.e., "no contact" orders), changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures. The Title IX Coordinator will consider the individual's wishes with respect to implementing supportive measures and will notify individuals of the availability of supportive measures with or without filing a formal complaint.

### **Retaliation**

JTS prohibits retaliation against any individual who reports or complains of sexual harassment or other discrimination and/or participates in the investigation of a complaint or resolution of an incident, including those who testify or assist in any proceeding related to a complaint or incident, even if the complaint or incident is unsubstantiated.

## **Time Limits**

JTS will exercise due diligence in complying with the stated time limits set forth in the Policy. However, stated time limits may be extended depending on the nature of the allegations, the time of year, and any other unforeseen or extenuating circumstance.

## **Education/Training**

As part of JTS's commitment to providing a safe, nondiscriminatory and harassment-free environment, the Policy is disseminated widely to the JTS community. JTS also provides training programs to promote awareness and a safe and respectful environment on campus. Employees are required to annually complete a sexual harassment prevention course. Residence Hall Advisors are also provided with additional training.

## **Campus Sex Crimes Prevention Act**

In accordance with the "Campus Sex Crimes Prevention Act" of 2000, which amends the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, the Clery Act and FERPA, JTS is providing a link to the New York State Police Sex Offender Registry. This act requires institutions of higher education to issue a statement advising the campus community where law enforcement information provided by a State concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a State to provide notice of each institution of higher education in that State at which the person is employed, carries on a vocation, or is a student. A listing of all registered sex offenders in New York State is maintained by the New York State Division of Criminal Justice Services. Information regarding a registered sex offender can be obtained by calling the New York State Sex Offender Registry Information Line at 1-800-262-3257 or online at <http://www.criminaljustice.ny.gov/nsor/>. The ZIP code for the JTS campus is 10027.

## **DRUG-FREE SCHOOLS AND COMMUNITIES ACT AND RELATED POLICIES**

JTS complies with the Drug-Free Schools and Campuses Regulations of 1989 and the Drug-Free Workplace Act of 1988, which state that "as a condition of receiving funds or any other form of financial assistance under any federal program, an institution of higher education must certify that it has adopted and implemented a program to prevent the unlawful possession, use or distribution of illicit drugs and alcohol by students and employees."

In support thereof, JTS has a Drugs and Alcohol Policy that prohibits the use and sale of illegal drugs, underage drinking, and abuse of alcohol. JTS is committed to educating students on issues concerning alcohol and drug use and responding to behavior that is in

violation of JTS's policies on substance abuse and alcoholic beverages. Detailed information about JTS's policies and procedures regarding the use/abuse of alcohol and other drugs by students, faculty and staff can be found on JTS's employee and student intranet portals. Moreover, a summary of related services, policies, and procedures is provided therein in accordance with this regulation.

It should be noted that it is unlawful to sell, furnish or provide alcohol to a person under the age of 21 in New York State. Copies of the Drug and Alcohol Policy are available in hard copy at the Office of Human Resources on the fourth floor of Brush Hall.

Prevention, education, and early intervention programs are available for undergraduate students, along with counseling and referrals to appropriate mental health and medical services through Columbia or Barnard Health Services. Multiple resources on this topic are also available for students and employees through New York City's Health Services, which can be found at <https://www.nyc.gov/site/doh/health/health-topics/alcohol-and-drug-use.page>.

In summary, the Drug and Alcohol Policy provides:

- The unlawful possession, manufacture, dispersing, use, or distribution of illicit drugs at any JTS facility or in connection with any JTS activity is prohibited.
- Being under the influence of illicit drugs during working hours, or when classes are in session, or while engaged in any JTS activity is prohibited.
- Persons under the age of 21 years are prohibited from possessing or consuming any alcoholic beverage at any JTS facility or in connection with any JTS activity.
- Undergraduate students, regardless of age, are prohibited from possessing or consuming alcoholic beverages at any JTS facility or in connection with any JTS activity.
- All students are prohibited from being under the influence of alcohol while engaged in any JTS activity.
- Employees are prohibited from being under the influence of alcohol during working hours or while engaged in any JTS activity.
- Except for a limited exception, employees are prohibited from bringing alcoholic beverages into, or consuming alcoholic beverages in, any JTS facility or bringing/consuming alcoholic beverages in connection with any JTS activity.
- Violators of the Policy will be disciplined, up to and including expulsion or termination from the JTS.
- The Drug and Alcohol Policy also describes legal sanctions for the misuse of alcohol and the unlawful possession, use or distribution of illicit drugs, as well as the health

risks associated with illicit drug and alcohol use, and counseling resources.

## **MISSING STUDENTS**

Pursuant to federal law, JTS has established the following policies and procedures to address situations when a student who resides in on-campus housing is determined to have been missing for 24 hours.

For purposes of this policy, the term “Missing Student” shall refer to any student of JTS who resides in a JTS residence hall (Brush and 563 Residence Hall), and who has not been seen by friends or associates for more than 24 hours without any known reason, and whose absence has been brought to the attention of JTS.

All reports of suspected missing resident students are to be made to the Director of Residence Life or, in his/her absence or unavailability, the Dean of Student Life, who will contact a member of the residence hall staff, including residence advisors. Any such reports will be referred immediately to the Security Department. Legal counsel and the Dean of Student Life are to be apprised as soon as possible. Such information will be kept confidential.

Each student living in an on-campus student housing facility must register a confidential contact person to be notified in the event that a student is determined to be missing. Only authorized campus officials and law enforcement officers in furtherance of a missing person investigation may have access to this information.

The Director of Residence Life or the Dean of Student Life, or a member of their staff, will immediately make inquiries of roommates/suite mates, other residents of the dormitory, and any other known associates. These inquiries shall include a review to ascertain if the student is attending classes. The Chief of Security will conduct a search of the JTS premises. The student’s dean, or, in his/her absence or unavailability, the Director of Residence Life or the Dean of Student Life, after consulting with legal counsel and the Chief of Security, will then promptly contact the resident student’s emergency contact.

This individual will be apprised of the situation, and asked whether he or she has any knowledge of the individual’s whereabouts. If they do not, the Chief of Security will then promptly contact the New York City Police Department, who will initiate an investigation and search based upon their departmental policy and procedures. JTS will cooperate fully with the investigation and will assist the authorities in identifying parties needed for questioning. The student’s dean or his/her designee will stay in contact with the student’s emergency contact. If the student is less than 18 years of age, the parent or guardian will be notified if the parent or guardian is not the emergency contact.

If foul play is suspected, at any time, in connection with the whereabouts of the suspected missing resident student, legal counsel or the director of Security will notify the New York City Police Department immediately, to begin an investigation in accordance with their policy and procedures. The procedures that are similar to those followed in the event of a missing student will be followed in this instance, as well.

## **WEAPONS POLICY**

The possession of any weapon (as defined in local, state and federal statutes, and includes, without limitation, firearms, knives and explosives) on JTS campus is strictly prohibited. This prohibition applies to all facilities owned, leased or otherwise controlled by JTS, and whether academic, residential or otherwise. Failure to comply with this Policy may result in disciplinary action by JTS (up to and including, in the case of a student, suspension or expulsion and, in the case of an employee, termination of employment) and also may result in criminal prosecution. In addition, JTS reserves the right to confiscate the weapon. This Policy applies to all members of the JTS community as well as all visitors and guests, regardless of whether the possessor is licensed to carry that weapon. Exceptions to this Policy may only be made with the written permission of the Vice Chancellor of Administration & Finance or the Chancellor if part of a revised campus security protocol.

## **CRIME STATISTICS FOR JTS**

The Clery Act requires JTS to publish statistics for certain crimes that have taken place as a matter of information and record. The following statistics reflect those crimes that were reported to the Security Department during the indicated period.

The statistics are printed as reported to the Security Department. The statistics were valid at publication but may not reflect current trends.

### **Clery Act Crime Definitions**

The Clery Act uses the Federal Bureau of Investigation Uniform Crime Reporting, National Incident-Based Reporting System Crime Definitions. The following definitions are from the Uniform Crime Reporting Handbook, National Incident-Based Reporting System Edition of the Uniform Crime Reporting Handbook and the U.S. Department of Education's Handbook for Campus Safety and Security Reporting, Washington D.C. (2011).

### **Criminal Homicide**

Murder and Non-negligent Manslaughter: The willful (non-negligent) killing of one human being by another.

Manslaughter by Negligence: The killing of another person through gross negligence.

## **Sex Offenses**

### Forcible Sex Offenses:

- **Forcible Rape**: the carnal knowledge of a person, 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 or physical incapacity.
- **Forcible Sodomy**: oral or anal sexual intercourse with another person, 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 or physical incapacity.
- **Sexual Assault with an Object**: to use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, 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 or physical incapacity. An “object” or “instrument” is anything used by the offender other than the offender’s genitalia, e.g., a finger, bottle, handgun, stick.
  - **Forcible 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 or physical incapacity.

### Non-Forcible Sex Offenses:

- **Incest**: sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory Rape**: sexual intercourse with a person who is under the statutory age of consent. Force or coercion is not an element of this offense.

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

**Aggravated Assault**: An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. (It is not



necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could and probably would result in serious personal injury if the crime were successfully completed.)

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

**Motor Vehicle Theft:** The theft or attempted theft of a motor vehicle. (Incidents are classified as motor vehicle theft in all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned including joyriding.)

**Arson:** Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.

**Bias or Hate Crime:** A hate crime is a criminal offense committed against a person or property which is motivated, in whole or in part, by the offender's bias against a group of persons on the basis of a victim's actual or perceived race, gender, religion, national origin, sexual orientation, gender identity, ethnicity, or disability. Hate crime designation can be applied to the aforementioned offenses and the following ones:

**Larceny:** The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another.

**Simple Assault:** An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration or loss of consciousness.

**Intimidation:** To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.

**Destruction/Damage/Vandalism:** To willfully or maliciously destroy, damage, deface or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

**Other Offenses:**

Drug Abuse Violations: Violations of Federal, State and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant

substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (demerol, methadones); and dangerous non-narcotic drugs (barbituates, benzedrine).

Liquor Law Violations: Violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession or use of alcoholic beverages, not including driving under the influence and drunkenness.

Weapon Law Violations: The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature.

### **Definitions of Crimes that Must Be Reported Pursuant to VAWA**

The Violence Against Women Reauthorization Act of 2013 (“VAWA”), added additional categories of crimes to the Clery Act that colleges and universities are now required to report.

**Dating violence**: Violence by a person who has been in a romantic or intimate relationship with the victim. Whether there was such a relationship will be gauged by its length, type, and frequency of interaction.

- Like domestic violence, dating violence includes a pattern of abusive behavior that one person intentionally uses to gain or maintain power and control over another person. Dating violence can be physical, sexual, emotional, economic, or psychological actions or threats of actions that influence another person. This includes any behaviors that intimidate, manipulate, humiliate, isolate, frighten, terrorize, coerce, threaten, blame, hurt, injure or wound someone.

**Domestic violence** – This includes asserted violent misdemeanor and felony offenses committed by the victim's current or former spouse, current or former cohabitant, person similarly situated under domestic or family violence law, or anyone else protected under domestic or family violence law.

- New York State has multiple laws addressing domestic violence, and the definition is broad. Generally, domestic and intimate partner violence is a pattern of abusive behavior in any relationship that is used by one partner to gain or maintain power and control over another intimate partner. Domestic and intimate partner violence can be physical, sexual, emotional, economic, or psychological actions or threats of actions that influence another person. This includes any behaviors that intimidate,

manipulate, humiliate, isolate, frighten, terrorize, coerce, threaten, blame, hurt, injure or wound someone.

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

- Stalking generally refers to repeated behaviors that harass or threaten the victim, such as following a person, appearing at a person's home or place of business, making repeated and/or harassing calls, leaving written messages or objects, or contacting someone repeatedly via electronic means (i.e. the internet or text messaging).
- Unlike other crimes, which normally consist of a single illegal act, stalking is a series of actions that, when taken individually, may be perfectly legal. For instance, sending a birthday card or flowers or standing across the street from someone's house is not a crime. When these actions are part of a course of conduct that would cause a reasonable person to be afraid or to feel emotional distress, they are illegal.

### **Clery Act Reportable Geographic Definitions**

**On-Campus:** (1) Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of or in a manner related to the institution's educational purposes, including residence halls; and (2) Any building or property that is within or reasonably contiguous to the area identified in paragraph (1), that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or retail vendor).

**Student Housing:** Any student housing facility that is owned or controlled by the institution or is located on property that is owned or controlled by the institution, and is within the reasonably contiguous geographic area that makes up the campus is considered an on-campus student housing facility.

**Non Campus Building or Property:** (1) Any building or property owned or controlled by a student organization that is officially recognized by the institution; or (2) any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

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

## **Fire Safety**

Upon discovery of a fire, ring the nearest fire alarm box from any red pull box in the building or by calling 911. All fires should be reported to the JTS Security Department on the emergency line at (212) 678-8888.

Fire alarm boxes are located on every floor in each of the buildings that comprise JTS. The fire department will automatically be signaled to come out once the alarm system is activated. Fire alarms and extinguishers are regularly tested in the residence halls.

Every person in the building must exit the building and cross the street as soon as the alarm sounds. Failure to do so is a violation of New York City law and may result in monetary fines. Regular fire drills are conducted by JTS to ensure that all members of the JTS community know how to respond in the event of a fire and are conducted at least once a semester in each of the buildings.

Sounding a false alarm is a violation of New York City law and will result in disciplinary action and a monetary fine.

When the fire alarm rings:

1. Turn off all electrical appliances.
2. Close all windows.
3. Close but do not lock the door.
4. Leave the building by the fire exit stairs. Do NOT use the elevators.

Combustible materials, electrical appliances, and cooking are potential fire safety hazards. These matters are covered, in detail, in the Residence Hall Occupancy Agreement, a copy of which is given to each resident of the Residence Halls and is included below.

The fire system was installed in 2019. JTS has no planned future improvements to its fire system at the time this Report was prepared.

A supplement to these procedures may be distributed from time to time. All students and their guests are required to comply with fire safety measures including but not limited to:

- The residence halls are smoke-free, including bedrooms and common areas in Brush and the 563 Residence Hall
- Evacuation during fire alarms and fire drills is mandatory

- Clear pathways to modes of egress in private spaces and common areas, including the storage of items in hallways, unassigned rooms, common spaces of suites, rooms or apartments
- Tampering with fire safety equipment of any kind is forbidden and subject to fines and serious disciplinary action

Residents who intentionally or negligently set off a local or building alarm will be fined \$150 per incident and may face additional disciplinary sanctions.

### Crime and Fire Statistics

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, known as the Clery Act, requires The Jewish Theological Seminary to report the number of alleged crimes and/or arrests and fires reported to JTS or law enforcement officials for the calendar years 2020-2022. The definitions of the offenses used for compiling these statistics, by law, must be those of the Federal Bureau of investigation Uniform Crime Reporting system.

The campus crime statistics are filed annually with the U.S. Department of Education and may be accessed on their website at <http://ope.ed.gov/security>. Any questions about these statistics should be directed to the Office of General Counsel at (212) 678-8804.

<b>Alleged Crimes and/or Arrests</b>	<b>2022</b>	<b>2021</b>	<b>2020</b>
Aggravated Assault	2	0	0
Arson	0	0	0
Manslaughter	0	0	0
Burglary	0	0	0
Motor Vehicle Theft	0	0	0
Murder	0	0	0
Robbery	0	0	0
Forcible Sexual Offenses	0	0	0
Non-Forcible Sexual Offenses	0	0	0
<b>Non-Arrest Campus Referrals of Disciplinary Actions for Alcohol and Drugs</b>			
Alcohol Violations	4	0	0
Drug Use Violations	0	1	0
Dating Violence	0	0	0
Domestic Violence	0	0	0
Stalking	0	0	0

<b>Fire Statistics</b>	<b>2022</b>	<b>2021</b>	<b>2020</b>
3080 Broadway	0	0	0
Goldsmith Hall (537 W 121 <sup>st</sup> Street)	N/A	N/A	N/A
Matilda Schechter Residence Hall (415 W 120 <sup>th</sup> Street)	N/A	N/A	N/A

## ***ADDENDUM A – New York Crime Definitions***

The Violence Against Women Act (VAWA) and its regulations requires JTS to include certain New York State definitions in its Annual Security Report and requires that these definitions be provided in other materials disseminated by JTS. Relevant New York definitions are set forth below.

**CONSENT:** Lack of consent results from: forcible compulsion; or incapacity to consent; or where the offense charged is sexual abuse or forcible touching, any circumstances, in addition to forcible compulsion or incapacity to consent, in which the victim does not expressly or impliedly acquiesce in the actor’s conduct. Where the offense charged is rape in the third degree, a criminal sexual act in the third degree, or forcible compulsion in circumstances under which, at the time of the act of intercourse, oral sexual conduct or anal sexual conduct, the victim clearly expressed that he or she did not consent to engage in such act, and a reasonable person in the actor’s situation would have understood such person’s words and acts as an expression of lack of consent to such act under all the circumstances. A person is incapable of consent when he or she is: less than 17 years old; or mentally disabled; or mentally incapacitated; or physically helpless; or committed to the care and custody of the state department of correctional services, a hospital, the office of children and family services and is in residential care, or the other person is a resident or inpatient of a residential facility operated by the office of mental health, the office for people with development disabilities, or the office of alcoholism and substance abuse services, and the actor is an employee, not married to such person, who knows or reasonably should know that such person is committed to the care and custody of such department or hospital.

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

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

**DOMESTIC VIOLENCE:** An act which would constitute a violation of the penal law, including, but not limited to acts constituting disorderly conduct, harassment, aggravated harassment, sexual misconduct, forcible touching, sexual abuse, stalking, criminal mischief, menacing, reckless endangerment, kidnapping, assault, attempted murder, criminal obstruction or breaching or blood circulation, or strangulation; and such acts have created a substantial risk of physical or emotional harm to a person or a person’s child. Such acts are

alleged to have been committed by a family member. The victim can be anyone over the age of sixteen, any married person or any parent accompanied by his or her minor child or children in situations in which such person or such person's child is a victim of the act.

**FAMILY OR HOUSEHOLD MEMBER:** Person's related by consanguinity or affinity; persons legally married to one another; person formerly married to one another regardless of whether they still reside in the same household; persons who have a child in common regardless of whether such persons are married or have lived together at any time; unrelated persons who are continually or at regular intervals living in the same household or who have in the past continually or at regular intervals lived in the same household; persons who are not related by consanguinity or affinity and who are or have been in an intimate relationship regardless of whether such persons have lived together at any time. Factors that may be considered in determining whether a relationship is an "intimate relationship" include, but are not limited to: the nature or type of relationship regardless of whether the relationship is sexual in nature; the frequency of interaction between the persons; and the duration of the relationship. Neither a casual acquaintance nor ordinary fraternization between two individuals in business or social contexts shall be deemed to constitute an intimate relationship"; any other category of individuals deemed to be a victim of domestic violence as defined by the office of children and family services in regulation. Intimate relationship status shall be applied to teens, lesbian/gay/bisexual/ transgender, and elderly individuals, current and formerly married and/or dating heterosexual individuals who were, or are in an intimate relationship.

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

**SEXUAL ASSAULT:** New York State does not specifically define sexual assault. However, sexual assault includes offenses that meet the definitions of rape, fondling, incest, or statutory rape.

**SEX OFFENSES; LACK OF CONSENT:** Whether or not specifically stated, it is an element of every sexual act committed without consent of the victim.

**SEXUAL MISCONDUCT:** When a person (1) engages in sexual intercourse with another person without such person's consent; or (2) engages in oral sexual conduct or anal sexual conduct without such person's consent; or (3) engages in sexual conduct with an animal or a dead human body.

**RAPE IN THE THIRD DEGREE:** When a person (1) engages in sexual intercourse with another person who is incapable of consent by reason of some factor other than being less



than 17 years old; (2) Being 21 years old or more, engages in sexual intercourse with another person less than 17 years old; or (3) engages in sexual intercourse with another person without such person's consent where such lack of consent is by reason of some factor other than incapacity to consent.

**RAPE IN THE SECOND DEGREE:** When a person (1) being 18 years old or more, engages in sexual intercourse with another person less than 15 years old; or (2) engages in sexual intercourse with another person who is incapable of consent by reason of being mentally disabled or mentally incapacitated. It is an affirmative defense to the crime of rape in the second degree the defendant was less than four years older than the victim at the time of the act.

**RAPE IN THE FIRST DEGREE:** When a person engages in sexual intercourse with another person (1) by forcible compulsion; or (2) Who is incapable of consent by reason of being physically helpless; or (3) who is less than 11 years old; or (4) who is less than 13 years old and the actor is 18 years old or more.

**CRIMINAL SEXUAL ACT IN THE THIRD DEGREE:** When a person engages in oral or anal sexual conduct (1) with a person who is incapable of consent by reason of some factor other than being less than 17 years old; (2) being 21 years old or more, with a person less than 17 years old; (3) with another person without such persons consent where such lack of consent is by reason of some factor other than incapacity to consent.

**CRIMINAL SEXUAL ACT IN THE SECOND DEGREE:** When a person engages in oral or anal sexual conduct with another person (1) and is 18 years or more and the other person is less than 15 years old; or (2) who is incapable of consent by reason of being mentally disabled or mentally incapacitated. It is an affirmative defense that the defendant was less than four years older than the victim at the time of the act.

**CRIMINAL SEXUAL ACT IN THE FIRST DEGREE:** When a person engages in oral or anal sexual conduct with another person (1) by forcible compulsion; (2) who is incapable of consent by reason of being physically helpless; (3) who is less than 11 years old; or (4) who is less than 13 years old and the actor is 18 years old or more.

**FORCIBLE TOUCHING:** When a person intentionally, and for no legitimate purpose, forcibly touches the sexual or other intimate parts of another person for the purpose of degrading or abusing such person; or for the purpose of gratifying the actor's sexual desire. It includes squeezing, grabbing, or pinching.

**PERSISTENT SEXUAL ABUSE:** When a person commits a crime of forcible touching, or

second or third degree sexual abuse within the previous ten year period, has been convicted two or more times, in separate criminal transactions for which a sentence was imposed on separate occasions of one of one of the above mentioned crimes or any offense defined in this article, of which the commission or attempted commissions thereof is a felony.

**SEXUAL ABUSE IN THE THIRD DEGREE:** When a person subjects another person to sexual contact without the latter's consent. For any prosecution under this section, it is an affirmative defense that (1) such other person's lack of consent was due solely to incapacity to consent by reason of being less than 17 years old; and (2) such other person was more than 14 years old and (3) the defendant was less than five years older than such other person.

**SEXUAL ABUSE IN THE SECOND DEGREE:** When a person subjects another person to sexual contact and when such other person is (1) incapable of consent by reason of some factor other than being less than 17 years old; or (2) less than 14 years old.

**SEXUAL ABUSE IN THE FIRST DEGREE:** When a person subjects another person to sexual contact (1) by forcible compulsion; (2) when the other person is incapable of consent by reason of being physically helpless; or (3) when the other person is less than 11 years old; or (4) when the other person is less than 13 years old.

**AGGRAVATED SEXUAL ABUSE:** For the purposes of this section, conduct performed for a valid medical purpose does not violate the provisions of this section.

**AGGRAVATED SEXUAL ABUSE IN THE FOURTH DEGREE:** When a person inserts a (1) foreign object in the vagina, urethra, penis or rectum of another person and the other person is incapable of consent by reason of some factor other than being less than 17 years old; or (2) finger in the vagina, urethra, penis, rectum or anus of another person causing physical injury to such person and such person is incapable of consent by reason of some factor other than being less than 17 years old.

**AGGRAVATED SEXUAL ABUSE IN THE THIRD DEGREE:** When a person inserts a foreign object in the vagina, urethra, penis, rectum or anus of another person (1)(a) by forcible compulsion; (b) when the other person is incapable of consent by reason of being physically helpless; or (c) when the other person is less than 11 years old; or (2) causing physical injury to such person and such person is incapable of consent by reason of being mentally disabled or mentally incapacitated.

**AGGRAVATED SEXUAL ABUSE IN THE SECOND DEGREE:** When a person inserts a finger in the vagina, urethra, penis, rectum or anus of another person causing physical

injury to such person by (1) forcible compulsion; or (2) when the other person is incapable of consent by reason of being physically helpless; or (3) when the other person is less than 11 years old.

**AGGRAVATED SEXUAL ABUSE IN THE FIRST DEGREE:** When a person subjects another person to sexual contact: (1) By forcible compulsion; or (2) when the other person is incapable of consent by reason of being physically helpless; or (3) when the other person is less than eleven years old; or (4) when the other person is less than thirteen years old and the actor is twenty-one years old or older.

**STALKING IN THE FOURTH DEGREE:** When a person intentionally, and for not legitimate purpose, engages in a course of conduct directed at a specific person, and knows or reasonably should know that such conduct (1) is likely to cause reasonable fear of material harm to the physical health, safety or property of such person, a member of such person's immediate family or a third party with whom such person is acquainted; or (2) causes material harm to the mental or emotional health of such person, where such conduct consists of following, telephoning or initiating communication or contact with such person, a member of such person's immediate family or a third party with whom such person is acquainted, and the actor was previously clearly informed to cease that conduct; or (3) is likely to cause such person to reasonably fear that his or her employment, business or career is threatened, where such conduct consists of appearing, telephoning or initiating communication or contact at such person's place of employment or business, and the actor was previously clearly informed to cease that conduct.

**STALKING IN THE THIRD DEGREE:** When a person (1) Commits the crime of stalking in the fourth degree against any person in three or more separate transactions, for which the actor has not been previously convicted; or (2) commits the crime of stalking in the fourth degree against any person, and has previously been convicted, within the preceding ten years of a specified predicate crime and the victim of such specified predicate crime is the victim, or an immediate family member of the victim, of the present offense; or (3) with an intent to harass, annoy or alarm a specific person, intentionally engages in a course of conduct directed at such person which is likely to cause such person to reasonably fear physical injury or serious physical injury, the commission of a sex offense against, or the kidnapping, unlawful imprisonment or death of such person or a member of such person's immediate family; or (4) commits the crime or stalking in the fourth degree and has previously been convicted within the preceding ten years of stalking in the fourth degree.

**STALKING IN THE SECOND DEGREE:** When a person: (1) Commits the crime of stalking in the third degree and in the course of and furtherance of the commission of such offense: (a) displays, or possesses and threatens the use of, a firearm, pistol, revolver, rifle, sword,

billy, blackjack, bludgeon, plastic knuckles, metal knuckles, chuka stick, sand bag, sandclub, 36lingshot, slungshot, shirken, “Kung Fu Star,” dagger, dangerous knife, dirk, razor, stiletto, imitation pistol, dangerous instrument, deadly instrument or deadly weapons; or (b) displays what appears to be a pistol, revolver, rifle, shotgun, machine gun or other firearm; or (2) commits the crime of stalking in the third against any person, and has previously been convicted, within the preceding five years, of a specified predicate crime, and the victim of such specified predicate crime is the victim, or an immediate family member of the victim, of the present offense; or (3) commits the crime of stalking in the fourth degree and has previously been convicted of stalking in the third degree; or (4) being 21 years of age or older, repeatedly follows a person under the age of fourteen or engages in a course of conduct or repeatedly commits acts over a period of time intentionally placing or attempting to place such person who is under the age of fourteen in reasonable fear of physical injury, serious physical injury or death; or (5) commits the crime of stalking in the third degree, against ten or more persons, in ten or more separate transactions, for which the actor has not been previously convicted.

**STALKING IN THE FIRST DEGREE:** When a person commits the crime of stalking in the third degree or stalking in the second degree and, in the course and furtherance thereof, he or she intentionally or recklessly causes physical injury to the victim of such crime.

## ***ADDENDUM B – Student Bill of Rights***

JTS is committed to providing options, support and assistance to victims/survivors of sexual assault, domestic violence, dating violence, and/or stalking to ensure that they can continue to participate in JTS-wide and campus programs, activities, and employment. All victims/survivors of these crimes and violations have the following rights, regardless of whether the crime or violation occurs on campus, off campus, or while studying abroad:

All students have the right to:

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

***ADDENDUM C – Safety and Security Telephone Numbers***

Fire or Police Emergency .... 911

Hatzalah..... (212) 874-1345

NYPD, 26th Precinct .....(212) 678-1311

JTS Emergency..... (212) 678-8888, x8888 from within JTS

JTS Security..... (212) 678-8087

Columbia Security .....(212) 854-2796

Barnard Security .....(212) 854-3362

Facilities and Maintenance .... (212) 678-8095

Residence Hall..... (212)280- 6180

Residence Life .....(212) 678-8035

St. Luke's Emergency..... (212) 523-3336

Columbia Presbyterian Hospital (212) 305-2500

Mt. Sinai-Morningside Hospital (212) 523-4000

JTS Counseling Center..... (212) 280-6161