



**Elim Bible Institute and College**

*Security Report*

**Calendar Year 2019**

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## Overview

Elim Bible Institute and College (EBIC) pursues excellence in every area on campus. The safety and security of the students, staff, and campus guest is of the utmost importance to the institution. The institution pursues this goal with the help of the Safety Director, the Safety Committee, staff, faculty, and the vigilance and care of all our community members. The following report is an overview of the policies and practices of the institution in the area of safety and security on campus. Questions or inquiries regarding campus safety and security should be directed to the Safety Director.

## Purpose of this Report

The Safety Director prepares this report annually in compliance with the Jeanne Clery Disclosure of Campus Security and Crime Statistics Act (Clery Act). This report is prepared in collaboration with the local law enforcement agencies surrounding our campus. This report includes campus crime, arrest, and referral statistics including those reported to the Safety Committee, and designated campus officials (including but not limited to directors, deans and department heads). The purpose of this report is to inform the students, staff, and community about the safety practices on the Elim Bible Institute and College campus and disclose all applicable statistics reported for the last three years.

## Reporting on Campus

### Reporting to the Community

Students, faculty, staff, community members and guests are encouraged to report all crimes and public safety-related incidents to the Safety Committee. Reports aid in providing accurate and timely warning notices to the community and to ensure inclusion in the annual crime statistics. When reports are received, a member of the administration may notify the campus community if necessary.

### What Will Be Reported?

Ongoing unresolved situations which pose a danger or potential harm to the students, staff, and community. Such instances may include an intruder, fire, or severe weather, etc.

### Who Will Report?

Notifications related to safety and security on campus will be sent by a member of the safety committee or the Administration office.

### How Will Reports Be Disseminated?

Notifications will be sent via Text or Email, depending on the time-sensitive nature of the situation or the amount of information being sent. Situations such as a fire or intruder would necessitate a short timely message via text, weather issues or updates on on-going situations would be sent via email.

Safety and Security Alerts are usually distributed for the Uniform Crime Reporting Program with classifications of arson, criminal homicide and robbery. Incidents of aggravated assault and sex offenses are considered on a case-by-case basis, depending on

the facts of the case and whether there is a continuing threat to the campus community. Safety and Security Alerts may also be issued for other crime classifications, as deemed necessary.

### **Reporting a Crime or Emergency**

Students, Staff, Faculty and Community members are encouraged to report suspicious behavior, criminal activity, sexual assault, intimidation, and hate crimes to the institution. The follow contacts should be utilized for this purpose.

**Safety Committee:** (585) 355-1428 (This phone is available 24/7)

Emergencies, Criminal Activity, Suspicious Activity, etc. Any suspicious activity or person seen in the parking lots or loitering around vehicles, inside buildings or around the residential halls should be reported to the Safety Committee immediately.

**Title IX Coordinator:** (585) 582-8245

Sexual assault, abuse, intimidation, stalking, etc. should be reported to the Title IX Coordinator.

As a victim or witness to a crime, you have the right to make a confidential report without pursuing the college disciplinary or criminal justice system. With your permission the Safety Director or Title IX Coordinator will file a report on the details of the incident without revealing the victim or witness's identity. The purpose of a confidential report is to maintain confidentiality, while taking steps to ensure the future safety of yourself and others; to the extent that maintaining such confidentiality would not impair the ability of the school to provide the accommodations or protective measures to ensure the future safety of yourself and others. With such information, EBIC can keep an accurate record of the number of incidents involving students, employees and visitors; determine where there is a pattern of crime with regard to a particular location, method, or assailant; and alert the campus community to potential dangers. Reports filed in this manner are counted and disclosed in EBIC's annual crime statistics. You can notify the Safety Director or the Title IX Coordinator to conduct confidential reports.

## **Campus Facilities**

### **Access to Facilities**

During business hours, the College (excluding certain housing facilities) will be open to students, parents, employees, contractors, guests, and invitees. During non-business hours, access to College facilities is by key, if issued.

Residence halls are secured 24 hours a day. Some facilities may have individual hours, which may vary throughout the year. In these cases, the facilities will be secured according to schedules developed by the department responsible for the facility. Emergencies may necessitate changes or alterations to any posted schedules.

### **Maintenance of Facilities**

Facilities and landscaping are maintained in a manner that minimizes hazardous conditions. The Safety Committee regularly patrols the campus and reports malfunctioning lights and other

unsafe conditions to the Facilities Department for repair. Other members of the campus should promptly report equipment problems to the Safety Director or Facilities Director.

The campus is patrolled each night to confirm facilities are secured around campus.

## Campus Law Enforcement

EBIC's Safety Committee members [campus security authorities] have the authority to ask persons for their student identification to determine whether individuals have lawful business at the college, and to issue parking tickets, which are billed to the financial accounts of students. Safety Committee members do not possess arrest power.

The Safety Committee works with the local law enforcement agencies when incidents arise that require joint investigative efforts, resources, crime related reports and exchanges of information, as deemed necessary. There is no written memorandum of understanding between Elim Bible Institute and College and any local law enforcement agency.

Criminal incidents are referred to the local police who have jurisdiction on the campus. All crime victims and witnesses are strongly encouraged to immediately report crime to the Safety Committee and the local police agency. Bystanders should report an incident if the involved victim needs assistance in making such report or is unable to report it themselves. Prompt and accurate reporting will assure timely warning notices on-campus and timely disclosure of crime statistics.

As a result of the negotiated rulemaking process which followed the signing into law, the 1998 amendments to 20 U.S.C. Section 1092 (f), clarification was given to those considered to be campus security authorities. Campus "Pastoral Counselors" and Campus "Professional Counselors", when acting as such, are not considered to be a campus security authority and are not required to report crimes for inclusion into the annual disclosure of crime statistics or required to provide a timely warning but will handle each situation of confidential reporting on a case by case basis. As a matter of policy, they are encouraged, if and when they deem it appropriate, to inform persons being counseled of the procedures to report crimes on a voluntary basis for inclusion in the annual crime statistics.

## Safety Awareness Program

Members of the campus community must assume responsibility for their own personal safety and the security of their personal property. The Safety Director sends information at the beginning of each semester to inform and remind community members about personal safety and awareness on campus. The program includes the following components:

### **Community Information and Reminders**

The EBIC community (Staff, Students, and Tenants) receives information and reminders from the Safety Director at least each semester regarding contact information for emergencies, awareness, and precautionary practices to protect themselves, their property, and their dwellings.

### **Student Training**

All students receive communication from the Safety Director each semester about personal safety and security on campus. Resident Advisors (RA's) receive safety training during their

week of Resident Advisor training before the Fall semester. Additionally, all students are required to attend a meeting in their Residence Hall at the beginning of the school year to discuss fire safety, fire evacuation plans, and rules and regulations of the residence hall. Freshmen students receive safety training during the first week on campus in both the Fall and Spring semesters.

### **Staff Training**

Staff and faculty receive training annually in at least one staff meeting on fire safety, evacuation procedures, and how to operate the emergency notification system in the event of an emergency.

### **Crime Prevention Program**

EBIC does not currently have a crime prevention program for staff or students.

### **Criminal Activity off Campus**

Elim Bible Institute and College does not currently have any officially recognized student organizations with off campus locations.

### **Drug and Alcohol Policy**

We recognize the danger to one's physical and psychological well-being in the non-medical or recreational use of certain substances. Therefore, members of Elim Bible Institute and College's community are to abstain from the use of any of the following:

- Alcoholic beverages
- Controlled substances, marijuana, hallucinogens, depressants, stimulants, and narcotics, unless prescribed by a physician.

It is unlawful to sell, furnish or provide alcohol to a person under the age of 21. The possession of alcohol by anyone under 21 years of age in a public place or a place open to the public is illegal. Organizations or groups violating alcohol/substance policies or laws may be subject to sanctions by the College and reporting to law enforcement officials.

The above substances are not to be personally used, possessed, sold or distributed on or away from the campus. The Elim Bible Institute and College campus has been designated "Drug free" and under no circumstances is the consumption of any controlled substance ever permitted. The possession, sale, manufacture or distribution of any controlled substance is illegal under both state and federal laws. Such laws are strictly enforced by the administration. Violators are subject to College disciplinary action, criminal prosecution, fine, and imprisonment.

For further details, see our Drug and Alcohol Abuse Prevention Policy.

## Prohibition of Sexual Violence, Assault, Dating Violence, and Stalking

The Elim Bible Institute and College administration seeks to create a healthy and safe community for all members to pursue their education, work, and life without the threat of sexual violence, dating violence, sexual assault or stalking. Sexual violence, assault, dating violence, and stalking are not tolerated on the EBIC campus. Such activity will be investigated by the administration and dealt with applicable campus sanctions and law enforcement.

## Educational Programs for Sexual Violence Awareness

All incoming freshmen participate in a mandatory Title IX training within the first month of the semester focused on sexual violence, dating violence, and stalking awareness and prevention. This training is conducted by the Title IX Coordinator and the Safety Director. Freshmen are restricted from initiating on-campus relationships to give them time to build healthy relationships and settle into the Elim community. Throughout the first year, freshmen attend classes that discuss building healthy relationships, community, marriage and other foundational issues related to this area.

New staff members discuss the institutions policies on harassment and alcohol and drug prevention with the Human Resource Director before starting.

## Definitions

### **Affirmative Consent**

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 cannot be given when it is the result of any coercion, intimidation, force, or threat of harm. Consent can be 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. When consent is withdrawn or can no longer be given, sexual activity must stop.

**Dating Violence:** New York State does not specifically define “dating violence.” However, under New York law, intimate relationships are covered by the definition of domestic violence when the act constitutes a crime listed elsewhere in this document and is committed by a person in an “intimate relationship” with the victim.

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

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

**Sexual Assault:** New York State does not specifically define sexual assault. However, according to the federal regulations, sexual assault includes offenses that meet the definitions of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting Handbook.

**Stalking:** When a person intentionally, and not for a legitimate purpose, engages in a course of conduct directed at a specific person, and knows or reasonably should know, that such conduct

- Is likely to cause reasonable fear of harm to the physical health, safety or property of such a person, a member of such person's immediate family or a third party with whom such person is acquainted;
- Causes harm to the mental or emotional health of such person, where such conduct consists of following, telephoning or initiating communication or contact with such a person, a member of such person's immediate family or a third party with whom such a person is acquainted, and the actor was previously clearly informed to cease that conduct; or
- Is likely to cause such a person to reasonably fear that his or her employment, business or career is threatened, where such conduct consists of appearing, telephoning or initiating communication or contact at such a person's place of employment or business, and the actor was previously clearly informed to cease that conduct.

**Consent:** Lack of consent results from:

- Forcible compulsion; or
- Incapacity to consent

## Bystander intervention

Bystanders can make a difference in reducing unhealthy and harmful behaviors. New students receive training on bystander intervention during their mandatory Title IX training at the beginning of their first semester. During orientations students are encouraged to view the campus community as a family, everyone looking out for each other.

### Training Content:

- Know the Warning Signs of Abusive Behavior
- Intervention Steps
  - Notice the incident
  - Determine if the situation is an emergency
  - Take responsibility to intervene
  - Use bystander intervention skills
- Intervention Strategies
  - Direct (Approach and address the situation directly)
  - Distract (Cause a distraction to interrupt the situation)
  - Delegate (Ask for help or call authorities)

Students may call the Safety Phone if they need an authority to intervene in the situation.



## Creating a Healthy Culture

As part of the campus community, individuals are encouraged to discuss personal challenges, negative experiences, and relationships with their resident advisors and the resident life department. Students can bring personal relationship issues and situations they witness to leadership to help individuals through situations that might cultivate an unhealthy relationship or environment. The pursuit of a healthy culture and understanding of relationships is Elim's primary process for reducing the risk of assault and violence on campus.

## Students Rights

The following are the rights of all students.

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.

The Title IX Coordinator and Safety Director will work to educate the student body of these rights during the school year. The Title IX Coordinator will ensure the victim and perpetrator involved in a complaint or investigative process understand these rights.

## Responding to Sexual Violence

### Procedures for Victims of Alleged Violence, Assault or Stalking

Victims should contact the Title IX Coordinator by phone, email, in-person, or through the [Title IX Complaint Form](#) to file a report and receive the following information:

- Students Rights
- The Reporting Process
- Preserving Evidence
- Student Conduct Process
- Judicial Process
- Counseling Services
- Accommodations and Protection Orders

The Title IX Coordinator will stress the importance of preserving evidence in a timely manner, even if the victim chooses not to pursue judicial process yet. The Title IX Coordinator will also ensure the victim is heard, cared for, and understands that all proceedings are at the discretion of the victim. The victim has the right not to pursue student conduct or judicial process against the perpetrator.

When a sexual assault victim contacts the Safety Committee, the Title IX Coordinator will be notified; and when appropriate, the local or State Police Sexual Assault Victims Unit will be contacted.

The particular process for the victim will depend on how they choose to proceed. Victims have the right to pursue school conduct and judicial proceedings or not to pursue anything. The following process is the outline of the process for pursuing the school conduct and/or judicial process. The Student has the right to make a report to local and state law enforcement and to have assistance in this process by the institution.

The Title IX Coordinator will be the primary guide through this process; however, a victim may choose to have another advocate with them throughout the entire process.

### Maintaining Confidentiality

During an investigative and conduct process, the institution will seek to maintain the confidentiality of the victim, perpetrator, and other necessary parties as much as possible without restricting the investigative process. The following guidelines will be utilized for this endeavor:

- The Title IX Coordinator will contact the least number of individuals during the investigated process.
- The Campus Life Director will handle accommodations directly, not to deputize anyone within their department for assistance.
- The Safety Director is the only member of the Safety Committee to be involved in the process.
- The Conclusion of a report and investigative process will be finalized quietly, no public announcement will be made regarding the situation, unless it is necessary to notify the campus for an on-going threat.

- The Clery Act Statistics and Reports will include only the situation without any identifiable information about the victim or other parties involved.

### **Resources for Victims**

Elim Bible Institute and College will provide written notification to victims about options for protective measures and available assistance on how to request changes to their academic, living, transportation, and working situation. When applicable, Elim Bible Institute and College will assist with ensuring the rights of the victim when it pertains to orders of protection, “no-contact” orders, restraining orders, or similar lawful orders issued by a criminal, civil, or tribal court or by the school. The Title IX Coordinator will be the primary contact for students to access this information and will assist the victim with setting up accommodations and connecting with area resources.

### **Reasonable Requests for Accommodation**

Victims who desire counseling, health, victim advocacy, or legal assistance should meet with the Title IX Coordinator to review the available options on or off campus. The following is a list of some resources that may be accessed. The Title IX Coordinator maintains a list of organizations available and applicable fees that may be part of the process.

## **Institutional Disciplinary Procedures**

### **Institutional Disciplinary Process**

1. Receive a written warning specifying the nature of the issue and the conditions of continual enrollment.
2. If the violation is repeated, the students will be asked to attend, an “Administration Hearing” held by the College’s President’s Cabinet. The student’s behavior and the file will be reviewed with the student present at this meeting.
3. The President’s Cabinet will make the decision. Since the President is a part of the cabinet, its decision is final.
4. A designated President’s Cabinet member will give the students a written letter, which will communicate the Committee’s decision.

### **Disciplinary Actions**

Disciplinary actions include but are not limited to:

Social privileges (to an individual or group) may be forfeited for a specified period of time.

Examples of social privileges:

- Intramural sports
- Dating
- Worship Team
- Class functions, mixed groups, use of student lounge, and free weekends
- Free time out of your room.

Community Service (On Campus Work)

A student may be assigned a specific number of hours to work in an assigned campus department.

- Work is to be completed within two weeks of when the assignment is given. It is the student's responsibility to contact the assigned campus department and make arrangements to work his/her hours.
- The Deans Office and the appropriate supervisor will monitor work hours.
- Additional time may be added for failure to complete work within the time allotted.
- Community service is not deducted from SOS hours.

Restitution

- The student is required to make restitution for damage to, or misappropriation of property.
- Restitution may take the form of appropriate service to repair or compensate for damages

In cases of sexual harassment and misconduct, Elim Bible Institute and College will provide, in writing, to the victim an explanation of their rights and options, whether the offense occurred on or off campus.

Acts, such as dating violence, domestic violence, and stalking, whether sexually based or not, can also be forms of sex-based discrimination and therefore prohibited.

Sexual harassment/sexual misconduct:

1. Any sexual act that occurs without the consent of the victim, or that occurs when the victim is unable to give consent;
2. Obscene or indecent behavior, which includes, but is not limited to, exposure of one's sexual organs or the display of sexual behavior that would reasonably be offensive to others;
3. Conduct of a sexual nature that creates an intimidating, hostile or offensive campus, educational or working environment for another person. This includes unwanted, unwelcome, or inappropriate sexual or gender- based activities or comments.
4. Retaliation against any person for filing a complaint about harassment, or for making a request that harassment conduct stop, or for assisting a person with a harassment complaint.

### **Standard of Evidence for Institutional Disciplinary Process**

Victims have the right to pursue adjudication of crimes that occur on the campus through criminal courts and/or through the College's internal disciplinary process. The burden of proof in all cases adjudicated by the College is "preponderance of the evidence" – whether it is "more likely than not" that the sex discrimination, dating violence, domestic violence, sexual assault, or stalking occurred.

### **Discipline Sanctions**

The following are the possible discipline sanctions applied after a disciplinary process.

#### **Social Probation and Restriction (Discipline sanctions)**

Social privileges (to an individual or group) may be forfeited for a specified period of time. Examples of social privileges:

- Intramural sports
- Dating
- Worship Team
- Class functions, mixed groups, use of student lounge, free weekends, and free time out of your room.

### **Disciplinary Probation**

Such probation implies that the offense was of a serious nature.

- The length of the probationary period will be defined in writing for each case.
- When on disciplinary probation, a student is not eligible to participate in student leadership positions,
  - E.g., student council, worship team, serving as an RA, or ministry team leadership.
- Disciplinary probation may also prohibit participation in internship ministry.
- A student on disciplinary probation who is involved in any disciplinary difficulties during the time of probation is liable to immediate dismissal.

Also, where the offense charged is sexual abuse or forcible touching, any circumstances, in addition to forcible compulsion or incapacity to consent, in which the victim does not expressly or impliedly acquiesce in the actor's conduct. Where the offense charged is rape in the third degree, criminal sexual act in the third degree, or forcible compulsion in circumstances under which, at the time of the act of intercourse, oral sexual conduct or anal sexual conduct, the victim clearly expressed that he or she did not consent to engage in such act, and a reasonable person in the actor's situation would have understood such person's words and acts as an expression of lack of consent to such act under all the circumstances. A person is incapable of consent when he or she is: less than 17 years old; or mentally disabled; or mentally incapacitated; or physically helpless; or committed to the care and custody of the state department of correctional services, a hospital, the Office of Children and Family Services and is in residential care, or the other person is a resident or inpatient of a residential facility operated by the Office of Mental Health, the Office for People with Developmental Disabilities, or the Office of Alcoholism and Substance Abuse Services, and the actor is an employee, not married to such person, who knows or reasonably should know that such person is committed to the care and custody of such department or hospital.

Following a final determination of an institutional disciplinary procedure for cases of rape, acquaintance rape, dating violence, domestic violence, sexual assault, or stalking, the following sanctions or protective measures may be imposed: reprimand, disciplinary probation, fines, restitution, discretionary sanctions, suspension, expulsion from the institution, and termination of employment status whether or not formal charges are brought against them. An individual charged with sexual misconduct will be subject to college disciplinary procedures whether or not prosecution under New York State Criminal Statutes is pending. The College will make every effort to be responsive and sensitive to the victims of these serious crimes. Protection of the

victim and prevention of continued trauma is the College's priority. Assistance for any personal or academic concerns will be reviewed and options provided.

Institutional disciplinary procedures in cases of domestic violence, dating violence, sexual assault, and stalking will provide a fair, prompt, and impartial process from investigation to final result. The investigation and any hearing will be conducted by those who receive annual training on issues related to domestic violence, dating violence, sexual assault, and stalking.

**Step One** - If a complainant elects to have the matter dealt with in an informal manner, he/she may discuss the matter with the Dean of Students, Title IX Coordinator, or Resident Life Director. This individual will attempt to reasonably resolve the problem to the mutual satisfaction of the parties involved. If an individual files a complaint, the Safety Director in cooperation with the Dean of Students office and Title IX Coordinator will, within 24 business days, review all relevant information, interview pertinent witnesses, and bring together the complainant and the accused party, if necessary. Mediation will not be used in cases of sexual violence. If a resolution satisfactory to both the complainant and the accused party is reached; the case will be closed and both complainant and accused party will be given a written statement of the outcome within 10 business days of when the agreement was reached. If the complaint is not resolved to the mutual satisfaction of the complainant and the accused party within 24 calendar days from the filing of the complaint, the complainant will be notified of that fact. The Title IX Coordinator in conjunction with the Dean of Students office will discuss the matter with the complainant and advise on his/her right to proceed to Step Three or to pursue other options. The time limits above may be extended by mutual agreement of the complainant and accused party with the approval of the Title IX Coordinator and Dean of Students office. At any time after beginning with Step Two, if desired, the complainant may elect to proceed directly to the formal resolution process outlined in Step Three.

**Step Two** - A student may submit a formal written complaint to the Dean's Department or the Title IX Coordinator. A written complaint should include the name, address, telephone number and class year of the reporting student; a detailed description of the conduct that the reporting party alleges to be discriminatory; name(s) and contact information of the person against whom the complaint is made (or, if the alleged discrimination involves a department or unit rather than an individual, a representative of that department/unit); and the name(s) and contact information of witnesses (if any). The reporting party should make every effort to submit the written complaint within thirty (30) business days of the alleged conduct. The complainant will discuss the incident with a representative of the office where the complaint was submitted or with the Dean of Students or Title IX Coordinator. The complainant's options will be discussed.

**Step Three** - The Safety Director with cooperation from the Dean of Students, Title IX Coordinator, and Executive Vice President will investigate the complaint. Depending on the nature of the allegations, the investigation could include interviews with the reporting party, the accused individual (or, if the alleged discrimination involves a department or unit rather than an individual, with a representative of that department/unit), and/or witnesses; review of written documentation and relevant policies; and any other steps necessary to thoroughly investigate the allegations. The Executive Vice President and other parties involved will make every effort to conclude the investigation and hold a judicial hearing (if necessary) within thirty (30) business days. If the investigation cannot be completed in that time period, the reporting party will be contacted and provided with a time frame in which the investigation will be completed. At the

conclusion of the investigation, the Safety Director or Dean of Students will notify the complainant and accused party of the outcome in writing.

**Step Four - (Appeal)** If the complainant or accused party is not satisfied with outcome of the Step Three decision, he/she may proceed with an appeal within four (4) business days of receipt of the Step Three decision by submitting a formal appeal and any additional information to the President (or his/her designee). An appeal is only permissible on the following grounds: 1) A procedural defect in the process had a significant effect on the outcome, and/or 2) The discovery of new information which was unknown or unavailable at the time of the hearing and would have a significant effect on the outcome. The non-requesting party will receive notice of the appeal and may submit either his or her own appeal or a statement in support of the outcome of the hearing within four business days of notification. During that time, the appealing party may submit additional information or revise his/her appeal. The President's Cabinet will consider the appeals and/or statement of support together. The office of the President (or his/her designee) will issue a written decision within four (4) business days of his/her receipt of the appeal(s) and/or statement of support. In reviewing the matter, the President's Cabinet (or his/her designee) shall have access to any information necessary to reach a decision regarding the appeal. The decision of the appeal is final.

**General Information:** The time limits above are subject to modification on a case-by-case basis due to operational requirements, travel away from campus, school breaks, in-depth investigations, etc. Participants may also request an extension from the College, which should be granted if it will not unduly prejudice the rights of the other party.

## Sex Offender Registry

The Campus Sex Crimes Prevention Act of 2000 is a federal law that requires institutions of higher education to advise the campus community where information concerning registered sex offenders may be obtained. It also requires sex offenders, already required by state law to register in a state, to provide public notice to each institution of higher education in that state, at which the person is employed, carries on a vocation, or is a student. The New York State Division of Criminal Justice Services (DCJS) maintains a Sex Offender Registry. Sex offenders are classified according to their risk of re-offending: low-risk (Level 1), moderate risk (Level 2) and high-risk (Level 3). DCJS also maintains a public subdirectory on the internet which only includes Level 2 and 3 offenders. You may access the sex offender registry at [http://www.criminaljustice.ny.gov/SomsSUBDirectory/search\\_index.jsp](http://www.criminaljustice.ny.gov/SomsSUBDirectory/search_index.jsp)

## Disclosures to Alleged Victim of Crime of Violence or Non-Forcible Sex Offenses

Elim Bible Institute and College will, upon written request, disclose to the alleged victim of a crime of violence, or a non-forcible sex offense, the results of any disciplinary hearing conducted by the college against the student who is the alleged perpetrator of the crime or offense. If the alleged victim is deceased as a result of the crime or offense, Elim Bible Institute and College will provide the results of the disciplinary hearing to the victim's next of kin, if so requested.

## Emergency Response and Evacuation Procedure

EBIC campus community is notified on an annual basis that they are required to notify the Safety Committee of any situation or incident on campus that involves a significant

emergency or dangerous situation that may involve an immediate or ongoing threat to the health and safety of students and/or employees on campus. The Safety Committee has the responsibility of responding to, and summoning the necessary resources, to mitigate, investigate, and document any situation that may cause a significant emergency or dangerous situation. In addition, the Safety Committee has a responsibility to respond to such incidents to determine if the situation does in fact, pose a threat to the community. If that is the case, Federal Law requires that Elim immediately notify the campus community or the appropriate segments of the community that may be affected by the situation.

When the Safety Committee receives information concerning an emergency or dangerous situation, the Safety Committee will determine whether the situation does in fact pose an immediate threat to the health and or safety of some or all members of the EBIC campus community. If the threat is confirmed, the Safety Committee will immediately use some or all of its notification systems (describe below) to communicate the threat to the Elim community or to the appropriate segment of the campus. The Safety Committee determines the content of such notifications.

Initiating the notification system will not occur if a notification will, in the judgement of the first responders (including, but not limited to: Safety Committee, Livingston County Police Department and/or Lima Fire and Emergency Medical Services), compromise the efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

Elim Bible Institute and College is committed to ensuring the campus community receives timely, accurate, and useful information in the event of a significant emergency or dangerous situation on campus or in the local area that poses an immediate threat to the health and safety of campus community members. Possible forms of communication include:

- E-mail Messaging
- Fire Alarms
- Bulletins posted on building entrances and exits etc.
- Elim Bible Institute and College website
- The Emergency Notification System in Populi.

In order to receive emergency notification messages on your cell phone:

First, log in to Populi, then click the "Settings" link in the upper right corner of your Populi page.

1. Next, click the "Notifications" tab, select your carrier, and enter your phone number.



2. Click the "Send Verification Code" button.

General Notifications

**SMS notification number**

Enter a phone number where you'd like to receive SMS notifications and click "Send Verification Code".

AT&T Wireless 5558923366 Send Verification Code

Carrier not on the list? Contact [support@populiweb.com](mailto:support@populiweb.com).

3. You will receive a text message from Populi on your cell phone with a verification code. Enter this code on your Populi screen.
4. That's it! You will now be able to receive Emergency SMS text messages on your cell phone. Your mobile number will show up on your Populi information page with an "SMS" icon next to it.

Elim Bible Institute and College, initiated by the Safety Director, performs a College-wide annual test of this system and other security procedures which may be announced or unannounced.

A campus wide e-mail is sent, explaining our emergency response and evacuation procedures in conjunction with the annual test. Upon completion of these tests the documentation of the results along with a description of the exercise, the date the test was held, the time the test started and ended, and whether the test was announced or unannounced will be recorded.

## Notification of Missing Student

If a member of the Campus community has reason to believe that a student who resides in on-campus housing is missing, he or she should immediately notify the Safety Committee at (585) 355-1428. The Safety Committee will generate a missing person report and initiate an investigation. After investigating the missing person report, should the Safety Committee determine that the student has been missing for more than 24 hours the Safety Committee will notify local law enforcement and the student's emergency contact as soon as practical but no later than 24 hours after the student is determined to be missing. Unless the local law enforcement agency was the entity that made the determination that the student is missing.

If the missing student is under the age of 18 and is not an emancipated individual, the Safety Committee will also notify the student's parent or legal guardian as soon as practical and no later than 24 hours after the student is determined to be missing. Students will be informed of this option at the New Student Orientation at the beginning of each fall and spring semester.

In addition to registering a general emergency contact, students residing in on-campus housing have the option to identify confidentially an individual to be contacted by the Safety Committee in the event the student is determined to be missing for more than 24 hours. If a student has identified such an individual, the Safety Committee will notify that individual no later than 24 hours after the student is determined to be missing.

A student who wishes to identify a confidential contact may do so at the Safety Director's office. A student's confidential contact information will be accessible only by authorized campus officials and law enforcement in the course of the investigation.

### Prohibition on Retaliation

In order to protect the individual for exercising their rights or responsibilities in regards to reporting, Elim Bible Institute and College's officers, employees, or agents (unless it has been already decided by the leadership of the school) will seek advice from higher hierarchy officers, employees or agents to aid in the prevention of retaliation against any person for filing a complaint about harassment, or for making a request that harassment conduct stop, or for assisting a person with a harassment complaint.

### Improvements made

1. Put a new lock on the front door of the Watson women's dorm.

## Crime Statistics

Offense	On-Campus			Public			On-Campus Student Housing Facilities		
	2017	2018	2019	2017	2018	2019	2017	2018	2019
Murder/Non-Negligent	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	1	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0
Arrest for Drugs	0	0	0	0	0	0	0	0	0
Arrest for Alcohol	0	0	0	0	0	0	0	0	0
Arrest for Weapons	0	0	0	0	0	0	0	0	0
Referrals for Drugs	0	0	0	0	0	0	0	0	0
Referrals for Alcohol	0	0	0	0	0	0	0	0	0
Referrals for Weapons	0	0	0	0	0	0	0	0	0

### Hate Crimes

There were no reported hate crimes for the years 2017, 2018, or 2019.