

**TOURO UNIVERSITY**  
**ANNUAL SECURITY &**  
**FIRE SAFETY**  
**REPORT 2025**



**TOURO**  
**UNIVERSITY**

# TOURO UNIVERSITY

## ANNUAL SECURITY AND FIRE SAFETY REPORT 2025



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Dr. Alan Kadish President

### A MESSAGE FROM THE PRESIDENT, DR. ALAN KADISH

It is a privilege to welcome our many new and returning students, faculty and staff back to campus as we move into the new academic year of 2024-25. Our concern for your safety is always paramount, and as we return to campus in many locations, we are always working to ensure optimal security for our many students, faculty and staff members, along with excellence in instruction and flexibility across Touro.

We continue to implement key protective measures, and we have secured the majority of our sites and locations. For everyone's safety, please be aware that your Touro ID is required for entry into all Touro buildings and offices.

This booklet will detail everything you need to know about security and fire safety at Touro. Our security personnel are always onsite, ready to assist you and to answer questions or concerns that you may have.

We believe that our diligence and attention to safety issues will help our students focus on academic pursuits and empower their educational success in a seamless and safe environment. Wishing all of you great success this academic year!

**DR. ALAN KADISH**  
PRESIDENT



we are always working to ensure optimal security for our many students, faculty and staff members, along with excellence in instruction and flexibility across Touro.





We take immense pride in our team and the partnerships we have established...



Jeffrey Rosengarten, Senior Vice President of Planning and Operations

## A MESSAGE FROM THE SENIOR VICE PRESIDENT OF PLANNING AND OPERATIONS, JEFFREY ROSENGARTEN

I am pleased to introduce the members of our Department of Security and Emergency Response at Touro University. This dedicated team ensures the safety, security, and well-being of our university community. Below is an overview of our key team members and the roles they play:

**Kevin Paynter**, Director of Security and Emergency Response, brings twenty-three years of experience with the NYPD, where he retired as Lieutenant Commander of Detectives. In his current role, Kevin consults with local police precincts, state, and federal law enforcement agencies daily. He oversees all investigations related to criminal activity and internal compliance issues, ensuring the highest standards of safety for our university.

**James Carroll**, Assistant Director of Security and Emergency Response, brings twenty-five years of experience with the NYPD. His final stop with the NYPD was as the Counter-Terrorism Coordinator for lower Manhattan, where he retired as a Lieutenant. James works under the Director, initiating and monitoring key programs in electronic security, fire safety, budgeting, personnel management, crime analysis, training, and more. His expertise helps maintain our comprehensive safety programs across the university.

**Anthony Simone** is Associate Manager of Security & Emergency Response. He holds a Bachelor of Science in Homeland Security from St. John's University and a Master of Science in Emergency Management from John Jay College. With over six years in his role at Touro, Anthony is responsible for coordinating special security projects and programs, ensuring that we are always prepared for emergency situations.

**Kevin Egbert**, Manager of Security Operations, is a retired Police Detective from Plainfield, New Jersey, where he served for twenty-five years. Since joining Touro in 2013, Kevin has overseen security operations, including managing guard services, monitoring access control systems, CCTV video, and collaborating with external vendors. Kevin also assists in internal incident investigations to ensure operational integrity.

**Mariella Lacona-Simonetti** is Administrative Assistant within the Departments of Security and Emergency Response & Facilities. She has been a valuable member of the Touro community for over ten years, providing vital support. She manages projects, places orders for essential supplies, and consults with vendors, helping the department run smoothly.

### EXCEL SECURITY

In addition to our in-house team, we work closely with Excel Security, an external security vendor and consultant that provides services in personnel security, training, and emergency response. Excel Security's leadership includes **Neal Garelik** – President, **John Cantwell** – Managing Director, and **Frank Valluzzi** – Managing Director.

### TOURO UNIVERSITY PARTNERSHIPS

To ensure the highest level of security, Touro University maintains strong partnerships with the following organizations: **NYPD** (ten precincts), **Department of Homeland Security**, **Times Square Alliance**, **Intelligence & Counterterrorism**, **FBI**, **Jewish Community Relations Council**, **125th Street Business Improvement District**, **Secure Community Network**, **Vallejo Police Department** (California), **Suffolk County Police Department**, **Mount Pleasant Police Department**, and **Westchester County Police Department**. These relationships allow us to stay at the forefront of security protocols and emergency response, ensuring the safety of our students, faculty, and staff.

We take immense pride in our team and the partnerships we have established, which together create a safe and secure learning environment for all.

Sincerely,

**JEFFREY ROSENGARTEN**

SENIOR VICE PRESIDENT OF PLANNING AND OPERATIONS



## A MESSAGE FROM THE DIRECTOR OF SECURITY & EMERGENCY RESPONSE, KEVIN PAYNTER

On behalf of Touro's Security & Emergency Response Team, I would like to welcome you to the 2025-2026 academic year. Please see this Annual Security & Fire Safety Report in compliance with the federal Student Right-to-Know and Campus Security Act of 1990, Public Law 101-52 as amended into the Jeanne Clery Act of 1998. The enclosed pages are designed to provide you with important information about safety and security on campus. You will find crime statistics that have been reported by Campus Security to various international, local, state, and federal agencies. The report also contains a statement about the University's drug, alcohol and emergency response policies, in addition to outlining tips and available resources to help make your time with us comfortable and safe.

The individual reports for our other campuses can be accessed via their institutional websites at:

California: <https://tu.edu/campus-life/campus-safety/>

Nevada: <https://tun.touro.edu/administration/campus-operations/campus-security/>

HTC: <https://www.htc.edu/consumer-info/>

Please be advised that certain Touro programs take place on the campus of New York Medical College and crime statistics for these locations can be found in NYMC Annual Security and Fire Safety Report at:

<https://www.nymc.edu/departments/administrative-departments/public-safety/annual-security-and-fire-safety-report/>

Touro's Security & Emergency Response Department is committed to providing a safe living and learning environment for all members of our university community. As part of our ongoing effort, we also recognize that safety begins with each one of us. The success of our campus safety programs nationwide is directly tied to community involvement. All faculty, students, and staff need to be alert and understand the basic facts about security and safety. We need to take preventive measures to ensure our safety. We continue to update our training modules that can be reviewed anytime via Touro One. We encourage that you participate in the Canvas training module provided to you upon commencing the new year.

In the event of an emergency and/or for general assistance, contact our office located at 202 West 43rd Street, 2nd Floor, New York, NY 10036 or at (646) 565-6134. We are prepared to coordinate with local security services when necessary. You can also always dial 911. To speak with a live operator at any time, call Touro's 24-hour Hotline at 1- 88-Touro911 (1-888-687-6911). The Touro community uses TUAAlert to further communicate with our community. I urge everyone to enroll by logging on to the Touro portal and registering your personal information in the Emergency Communications Section.

If you have any questions or concerns about this report or your own safety as a member of the Touro community, please do not hesitate to contact us as we are here to assist and protect you.

Remember security starts with you! Best wishes for a safe and successful year!

**KEVIN PAYNTER**

*DIRECTOR OF SECURITY & EMERGENCY RESPONSE*

## TOURO UNIVERSITY'S SECURITY & EMERGENCY RESPONSE DEPARTMENT

Jeffrey M. Rosengarten, Senior Vice President-Operations  
Kevin Paynter, Director of Security & Emergency Response  
James Carroll, Assistant Director of Security & Emergency Response  
Kevin S. Egbert, Security Manager  
Anthony Simone, Associate Manager of Security & Emergency Response

### SEPARATE CAMPUSES

All policy statements contained in this Annual Security report apply to all New York and International campuses.

## ABOUT TOURO UNIVERSITY

Touro University is America's largest not-for-profit, independent institution of higher and professional education under Jewish auspices. Touro was chartered in 1970 by its founder, Dr. Bernard Lander. Under the leadership of President Alan Kadish, M.D., more than 18,000 students are studying at 31 locations, mostly in New York, but also in California, Chicago, Nevada, Israel, and Europe. Touro provides diverse, innovative, and engaging course offerings in a wide range of fields from pharmacy, dentistry and medicine to law; business to education; and speech pathology to Jewish studies—all reflecting the Jewish commitment to values and respect for applied knowledge and discovery.

## ANNUAL SECURITY REPORT

### PREPARATION OF THE ANNUAL SECURITY REPORT AND DISCLOSURE OF CRIME STATISTICS

The Touro University Security Department prepares this report to comply with the Jeanne Clery Disclosure of Campus Security and Crime Statistics Act using information maintained by the Security Department. This specific report relates to all of Touro University's New York and International sites. Additional information provided by other University offices such as Student Affairs, Residence Life, and other Campus Security Authorities and information provided by local law enforcement agencies in the communities where the Touro University ("Touro" or the "University") has campuses. Touro distributes a notice of the availability of this Annual Security and Fire Safety Report by October 1 of each year to every member of the Touro community.

Anyone, including prospective students and employees, may obtain a paper copy of this report by contacting the campus security department or visiting the Campus Security Website or Portal Page. This report provides statistics for the previous three years concerning reported crimes that occurred on campus, in certain off-campus buildings or property owned, leased, or controlled by Touro. This report also includes institutional policies concerning campus security, sexual misconduct, and controlled substances.

## ANNUAL SUBMISSION OF REPORTS:

An Annual Security Report ("ASR"), including Crime Statistics for the reporting calendar year, will be prepared timely by security director/designee(s) and the Office of Institutional Compliance and published in accordance with federal regulations under the Clery Act.

- A. The ASR will be posted to the Touro website on or before the first (1) day of October of each year.
- B. The ASR will include Crime Statistics by appropriate location, where applicable, and will include the previous three (3) years of reported statistics.
- C. Notification of the availability of the ASR must be sent on or before the first (1) day of October of each year to students, faculty and employees by available means. The notification will include the link to the report and the Crime Statistics.
- D. Touro provides notifications via email communications and, where applicable, posting on bulletin boards within the facility.
- E. Distribution is made electronically via web page, portal, email communication or hard copy upon request.
- F. Documentation of the steps taken to comply with the notification process is required, when available.

## REPORTING CRIMES AND OTHER EMERGENCIES

Campus Security encourages all students, faculty, staff, and guests to report any criminal activity, suspicion of criminal activity, accidents, and other emergencies to the Security Department as soon as possible. Whenever possible the identity of the complainant will be kept confidential if requested.

The Security department can be reached at (646) 565-6134, via e-mail at [security@touro.edu](mailto:security@touro.edu), via our 24-hour hotline at 1-888-Touro911 (1-888-687-6911), or In Case of Crisis app or at: <https://tourocollege.omnigo.one/CESIReportExec/olr/OLRMain.aspx?IsAuth=1&groupid=102>. The hotline will enable you to speak to a live operator, 24-hours a day, and 7 days a week, to report any incidents or emergencies and you can also report any criminal activity, suspicion of criminal activity, accidents, and other emergencies using the In **Case of Crisis** app or they can call 911.

In response to a crime report, the dispatcher will refer all calls to the appropriate University authorities based on the category of the emergency. The University authorities notified includes the Senior Vice President of Administration, the Director of Campus Security and Emergency Response, and the Director of Facilities.

Additionally, you are encouraged to accurately and promptly report any emergency in person to any Security Officer at your site, including when the victim elects to, or is unable to, make such a report, by phone to the Security Desks using the contact information below, or to the Security Director. If you are located in a student residence hall, you can report any incident to your Resident Director, Assistant Resident Director, or Resident Assistant at your facility.

**PHONE NUMBERS FOR SECURITY DESKS  
TOURO UNIVERSITY NEW YORK**

POSITION	NAME	EMAIL	PHONE
Director of Security & Emergency Response 202 West 43rd Street	Kevin Paynter	<a href="mailto:Kevin.Paynter@touro.edu">Kevin.Paynter@touro.edu</a>	(646) 565-6134
Assistant Director of Security & Emergency Response 202 West 43rd Street	James Carroll	<a href="mailto:JCarroll7@touro.edu">JCarroll7@touro.edu</a>	(646) 777-9254
Associate Manager of Security & Emergency Response 202 West 43rd Street	Anthony Simone	<a href="mailto:Anthony.Simone@touro.edu">Anthony.Simone@touro.edu</a>	(646) 565-6193
Security Manager, 202 West 43rd Street	Kevin Egbert	<a href="mailto:Kevin.Egbert@touro.edu">Kevin.Egbert@touro.edu</a>	(646) 565-6220
Touro College 24 Hour Hotline		1-88-TOURO911	1-888-687-6911
Dov Revel/Yeshiva of Forest Hills Security Desk 71-02 113th Street			(718) 520-5107 x 309 (Basement) (718) 520-5107 x 111 (2nd Floor)
Lander's College for Men Security Desk 75-31 150th Street			(718) 820-5099
NYSCAS - Brighton Center/Bensonhurst Security Desk 360 Neptune Ave			(718) 885-8587 or in house 58587
Lander's College Flatbush 1602 Ave J			(718) 535-9212
2002 Avenue J Security Desk			(718) 957-7403
School of Nursing/Speech Pathology 902 Quentin Road Security Desk			(718) 747-8067 (Lobby) (718) 236-2661 x 36327 (4th Floor)
Computer Center (1726 Kings Highway) Security Desk Graduate School of Education & Psychology			(718) 957-7460
Touro College of Osteopathic Medicine 231 W. 124th Street Security Desk			(646) 981-4524 or (646) 981-4525
Lander College for Women 227 West 60th Street Security Desk			(212) 287-3526
Lander College for Women Dorm 625 West 59th Street			(212) 287-3548
Montana School of Osteopathic Medicine 2801 18th Ave S Great Falls			(406) 401-8111
NYSCAS - Spring Creek (1344 Pennsylvania Avenue) Security Desk			(718) 957-7481
Main Campus 202 West 43rd Street			(646) 777-9782
Tour Law Center (225 East View Drive) Security Desk Main Building A Building B			(631) 761-7185 (631) 761-7186
Touro College of Osteopathic Medicine - Middletown Security Desk 60 Prospect Ave			(845) 648-1123 Horton Lobby (845)645-8130

**NOTICE OF NONDISCRIMINATION**

Touro University System treats all employees, students, and applicants without unlawful consideration or discrimination as to race, creed, color, national origin, sex, age, disability, marital status, genetic predisposition, sexual orientation or citizen status in all decisions, including but not limited to recruitment, the administration of its educational programs and activities, hiring, compensation, training and apprenticeship, promotion, upgrading, demotion, downgrading, transfer, layoff, suspension, expulsion and termination, and all other terms and conditions of admission, matriculation, and employment. Inquiries or complaints concerning the non-discrimination policies for all Touro campuses (excluding NYMC) should be sent to Matthew Lieberman, 202 West 43rd Street New York, NY 10036(646) 565-6067. For inquiries or complaints concerning NYMC, individuals should contact Katherine Dillon at 40 Sunshine Drive, Valhalla, NY 10595 (914) 594-4527. Employees or students may alternatively file a complaint with the Office for Civil Rights by contacting their regional office /or the US Department of Education.

Please refer to the link provided for locations: <http://www.ed.gov> or <https://ocras.ed.gov>

## INCIDENT REPORTS

Touro University complies with the Clery Act regarding statistical reporting and disclosures without the inclusion of personal identifying information about the victim. The Touro University reports, files, policies, and other records are private, and not subject to requests for release filed pursuant to the Freedom of Information Act. Victims of crime and drivers involved in traffic collisions on campus may request a report by contacting Campus Security. The Campus Security Department will:

- Immediately respond and meet with the victim.
  - Coordinate medical treatment, if needed.
  - Inform victims of their rights and options. • Initiate a criminal investigation, if so desired.
  - Offer available services
  - Collect and secure physical evidence.
  - Determine if a Timely Warning should be issued.
  - Notify Title IX, the Office of Student Life, and other departments as needed
  - Collect Clery statistical information.
  - Notify Title IX Coordinator
  - Offer Reasonable Accommodations such as living accommodations if in a dorm, class schedule etc.
  - Assist with obtaining information for Order of protection/ no contact

The University will release information regarding the outcome of a disciplinary proceeding conducted against a student or employee who is the alleged perpetrator of a crime of violence or a non-forcible sex offense to the alleged victim, or to the next of kin if the victim is deceased, upon written request. This information is confidential and is not generally released to any member of the public.

Members of the community are helpful when they immediately report crimes or emergencies to the Campus Security Department, any Security Officer located at your site and/or any Campus Security Authority. This information is used for purposes of including them in the annual statistical disclosure and assessing them for issuing a Timely Warning Notices, when deemed necessary.

Campus Security informs complainants of all the reporting options available to them through the University as well as with local, state, and federal agencies. Victims of a crime also have a right not to report to law enforcement.

If you are located outside of the New York area, please reference the Site Directors at these campuses/ sites are responsible for forwarding any and all reportable incidents to the Main Campus Security Office in New York promptly.

If assistance is required in completing and/or reporting an incident or occurrence to local law enforcement agencies, the Campus Security department will be glad to render any assistance needed.



Touro University seeks to empower victims of crime by informing them of their options. Campus security authorities, upon receiving a crime report, will inform the victim that they may choose to have the offense investigated by Campus Security in conjunction with Compliance Office or another law enforcement agency with jurisdiction, or adjudicated by the University through the Title IX or Student Conduct process, where applicable. Victims of crime also have the right not to report to law enforcement. In all cases, crime reports made to campus security authorities are forwarded to the Campus Security department for the purposes and inclusion in the Annual Security Report.

Touro University is committed to providing victims of sexual or gender-based violence with as safe a learning or working environment as possible. The University provides this regardless if a student/employee reports to law enforcement and/or pursues any formal action. Upon request, Touro University will make any available change, within reason, to a victim's academic, living, transportation, and or working situation:

- If safety of the victim is an issue, and the victim lives in the campus residential hall, moving to another room is offered.
- Classes can be changed if a safety issue arises, such as a suspect's enrollment in one or more of the victim's classes.
- Work with Housing and Residence Life to ensure that a change in living arrangements is made if needed.

## VOLUNTARY, CONFIDENTIAL REPORTING

If crimes are never reported, little can be done to help other members of the community from also being victims. We encourage Touro community members to report crimes promptly and to participate in and support crime prevention efforts. We encourage victims (and bystanders) to promptly report crime to the Campus Security Department. All incidents should be reported to the Campus Security Department promptly and where applicable to the local law enforcement agency. The Touro community is much safer when all community members participate in safety and security initiatives.

If you are the victim of a crime or want to report a crime you are aware of, but do not want to pursue action within the Touro or criminal justice system, we ask that you consider filing a voluntary, confidential report. Depending upon the circumstances of the crime you are reporting, you may be able file a report while maintaining your confidentiality. The purpose of a confidential report



is to comply with your wish to keep your personally identifying information confidential, while taking steps to ensure your safety and the safety of others.

The confidential reports allow the University to compile accurate records on the number and types of incidents occurring on campus. Reports filed in this manner are counted and disclosed in the Annual Security and Fire Safety Report. In limited circumstances, the Department may not be able to assure confidentiality and will inform you in such cases.

Anyone may call the COMPLIANCE HOTLINE at (646) 565-6000 x 55330 to report an incident. This hotline will take anonymous calls, and you need not leave your contact information.

## PASTORAL AND PROFESSIONAL COUNSELORS

According to the Clery Act, pastoral and professional counselors who are appropriately credentialed and hired by Touro to serve in a counseling role are not considered Campus Security Authorities when they are acting in the counseling role. As a matter of policy, the University encourages pastoral and professional counselors to notify those whom they are counseling of the voluntary, confidential reporting options available to them.

## SECURITY SERVICES

Access to Touro buildings is a privilege extended to our faculty, students, staff, and authorized visitors. We encourage an open environment with limited constraints to ensure the reasonable protection of all members of the Touro community. Touro has contracted with Excel Global Security, a professional security service to maintain guards and to monitor security at its campuses and sites. Excel also provides Touro with access to their modern Command Center, which is one of the most sophisticated of its kind in the country. Security personnel are carefully screened before being assigned to Touro and supervised to ensure quality assurance. Security Officers are supervised by both their agency supervisor and the Campus Security Department.

Security Officers respond to emergency calls for service, enforce regulations, and assist in security building inspections and fire prevention. We work closely with the NYPD and other agencies as needed. Security Officers may detain individuals who engage in illegal and criminal actions until NYPD Officers arrive and/or Local Law Enforcement agencies arrive. They are empowered to enforce Touro's regulations, to investigate incidents and to apprehend those who violate Touro policies or commit crimes on campus. Criminal

violators who are apprehended are turned over to the NYPD and/or Local Law Enforcement agencies. Touro Security Officers have no power of arrest. Security officers are non-sworn officers, so they are unable to determine a crime as unfounded.

Security at our international sites is managed by a combination of building security and the local law enforcement agencies. Our Security Director meets regularly with Police Commanders and community organizations to help ensure the safest environment for our campus community. Our site directors at our international sites meet with their local law enforcement agencies as needed.

## LAW ENFORCEMENT RELATIONSHIPS

It is Touro's Campus Security policy to work in conjunction with all state and federal law enforcement agencies, local police agencies and emergency management organizations when applicable. In the event that a serious crime or death was to occur, Campus Security is mandated to notify the proper law enforcement agencies.

The county or country in which the crime took place would then either assume responsibility or delegate its authority to another agency to investigate the criminal matter or prescribe action to be taken. The Security Officers have jurisdiction to operate on property owned or controlled by Touro.

Touro has a written Memorandum of Understanding (MOU) pertaining to the investigation of alleged criminal incidents, with the NYPD and the Suffolk County Police Department, and law enforcement agencies covering other locations where the University maintains a significant campus presence.

Other law enforcement agencies may not honor a Memorandum of Understanding although Touro has requested them; however, they are cooperative when asked to provide the Touro community with requested information. The State police become involved at the request of local police agencies and Touro has no formal relationships with any State police agency. Other agencies, either state or Federal, at the request of the local police may also become involved if it is deemed necessary.

NYPD and other local law enforcement agencies monitor and record criminal activity engaged in by students, faculty and/or staff at all Touro campuses/sites and provide this information to the Campus Security Department. The information is then referred to the Dean of Students and/or Human Resources for possible disciplinary sanctions. The Security Officers, NYPD and other local law enforcement agencies jointly patrol the campus sites and grounds where students and employees attend classes, live, and work at or frequent.

## REPORTING TO OTHER CAMPUS SECURITY AUTHORITIES

While the University prefers that community members promptly report all crimes and other emergencies directly to the Security Department, we also recognize that some may prefer to report to other individuals or University offices. The Clery Act recognizes certain University officials and offices as "Campus Security Authorities (CSA)." The Act defines such individual as an "official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline and campus judicial proceedings. An official is defined as any person who has the authority and the duty to take action or respond to particular issues on behalf of the institution."

All campus security authorities are required to report a crime in writing to the Campus security department if they have a reasonable basis for believing the information is not simply rumor or hearsay. If a campus security authority is unsure whether the information was provided in good faith, he/she should report the information to campus security department. A CSA is not responsible for determining whether a crime actually took place. It is the function of Campus Security and/or law enforcement to determine whether a crime took place. Reports must be submitted promptly.

If a CSA requires assistance with completing a report or guidance on how to proceed, he/she can contact the office of Campus Security or Title IX. A CSA must also take into account whether a victim wants to pursue the matter confidentially and whether he/she wants to pursue the matter with law enforcement.

While the Touro University Systems has identified many CSAs, we officially designate the following offices as places where campus community members should report crimes:

OFFICIAL	PHONE NUMBER
University Security	Located at your site 1-88-Touro911 (1-888-687-6911)
Student Affairs	See local information
Director of Human Resources (Employees)	646-565-6163
Title IX Coordinator	646-565-6067
Office of Institutional Compliance Hotline (Can be contacted anonymously)	See local information
Residence Life (Residence Students Only)	Malks Katz (Womens' Dorm) 646-469-6417 Ariel Kopitnikoff 908-377-5431 (Mens)

### THE CAMPUS SECURITY ADVISORY COMMITTEE

To further enhance security at Touro an Advisory Committee on Campus Security has been established. The committee is comprised of members of the student body, faculty, and administrative staff. The duties of the committee consist of reviewing Campus Security policies and procedures and making recommendations for their improvements, specifically with regard to:

- Educating the campus about our sexual assault, bias crimes, policies, etc.
- Educating the campus about personal safety and crime prevention.
- Referring complaints to appropriate authorities.
- Responding to inquiries from concerned persons.

To inquire about participation in this committee please contact our office at (646) 565-6134.

### SECURITY AWARENESS PROGRAMS

The University provides educational programs to the Touro community to promote awareness of issues relating to Crime Prevention and safety. These programs are available to the Touro community online via the portal. In addition, the topics are addressed during student orientation, annual residence hall meetings and monthly employee orientations. Lastly, seminars are held during the semester to remind the Touro community of the education received during these seminars where literature is made available to those who attend.

Many topics addressed such as personal safety, assault, stalking, identity theft, drug and alcohol awareness. This year training will continue to be expanded to promote awareness and risk reduction programs related to rape, acquaintance rape, dating violence, domestic violence, sexual assault, stalking and other sexual offenses. Touro has collaborated with both the State police and the Mount Sinai Savi Program. In these programs, students and employees are encouraged to be responsible for their own security and the security of others. The institution held an average of 8 crime prevention and security awareness programs during the academic year. Specifically, on at least an annual basis, the Office of the Dean of Students, the Vice- President of the Division of Graduate Studies, and Campus Security at each of the University's campuses/sites provide a formal educational program to increase awareness of sexual offenses, including rape, acquaintance rape, dating violence, domestic violence, sexual assault, stalking and other forcible and non-forcible sex offenses.

The programs include discussion of what constitutes these offenses, penalties for these offenses, definition of consent, prevention and awareness programs and ongoing prevention and awareness campaigns, risk reduction for students and faculty, safe and positive options for bystander intervention and security measures to protect against the occurrence of these offenses. The University advertises the date, time, and content of these educational programs on posters displayed in those areas regularly used by students and employees of the University. Presentations will be made by speakers and appropriate members of the University's faculty and staff at these educational programs.

Touro students and employees take great pride in our campus community and all it offers. Our campus community is a great place to live, learn, work and study, however, this does not mean that the campus community is immune from all of the other unfortunate circumstances that arise in other communities. Our nation's campuses are safer than the communities that host them because we look out for each other. As bystanders, we play a critical role in intervening to reduce crime of all types including gender and sexual violence. Touro encourages this compassion and care for one another by expecting that if it is safe to intervene in a situation, a campus community member will, and if it is not safe, that a community member will contact appropriate resources (Security or 911) based upon the situation.

### CRIMES INVOLVING STUDENT ORGANIZATIONS AT OFF-CAMPUS LOCATIONS

Touro does not allow student organizations to maintain off-campus locations, the requirements of 668.46(b) (7) of the Clery Act regulations do not apply. All individuals, whether they belong

to the University community or not, are subject to all international, federal, state and local laws while on Touro campuses and sites and may be subject to criminal charges where applicable, even for first offenses. We encourage all the Touro community to report any incidents promptly to both the Campus Security department and/or your local law enforcement agencies (where applicable). The University relies on its close working relationships with local law enforcement agencies to receive information about incidents involving students and employees at all University sites.

## TIMELY WARNING REPORTS & PUBLIC SAFETY NOTICES

This section summarizes Touro's emergency response and evacuation procedures, including protocols for emergency notifications communications in those situations that represent a significant emergency or dangerous situation affecting the health and/or safety of the University community. This policy statement complies with the Emergency Notification requirements of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, as amended by the Higher Education Opportunity Act of 2008 and applicable Department of Education regulations.

Critical safety information is provided under two circumstances:

1. **Emergency notifications** are near real-time information provided quickly for any life-threatening hazard. They will typically contain little detail and will initially alert the community to a dangerous situation, provide information including where to get additional information (for example a website), and resolve or reassure the community the hazard has been controlled.
2. **Timely Warnings** are distributed for certain crimes in federally defined "Clery Act Geographies" that represent a threat to the Touro community; the University will provide a "Timely Warning." If a crime takes place in the areas surrounding the campus, or is not one of the federally defined crimes (for example kidnapping), we will circulate a "Public Safety Notice."

Both types of communications are described below. Please review this information so you are familiar with how Touro will reach out during an emergency.

Campus Security will prepare a Timely Warning/Public Safety Notice when a report is received of a violent crime against a person, or a particularly threatening crime against property on campus that represents an ongoing or serious danger to the safety of students, faculty, and staff.

Timely Warning/Public Safety Notices will provide details of the crime, a description of the suspect if known, and information on whom to contact about the investigation, and crime prevention tips.

Timely Warnings are typically issued for the following Uniform Crime Reporting Program (UCR)/National Incident Based Reporting System (NIBRS) crime classifications:

- Murder/Non-Negligent Manslaughter
- Aggravated Assault (cases involving assaults among known parties, such as two roommates fighting which results in an aggravated injury, will be evaluated on a case-by-case basis to

determine if the individual is believed to be an ongoing threat to the larger Touro University community)

- Robbery involving force or violence (cases including pick pocketing and purse snatching will typically not result in the issuance of a Timely Warning Notice, but will be assessed on a case-by-case basis)
- Sexual Assault (considered on a case-by-case basis depending on the facts of the case, when and where the incident occurred, when it was reported, and the amount information known by the Campus Security Director, or designee). In cases involving sexual assault, they are often reported long after the incident occurred, thus there is no ability to distribute a "timely" warning notice to the community. All cases of sexual assault, including stranger and non-stranger/acquaintance cases, will be assessed for potential issuance of a Timely Warning Notice.
- Major incidents of Arson
- Other Clery crimes as determined necessary by the Campus Security Director, or his or her designee in his or her absence.
- Timely Warning Notices may also be posted for other crime classifications and locations, even though that is not required by the law, at the sole discretion of Touro University.

When Campus Security becomes aware of crimes committed off-campus being investigated by local law enforcement that may present a serious or continuing threat to the campus community, a Timely Warning/ Public Safety Notice may be issued. This will be determined by Campus Security on a case-by-case basis based on the facts of the situation, the possible impact to the campus community, and the information provided by local law enforcement.

We usually include the following information in timely warnings and public safety notices.

- A succinct statement of the incident.
- Possible connection to previous incidents, if applicable.
- Physical description of the suspect.

Timely Warning Notices will be distributed as soon as pertinent information is available, in a manner that withholds the names of victims as confidential, and with the goal of aiding in the prevention of similar occurrences.

Timely Warning Notices are typically written by the Department of Campus Security and Emergency Response, Communications Department and our compliance department. Upon consensus of the message the Department of Campus Security and Emergency Response will disseminate the message.

Photo or composite drawing of the suspect, if available.

1. Date and time the notice was released.
2. Other relevant and important information including prevention advice.

Campus Security may not include some known information in a Timely Warning/Public Safety Notice if providing that information could risk compromising law enforcement efforts.

Timely Warning/Public Safety Notices may be updated if new or more accurate information becomes available to Campus Security.

If there is an immediate threat to the health or safety of students or employees occurring on campus, Touro will follow its emergency notification procedures. When following its emergency notification procedures, Touro may not also issue a timely warning based on the same circumstances; however, Touro will provide adequate follow-up information to the community as needed.

## **DISTRIBUTION OF TIMELY WARNINGS OR PUBLIC SAFETY NOTICES**

Timely Warning/Public Safety Notices are distributed by the Department of Campus Security and Emergency Response, in the following ways:

1. **TOURO WEBSITES** – Notices may be posted on the main Touro website, [www.touro.edu](http://www.touro.edu). The website will be updated with information throughout the duration of any serious incident.
2. **MAIN CAMPUS EMERGENCY INFORMATION LINE, (212) 463-0400 OPTION 4** – Students and employees may call the Main Campus phone number for updated information about serious or ongoing threats to the campus community.
3. **TUALERT** – Members of the campus community may receive Timely Warning/Public Safety notifications from TUALert via voice, email, and text messaging.
4. **TOURO MASS E-MAIL** – During regular business hours, 9:00am-5:30pm, an “urgent” mass e-mail will be sent to all [touro.edu](mailto:touro.edu) email addresses. The message will provide instructions to follow during the incident, or direct individuals to the main Touro website for additional information or instructions.

In some instances, Campus Security may distribute flyers to appropriate University departments to be posted in affected areas of the campus. After Touro locations are closed, TUALerts are sent to all Touro community members with information and instructions on any relevant situation.

## **EMERGENCY RESPONSE AND EVACUATION PROCEDURES**

### **EMERGENCY PREPAREDNESS**

Emergency Preparedness is about thinking of the hazards that can threaten your safety and developing a plan to minimize the effects of the hazard as much as possible. The health and safety of all Touro students, faculty, and staff is of paramount concern to the University. \*

While the likelihood of a major emergency is remote, Touro recognizes the critical importance of being prepared and has designed a program that ensures the security of the University community in the event of a crisis. The emergency plan identifies the University's needs, the resources needed on hand during an emergency, and the steps needed to move forward after an emergency is resolved.

### **EMERGENCY DEFINED**

An emergency is an unanticipated crisis that arises, posing an IMMEDIATE or an IMMINENT threat to the life/ lives, safety, and/or health of students, faculty, staff, or others on any Touro campus/site.

Since such situations call for rapid, competent, and responsive action, it is helpful to review the appropriate responses to possible emergency scenarios.

There are four ways in which members of the University community can reach a representative of the University in the event of an emergency; by contacting the emergency hotline number, 911, the security guard located at their campus/site, their Emergency Coordinator (EC) or their Emergency Evacuation Coordinator (EEC).

### **THE EMERGENCY ACTION PLAN**

Touro's Emergency Action Plan (EAP) is a general guide for more common emergencies that occur on university campuses across the United States. Students, faculty and staff may download the EAP located on the TouroOne portal, under the student or employee resources tab.

To further enhance the university community's preparedness, the university has launched a crisis app, the **In Case of Crisis** app, which converts the EAP into an easy-to-use, digital platform that makes the EAP accessible from any smartphone and any location. Emergency situations are represented by icons, and each icon gives you access to the procedures to follow, emergency contacts within Touro, and in many cases, the ability to send an incident report anonymously.

The app is free and available on the AppStore, Google Play and Amazon Apps platform.

### **EMERGENCY HOTLINE NUMBER 1-88-TOURO911**

If a call is placed to the Touro Emergency Hotline number, Signius, the emergency answering service has instructions to contact the Department of Campus Security and Emergency Response, and Facilities. Under certain emergency circumstances, the Senior Vice President of Operations will be contacted, as well. The service is manned 24-hours a day, 7-days a week.

### **CALLING 911**

Touro has a Memorandum of Understanding (MOU) with the New York City Police Department and the Suffolk County Police Department so that the Director of Security is notified of all 911 calls that come from Touro locations. This ensures that University officials are aware of emergencies as soon as they occur.

### **SECURITY GUARDS**

The University's contracted security guard service has instructions to contact the Security Director in the event of any calls from students or employees of the University, whether the call is of an emergency nature or not.

The security guards also have instructions to contact the Security Director for any 911 calls that are placed. These procedures ensure that any issues that arise are addressed immediately, and mitigate the possibility of a small matter turning into an emergency.

## **EMERGENCY COORDINATORS (EC) AND EMERGENCY EVACUATION COORDINATORS (EEC)**

The Facilities Manager of each building is the Emergency Coordinator (EC) for that building. The EC is responsible for maintaining communication with the Emergency Evacuation Coordinator (EEC) during emergencies. ECs are trained in fire safety egress, workplace violence scenarios and are equipped with two-way radios for instant communication with the Emergency Manager, Campus Security, and EECs.

Formerly known as fire wardens, EECs are Touro employees who recognize the importance of being prepared and have volunteered to take on the responsibility of ensuring the safety of the students and employees of the University. EECs are also trained in fire safety egress, workplace violence scenarios, and are equipped with two-way radios for instant communication with the EC and the security guards.

Additionally, ECs and EECs are trained in the Incident Command System (ICS), the system under which emergencies are handled by police, fire, and emergency services across the United States. EECs are sometimes the first line of defense during an emergency, for they respond to emergencies before local emergency services arrive.

The emergency evacuation procedures are tested at least twice each year. Students and employees learn the locations of the emergency exits in the buildings and are provided guidance about their designated assembly area when exiting each facility for short term building evacuation. Campus Safety does not tell building occupants in advance about the designated locations for long-term evacuations because those decisions are affected by time of day, location of the building being evacuated, the availability of the various designated emergency gathering locations on campus, and other factors such as the location and nature of the threat. In both cases, Campus Safety staff on the scene will communicate information to students regarding the developing situation or any evacuation status changes.

Touro has residence halls and therefore is required to perform fire drills four times annually. The Resident Director acts in place of the EC; while the Resident Assistants act in place of the EECs. The Resident Director and assistants are trained in fire safety egress and are also equipped with two-way radios. The purpose of evacuation drills is to prepare building occupants for an organized evacuation in case of a fire or other emergency. At Touro University evacuation drills are used as a way to educate and train occupants on fire safety issues specific to their building.

During the drill, occupants 'practice' drill procedures and familiarize themselves with the location of exits, their designated assembly areas and the sound of the fire alarm.

## **EMERGENCY RESPONSE PLAN**

Touro University's Department of Campus Security and Emergency Response is responsible for the overall direction and planning for emergencies on campus. Under the guidance of the Director of Campus Security and Emergency Response, the University has developed a comprehensive, all-hazard Emergency Response Plan that outlines steps the University will take to prevent, mitigate, prepare for, respond to, and recover from a full range of likely hazards it may face.

A summary of the University's emergency response procedures is located at <https://mytouroone.touro.edu>. Included at this web page is detailed information regarding the University's emergency notification policy, including how to enroll in the mass notification system to ensure students receive emergency notices on personal phones.

To ensure these plans remain current and actionable, the University will conduct an emergency management exercise, at a minimum, once yearly. These exercises may include tabletop drills, emergency operations center exercises, or full-scale emergency response exercises. The University conducts after-action reviews of all emergency management exercises.

In conjunction with at least one emergency management exercise each year, the University may notify the community of the exercise and remind the community of the information included in the University's publicly available information regarding emergency response procedures.

## **GENERAL EVACUATION PROCEDURES**

At the sound of a fire alarm, or instruction to evacuate, leave your classroom or work area immediately and proceed to the nearest exit, and leave the building. If you are the first to recognize a fire situation, activate the alarm, evacuate to a safe location using the nearest exit, and notify security or dial 911..

1. Remain Calm
2. Do NOT use Elevators, use the Stairs.
3. Assist the physically impaired. If he/she is unable to exit without an elevator, leave the person in a secure location near a stairwell, and immediately inform Campus Safety or the responding Fire Department of the individuals' location.
4. Proceed to the Designated Assembly Area at least 500 feet from the building. Keep all walkways clear for emergency vehicles.
5. Make sure all personnel are out of the building.
6. Do not re-enter the building.

## **SHELTER-IN-PLACE PROCEDURES**

The Shelter-in-Place procedure is the precaution of directing building occupants to remain inside a building; either at their work/class locations or in a designated shelter room. These options can be used in two types of situations. If 1) there is no immediate threat to the facility itself, then all occupants can remain inside or if 2) the threat is such that an attempt to move occupants outside of the building would expose them to more danger than they would face by staying inside.

The Emergency Coordinator (EC) of a building will determine if a shelter-in-place is advised and alert Campus Security and the Emergency Manager. The Emergency Manager will mobilize the Emergency Response Team (ERT) as necessary. Building occupants will be notified via the Emergency Evacuation Coordinators (EECs) TUAAlert, PA announcement (for those locations with public address systems), and word of mouth that the building will shelter-in-place in three minutes. Once the order to shelter has been given, EECs will (a) announce to their floor occupants, "A shelter-in- place



advisory has been issued. All students, employees, and visitors should remain in their classroom/office until we are advised of the All Clear”; or (b) leave their current area and proceed to the emergency shelter room(s)”. The EC will advise EECs which shelter option to use at the time of the shelter-in-place announcement.

Ideally, one would shelter in a room that can be secured, and with few or no windows. This includes areas such as libraries, cafeterias and assembly halls. There are two types of Shelter-in-Place; lockdown and lockout. A lockdown is a form of sheltering that is used to limit exposure to an apparent life-threatening, hostile or hazardous situation or threat within the building. Lockdown is a classroom/office based protocol where you should lock the doors, silence cell phones, turn off the lights, close the windows/blinds (depending on location) and barricade the entrance. All campus buildings are locked to prevent entrance from the outside, though exit from buildings is still possible by pushing the crash bar from the inside. A lockdown is usually issued as a result of an internal threat in a building.

A lockout is a form of sheltering that is also used to limit exposure to a hostile or hazardous situation. Lockout is a building based protocol where members of the University are recovered from outside, and access to the building is sealed off. Exit from the campus building is not possible; however, movement within the building is permitted. A lockout is likely to occur during civil disturbances, weather emergencies or hazardous material spills.

When carrying out the Shelter-in-Place procedures building occupants should collect any supplies including cell phones, radios, flashlights, etc. that might be needed. Once sheltered, attendance of all individuals and their location should be noted and provided to the EC (via communication device) for accountability purposes.

Notify the EC/EEC if your shelter has been compromised in any way or special assistance is required. During a lockdown only local emergency response personnel will be allowed in the building. Remain in your shelter location until the All Clear is given by building authorities/emergency personnel.

**INSTRUCTIONS FOR SHELTER-IN-PLACE**

The Emergency Coordinator, Emergency Manager or Campus Security authorities can direct on-site administration which shelter-in-place option to implement. The Emergency Coordinator will determine whether sheltering should take place in offices or pre-designated shelters within the confines of the building. The

Emergency Coordinator should refer to the Building Emergency Plan (BEP) for site specific shelter locations.

**LOCKDOWN/LOCKOUT**

- Upon ordering a lockdown/lockout, the Emergency Coordinator will contact Campus Security and Emergency Response to issue an Immediate Notification to the parts of the University community affected by the lockdown/lockout
- During environmental or hazardous materials incidents, the Emergency Coordinator will ensure all outside doors and windows are closed, and HVAC and air handling systems are shut down
- Campus Security will inform public safety authorities of the lockdown/lockout and ensure that appropriate public safety personnel have keys to access the secured areas
- All building occupants should move into isolated sections of the building and reduce exposure to outside windows and doors
- EECs will, (a) announce to their floor occupants, “A shelter-in-place advisory has been issued. All students, employees, and visitors should remain in their classroom/office until we are advised of the All Clear” or (b) leave their current area and proceed to the emergency shelter room(s)”
- Upon arrival to the shelter location, Emergency Evacuation Coordinators will account for their floor occupants and note any missing individuals
- Campus Security authorities will notify the Emergency Coordinator when it is safe to resume normal operations; the Emergency Coordinator will notify the Emergency Evacuation Coordinators of the “All Clear” via two-way radio

**EXERCISES AND TRAININGS**

Exercises provide a means to validate plans, checklists and response procedures and to evaluate the skills of personnel. To ensure these plans remain current and actionable the University will conduct an emergency management test, at a minimum once yearly.

These test, which may be announced or unannounced may take one of the following forms:

- **Exercise** – An activity designed to: promote emergency preparedness; test or evaluate emergency operations, policies, plans, procedures or facilities, train personnel in emergency duties, and demonstrate operational capabilities.
- **Orientation Seminar** – An informal discussion designed to familiarize participants with roles, plans, procedures, and resolve questions of coordination and assignment of responsibilities.
- **Drill** – Supervised activities that test, develop, or maintain skills in a single response procedure (such as: communications, notification, lockdown, and fire) and the possible or probable interaction with local government agency functions (such as incident command posts, rescue squad entry, and police perimeter control) which will involve actual field response. Drills

help prepare for more complex exercises in which several functions are coordinated and tested.

- **Tabletop Exercise** – Tabletop exercises simulate an emergency situation in an informal, stress-free environment. It is designed to elicit discussion as participants examine and resolve problems based on existing crisis management plans.
- **Functional Exercise** – A fully simulated interactive exercise, tests one or more functions in a time-pressured realistic simulation, focuses on policies, procedures, roles, and responsibilities.
- **Full-Scale Exercise** – Evaluates the operational capability of emergency response management systems in an interactive manner. This includes the mobilization of emergency personnel and resources required to demonstrate coordination and response capability. A full-scale exercise tests total response capability as close to a real emergency as possible.

After each exercise or activation of the Emergency Response Team (ERT), a brief after action report will be written to evaluate the event against measurable goals. This document will include: purpose, date/time, whether the test was announced or unannounced, participants, description, successes, shortcomings and corrective action recommendations. The evaluation is designed to assess the emergency plans and its capabilities.

The after-action reports may be distributed to the participants for corrections and recommendations. A meeting to review the corrective action recommendation may need to be scheduled to discuss the need to alter any University policies and procedures. The University will notify the community of the test and remind the community of the information included in the University's publicly available information regarding emergency response procedures.

To further enhance the University community's preparedness, the University has launched a crisis app that converts the Emergency Action Plan into an easy-to-use, digital platform that makes the plan accessible from any smartphone and any location. Emergency situations are represented by icons, and each icon gives you access to the procedures to follow, emergency contacts within Touro and, in many cases, the ability to send an incident report anonymously.

## EMERGENCY COMMUNICATIONS

TUAlert is Touro's mass notification system that provides an easy and effective way to send text, email and voice messages to notify the University community of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus.

Once the nature and severity of an incident is determined, the University's Emergency Manager is notified and authorized to begin the notification process. Each category has a different notification tree, with Category 3 and Category 4 requiring notification to the University community. The type of message and content of notification is based upon emergency templates that are part of the University's Crisis Communication Plan.

In the event of an emergency, the University relies on several modes of communication for disseminating information:

- **TU Alerts:** TUAlert provides voice, email, and text messaging capabilities to notify students and employees of critical incidents. The system uses a variety of telecommunications partners to ensure connectivity to cell phones, landlines, and email accounts. Authorized staff within the institution or at an off-site location can initiate critical incident communications. The University tests the system twice each semester to ensure timely notification of critical events. TUAlerts provide real-time updates, instructions on where to go, what to do (or not to do), who to contact and other essential information.
- **University System Group Email:** Email messages are sent to all Touro email accounts and provide students, faculty, and staff with information and updates regarding potential threats to the safety and security of the campus community. The message directs individuals to the main Touro website for additional information and instructions. The University's Office of Information Technology manages the data for the mass email notifications.
  - **Website:** The University community can check Touro's main website, [www.touro.edu](http://www.touro.edu), for notification and updates regarding emergencies. This mode has been used extensively to advise of cancellation of classes, school closings, and weather related emergencies.
- **University System Emergency Information Line, (212) 463-0400 Option 4:** Students, faculty, and staff members may call the Main Campus telephone number for information about campus emergencies and closures.
  - **Local Media:** Since much of the University community commutes on a regular basis, broadcast media is relied upon to notify students, faculty, and staff of emergencies before or during their commutes. The University's broadcast stations are WCBS880 and 1010WINS radio stations, and News Channel 4 television station. The Department of Communications & Marketing is responsible for sending press releases and/or contacting local media to disseminate necessary information.
- **Social Media:** Since social media is especially useful to confirm information students receive through other channels, the Department of Communications & Marketing may provide additional updates, and responds to student feedback during emergencies.
- Other forms of emergency communication include door-to-door contact, posting of flyers and notices in key locations, and emergency alert radios for key personnel.



**EMERGENCY PREPAREDNESS POLICY STATEMENT REGARDING TOURO UNIVERSITY SYSTEMS RESPONSE AND EVACUATION**

This policy statement summarizes Touro's emergency response and evacuation procedures, including protocols for emergency communications in those situations that represent a significant emergency or dangerous situation affecting the health and/or safety of the University community. This policy statement complies with the Emergency Notification requirements of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, as amended by the Higher Education Opportunity Act of 2008 and applicable Department of Education regulations.

**EMERGENCY NOTIFICATION SYSTEM**

The University is committed to ensuring the campus community receives timely, accurate, and useful information in the event of an emergency on campus or in the local area, which poses a risk to the health and safety of campus community members. To support this commitment, the University has invested in a mass notification system, called TUALert.

TUALert has several multi-modal forms of communications that allow administrators to distribute notices in the event of a critical incident or dangerous situation. The University will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency. Once students register for classes their contact information is automatically captured for the system. Faculty and staff of Touro University Systems are required to register their information on the TouroOne portal. The contact information will be uploaded from the portal into TUALert.



**CONFIRMING THE EXISTENCE OF A SIGNIFICANT EMERGENCY OR DANGEROUS SITUATION AND INITIATING THE EMERGENCY NOTIFICATION SYSTEM**

The Department of Campus Security and/or other campus first responders, including but not limited to, Emergency Coordinators (ECs), Emergency Evacuation Coordinators (EECs), and contract Security Guards, may become aware of a critical incident or other emergency situation that potentially affects the health and/or safety of the campus community. The EC, EEC, or Security Guard is required to collect the information and contact the Department of Campus Security and Emergency Response. Additionally, security guards may discover information during security patrol or other assignments, which they must report to the Director of Campus Security.

Once first responders confirm that there is, in fact, an emergency or dangerous situation that poses an immediate threat to the health or safety to members of the campus community, first responders will notify the Department of Campus Security and Emergency Response to issue an emergency notification who will determine the appropriate segment of the campus community to receive the notification and the content of said notification.

The University has authorized representatives, including supervisors in the Department of Campus Security and Emergency Response, who will immediately initiate all, or some, portions of the University's emergency notification system.

If, in the professional judgment of first responders, issuing a notification potentially compromises efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency, the University may elect to delay issuing an emergency notification. As soon as the condition that may compromise efforts is no longer present, the University will issue the emergency notification to the campus community or applicable segment of the community.

## **DETERMINING THE APPROPRIATE SEGMENT(S) OF THE CAMPUS COMMUNITY TO RECEIVE AN EMERGENCY NOTIFICATION**

Campus and local first responders on the scene of a critical incident or dangerous situation that poses an immediate threat to the health or safety of the campus community will assist those preparing the emergency notification with determining what segment or segments of the campus community should receive the notification. Generally, campus community members in the immediate area of the dangerous situation (i.e. the building, adjacent buildings, or surrounding area) will receive the emergency notification first. The University may issue subsequent notifications to a wider group of community members.

In addition to the emergency notification that may be issued via the University mass notification system, the University will also post applicable messages about the dangerous condition on its homepage to ensure the rest of the campus is aware of the situation, and the steps they should take to maintain personal and campus safety. If the emergency affects a significant portion of or the entire campus, University officials will distribute the notification to the entire campus community.

## **DETERMINING THE CONTENTS OF THE EMERGENCY NOTIFICATION**

The office responsible for issuing the emergency notification, the Department of Campus Security and Emergency Response, with the assistance of campus and local first responders, determine the content of the notification. The University has developed a wide range of template messages addressing several different emergencies. The communications officers (or others issuing the alert) will select the template message most appropriate to the on-going situation and modify it to address the specifics of the present incident. Those issuing the notification will use the following guidelines when determining the contents of the emergency message.

The first message is intended to Alert the community or appropriate segment of the campus community of the dangerous condition and the actions they should take to safeguard their and their neighbors' safety. Messages distributed in this stage of a rapidly unfolding critical incident will generally be short, precise, and directive. Examples include "The campus is experiencing a major power outage affecting the following buildings: Brown, Red, White, and Yellow Halls. All occupants of these buildings should immediately evacuate and meet at the designated assembly area." "There is a chemical spill at Brown Hall. The chemical released is extremely hazardous if inhaled. Occupants of Brown Hall should immediately evacuate the building through the northeast exits. Follow the directions of fire personnel who are on scene."

The second message is intended to Inform the community or appropriate segment of the campus community about additional details of the situation.

This message is generally distributed once first responders and the Emergency Operations Center has additional information about the dangerous situation. Examples include: "The power outage affecting Brown, Red, White, and Yellow Halls was caused by a cut power line. PSE&G are responding along with Facilities personnel

to repair the damage. We expect the outage will last until 2:00 p.m. Refer to the University homepage for additional information.

Finally, the third message is the Reassure notice that is generally distributed once the situation is nearly or completely resolved. The purpose of this message is to reassure the community that the University is working diligently to resolve the dangerous situation. It can also be used to provide additional information about the situation and where resources will be available.

In those cases, where there are no pre-determined template messages in the system, the individual issuing the alert will develop and send the most succinct message to convey the appropriate message to the community. The goal is to ensure individuals are aware of the situation and that they know the steps to take to safeguard their personal and community safety.

## **PROCEDURES USED TO NOTIFY THE CAMPUS COMMUNITY**

In the event of a situation that poses an immediate threat to members of the campus community, the University has various systems in place for communicating information quickly. Some or all of these methods of communication may be activated in the event for emergency notification to all or a segment of the campus community. These methods of communication include the mass notification system TUAAlert, the University's email system, and the campus PA system in buildings with PA capability. The University will post updates during a critical incident on the homepage. Individuals may also call the University's emergency information line (646) 565-6000, select Option 4) for a pre-recorded message about the emergency. If the situation warrants, the University will establish a telephone call-in center staffed by University personnel who are trained to communicate with the campus community during an emergency.

## **PROCEDURES FOR DISSEMINATING EMERGENCY INFORMATION TO THE LARGER COMMUNITY**

If the University activates its emergency notification system in response to a situation that poses an immediate threat to members of the campus community, several offices at the University are responsible for notifying the larger community about the situation and steps the University has taken to address the emergency. Primarily, the Department of Communications (a unit of University Public Relations) is responsible for crisis communications and for updating notices on Facebook, Twitter, and other social networking platforms, and for maintaining communications with national, regional, and local news and radio outlets.

Members of the University community who are aware of a crime or other serious incident should report that incident as soon as possible to Campus Security at (212) 463-0400 x 55220, or the Touro Emergency Hotline Number, 1-888-Touro911 (1-888-6876911).

When Campus Security becomes aware of crimes committed off-campus being investigated by local law enforcement that may present a serious or continuing threat to the campus community, a Timely Warning/ Public Safety Notice may be issued.

This will be determined by Campus Security on a case-by-case basis based on the facts of the situation, the possible impact to the campus community, and the information provided by local law enforcement.

## SECURITY OF AND ACCESS TO UNIVERSITY FACILITIES

### ID CHECKS

#### NEW YORK LOCATIONS

Access to campus buildings is a privilege extended to our faculty, students, staff, and authorized visitors. We encourage an open environment with limited constraints to ensure the reasonable protection of all members of the Touro Community.

Students, faculty, and staff must show a valid University ID with a current year displayed on the card to the Security Officer on duty in order to enter a Touro site. If they do not have a University ID, in unusual or extreme circumstances, the Officer may accept a valid photo ID card such as a driver's license or another form of official ID and sign them in before entering Touro facilities. The individual will then be issued a temporary pass.

Students must have their ID card validated every semester by the Bursar's Office at the campus where they are attending classes. Report all lost and/or stolen ID cards, and have it replaced at your respective site.

Students failing to display their ID will be referred to the Dean of Students. Faculty and staff will be referred to their immediate supervisor. Faculty and staff members can obtain an ID from the Campus Security Office, or at sites that offer the services. (Please see appendix for locations). Faculty and staff must have their ID card validated every fiscal year by Payroll. Students must complete all pre-registration requirements in order to obtain their ID. Upon completion, they may report to the Director of Student Services at their location to obtain an ID (Please see appendix for locations). Guests, visitors, and vendors must show a valid picture ID and sign in before entering a Touro facility; in addition, verification of purpose of the visit is required. Once this process is achieved, a visitor pass will be provided. In specific locations card access and/or electronic surveillance is utilized.

#### SECURITY OF CAMPUS

Campus Security Officers conduct routine patrols of campus buildings to evaluate and monitor security related matters.

#### TOURO LAW CENTER

Students, faculty, and staff must show a valid University ID with a current year displayed on the card to the Security Officer on duty in order to enter the Touro Law Center. If they do not have a University ID, in unusual or extreme circumstances, the Officer may accept a valid photo ID card such as a driver's license or another form of official ID and sign them in before entering Touro facilities. The individual will then be issued a temporary pass. Once the individual leaves the campus/site, they are required to return their temporary pass. Students, faculty, and staff can obtain and/or validate their IDs at the Facilities Office.

#### TOURO UNIVERSITY BERLIN

Students must show a valid University ID. The Campus is patrolled by local law enforcement agencies. Incidents should be reported to the administrative body on campus as well as local law enforcement.

#### MOSCOW UNIVERSITY TOURO

Students must show a valid University ID. The Campus is patrolled by local law enforcement agencies. Incidents should be reported to the administrative body on campus as well as local law enforcement.

#### TOURO UNIVERSITY ISRAEL

Students must show a valid University ID. The Campus is patrolled by local law enforcement agencies. Incidents should be reported to the administrative body on campus as well as local law enforcement.

#### TOURO UNIVERSITY OSTEOPATHIC MEDICINE MONTANA

Touro University Campus Security team is committed to providing a safe and secure campus. To access the building, you require a valid University ID for entry. Card readers, alarm monitoring systems, and 24-hour recorded video cameras support our efforts by providing direct feeds to both the Campus Security Office and the Security Staff on premises. Directly upon entry there will be a security guard who will ensure that everyone entering the campus is authorized and to direct any perspective student or employee to the appropriate area. Security services are provided by Excel Security Group. Supervision will also be provided by Excel in conjunction with Facilities Management on site and overseen by the Campus Security Team. The success of our security team depends on everyone working together to create and keep our campus safe. This site opened on July 14, 2023, to our students.

Students, Faculty and staff must show a valid University ID. The campus is access control and is patrolled by local law enforcement agencies. Incidents should be reported to the security staff on site or to any CSA.

Law Enforcement Affiliation

Great Falls Police Department

112 1st Street S. Great Falls 406-727-7688

#### UNDER RESIDENTIAL LIFE

#### NEW YORK MEDICAL COLLEGE

Students must show a valid University ID. Please refer to their ASR.

#### SECURITY CONSIDERATIONS IN THE MAINTENANCE OF CAMPUS FACILITIES

Touro is committed to campus safety and security. Exterior lighting and landscape control is a critical part of that commitment. All members of the University community are encouraged to report any lighting or safety concerns to the Facility Department. Security Officers, during their patrols, focus on such items and report their findings to the Campus Security Director who in turn generates a work order, which is acted upon by a member of the appropriate maintenance office. Maintenance staff is available to respond to calls for service regarding unsafe facility conditions. These conditions may include but are not limited to unsafe steps, handrails, trip hazards, defective locks, or unsecured equipment.



Facilities Department Numbers by location:

- NYC - (646) 565-6000 x 55271
- Touro Law - (631) 761-7180
- International Sites
  - **TOURO UNIVERSITY BERLIN**  
<http://www.touoberlin.de> Sara Nachama, Rector
  - **LAW ENFORCEMENT AFFILIATION:**  
 Der Polizeipräsident in Berlin Platz der Luftbrücke 6 12101  
 Berlin+ 49 30 4664 – 4664  
 Emergency Dial 110  
 Medical Emergencies Dial 112, Fire Dial 119
  - **LANDER INSTITUTE MOSCOW**  
 Dr. Roman Murashkovsky, President  
 +7 (495) 917-8869  
 Dr. Renee Lekach, Rector  
 +7 (495) 917-8947  
[Moscow.touro.edu](http://Moscow.touro.edu)
  - **LAW ENFORCEMENT AFFILIATION:**  
 Police Dial 02  
 Emergency Ambulance Dial 03 Fire Dial 01
  - **TOURO UNIVERSITY ISRAEL**  
<http://tci.touro.edu>  
 Rabbi Yosef Fridman, Director  
 +972-2-651-0090 x 2
  - **LAW ENFORCEMENT AFFILIATION:**  
 Police Dial 100 First Aid Dial 101, Fire Dial 102
  - **NEW YORK MEDICAL COLLEGE –**  
 (Please refer to NYMC’s ASR)

During non-business hours for emergencies, call the Emergency Hotline Number at 1-88-Touro-911 (1-888-687- 6911) and they will contact the Facilities Department.

## RESIDENTIAL LIFE

Touro only has three locations in New York where residential housing is offered; Lander College for Women, Lander College for Men, and Middletown. Fraternity and sorority organizations are not recognized on any of Touro’s campuses/sites. Students living in residential housing receive a separate document that defines the code of conduct for these locations.

## ACCESS AT RESIDENTIAL HOUSING

All residence halls are locked 24 hours a day and can only be accessible via key. To ensure everyone’s safety, please do not prop open doors or allow unfamiliar individuals to enter into the building. Any suspicious person should be reported to Campus Security immediately. The Campus Security Department provides a Security Officer to monitor access control into and out of Lander College for Men and Women Student Residence. Security for the residential housing located at Middletown is provided by the landlord of the building. Access to residential housing is limited to students and authorized personnel. All visitors must be signed in at Security by a resident. The resident will then assume responsibility for his/her guests.

When leaving the student resident halls, you should always leave a contact number with your roommate(s) and/or RA if you are planning to stay over with friends or family. If you are not going to return to the residence hall that evening, a form must be filled out indicating that you are staying out overnight.

## TOURO POLICY ON BIAS RELATED CRIMES

Touro is committed to safeguarding the rights of its students, faculty, and staff and to provide an environment free of bias and prejudice. Under New York Law criminal activity motivated by bias and hatred toward another person or group based upon a belief or perception concerning race, color, national origin, ancestry, gender, religion, religious practice, age, disability or sexual orientation is illegal and punishable not only for the underlying crime, but, additionally, as a hate crime pursuant to the New York Penal Law# 485, et, seq. specifically Law # 485.05.

In the tables that list hate crimes, Touro is required to apply federal regulations for the “counting” of hate crimes, which is different from the New York state law as outlined below. The crimes listed can be considered hate crimes under certain conditions:

- Assault (1st, 2nd and 3rd Degree)
- Aggravated Assault on a Person Less than 11 Years Old
- Menacing (1st, 2nd and 3rd Degree)
- Reckless Endangerment (1st and 2nd Degree)
- Manslaughter (2nd Degree)
- Stalking (1st, 2nd, 3rd, and 4th Degree)
- Criminal Sexual Acts (1st Degree)
- Sexual Abuse (1st Degree)
- Aggravated Sexual Abuse (1st and 2nd Degree)
- Unlawful Imprisonment (1st and 2nd Degree)

- Kidnapping (1st and 2nd Degree)
- Coercion (1st and 2nd Degree)
- Burglary (1st, 2nd and 3rd Degree)
- Criminal Mischief (1st, 2nd, 3rd, and 4th Degree)
- Arson (1st, 2nd, 3rd, and 4th Degree)
- Petty Larceny
- Grand Larceny (1st, 2nd, 3rd, and 4th Degree)
- Robbery (1st, 2nd, and 3rd Degree)
- Harassment (1st Degree)
- Aggravated harassment
- Simple Assault
- Larceny Theft
- Intimidation
- Destruction/damage/vandalism of property

In addition, any attempt or conspiracy to commit any of these crimes is also punishable as a hate crime. A person convicted of a hate crime will be subject to certain sentencing guidelines for felonies that impose a more severe penalty than similar but non-hate crime offence.

A hate crime conviction may also subject the offender to monetary penalties pursuant to the Law of their state. Any incident or attempt to commit a hate crime should be reported to Security Director, Kevin Paynter at 202 West 43rd Street, New York, NY 10036; office number (646) 901-3269; or by calling 1- 88-Touro- 911(1- 888-687-6911); or your Campus Security Department in your state.

Reported incidents of hate crimes and attempts to commit hate crimes will be referred to the NYPD and/or other Law Enforcement Agencies for further investigation and legal action. Touro treats all hate crimes as serious offenses that need to be prosecuted with the full force of the legal system.

## **TOURO UNIVERSITY RESPONSE TO SEXUAL AND GENDER VIOLENCE**

### **POLICY ON TITLE IX AND SEXUAL MISCONDUCT**

This policy applies to all members of the Touro University (“Touro”) community, including students, faculty, and administrators as well as third parties (i.e. vendors, and invitees). Discrimination or harassment of any kind in regard to a person’s sex is not tolerated at our institution. Information and/or training regarding this policy is available to students, faculty, and staff.

Touro promotes an environment in which the dignity and worth of all members of the community are respected. It is the policy of Touro that sexual intimidation of students and employees is unacceptable behavior and will not be tolerated.



### **TITLE IX GRIEVANCE POLICY**

Title IX of the Educational Amendments of 1972 prohibits any person in the United States from being discriminated against on the basis of sex in seeking access to any educational program or activity receiving federal financial assistance. The U.S. Department of Education, which enforces Title IX, has long defined the meaning of Title IX’s prohibition on sex discrimination broadly to include various forms of sexual harassment and sexual violence that interfere with a student’s ability to equally access our educational programs and opportunities.

This Title IX Grievance Policy became effective on August 14, 2020, and only applies to formal complaints of sexual harassment alleged to have occurred on or after August 14, 2020. Alleged Conduct that occurred prior to August 14, 2020 will be investigated and adjudicated according to the Title IX and Sexual Misconduct Policy then in effect.

### **TITLE IX COORDINATOR**

Any person may report sex discrimination, including sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment), in person, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person’s verbal or written report. Contact Information for the Title IX Coordinator:

Matthew Lieberman  
 202 W. 43rd Street 11th Floor New York, NY 10036  
 Phone: 646-565-6000 x55667  
 Email: [Matthew.Lieberman@touro.edu](mailto:Matthew.Lieberman@touro.edu)

Such a report may be made at any time (including during nonbusiness hours) by using the telephone number or electronic mail address, or by mail to the office address listed for the Title IX Coordinator

## WHEN TITLE IX APPLIES

The Title IX process will apply when all of the following elements are met:

1. The conduct is alleged to have occurred on or after August 14, 2020;
2. The conduct is alleged to have occurred in the United States;
3. The conduct is alleged to have occurred in Touro's education program or activity; and
4. The alleged conduct, if true, would constitute covered sexual harassment, as defined under Title IX, as:
  - a. an employee conditioning educational benefits on participation in unwelcome sexual conduct (i.e., quid pro quo);
  - b. unwelcome conduct that a reasonable person would determine is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the educational institution's education program or activity; or
  - c. sexual assault (as defined in the Clery Act); or dating violence, domestic violence, or stalking (as defined in the Violence Against Women Act (VAWA)).

If the alleged misconduct meets these requirements, then the Title IX grievance process applies and the Potential Complainant may file a Formal Complaint or their prior Complaint submission will become a Formal Complaint. For the purposes of this Title IX Grievance Policy, "formal complaint" means a document – including an electronic submission - filed by a complainant with a signature or other indication that the complainant is the person filing the formal complaint, or signed by the Title IX Coordinator, alleging sexual harassment against a respondent about conduct within Touro's education program or activity and requesting initiation of the procedures consistent with the Title IX Grievance Policy to investigate and adjudicate the allegation of sexual harassment.

If the alleged misconduct does not meet these Title IX requirements, it requires a mandatory dismissal under Title IX, but it may be addressed by the broader Touro Sexual Misconduct Policy or another applicable Touro policy.

For more details, surrounding the Title IX Grievance Policy please see: <https://www.touro.edu/title-ix-policy/>

## SEXUAL MISCONDUCT

Touro prohibits discrimination based on sex, including sexual harassment. The prohibition against discrimination extends to employment and third-parties. Sexual harassment is unwelcome conduct of a sexual nature and can include sexual advances, request for sexual favors, and other verbal, non-verbal, or physical conduct. Environmental harassment (sometimes referred to as hostile environment) is sexually harassing conduct that is sufficiently severe, persistent or pervasive to limit an individual's ability to participate in or receive benefits, services, or opportunities at Touro. This can include persistent comments or jokes about an individual's, sex; verbal behavior, including insults, remarks, epithets, or derogatory statements; nonverbal behavior, including



graffiti, inappropriate physical advances short of physical violence such as repeated and unwanted touching; and assault, including physical violence or the threat of physical violence.

New York Law also defines these acts as crimes if any of them are engaged in with a person who is incapable of consent either because of the person's age or because the person is mentally defective, mentally incapacitated, or physically helpless. Therefore, sexual abuse, sodomy, and rape are sex crimes and violators will be prosecuted in accordance with New York Penal Law.

Retaliation against any individual who made a complaint will not be tolerated.

To officially file charges for an act of sexual assault or rape, please contact the Office of Institutional Compliance. If the alleged perpetrator is a student, you can initiate disciplinary action against this individual. All incidents must be reported within six (6) months of their occurrence.

All divisions of Touro seek to foster a collegial atmosphere in which students are nurtured and educated through close faculty student relationships, student camaraderie, and individualized attention. Discrimination or harassment of any kind is anathema to Touro's mission, history, and identity. Touro will resolve any identified discrimination in a timely and effective manner, and will ensure that it does not recur. Compliance with Touro's policies and procedures is a necessary step in achieving a safe environment in our educational community. The policies set forth were developed to promote a safe educational environment in compliance with the Violence Against Women Act (VAWA) and a high-quality campus life.

Those believing that they have been harassed or discriminated against on the basis of their sex, including sexual harassment, should contact the Office of Institutional Compliance immediately. When Touro has notice of the occurrence, Touro is compelled to take immediate and effective corrective action reasonably calculated to stop the harassment, prevent its recurrence, and as appropriate, remedy its effects.

This policy applies to all members of Touro, including students, faculty, and administrators as well as third parties (including, but not limited to, vendors, invitees, etc.). Information and/or training regarding this policy are available to students, faculty, and staff. I

For more details, surrounding the Sexual Misconduct Policy please see: <https://www.touro.edu/sexual-misconduct-policy>

## COMPLAINTS

Complaints may be filed by contacting the Office of Institutional Compliance:

Phone: 646-565-6000, ext. 55330

Email: [compliance@touro.edu](mailto:compliance@touro.edu)

For Further Information: Students are strongly urged to read the full policy at <https://www.touro.edu/sexual-misconduct-policy/>

Additional information about this policy will be available on Touro's website. Students may contact the Office for Civil Rights of the U.S. Department of Education for inquiries concerning the application of Title IX as well as the implementation of its regulations. The Office for Civil Rights can be contacted using the following information:

U.S. Department of Education Office for Civil Rights

32 Old Slip, 26th floor New York, NY 10005

Phone 646-428-3800

Fax 646-428-3843

Email: [OCR.NewYork@ed.gov](mailto:OCR.NewYork@ed.gov)

Please refer to Appendix A of this document or the Touro Portal for the complete policy.

Whenever the Responsible Administrator receives notice of alleged misconduct, they will promptly contact the Potential Complainant regarding the alleged misconduct for an initial assessment. At that point, the Responsible Administrator will (in no particular order):

- assess the nature and circumstances of the report;
- assess immediate concerns including physical safety and emotional well-being of the Potential Complainant;
- discuss the Potential Complainant's right to contact law enforcement and right to seek medical treatment;
- provide the Potential Complainant information about resources (on-campus and off-campus) and the availability of appropriate and supportive measures;
- advise on Touro's policy regarding confidentiality and retaliation; and
- explain the process and requirements for filing a formal complaint under Title IX.

## RIGHT TO PROMPT, FAIR, AND IMPARTIAL PROCEEDING AND COMPLAINT PROCESS

Touro is committed to conducting an inquiry that is thorough, prompt and impartial. Accused and accuser will have the opportunity to object to Touro participants as bias.

Victims have the option to notify proper law enforcement authorities, including on-campus security and local police, or to decline to notify such authorities. Complaints concerning sexual harassment and/or sexual discrimination should be sent to the Office of Institutional Compliance at 50 West 47th Street, 14th Floor, New York, NY 10036 at [compliance@touro.edu](mailto:compliance@touro.edu) and 646-565-6000 x55330. Complaints should be filed as soon as possible after the date of the alleged misconduct, and a written complaint is preferable.

If a Potential Complainant chooses to file a Formal Complaint in a Title IX matter, their status will be adjusted to Complainant. Touro will provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings with a party, with sufficient time for the party to prepare to participate. The notice of the Formal Complaint will be sent promptly to all relevant parties, as soon as practicable, after the institution receives a Formal Complaint of the allegations if there are no extenuating circumstances, which includes:

- the identities of the parties involved in the alleged incident, if known;
- the alleged conduct constituting Sexual Harassment;
- the date and location of the alleged incident, if known;
- the prospective grievance process and next steps;
- a statement that the Respondent is presumed not responsible for the alleged conduct until a determination regarding responsibility is made at conclusion of the grievance process;
- a statement informing both parties that they may choose a Process Support Person, who will be their advisor, who may be, but is not required to be an attorney;
- any measures taken by Touro that affects both parties;
- a notice informing parties of any provisions of other Touro policies that prohibit knowingly making false statements, or knowingly submitting false information; and
- a notice of Touro's retaliation policy.

The parties will be notified by their institutional email accounts if they are a student or employee, and by other reasonable means if they are neither.

After notice of the Formal Complaint has been received by both parties, and Touro has provided sufficient time for the parties to review the Notice of Allegations and prepare a response before any initial interview, the Title IX Coordinator, or their designee, will initiate the Title IX informal review process or investigation process.

The accused will receive notice of the complaint, although the accused will be considered innocent until proven guilty of a violation. While prompt reporting is expected, complaints older than 30 days will be processed. However, if more than 365 days have elapsed since the day of the complaint, the complaint may not be processed.

Every effort is made to conduct a thorough and speedy investigation. Several factors may impact Touro's ability to conduct a prompt investigation, including, but not limited to: the Complainant's accessibility or unresponsiveness, witness availability or unresponsiveness, the number of witnesses, the timing of the investigation (i.e. if an investigation is being conducted at a time when students are taking final exams or on recess), etc. The process allows for extension with good cause shown. The burden to develop facts surrounding the investigation and/or prove that an incident lacked consent is on the institution, not the reporting individual. A reporting individual may withdraw a complaint or report from the institution at any time. Such individual will not be penalized



for withdrawing such complaint. Please note that the institution may, consistent with other provisions of this law as well as federal law, still have obligations to investigate and/or take actions even if the complaint has been withdrawn.

**PROCESS**

As a first step in the investigation process, a Title IX Investigator will be designated to conduct a prompt, thorough, and impartial investigation into the alleged conduct identified in the Formal Complaint.

The Title IX Investigator will, at a minimum, interview both the Complainant and the Respondent who will each have an equal opportunity to:

- speak about the complaint;
- to submit any inculpatory or exculpatory evidence or information; and
- to identify witnesses who may have information directly related to the alleged conduct.

The Title IX Investigator may also interview any relevant witnesses and interested parties, and re-interview the Complainant or Respondent, if appropriate.

Both parties may also have a Process Support Person of their choice present with them during any phase of the investigation. [4] Touro may, at its discretion, establish restrictions on a Process Support Person’s participation. The restrictions must apply equally to both parties including, but not limited to, barring a Process Support Person’s participation during the interview process.

**RELEVANT EVIDENCE AND QUESTIONS**

“Relevant” evidence and questions refer to any questions and evidence that tends to make an allegation of sexual harassment more or less likely to be true.

“Relevant” evidence and questions do not include the following types of evidence and questions, which are deemed “irrelevant” at all stages of the Title IX Grievance Process:

- Evidence and questions about the complainant’s sexual predisposition or prior sexual behavior unless:
  - They are offered to prove that someone other than the respondent committed the conduct alleged by the

complainant, or

- They concern specific incidents of the complainant’s prior sexual behavior with respect to the respondent and are offered to prove consent.
- Evidence and questions that constitute, or seek disclosure of, information protected under a legally-recognized privilege (g., attorney-client privilege).
- Any party’s medical, psychological, and similar records unless the party has given voluntary, written consent.

**INVESTIGATION**

Upon completion of the investigation, but prior to completing the investigative report, the Title IX Investigator will provide both the Complainant and Respondent evidence and information gathered directly related to the alleged misconduct in the Formal Complaint. The evidence and information will be provided in a manner equally accessible to both parties.

Both parties will then be given a ten (10) business day review period to examine the evidence and information. At the conclusion of the ten (10) business day review period, each party has the right to submit a written response to the Title IX Investigator commenting on the evidence and information that can be considered before completing the draft investigative report.

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

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

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

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

After both parties have had an opportunity to review directly related evidence and information, the Title IX Investigator will then draft an investigative report that compiles and fairly summarizes all of the relevant evidence.

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

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

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

Both the Complainant and Respondent will then be given a ten (10) business day review period to examine the draft of the investigative report. At the conclusion of the ten (10) business day review period, each party has the right to submit a written response to the Title IX Investigator to comment on the investigative report.

The Title IX Investigator will prepare the final investigative report for the adjudication phase of the grievance process.

Each Party is responsible to keep private (by not disseminating beyond Support Persons) documents, materials, and information received from Touro during this process. Failure to comply will be considered a violation of Touro policy and may incur separate sanctions. Additionally, The responsibility to destroy, when so directed by Touro, evidentiary materials and/or writings submitted by the other Party as party of the process.

## GENERAL RULES OF HEARINGS

Touro will not issue a disciplinary sanction arising from an allegation of covered sexual harassment without holding a live hearing unless otherwise resolved through an informal resolution process.

The live hearing may be conducted with all parties physically present in the same geographic location, or, at Touro's sole discretion, any or all parties, witnesses, and other participants may appear at the live hearing virtually through Zoom or other appropriate video conferencing tools available at the time. This technology will enable participants simultaneously to see and hear each other. At its discretion, Touro may delay or adjourn a hearing based on technological errors not within a party's control.

All proceedings will be recorded through either recording and/or transcript. The choice of medium is at Touro's sole discretion.

Prior to obtaining access to any evidence, the parties and their Process Support Person must sign an agreement not to disseminate any of the testimony heard or evidence obtained in the hearing or use such testimony or evidence for any purpose unrelated to the Title IX Grievance Process. Once signed, this Agreement may not be withdrawn. Failure to sign or adhere to this agreement may result in a negative inference against the party and the immediate withdrawal of that Process Support Person from the Title IX grievance process.

Upon completion of the investigation, and after the investigative report is complete, the Complainant and Respondent will be notified in writing of:

- the date, time, and location of the live hearing;
- the applicable grievance process;
- that both Parties can have a Process Support Person of their choice;
- that they may inspect and review evidence obtained in the investigation;
- the allegations and conduct that potentially constitute Sexual Harassment;
- the identities of the Parties involved (if known); and
- the date and location of the alleged offense (if known).

Depending on the circumstances and, at the sole discretion of Touro, the hearing may be conducted in-person or virtually, but will always be conducted in real-time. Permission to postpone a hearing may be granted provided that the request to postpone is reasonable.

Prior to the scheduled hearing, a trained Decision-maker will be appointed to be the fact-finder of responsibility for the alleged conduct. The Title IX Investigator will provide the Decision-maker with the finalized investigative report for review prior to the hearing.

While the Complainant, Respondent and witnesses are expected to be present and fully participate in the hearing (including being subject to questioning by a Process Support Person), it is the right of any and all parties to choose not to participate in the hearing of the alleged conduct. In the event that any party chooses not to participate fully in the hearing process, their statements (including those made in the investigation stage) may still be considered in the Decision-maker's determination of responsibility.

If the hearing is held in-person (not virtually), by request of either the Complainant or Respondent, questioning by a Process Support Person can be conducted in separate rooms with technology available that enables the other party to see and hear the questioning in real-time. The entire hearing will be recorded, either by electronic means or transcription. The recording will be made available, upon request, for inspection and review to both Parties. This recording will be kept on file by Touro in accordance with applicable rules and regulations.

Prior to the Hearing, each party will be required to submit any questions, that have not already been addressed in the investigation, that they wish to ask at the oral-cross examination to the Title IX Coordinator no later than twenty-four (24) hours before the Hearing is scheduled to begin.

The Title IX Coordinator will provide the questions to the Decision-maker, who will determine the relevancy of each of the questions. If deemed relevant, the question is permissible to be asked during the hearing. If the Decision-maker determines that a question is not relevant, they will provide a brief reasoning for that decision and the question will not be permitted to be asked during the Hearing. Parties may appeal the relevance determinations at the beginning of the Hearing. The Decision-Maker will endeavor to provide their





















































## FIRE EMERGENCY ADVICE DURING A FIRE ALARM

- STAY CALM and DO NOT PANIC.
- Proceed to the closest emergency exit. Do not take the elevator.
- Use secondary route if primary one is blocked or hazardous.
- If the emergency is a gas leak or a hazardous material spill, take the route that will keep you upwind of the problem area.
- Do not stop for belongings or records.
- Follow the instructions of your Fire Safety Group (FSGs).
- Report missing persons to FSGs.
- Continue to follow the directions of FSGs who will direct you to an assembly area. Remain at the assembly area in case Emergency Personnel need more information or need to ask questions, especially if there are missing persons.

In Case of Fire - Remember "R.A.C.E." Rescue: Anyone in immediate danger Alarm: Pull the nearest alarm box Contain: Close doors and windows Evacuate: Leave the building immediately.

## PRE-PLAN ESCAPE ROUTES

It is a good idea to locate all exits on your floor and in your building; locate two exits from your office/ classroom; locate fire alarm pull stations in your building.

## FIRE EGRESS (EXITING SAFELY)

- Upon discovery of a fire, activate the nearest fire alarm pull box.
- Call the Touro emergency hotline number 1-88-Touro911 (1-888-687-6911) or 911 from a local phone or your cell phone. Give your name, telephone number, department and location of the fire.
- Do not attempt to put out a fire by yourself, unless you are trained to do so.

- DO NOT USE THE ELEVATORS. If you are on an elevator when an alarm is activated and the elevator does not function, push the emergency button on the elevator for further assistance and guidance.
- Close windows and doors. This may help keep the fire from spreading, protect your possessions from fire, and smoke damage. Leave lights on and doors unlocked.
- Before entering another room or stairwell, check for heat by placing the back of your hand near the door. If the handle is NOT hot, open door cautiously. Check for smoke or fire before going out.
- If the handle is hot, DO NOT open the door. Go to the window and call for help.
- When you evacuate the building DO NOT stop for personal belongings or records.
- If there is excessive smoke, crawl low to an exit. There is less smoke and toxins there. Smoke will rise making it impossible to see when standing. Toxic chemicals in smoke, when inhaled, can be deadly in minutes.
- If you are unable to exit, stay low and plug all openings around doors, windows, and vents.
- Notify firefighters that are on the scene if you suspect someone may be inside the building.
- If the situation is safe and clear, handicapped individuals should be placed into the stairwell as soon as most evacuees have departed. A messenger should be dispatched to tell the responding police or firefighters the location of the handicapped individual(s), so that a rescue can be initiated.
- When outside, stay away from the building, at least 500 feet, and out of the way of emergency personnel and vehicles.

**DO NOT RE-ENTER THE BUILDING UNTIL INSTRUCTED TO DO SO BY AUTHORIZED PERSONNEL**



**FIRES IN TOURO UNIVERSITY SYSTEMS HOUSING FACILITIES**

**FIRE SAFETY STATISTICS AT TOURO UNIVERSITY “ON CAMPUS” STUDENT HOUSING FACILITIES 2022**

FIRE STATISTICS FOR TOURO ON CAMPUS STUDENT HOUSING FACILITIES							
TOURO HOUSING SITES	Number of Fires Reported	Date of Reported Fire	Time of Reported Fire	Cause of the Fire	Number of Deaths	Number of Injuries	Value of Property Damage Due to Fire
<b>2022</b>							
625 W. 59th St. Manhattan, NY	0	N/A	N/A	N/A	N/A	N/A	N/A
153-01, 03, 05 & 07 76th Road Queens, NY	0	N/A	N/A	N/A	N/A	N/A	N/A
76-01 thru 76-17 150th St. Queens, NY	0	N/A	N/A	N/A	N/A	N/A	N/A
75-25 153rd St. Queens, NY	0	N/A	N/A	N/A	N/A	N/A	N/A
60 Prospect Ave. Middletown, NY	0	N/A	N/A	N/A	N/A	N/A	N/A
<b>2023</b>							
625 W. 59th St. Manhattan, NY	0	N/A	N/A	N/A	N/A	N/A	N/A
153-01, 03, 05 & 07 76th Road Queens, NY	0	N/A	N/A	N/A	N/A	N/A	N/A
76-01 thru 76-17 150th St. Queens, NY	0	N/A	N/A	N/A	N/A	N/A	N/A
75-25 153rd St. Queens, NY	0	N/A	N/A	N/A	N/A	N/A	N/A
60 Prospect Ave. Middletown, NY	0	N/A	N/A	N/A	N/A	N/A	N/A
<b>2024</b>							
625 W. 59th St. Manhattan, NY	0	N/A	N/A	N/A	N/A	N/A	N/A
153-01, 03, 05 & 07 76th Road Queens, NY	0	N/A	N/A	N/A	N/A	N/A	N/A
76-01 thru 76-17 150th St. Queens, NY	0	N/A	N/A	N/A	N/A	N/A	N/A
75-25 153rd St. Queens, NY	0	N/A	N/A	N/A	N/A	N/A	N/A
60 Prospect Ave. Middletown, NY	0	N/A	N/A	N/A	N/A	N/A	N/A

## CRIME STATISTICS FOR TOURO ON CAMPUS STUDENT HOUSING FACILITIES

### DEFINITIONS OF REPORTABLE CRIMES AND CRIME STATISTICS

- Murder/Manslaughter is defined as the willful killing of one human being by another.
- Negligent Manslaughter is defined as the killing of another person through gross negligence.
- Sexual Assault is defined as an offense that meets the definition of rape, fondling, incest, or statutory rape.
- Rape is defined as penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
- Fondling is defined as 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 his/her age or because of his/her temporary or permanent mental incapacity.
- Incest is defined as non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- Statutory Rape is defined as non-forcible sexual intercourse with a person who is under the statutory age of consent.
- Robbery is defined as taking or attempting to take anything of value from the car, 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 is defined as 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.
- Burglary is the unlawful entry of a structure to commit a felony or a theft.
- Motor Vehicle Theft is the theft or attempted theft of a motor vehicle.
- Arson is 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.
- Domestic Violence is a felony or misdemeanor crime of violence committed –
  - By a current or former spouse or intimate partner of the victim;
  - By a person with whom the victim shares a child in common;
  - By a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner;
  - By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or
  - By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.
- Dating Violence is violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.
- Stalking is engaging in a course of conduct directed at a specific person that would cause a reasonable person to – Fear for the person's safety or the safety of others; or – Suffer substantial emotional distress.
- Hate Crimes includes all of the crimes listed above that manifest evidence that the victim was chosen based on one of the categories of bias listed below, plus the following crimes.
- Larceny/Theft includes, pocket picking, purse snatching, shoplifting, theft from building, theft from motor vehicle, theft of motor vehicle parts or accessories, and all other larceny.
- Simple Assault is an unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration or loss of consciousness.
- Intimidation is 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 or Property (except Arson) is 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.
- Categories of Prejudice:
  - Race: A preformed negative attitude toward a group of persons who possess common physical characteristics genetically transmitted by descent and heredity, which distinguish them as a distinct division of humankind.
  - Religion: A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being.
  - Gender: A preformed negative opinion or attitude toward a group of persons because those persons are male or female.
  - Gender Identity: A preformed negative opinion or attitude toward a group of persons because of a person's internal sense of being male, female, or a combination of both.

- Sexual Orientation: A preformed negative opinion or attitude toward a group of persons based on their sexual attraction toward, and responsiveness to, members of their own sex or members of the opposite sex.
- Ethnicity: A preformed negative opinion or attitude toward a group of persons of the same race or cultural origin who share common or similar traits, languages, customs and traditions.
- National origin: A preformed negative opinion or attitude toward a group of persons of the same race or national

origins who share common or similar traits, languages, customs and traditions.

- Disability: preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments/ challenges, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced age, or illness.

Touro reports the crime required by institution's Clery Geography that were reported to occurred on or within the geographical area of the campus and was reported to a Campus Security Authority.

CRIME DATA - TOURO MAIN CAMPUS - 202 WEST 43RD STREET, NYC NY						
OFFENSE	YEAR	ON CAMPUS	RESIDENTIAL FACILITY	NONCAMPUS BUILDING OR PROPERTY	PUBLIC PROPERTY	UNFOUNDED CRIMES
<b>CRIMINAL HOMICIDE</b>						
MURDER AND NONNEGLIGENT MANSLAUGHTER	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
NEGLIGENT MANSLAUGHTER	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
<b>SEX OFFENSES</b>						
RAPE	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
FONDLING	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
INCEST	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
STATUTORY RAPE	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
ROBBERY	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
AGGRAVATED ASSAULT	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
BURGLARY	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
MOTOR VEHICLE THEFT	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
ARSON	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0

**CRIME DATA – TOURO MAIN CAMPUS – 202 WEST 43RD STREET, NYC NY**

OFFENSE	YEAR	ON CAMPUS	RESIDENTIAL FACILITY	NONCAMPUS BUILDING OR PROPERTY	PUBLIC PROPERTY	UNFOUNDED CRIMES
<b>ADDITIONAL OFFENSES</b>						
DATING VIOLENCE	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
DOMESTIC VIOLENCE	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
STALKING	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0

**CRIME DATA – TOURO MAIN CAMPUS – 202 WEST 43RD STREET, NYC NY 10036**

OTHER OFFENSES	YEAR	ARREST				REFERRED FOR DISCIPLINARY ACTION			
		ON CAMPUS	RESIDENTIAL FACILITY	NONCAMPUS BUILDING OR PROPERTY	PUBLIC PROPERTY	ON CAMPUS	RESIDENTIAL FACILITY	NONCAMPUS BUILDING OR PROPERTY	PUBLIC PROPERTY
LIQUOR LAW VIOLATIONS	2022	0	N/A	0	0	0	N/A	0	0
	2023	0	N/A	0	0	0	N/A	0	0
	2024	0	N/A	0	0	0	N/A	0	0
DRUG ABUSE VIOLATIONS	2022	0	N/A	0	0	0	N/A	0	0
	2023	0	N/A	0	0	0	N/A	0	0
	2024	0	N/A	0	0	0	N/A	0	0
ILLEGAL WEAPONS POSSESSION	2022	0	N/A	0	0	0	N/A	0	0
	2023	0	N/A	0	0	0	N/A	0	0
	2024	0	N/A	0	0	0	N/A	0	0

Notes:

Campus at 320 West 31st Street was closed in January of 2023 and programs relocated to new Main Campus at 202 West 43rd Street

Campus at 218/230 West 40th Street was closed in April of 2023 and programs relocated to new Main Campus at 202 West 43rd Street

All crime stats occurring at the previous location are included above.

**HATE CRIMES:**

YEAR	CRIME	CLERY GEOGRAPHY	BIAS CATEGORY
2022	0	N/A	N/A
2023	1 - Intimidation	Public Property	Ethnicity
2024	0	N/A	N/A

**CRIME DATA - TOURO LANDER COLLEGE FOR WOMEN - 227 WEST 60TH STREET, NYC NY**

OFFENSE	YEAR	ON CAMPUS	RESIDENTIAL FACILITY	NONCAMPUS BUILDING OR PROPERTY	PUBLIC PROPERTY	UNFOUNDED CRIMES
<b>CRIMINAL HOMICIDE</b>						
MURDER AND NONNEGLIGENT MANSLAUGHTER	2022	0	0	0	0	0
	2023	0	0	0	0	0
	2024	0	0	0	0	0
NEGLIGENT MANSLAUGHTER	2022	0	0	0	0	0
	2023	0	0	0	0	0
	2024	0	0	0	0	0
<b>SEX OFFENSES</b>						
RAPE	2022	0	0	0	0	0
	2023	0	0	0	0	0
	2024	0	0	0	0	0
FONDLING	2022	0	0	0	0	0
	2023	0	0	0	0	0
	2024	0	0	0	0	0
INCEST	2022	0	0	0	0	0
	2023	0	0	0	0	0
	2024	0	0	0	0	0
STATUTORY RAPE	2022	0	0	0	0	0
	2023	0	0	0	0	0
	2024	0	0	0	0	0
ROBBERY	2022	0	0	0	0	0
	2023	0	0	0	0	0
	2024	0	0	0	0	0
AGGRAVATED ASSAULT	2022	0	0	0	0	0
	2023	0	0	0	0	0
	2024	0	0	0	0	0
BURGLARY	2022	0	0	0	0	0
	2023	0	0	0	0	0
	2024	0	0	0	0	0
MOTOR VEHICLE THEFT	2022	0	0	0	0	0
	2023	0	0	0	0	0
	2024	0	0	0	0	0
ARSON	2022	0	0	0	0	0
	2023	0	0	0	0	0
	2024	0	0	0	0	0

**CRIME DATA - TOURO LANDER COLLEGE FOR WOMEN - 227 WEST 60TH STREET, NYC NY**

OFFENSE	YEAR	ON CAMPUS	RESIDENTIAL FACILITY	NONCAMPUS BUILDING OR PROPERTY	PUBLIC PROPERTY	UNFOUNDED CRIMES
<b>ADDITIONAL OFFENSES</b>						
DATING VIOLENCE	2022	0	0	0	0	0
	2023	0	0	0	0	0
	2024	0	0	0	0	0
DOMESTIC VIOLENCE	2022	0	0	0	0	0
	2023	0	0	0	0	0
	2024	0	0	0	0	0
STALKING	2022	0	0	0	0	0
	2023	0	0	0	0	0
	2024	0	0	0	0	0

**CRIME DATA - TOURO LANDER COLLEGE FOR WOMEN - 227 WEST 60TH STREET, NYC NY**

OTHER OFFENSES	YEAR	ARREST				REFERRED FOR DISCIPLINARY ACTION			
		ON CAMPUS	RESIDENTIAL FACILITY	NONCAMPUS BUILDING OR PROPERTY	PUBLIC PROPERTY	ON CAMPUS	RESIDENTIAL FACILITY	NONCAMPUS BUILDING OR PROPERTY	PUBLIC PROPERTY
LIQUOR LAW VIOLATIONS	2022	0	0	0	0	0	0	0	0
	2023	0	0	0	0	0	0	0	0
	2024	0	0	0	0	0	0	0	0
DRUG ABUSE VIOLATIONS	2022	0	0	0	0	0	0	0	0
	2023	0	0	0	0	0	0	0	0
	2024	0	0	0	0	0	0	0	0
ILLEGAL WEAPONS POSSESSION	2022	0	0	0	0	0	0	0	0
	2023	0	0	0	0	0	0	0	0
	2024	0	0	0	0	0	0	0	0

**HATE CRIMES:**

YEAR	CRIME	CLERY GEOGRAPHY	BIAS CATEGORY
2022	0	N/A	N/A
2023	0	N/A	N/A
2024	1 - Vandalism of Property	Public Property	Religion

**CRIME DATA - TOURO SCHOOL OF HEALTH SCIENCES: NURSING, SOCIAL WORK & SPEECH PATHOLOGY - 902 QUENTIN ROAD, BROOKLYN NY**

OFFENSE	YEAR	ON CAMPUS	RESIDENTIAL FACILITY	NONCAMPUS BUILDING OR PROPERTY	PUBLIC PROPERTY	UNFOUNDED CRIMES
<b>CRIMINAL HOMICIDE</b>						
MURDER AND NONNEGLIGENT MANSLAUGHTER	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
NEGLIGENT MANSLAUGHTER	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
<b>SEX OFFENSES</b>						
RAPE	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
FONDLING	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
INCEST	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
STATUTORY RAPE	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
ROBBERY	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
AGGRAVATED ASSAULT	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
BURGLARY	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
MOTOR VEHICLE THEFT	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
ARSON	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0

**CRIME DATA – TOURO SCHOOL OF HEALTH SCIENCES: NURSING, SOCIAL WORK & SPEECH PATHOLOGY - 902 QUENTIN ROAD, BROOKLYN NY**

OFFENSE	YEAR	ON CAMPUS	RESIDENTIAL FACILITY	NONCAMPUS BUILDING OR PROPERTY	PUBLIC PROPERTY	UNFOUNDED CRIMES
<b>ADDITIONAL OFFENSES</b>						
DATING VIOLENCE	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
DOMESTIC VIOLENCE	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
STALKING	2022	0	N/A	0	0	0
	2023	1	N/A	0	0	0
	2024	0	N/A	0	0	0

**CRIME DATA – TOURO SCHOOL OF HEALTH SCIENCES: NURSING, SOCIAL WORK & SPEECH PATHOLOGY - 902 QUENTIN ROAD, BROOKLYN NY**

OTHER OFFENSES	YEAR	ARREST				REFERRED FOR DISCIPLINARY ACTION			
		ON CAMPUS	RESIDENTIAL FACILITY	NONCAMPUS BUILDING OR PROPERTY	PUBLIC PROPERTY	ON CAMPUS	RESIDENTIAL FACILITY	NONCAMPUS BUILDING OR PROPERTY	PUBLIC PROPERTY
LIQUOR LAW VIOLATIONS	2022	0	N/A	0	0	0	N/A	0	0
	2023	0	N/A	0	0	0	N/A	0	0
	2024	0	N/A	0	0	0	N/A	0	0
DRUG ABUSE VIOLATIONS	2022	0	N/A	0	0	0	N/A	0	0
	2023	0	N/A	0	0	0	N/A	0	0
	2024	0	N/A	0	0	0	N/A	0	0
ILLEGAL WEAPONS POSSESSION	2022	0	N/A	0	0	0	N/A	0	0
	2023	0	N/A	0	0	0	N/A	0	0
	2024	0	N/A	0	0	0	N/A	0	0

**HATE CRIMES:**

YEAR	CRIME	CLERY GEOGRAPHY	BIAS CATEGORY
2022	0	N/A	N/A
2023	0	N/A	N/A
2024	0	N/A	N/A

**CRIME DATA - TOURO LANDER COLLEGE OF ARTS & SCIENCES - 1602 AVENUE J, BROOKLYN NY**

OFFENSE	YEAR	ON CAMPUS	RESIDENTIAL FACILITY	NONCAMPUS BUILDING OR PROPERTY	PUBLIC PROPERTY	UNFOUNDED CRIMES
<b>CRIMINAL HOMICIDE</b>						
MURDER AND NONNEGLIGENT MANSLAUGHTER	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
NEGLIGENT MANSLAUGHTER	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
<b>SEX OFFENSES</b>						
RAPE	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
FONDLING	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
INCEST	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
STATUTORY RAPE	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
ROBBERY	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
AGGRAVATED ASSAULT	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
BURGLARY	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
MOTOR VEHICLE THEFT	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
ARSON	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0

CRIME DATA – TOURO LANDER COLLEGE OF ARTS & SCIENCES – 1602 AVENUE J, BROOKLYN NY									
OFFENSE	YEAR	ON CAMPUS	RESIDENTIAL FACILITY	NONCAMPUS BUILDING OR PROPERTY	PUBLIC PROPERTY	UNFOUNDED CRIMES			
<b>ADDITIONAL OFFENSES</b>									
DATING VIOLENCE	2022	0	N/A	0	0	0			
	2023	0	N/A	0	0	0			
	2024	0	N/A	0	0	0			
DOMESTIC VIOLENCE	2022	0	N/A	0	0	0			
	2023	0	N/A	0	0	0			
	2024	0	N/A	0	0	0			
STALKING	2022	0	N/A	0	0	0			
	2023	0	N/A	0	0	0			
	2024	0	N/A	0	0	0			
CRIME DATA – TOURO LANDER COLLEGE OF ARTS & SCIENCES – 1602 AVENUE J, BROOKLYN NY									
OTHER OFFENSES	YEAR	ARREST				REFERRED FOR DISCIPLINARY ACTION			
		ON CAMPUS	RESIDENTIAL FACILITY	NONCAMPUS BUILDING OR PROPERTY	PUBLIC PROPERTY	ON CAMPUS	RESIDENTIAL FACILITY	NONCAMPUS BUILDING OR PROPERTY	PUBLIC PROPERTY
LIQUOR LAW VIOLATIONS	2022	0	N/A	0	0	0	N/A	0	0
	2023	0	N/A	0	0	0	N/A	0	0
	2024	0	N/A	0	0	0	N/A	0	0
DRUG ABUSE VIOLATIONS	2022	0	N/A	0	0	0	N/A	0	0
	2023	0	N/A	0	0	0	N/A	0	0
	2024	0	N/A	0	0	0	N/A	0	0
ILLEGAL WEAPONS POSSESSION	2022	0	N/A	0	0	0	N/A	0	0
	2023	0	N/A	0	0	0	N/A	0	0
	2024	0	N/A	0	0	0	N/A	0	0
<b>HATE CRIMES:</b>									
YEAR		CRIME			CLERY GEOGRAPHY			BIAS CATEGORY	
2022		0			N/A			N/A	
2023		0			N/A			N/A	
2024		0			N/A			N/A	

CRIME DATA – GRADUATE SCHOOL OF EDUCATION, NYSCAS, COMPUTER CENTER - 1726 KINGS HIGHWAY, BROOKLYN NY

OFFENSE	YEAR	ON CAMPUS	RESIDENTIAL FACILITY	NONCAMPUS BUILDING OR PROPERTY	PUBLIC PROPERTY	UNFOUNDED CRIMES
<b>CRIMINAL HOMICIDE</b>						
MURDER AND NONNEGLIGENT MANSLAUGHTER	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
NEGLIGENT MANSLAUGHTER	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
<b>SEX OFFENSES</b>						
RAPE	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
FONDLING	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
INCEST	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
STATUTORY RAPE	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
ROBBERY	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
AGGRAVATED ASSAULT	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
BURGLARY	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
MOTOR VEHICLE THEFT	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
ARSON	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0

**CRIME DATA – GRADUATE SCHOOL OF EDUCATION, NYSCAS, COMPUTER CENTER - 1726 KINGS HIGHWAY, BROOKLYN NY**

OFFENSE	YEAR	ON CAMPUS	RESIDENTIAL FACILITY	NONCAMPUS BUILDING OR PROPERTY	PUBLIC PROPERTY	UNFOUNDED CRIMES
<b>ADDITIONAL OFFENSES</b>						
DATING VIOLENCE	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
DOMESTIC VIOLENCE	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
STALKING	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0

**CRIME DATA – GRADUATE SCHOOL OF EDUCATION, NYSCAS, COMPUTER CENTER - 1726 KINGS HIGHWAY, BROOKLYN NY**

OTHER OFFENSES	YEAR	ARREST				REFERRED FOR DISCIPLINARY ACTION			
		ON CAMPUS	RESIDENTIAL FACILITY	NONCAMPUS BUILDING OR PROPERTY	PUBLIC PROPERTY	ON CAMPUS	RESIDENTIAL FACILITY	NONCAMPUS BUILDING OR PROPERTY	PUBLIC PROPERTY
LIQUOR LAW VIOLATIONS	2022	0	N/A	0	0	0	N/A	0	0
	2023	0	N/A	0	0	0	N/A	0	0
	2024	0	N/A	0	0	0	N/A	0	0
DRUG ABUSE VIOLATIONS	2022	0	N/A	0	0	0	N/A	0	0
	2023	0	N/A	0	0	0	N/A	0	0
	2024	0	N/A	0	0	0	N/A	0	0
ILLEGAL WEAPONS POSSESSION	2022	0	N/A	0	0	0	N/A	0	0
	2023	0	N/A	0	0	0	N/A	0	0
	2024	0	N/A	0	0	0	N/A	0	0

Notes:

Touro's campus previously located at 946 Kings Highway closed in August of 2024 and all programs incorporated into the 1726 Kings Highway campus.

All crime stats occurring at the previous location are included above.

**HATE CRIMES:**

YEAR	CRIME	CLERY GEOGRAPHY	BIAS CATEGORY
2022	0	N/A	N/A
2023	0	N/A	N/A
2024	0	N/A	N/A

**CRIME DATA – TOURO NYSCAS, MANCHON L'PARNASSA & SCHOOL FOR LIFELONG EDUCATION - 2002 AVENUE J, BROOKLYN NY**

OFFENSE	YEAR	ON CAMPUS	RESIDENTIAL FACILITY	NONCAMPUS BUILDING OR PROPERTY	PUBLIC PROPERTY	UNFOUNDED CRIMES
<b>CRIMINAL HOMICIDE</b>						
MURDER AND NONNEGLIGENT MANSLAUGHTER	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
NEGLIGENT MANSLAUGHTER	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
<b>SEX OFFENSES</b>						
RAPE	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
FONDLING	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
INCEST	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
STATUTORY RAPE	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
ROBBERY	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
AGGRAVATED ASSAULT	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
BURGLARY	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
MOTOR VEHICLE THEFT	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
ARSON	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0

**CRIME DATA – TOURO NYSCAS, MANCHON L'PARNASSA & SCHOOL FOR LIFELONG EDUCATION - 2002 AVENUE J, BROOKLYN NY**

OFFENSE	YEAR	ON CAMPUS	RESIDENTIAL FACILITY	NONCAMPUS BUILDING OR PROPERTY	PUBLIC PROPERTY	UNFOUNDED CRIMES
<b>ADDITIONAL OFFENSES</b>						
DATING VIOLENCE	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
DOMESTIC VIOLENCE	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
STALKING	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0

**CRIME DATA – TOURO NYSCAS, MANCHON L'PARNASSA & SCHOOL FOR LIFELONG EDUCATION - 2002 AVENUE J, BROOKLYN NY**

OTHER OFFENSES	YEAR	ARREST				REFERRED FOR DISCIPLINARY ACTION			
		ON CAMPUS	RESIDENTIAL FACILITY	NONCAMPUS BUILDING OR PROPERTY	PUBLIC PROPERTY	ON CAMPUS	RESIDENTIAL FACILITY	NONCAMPUS BUILDING OR PROPERTY	PUBLIC PROPERTY
LIQUOR LAW VIOLATIONS	2022	0	N/A	0	0	0	N/A	0	0
	2023	0	N/A	0	0	0	N/A	0	0
	2024	0	N/A	0	0	0	N/A	0	0
DRUG ABUSE VIOLATIONS	2022	0	N/A	0	0	0	N/A	0	0
	2023	0	N/A	0	0	0	N/A	0	0
	2024	0	N/A	0	0	0	N/A	0	0
ILLEGAL WEAPONS POSSESSION	2022	0	N/A	0	0	0	N/A	0	0
	2023	0	N/A	0	0	0	N/A	0	0
	2024	0	N/A	0	0	0	N/A	0	0

Notes:

Touro's campus previously located at 1273 53rd Street in Brooklyn was closed in June of 2023 and all programs incorporated into the 2002 Avenue J campus.

All crime stats occurring at the previous location are included above.

**HATE CRIMES:**

YEAR	CRIME	CLERY GEOGRAPHY	BIAS CATEGORY
2022	0	N/A	N/A
2023	0	N/A	N/A
2024	0	N/A	N/A

**CRIME DATA – TOURO NYSCAS - 1344 PENNSYLVANIA AVENUE, BROOKLYN NY**

OFFENSE	YEAR	ON CAMPUS	RESIDENTIAL FACILITY	NONCAMPUS BUILDING OR PROPERTY	PUBLIC PROPERTY	UNFOUNDED CRIMES
<b>CRIMINAL HOMICIDE</b>						
MURDER AND NONNEGLIGENT MANSLAUGHTER	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
NEGLIGENT MANSLAUGHTER	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
<b>SEX OFFENSES</b>						
RAPE	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
FONDLING	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
INCEST	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
STATUTORY RAPE	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
ROBBERY	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
AGGRAVATED ASSAULT	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
BURGLARY	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
MOTOR VEHICLE THEFT	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
ARSON	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0

**CRIME DATA – TOURO NYSCAS - 1344 PENNSYLVANIA AVENUE, BROOKLYN NY**

OFFENSE	YEAR	ON CAMPUS	RESIDENTIAL FACILITY	NONCAMPUS BUILDING OR PROPERTY	PUBLIC PROPERTY	UNFOUNDED CRIMES
<b>ADDITIONAL OFFENSES</b>						
DATING VIOLENCE	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
DOMESTIC VIOLENCE	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
STALKING	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0

**CRIME DATA – TOURO NYSCAS - 1344 PENNSYLVANIA AVENUE, BROOKLYN NY**

OTHER OFFENSES	YEAR	ARREST				REFERRED FOR DISCIPLINARY ACTION			
		ON CAMPUS	RESIDENTIAL FACILITY	NONCAMPUS BUILDING OR PROPERTY	PUBLIC PROPERTY	ON CAMPUS	RESIDENTIAL FACILITY	NONCAMPUS BUILDING OR PROPERTY	PUBLIC PROPERTY
LIQUOR LAW VIOLATIONS	2022	0	N/A	0	0	0	N/A	0	0
	2023	0	N/A	0	0	0	N/A	0	0
	2024	0	N/A	0	0	0	N/A	0	0
DRUG ABUSE VIOLATIONS	2022	0	N/A	0	0	0	N/A	0	0
	2023	0	N/A	0	0	0	N/A	0	0
	2024	0	N/A	0	0	0	N/A	0	0
ILLEGAL WEAPONS POSSESSION	2022	0	N/A	0	0	0	N/A	0	0
	2023	0	N/A	0	0	0	N/A	0	0
	2024	0	N/A	0	0	0	N/A	0	0

**HATE CRIMES:**

YEAR	CRIME	CLERY GEOGRAPHY	BIAS CATEGORY
2022	0	N/A	N/A
2023	0	N/A	N/A
2024	0	N/A	N/A

**CRIME DATA – TOURO NYSCAS - 360 NEPTUNE AVENUE, BROOKLYN NY**

OFFENSE	YEAR	ON CAMPUS	RESIDENTIAL FACILITY	NONCAMPUS BUILDING OR PROPERTY	PUBLIC PROPERTY	UNFOUNDED CRIMES
<b>CRIMINAL HOMICIDE</b>						
MURDER AND NONNEGLIGENT MANSLAUGHTER	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
NEGLIGENT MANSLAUGHTER	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
<b>SEX OFFENSES</b>						
RAPE	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
FONDLING	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
INCEST	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
STATUTORY RAPE	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
ROBBERY	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
AGGRAVATED ASSAULT	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
BURGLARY	2022	0	N/A	0	0	0
	2023	1	N/A	0	0	0
	2024	2	N/A	0	0	0
MOTOR VEHICLE THEFT	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
ARSON	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0

**CRIME DATA – TOURO NYSCAS - 360 NEPTUNE AVENUE, BROOKLYN NY**

OFFENSE	YEAR	ON CAMPUS	RESIDENTIAL FACILITY	NONCAMPUS BUILDING OR PROPERTY	PUBLIC PROPERTY	UNFOUNDED CRIMES
<b>ADDITIONAL OFFENSES</b>						
DATING VIOLENCE	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
DOMESTIC VIOLENCE	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
STALKING	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0

**CRIME DATA – TOURO NYSCAS - 360 NEPTUNE AVENUE, BROOKLYN NY**

OTHER OFFENSES	YEAR	ARREST				REFERRED FOR DISCIPLINARY ACTION			
		ON CAMPUS	RESIDENTIAL FACILITY	NONCAMPUS BUILDING OR PROPERTY	PUBLIC PROPERTY	ON CAMPUS	RESIDENTIAL FACILITY	NONCAMPUS BUILDING OR PROPERTY	PUBLIC PROPERTY
LIQUOR LAW VIOLATIONS	2022	0	N/A	0	0	0	N/A	0	0
	2023	0	N/A	0	0	0	N/A	0	0
	2024	0	N/A	0	0	0	N/A	0	0
DRUG ABUSE VIOLATIONS	2022	0	N/A	0	0	0	N/A	0	0
	2023	0	N/A	0	0	0	N/A	0	0
	2024	0	N/A	0	0	0	N/A	0	0
ILLEGAL WEAPONS POSSESSION	2022	0	N/A	0	0	0	N/A	0	0
	2023	0	N/A	0	0	0	N/A	0	0
	2024	0	N/A	0	0	0	N/A	0	0

**HATE CRIMES:**

YEAR	CRIME	CLERY GEOGRAPHY	BIAS CATEGORY
2022	0	N/A	N/A
2023	0	N/A	N/A
2024	0	N/A	N/A

**CRIME DATA – TOURO LANDER COLLEGE FOR MEN – 75 31 150TH STREET, KEW GARDENS HILLS NY**

OFFENSE	YEAR	ON CAMPUS	RESIDENTIAL FACILITY	NONCAMPUS BUILDING OR PROPERTY	PUBLIC PROPERTY	UNFOUNDED CRIMES
<b>CRIMINAL HOMICIDE</b>						
MURDER AND NONNEGLIGENT MANSLAUGHTER	2022	0	0	0	0	0
	2023	0	0	0	0	0
	2024	0	0	0	0	0
NEGLIGENT MANSLAUGHTER	2022	0	0	0	0	0
	2023	0	0	0	0	0
	2024	0	0	0	0	0
<b>SEX OFFENSES</b>						
RAPE	2022	0	0	0	0	0
	2023	0	0	0	0	0
	2024	0	0	0	0	0
FONDLING	2022	0	0	0	0	0
	2023	0	0	0	0	0
	2024	0	0	0	0	0
INCEST	2022	0	0	0	0	0
	2023	0	0	0	0	0
	2024	0	0	0	0	0
STATUTORY RAPE	2022	0	0	0	0	0
	2023	0	0	0	0	0
	2024	0	0	0	0	0
ROBBERY	2022	0	0	0	0	0
	2023	0	0	0	0	0
	2024	0	0	0	0	0
AGGRAVATED ASSAULT	2022	0	0	0	0	0
	2023	0	0	1	0	0
	2024	0	0	0	1	0
BURGLARY	2022	1	1	0	0	0
	2023	0	0	0	0	0
	2024	0	0	0	0	0
MOTOR VEHICLE THEFT	2022	0	0	0	0	0
	2023	0	0	0	1	0
	2024	0	0	0	0	0
ARSON	2022	0	0	0	0	0
	2023	0	0	0	0	0
	2024	0	0	0	0	0

**CRIME DATA - TOURO LANDER COLLEGE FOR MEN - 75 31 150TH STREET, KEW GARDENS HILLS NY**

OFFENSE	YEAR	ON CAMPUS	RESIDENTIAL FACILITY	NONCAMPUS BUILDING OR PROPERTY	PUBLIC PROPERTY	UNFOUNDED CRIMES
<b>ADDITIONAL OFFENSES</b>						
DATING VIOLENCE	2022	0	0	0	0	0
	2023	0	0	0	0	0
	2024	0	0	0	0	0
DOMESTIC VIOLENCE	2022	0	0	0	0	0
	2023	0	0	0	0	0
	2024	0	0	0	0	0
STALKING	2022	0	0	0	0	0
	2023	0	0	0	0	0
	2024	0	0	0	0	0

**CRIME DATA - TOURO LANDER COLLEGE FOR MEN - 75 31 150TH STREET, KEW GARDENS HILLS NY**

OTHER OFFENSES	YEAR	ARREST				REFERRED FOR DISCIPLINARY ACTION			
		ON CAMPUS	RESIDENTIAL FACILITY	NONCAMPUS BUILDING OR PROPERTY	PUBLIC PROPERTY	ON CAMPUS	RESIDENTIAL FACILITY	NONCAMPUS BUILDING OR PROPERTY	PUBLIC PROPERTY
LIQUOR LAW VIOLATIONS	2022	0	0	0	0	0	0	0	0
	2023	0	0	0	0	0	0	0	0
	2024	0	0	0	0	0	0	0	0
DRUG ABUSE VIOLATIONS	2022	0	0	0	0	0	0	0	0
	2023	0	0	0	0	0	0	0	0
	2024	0	0	0	0	0	0	0	0
ILLEGAL WEAPONS POSSESSION	2022	0	0	0	0	0	0	0	0
	2023	0	0	0	0	0	0	0	0
	2024	0	0	0	0	0	0	0	0

**HATE CRIMES:**

YEAR	CRIME	CLERY GEOGRAPHY	BIAS CATEGORY
2022	0	N/A	N/A
2023	1 - Intimidation	Public Property	Ethnicity
2024	1 - Assault	Public Property	Religion

**CRIME DATA – NYSCAS - DOV REVEL – 71 02 113TH STREET, FOREST HILLS NY**

OFFENSE	YEAR	ON CAMPUS	RESIDENTIAL FACILITY	NONCAMPUS BUILDING OR PROPERTY	PUBLIC PROPERTY	UNFOUNDED CRIMES
<b>CRIMINAL HOMICIDE</b>						
MURDER AND NONNEGLIGENT MANSLAUGHTER	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
NEGLIGENT MANSLAUGHTER	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
<b>SEX OFFENSES</b>						
RAPE	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
FONDLING	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
INCEST	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
STATUTORY RAPE	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
ROBBERY	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
AGGRAVATED ASSAULT	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
BURGLARY	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
MOTOR VEHICLE THEFT	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
ARSON	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0

**CRIME DATA – NYS CAS - DOV REVEL – 71 02 113TH STREET, FOREST HILLS NY**

OFFENSE	YEAR	ON CAMPUS	RESIDENTIAL FACILITY	NONCAMPUS BUILDING OR PROPERTY	PUBLIC PROPERTY	UNFOUNDED CRIMES
<b>ADDITIONAL OFFENSES</b>						
DATING VIOLENCE	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
DOMESTIC VIOLENCE	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
STALKING	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0

**CRIME DATA – NYS CAS - DOV REVEL – 71 02 113TH STREET, FOREST HILLS NY**

OTHER OFFENSES	YEAR	ARREST				REFERRED FOR DISCIPLINARY ACTION			
		ON CAMPUS	RESIDENTIAL FACILITY	NONCAMPUS BUILDING OR PROPERTY	PUBLIC PROPERTY	ON CAMPUS	RESIDENTIAL FACILITY	NONCAMPUS BUILDING OR PROPERTY	PUBLIC PROPERTY
LIQUOR LAW VIOLATIONS	2022	0	N/A	0	0	0	N/A	0	0
	2023	0	N/A	0	0	0	N/A	0	0
	2024	0	N/A	0	0	0	N/A	0	0
DRUG ABUSE VIOLATIONS	2022	0	N/A	0	0	0	N/A	0	0
	2023	0	N/A	0	0	0	N/A	0	0
	2024	0	N/A	0	0	0	N/A	0	0
ILLEGAL WEAPONS POSSESSION	2022	0	N/A	0	0	0	N/A	0	0
	2023	0	N/A	0	0	0	N/A	0	0
	2024	0	N/A	0	0	0	N/A	0	0

**HATE CRIMES:**

YEAR	CRIME	CLERY GEOGRAPHY	BIAS CATEGORY
2022	0	N/A	N/A
2023	0	N/A	N/A
2024	0	N/A	N/A

**CRIME DATA – TOURO NEW YORK COLLEGE OF PODIATRIC MEDICINE – 53 EAST 124TH STREET, NYC NY**

OFFENSE	YEAR	ON CAMPUS	RESIDENTIAL FACILITY	NONCAMPUS BUILDING OR PROPERTY	PUBLIC PROPERTY	UNFOUNDED CRIMES
<b>CRIMINAL HOMICIDE</b>						
MURDER AND NONNEGLIGENT MANSLAUGHTER	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
NEGLIGENT MANSLAUGHTER	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
<b>SEX OFFENSES</b>						
RAPE	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
FONDLING	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
INCEST	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
STATUTORY RAPE	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
ROBBERY	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
AGGRAVATED ASSAULT	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	1	0
BURGLARY	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
MOTOR VEHICLE THEFT	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
ARSON	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0

**CRIME DATA – TOURO NEW YORK COLLEGE OF PODIATRIC MEDICINE – 53 EAST 124TH STREET, NYC NY**

OFFENSE	YEAR	ON CAMPUS	RESIDENTIAL FACILITY	NONCAMPUS BUILDING OR PROPERTY	PUBLIC PROPERTY	UNFOUNDED CRIMES
<b>ADDITIONAL OFFENSES</b>						
DATING VIOLENCE	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
DOMESTIC VIOLENCE	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
STALKING	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0

**CRIME DATA – TOURO NEW YORK COLLEGE OF PODIATRIC MEDICINE – 53 EAST 124TH STREET, NYC NY**

OTHER OFFENSES	YEAR	ARREST				REFERRED FOR DISCIPLINARY ACTION			
		ON CAMPUS	RESIDENTIAL FACILITY	NONCAMPUS BUILDING OR PROPERTY	PUBLIC PROPERTY	ON CAMPUS	RESIDENTIAL FACILITY	NONCAMPUS BUILDING OR PROPERTY	PUBLIC PROPERTY
LIQUOR LAW VIOLATIONS	2022	0	N/A	0	0	0	N/A	0	0
	2023	0	N/A	0	0	0	N/A	0	0
	2024	0	N/A	0	0	0	N/A	0	0
DRUG ABUSE VIOLATIONS	2022	0	N/A	0	0	0	N/A	0	0
	2023	0	N/A	0	0	0	N/A	0	0
	2024	0	N/A	0	0	0	N/A	0	0
ILLEGAL WEAPONS POSSESSION	2022	0	N/A	0	0	0	N/A	0	0
	2023	0	N/A	0	0	0	N/A	0	0
	2024	0	N/A	0	0	0	N/A	0	0

Notes:

This school was acquired by Touro in January of 2025. The prior years' crime stats are listed above.

**HATE CRIMES:**

YEAR	CRIME	CLERY GEOGRAPHY	BIAS CATEGORY
2022	0	N/A	N/A
2023	0	N/A	N/A
2024	0	N/A	N/A

**CRIME DATA – TOURO JACOB D. FUCHSBERG LAW CENTER & SCHOOL OF HEALTH SCIENCES – 225 EASTVIEWDRIVE, CENTRAL ISLIP NY**

OFFENSE	YEAR	ON CAMPUS	RESIDENTIAL FACILITY	NONCAMPUS BUILDING OR PROPERTY	PUBLIC PROPERTY	UNFOUNDED CRIMES
<b>CRIMINAL HOMICIDE</b>						
MURDER AND NONNEGLIGENT MANSLAUGHTER	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
NEGLIGENT MANSLAUGHTER	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
<b>SEX OFFENSES</b>						
RAPE	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
FONDLING	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
INCEST	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
STATUTORY RAPE	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
ROBBERY	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
AGGRAVATED ASSAULT	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
BURGLARY	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
MOTOR VEHICLE THEFT	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
ARSON	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0

**CRIME DATA – TOURO JACOB D. FUCHSBERG LAW CENTER & SCHOOL OF HEALTH SCIENCES – 225 EASTVIEWDRIVE, CENTRAL ISLIP NY**

OFFENSE	YEAR	ON CAMPUS	RESIDENTIAL FACILITY	NONCAMPUS BUILDING OR PROPERTY	PUBLIC PROPERTY	UNFOUNDED CRIMES
<b>ADDITIONAL OFFENSES</b>						
DATING VIOLENCE	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
DOMESTIC VIOLENCE	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
STALKING	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0

**CRIME DATA – TOURO JACOB D. FUCHSBERG LAW CENTER & SCHOOL OF HEALTH SCIENCES – 225 EASTVIEWDRIVE, CENTRAL ISLIP NY**

OTHER OFFENSES	YEAR	ARREST				REFERRED FOR DISCIPLINARY ACTION			
		ON CAMPUS	RESIDENTIAL FACILITY	NONCAMPUS BUILDING OR PROPERTY	PUBLIC PROPERTY	ON CAMPUS	RESIDENTIAL FACILITY	NONCAMPUS BUILDING OR PROPERTY	PUBLIC PROPERTY
LIQUOR LAW VIOLATIONS	2022	0	N/A	0	0	0	N/A	0	0
	2023	0	N/A	0	0	0	N/A	0	0
	2024	0	N/A	0	0	0	N/A	0	0
DRUG ABUSE VIOLATIONS	2022	0	N/A	0	0	0	N/A	0	0
	2023	0	N/A	0	0	0	N/A	0	0
	2024	0	N/A	0	0	0	N/A	0	0
ILLEGAL WEAPONS POSSESSION	2022	0	N/A	0	0	0	N/A	0	0
	2023	0	N/A	0	0	0	N/A	0	0
	2024	0	N/A	0	0	0	N/A	0	0

**HATE CRIMES:**

YEAR	CRIME	CLERY GEOGRAPHY	BIAS CATEGORY
2022	0	N/A	N/A
2023	1 - Intimidation	On Campus	Sexual Orientation
2024	0	N/A	N/A

**CRIME DATA – TOURO COLLEGE OF OSTEOPATHIC MEDICINE AND SCHOOL OF IMAGING - 230 W125TH STREET, NYC NY**

OFFENSE	YEAR	ON CAMPUS	RESIDENTIAL FACILITY	NONCAMPUS BUILDING OR PROPERTY	PUBLIC PROPERTY	UNFOUNDED CRIMES
<b>CRIMINAL HOMICIDE</b>						
MURDER AND NONNEGLIGENT MANSLAUGHTER	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
NEGLIGENT MANSLAUGHTER	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
<b>SEX OFFENSES</b>						
RAPE	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
FONDLING	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
INCEST	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
STATUTORY RAPE	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
ROBBERY	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
AGGRAVATED ASSAULT	2022	0	N/A	0	0	0
	2023	0	N/A	0	2	0
	2024	0	N/A	0	1	0
BURGLARY	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
MOTOR VEHICLE THEFT	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
ARSON	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0

**CRIME DATA – TOURO COLLEGE OF OSTEOPATHIC MEDICINE AND SCHOOL OF IMAGING - 230 W125TH STREET, NYC NY**

OFFENSE	YEAR	ON CAMPUS	RESIDENTIAL FACILITY	NONCAMPUS BUILDING OR PROPERTY	PUBLIC PROPERTY	UNFOUNDED CRIMES
<b>ADDITIONAL OFFENSES</b>						
DATING VIOLENCE	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
DOMESTIC VIOLENCE	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
STALKING	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0

**CRIME DATA – TOURO COLLEGE OF OSTEOPATHIC MEDICINE AND SCHOOL OF IMAGING - 230 W125TH STREET, NYC NY**

OTHER OFFENSES	YEAR	ARREST				REFERRED FOR DISCIPLINARY ACTION			
		ON CAMPUS	RESIDENTIAL FACILITY	NONCAMPUS BUILDING OR PROPERTY	PUBLIC PROPERTY	ON CAMPUS	RESIDENTIAL FACILITY	NONCAMPUS BUILDING OR PROPERTY	PUBLIC PROPERTY
LIQUOR LAW VIOLATIONS	2022	0	N/A	0	0	0	N/A	0	0
	2023	0	N/A	0	0	0	N/A	0	0
	2024	0	N/A	0	0	0	N/A	0	0
DRUG ABUSE VIOLATIONS	2022	0	N/A	0	0	0	N/A	0	0
	2023	0	N/A	0	0	0	N/A	0	0
	2024	0	N/A	0	0	0	N/A	0	0
ILLEGAL WEAPONS POSSESSION	2022	0	N/A	0	0	0	N/A	0	0
	2023	0	N/A	0	0	0	N/A	0	0
	2024	0	N/A	0	0	0	N/A	0	0

**HATE CRIMES:**

YEAR	CRIME	CLERY GEOGRAPHY	BIAS CATEGORY
2022	1 - Intimidation	Public Property	Race
2023	0	N/A	N/A
2024	1 - Intimidation	Public Property	Religion

**CRIME DATA – TOURO UNIVERSITY - ISRAEL**

OFFENSE	YEAR	ON CAMPUS	RESIDENTIAL FACILITY	NONCAMPUS BUILDING OR PROPERTY	PUBLIC PROPERTY	UNFOUNDED CRIMES
<b>CRIMINAL HOMICIDE</b>						
MURDER AND NONNEGLIGENT MANSLAUGHTER	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
NEGLIGENT MANSLAUGHTER	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
<b>SEX OFFENSES</b>						
RAPE	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
FONDLING	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
INCEST	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
STATUTORY RAPE	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
ROBBERY	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
AGGRAVATED ASSAULT	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
BURGLARY	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
MOTOR VEHICLE THEFT	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
ARSON	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0

CRIME DATA – TOURO UNIVERSITY - ISRAEL									
OFFENSE	YEAR	ON CAMPUS	RESIDENTIAL FACILITY	NONCAMPUS BUILDING OR PROPERTY	PUBLIC PROPERTY	UNFOUNDED CRIMES			
<b>ADDITIONAL OFFENSES</b>									
DATING VIOLENCE	2022	0	N/A	0	0	0			
	2023	0	N/A	0	0	0			
	2024	0	N/A	0	0	0			
DOMESTIC VIOLENCE	2022	0	N/A	0	0	0			
	2023	0	N/A	0	0	0			
	2024	0	N/A	0	0	0			
STALKING	2022	0	N/A	0	0	0			
	2023	0	N/A	0	0	0			
	2024	0	N/A	0	0	0			
CRIME DATA – TOURO UNIVERSITY - ISRAEL									
OTHER OFFENSES	YEAR	ARREST				REFERRED FOR DISCIPLINARY ACTION			
		ON CAMPUS	RESIDENTIAL FACILITY	NONCAMPUS BUILDING OR PROPERTY	PUBLIC PROPERTY	ON CAMPUS	RESIDENTIAL FACILITY	NONCAMPUS BUILDING OR PROPERTY	PUBLIC PROPERTY
LIQUOR LAW VIOLATIONS	2022	2022	N/A	0	0	0	N/A	0	0
	2023	2023	N/A	0	0	0	N/A	0	0
	2024	2024	N/A	0	0	0	N/A	0	0
DRUG ABUSE VIOLATIONS	2022	2022	N/A	0	0	0	N/A	0	0
	2023	2023	N/A	0	0	0	N/A	0	0
	2024	2024	N/A	0	0	0	N/A	0	0
ILLEGAL WEAPONS POSSESSION	2022	2022	N/A	0	0	0	N/A	0	0
	2023	2023	N/A	0	0	0	N/A	0	0
	2024	2024	N/A	0	0	0	N/A	0	0
<b>HATE CRIMES:</b>									
YEAR		CRIME			CLERY GEOGRAPHY			BIAS CATEGORY	
2022		0			N/A			N/A	
2023		0			N/A			N/A	
2024		0			N/A			N/A	

**CRIME DATA - TOURO UNIVERSITY OF JEWISH STUDIES - MOSCOW**

OFFENSE	YEAR	ON CAMPUS	RESIDENTIAL FACILITY	NONCAMPUS BUILDING OR PROPERTY	PUBLIC PROPERTY	UNFOUNDED CRIMES
<b>CRIMINAL HOMICIDE</b>						
MURDER AND NONNEGLIGENT MANSLAUGHTER	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
NEGLIGENT MANSLAUGHTER	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
<b>SEX OFFENSES</b>						
RAPE	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
FONDLING	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
INCEST	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
STATUTORY RAPE	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
ROBBERY	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
AGGRAVATED ASSAULT	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
BURGLARY	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
MOTOR VEHICLE THEFT	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
ARSON	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0

**CRIME DATA – TOURO UNIVERSITY OF JEWISH STUDIES - MOSCOW**

OFFENSE	YEAR	ON CAMPUS	RESIDENTIAL FACILITY	NONCAMPUS BUILDING OR PROPERTY	PUBLIC PROPERTY	UNFOUNDED CRIMES
<b>ADDITIONAL OFFENSES</b>						
DATING VIOLENCE	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
DOMESTIC VIOLENCE	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
STALKING	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0

**CRIME DATA – TOURO UNIVERSITY OF JEWISH STUDIES - MOSCOW**

OTHER OFFENSES	YEAR	ARREST				REFERRED FOR DISCIPLINARY ACTION			
		ON CAMPUS	RESIDENTIAL FACILITY	NONCAMPUS BUILDING OR PROPERTY	PUBLIC PROPERTY	ON CAMPUS	RESIDENTIAL FACILITY	NONCAMPUS BUILDING OR PROPERTY	PUBLIC PROPERTY
LIQUOR LAW VIOLATIONS	2022	0	N/A	0	0	0	N/A	0	0
	2023	0	N/A	0	0	0	N/A	0	0
	2024	0	N/A	0	0	0	N/A	0	0
DRUG ABUSE VIOLATIONS	2022	0	N/A	0	0	0	N/A	0	0
	2023	0	N/A	0	0	0	N/A	0	0
	2024	0	N/A	0	0	0	N/A	0	0
ILLEGAL WEAPONS POSSESSION	2022	0	N/A	0	0	0	N/A	0	0
	2023	0	N/A	0	0	0	N/A	0	0
	2024	0	N/A	0	0	0	N/A	0	0

**HATE CRIMES:**

YEAR	CRIME	CLERY GEOGRAPHY	BIAS CATEGORY
2022	0	N/A	N/A
2023	0	N/A	N/A
2024	0	N/A	N/A

**CRIME DATA – TOURO UNIVERSITY - BERLIN**

OFFENSE	YEAR	ON CAMPUS	RESIDENTIAL FACILITY	NONCAMPUS BUILDING OR PROPERTY	PUBLIC PROPERTY	UNFOUNDED CRIMES
<b>CRIMINAL HOMICIDE</b>						
MURDER AND NONNEGLIGENT MANSLAUGHTER	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
NEGLIGENT MANSLAUGHTER	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
<b>SEX OFFENSES</b>						
RAPE	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
FONDLING	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
INCEST	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
STATUTORY RAPE	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
ROBBERY	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
AGGRAVATED ASSAULT	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
BURGLARY	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
MOTOR VEHICLE THEFT	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
ARSON	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0

CRIME DATA – TOURO UNIVERSITY - BERLIN									
OFFENSE	YEAR	ON CAMPUS	RESIDENTIAL FACILITY	NONCAMPUS BUILDING OR PROPERTY	PUBLIC PROPERTY	UNFOUNDED CRIMES			
<b>ADDITIONAL OFFENSES</b>									
DATING VIOLENCE	2022	0	N/A	0	0	0			
	2023	0	N/A	0	0	0			
	2024	0	N/A	0	0	0			
DOMESTIC VIOLENCE	2022	0	N/A	0	0	0			
	2023	0	N/A	0	0	0			
	2024	0	N/A	0	0	0			
STALKING	2022	0	N/A	0	0	0			
	2023	0	N/A	0	0	0			
	2024	0	N/A	0	0	0			
CRIME DATA – TOURO UNIVERSITY - BERLIN									
OTHER OFFENSES	YEAR	ARREST				REFERRED FOR DISCIPLINARY ACTION			
		ON CAMPUS	RESIDENTIAL FACILITY	NONCAMPUS BUILDING OR PROPERTY	PUBLIC PROPERTY	ON CAMPUS	RESIDENTIAL FACILITY	NONCAMPUS BUILDING OR PROPERTY	PUBLIC PROPERTY
LIQUOR LAW VIOLATIONS	2022	0	N/A	0	0	0	N/A	0	0
	2023	0	N/A	0	0	0	N/A	0	0
	2024	0	N/A	0	0	0	N/A	0	0
DRUG ABUSE VIOLATIONS	2022	0	N/A	0	0	0	N/A	0	0
	2023	0	N/A	0	0	0	N/A	0	0
	2024	0	N/A	0	0	0	N/A	0	0
ILLEGAL WEAPONS POSSESSION	2022	0	N/A	0	0	0	N/A	0	0
	2023	0	N/A	0	0	0	N/A	0	0
	2024	0	N/A	0	0	0	N/A	0	0
<b>HATE CRIMES:</b>									
YEAR		CRIME			CLERY GEOGRAPHY			BIAS CATEGORY	
2022		0			N/A			N/A	
2023		0			N/A			N/A	
2024		0			N/A			N/A	

**CRIME DATA – TOURO COLLEGE OF OSTEOPATHIC MEDICINE & P.A. PROGRAM – MIDDLETOWN NY**

OFFENSE	YEAR	ON CAMPUS	RESIDENTIAL FACILITY	NONCAMPUS BUILDING OR PROPERTY	PUBLIC PROPERTY	UNFOUNDED CRIMES
<b>CRIMINAL HOMICIDE</b>						
MURDER AND NONNEGLIGENT MANSLAUGHTER	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
NEGLIGENT MANSLAUGHTER	2022	0	N/A	0	0	0
	2023	0	N/A	0	0	0
	2024	0	N/A	0	0	0
<b>SEX OFFENSES</b>						
RAPE	2022	0	0	0	0	0
	2023	1	1	0	0	0
	2024	0	0	0	0	0
FONDLING	2022	0	0	0	0	0
	2023	0	0	0	0	0
	2024	0	0	0	0	0
INCEST	2022	0	0	0	0	0
	2023	0	0	0	0	0
	2024	0	0	0	0	0
STATUTORY RAPE	2022	0	0	0	0	0
	2023	0	0	0	0	0
	2024	0	0	0	0	0
ROBBERY	2022	0	0	0	0	0
	2023	0	0	0	0	0
	2024	0	0	0	0	0
AGGRAVATED ASSAULT	2022	0	0	0	0	0
	2023	0	0	0	0	0
	2024	0	0	0	0	0
BURGLARY	2022	0	0	0	0	0
	2023	0	0	0	0	0
	2024	0	0	0	0	0
MOTOR VEHICLE THEFT	2022	0	0	0	0	0
	2023	0	0	0	0	0
	2024	0	0	0	0	0
ARSON	2022	0	0	0	0	0
	2023	0	0	0	0	0
	2024	0	0	0	0	0

**CRIME DATA SCHOOL OF OSTEOPATHIC MEDICINE AND P.A. PROGRAM - MIDDLETOWN, NY**

OFFENSE	YEAR	ON CAMPUS	RESIDENTIAL FACILITY	NONCAMPUS BUILDING OR PROPERTY	PUBLIC PROPERTY	UNFOUNDED CRIMES
<b>ADDITIONAL OFFENSES</b>						
DATING VIOLENCE	2022	0	0	0	0	0
	2023	1	1	0	0	0
	2024	0	0	0	0	0
DOMESTIC VIOLENCE	2022	0	0	0	0	0
	2023	0	0	0	0	0
	2024	0	0	0	0	0
STALKING	2022	0	0	0	0	0
	2023	0	0	0	0	0
	2024	0	0	0	0	0

**CRIME DATA SCHOOL OF OSTEOPATHIC MEDICINE AND P.A. PROGRAM - MIDDLETOWN, NY**

OTHER OFFENSES	YEAR	ARREST				REFERRED FOR DISCIPLINARY ACTION			
		ON CAMPUS	RESIDENTIAL FACILITY	NONCAMPUS BUILDING OR PROPERTY	PUBLIC PROPERTY	ON CAMPUS	RESIDENTIAL FACILITY	NONCAMPUS BUILDING OR PROPERTY	PUBLIC PROPERTY
LIQUOR LAW VIOLATIONS	2022	0	0	0	0	0	0	0	0
	2023	0	0	0	0	0	0	0	0
	2024	0	0	0	0	0	0	0	0
DRUG ABUSE VIOLATIONS	2022	0	0	0	0	0	0	0	0
	2023	0	0	0	0	0	0	0	0
	2024	0	0	0	0	0	0	0	0
ILLEGAL WEAPONS POSSESSION	2022	0	0	0	0	0	0	0	0
	2023	0	0	0	0	0	0	0	0
	2024	0	0	0	0	0	0	0	0

**HATE CRIMES:**

YEAR	CRIME	CLERY GEOGRAPHY	BIAS CATEGORY
2022	0	N/A	N/A
2023	0	N/A	N/A
2024	0	N/A	N/A

**CRIME DATA SCHOOL OF OSTEOPATHIC MEDICINE – GREAT FALLS, MT**

OFFENSE	YEAR	ON CAMPUS	RESIDENTIAL FACILITY	NONCAMPUS BUILDING OR PROPERTY	PUBLIC PROPERTY	UNFOUNDED CRIMES
<b>CRIMINAL HOMICIDE</b>						
MURDER AND NONNEGLIGENT MANSLAUGHTER	2022	N/A	N/A	N/A	N/A	N/A
	2023	0	0	0	0	0
	2024	0	0	0	0	0
NEGLIGENT MANSLAUGHTER	2022	N/A	N/A	N/A	N/A	N/A
	2023	0	0	0	0	0
	2024	0	0	0	0	0
<b>SEX OFFENSES</b>						
RAPE	2022	N/A	N/A	N/A	N/A	N/A
	2023	0	0	0	0	0
	2024	0	0	0	0	0
FONDLING	2022	N/A	N/A	N/A	N/A	N/A
	2023	0	0	0	0	0
	2024	0	0	0	0	0
INCEST	2022	N/A	N/A	N/A	N/A	N/A
	2023	0	0	0	0	0
	2024	0	0	0	0	0
STATUTORY RAPE	2022	N/A	N/A	N/A	N/A	N/A
	2023	0	0	0	0	0
	2024	0	0	0	0	0
ROBBERY	2022	N/A	N/A	N/A	N/A	N/A
	2023	0	0	0	0	0
	2024	0	0	0	0	0
AGGRAVATED ASSAULT	2022	N/A	N/A	N/A	N/A	N/A
	2023	0	0	0	0	0
	2024	0	0	0	0	0
BURGLARY	2022	N/A	N/A	N/A	N/A	N/A
	2023	0	0	0	0	0
	2024	0	0	0	0	0
MOTOR VEHICLE THEFT	2022	N/A	N/A	N/A	N/A	N/A
	2023	0	0	0	0	0
	2024	0	0	0	0	0
ARSON	2022	N/A	N/A	N/A	N/A	N/A
	2023	0	0	0	0	0
	2024	0	0	0	0	0

**CRIME DATA SCHOOL OF OSTEOPATHIC MEDICINE – GREAT FALLS, MT**

OFFENSE	YEAR	ON CAMPUS	RESIDENTIAL FACILITY	NONCAMPUS BUILDING OR PROPERTY	PUBLIC PROPERTY	UNFOUNDED CRIMES
<b>ADDITIONAL OFFENSES</b>						
DATING VIOLENCE	2022	N/A	N/A	N/A	N/A	N/A
	2023	0	0	0	0	0
	2024	0	0	0	0	0
DOMESTIC VIOLENCE	2022	N/A	N/A	N/A	N/A	N/A
	2023	0	0	0	0	0
	2024	0	0	0	0	0
STALKING	2022	N/A	N/A	N/A	N/A	N/A
	2023	0	0	0	0	0
	2024	0	0	0	0	0

**CRIME DATA SCHOOL OF OSTEOPATHIC MEDICINE – GREAT FALLS, MT**

OTHER OFFENSES	YEAR	ARREST				REFERRED FOR DISCIPLINARY ACTION			
		ON CAMPUS	RESIDENTIAL FACILITY	NONCAMPUS BUILDING OR PROPERTY	PUBLIC PROPERTY	ON CAMPUS	RESIDENTIAL FACILITY	NONCAMPUS BUILDING OR PROPERTY	PUBLIC PROPERTY
LIQUOR LAW VIOLATIONS	2022	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	2023	0	0	0	0	0	0	0	0
	2024	0	0	0	0	0	0	0	0
DRUG ABUSE VIOLATIONS	2022	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	2023	0	0	0	0	0	0	0	0
	2024	0	0	0	0	0	0	0	0
ILLEGAL WEAPONS POSSESSION	2022	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	2023	0	0	0	0	0	0	0	0
	2024	0	0	0	0	0	0	0	0

Notes:

This campus was opened in August of 2023.

**HATE CRIMES:**

YEAR	CRIME	CLERY GEOGRAPHY	BIAS CATEGORY
2022	0	N/A	N/A
2023	0	N/A	N/A
2024	0	N/A	N/A

# APPENDIX A – TOURO UNIVERSITY SYSTEM TITLE IX GRIEVANCE POLICY, SEXUAL MISCONDUCT POLICY AND COMPLAINT FORM



## TOURO UNIVERSITY SYSTEM TITLE IX GRIEVANCE POLICY EFFECTIVE AUGUST 14, 2020

### 1.0 POLICY

The Touro University System, specifically: Touro University, Touro University California, Touro University Nevada, New York Medical College and Hebrew Theological College (hereinafter collectively referred to as “Touro”), seek to maintain a safe learning, living, and working environment for all members of its community. In addition, as individual educational institutions, Touro subscribes to all federal, state, and institutional laws and regulations necessary to ensure that goal.

Title IX of the Educational Amendments of 1972 prohibits any person in the United States from being discriminated against on the basis of sex in seeking access to any educational program or activity receiving federal financial assistance. The U.S. Department of Education, which enforces Title IX, has long defined the meaning of Title IX’s prohibition on sex discrimination broadly to include various forms of sexual harassment and sexual violence that interfere with a student’s ability to equally access our educational programs and opportunities.

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

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

Based on the Final Rule, Touro will implement the following Title IX Grievance Policy, effective August 14, 2020.

As such, this policy is meant to work in harmony with other applicable Touro policies and procedures that address sexual and discriminatory misconduct. In the event that the alleged violation falls within the scope of Title IX, this policy serves as the operating process for addressing the violation while also subscribing to any regulations or reporting requirements of other federal and state laws addressed in the Touro Sexual Misconduct Policy.

### 2.0 PURPOSE

All divisions of Touro seek to foster a collegial atmosphere where students are nurtured and educated through close faculty-student relationships, student camaraderie, and individualized attention. Sexual Harassment of any kind, is detrimental to Touro’s mission, history, and identity. Touro will resolve any Covered Sexual Harassment in a timely and effective manner. Compliance with Touro’s policies and procedures is a necessary step in achieving a safe environment in our educational community.

The policy set forth were developed to promote a safe educational environment in compliance with Final Rule under Title IX of the Educational Amendments of 1972. Those believing that they have been subject to Sexual Harassment, as defined in the Final Rules under Title IX, should immediately contact the Title IX Coordinator. When the Title IX Coordinator has received a Formal Notice of the occurrence, Touro is compelled to take immediate and effective corrective action reasonably calculated to stop the harassment, prevent its recurrence, and as appropriate, remedy its effects.

### 3.0 SCOPE

This policy applies to all members of Touro (including Touro University, Touro University California, Touro University Nevada, New York Medical College and Hebrew Theological College), including students, faculty, and administrators as well as third-parties (including, but not limited to, vendors, invitees, etc.).

This policy applies to events that occur in the United State in any on-campus premises, any off-campus premises that Touro has substantial control over or in any activity occurring within computer and internet networks, digital platforms, and computer hardware or software owned or operated by, or used in the operations of Touro's programs and activities over which Touro has substantial control.

### 4.0 PROCEDURES

#### 4.1 HOW DOES THE TITLE IX GRIEVANCE POLICY IMPACT OTHER CAMPUS DISCIPLINARY POLICIES?

In recent years, "Title IX" cases have become a short-hand for any campus disciplinary process involving sex discrimination, including those arising from sexual harassment and sexual assault. But under the Final Rule, Touro must narrow both the geographic scope of its authority to act under Title IX and the types of "sexual harassment" that it must subject to its Title IX investigation and adjudication process. **Only** incidents falling within the Final Rule's definition of sexual harassment will be investigated and, if appropriate, brought to a live hearing through the Title IX Grievance Policy defined below.

Touro remains committed to addressing any violations of its policies, even those not meeting the narrow standards defined under the Title IX Final Rule.

Specifically, our campus has:

- A **Code of Conduct** that defines certain behavior as a violation of campus policy, and a separate Sexual Misconduct Policy that addresses the types of sex-based offenses constituting a violation of campus policy, and the procedures for investigating and adjudicating those sex-based offenses.

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

The elements established in the Title IX Grievance Policy under the Final Rule have no effect and are not transferable to any other policy of the University for any violation of the Code of Conduct, employment policies, or any civil rights violation except as narrowly defined in this Policy. This Policy does not set a precedent for other policies or processes of the University and may not be cited for or against any right or aspect of any other policy or process.

#### 4.2 GENERAL RULES OF APPLICATION

##### Effective Date

This Title IX Grievance Policy will become effective on August 14, 2020, and will only apply to formal complaints of sexual harassment brought on or after August 14, 2020. Complaints brought prior to August 14, 2020 will be investigated and adjudicated according to the Title IX Grievance Policy if a case is not complete by that date<sup>2</sup>

##### Revocation by Operation of Law

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

##### How does the Title IX Grievance Policy impact the handling of complaints?

Our existing Title IX office and reporting structure remains in place. What has changed is the way our Title IX office will handle different types of reports arising from sexual misconduct, as detailed in full below.

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<sup>2</sup> This specific provision may be subject to additional guidance from OCR (if issued).

### 4.3 MAKING A REPORT REGARDING COVERED SEXUAL HARASSMENT

Any person may report sex discrimination, including sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment), in person, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report.

Contact Information for the Title IX Coordinator at each Touro School:

#### **Touro University**

Matthew Lieberman  
202 West 43rd Street  
New York, NY 10036  
Phone: 646-565-6000 x55667  
Email: [Matthew.Lieberman@touro.edu](mailto:Matthew.Lieberman@touro.edu)

#### **New York Medical College**

Katherine Dillon Smith, M.S.W.  
40 Sunshine Cottage Road  
Valhalla, NY 10595  
Phone: 914-594-4527  
Email: [Katherine\\_Dillon@NYMC.edu](mailto:Katherine_Dillon@NYMC.edu)

#### **Touro University Nevada**

Zachary Shapiro  
874 American Pacific Drive  
Henderson, Nevada 89014  
Phone: 707-638-5459  
Email: [Zachary.Shapiro@tu.edu](mailto:Zachary.Shapiro@tu.edu)

#### **Touro University California**

Kathy Lowe  
690 Walnut Avenue, Suite 210  
Vallejo, California 94592  
Phone: 707-638-5806  
Email: [Kathy.Lowe@tu.edu](mailto:Kathy.Lowe@tu.edu)

#### **Hebrew Theological College**

Dr. Malkie Eisenberg  
2606 W. Touhy Avenue  
Chicago, Illinois 60645  
Phone: (773) 973-0241  
Email: [meisenberg@htc.edu](mailto:meisenberg@htc.edu)

Such a report may be made at any time (including during non-business hours) by using the telephone number or electronic mail address, or by mail to the office address listed for the Title IX Coordinator.

### 4.4 INITIAL ASSESSMENT

*Note: Until it is determined whether the alleged misconduct falls under the Title IX policy, Touro's Sexual Misconduct policy, or other relevant policy or procedure the "Responsible Administrator" can be the Title IX Coordinator, Compliance Officer or any other individual designated to investigate claims. When a determination is made such that the alleged misconduct meets the relevant requirements under the Title IX policy, only the term Title IX Coordinator will be used. In addition, an individual who makes a report of alleged misconduct is referred to as the "Potential Complainant" until he or she makes a written, formal complaint, as required by the Title IX regulations, at which point only the term "Complainant" will be used under this Title IX Grievance policy.*

Whenever the Responsible Administrator receives notice of alleged misconduct, they will promptly contact the Potential Complainant regarding the alleged misconduct for an initial assessment. At that point, the Responsible Administrator will (in no particular order):

- assess the nature and circumstances of the report;
- assess immediate concerns including physical safety and emotional well-being of the Potential Complainant;
- discuss the Potential Complainant's right to contact law enforcement and right to seek medical treatment;

- provide the Potential Complainant information about resources (on-campus and off-campus) and the availability of appropriate and supportive measures;
- advise on Touro's policy regarding confidentiality and retaliation; and
- explain the process and requirements for filing a formal complaint under Title IX.

By law, a formal written complaint must be made before the Title IX process can begin. Before a Potential Complainant can file a formal complaint under Title IX, the Responsible Administrator will determine whether:

- the alleged misconduct can be classified under Title IX;
- the Title IX Coordinator has the ability to file a formal complaint on behalf of the Potential Complainant;
- the alleged misconduct should be handled under a separate University policy or procedure.

#### **4.5 NON-INVESTIGATORY MEASURES AVAILABLE UNDER THE TITLE IX GRIEVANCE POLICY**

##### Supportive Measures

Complainants (as defined above), who report allegations that could constitute covered sexual harassment under this policy, have the right to receive supportive measures from Touro regardless of whether they desire to file a complaint. Supportive measures are non-disciplinary and non-punitive and may include, but are not limited to, the following as appropriate:

- Counseling
- extensions of deadlines or other course-related adjustments
- modifications of work or class schedules
- campus escort services
- restrictions on contact between the parties (no contact orders)
- changes in work or housing locations
- leaves of absence
- increased security and monitoring of certain areas of the campus

##### Emergency Removal

Touro retains the authority to remove a respondent from Touro program or activity on an emergency basis, where Touro (1) undertakes an individualized safety and risk analysis and (2) determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of covered sexual harassment justifies a removal.

If Touro determines such removal is necessary, the respondent will be provided notice and an opportunity to challenge the decision immediately following the removal.

##### Administrative Leave

Touro retains the authority to place a non-student employee respondent on administrative leave during the Title IX Grievance Process.

#### **4.6 DETERMINATION OF TITLE IX RESPONSE**

##### Definition of Sexual Harassment

If a complaint is to be addressed under Title IX, the alleged misconduct must first meet the definition of Covered Sexual Harassment, as defined under Title IX, which includes any conduct on the basis of sex that satisfies one or more of the following:

- An employee conditioning educational benefits on participation in unwelcome sexual conduct (i.e., quid pro quo);
- Unwelcome conduct that a reasonable person would determine is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the educational institution's education program or activity;
- Sexual assault (as defined in the Clery Act), which includes any sexual act directed against another person, without the consent of the victim including instances where the victim is incapable of giving consent;

- Dating violence (as defined in the Violence Against Women Act (VAWA) amendments to the Clery Act), which includes any violence committed by a person: (A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (B) where the existence of such a relationship shall be determined based on a consideration of the following factors: (i) The length of the relationship; (ii) The type of relationship; (iii) The frequency of interaction between the persons involved in the relationship.
- Domestic violence (as defined in the VAWA amendments to the Clery Act), which includes any felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under applicable state and local domestic or family violence laws or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the State or local jurisdiction.
- Stalking (as defined in the VAWA amendments to the Clery Act), meaning engaging in a course of conduct directed at a specific person that would cause a reasonable person to-- (A) fear for their safety or the safety of others; or (B) suffer substantial emotional distress.

**Note that conduct that does not meet one or more of these criteria may still be prohibited under the Touro Code of Conduct or other relevant policy.**

If the alleged misconduct meets the Title IX definition of Sexual Harassment provided above, the Title IX grievance process below then applies to the conduct of members of the Touro community, including students, employees, and third parties, who are located in the United States, and occurred in:

- Any on-campus premises
- Any off-campus premises that Touro has substantial control over. This includes buildings or property owned or controlled by a recognized student organization.
- Activity occurring within computer and internet networks, digital platforms, and computer hardware or software owned or operated by, or used in the operations of Touro's programs and activities over which Touro has substantial control.

For Avoidance of doubt, the Title IX process will apply when all of the following elements are met, in the reasonable determination of the Responsible Administrator:

3. The conduct is alleged to have occurred on or after August 14, 2020;
4. The conduct is alleged to have occurred in the United States;
5. The conduct is alleged to have occurred in Touro's education program or activity; and
6. The alleged conduct, if true, would constitute covered sexual harassment as defined in this policy.

If the alleged misconduct meets these requirements, then the Title IX grievance process applies and the Potential Complainant may file a Formal Complaint or their prior Complaint submission will become a Formal Complaint.

If the alleged misconduct does not meet these Title IX requirements, it requires a mandatory dismissal under Title IX, but it may be addressed by the broader Touro Sexual Misconduct Policy or another applicable Touro policy. In the event of a dismissal, the Responsible Administrator will provide written reasoning for the dismissal determination to the Potential Complainant with information on how to appeal, if desired.

#### **4.7 DISMISSAL OF COMPLAINTS**

Under Title IX, there are instances when complaints are dismissed. These dismissals fall into two categories: (1) mandatory dismissals and (2) discretionary dismissals.

##### Mandatory Dismissal

A mandatory dismissal occurs in the event that the conduct:

- (1). is alleged to have occurred before August 14, 2020;
- (2). does not meet the Title IX definition of Sexual Harassment;
- (3). did not occur in Touro's education program or activity; or
- (4). did not occur against a person in the United States.

If any of these three situations are present, then Touro must dismiss the complaint under Title IX. Touro will provide notice of dismissal to the Parties, including information on how to appeal the dismissal. At the same time, if applicable, the alleged conduct may be addressed under another Touro policy.

#### Discretionary Dismissal

A discretionary dismissal may occur in a few situations:

- (1). the Complainant wishes to withdraw or does not submit the formal complaint,
- (2). the Respondent is no longer enrolled at or employed by Touro, or
- (3). the specific circumstances prevent Touro from gathering sufficient evidence to investigate or make a determination toward the allegations; or
- (4). Does not follow the process or protocols established in this Title IX Grievance policy.

In these events, Touro may choose to dismiss the complaint. Touro will provide notice of the dismissal to the parties currently involved and information on how to appeal the dismissal.

### **4.8 FORMAL COMPLAINT**

#### Filing a Formal Complaint

If the alleged misconduct meets the Title IX requirements, the Responsible Administrator cedes responsibility of the Title IX complaint process to the Title IX Coordinator. The Title IX Coordinator will then advise the Potential Complainant on the process to proceed with a Formal Complaint.

For the purposes of this Title IX Grievance Policy, "Formal Complaint" means a document – including an electronic submission - filed by a Complainant with a signature or other indication that the complainant is the person filing the formal complaint, or signed by the Title IX Coordinator, alleging sexual harassment against a respondent about conduct within Touro's education program or activity and requesting initiation of the procedures consistent with the Title IX Grievance Policy to investigate the allegation of sexual harassment.

The timeframe for the Title IX Grievance Process begins with the filing of a Formal Complaint. The Grievance Process will be concluded within a reasonably prompt manner, provided that the Process may be extended in situations that, include but are not limited to, the absence of a party, a party's Process Support Person, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities.

To file a Formal Complaint, a Complainant must provide the Title IX Coordinator a written, signed complaint describing the facts alleged. Complainants are only able to file a Formal Complaint under this Policy if they are currently participating in, or attempting to participate in, the education programs or activities of Touro, including as an employee. For complainants who do not meet this criteria, the University will utilize existing policy in the Code of Conduct, Sexual Misconduct Policy or any other relevant policy.

If a Potential Complainant chooses not to file a Formal Complaint and the matter is determined to fall under Title IX, the Title IX Coordinator may, in their sole discretion, choose to file a Formal Complaint on the individual's behalf. The Title IX Coordinator must determine that failure to file the Formal Complaint would be clearly unreasonable and not in the best interests of the Touro community. Touro will inform the complainant of this decision in writing, and the complainant need not participate in the process further but will receive all notices issued under this Policy and Process.

Nothing in this Title IX Grievance Policy or the Code of Conduct, Sexual Misconduct Policy or any other Touro policy prevents a complainant from seeking the assistance of state or local law enforcement alongside the appropriate on-campus process.

#### Notice of Formal Complaint

If a Potential Complainant chooses to file a Formal Complaint in a Title IX matter, their status will be adjusted to Complainant. Touro will provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings with a party, with sufficient time for the party to prepare to participate. The notice of the Formal Complaint will be sent promptly to all relevant parties, as soon as practicable, after the institution receives a Formal Complaint of the allegations if there are no extenuating circumstances, which includes: • the identities of the parties involved in the alleged incident, if known;

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<sup>3</sup>The Responsible Administrator role shall no longer be used once a determination of the appropriate process has been made. If the Title IX Coordinator was previously serving as the Responsible Administrator, the individual shall continue with the process.

- the alleged conduct constituting Sexual Harassment;
- the date and location of the alleged incident, if known;
- the prospective grievance process and next steps;
- a statement that the Respondent is presumed not responsible for the alleged conduct until a determination regarding responsibility is made at conclusion of the grievance process;
- a statement informing both parties that they may choose a Process Support Person, who will be their advisor, who may be, but is not required to be an attorney;
- any measures taken by Touro that affects both parties;
- a notice informing parties of any provisions of other Touro policies that prohibit knowingly making false statements, or knowingly submitting false information; and
- a notice of Touro's retaliation policy.

The parties will be notified by their institutional email accounts if they are a student or employee, and by other reasonable means if they are neither.

After notice of the Formal Complaint has been received by both parties, and Touro has provided sufficient time for the parties to review the Notice of Allegations and prepare a response before any initial interview, the Title IX Coordinator, or their designee, will initiate the Title IX informal review process or investigation process.

#### **4.9 INFORMAL RESOLUTION PROCESS**

At any time after a Formal Complaint is filed, the Title IX Coordinator or their designee may, in their discretion, choose to offer and facilitate an Informal Resolution process, so long as both Parties give voluntary, informed, written consent to attempt Informal Resolution. Touro may not require the Parties to participate in an Informal Resolution process or require as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right, waiver of the right to a formal investigation and adjudication of Formal Complaints of Title IX Prohibited Conduct. Any person who facilitates an Informal Resolution will be experienced and trained in dispute resolution and trained on this Title IX Procedure.

##### Withdrawing from an Informal Resolution Process

At any time prior to agreeing to an Informal Resolution, any Party has the right to withdraw from the Informal Resolution process and resume the process with respect to the Formal Complaint.

##### Matters Not Eligible for Informal Resolution

- No Informal Resolution process will be offered before a Formal Complaint is filed.
- No Informal Resolution process will be offered to resolve Formal Complaints involving a student as Complainant and a staff or faculty member as Respondent.

#### **4.10 INVESTIGATION**

##### General Rules of Investigations

The Title IX Coordinator and/or an investigator designated by the Title IX Coordinator will perform an investigation under a reasonably prompt timeframe of the conduct alleged to constitute Covered Sexual Harassment under Title IX after issuing the Notice of Allegations.

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

##### Process

As a first step in the investigation process, a Title IX Investigator will be designated to conduct a prompt, thorough, and impartial investigation into the alleged conduct identified in the Formal Complaint.

The Title IX Investigator will, at a minimum, interview both the Complainant and the Respondent who will each have an equal opportunity to:

- speak about the complaint;
- to submit any inculpatory or exculpatory evidence or information; and
- to identify witnesses who may have information directly related to the alleged conduct.

The Title IX Investigator may also interview any relevant witnesses and interested parties, and re-interview the Complainant or Respondent, if appropriate.

Both parties may also have a Process Support Person of their choice present with them during any phase of the investigation.<sup>4</sup> Touro may, at its discretion, establish restrictions on a Process Support Person's participation. The restrictions must apply equally to both parties including, but not limited to, barring a Process Support Person's participation during the interview process

#### Relevant Evidence and Questions

"Relevant" evidence and questions refer to any questions and evidence that tends to make an allegation of sexual harassment more or less likely to be true.

"Relevant" evidence and questions do not include the following types of evidence and questions, which are deemed "irrelevant" at all stages of the Title IX Grievance Process:

- Evidence and questions about the complainant's sexual predisposition or prior sexual behavior unless:
  - They are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or
  - They concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.
- Evidence and questions that constitute, or seek disclosure of, information protected under a legally-recognized privilege (e.g., attorney-client privilege).
- Any party's medical, psychological, and similar records unless the party has given voluntary, written consent.

#### Investigation – Review of Information

Upon completion of the investigation, but prior to completing the investigative report, the Title IX Investigator will provide both the Complainant and Respondent evidence and information gathered directly related to the alleged misconduct in the Formal Complaint. The evidence and information will be provided in a manner equally accessible to both parties.

Both parties will then be given a ten (10) business day review period to examine the evidence and information. At the conclusion of the ten (10) business day review period, each party has the right to submit a written response to the Title IX Investigator commenting on the evidence and information that can be considered before completing the draft investigative report.

#### Inspection and Review of Evidence

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

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

1. Evidence that is relevant, even if that evidence does not end up being relied upon by the institution in making a determination regarding responsibility;
2. inculpatory or exculpatory evidence (i.e. evidence that tends to prove or disprove the allegations) that is directly related to the allegations, whether obtained from a party or other source.
7. All parties must submit any evidence they would like the investigator to consider prior to when the parties' time to inspect and review evidence begins.

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<sup>4</sup>Touro is not obligated to provide a Process Support Person to either party at the investigation stage of the Title IX process

## Investigation – Investigative Report

After both parties have had an opportunity to review directly related evidence and information, the Title IX Investigator will then draft an investigative report that compiles and fairly summarizes all of the relevant evidence.

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

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

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

Both the Complainant and Respondent will then be given a ten (10) business day review period to examine the draft of the investigative report. At the conclusion of the ten (10) business day review period, each party has the right to submit a written response to the Title IX Investigator to comment on the investigative report.

The Title IX Investigator will prepare the final investigative report for the adjudication phase of the grievance process.

## Confidentiality/Destruction of Evidence, Information and Documents

Each Party is responsible to keep private (by not disseminating beyond Support Persons) documents, materials, and information received from Touro during this process. Failure to comply will be considered a violation of Touro policy and may incur separate sanctions. Additionally, The responsibility to destroy, when so directed by Touro, evidentiary materials and/or writings submitted by the other Party as party of the process<sup>5</sup>

### **4.11 DECORUM AND PERMISSIVE CONDUCT OF PROCESS SUPPORT PERSON**

Both the Complainant and Respondent have the right to choose a Process Support Person. The Process Support Person will be the advisor of choice for such Party.

Touro has a long-standing practice of requiring students to participate in the process directly and not through an advocate or representative. Students participating as Complainant or Respondent in this process may be accompanied by a Process Support Person of choice to any meeting or hearing to which they are required or are eligible to attend.

While all parties involved in the Title IX grievance process may have a Process Support Person present (including at investigative interviews and scheduled live hearings) and, aside from questioning parties or witnesses during the live hearing, a Process Support Person may not actively participate at any other point in the process. Any Process Support Person who violates these expectations may not be permitted to participate further in the process. All questioning by the parties must be conducted through a Process Support Person.

Touro will not intentionally schedule meetings or hearings on dates where the Process Support Person of choice for all parties are not available, provided that the Process Support Person act reasonably in providing available dates and work collegially to find dates and times that meet all schedules.

Only one Process Support Person will be allowed to accompany a Party to meetings with Investigators or at the Hearing (including meetings that occur using technology, such as Zoom).

Each Party may elect to identify an attorney to serve as a Process Support Person. An attorney acting in this role has no different role in the process and serves in the same capacity as a non-attorney.

If a Party arrives at the Hearing without a Process Support Person, Touro will designate a Process Support Person to conduct the oral cross-examination on behalf of the Party. The oral cross-examination questions will be provided to the Process Support Person by the Party they are designated to assist. Touro is not obligated to provide a Process Support Person to either party at the investigation stage of the Title IX process. Additionally, any Process Support Person provided by Touro is solely provided for the purpose of asking questions requested by the party during the cross-examination stage of the Hearing. A Process Support Person provided by Touro does not represent either party in any legal, strategic or other advisory capacity and, as such, are not responsible for any outcomes or consequences related to their involvement. Under no circumstances, is any attorney-client, fiduciary or other duty-bound relationship formed by the Touro's provision of a Process Support Person during the Hearing.

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<sup>5</sup>A Party or Witness may not distribute materials obtained through the process and may not engage in Retaliatory or Intimidating conduct aimed at any other participants in the process. Touro will investigate allegations of a person engaging in any of these prohibited acts. Touro recognizes, however, that it cannot otherwise prevent individuals from speaking openly about their experience and the Title IX process.

## 4.12 ADJUDICATION/HEARINGS

### General Rules of Hearings

Touro will not issue a disciplinary sanction arising from an allegation of covered sexual harassment without holding a live hearing unless otherwise resolved through an informal resolution process.

The live hearing may be conducted with all parties physically present in the same geographic location, or, at Touro's sole discretion, any or all parties, witnesses, and other participants may appear at the live hearing virtually through Zoom or other appropriate video conferencing tools available at the time. This technology will enable participants simultaneously to see and hear each other. At its discretion, Touro may delay or adjourn a hearing based on technological errors not within a party's control.

All proceedings will be recorded through either recording and/or transcript. The choice of medium is at Touro's sole discretion.

Prior to obtaining access to any evidence, the parties and their Process Support Person must sign an agreement not to disseminate any of the testimony heard or evidence obtained in the hearing or use such testimony or evidence for any purpose unrelated to the Title IX Grievance Process. Once signed, this Agreement may not be withdrawn. Failure to sign or adhere to this agreement may result in a negative inference against the party and the immediate withdrawal of that Process Support Person from the Title IX grievance process.

### Notice of Hearing

Upon completion of the investigation, and after the investigative report is complete, the Complainant and Respondent will be notified in writing of:

- the date, time, and location of the live hearing;
- the applicable grievance process;
- that both Parties can have a Process Support Person of their choice;
- that they may inspect and review evidence obtained in the investigation;
- the allegations and conduct that potentially constitute Sexual Harassment;
- the identities of the Parties involved (if known); and
- the date and location of the alleged offense (if known).

Depending on the circumstances and, at the sole discretion of Touro, the hearing may be conducted in-person or virtually, but will always be conducted in real-time. Permission to postpone a hearing may be granted provided that the request to postpone is reasonable.

Prior to the scheduled hearing, a trained Decision-maker will be appointed to be the fact-finder of responsibility for the alleged conduct. The Title IX Investigator will provide the Decision-maker with the finalized investigative report for review prior to the hearing.

While the Complainant, Respondent and witnesses are expected to be present and fully participate in the hearing (including being subject to questioning by a Process Support Person), it is the right of any and all parties to choose not to participate in the hearing of the alleged conduct. In the event that any party chooses not to participate fully in the hearing process, their statements (including those made in the investigation stage) may not be considered in the Decision-maker's determination of responsibility.

If the hearing is held in-person (not virtually), by request of either the Complainant or Respondent, questioning by a Process Support Person can be conducted in separate rooms with technology available that enables the other party to see and hear the questioning in real-time. The entire hearing will be recorded, either by electronic means or transcription. The recording will be made available, upon request, for inspection and review to both Parties. This recording will be kept on file by Touro in accordance with applicable rules and regulations.

### Continuances or Granting Extensions

Touro may determine that multiple sessions or a continuance (i.e. a pause on the continuation of the hearing until a later date or time) is needed to complete a hearing. If so, Touro will notify all participants and endeavor to accommodate all participants' schedules and complete the hearing as promptly as practicable.

### Before the Hearing

Prior to the Hearing, each party will be required to submit any questions, that have not already been addressed in the investigation, that they wish to ask at the oral-cross examination to the Title IX Coordinator no later than twenty-four (24) hours before the Hearing is scheduled to begin.

The Title IX Coordinator will provide the questions to the Decision-maker, who will determine the relevancy of each of the questions. If deemed relevant, the question is permissible to be asked during the hearing. If the Decision-maker determines that a question is not relevant, they will provide a brief reasoning for that decision and the question will not be permitted to be asked during the Hearing. Parties may appeal the relevance determinations at the beginning of the Hearing. The Decision-Maker will endeavor to provide their relevancy determinations at least one hour prior to the Hearing, but no later than the commencement of the Hearing.

#### *Understanding Relevance:*

For these adjudications, the basic test for relevance is whether the question posed is probative to the question of responsibility. This includes a Process Support Person asking questions that addresses the credibility of the party. However, there are some topics that are presumptively never relevant unless an exception applies or a party has waived a privilege. These topics include questions and evidence:

- about the Complainant's sexual predisposition or prior sexual behavior, unless offered to prove that someone other than the Respondent committed the alleged conduct;
- that concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent, unless offered to prove consent;
- that would traditionally be protected by a legally recognized privilege (e.g., attorney-client privilege), unless the party has waived the privilege;
- in reference to a party's psychological or medical records unless the party has given voluntary, written consent.

#### Participants in the Live Hearing

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

##### *Complainant and Respondent (The Parties)*

- The parties cannot waive the right to a live hearing.
- The institution may still proceed with the live hearing in the absence of a party, and may reach a determination of responsibility in their absence, including through any evidence gathered that does not constitute a "statement" by that party.
- Touro will not threaten, coerce, intimidate or discriminate against the party in an attempt to secure the party's participation.
- If a party does not submit to cross-examination, the Decision-Maker cannot rely on any prior statements made by that party in reaching a determination regarding responsibility, but may reach a determination regarding responsibility based on evidence that does not constitute a "statement" by that party.
- The decision-maker cannot draw an inference about the determination regarding responsibility based solely on a party's absence from the live hearing or refusal to answer cross examination or other questions.

##### *The Decision-maker*

- The hearing body will consist of a single Decision-Maker.
- The Decision-Maker will also not have served as the Title IX Coordinator, Title IX investigator, or Process Support Person to any party in the case, nor may the Decision-Maker serve on the appeals body in the case.
- The Decision-Maker will not have a conflict of interest or bias in favor of or against complainants or respondents generally, or in favor or against the parties to the particular case.
- The Decision-Maker will be trained on topics including how to serve impartially, issues of relevance, including how to apply the rape shield protections provided for complainants, and any technology to be used at the hearing.
- The parties will have an opportunity to raise any objections regarding a Decision-Maker's actual or perceived conflicts of interest or bias at the commencement of the live hearing.

##### *Process Support Person*

- Both the Complainant and Respondent have the right to choose a Process Support Person. The Process Support Person will be the advisor of choice for such Party at the Hearing and may be, but does not have to be, an attorney. An attorney acting in this role has no different role in the process and serves in the same capacity as a non-attorney.
- The Process Support Person of choice may accompany the parties to any meeting or hearing they are permitted to attend, but may not speak for the party, except for the purpose of cross-examination.

- The parties themselves are not permitted to conduct cross-examination; it must be conducted by the Process Support Person. As a result, if a party does not select a Process Support Person, the institution will select a Process Support Person to serve in this role for the limited purpose of conducting the cross-examination at no fee or charge to the party.
- The Process Support Person is not prohibited from having a conflict of interest or bias in favor of or against complainants or respondents generally, or in favor or against the parties to the particular case.
- The Process Support Person is not prohibited from being a witness in the matter.
- If a party does not attend the live hearing, the party's Process Support Person may appear and conduct cross-examination on their behalf.
- If neither a party nor their Process Support Person appear at the hearing, Touro will provide a Process Support Person to appear on behalf of the non-appearing party.
- Process Support Personnel shall be subject to Touro's Rules of Decorum, and may be removed upon violation of those Rules.

#### *Witnesses*

- Witnesses cannot be compelled to participate in the live hearing, and have the right not to participate in the hearing free from retaliation.
- If a witness does not submit to cross-examination, as described below, the decision-maker cannot rely on any statements made by that witness in reaching a determination regarding responsibility, including any statement relayed by the absent witness to a witness or party who testifies at the live hearing.

#### Hearing Process

1. The hearing will begin with any appeals by the Parties to the Pre-Hearing relevancy determinations by the Decision-maker.
2. The Decision-maker will then open the hearing by establishing the rules and expectations. The Decision-maker will then read the charges.
3. The Title IX Investigator will then provide a statement summarizing the investigation findings as recorded in the investigative report.
4. Either party (Complainant or Respondent) that has provided a statement that is included in the investigative report may subsequently request to provide a brief statement of additional clarification of no more than five (5) minutes in duration.
5. Upon conclusion of any clarification statement, the Decision-Maker will ask questions of the Parties and Witnesses.
6. Parties will be given the opportunity for live cross-examination after the Decision-Maker conducts its initial round of questioning; During the Parties' cross-examination, Decision-Maker will have the authority to pause cross-examination at any time for the purposes of asking their own follow up questions; and at any time necessary in order to enforce the established rules of decorum. The Complainant, then followed by the Respondent, may have their Process Support Person ask any approved, relevant questions that have not already been addressed in the investigation or hearing. Should a Party or the Party's Process Support Person choose not to cross-examine a Party or Witness, the Party shall affirmatively waive cross-examination through a written or oral statement to the Decision-Maker. A Party's waiver of cross-examination does not eliminate the ability of the Decision-Maker to use statements made by the Party.
7. Each Party will have an opportunity to submit additional questions for review by the Decision-Maker after the initial Oral Cross-Examination has concluded. Should such questions be approved, the Complainant, followed by the Respondent, may have their Process Support Person ask any additional approved, relevant questions. There will only be one round of additional questions allowed.
8. There shall be no Oral Direct Examination at any point in the hearing process. The only time it is may be allowed is if a Party identifies, and provides sufficient justification for, an "Expert Witness" prior to the Hearing. If an "Expert Witness" is identified by one party, the other party will have an opportunity to Cross-Examine that "Expert Witness", if they so choose.
9. Upon completion of questioning, any Party must raise any procedural, substantive, bias, conflict or other perceived irregularity to the Decision-Maker's attention for review and consideration. Failure to do so will forever waive such complaint.
10. Thereafter the Decision-maker will conclude the hearing.

### Live Cross-Examination Procedure

Each party's Process Support Person will conduct live cross-examination of the other party or parties and witnesses. During this live-cross examination the Process Support Person will ask the other party or parties and witnesses relevant questions and follow-up questions, including those challenging credibility directly, orally, and in real time.

Cross-examination questions that are duplicative of those already asked, including by the Decision-Maker, may be deemed irrelevant if they have been asked and answered.

### Newly-discovered Evidence

As a general rule, no new evidence or witnesses may be submitted during the live hearing.

If a party identifies new evidence or witnesses that were not reasonably available prior to the live hearing and could affect the outcome of the matter, the party may request that such evidence or witnesses be considered at the live hearing.

The Decision-Maker will consider this request and make a determination regarding (1) whether such evidence or witness testimony was actually unavailable by reasonable effort prior to the hearing, and (2) whether such evidence or witness testimony could affect the outcome of the matter. The party offering the newly-discovered evidence or witness has the burden of establishing these questions by the preponderance of the evidence.

If the Decision-Maker answers in the affirmative to both questions, then the parties will be granted a reasonable pause in the hearing, or at the Decision-Maker's sole discretion an adjournment, to review the evidence or prepare for questioning of the witness.

## **4.13 DETERMINATION OF RESPONSIBILITY**

### Standard of Proof

Touro uses the preponderance of the evidence standard for investigations and determinations regarding responsibility of formal complaints covered under this Policy. This means that the investigation and hearing determines whether it is more likely than not that a violation of the Policy occurred.

### General Considerations for Evaluating Testimony and Evidence

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

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

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

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

It is well within the Decision-Maker's purview to make credibility determinations and the Decision-Maker will afford the highest weight relative to other testimony to first-hand testimony by parties and witnesses regarding their own memory of specific facts that occurred. Both inculpatory and exculpatory (i.e. tending to prove and disprove the allegations) evidence will be weighed in equal fashion.

Except where specifically barred by the Title IX Final Rule, a witness' testimony regarding third-party knowledge of the facts at issue will be allowed, but will generally be accorded lower weight than testimony regarding direct knowledge of specific facts that occurred.

The Final Rule requires that Touro allow parties to call "expert witnesses" for direct and cross examination. Touro does not provide for expert witnesses in other proceedings. While the expert witness will be allowed to testify and be crossed as required by the Final Rule, the Decision-maker will be instructed to afford lower weight to non-factual testimony of the expert relative to fact witnesses, and any expert testimony that is not directed to the specific facts that occurred in the case will be afforded lower weight relative to fact witnesses, regardless of whether the expert witness testimony is the subject of cross examination and regardless of whether all parties present experts as witnesses.

The Final Rule requires that Touro allows parties to call character witnesses to testify. Touro does not provide for character witnesses in other proceedings. While the character witnesses will be allowed to testify and be crossed as required by the Final Rule, the Decision-Maker will be instructed to afford very low weight to any non-factual character testimony of any witness.

The Final Rule requires that Touro admit and allow testimony regarding polygraph tests (“lie detector tests”) and other procedures that are outside of standard use in academic and non-academic conduct processes. While the processes and testimony about them will be allowed to testify and be crossed as required by the Final Rule, the Decision-Maker will be instructed to afford lower weight to such processes relative to the testimony of fact witnesses.

Where a party or witness’ conduct or statements demonstrate that the party or witness is engaging in retaliatory conduct, including but not limited to witness tampering and intimidation, the Decision-Maker may draw an adverse inference as to that party or witness’ credibility.

#### Components of the Determination of Responsibility

Upon reviewing the investigative report and considering the statements and questions made by the Parties at the Hearing, within a reasonable time thereafter, the Decision-maker will make a determination of responsibility under the Preponderance of the Evidence standard. The Decision-maker will provide a written determination of whether the respondent is found to be responsible or not responsible. This written determination will be provided to both the Complainant and the Respondent simultaneously. The Decision-Maker’s written determination will also include the following information:

- identification of the allegations potentially constituting Sexual Harassment;
- a description of the procedural steps taken from receipt of the formal complaint through the making of the determination;
- the findings of fact used to make the determination;
- conclusions regarding the application of Touro’s Code of Conduct to the facts;
- a statement, and rationale for, the result of each allegation, including a determination regarding responsibility, any disciplinary sanctions, recommendation of or referral for disciplinary sanctions to be imposed on the Respondent, and whether remedies designed to restore or preserve equal access to Touro’s education program or activity will be provided to the Complainant; and
  - information on the procedures and permissible bases for parties to appeal the determination.

While both the Complainant and Respondent will be made aware of the determination of responsibility and the specifics of sanctions imposed on the Respondent (if any), any remedies provided to the Complainant will only be specified in the event that the remedy implicates and affects **both** parties. Further, the Title IX Coordinator has the responsibility to ensure the effective implementation of any remedies set forth in the written determination.

The decision is considered served and delivered on the date it is transmitted electronically to the Complainant and Respondent at their Touro provided email address. The time to appeal shall run from and including the date of such transmission.

#### **4.14 APPEALS**

The Complainant and Respondent will both be provided with at least one level of appeal. The Complainant and Respondent are eligible to file an appeal to the final determination based on:

- a procedural irregularity that affected the outcome of the matter;
- new evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made that could affect the outcome of the matter;
- the Title IX Coordinator, Investigator, or Decision-maker had a conflict of interest or bias for or against Complainants or Respondents generally, or the individual Complainant or Respondent that affected the outcome of the matter; or
- the sanction imposed is disproportionate to the violation.

The Complainant and Respondent may also appeal the mandatory or discretionary dismissal of a complaint based on the first three points listed above.

The request for an appeal must include the grounds for which the request is based and be submitted in writing to the Title IX Coordinator within seven (7) business days following the date of the written determination. The appeal should also state the remedy sought by the appealing party. Upon receipt of the appeal, the other party will receive notification of the appeal and be provided opportunity to respond in writing. Written responses to the other party’s appeal must be submitted within three (3) business days following the delivery of notice of the appeal.

In order to ensure a neutral and unbiased review, a party’s request for appeal will be sent to an Appeals Panel comprised of individuals with no connection to the initial determination, which serves as a separate Decision-maker. An appeal decision will be rendered within twenty (20) business days after the receipt of the formal appeal request. The appeal decision will be provided in writing to both parties.

## Finality

The determination regarding responsibility becomes final either on the date that the institution provides the parties with the written determination of the result of the appeal, if an appeal is filed consistent with the procedures and timeline outlined in “Appeals” above, or if an appeal is not filed, the date on which the opportunity to appeal expires.

### 5.0 RETALIATION

Touro will keep the identity of any individual who has made a report or complaint of sex discrimination confidential, including the identity of any individual who has made a report or filed a Formal Complaint of sexual harassment under this Title IX Grievance Policy, any Complainant, any individual who has been reported to be the perpetrator of sex discrimination, any Respondent, and any witness, except as permitted by the FERPA statute, 20 U.S.C. 1232g, or FERPA regulations, 34 CFR part 99, or as required by law, or to carry out the purposes of 34 CFR part 106, including the conduct of any investigation, hearing, or judicial proceeding under this Title IX Grievance Policy.

No person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX of the Education Amendments of 1972 or its implementing regulations.

No person may intimidate, threaten, coerce, or discriminate against any individual because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding or hearing under this Title IX Grievance Policy.

Any intimidation, threats, coercion, or discrimination, for the purpose of interfering with any right or privilege secured by Title IX or its implementing regulations constitutes retaliation. This includes any charges filed against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but that arise from the same facts or circumstances as a report or complaint of sex discrimination or a report or Formal Complaint of sexual harassment.

Complaints alleging retaliation may be filed with the Office of Institutional Compliance at [Compliance@touro.edu](mailto:Compliance@touro.edu).

### 6.0 PRIVACY AND CONFIDENTIALITY

References made to *confidentiality* refer to the ability of identified confidential resources (e.g. priests/clergy) to not report crimes and violations to law enforcement or University officials without permission, except for extreme circumstances, such as a health and/or safety emergency or child abuse. References made to *confidentiality* or *privacy* mean Touro offices and employees who cannot guarantee confidentiality but will maintain privacy to the greatest extent possible, and information disclosed will be relayed only as necessary to investigate and/or seek a resolution and to notify the Title IX Coordinator or designee, who is responsible for tracking patterns and spotting systemic issues. Touro will endeavor to limit the disclosure as much as practicable, even if the Title IX Coordinator determines that the request for *confidentiality* or *privacy* cannot be honored.

Please note that Touro does not have any personnel that can be deemed or considered “Confidential Reporters” and, as such, all information provided to Touro may be disclosed to the Title IX Coordinator or other relevant administrator with Authority.

### 7.0 DISABILITY ACCOMMODATIONS

This Policy does not alter any institutional obligations under federal disability laws including the Americans with Disabilities Act of 1990, and Section 504 of the Rehabilitation Act of 1973. Parties may request reasonable accommodations for disclosed disabilities to the Title IX Coordinator at any point before or during the Title IX Grievance Process that do not fundamentally alter the Process. The Title IX Coordinator will not affirmatively provide disability accommodations that have not been specifically requested by the Parties, even where the Parties may be receiving accommodations in other institutional programs and activities.

### 8.0 NON-DISCRIMINATION IN APPLICATION

The requirements and protections of this policy apply equally regardless of sex, sexual orientation, gender identity, gender expression, or other protected classes covered by federal or state law. All requirements and protections are equitably provided to individuals regardless of such status or status as a Complainant, Respondent, or Witness. Individuals who wish to file a complaint about Touro’s policy or process may contact the Department of Education’s Office for Civil Rights using contact information available at <https://ocrcas.ed.gov/contact-ocr>.

### 9.0 SPECIFIC INCORPORATIONS

Touro’s Title IX Policy sits within the larger Touro Sexual Misconduct Policy. As such, this embedded policy specifically incorporates certain sections that impact the Title IX process. Those specific sections are:

- Section 4 – Definitions
- Section 6 – Sanctions for Violations
- Section 9 - Assistance for Victims: Rights & Options
- Section 10 – Victim Assistance
- Section 11 – External Reporting
- Section 14 – Resources for Sexual Harassment Victims

In the case of any inconsistency between this Title IX policy and the Sexual Misconduct policy, the language found in the policy related to the identified (Title IX or Sexual Misconduct) conduct shall control.

## 10.0 TRAINING

Section 106.45(b) of the 2020 Final Title IX Rules require the sharing of “All materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process. A recipient must make these training materials publicly available on its website, or if the recipient does not maintain a website the recipient must make these materials available upon request for inspection by members of the public.” Accordingly, the following links to trainings are provided below.

### ***Thompson Coburn – Title IX Training Series***

Module 1 –Fundamentals of the Law:

<http://content.thompsoncoburn.com/video/Module-1-Fundamentals-of-the-Law.mp4>

Module 2 – Formal Complaints:

<http://content.thompsoncoburn.com/video/Module-2-Formal-Complaints.mp4>

Module 3 –Investigations & Informal Resolutions:

<http://content.thompsoncoburn.com/video/Module-3-Investigations-and-Informal-Resolutions.mp4>

Module 4 – Hearings:

<http://content.thompsoncoburn.com/video/Module-4-Hearings.mp4>

Module 5 - Determinations:

<http://content.thompsoncoburn.com/video/Module-5-Determinations.mp4>

## FOR TOURO UNIVERSITY NEW YORK ONLY:

### STUDENT CONDUCT INSTITUTE – CAMPUS TITLE IX TRAINING



This website includes all training materials created by the Student Conduct Institute for member institutions to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process in Title IX compliance and practices.

#### 10.0 IMPLEMENTATION

This policy shall be implemented by the Office of the Title IX Coordinator.

**TOURO UNIVERSITY SYSTEM**  
**SEXUAL MISCONDUCT POLICY FOR NEW YORK CAMPUSES**



**TOURO UNIVERSITY**

**5.0 POLICY**

The Touro University System (“Touro”) pledges its efforts to ensure an environment in which the dignity and worth of all members of the community are respected. It is the policy of Touro that sexual intimidation of students and employees is unacceptable behavior and will not be tolerated. Touro will not tolerate unwelcome sexual advances, requests for sexual favors, and any other verbal or physical conduct of a sexual nature constituting sexual harassment or sexual assault (i.e. rape, fondling, incest or statutory rape).

All supervisors and managers who receive a complaint or information about suspected sexual misconduct, observe behavior that could be considered to be sexual misconduct or for any reason suspect that sexual misconduct is occurring, are required to report such suspected sexual harassment to the Office of Institutional Compliance. In addition to being subject to discipline if they engage in sexual misconduct conduct themselves, supervisors and managers will be subject to discipline for failing to report suspected sexual misconduct. Touro will also not tolerate any supervisory and/or managerial personnel who knowingly allow such behavior to continue.

In general, it is a sex crime to engage in any sexual contact with a person who does not affirmatively consent, or to engage in sexual intercourse, deviant sexual intercourse, or sexual abuse if it is accomplished by forcible compulsion. New York State Law also defines these acts as crimes if any of them are engaged in with a person who is incapable of consent either because of the person’s age or because the person is mentally defective, mentally incapacitated, or physically helpless. Therefore, sexual abuse, sodomy, and rape are sex crimes and violators will be prosecuted in accordance with New York Penal Law.

Touro subscribes to all federal, state and institutional laws and regulations to ensure the goal that it maintains a safe environment for all community members. This policy is meant to work in harmony with other applicable Touro policies and procedures that address sexual and discriminatory misconduct when relevant. In the event that conduct falls within the scope of the Title IX Grievance Policy, under the Education Amendments of 1972, then Touro’s Title IX Grievance policy will serve as the operating process for addressing the violation.

**6.0 PURPOSE**

All divisions of Touro seek to foster a collegial atmosphere where students are nurtured and educated through close faculty student relationships, student camaraderie, and individualized attention. Discrimination or harassment of any kind, including sexual assault (i.e. rape, fondling, incest or statutory rape), domestic violence, dating violence, and stalking, is anathema to Touro’s mission, history, and identity. Touro will resolve any identified discrimination, harassment or sexual assault in a timely and effective manner. Compliance with Touro’s policies and procedures is a necessary step in achieving a safe environment in our educational community. The policies set forth were developed to promote a safe educational environment in compliance with Title IX and Title VII of the Civil Rights Act of 1964, the Violence Against Women Act (VAWA), New York State Law (including Article 129A and 129B), and a high-quality campus life. Those believing that they have been harassed or discriminated against on the basis of their sex, including sexual harassment, should immediately contact the Office of Institutional Compliance. When Touro has notice of the occurrence, Touro is compelled to take immediate and effective corrective action reasonably calculated to stop the harassment, prevent its recurrence, and as appropriate, remedy its effects.

**7.0 SCOPE**

This policy applies to all members of Touro located in New York (including Touro University and New York Medical College) including students, faculty, and administrators as well as third-parties (including, but not limited to, vendors, invitees, etc.). This policy applies to events that occur on-campus, off-campus, and on study abroad. Information and/or training regarding this policy are available to students, faculty, and staff. In addition, information about this policy will be available on Touro’s website.

## 8.0 DEFINITIONS

- **Accused**

- Accused means a person accused of a violation who has not yet entered an institution's judicial or conduct process.

- **Advisor**

- Any individual who provides the accuser or accused support, guidance, or advice.

- **Awareness Programs**

- Awareness program means community-wide or audience-specific programming, initiatives, and strategies that increase audience knowledge and share information and resources to prevent violence, promote safety, and reduce perpetration.

- **Code of Conduct**

- Code of conduct means the written policies adopted by an institution governing student behavior, rights, and responsibilities while such student is matriculated in the institution.

- **Confidentiality**

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

- **Institution**

- Institution means any college or university chartered by the regents or incorporated by special act of the legislature that maintains a campus in New York.

- **Ongoing Prevention and Awareness Campaigns**

- Ongoing prevention and awareness campaigns means programming, initiatives, and strategies that are sustained over time and focus on increasing understanding of topics relevant to and skills for addressing dating violence, domestic violence, sexual assault, and stalking, using a range of strategies with audience throughout the institution and including information on definitions of different crimes, options for bystander intervention, and risk reduction.

- **Primary Prevention Programs**

- Primary prevention programs means programming, initiatives, and strategies informed by research or assessed for value, effectiveness, or outcome that are intended to stop dating violence, domestic violence, sexual assault, and stalking before they occur through the promotion of positive and healthy behaviors that foster healthy, mutually respectful relationships and sexuality, encourage safe bystander intervention, and seek to change behavior and social norms in healthy and safe directions.

- **Privacy**

- Privacy may be offered by an individual when such individual is unable to offer confidentiality under the law but shall still not disclose information learned from a reporting individual or bystander to a crime or incident more than necessary to comply with this and other applicable laws, including informing appropriate institution officials. Institutions may substitute another relevant term having the same meaning, as appropriate to the policies of the institution.

- **Reporting Individual**

- Reporting individual encompasses the terms victim, survivor, complainant, claimant, witness with victim status, and any other term used by an institution to reference an individual who brings forth a report of a violation.

- **Respondent**

- Respondent means a person accused of a violation who has entered an institution's judicial or conduct process.

- **Risk Reduction**

- Risk reduction means 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.

- **Bystander**

- Bystander means a person who observes a crime, impending crime, conflict, potentially violent or violent behavior, or conduct that is in violation of rules of an institution.

- **Campus**

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

- **Campus Security**

- A campus police department or a campus security department of an institution.
- Any individual or individuals who have responsibility for campus security but who do not constitute a campus police department or a campus security department under paragraph (i) of this definition, such as an individual who is responsible for monitoring entrance into institutional property.
- Any individual or organization specified in an institution's statement of campus security policy as an individual or organization to which students and employees should report criminal offenses.
- An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, and campus judicial proceedings. If such an official is a pastoral or professional counselor as defined below, the official is not considered a campus security authority when acting as a pastoral or professional counselor.

- **Consent (with regards to sexual activity)**

- 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.
  - 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.
  - Consent is required regardless of whether the person initiating the act is under the influence of drugs and/or alcohol.
  - Consent may be initially given but withdrawn at any time.
  - 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.
  - Consent cannot be given when it is the result of any coercion, intimidation, force, or threat of harm.
  - 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; and
- The existence of a social relationship is based on the "reporting party's statement" with consideration of
  - the length of the relationship,
  - the type of relationship, and
  - the frequency of the interaction between the persons involved.
- Dating violence includes, but is not limited to, sexual or physical abuse or the threat of abuse, and does not include acts covered by the definition of domestic violence.

- **Discrimination and Harassment**

- Touro's policies, prohibit discrimination based on sex, including sexual harassment. The prohibition against discrimination extends to employment and third-parties. Sexual harassment is unwelcome conduct of a sexual nature and can include sexual advances, request for sexual favors, and other verbal, non-verbal, or physical conduct. Environmental harassment (sometimes referred to as hostile environment) is sexually harassing conduct that is sufficiently severe, persistent or pervasive to limit an individual's ability to participate in or receive benefits, services, or opportunities at Touro. This can include persistent comments or jokes about an individual's, sex; verbal behavior, including insults, remarks, epithets, or derogatory statements; nonverbal behavior, including graffiti, inappropriate physical advances short of physical violence such as repeated and unwanted touching; and assault, including physical violence or the threat of physical violence.

- Title VII, and its implementing regulations, prohibit Discrimination “because of sex” or “on the basis of sex.” The terms “because of sex” or “on the basis of sex” include, but are not limited to, because of or on the basis of pregnancy, childbirth, or related medical conditions; and women affected by pregnancy, childbirth, or related medical conditions shall be treated the same for all employment-related purposes, including receipt of benefits under fringe benefit programs.
- **Domestic Violence**
  - Domestic violence is a felony or misdemeanor crime of violence committed by any of the following individuals:
    - A current or former spouse or intimate partner of the victim; or
    - A person with whom the victim shares a child in common; or
    - A person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner; or
    - A person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or
    - Any other person against an adult or youth victim who is protected under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.
- **Pastoral counselor**
  - A person who is associated with a religious order or denomination, is recognized by that religious order or denomination as someone who provides confidential counseling, and is functioning within the scope of that recognition as a pastoral counselor.
- **Professional counselor**
  - A person whose official responsibilities include providing mental health counseling to members of the institution’s community and who is functioning within the scope of the counselor’s license or certification.
- **Proceeding**
  - All activities related to a non-criminal resolution of an institutional disciplinary complaint, including, but not limited to, fact-finding investigations, formal or informal meetings, and hearings.
  - Does not include communications and meetings between officials and victims concerning accommodations or protective measures to be provided to a victim.
- **Result**
  - Any initial, interim, and final decision by any official or entity authorized to resolve disciplinary matters within the institution.
  - The result must include any sanctions imposed by the institution and the rationale for the result and the sanctions.
- **Sexual Activity**
  - Sexual activity has the same meaning as “sexual act” and “sexual contact” as provided in 18 U.S.C. 2246(2) and 18 U.S.C. 2246(3).
- **Sexual Misconduct**
  - Unwelcome sexual advances, requests for sexual favors, and, other visual, verbal or physical conduct of a sexual nature, when:
  - An individual’s submission to or rejection of the conduct is made, either explicitly or implicitly, a term or condition of employment or of status in a course, program, or activity, or is used as a basis for employment or academic decision; or
  - The conduct has the purpose or effect of unreasonably interfering with an individual’s work performance, academic performance, or educational experience, or of creating an intimidating, hostile, humiliating, or offensive working, educational, or living environment.
- **Sexual Offense**
  - Unwelcome sexual advances, requests for sexual favors, and any other verbal or physical conduct of a sexual nature constituting sexual harassment.
- **Sexual Assault**
  - Any nonconsensual sexual act proscribed by Federal, tribal, or State law, including when the victim lacks capacity to consent, and including rape, fondling, incest or statutory rape as acted in the FBI’s Uniform Crime Reporting program.
- **Rape**
  - Is the perpetuation of an act of sexual intercourse with a person against his or her will and consent, or when such person is incapable of giving consent because of his or her youth or his or her temporary or permanent mental or physical incapacity.

- Is the penetration of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person without the consent of a person, or when such person is incapable of giving consent.
- Acquaintance rape is rape that involves people who know or are familiar with each other.

- **Stalking**

- Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others or suffer substantial emotional distress.
- A course of conduct is two or more acts, including, but 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.
- Substantial emotional distress is a significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.
- A reasonable person is one under similar circumstances and with similar identities to the victim.

- **Jurisdictional Definitions of Domestic Violence, Dating Violence, Sexual Assault and Stalking**

- Domestic Violence: The State of New York does not have a definition of domestic violence. However, assault, menacing, strangulation & related offenses, NY Family Court Act 842, and Penal Law 130.90 provide protections to victims of domestic and dating violence.
- Assault: A person is guilty of assault in the first degree when:
  - 1. With intent to cause serious physical injury to another person, he causes such injury to such person or to a third person by means of a deadly weapon or a dangerous instrument; or
  - 2. With intent to disfigure another person seriously and permanently, or to destroy, amputate or disable permanently a member or organ of his body, he causes such injury to such person or to a third person; or
  - 3. Under circumstances evincing a depraved indifference to human life, he recklessly engages in conduct which creates a grave risk of death to another person, and thereby causes serious physical injury to another person; or
  - 4. In the course of and in furtherance of the commission or attempted commission of a felony or of immediate flight therefrom, he, or another participant if there be any, causes serious physical injury to a person other than one of the participants.
  - Assault in the first degree is a class B felony.
- Menacing: A person is guilty of menacing in the first degree when he or she commits the crime of menacing in the second degree and has been previously convicted of the crime of menacing in the second degree or the crime of menacing a police officer or peace officer within the preceding ten years.
  - Menacing in the first degree is a class E felony.
- Strangulation & Related Offense:
  - A person is guilty of criminal obstruction of breathing or blood circulation when, with intent to impede the normal breathing or circulation of the blood of another person, he or she:
    - ◆ applies pressure on the throat or neck of such person; or
    - ◆ blocks the nose or mouth of such person.
  - Criminal obstruction of breathing or blood circulation is a class A misdemeanor.
- Facilitating a Sex Offense with a Controlled Substance (Penal Law 130.90):
  - A person is guilty of facilitating a sex offense with a controlled substance when he or she:
    - ◆ knowingly and unlawfully possesses a controlled substance or any preparation, compound, mixture or substance that requires a prescription to obtain and administers such substance or preparation, compound, mixture or substance that requires a prescription to obtain to another person without such person's consent and with intent to commit against such person conduct constituting a felony defined in this article; and
    - ◆ commits or attempts to commit such conduct constituting a felony defined in this article.
  - Facilitating a sex offense with a controlled substance is a class D felony
- Dating Violence: The State of New York does not have a definition of dating violence. See above for definitions pertaining to dating violence.

- Sexual Assault: The State of New York defines sexual assault as follows: The following definitions are applicable to this article:
  - 1. “Sexual intercourse” has its ordinary meaning and occurs upon any penetration, however slight.
  - 2.
    - ♦ (a) “Oral sexual conduct” means conduct between persons consisting of contact between the mouth and the penis, the mouth and the anus, or the mouth and the vulva or vagina.
    - ♦ (b) “Anal sexual conduct” means conduct between persons consisting of contact between the penis and anus.
  - 3. “Sexual contact” means any touching of the sexual or other intimate parts of a person 1 for the purpose of gratifying sexual desire of either party. It includes the touching of the actor by the victim, as well as the touching of the victim by the actor, whether directly or through clothing, as well as the emission of ejaculate by the actor upon any part of the victim, clothed or unclothed.
  - 4. For the purposes of this article 2 “married” means 3 the existence of the relationship 4 between the actor and the 5 victim as spouses which is recognized by law at the time the actor commits an offense proscribed by this article 6 against the 7 victim.
  - 5. “Mentally 1 disabled” means that a person suffers from a mental disease or defect which renders him or her incapable of appraising the nature of his or her conduct.
  - 6. “Mentally incapacitated” means that a person is rendered temporarily incapable of appraising or controlling his conduct owing to the influence of a narcotic or intoxicating substance administered to him without his consent, or to any other act committed upon him without his consent.
  - 7. “Physically helpless” means that a person is unconscious or for any other reason is physically unable to communicate unwillingness to an act.
  - 8. “Forcible compulsion” means to compel by either:
    - ♦ use of physical force; or
    - ♦ a threat, express or implied, which places a person in fear of immediate death or physical injury to himself, herself or another person, or in fear that he, she or another person will immediately be kidnapped.
  - 9. “Foreign object” means any instrument or article which, when inserted in the vagina, urethra, penis, rectum or anus, is capable of causing physical injury.
  - 10. “Sexual conduct” means sexual intercourse, 1 oral sexual conduct, anal sexual conduct, aggravated sexual contact, or sexual contact.
  - 11. “Aggravated sexual contact” means inserting, other than for a valid medical purpose, a foreign object in the vagina, urethra, penis 1 , rectum or anus of a child, thereby causing physical injury to such child.
  - 12. “Health care provider” means any person who is, or is required to be, licensed or registered or holds himself or herself out to be licensed or registered, or provides services as if he or she were licensed or registered in the profession of medicine, chiropractic, dentistry or podiatry under any of the following: article one hundred thirty-one, one hundred thirty-two, one hundred thirty-three, or one hundred forty-one of the education law.
  - 13. “Mental health care provider” 1 shall mean a licensed physician, licensed psychologist, registered professional nurse, licensed clinical social worker or a licensed master social worker under the supervision of a physician, psychologist or licensed clinical social worker.
- Stalking: The State of New York defines stalking as follows: A person is guilty of stalking in the first degree when he or she commits the crime of stalking in the third degree as defined in subdivision three of section 120.50 or stalking in the second degree as defined in section 120.55 of this article and, in the course and furtherance thereof, he or she:
  - 1. intentionally or recklessly causes physical injury to 1 the victim of such crime; or
  - 2. commits a class A misdemeanor defined in article 1 one hundred thirty of this chapter, or a class E felony defined in 2 section 130.25, 130.40 or 130.85 of this chapter, or a class D felony 3 defined in section 130.30 or 130.45 of this chapter.
  - Stalking in the first degree is a class D felony.

- **Preponderance of the Evidence**

- Just enough evidence to make it more likely than not that the fact the claimant seeks to prove is true.

- **Retaliation**

- Retaliation is any kind of reprisal, adverse action, or negative action taken against an individual because he or she has:
  - complained about alleged discrimination or harassment as defined above,
  - opposed alleged discrimination or harassment as defined above,
  - participated as a party or witness in an investigation relating to such allegations, or
  - participated as a party or witness in a proceeding regarding such allegations. Retaliation can occur contemporaneously during the complaint process or subsequent to it, once the retaliator is aware of the recipient's participation in the process.
- Retaliation does not exist in the absence of an adverse action. An individual is protected from retaliation even when the complaint at issue is ultimately found to lack merit, as long as the complaint was made in good faith.
- Touro does not allow, nor tolerate any conduct by any Touro community member that may be regarded as retaliatory. Retaliation against any individual, whether said person submitted a complaint through the method described below, or for any other reason will not be tolerated.
- New York State legislation requires that every institution ensures that at the first instance of disclosure by a reporting individual to an institution representative, the following information be presented: "You have the right to make a report to university police or campus security, local law enforcement, and/or state police or choose not to report; to report the incident to your institution; to be protected by the institution from retaliation for reporting that incident; and to receive assistance and resources from you institution."

**Touro University:**

Compliance Officer  
202 West 43rd Street  
New York, NY 10036  
Phone: 646-565-6000 x55667  
Email: [compliance@touro.edu](mailto:compliance@touro.edu)

**New York Medical College**

Compliance Officer  
40 Sunshine Cottage Rd  
Valhalla, NY 10595  
Phone: 914-594-4567  
Email: [compliance@touro.edu](mailto:compliance@touro.edu)

- **Unlawful employment practices under Title VII:** It shall be an unlawful employment practice for an employer--

- to fail or refuse to hire or to discharge any individual, or otherwise to discriminate against any individual with respect to his or her compensation, terms, conditions, or privileges of employment, because of such individual's sex; or
- to limit, segregate, or classify his employees or applicants for employment in any way which would deprive or tend to deprive any individual of employment opportunities or otherwise adversely affect his or her status as an employee, because of such individual's sex.
- to print or publish or cause to be printed or published any notice or advertisement relating to employment by such an employer, indicating any preference, limitation, specification, or discrimination, based on sex, except that such a notice or advertisement may indicate a preference, limitation, specification, or discrimination based on sex when sex is a bona fide occupational qualification for employment.
- to willfully not post and keep posted in conspicuous places upon its premises where notices to employees, applicants for employment, and members are customarily posted a notice to be prepared or approved by the EEOC setting forth excerpts from or, summaries of, the pertinent provisions of Title VII and information pertinent to the filing of a complaint.

## 9.0 PROCEDURES

### *Duty to Report Violations*

Any member of the Touro community including students, faculty, employees, and third-parties have a duty to report violations of this policy where individuals know, or should know, of accusations or actions which violate Touro Policy and will notify a Touro Compliance Officer of such violations promptly.

If you believe that you have been subjected to sexual harassment you may complete the attached complaint form found at the end of this policy, which is also available on TouroOne. Your complaint will then be investigated pursuant to the procedures outlined in this policy.

### *Formal Investigation and Resolution of Discrimination, Harassment, Sexual Assault or Retaliation Complaints*

### Duty to Cooperate and Facilitate

All members of Touro are required to cooperate fully with any investigations of harassment. A faculty member, staff member, or student who has relevant information and refuses to cooperate with an ongoing investigation will be subject to disciplinary action for, among other things, violations of the Touro University Code of Conduct and/or insubordination. Likewise, all Touro employees are required to ensure that complaints about harassment are directed to the appropriate administrative office for evaluation and investigation.

### Right to Prompt, Fair, and Impartial Proceeding and Complaint Process

Touro is committed to conducting an inquiry that is thorough, prompt and impartial. Accused and accuser will have the opportunity to object to Touro participants as bias.

Victims have the option to notify proper law enforcement authorities, including on-campus security and local police, or to decline to notify such authorities. Complaints concerning sexual harassment and/or sexual discrimination should be sent to the Office of Institutional Compliance at 202 West 43rd Street, New York, NY 10036 at [compliance@touro.edu](mailto:compliance@touro.edu) and 646-565-6000 x55330. Complaints should be filed as soon as possible after the date of the alleged misconduct, and a written complaint is preferable.

A written or verbal complaint, which should be submitted within the later of the following two dates: (a) thirty (30) days after the alleged misconduct; or, (b) the end of the semester in which the alleged incident occurred. A complaint should include the following information:

- Complainant's full name, home address, email, telephone number, and Touro Student/Employee ID number.
- Name of the person against whom the complaint was made, including job title or student status, if known.
- The protected status that is the basis for the alleged discrimination, harassment, or retaliation based on the complainant's gender.
- A clear statement of the facts that constitute the alleged discrimination, harassment, or retaliation, including dates on which the acts were committed and any information to identify witnesses.
- Complainant should include the term and year of his/her most recent active employment, academic, or student status within the university.
- A student who is seeking admission to Touro should include the term and year in which he/she sought admission to the university.
- The full name, address, and telephone number of complainant's advisor or supervisor, if any.
- The specific harm that resulted from the alleged act and the remedy sought.
- The complainant's signature and the date on which the complaint was submitted.

The accused will receive notice of the complaint, although the accused will be considered innocent until proven guilty of a violation. While prompt reporting is expected, complaints older than 30 days will be processed. However, if more than 365 days have elapsed since the day of the complaint, the complaint may not be processed.

Every effort is made to conduct a thorough and speedy investigation. Several factors may impact Touro's ability to conduct a prompt investigation, including, but not limited to: the Complainant's accessibility or unresponsiveness, witness availability or unresponsiveness, the number of witnesses, the timing of the investigation (i.e. if an investigation is being conducted at a time when students are taking final exams or on recess), etc. The process allows for extension with good cause shown. The burden to develop facts surrounding the investigation and/or prove that an incident lacked consent is on the institution, not the reporting individual. A reporting individual may withdraw a complaint or report from the institution at any time. Such individual will not be penalized for withdrawing such complaint. Please note that the institution may, consistent with other provisions of this law as well as federal law, still have obligations to investigate and/or take actions even if the complaint has been withdrawn.

### Availability of Counseling

Touro University will offer its internal counseling services to any complainant who has begun the complaint process. It is ultimately the complainant's decision of whether or not to accept the counseling service offered by Touro University.

### Accommodations and Protective Measures Available for Victims

Upon receipt of a report of domestic violence, dating violence, sexual assault or stalking, Touro University will provide written

notification to the students and employees involved about accommodations available to them, including academic, living, transportation and working situations. The written notification will include information regarding the accommodation options, available assistance in requesting accommodations, and how to request accommodations and protective measures (i.e., the notification will include the name and contact information for the individual or office that should be contacted to request the accommodations).

At the victim's request, and to the extent of the victim's cooperation and consent, University offices will work cooperatively to assist the victim in obtaining accommodations. If reasonably available, a victim may be offered changes to academic, living, working or transportation situations regardless of whether the victim chooses to report the crime to campus police or local law enforcement. Examples of options for a potential change to the academic situation may be to transfer to a different section of a class, withdraw and take a class at another time if there is no option for moving to a different section, etc. Potential changes to living situations may include moving to a different room or residence hall. Possible changes to work situations may include changing working hours. Possible changes in transportation may include having the student or employee park in a different location, assisting the student or employee with a safety escort, etc.

Certain remedial measures may be taken to protect both parties during the pendency of the investigation, including changes to academic, living, transportation, and working situations or other protective measures. Touro may make such accommodations or provide such protective measures if the victim requests them and if they are reasonably available, regardless of whether the victim chooses to report the crime to campus police or local law enforcement.

To request changes to academic, living, transportation and/or working situations or protective measures, a victim should contact the Director of Security Kevin Paynter at (646) 565-6134 or Office of Institutional Compliance at (646) 565-6000 x55330. If the victim wishes to receive assistance in requesting these accommodations, she or he should contact the Director of Security Kevin Paynter at (646) 565-6134 or the Office of Institutional Compliance at (646) 565-6000 x55330.

#### Notice and Timely Access and Preservation of Evidence

The proceeding will be consistent with Touro University's policies and transparent to both the accuser and the accused. Both accuser and accused will receive timely notice of meetings at which their presence is requested. Either party may request that others be present. If allowed, other individuals will not be allowed to participate or interfere in such meeting. Both accuser and accused will receive timely and equal access to information that will be used during formal and informal disciplinary meetings or hearings (if any). Investigation interviews are not deemed disciplinary in nature. Touro University will endeavor to protect the privacy of the participating parties and/or witnesses.

It is very important that the victim preserve any proof or evidence of any criminal offense. Such incidents will be reviewed and investigated in an expedient and professional manner.

#### Intake Interview

After receipt of a complaint, the Compliance Officer or his/her designee will meet with the complainant as soon as possible, usually within one week, but not later than thirty (30) days after receipt. The complainant must make himself/herself available to meet.

The meeting will be an intake interview where the Compliance Officer or his/her designee will inform the complainant about the investigation procedure and timeline. The complainant will have an opportunity to provide or present evidence and witnesses on their behalf. The complainant may sign a formal complaint form at that time (under the above guidelines) if he/she has not already done so. A complaint will proceed even in the absence of a signed written complaint.

#### Complaints about Students, Faculty, Other Employees or Third Parties

The University's disciplinary process includes a prompt, fair, and impartial investigation and resolution process from the initial investigation to the final result. Upon receipt of a complaint, the Compliance Officer or his/her designee shall investigate the circumstances of the complaint. This investigation will include documented interviews of the complainant, the person against whom the complaint is written, and witnesses with relevant knowledge, if any. Further, the investigation will include a review of relevant documents and any other evidence. Touro will use the preponderance of the evidence standard in the investigation and disciplinary action, as VAWA requires.

#### Investigation of Complaints

The Compliance Officer or his/her designee shall have thirty (30) days from the intake interview to complete the investigation of

the event in question. Usually, the resolution of domestic violence, dating violence, sexual assault and stalking complaints are completed within 60 days of the report. However, each proceeding allows for extensions of timeframes for good cause with written notice to the accuser and the accused of the delay and the reason for the delay. University officials involved in the investigation or adjudication of domestic violence, dating violence, sexual assault and stalking complaints are trained annually on the issues related to domestic violence, dating violence, sexual assault, and stalking as well as how to conduct an investigation and hearing process that protects the safety of the victim and promotes accountability. Such thirty (30) days may be extended in the event that one of the following occurs:

- Availability or unavailability of a witness or relevant/material documents;
- Reluctance of a witness and/or any necessary party;
- Delay or other uncooperative actions of any necessary party;
- Numerosity of witnesses;
- Holidays and vacation periods;
- Any other unforeseeable events/circumstances.

Both the complainant and respondent will have the same opportunities to have others present during any disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice. Touro will not limit the choice of advisor or presence for either the accuser or the accused in any meeting or institutional disciplinary proceeding, but Touro 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.

During any such investigation, the complainant and the accused will each reserve the right to exclude their own prior sexual history with any persons other than the party involved in the hearing during the judicial or conduct investigation process. Both will also reserve the right to exclude any mental health diagnosis and treatment during the institutional disciplinary stage which determines responsibility. Past findings of domestic violence, dating violence, stalking, or sexual assault may be admissible in the stage that determines sanction.

Generally speaking, an investigation will take approximately 60 calendar days following receipt of the complaint. This may not be practicable in every investigation and may vary depending on the complexity of the investigation and the severity and extent of the harassment. The institutional disciplinary procedures will not be conducted by officials who have a conflict of interest or bias for or against the accuser or the accused.

#### Notice of Determination and Further Action

The Compliance Officer or his/her designee shall report the findings of the investigation to a designated, impartial Fact Finder. The Fact Finder shall endeavor to issue a determination within fifteen day after receipt of the investigation file to determine and detail: (a) whether there is probable cause to believe discrimination occurred with respect to each allegation in the complaint, (b) a description of actions taken, if any, to prevent similar problems from occurring in the future, and (c) the proposed resolution of the complaint. Both parties will be informed of the outcome reached and sanctions imposed as a result of such investigation and determination.

Both the complainant, the party who filed the complaint or the alleged target of the sexual harassment or sexual assault, and the respondent, the accused, shall be informed of the fact finder's decision, including the outcome reached and sanctions imposed, in writing simultaneously within ten days of the conclusion of the fact finder's deliberation. They will both be notified simultaneously and in writing of the outcome of the proceeding and appeal procedures. Questions concerning these actions should be addressed to the Office of Institutional Compliance. Notification to the appropriate law enforcement officials and other assistance to the student or staff member in notifying law enforcement officials will be provided, if requested.

Touro will provide the victim a written explanation of her/his rights and options with respect to the report when the victim reports to Touro about the misconduct.

#### Notification to Victims of Crimes of Violence

The University will, upon written request, disclose to the alleged victim of a crime of violence, or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by such institution against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as the result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph.

#### Appeals

The complainant and respondent alike will be provided with at least one level of appeals.

Both the complainant and the respondent are eligible to file an appeal to the determination based on (i) a procedural error occurred, (ii) new information exists that would substantially change the outcome of the finding, or (iii) the sanction is disproportionate with the violation.

The request for an appeal, including the grounds upon which the request is based, should be submitted in writing to the Office of Institutional Compliance within seven (7) business days following the date on the outcome letter. The Appeal should state the remedy sought by the appealing party. Each party may respond in writing to any appeal submitted by the other party. Written responses to the other party's appeal must be submitted within three (3) business days following delivery of the notice of the written appeal. Written requests for appeal submitted by one party will be shared with the other party.

Appeals will be conducted in an impartial manner by trained University officials without conflict of interest or bias for or against either party. A party with a concern about a conflict of interest or bias should contact the Office of Institutional Compliance. The Appeals Panel can determine whether a change in the decision is warranted. If applicable, both the accuser and accused will have an opportunity to be present or have others present during any disciplinary proceedings. If a change in this decision is necessary, the Appeals Panel will review the appeal and rationale and make a final decision. Both parties will be informed of the outcome reached and sanctions imposed as a result of such proceedings.

Appeals will not be reviewed or considered beyond the Appeals Panel. Appeals decisions will be rendered within twenty (20) business days after the receipt of the formal request for appeal. The appeal decision will be provided in writing to both parties and the appeal decision is final. However, information obtained during the course of the conduct or judicial process will be protected from public release until the appeals process is final, unless otherwise required by law.

Touro has a grade appeal process, which is not circumvented by this policy. This procedure is not a substitute for a grade appeal. A grade appeal may be suspended until a determination has been made by the fact finder.

Touro will provide the victim a written explanation of her/his rights and options with respect to the report when the victim reports to Touro about the misconduct.

## 10.0 SANCTIONS FOR VIOLATIONS

Student violators may be subject to the following sanctions and remedial measures on a case-by-case basis:

- **Warning:** A written reprimand putting the student on notice that he/she has violated the Code of Conduct. A copy of this warning is placed in the student's folder.
- **No-Contact Order:** A student may be ordered to temporarily not intentionally contact a victim through any medium.
- **Probation:** A student may be placed on disciplinary probation for a definite period of time. While on probation, students may not hold office in Student Government Organizations, Clubs or Societies or represent the University in any capacity. Further violations while on probationary status will result in suspension or expulsion from the University.
- **Restitution:** A student may be required to pay restitution to the University or to fellow students for damages and losses resulting from his/her actions.
- **Suspension:** At any time during a student's enrollment at the University he/she may be suspended and barred from attending classes for a definite period, not to exceed two years. A student who is suspended is entitled to a written clarification with specific reasons for and description of the sanction. A student may not be automatically re-enrolled at the end of his/her suspension. He/she must apply to the Student Affairs Committee for re-enrollment.
- **Expulsion:** Touro may terminate a student's status at the University at any time.

Faculty and staff (part-time and full-time) who violate the policy will be subject to disciplinary sanctions on a case-by-case basis as follows:

- **Censure:** A written reprimand, outlining the violation(s) of University policies, may be placed in the personnel file of individual violators.
- **Probation:** Faculty and/or staff may be placed on probation for a definite period of time up to a maximum of one year. In such instances, individuals may be required to enroll in a therapeutic counseling or treatment program.
- **Suspension:** Faculty and/or staff may be suspended from employment without pay for a period of time ranging from seven days to a maximum of one year.
- **Termination of Employment:** Faculty and/or staff may be dismissed from employment upon written notice by the Dean of

Faculties (for faculty members) or the Vice President for Administration (all other employees).

- **Legal Action:** Faculty and/or staff may be turned over to law enforcement authorities for criminal prosecution and legal action.

In both cases for students, faculty and staff, the existence of a progressive system of disciplinary sanctions measures does not preclude Touro University from levying a heavy sanction, without first resorting to a lesser sanction. By way of illustration and not exclusion, Touro University may expel a student or terminate a staff member for a violation of policy without first issuing a warning or putting that student or employee on probation.

### ***University-Initiated Protective Measures***

In addition to those protective measures previously described, the Title IX Coordinator or their designee will determine whether interim interventions and protective measure should be implemented, and, if so, take steps to implement those protective measures as soon as possible.

When the accused or respondent is a student, to have the institution issue a “no contact order” consistent with institution policies and procedures, whereby continued intentional contact with the reporting individual would be a violation of institution policy subject to additional conduct charges; if the accused or respondent and a reporting individual observe each other in a public place, it shall be the responsibility of the accused or respondent to leave the area immediately and without directly contacting the reporting individual. Both the accused or respondent and the reporting individual shall, upon request and consistent with institution policies and procedures, be afforded a prompt review, reasonable under the circumstances, of the need for and terms of a no contact order, including potential modification, and shall be allowed to submit evidence in support of his or her request. Institutions may establish an appropriate schedule for the accused and respondents to access applicable institution buildings and property at a time when such buildings and property are not being accessed by the reporting individual.

Other examples of interim protective measures include, but are not limited to: a University order of no contact, residence hall relocation, adjustment of course schedules, a leave of absence, or reassignment to a different supervisor or position. These remedies may be applied to one, both, or multiple parties involved. Protective measures imposed may be temporary pending the results of an investigation or may become permanent as determined by Touro University. Violations of the Compliance Officer’s directives and/or protective measures will constitute related violations that may lead to additional disciplinary action including interim suspension pending the outcome of a judicial or conduct process consistent with Touro policy. Both the accused or respondent and the reporting individual shall, upon request and consistent with the institution’s policies and procedures, be afforded a prompt review, reasonable under the circumstances, of the need for and terms of an interim suspension, including potential modification, and shall be allowed to submit evidence in support of the request.

Every institution shall ensure that individuals are provided the following protections and accommodations:

- To receive a copy of the order of protection or equivalent when received by an institution and have an opportunity to meet or speak with an institution representative, or other appropriate individual, who can explain the order and answer questions about it, including information from the order about the accused’s responsibility to stay away from the protected person or persons;
- When the accused is not a student but is a member of the institution’s community and presents a continuing threat to the health and safety of the community, to subject the accused to interim measures in accordance with applicable collective bargaining agreements, employee handbooks, and rules and policies of the institution.

### ***Policy For Transcript Notations***

For crimes of violence, including, but not limited to sexual violence, defined as crimes that meet the reporting requirements pursuant to the federal Clery Act established in 20 U.S.C. 1092(f)(1)(F)(i)(I)-(VIII), Touro shall make a notation on the transcript of students found responsible after a conduct process that they were “suspended after a finding of responsibility for a code of conduct violation” or “expelled after a finding of responsibility for a code of conduct violation.” For the respondent who withdraws from the institution while such conduct charges are pending, and declines to complete the disciplinary process, institutions shall make a notation on the transcript of such students that they “withdrew with conduct charges pending.” Touro will allow for appeals seeking removal of a transcript notation for a suspension, provided that such notation shall not be removed prior to one year after conclusion of the suspension, while notations for expulsion shall not be removed. If a finding of responsibility is vacated for any reason, any such transcript notation shall be removed. (Section 6444(6) NYS Education Law Article 129-B)

## 11.0 CONFIDENTIALITY

Touro has independent obligations to report or investigate potential misconduct, even if a complainant does not wish to initiate an official process. Therefore, absolute confidentiality cannot be promised with respect to a complaint of discrimination, harassment, sexual harassment, sexual assault (i.e. rape, fondling, incest or statutory rape) or retaliation received either through Touro's compliance hotline or otherwise. The phone number for the Touro hotline is 646-565-6000 x55330.

Touro wishes, however, to create an environment in which legitimate complaints are encouraged, while also protecting the privacy of all involved in an investigation. Complaints about violations of these policies will therefore be handled in strict confidence, with facts made available only to those who need to know in order for Touro to promptly and thoroughly investigate and resolve the matter. Touro employees will explain to the reporting individual whether he or she is authorized to offer the reporting individual privacy. Even Touro offices and employees who cannot guarantee confidentiality will maintain your privacy to the greatest extent possible. The information you provide to a non-confidential resource will be relayed only as necessary for the Compliance Officer to investigate and/or seek a resolution.

Reporting individuals may request confidentiality and choose not to consent to an investigation by Touro, and the Compliance Officer must weigh the request against the institution's obligation to provide a safe, non-discriminatory environment for all members of its community. If Touro determines that an investigation is required, it must notify the reporting individuals and take immediate action as necessary to protect and assist them. Touro should seek consent from reporting individuals prior to investigating, and declining consent will be honored unless Touro determines in good faith that failure to investigate does not adequately mitigate a potential risk of harm to members of the community. If an individual discloses information through a public awareness event, Touro is not obligated to begin an investigation based on such information.

Declining to consent to an investigation shall be honored unless the institution determines in good faith that failure to investigate does not adequately mitigate a potential risk of harm to the reporting individual or other members of the community. Honoring such a request may limit the institution's ability to meaningfully investigate and pursue conduct action against an accused individual. Factors used to determine whether to honor such a request include, but are not limited to:

- Whether the accused has a history of violent behavior or is a repeat offender;
- Whether the incident represents escalation in unlawful conduct on behalf of the accused from previously noted behavior;
- The increased risk that the accused will commit additional acts of violence;
- Whether the accused used a weapon or force;
- Whether the reporting individual is a minor; and
- Whether the institution possesses other means to obtain evidence such as security footage, and whether available information reveals a pattern of perpetration at a given location or by a particular group

Touro will complete publicly available record-keeping for purpose of Clery Act reporting and disclosure. These reports will not include identifying information about the victim or accused and shall maintain confidentiality of any accommodations or protective measures provided to the victim, to the extent that maintaining such confidentiality would not impair the ability of Touro to provide the accommodations or protective measures.

The University does not publish the name of crime victims or other identifiable information in the Daily Crime Log or in the annual crime statistics that are disclosed in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. Furthermore, if a Timely Warning Notice is issued on the basis of a report of domestic violence, dating violence, sexual assault or stalking, the name of the victim and other personally identifiable information about the victim will be withheld.

By only sharing personally identifiable information with individuals on a need-to-know basis, without the inclusion of identifying information about the victim (to the extent possible), the institution will 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 Touro to provide the accommodations or protective measures.

## 12.0 RETALIATION

Retaliation is any kind of reprisal, adverse action, or negative action taken against an individual because he or she has:

- Complained about alleged discrimination, harassment or sexual assault as defined above,
- Participated as a party or witness in an investigation relating to such allegations, or
- Participated as a party or witness in a proceeding regarding such allegations.

Retaliation can occur contemporaneously during the complaint process or subsequent to it, once the retaliator is aware of the recipient's participation in the process. Retaliation does not exist in the absence of an adverse action. An individual is protected from retaliation even when the complaint at issue is ultimately found to lack merit, as long as the complaint was made in good faith.

Touro does not allow, nor tolerate any conduct by any Touro member that may be regarded as retaliatory. Retaliation against any individual, whether said person submitted a complaint, will not be tolerated.

Upon the first instance of disclosure by a reporting individual to a Touro representative, the individual will be informed:

“You have the right to make a report to university police or campus security, local law enforcement, and/or state police or choose not to report; to report the incident to your institution; to be protected by the institution from retaliation for reporting that incident; and to receive assistance and resources from your institution.”

Reporting individuals or bystanders who report an incident of sexual assault in good faith will receive amnesty for drug and alcohol use. The following is Touro's Alcohol and/or Drug Amnesty Policy:

“The health and safety of every student at the Touro is of utmost importance. Touro recognizes that students who have been drinking and/or using drugs (whether such use is voluntary or involuntary) at the time that violence, including but not limited to domestic violence, dating violence, stalking, or sexual assault occurs may be hesitant to report such incidents due to fear of potential consequences for their own conduct. Touro strongly encourages students to report domestic violence, dating violence, stalking, or sexual assault to institution officials. A bystander acting in good faith or a reporting individual acting in good faith that discloses any incident of domestic violence, dating violence, stalking, or sexual assault to Touro officials or law enforcement will not be subject to Touro's code of conduct action for violations of alcohol and/or drug use policies occurring at or near the time of the commission of the domestic violence, dating violence, stalking, or sexual assault.”

Employees, faculty and students who violate Touro's policies may be subject to disciplinary action. Individuals, who retaliate against someone who files a complaint, or against a witness, representative, or advocate for a complainant, will be subject to further disciplinary action.

### 13.0 ASSISTANCE FOR VICTIMS: RIGHTS & OPTIONS

Regardless of whether a victim elects to pursue a criminal complaint or whether the offense is alleged to have occurred on or off campus, the University will assist victims of sexual assault, domestic violence, dating violence, and stalking and will provide each victim with a written explanation of their rights and options. Such written information will include:

- the procedures victims should follow if a crime of dating violence, domestic violence, sexual assault or stalking has occurred;
- information about how the institution will protect the confidentiality of victims and other necessary parties;
- a statement that the institution will provide written notification to students and employees about victim services within the institution and in the community;
- a statement regarding the institution's provisions about options for, available assistance in, and how to request accommodations and protective measures; and
- an explanation of the procedures for institutional disciplinary action

#### ***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***

Touro University complies with New York law in recognizing orders of protection. Any person who obtains an order of protection from New York or any reciprocal state should provide a copy to Campus Security and the Office of Institutional Compliance. A complainant may then meet with Campus Security to discuss the order, its consequences, and/or develop a Safety Action Plan, which is a plan for campus police and the victim to reduce risk of harm while on campus or coming and going from campus. This plan may include, but is not limited to: escorts, special parking arrangements, providing a temporary cellphone, changing classroom location or allowing a student to complete assignments from home, etc.) The University cannot apply for a legal order of protection, no contact order or restraining order for a victim from the applicable jurisdiction(s). However, the individual may receive assistance from police or campus security, or have them call the appropriate agency in order to effect an arrest when an individual violates an order of protection.

The University may issue an institutional no contact order if deemed appropriate or at the request of the victim or accused. If the University receives a report that such an institutional no contact order has been violated, the University will initiate disciplinary

proceedings appropriate to the status of the accused (student, employee, etc.) and will impose sanctions if the accused is found responsible for violating the no contact order.

It is very important that the victim preserve any proof or evidence of the criminal offense. Such incidents will be reviewed and investigated in an expedient and professional manner. The employee or student can also file a grievance as per Touro's grievance policy described in the Administrative Handbook.

The federal laws require that both accuser and accused have the opportunity to object to Touro Participants as impartial.

Every institution shall ensure that every student be afforded the following rights:

- Throughout proceedings involving such an accusation of sexual assault, domestic violence, dating violence, stalking, or sexual activity that may otherwise violate the institution's code of conduct, the right:
  - To a prompt response to any complaint and to have the complaint investigated and adjudicated in an impartial, timely, and thorough manner by individuals who receive annual training in conducting investigations of sexual violence, the effects of trauma, impartiality, the rights of the respondent, including the right to a presumption that the respondent is "not responsible" until a finding of responsibility is made pursuant to the provisions of this article and the institution's policies and procedures, and other issues including, but not limited to domestic violence, dating violence, stalking or sexual assault.
  - To make an impact statement during the point of the proceeding where the decision maker is deliberating on appropriate sanctions.
  - To simultaneous (among the parties) written or electronic notification of the outcome of a judicial or conduct process, including the sanction or sanctions.

***Procedures the University Will Follow When a Crime of Domestic Violence, Dating Violence, Sexual Assault and Stalking is Reported***

The University has procedures in place that serve to be sensitive to victims who report sexual assault, domestic violence, dating violence, and stalking, including informing individuals about their right to file criminal charges as well as the availability of counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services on and/or off campus as well as additional remedies to prevent contact between a complainant and an accused party, such as housing, academic, transportation and working accommodations, if reasonably available. The University will make such accommodations, if the victim requests them and if they are reasonable available, regardless of whether the victim chooses to report the crime to the Campus Security department or local law enforcement. Students and employees should contact Kevin Paynter at 646-565-6134 or the Office of Institutional Compliance at 646-565-6000 x55330

The following Student Bill of Rights is a summary of many of the procedures listed above in Section 5. Under this Bill of Rights 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.

If a report of domestic violence, dating violence, sexual assault or stalking is reported to the University, the University will follow the procedures above in Section 5.

## **14.0 VICTIM ASSISTANCE**

In cases of rape and/or sexual violence, there are many sources of support available to victims.

### ON CAMPUS

- Emergency Assistance
- Employee on staff is available to work with the Touro community to meet immediate need.
- Accompaniment
- Security is available to provide support and escort around campus, and in certain instances to assist the individual in getting home.
- Other available community resources may be provided based on client's individual needs.

### OFF CAMPUS

#### **NEW YORK**

<https://ovs.ny.gov/>

[www.svfreencyc.org](http://www.svfreencyc.org)

- (212) 229-0345
- [www.avp.org](http://www.avp.org)
- (212) 714-1141

#### **NATIONAL**

[www.womenslaw.org](http://www.womenslaw.org)

- (707) 784-6844

[www.rainn.org](http://www.rainn.org)

- (800) 656-HOPE (4673)

#### **ISRAEL**

- [www.1202.org.il/English/](http://www.1202.org.il/English/)
- +972-2- 623 2451

#### **24 HOUR HOTLINES**

- Nycagainstrape.org for all city hotlines, emergency rooms with trained rape crisis counselors and examiners, and referrals for on-going support.
- NYC Gay & Lesbian Antiviolence Project: (212) 714-1141
- DAYONE – Not 24 hours but free legal assistance for teens under 23
- RAINN – Rape, Abuse, and Incest National Network: 1-800 656-HOPE
- Safe Horizon: (212) 577-7777
- Victims Services Agency: (212) 577-7777
- Sexual Assault Victim's Counseling Program: (212) 227-3000
- Victim Assistance Services, Westchester County: (914) 345- 9111

- Coalition Against Domestic Violence Nassau County Hotline: (516) 542-0404
- Victim Information Bureau of Suffolk Hotline: (631) 360-3606
- Orange County, New York (Middletown) Helpline: (800) 832-1200

### **SEXUAL ASSAULT SERVICES AT MEDICAL CENTERS**

- Bellevue Hospital, Rape Crisis Coordinator: (212) 562-3435
- Beth Israel Medical Center, Victim Services Director: (212) 420-4516
- Long Island College Hospital, Rape Crisis Director: (718) 780-1459
- Mt. Sinai Medical Center, Rape Crisis Director: (212) 423-2140
- North Central Bronx Hospital, Rape Crisis Coordinator: (718) 519-4912
- National Domestic Violence Hotline: 1-800-621-HOPE
- St. Luke's Roosevelt Hospital: (212) 523-4728

NYPD Special Victims Division: (646) 610-8718 is committed to providing a safe learning and working environment, and in compliance with federal law has adopted policies and procedures to prevent and respond to incidents of sexual violence including sexual assault, domestic violence, dating violence and stalking. These guidelines apply to all students, faculty, staff, contractors, and visitors.

Information on New York state criminal statutes can be found at:

<http://codes.lp.findlaw.com/nycode/PEN/THREE/H/130>

Please see the Touro University Systems Sexual Violence Policy in the Appendix for more information.

## **15.0 EXTERNAL REPORTING**

Touro will conduct a campus climate assessment every other year to ascertain general awareness and knowledge of the provisions of this policy, including student experience with and knowledge of reporting and University adjudicatory processes, which shall be developed using standard and commonly recognized research methods. The aggregate results of these campus climate assessments shall be posted on Touro's website with no identifying information about respondents. Touro will also annually submit to the New York State Education Department aggregate data and information about reports of domestic violence, dating violence, stalking, and sexual assault. The assessment shall include questions covering, but not be limited to, the following:

- The Title IX Coordinator's role;
- Campus policies and procedures addressing sexual assault;
- How and where to report domestic violence, dating violence, stalking or sexual assault as a victim, survivor or witness;
- The availability of resources on and off campus, such as counseling, health and academic assistance;
- The prevalence of victimization and perpetration of domestic violence, dating violence, stalking, or sexual assault on and off campus during a set time period;
- Bystander attitudes and behavior;
- Whether reporting individuals disclosed to the institution and/or law enforcement, experiences with reporting and institution processes, and reasons why they did or did not report;
- The general awareness of the difference, if any, between the institution's policies and the penal law; and
- General awareness of the definition of affirmative consent

Every institution shall take steps to ensure that answers to such assessments remain anonymous and that an individual is identified. Institutions shall publish results of the surveys on their website provided that no personally identifiable information or information which can reasonably lead a reader to identify an individual shall be shared.

Information discovered or produced as a result of complying with this section shall not be subject to discovery or admitted into evidence in any federal or state court proceeding or considered for other purposes in any action for damages brought by a private party against an institution, unless, in the discretion of the court, any such information is deemed to be material to the underlying claim or defense.

Members of Touro are always subject to local, state, and federal laws, and nothing in these procedures is intended to limit or postpone the right of an individual to file a complaint or charge with appropriate federal, state, or local departments or agencies.

It is the rights of victims and the responsibilities of all members of the community to comply with protective orders issued by a criminal, civil or tribal court or by Touro.

#### *U.S. Department of Education Office for Civil Rights*

Among other options, individuals may contact the Office for Civil Rights of the U.S. Department of Education for inquiries concerning the application of Title IX as well as the implementation of its regulations. The Office for Civil Rights can be contacted using the following information:

#### **U.S. Department of Education Office for Civil Rights**

32 Old Slip, 26th Floor  
New York, New York 10005  
Phone (646) 428-3800  
Fax (646) 428-3843  
Email: [OCR.NewYork@ed.gov](mailto:OCR.NewYork@ed.gov)

#### *New York State Division of Human Rights (DHR)*

The Human Rights Law (HRL), codified as N.Y. Executive Law, art. 15, § 290 et seq., applies to employers in New York State with regard to sexual harassment, and protects employees, paid or unpaid interns and non-employees regardless of immigration status. A complaint alleging violation of the Human Rights Law may be filed either with DHR or in New York State Supreme Court.

Complaints with DHR may be filed any time within one year of the harassment. If an individual did not file at DHR, they can sue directly in state court under the HRL, within three years of the alleged discrimination. An individual may not file with DHR if they have already filed a HRL complaint in state court.

Complaining internally to Touro does not extend your time to file with DHR or in court. The one year or three years is counted from date of the most recent incident of harassment. You do not need an attorney to file a complaint with DHR, and there is no cost to file with DHR.

DHR will investigate your complaint and determine whether there is probable cause to believe that discrimination has occurred. Probable cause cases are forwarded to a public hearing before an administrative law judge. If discrimination is found after a hearing, DHR has the power to award relief, which varies but may include requiring your employer to take action to stop the harassment, or redress the damage caused, including paying monetary damages, attorney's fees and civil fines.

#### **NYS Division of Human Rights**

One Fordham Plaza, Fourth Floor,  
Bronx, New York 10458  
Phone (718) 741-8400  
Website [www.dhr.ny.gov](http://www.dhr.ny.gov)

Contact DHR at (888) 392-3644 or visit [hr.ny.gov/complaint](http://hr.ny.gov/complaint) for more information about filing a complaint. The website has a complaint form that can be downloaded, filled out, notarized and mailed to DHR. The website also contains contact information for DHR's regional offices across New York State.

#### *United States Equal Employment Opportunity Commission (EEOC)*

The EEOC enforces federal anti-discrimination laws, including Title VII of the 1964 federal Civil Rights Act (codified as 42 U.S.C. § 2000e et seq.). An individual can file a complaint with the EEOC anytime within 180 days after the alleged harassment occurred and notice of such charge (including the date, place and circumstances of the alleged harassment) shall be served upon the person against whom such charge is made within ten days thereafter, except in a case where the complainant has initially instituted proceedings with a State or local agency with authority to grant or seek relief or institute criminal proceedings, such charge shall be filed by or on behalf of the complainant within 300 days from the harassment. There is no cost to file a complaint with the EEOC. The EEOC will investigate the complaint, and determine whether there is reasonable cause to believe that discrimination has occurred, at which point the EEOC will issue a Right to Sue letter permitting the individual to file a complaint in federal court.

The EEOC does not hold hearings or award relief, but may take other action including pursuing cases in federal court on behalf of complaining parties. Federal courts may award remedies if discrimination is found to have occurred.

If an employee believes that he/she has been discriminated against at work, he/she can file a "Charge of Discrimination." The EEOC has district, area, and field offices where complaints can be filed.

### **EEOC**

Phone 1-800-669-4000 (1-800-669-6820 (TTY))

Website [www.eeoc.gov](http://www.eeoc.gov)

Email [info@eeoc.gov](mailto:info@eeoc.gov)

If an individual filed an administrative complaint with DHR, DHR will file the complaint with the EEOC to preserve the right to proceed in federal court.

### *Local Protections*

Many localities enforce laws protecting individuals from sexual harassment and discrimination. An individual should contact the county, city or town in which they live to find out if such a law exists. For example, employees who work in New York City may file complaints of sexual harassment with the New York City Commission on Human Rights.

### **Law Enforcement Bureau of the NYC Commission on Human Rights**

40 Rector Street, 10th Floor,

New York, New York;

Phone 311 or (212)306-7450;

Website [www.nyc.gov/html/cchr/html/home/home.shtml](http://www.nyc.gov/html/cchr/html/home/home.shtml)

### *Contact the Local Police Department*

If the harassment involves physical touching, coerced physical confinement or coerced sex acts, the conduct may constitute a crime. Contact the local police department.

## **16.0 POLICY ON MONITORING CRIMINAL ACTIVITY**

Touro University monitors and records criminal activity by students at non-campus locations of student organizations officially recognized by Touro, including student organizations with non-campus housing facilities through local police agencies. Touro has a memorandum of understanding with the New York Police Department and the Suffolk County Police Department that they are to provide Touro with any information regarding issues that may affect Touro University.

Touro shall ensure that reporting individuals have the following:

- Information regarding institutional crime reporting including, but not limited to: reports of certain crimes occurring in specific geographic locations that shall be included in Touro's annual security report pursuant to the Clery Act, 20 U.S.C. 1092(f), in an anonymized manner that identifies neither the specifics of the crime nor the identity of the reporting individual; that the institution is obligated to issue timely warnings of crimes enumerated in the Clery Act occurring within relevant geography that represent a serious or continuing threat to students and employees, except in those circumstances where issuing such a warning may compromise current law enforcement efforts or when the warning itself could potentially identify the reporting individual; that a reporting individual shall not be identified in a timely warning; that the Family Educational Rights and Privacy Act, 20 U.S.C. 1232g, allows institutions to share information with parents when i. there is a health or safety emergency, or ii. when the student is a dependent on either parent's prior year federal income tax return; and that generally, the institution shall not share information about a report of domestic violence, dating violence, stalking, or sexual assault with parents without the permission of the reporting individual.

## **17.0 PROGRAMS**

All new students, including transfers, student leaders, student athletes, and officers of student organizations, will attend a program about the provision of this policy and how to prevent, and best protect themselves and others against sexual assault, domestic violence, dating violence, and stalking prior to receiving recognition or registration, and Touro shall require that each student-athlete complete training on domestic violence, dating violence, stalking, or sexual assault prevention prior to participating in intercollegiate athletic competition. On at least an annual basis, the Office of the Dean of Students or the Vice-President of Division of Graduate Studies at each of the University's campuses/sites will provide a formal educational program to increase awareness of sexual offenses, including rape, acquaintance rape, dating violence, domestic violence, sexual assault, stalking and other forcible and nonforcible sexual offenses. Students should receive training on the following topics:

- Touro prohibits sexual and interpersonal violence and will offer resources to any victims and survivors of such violence while taking administrative and conduct action regarding any accused individual within the jurisdiction;
- Policies apply equally to all students regardless of sexual orientation, gender identity, or gender expression;
- The role of the Title IX Coordinator, university police or campus security, and other relevant offices that address domestic violence, dating violence, stalking, and sexual assault prevention and response;
- Awareness of violence, its impact on victims and survivors and their friends and family, and its long-term impact

Touro engages in comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to end dating violence, domestic violence, sexual assault and stalking that:

- Are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research, or assessed for value, effectiveness, or outcome; and
- Consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community and societal levels.

The programs will include discussion of what constitutes these offenses, penalties for these offenses, definition of consent, prevention and awareness programs and ongoing prevention and awareness campaigns, risk reduction for students and faculty, safe and positive options for bystander intervention and security measures to protect against the occurrence of these offenses. Touro will advertise the date, time and content of these educational programs on posters displayed in those areas regularly used by students and employees of Touro.

Touro shall use multiple methods to educate students about violence prevention and shall share information on domestic violence, dating violence, stalking and sexual assault prevention with parents of enrolling students.

Presentations will be made by guest speakers and appropriate members of Touro's faculty and staff. The training programs' topics are as follows:

- Protect Your Possessions and Identity
  - Most property is lost due to people being inattentive. We will instruct them that opportunist will take advantage of an easy grab. Not to leave items lying around, locking up your room, proper techniques to protect your property while walking around. To be aware of your surroundings and those around you, i.e. ATM usage. We will also discuss Online/telephone scams to protect ones identity. Never giving out ones information to strangers or bogus request from online scams and or telephone solicitation. Offered as follows:
    - Campus Security Lecture
    - DVR for Site Training
    - NYPD Lecture
    - Online Video (Portal)
    - Operation ID
- Everyday Safety
  - We will elaborate that you should be aware of your surroundings and that you could be safer while out enjoying the scenes. We provide tips on safety while in elevators, subway, buses, and in dorms etc. Offered as follows:
    - Campus Security Lecture
    - DVR for Site Training
    - NYPD Lecture
    - Online Video (Portal)
- Common-Sense Defense
  - We may not all be fighters or large individuals, but there are tactics that could be used to allow you to survive a dangerous interaction. These methods will be shown and instructed. We focus on the art of verbal communication. Offered as follows:
    - Campus Security Lecture
    - DVR for Site Training
    - NYPD Lecture
    - Online Video (Portal)

- Forming Healthy Relationships
  - We discuss methods on how to read another's actions and determine if this is a good or bad relationship. We offer tips on healthy relationships and how do deal with an unhealthy relationship. Offered as follows:
    - Campus Security Lecture
    - DVR for Site Training
    - Online Video (Portal)
    - We have the capability of inviting agencies such as RAINN, NYPD Domestic Violence Officer
- Dating Violence/Domestic Violence
  - We discuss warning signs, tips, available agencies to assist our community and reporting of such incidents. Offered as follows:
    - Campus Security Lecture
    - DVR for site training
    - Online Video (Portal)
    - We have the capability of inviting agencies such as RAINN, NYPD Domestic Violence Officer
    - Controlling Behavior
- Controlling Behavior
  - We discuss the signs that a person maybe displaying in a controlling situation. We discuss the psychological issues that arise in these relationships and how you can defend yourself or others from this behavior. Offered as follows:
    - Campus Security Lecture
    - DVR for Site Training
    - Online Video (Portal)
    - We have the capability of inviting agencies such as RAINN, NYPD Domestic Violence Officer
- Racism, Classism, Religious, and Sexual orientation and Gender Identity (Discrimination)
  - We discuss discrimination and how it affects us. We will identify the trends that are presently being observed and how to combat them. We will instruct those on how to report incidents involving discriminations occurring here at Touro. Offered as follows:
    - Campus Security Lecture
    - DVR for Site Training
    - NYPD Lecture
    - Online Video (Portal)
    - Sexual Misconduct/Assault
- Sexual Misconduct/Assault
  - We discuss our Policy, Protocol, Procedure and Prevention. We will identify what is Sexual Misconduct/Assault and how to report if an incident should occur. How to attend to those who have been victimized and how these incidents will be investigated. Present what resources there are for those who have been victimized. We also offer tips on how to prevent these incidents and what to do if you become a victim or know someone who is a victim. We discuss buddy system and we encourage our students to contact us if they are in a situation that they can't handle. Offered as follows:
    - Campus Security Lecture
    - DVR for Site Training
    - NYPD Lecture
    - Online Video (Portal)
    - We have the capability of inviting agencies such as RAINN, NYPD Domestic Violence Officer
- Stalking
  - Familiarize those with what stalking actually is and how it could affect their daily lives. With the Internet and Social Media, those who seek knowledge about others are easily obtained. We will discuss ways of protecting oneself from this intrusion. We also discuss on what to do if you are a victim of Stalking. Offered as follows:
    - Campus Security Lecture

- DVR for Site Training
- NYPD Lecture
- Online Video (Portal)
- Bystander Intervention
  - The goal of Bystander Intervention is to block bad behavior before it goes too far. We will educate our Touro community of their role and how they can prevent this behavior. We offer tips on what they can do to prevent any of the behaviors identified.
  - Tips for a Bystander
    - Be honest and direct talk about the consequences of their actions.
    - Don't let resentment prevent you from stepping in.
    - Don't turn a blind eye.
    - Don't wait for someone else to act.
    - Give the person an out "Call their cell phone, distract the other person.
    - If it doesn't feel safe to say something you can call the police or any other person of authority.
    - If the person is your friend, communicate by either asking the person "Are you okay", "Is he bothering you".
    - If you are attending a social gathering with a friend remember the same principles applied in every scenario be mindful of your friend make sure you come and go together and if you don't leave together that your friend is able to make decisions on her/himself.
    - If you see someone at risk, get involved.
    - Solicit help from other bystanders.
  - Offered as follows:
    - Campus Security Lecture
    - DVR for Site Training
    - NYPD Lecture
    - Online Video (Portal)
- Active Shooter Awareness
  - We train our University community on what to do in the event of an active shooter, how to report these types of incidents and what behaviors we need to report. Offered as follows:
    - Campus Security Lecture
    - Consultant Lectures
    - DVR for Site Training
    - NYPD Lecture
    - Online Video (Portal)
- Suspicious Package/Mail Awareness
  - We train our people on how to identify/detect suspicious packages, particularly to Mail Room Staff. Offered as follows:
    - Campus Security Literature
    - NYPD Lecture
    - Postal Inspector also available for Lecture and review of our mailrooms.
- Faculty Orientation
  - We utilize the time allotted to inform new employees of Security measures and policies in place. i.e., the need and use of ID badges, Panic alarms, aware of their surroundings work place violence policies, Emergency Contact numbers. Offered as follows:
    - Campus Security Literature
    - Portal on line training

- Student Orientation
  - During these Orientations we process the students into using/wearing their ID badges. We also go through Clery Compliance requirements including but not limited to VAWA, alcohol/drug usages, self-safety awareness, property and identification protection. Offered as follows:
    - Campus Security Literature
    - DVDs available
    - NYPD lectures
- Resident Assistants Orientation
  - We emphasize their role as Resident Assistants. We instruct them as to their responsibilities as guardians of the students and facilitate emergencies as they arise. They are processed as “College Security Authority” (CSAs). Offered as follows:
    - Campus Security Lectures/Literature
    - CSA Online required training
    - DVDs available
    - Portal General Training
- Work Place Violence
  - We are looking into material and training aids. Possible resources:
    - Consultant training
    - DVDs
    - Literature
    - NYPD Lecture
- Risk reduction
  - Touro have Officers at 95% of our campuses/sites, in addition to CCTV and access control measures. When any incidents/ crimes have been reported to Touro, Security staff would work with the person(s) involved to assure that all their needs (i.e. escort to mode of transportation, weekly calls to follow-up, referrals to agencies, etc.).

## 18.0 RESOURCES FOR SEXUAL HARASSMENT VICTIMS

Touro will provide resources for sexual harassment victims, regardless of whether the victims choose to report the crime to campus police or local law enforcement. Touro will provide written notification to victims about options for, and available assistance in, changing academic, living, transportation, and working situations. These resources include but are not limited to:

- Crisis Intervention Counseling
  - In-person or telephone services which support clients and their families in their effort to cope with the trauma of victimization and provide assistance in the recovery process.
- Emergency Assistance
  - Counselors will work with clients to determine and meet immediate needs for mental health counseling, medical care, etc.
- Accompaniment
  - Security is available to provide support and escort around campus, and in certain instances to assist the individual in getting home.
- Others
  - Victims will have access to a sexual assault forensic examination with a nurse.
  - Available community resources will be provided based on client’s individual needs.

## 19.0 REGISTERED SEXUAL OFFENDERS

Touro makes available to the public over the Internet information about certain sex offenders required to register under Megan’s Law.

The federal Campus Sex Crimes Prevention Act, enacted on October 28, 2000, requires institutions of higher education to issue a statement advising the campus community where law enforcement agency 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, as required

under State law, of each institution of higher education in that State at which the person is employed, carries on a vocation, volunteers services or is a student. The sex offender registry for New York can be found at the following address:

<https://www.criminaljustice.ny.gov>

## **20.0 IMPLEMENTATION**

This policy shall be implemented by the Department of Human Resources and the Office of Campus Security.

## **21.0 SOURCE DOCUMENTS**

- 34 CFR 106.8 and 106.9
- 34 CFR 668.46
- Revised Sexual Harassment Guidance: Harassment of Students By School Employees, Other Students, or Third Parties, dated January 19, 2001
- “Dear Colleague Letter” from the Assistant Secretary, U.S. Department of Education, Office of Civil Rights, dated April 4, 2011.
- “Dear Colleague Letter” from the Assistant Secretary, U.S. Department of Education, Office of Civil Rights, dated July 14, 2014.
- Touro University Title IX Policy

## **22.0 APPROVAL**

This policy has been approved by the Human Resources Department, the Officer of Campus Security and the Office of Institutional Compliance.

The Office of Civil Rights (Region II) reviewed portions of this policy on October 28, 2013.

## **23.0 COMPLAINT FORM**

If you wish to file a complaint, please use the Title IX and Sexual Misconduct Policy Complaint Form located on the TouroOne Portal.



# TOURO COLLEGE & UNIVERSITY SYSTEM

Office of Institutional Compliance

## TITLE IX AND SEXUAL MISCONDUCT COMPLAINT FORM

In order to address concerns of sexual harassment or sexual misconduct concerning Touro's purview under the institution's Title IX and Sexual Misconduct Policy, complainants must complete this form and provide necessary information where known. Upon review of the information, the Office of Institutional Compliance will determine what response, if any, can be performed and the appropriate path toward addressing the information provided in the complaint.

Should it be determined that the information contained herein falls under the criteria for the Title IX grievance process, this form will be used as a Formal Complaint as defined by the Title IX regulations and Touro policy. A formal complaint is a document filed by a Complainant or signed by the Title IX Coordinator alleging Sexual Harassment against a Respondent and requesting that the educational institution investigate the allegation of Sexual Harassment.

This form may be submitted via email, online or in-person to the Office of Institutional Compliance. Upon receipt, a representative from the Office of Institutional Compliance will contact and schedule an in-take interview with the complainant. In addition, a complainant may complete this form in-person, if desired. Once this form has been completed and signed by the complainant, and then signed by a designated representative of the Office of Institutional Compliance, it becomes a formal complaint recognized by Touro.

The information provided on this form will be kept confidential to the extent necessary and possible under applicable institutional and federal regulations. Further, Touro implements a strict retaliation policy that prohibits retaliation of any kind against those coming forward with a complaint of alleged sexual harassment or sexual misconduct. For additional and detailed information on Touro's policies on confidentiality and retaliation, please see the Title IX and Sexual Misconduct Policy that is available on the TouroOne Portal and the website.

Once completed, please submit to: [Compliance@touro.edu](mailto:Compliance@touro.edu)

Name of the Person Filing a Complaint (Complainant): \_\_\_\_\_

School ID Number: \_\_\_\_\_

Affiliation with Touro /Division\*:

Student  Faculty  Staff  Contractor  Other: \_\_\_\_\_

Division/School of Touro: \_\_\_\_\_

Email: \_\_\_\_\_

Phone: \_\_\_\_\_

Address: \_\_\_\_\_

Date of Occurrence/Incident\*: \_\_\_\_\_



**FOR THE INTERNAL USE OF THE OFFICE OF INSTITUTIONAL COMPLIANCE ONLY**

**Does the alleged misconduct meet the definition of Sexual Harassment as provided under Title IX?**

YES / NO

**Did the alleged misconduct occur in the United States?**

YES / NO

**Did the alleged misconduct occur within an employment or education program where Touro exhibits substantial control?**

YES / NO

List any supportive measures provided to the Complainant during the initial assessment. If no supportive measures were provided, note such and provide reasoning:

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If the alleged misconduct is not within the scope of Title IX, will the alleged misconduct be addressed under another policy administered by Touro? If yes, provide which policy. If no, provide reasoning for not addressing.

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**Internal File Number:** \_\_\_\_\_

**Office of Institutional Compliance Representative:**

**Name:** \_\_\_\_\_ **Date** \_\_\_\_\_

## APPENDIX B – TOURO UNIVERSITY SYSTEMS POLICY MANUAL POLICIES CONCERNING DRUGS AND ALCOHOL



### TOURO UNIVERSITY DRUG AND CONTROLLED SUBSTANCES POLICY

#### 1.0 POLICY

The United States Department of Education has issued regulations implementing the provisions of The Drug-Free Schools and Communities Act Amendments of 1989 (Public Law 105-224; Sec. 120 Drug and Alcohol Abuse Prevention; codified as 20 USC 1011i). In compliance with Federal Law and New York State Law, this policy includes information to ensure that all members of the Touro Community are aware of the dangers of substance abuse and to outline the sanctions for violating this policy.

Students, faculty and staff who distribute or use illegal drugs or illicitly use drugs which would otherwise be legal, including alcohol, while on Touro campuses, locations and facilities, or as part of any Touro activities, are violating Federal Laws, New York State Laws, and the policies and procedures of Touro. Violations of federal and state laws may lead to prosecution and criminal sanctions, including, but not limited to, fines and/or imprisonment.

Touro is committed to educating and informing students, faculty and staff about the dangers and effects of substance abuse. Touro recognizes that drug addiction and alcoholism are illnesses that may not be easily resolved and may require professional assistance and treatment.

Touro may provide confidential counseling and referral services to students, faculty and staff with drug and/or alcohol problems. These services are available through the Office of the Dean of Students, the Vice-President of the Division of Graduate Studies, and/or Human Resources. All inquiries and requests for assistance will be handled with confidentiality.

#### 2.0 PURPOSE

Touro seeks to safeguard the health and well-being of all members of Touro: students, faculty and staff. All members of Touro are accountable to know the law and to understand the policies and procedures of Touro.

#### 3.0 PUBLIC EDUCATION STATEMENT ON ILLICIT DRUG AND ALCOHOL USE

In order to better educate students, faculty and staff, Touro wishes to provide all members of Touro with an education of the effects of substance abuse. The mind-altering substances to be discussed here are: marijuana, cocaine, heroin (and their derivatives); amphetamines (uppers); barbiturates (downers); hallucinogens; and alcohol. Many individuals take such drugs to escape from their problems; but doing so only creates more problems.

What are some of the health problems associated with drugs?

- The most obvious problems are death or severe organ damage (such as heart attack, respiratory arrest, damage to the liver and lungs, and stroke).
- The less obvious, though much more prevalent, problems of the mind and body are as follows:
  - **Marijuana:** Can cause short-term effects such as slow reflexes; increase in forgetfulness; alters judgment of space and distance; aggravate pre-existing heart and/or mental health problems; long-term health effects include permanent damage to lungs, reproductive organs and brain function; Can interfere with physical, psychological, social development of young users.
  - **Cocaine (Crack):** Can cause short-term effects such as impaired judgment; increased breathing, heart rate, heart palpitations; anxiety, restlessness, hostility, paranoia, confusion; long-term effects may include damage to respiratory and immune systems; malnutrition, seizures and loss of brain function; highly addictive.

- **Hallucinogens** (PCP, LSD, ecstasy, DXM): Can cause extreme distortions of what's seen and heard; induces sudden changes in behavior, loss of concentration and memory; increases risk of birth defects in user's children; overdose can cause psychosis, convulsions, coma and death. Frequent and long-term use can cause permanent loss of mental function.
- **Inhalants** (nitrous oxide, amyl nitrite, butyl nitrite, chlorohydrocarbons, hydrocarbons): Can cause short-term effects such as nausea, dizziness, fatigue, slurred speech, hallucinations or delusions; may lead to rapid and irregular heart rhythms, heart failure and death; long-term use may result in loss of feeling, hearing and vision; can result in permanent damage to the brain, heart, lungs, liver and kidneys.
- **Opiates/Narcotics** (heroin, morphine, opium, codeine, oxycodone, china white): Can cause physical and psychological dependence; overdose can cause coma, convulsions, respiratory arrest and death; long term use leads to malnutrition, infection and hepatitis; sharing needles is a leading cause of the spread of HIV and hepatitis; highly addictive, tolerance increases rapidly.
- **Sedatives**: Can cause reduced reaction time and confusion; overdose can cause coma, respiratory arrest, convulsions and death; withdrawal can be dangerous; in combination with other controlled substances can quickly cause coma and death; long-term use can produce physical and psychological dependence; tolerance can increase rapidly.
- **Tobacco** (cigarettes, cigars, chewing tobacco): Can cause diseases of the cardiovascular system, in particular smoking being a major risk factor for a myocardial infarction (heart attack), diseases of the respiratory tract such as Chronic Obstructive Pulmonary Disease (COPD) and emphysema, and cancer, particularly lung cancer and cancers of the larynx and mouth; nicotine is highly addictive.
- **Alcohol**: Can cause short-term effects such as loss of concentration and judgment; slowed reflexes; disorientation leading to higher risk of accidents and problem behavior; long-term effects include risk of liver and heart damage, malnutrition, cancer and other illnesses; can be highly addictive to some persons.

#### 4.0 REGULATIONS ON ALCOHOL USE/ABUSE

**Warning! AIDS:** Users of needles who take any drugs run a high risk of contracting AIDS and hepatitis.

**Warning! Addiction:** This is the common denominator for all mind-altering substances. With its insidious onset, addiction often goes undetected until the user's life is in chaos. Addiction pervades one's life, overpowering one's ability to reason and to relate to others. Addiction ruins the user's life and the lives of those around him/her.

The following regulations apply to students, faculty and staff of Touro:

- The consumption of alcoholic beverages by individuals under the age of 21 is illegal.
- All persons are prohibited from consuming alcoholic beverages on the premises of Touro (unless at an event specifically sanctioned by Touro Administration in writing), or entering or remaining on Touro premises in an impaired state.
- Any student, who falsely represents himself/herself at a sanctioned Touro event as being of age to consume alcohol, may be subject to disciplinary action as outlined in the Code of Conduct.
- Any faculty and/or staff member of Touro who provides alcohol to a minor on Touro premises shall be subject to full penalty under the laws of their respective state.
- Forcing any student or faculty member to consume alcohol and/or drugs for the purpose of initiation into or affiliation with any Touro sanctioned organization is not permitted.
- Alcoholism, while it may be a disability, does not excuse any faculty and/or staff member of Touro from violating a legitimate Touro policy or neglecting their responsibilities to Touro. Individuals whose work performance is impaired as a result of the use/abuse of alcohol may be required to participate in an appropriate evaluation/treatment program and may, in certain circumstances, lead to sanctions against that individual. If you are an alcoholic, you may self identify to the Dean of Students or Human Resources, as the case may be, and request confidential counseling and/or referral services to help with your problems. All inquiries and requests for assistance will be handled with strict confidentiality.

- Touro observes the culpability laws for serving drinks to the mentally-impaired and to individuals who are already inebriated. Some signs that may indicate if a person is inebriated may be the smell of alcohol on their clothes, impairment to speech, mood changes, slowed reflexes, or impairment of coordination.
- NOTE: Mothers who drink alcohol during pregnancy may give birth to infants with irreversible physical abnormalities and mental retardation. Research shows that children of alcoholic parents are at greater risk.

**5.0 DISCIPLINARY STANDARDS FOR POSSESSING, USING, DISTRIBUTING AND/OR SELLING DRUGS & CONTROLLED SUBSTANCES**

**5.1 FOR STUDENTS:**

It is the policy of Touro, as stated in the Code of Conduct, that the unlawful use, possession, distribution, or manufacture of drugs or controlled substances on Touro property is strictly prohibited. Individuals who possess use, distribute or manufacture drugs or controlled substances are subject to disciplinary action, including but not limited to expulsion, as well as possible criminal prosecution. Students found in violation of these policies may be subject to disciplinary proceedings in accordance with the procedures outlined in the “Adjudication of University Code of Conduct Violations” section of respective school catalogs and student handbooks. Student violators may be subject to the following sanctions and remedial measures:

Touro uses the following definitions for the above sanctions:

- ♦ **Possession:** Illegal holding or controlling of alcohol, drugs, or associated paraphernalia.

NATURE OF VIOLATION	RESPONSES FOR FIRST TIME VIOLATIONS MAY INCLUDE, BUT ARE NOT LIMITED TO:	RESPONSES FOR REPEAT VIOLATIONS MAY INCLUDE, BUT ARE NOT LIMITED TO:
Possession or use of alcohol or other drugs in violation of University policy or federal, state, or local law	<ul style="list-style-type: none"> <li>• Warnings</li> <li>• Disciplinary Probation</li> <li>• Counseling and treatment</li> <li>• Service to the University community</li> </ul>	<ul style="list-style-type: none"> <li>• Disciplinary Probation</li> <li>• Mandatory referral for counseling and treatment</li> <li>• Suspension from dormitory (if dormitory student)</li> <li>• Parental Notification</li> <li>• University-Level disciplinary action</li> </ul>
Possession or use of alcohol or other drugs in violation of Touro policy or federal, state, or local law in a manner involving aggravated circumstances (e.g. actual/potential harm to self or others, disruption of the Touro community, repeated offenses)	<ul style="list-style-type: none"> <li>• Warnings</li> <li>• Disciplinary Probation</li> <li>• Mandatory counseling and treatment</li> <li>• University-Level disciplinary action</li> </ul>	<ul style="list-style-type: none"> <li>• Disciplinary Probation</li> <li>• Mandatory counseling and treatment</li> <li>• Service to the University community</li> <li>• University-Level disciplinary action</li> </ul>
Distribution or intent to distribute a controlled substance in violation of Touro policy or federal, state, or local law	<ul style="list-style-type: none"> <li>• Legal action</li> <li>• University-level disciplinary actions</li> </ul>	<ul style="list-style-type: none"> <li>• Legal action</li> <li>• University-level disciplinary action</li> </ul>

- ♦ **Use:** Illegal personal use of alcohol or drugs.
- ♦ **Abuse:** Repeated illegal use of alcohol or drugs, or use accompanied by other behavior, including but not limited to:
  - Disorderly, disruptive, or aggressive behavior that interferes with the well-being, safety, security, health, or welfare of the community and/or the regular operations of Touro
  - Engaging in or threatening to engage in any behavior that endangers the health, safety, or well-being of oneself, another person, or property
  - Physical violence (actual or threatened) against any individual or group of persons
- ♦ **Distribution:** Illegal sale, exchange, or giving of alcohol or other drugs to one or more persons. Factors to consider when determining Touro’s response include, but are not limited to:

- Health and wellness of the responsible student
- Touro's interests
- Impact on the Touro community
- Type, quantity, and packaging of the substance
- Number of persons to which the substance was distributed
- Amount of revenue associated with the distribution
- Existence of any other aggravating or extenuating circumstances
- ♦ **Warning:** A written reprimand putting the student on notice that he/she has violated the Code of Conduct and indicating that further misconduct may result in a more severe disciplinary action. A copy of this warning is placed in the student's folder.
- ♦ **Probation:** A student may be placed on disciplinary probation for a definite period of time. While on probation, students may not hold office in Student Government Organizations, Clubs or Societies or represent Touro in any capacity. Further violations while on probationary status will result in suspension or expulsion from Touro.
- ♦ **Counseling and Treatment:** A student's continued enrollment at Touro may be conditioned on his/her participation in counseling or treatment at outside counseling and treatment agencies. A student's failure to participate in such a program after being advised that his/her enrollment is conditional upon it, may result in other disciplinary sanctions.
- ♦ **Legal Action:** The Student Affairs Committee may recommend that students be turned over to law enforcement authorities for legal action. The final decision on referring student cases to the authorities is made by the Office of the President.

#### **University-Level Sanctions:**

- ♦ **Service to University Community:** Student must complete a designated number of hours of service to the Touro community. Service hours cannot interfere with the individual's course schedule.
- ♦ **Disciplinary Probation:** Exclusion from participation in specified privileges or University programs and activities as set forth in the notice of disciplinary probation for a designated period of time.
- ♦ **Restitution:** A student may be required to pay restitution to Touro or to fellow students for damages and losses resulting from his/her actions.
- ♦ **Suspension:** At any time during a student's enrollment at Touro he/she may be suspended and barred from attending classes for a definite period, not to exceed two years. Notification of the suspension will appear on the student's academic transcript and will remain until the end of the suspension period. A notification of the suspension will remain in the student's file. A student may not be automatically enrolled at the end of his suspension He/she must apply to the office of the Dean for re-enrollment.
- ♦ **Expulsion:** This is termination of the student's enrolled status at the University. A student who is expelled from the University is not permitted to complete his courses and may not re-register for a future semester. Notification of the expulsion will appear on the student's academic transcript.

## **5.2 FOR FACULTY AND STAFF MEMBERS:**

Each faculty and staff member of Touro is expected to abide by Touro's policies for maintaining a drug-free workplace. The policy statement on drug abuse pertaining to students also applies to faculty and staff. Furthermore, all faculty and staff are required to notify the Dean of Faculties or the Director of Human Resources of any criminal conviction relating to his or her own drug activity within five (5) days of such conviction. Faculty and staff (part-time or full-time) who violate Touro policies on drugs and controlled substances may be subject to disciplinary sanctions, or other sanctions, as follows (sanctions need not be progressive):

- ♦ **Censure:** A written reprimand, outlining the violation(s) of Touro's policies, may be placed in the personnel file of individual violators.
- ♦ **Probation:** Faculty and/or staff may be placed on probation for a definite period of time up to a maximum of one year. In such instances, individuals may be required to enroll in a therapeutic counseling or treatment program.

- ♦ **Suspension:** Faculty and/or staff may be suspended from employment without pay for a period of time ranging from seven days to a maximum of one year.
- ♦ **Termination of Employment:** Faculty and/or staff may be dismissed from employment upon written notice by the Dean of Faculties, the Vice President of the Division of Graduate Studies or the Vice President for Administration.
- ♦ **Legal Action:** Faculty and/or staff may be turned over to law enforcement authorities for criminal prosecution and legal action.

In both cases for students and faculty and staff, the existence of a tiered system of disciplinary sanctions measures does not preclude Touro from levying a heavy sanction, without first resorting to a lesser sanction. By way of illustration and not exclusion, Touro may expel a student or terminate a staff member for a violation of policy without first issuing a warning or putting that student or employee on probation.

## 6.0 CRIMINAL SANCTIONS FOR ALCOHOL MISUSE

Persons giving or selling alcohol to someone under 21 years of age are committing a Class A misdemeanor punishable in New York State by up to a year in jail or a \$1,000 fine. If you are under the age of 21, you are prohibited from possessing alcoholic beverages with the intent to consume them. Each violation is punishable by a fine not to exceed a \$50 fine and/or completion of an alcohol awareness program. You can be fined up to \$100 and/or required to perform community service not to exceed 30 hours for your first violation of being under 21 and presenting falsified proof when purchasing or attempting to purchase alcoholic beverages. For your second violation you may be fined between \$50 and \$350 and/or be required to complete community service not to exceed 60 hours. You can have your driver's license suspended for 3 months if you are under 21 and use a driver's license to try to purchase alcohol illegally upon your first violation. After your second violation your driver's license may be suspended for 6 months. For a third violation your driver's license may be suspended for 1 year or until the violator reaches the age of 21, whichever is greater.

## 7.0 SUBSTANCE ABUSE SELF-IDENTIFICATION AND AMNESTY

Touro recognizes that, sometimes, there may be health or safety emergencies related to the use of drugs or alcohol in which the potential for disciplinary action by Touro may deter students who want to seek assistance for themselves or for another member of the Touro community. In such instances, the health and safety of the at-risk student will be Touro's top priority. Therefore, should a student, or another individual on behalf of that student, voluntarily come forward seeking assistance in a situation involving the over-consumption or abuse of drugs and/or alcohol, Touro's student conduct response to the over-consumption/abuse will be, first and foremost, focused on medical treatment, counseling, and/or educational interventions. However, Touro reserves the right to address any associated acts that compromises the well-being of its community and its members, such as harassment or distribution of illegal substances, violence, damage, harm to self or others, on a case-by-case basis as deemed appropriate and necessary.

**Reporting a Personal Concern:** Students who have concerns about their use of alcohol and/or other drugs, or students who are concerned of such use by a friend, are encouraged to seek assistance through one of Touro's support services. Confidentiality in these circumstances may be protected in compliance with Touro policy and applicable law (e.g. FERPA, HIPPA, etc.).

## 8.0 SUBSTANCE ABUSE COUNSELING

Many different mutual and self-help programs are available near Touro campuses. Although most programs are abstinence-based and follow the 12-step approach, there are also programs that support moderation and a goal and/or do not use 12 steps. Some of the programs listed below may have a religious affiliation, others may merely use spirituality as part of the program. Meeting times and locations are available upon contacting the corresponding phone numbers or websites. Each meeting is somewhat different from any other, even within the same program, both in terms of structure and participants. Many people find it helpful to explore different options.

## United States

- National Drug & Alcohol Treatment Referral Service:
  - Phone: 800-662-4357
- NY State Addiction Hotline:
  - Phone: 800-522-5353
- Alcoholism Council of New York:
  - Phone: 800-567-6237
- The Addiction Institute of New York:
  - Phone: 212-523-6491
- Greenwich House:
  - Phone: 212-691-2900
- Center for Motivation and Change:
  - Phone: 212-683-3339
- Alcoholics Anonymous:
  - Phone: 212-870-3400
  - Website: [www.aa.org](http://www.aa.org)
- Marijuana Anonymous:
  - Phone: 800-766-6779
  - Website: [www.marijuana-anonymous.org](http://www.marijuana-anonymous.org)
- Cocaine Anonymous:
  - Phone: 310-559-5833
  - Website: [www.ca.org](http://www.ca.org)
- Narcotics Anonymous:
  - Phone: 212-929-6262 (Manhattan, NY)
    - 631-689-6262 (Long Island Area, NY)
  - Website: [www.na.org](http://www.na.org)
- Al-Anon:
  - Phone: 212-941-0094 (New York City, NY)
  - Website: [www.al-anon.alateen.org](http://www.al-anon.alateen.org)

## Germany

- Alcoholics Anonymous:
  - Phone: (49) 87-31325730
    - (49) 30-7875188 (English line)
- Cocaine Anonymous:
  - Phone: (49) 1525-101-8808
  - German Website: <http://www.ca.org/phones.html#germany>
- Narcotics Anonymous:
  - Phone: (001) 818-773-9999
- Al-Anon:
  - Phone: 49-201-77-3007
  - Email: [zdb@al-anon.de](mailto:zdb@al-anon.de) (Berlin, German)

- National Addiction and Drug Hotline:
  - Phone: (001) 818-773-9999
  - Website: [http://www.na-berlin.de/eng\\_index.html](http://www.na-berlin.de/eng_index.html)
- Drug Emergency Services:
  - Phone: (030) 192-37

## Israel

- Narcotics Anonymous:
  - Phone: 972-50-5947837
  - Website: <http://www.naisrael.org.il/>
- Retorno International Recovery Group:
  - Phone: 718-210-9755
    - 972-52-436-9888
  - Email: [Soshana@retorno.org](mailto:Soshana@retorno.org)
  - Website: [www.retorno.org](http://www.retorno.org)
- Malkishua Drug Rehabilitation Center:
  - Phone: 972-46488222
  - Email: [malikishua@malikishua.org.il](mailto:malikishua@malikishua.org.il)
  - Website: <http://www.malkishua.org.il>
    - <http://www.malkishua.org.il/eng/> (English version)

## Russia

- Alcoholics Anonymous:
  - Phone: (+7)499-185-4000
- Al-Anon:
  - Phone: (+7)903-174-7571
- Email: [Rus.al-anon@mail.ru](mailto:Rus.al-anon@mail.ru)
- Cocaine Anonymous:
  - Phone: (+7) 981-687-4907
  - Website: [www.ca.org/phones.html#RUSSIA](http://www.ca.org/phones.html#RUSSIA)
- Narcotics Anonymous:
  - Phone: (+7) 495-505-3396
  - Email: [Sekretar@rko-na.ru](mailto:Sekretar@rko-na.ru)
  - Website: [www.rko-na.ru](http://www.rko-na.ru)

## **9.0 IMPLEMENTATION**

This policy shall be implemented by the Department of Human Resources and the Dean of Students or the Vice President of the Division of Graduate Studies.

## **10.0 APPROVAL**

This policy has been approved by the Department of Human Resources and the Office of Institutional Compliance.

## APPENDIX C – TOURO UNIVERSITY BIENNIAL REPORT

### BIENNIAL REVIEW OF TOURO UNIVERSITY ALCOHOL AND DRUG PROGRAMS:

#### OVERVIEW

The Drug Free Schools and Communities Act requires, as a condition of receiving any federal funding or other financial assistance, that an institution of higher education certify it has adopted and implemented a program to prevent the unlawful possession, use or distribution of illicit drugs and alcohol for students and employees on school premises and as a part of its activities. Touro University (“Touro” or “University”) is in compliance with the Drug Free Schools and Communities Act and continues to conduct a biennial review on the effectiveness of its alcohol and other drug programs and services.

Touro provides comprehensive alcohol and other drug prevention initiatives, programs and services that focus on policy, environmental management, education, intervention, prevention, research and assessment. In addition, in accordance with federal law, the Office of Campus Security and the Office of Institutional Compliance annually provide every employee and student with an “Annual Crime Statistics and Fire Safety Report” email notification that includes the following (as required by 34 CFR 86.100):

- Standards of conduct that prohibit the unlawful possession, use or distribution of illicit drugs and alcohol on school property or part of school activities.
- A description of the applicable legal sanctions under federal, state or local law for the unlawful possession or distribution of illicit drugs and alcohol.
- A description of the health risks associated with the use of illicit drugs and abuse of alcohol.
- A description of counseling and treatment programs available to students and staff.
- A clear statement and description of the disciplinary sanctions Touro will impose on students and employees.

This Annual Crime Statistics and Fire Safety Report is available year-round to students, staff and employees at:

<https://www.touro.edu/departments/campus-security/>

It is the goal of Touro to produce a Biennial Review that would be used to document the progress made by Touro and also provide insight into how Touro’s Alcohol and Drug policy and programs (“ADP”) could be improved. The Biennial Review meets two objectives:

1. Determines the effectiveness of the ADP programs at Touro and outlines any changes that the institution has made (if necessary)
2. Analyzes the disciplinary sanctions imposed by the institution and ensures that they are consistently enforced.

A hard copy of this Biennial report is also maintained on file with Director of Campus Security that can be provided to the U.S. Department of Education, as requested.

#### POLICY

Touro is committed to educating and informing students, faculty and staff about the dangers and effects of substance abuse. Touro recognizes that drug addiction and alcoholism are illnesses that may not be easily resolved and may require professional assistance and treatment. As such, Touro provides its ADP to all students and employees. This policy is reviewed and updated annually.

The entire ADP is included in the Annual Security and Fire Safety Report. It is available year-round to students, staff and employees at:

<https://www.touro.edu/departments/campus-security/>

In addition to the Annual Security and Fire Safety Report notification described above, students and employees may be made aware of Touro’s drug and alcohol policies during New Student/New Employee orientation, as well as during other activities and events throughout the year. During New Student/New Employee Orientation program students and employees are educated about campus drug and alcohol policies.

The student presentation includes, but is not limited to:

- Possession of alcoholic beverages, illegal narcotics or improper use of prescription drugs is strictly prohibited on Touro campuses and at any University function (on or off campus).
- Alcoholic beverages or illegal narcotics may not be sold on the campuses of Touro for any purpose.
- Alcoholic beverages may not be served to Touro students as part of University-sponsored events or non-official activities connected with the University- except for sacramental purposes.

The employee presentation, created by the Office of Institutional Compliance, includes, but is not limited to:

- Notice that Touro is a Drug-Free and Smoke-Free workplace;
- Prohibition on the use of substances that impair a person's ability to perform his or her job responsibilities;
- Notification that the sale, manufacture, possession or use of illegal drugs on the University property and campuses is strictly prohibited

### **EDUCATION, INTERVENTION & PREVENTION**

Touro provides many different avenues for students and employees to receive education and counseling about alcohol and other drug issues. In addition to campus resources such as Advisors for students and the Employee Assistance Program (EAP) for Employees, Touro also provides students and employees with information about and referrals to the following support, education and/or treatment community resources: Alcoholics Anonymous, AI-Anon/ACOA (Adult Children of Alcoholics), Marijuana Anonymous, Narcotics Anonymous and other local and regional treatment providers. Campus and community members also work together to implement environmental risk management strategies to reduce the harmful consequences of drug and alcohol use.

### **POLICY ENFORCEMENT**

As seen in the chart below, Touro has steadily had little to no drug or alcohol related violations over the past few years. Based on this data, Touro has determined that its current Drug and Alcohol policy and programs are inherently effective. In adherence with Touro's disciplinary sanctions students have either been suspended from their housing facility, suspended from Touro for one year, placed on disciplinary probation and have been required to take a counseling and treatment program, or have been expelled. That being said, Touro reviews its policies and sanctions on an annual basis to determine whether industry standards and best practices are being adhered to.

	2023	2024
<b>On Campus</b>		
Liquor Law Violations	0	0
Arrests	0	0
Disciplinary Actions	0	0
Drug-related violation	0	0
Arrests	0	0
Disciplinary Action	0	0
<b>Public Property</b>		
Liquor Law Violations	0	0
Arrests	0	0
Disciplinary Actions	0	0
Drug-related violation	0	0
Arrests	0	0
Disciplinary Action	0	0

## **RECOMMENDATION**

Touro has encountered minimal violations related to drugs or alcohol and the disciplinary sanctions for violations of campus drug and alcohol policies are sparse. As such, the sole recommendation based on the data above is to increase the number, frequency and methods of delivery for training opportunities for students, faculty and staff. While Touro participates in numerous training modules and events which are intended to educate the University community, increasing the number and frequencies of these programs while offering them in mediums which the students can gain access to easier will inherently foster a safer and more compliant atmosphere.

## APPENDIX D – TOURO UNIVERSITY SYSTEM FIRE SAFETY POLICY

### TOURO UNIVERSITY FIRE SAFETY POLICY

#### OBJECTIVE

This policy outlines Touro University's protocols for fire safety, including fire prevention, fire incidents, and fire drills. The purpose of this policy is to promote the safety of the University community, prevent damage to University property and to comply with federal, state and city regulations. Every member of the University community is responsible for preventing and properly handling common fire hazards, and for familiarity with proper emergency procedures and telephone numbers.

#### RESPONSIBILITY

The departments of Security & Emergency Response and Facilities are responsible for the development, implementation and maintenance of this policy as it relates to fire and life safety. The Director of Security & Emergency Response is responsible for the development of programs and training, while the Director of Facilities is responsible for implementation and maintenance of this policy as it relates to fire system service, maintenance and testing.

#### GOVERNANCE

All students, faculty, staff and visitors to Touro University and its environs are governed by this policy.

#### POLICY

It is Touro University policy to endeavor to protect all persons on its premises from the hazards of fire. Specifically, the University endeavors to ensure that:

1. Adequate means of egress in case of fire exist for all persons on University premises.
2. All means of egress are maintained properly, kept free from obstruction and available for safe and effective use at all times.
3. All fire detection and annunciation equipment required to warn building occupants in the event of fire is properly installed and maintained.
4. Fire suppression equipment for containing or fighting fire is present and maintained in proper working order.
5. Emergency response, management, notification and investigative management procedures are followed in responding to and in the aftermath of a fire.
6. Appropriate fire safety training is developed and implemented to provide students, faculty and staff with a working knowledge of fire and life safety practices and evacuation policy and procedures.

#### RESPONSIBILITIES

##### MANAGEMENT

Management determines Touro University's fire prevention and protection policies. Management will provide adequate controls to provide a safe workplace and learning environment, and will provide adequate resources and training to its employees and students to encourage fire prevention and the safest possible response in the event of a fire emergency.

##### PLAN ADMINISTRATOR

The Department of Security & Emergency Response, in conjunction with the Department of Facilities, shall administer the Fire Safety and Prevention Plan for Touro University. Specifically, the Department of Security & Emergency Response shall:

- develop and implement all fire related training material for students, faculty and staff
- develop and implement emergency response protocols and procedures
- develop and disseminate fire evacuation protocols
- develop and disseminate policy and procedures for fire related activities

The Department of Facilities shall maintain all records pertaining to the plan, and in addition:

- conduct required fire drills in all academic and residence hall buildings
- inspect and report all fire and life safety deficiencies in University buildings

- act as liaison with the New York City Fire Department (FDNY) and all other agencies involved with fire and life safety issues
- maintain a repository for all fire and life safety data and statistics of Touro buildings

## **FIRE SAFETY GROUP**

The Fire Safety Group consists of the Emergency Coordinators (EC), Emergency Evacuation Coordinators (EEC), and Searchers designated at every University location. The EC is usually the Facilities Manager at each location; however, the Dean or Site Director can assume the responsibilities of EC when the Facilities Manager is absent, provided he/she has taken emergency response training. The EC's duties include:

- being familiar with the Emergency Action Plan (EAP) and Building Emergency Plan (BEP)
- ensure EECs are familiar with and adhere to the procedures in the EAP
- ensure there are an adequate number of EECs on floors that are owned/operated by Touro University
- determine when it is necessary to activate the EAP
- coordinate with other key building personnel during emergencies (Facilities, Campus Security, local emergency responders)
- relay information to the EECs pertaining to evacuation, relocation, or shelter-in-place procedures
- notify local emergency personnel of missing building occupants
- maintain a list of individuals with limited mobility and their locations within the building
- notify EECs when it is safe to re-occupy a building after an evacuation

EECs and Searchers are employee volunteers responsible for coordinating evacuation of the floor of the building that they normally occupy. Their duties include:

- participation in review sessions of evacuation plans coordinated by the Department of Security & Emergency Response
- ensure all floor occupants are familiar with emergency procedures
- conduct a weekly fire safety inspection of the floor and report violations to the Department of Facilities and the Department of Security & Emergency Response
- maintain a list of floor occupants, particularly those persons who may require assistance during an evacuation
- wear the designated identification (orange vests, armbands, etc.) during drills and evacuations
- verbally encourage occupants to evacuate the floor while moving toward the designated exit. ECs and EECs are not expected to unnecessarily delay their own exit from the building or to jeopardize their own safety at any time
- ensure that all windows and doors are closed enroute to the exit
- escort persons requiring assistance to the pre-designated safe area and notify Campus Security personnel or local emergency responders of their location
- remain outside of the building until the EC provides the “all clear” signal to return to the building

## **DEANS, DIRECTORS AND SUPERVISORS**

Deans, directors and supervisors are responsible for ensuring that their employees receive appropriate fire safety training, and for notifying the Department of Facilities or the Department of Security & Emergency Response when changes in operation increase the risk of fire. Deans, directors and supervisors are also responsible for enforcing Touro University fire prevention and protection policies and as such, must be familiar with the fire alarm locations, fire exits and drill procedures.

## **FACULTY**

Faculty members have a very important role in fire safety and evacuation, as they are responsible for the students under their supervision at the time the alarm sounds. All faculty members must become familiar with the fire alarm locations and fire exits, and ensure that during fire drills and actual emergency evacuations classes that are in progress will evacuate. Additionally, faculty must:

- direct students to the nearest fire exit away from the emergency
- instruct students to leave promptly and orderly

- ensure that disabled students are given necessary assistance in evacuating the classroom and if necessary, moved to the nearest smoke free stairway
- ensure that all students have left the classroom before leaving themselves
- close, but not lock, the classroom door when leaving
- prohibit students from using elevators
- follow the instructions of EECs and Campus Security

## **STAFF AND STUDENTS**

Staff and students are responsible for becoming familiar with the fire alarm locations and fire exits on their floor, and ensure that during fire drills and actual emergency evacuations they follow the instructions of the EECs. Additionally, staff and students must:

- complete any fire safety training required by the University
- conduct operations safely to limit the risk of fire
- report potential fire hazards to the dean of their program (students) or their supervisors (employees)
- follow fire emergency procedures

## **CANDLE USE AND OPEN FLAME POLICY**

The use of candles, incense or similar items with open flames is prohibited in all Touro University buildings. However, some exceptions may be made for students celebrating religious festivals in which candles play a significant role.

### **USE OF CANDLES FOR RELIGIOUS CEREMONIES**

To obtain permission for candle use for religious ceremonies, a written statement from the requestor's religious or spiritual leader must be submitted identifying the religious celebration and the nature of the use of the candles. Requests must be submitted at least 72 hours in advance of the requested date to the Department of Facilities. Approval will be granted for (a) specific date(s) and location only, and copies of the approval will be submitted to the Department of Security & Emergency Response.

Touro University reserves the right to deny any request for the use of candles or burning of incense and similar items. If permitted, candles must be used in compliance with the following fire safety guidelines.

### **FIRE SAFETY GUIDELINES FOR THE USE OF CANDLES**

1. Candles for decorative lighting purpose are permitted within public spaces for which a Public Assembly Permit and an Open Flame Permit (issued by the fire department) has been issued. Candles are not permitted within any private office space, sleeping areas, or other non-public space.
2. Candles may not be left unattended while burning.
3. Candles must be of the low flame variety and must be placed in a properly fitting candle holder or in a shallow glass container.
4. Cardboard, paper or flammable candleholders are prohibited.
5. Candleholders must be of a design that holds the candle in a vertical position and prevents tipping, and located so as to avoid ignition of combustible materials.
6. Candles must be placed on a non-combustible surface. If a non-combustible surface is not available, candles must be placed in a shallow dish of water on a hard flat surface.
7. Candles shall be doused with water prior to disposal.
8. Incense may only be used in conjunction with a burning utensil approved in advance by the Department of Facilities.
9. All readily combustible materials, such as curtains or drapes, must be secured away from the open flame.

### **USE OF CANDLES AND STERNO BY FOOD VENDORS**

1. Only approved food vendors shall be allowed to utilize candles for decorative lighting purposes, or Sterno heating devices provided they comply with the Candle and Open Flame Policy of Touro University. Vendors shall be provided with a copy of this policy and, upon request, shall provide written certification that their employees are properly trained in the lighting and handling of candles or decorative open-flame lighting, and the handling of Sterno as well as knowledge of how to operate a fire extinguisher.

2. Candle and/or Sterno use shall be attended at all times by a member of the catering staff who has been trained in Sterno use and fire safety. A dry chemical extinguisher shall be available within ten (10) feet of the serving tables or tables.
3. Sterno use is permitted in public spaces only (i.e. Public Assembly Space, meeting rooms, etc). It is not permitted in private office space, sleeping areas or other non-public space. Where a Public Assembly Permit has been issued, the space must also have an Open Flame Permit issued by the fire department.
4. Proper tools must be available for the smothering of the flame if needed, i.e. snuffer paddle.
5. All chafing racks and beverage urns using Sterno shall be placed on non-combustible mats, ceramic or metal trays extending at least eight (8) inches beyond the Sterno container in each direction to prevent accidental contact with any combustible materials.
6. Sterno shall be placed under food or beverage tray before lighting. Sterno shall only be lit by means of a butane lighter or long handled match. Chafing racks or beverage urns shall not be moved while Sterno are lit.
7. All table decorations must be flame resistant. Combustible material such as plates, napkins, plastic utensils, cups and similar products shall be separated by a minimum of three (3) feet from Sterno.
8. Sterno must be immediately extinguished when the food tray is empty or no longer used. When the event is over, all Sterno must be extinguished immediately, capped and removed from the facility by catering personnel.
9. The Fire Safety Group of each facility shall be notified of all Sterno usage within their facility.

## OFFICE/CLASSROOM FACILITIES

The fire safety procedures below apply to all Touro University buildings and office spaces.

### GENERAL

1. The fire alarm systems of Touro University are monitored 24 hours a day. The systems are hard wired, meaning when triggered the alarm rings at the Security Desk of the residential facility and is simultaneously transmitted to the fire department. Specifically, the systems include smoke detectors, carbon monoxide detectors, sprinklers, fire extinguishers and alarm bells.
2. Smoke detectors are the first line of fire defense. They are triggered by airborne particles and are in place to provide early warning in case of fire. Smoke detectors save lives by allowing for timely evacuation. Carbon monoxide detectors are placed in all residence halls.
3. Sprinklers are the last line of defense. If there is a considerable rise in room temperature, the sprinklers will activate. Sprinklers protect property by suppressing a fire quickly.
4. Any student/employee who intentionally compromises these systems in any way will be terminated, sanctioned and/or arrested and fined.
5. Students/employees agree to adhere to all fire safety policies of Touro University, not be in possession of prohibited items, and be aware of possible sanctions for violations. In addition to sanctions imposed by the University, violators may also be responsible for fines assigned by New York State and the City of New York.
6. Students/employees are responsible for attending and participating in fire safety workshops during the year.
7. All offices and classrooms are subject to periodic fire safety inspections, and employees are expected to cooperate in removing any found violations when requested by Administration\*.
8. The University may require personal furniture or furnishings to be removed from any office when the University determines the situation to be a fire, safety, or health hazard. Under no circumstance should furniture restrict free and easy movement within offices and classrooms, or block egress in any way.
9. Once the fire alarm has been activated, all students/employees are to evacuate the premises immediately using the closest, safe stairwell/exit door unless otherwise instructed by building authorities/emergency response personnel. Students/employees will close all doors along the exit path to contain the spread of flames and smoke, and to activate the fire alarm system as they leave. At no time should the closing of doors or the activation of the alarm delay the exit from the building. Once safely outside, students/employees should contact 911 and Campus Security. Students/employees are required to relocate to the Designated Assembly Area with their Emergency Evacuation Coordinator (EEC). Damage, misuse or theft of fire alarm systems and firefighting equipment is prohibited and in violation of New York City law.
10. Students/employees are prohibited from covering or attaching anything to fire safety equipment including sprinklers, smoke detectors, heat detectors, etc.

11. The City of New York may assign fines for false (negligent) fire alarms, per City ordinance. Employees will be responsible for the cost of the fine if it resulted from negligent fire safety.
12. In compliance with New York State law, smoking inside all buildings and residences, or within 25 feet of an entrance, is strictly prohibited. This includes fire escapes and balconies in Touro residential facilities.

## **FIRE INCIDENT PROTOCOLS**

### **FIRE EXIT DRILLS**

The purpose of fire exiting drills is to ensure the sufficient and safe utilization of available exiting facilities. Proper drills familiarize building occupants to exit in an orderly fashion, which helps prevent panic in the event of an actual emergency. New York State education law and Fire Department policy mandate fire drills in all educational facilities and residence halls. Drills are conducted unannounced and all building occupants are required to participate. Students, faculty and staff are expected to follow all directives and to take each drill seriously.

**FAILURE TO EVACUATE IS A SERIOUS VIOLATION OF TOURO'S CODE OF CONDUCT AND WILL SUBJECT THE EMPLOYEE OR STUDENT TO DISCIPLINARY ACTION INCLUDING, BUT NOT LIMITED TO, SUSPENSION, EXPULSION OR TERMINATION**

The following procedures are intended to guide you in the event of a fire or other emergency. However there could be times when building occupants will need to make a decision on the safest course for them to take, such as in the event a primary exit is blocked. In that case building occupants should remember the acronym **R\*E\*D**. Take the time to “**R**eact” to the new situation; “**E**valuate” their options and then “**D**ecide” on the best course to take.

### **EVACUATION PROCEDURES**

All Touro University buildings shall be immediately and totally evacuated whenever the fire alarm is sounding. The fire alarm will be sounded for all building evacuations, including those not related to fire.

#### **IF YOU SMELL SMOKE**

There are many reasons why you may smell smoke in your building, and the smell of smoke is not always indicative of fire in the vicinity. If you smell smoke, it is important to first contact your floor fire warden and advise them of your location and the location where you smell the smoke. The fire warden will investigate the situation and advise you of the next steps you should take.

#### **IF YOU SEE SMOKE OR FIRE**

The sighting of smoke is indicative of a hazardous condition. If you see smoke or fire you do not need to contact your fire warden for confirmation. Pull the fire alarm or dial the Emergency Hotline number 1-88-TOURO911 and report the fire, then evacuate immediately. It is important to learn the locations of the two exits nearest to your room. Do not assume your usual exit is closest or safest.

### **EVACUATING IN AN EMERGENCY**

When an alarm sounds, follow these fire evacuation procedures:

1. Leave the building immediately upon activation of the fire alarm. Under normal conditions, you are expected to evacuate from any facility in less than 3 minutes.
2. If possible, bring your keys and ID card and dress for the weather (i.e. shoes and a coat).
3. When you leave your room/office, close the door. Leave the lights on and the doors unlocked. Shut off all machinery and equipment in your area.
4. Before entering another room or stairwell, check for heat by placing the back of your hand near the door. If the door is hot, **DO NOT OPEN**; use another exit. If the door is not hot, open it slowly. Stand behind the door and to one side; be prepared to close it quickly if fire is present.
5. If smoke is present, crawl low to the floor or stay in your room (if you cannot leave your room, see number nine below).
6. Only use stairways; **NEVER USE THE ELEVATORS**.
7. On your way to the safest exit, if possible, inform others who may not have responded to the alarm to evacuate. Once outside, go to the building's Designated Assembly Area. If you are a student/employee with a disability, leave your classroom/office and report to the nearest stairwell. Remain in the stairwell until fire responders arrive and safely complete the evacuation.
8. When outside, stay away from the building at least 500 feet and out of the way of emergency personnel and vehicles. Do not re-enter the building until instructed to do so by your fire warden.

If you cannot leave your room/office due to a disability or any other reason:

- block all openings with wet towels or any type of clothing;
- call the **Touro Emergency Hotline at 1-88-TOURO911** and advise the dispatcher of your location;
- stay close to a window holding a wet towel or any type of clothing to your face;
- do not open the windows except to alert rescue personnel by hanging a white sheet or cloth out in the wind.

### **EVACUATION FOR STUDENTS/EMPLOYEES WITH DISABILITIES**

Prior to an emergency evacuation of any kind, students or employees with limited mobility should choose a “buddy” to accompany and remain with them until fire responders arrive. If an alarm is activated, the following procedures should be followed at all times:

1. A student/employee should contact the **Touro Emergency Hotline number at 1-88-TOURO911**, and advise his/her location.
2. Accompanied by a partner, if possible the student/employee should wait in the stairwell until the main flow of people have passed.
3. The EEC for each floor is responsible for communicating the location of the disabled persons of their floor to the fire department responders on the scene or to the Facilities Manager.
4. The fire department will arrive to help complete the evacuation.
5. Blind but mobile persons should first be moved out of the rush of traffic and then promptly assisted to the nearest exit. The individual should be asked if they anticipate needing assistance and plans made prior to a drill or crisis.
6. Hearing impaired but mobile persons, who may be unaware of the need to evacuate, should be calmly advised and guided to the nearest safe exit.
7. Temporarily immobilized persons, including people wearing casts and/or using canes or crutches, should be assisted depending on their ability to go up and down stairs and to maneuver through doorways. Proceed into the fire stairwell and wait on the landing until additional help can be summoned.
8. Permanently immobilized persons who have either limited or no use of their legs and must rely on crutches, wheelchairs or walkers for transport, should proceed into the stairwell and wait on the landing until additional help can be summoned.

### **IF YOU CANNOT LEAVE YOUR OFFICE/CLASSROOM DUE TO SMOKE OR HEAT:**

- block all openings with wet towels or any type of clothing;
- call the **Touro Emergency Hotline at 1-88-TOURO911** and advise the dispatcher of your location;
- stay close to a window holding a wet towel or any type of clothing to your face;
- do not open the windows except to alert rescue personnel by hanging a white sheet or cloth out in the wind.

### **POLICY FOR EVACUATION DURING EXAMS**

It is the policy of Touro University to refrain from scheduling fire drills when exams are being administered. However, in the event the fire alarm sounds (drill or otherwise), it is imperative for the safety and security of Touro University faculty, staff and students that everyone evacuate the building in an orderly manner as quickly as possible, as per the instructions of the Emergency Evacuation Coordinators (EECs).

If a class is taking an exam when the fire alarm sounds, campus deans may choose between two options:

1. Deans may choose to invalidate all exams interrupted by fire alarms because of exam security, and require that an entirely new examination be prepared and administered.
2. Deans may choose to give instructors leeway in determining whether the exam may proceed after the return to the classroom and the alarm is concluded, whether it should be invalidated, or whether it should be scored as is, but on a prorated basis.

If a dean chooses option two, then follow the procedures below:

Upon hearing the alarm, the faculty member or proctor will ask students to stop work, hand in their exams and answer sheets, and line up at their assigned stairwell. The instructor/proctor will make note of the exam time already elapsed. From that point forward, students will be on an honor system. They will not talk about the exam with fellow students, nor will they use electronic devices to look up exam-related information. Upon exiting the building, students must find the instructor/proctor and wait together until it is safe to re-enter the building.

Depending on the amount of time remaining for the exam, and on the amount of time of evacuation of the building, and on the subsequent availability of the classroom, the instructor/proctor will determine if:

- the exam may resume immediately upon re-entry, to be completed in the time remaining from the originally allocated time;
- the interrupted exam will be disqualified, and a new exam will be administered at a later date;
- the interrupted exam might possibly be scored as is, but on a pro-rated basis.

The instructor/proctor will expeditiously notify the students of the decision. At that point, the students will be released from the honor system.

Any student found exchanging information or procuring information about the exam during the period of evacuation will be considered to be in violation of the Touro University System Academic Integrity Policy and will be subject to disciplinary action as described in the policy.

### **DESIGNATED OFF-CAMPUS GATHERING POINTS**

In order to ensure accounting of students and employees, there is a designated assembly point for each Touro location. Upon building evacuation students, faculty and staff are required to accompany their EEC to the Designated Assembly Area and await further instructions.

The complete version of the Touro University Fire Prevention & Safety Policy is available on the TouroOne portal under the Campus Resources / Safety & Security tab.

