

2019 Campus Safety and Security Report

(includes statistics for the 2018 Calendar Year)

10.01.2019



Webb Institute

2019 CAMPUS SAFETY AND SECURITY REPORT

(reporting statistics for the 2018 Calendar Year)

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In compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, Webb Institute publishes and makes available to any prospective student, current student, or employee a copy of Webb's annual Campus Safety and Security Report.

The Student Right to Know and Campus Security Act was signed into law in November 1990. Title II of this act was known as the Crime Awareness and Security Act. It requires institutions participating in the student financial aid program under Title IV of the Higher Education Act of 1965 to disclose information about campus safety policies and procedures, and to provide statistics concerning certain crimes that occur on campus. It was amended and renamed the Jeanne Clery Act in October 1998. In March 2013, the Violence Against Women Reauthorization Act of 2013 (VAWA) was signed into law. These changes require institutions to also disclose statistics, policies and programs related to dating violence, domestic violence, sexual assault and stalking among other changes. In compliance with the act, the Public Safety Department publishes and distributes this information by October 1st of each year.

Webb Institute's annual Safety, Security & Fire Report includes statistics for the previous three years concerning reported crimes and violations of Webb policy that occurred on campus and on public property within or immediately adjacent to and accessible from the campus. The report also includes institutional policies concerning campus safety and security, reporting of crimes, safety notification procedures, crime prevention and educational programs and policies concerning alcohol and drug use, sexual misconduct, Title IX violations or complaints, etc. The procedures for preparing the annual disclosure of crime statistics to the college community are obtained from the Assessment and Care Team, Director of Facilities and Security, and from the Student Honor Council and Student Court. A written request for criminal statistics on the Webb campus and in the adjacent areas is made on an annual basis to the Glen Cove Police Department as well, which is also reported in Webb's annual Safety and Security Report. For statistical purposes, crime statistics reported to any of these sources are recorded in the calendar year the crime was reported.

A copy of this report can be found at <https://www.webb.edu/campus-safety-security/> or a copy can be requested by reaching out to the Office of Admissions and Student Affairs at (516) 671-8355 or admissions@webb.edu. For a paper copy, a request can be made in writing to:

Webb Institute
Office of Admissions and Student Affairs
295 Crescent Beach Road
Glen Cove, NY 11542

GEOGRAPHY:

The Clery Act requires that the crimes reported be divided into the following geographical categories:

On-Campus Property: Includes crimes that occur on Webb Institute's 26-acre campus located at 298 Crescent Beach Road, Glen Cove, NY 11542. This includes crimes occurring both on campus and within on-campus student housing facilities. The campus includes the following buildings and fields:

- Stevenson Taylor Hall and Livingston Library
(Academic Facility, Library Residence Hall, Dining Hall, Pub)
- Motley Hall (Residence Hall)
- Robinson Model Basin (Academic Facility, Residence Hall)
- Luckenbach Building (Academic Facility)
- Carpenter Shop, Machine Shop, & Haeberle Lab
(Academic Facilities)
- Student Garage
- Alumni Gym
- Thorpe Athletic Field and Webb Tennis Courts
- Yacht Club and Boat Garage
- The White House, The Asst Dir of Student Affairs and
Residence Life Apartment, The Director of Facilities
and Security House & the President's House (Staff
Housing)
- Maintenance Garage

On-Campus Student Housing Facilities: Includes crimes only occurring in student housing facilities on the Webb Institute campus in Glen Cove, NY. The student housing facilities include Motley Hall, in the following areas of Stevenson Taylor Hall—the main hallway of main deck, the upper two decks excluding the classrooms, and the staircases that lead to the upper two decks of Stevenson Taylor Hall, and the following areas of Robinson Model Basin—the entryway, stairs and second floor.

Public Property: Crimes occurring on public property immediately adjacent to and accessible from the Webb Institute campus in Glen Cove, NY. Public Property that is immediately adjacent to and accessible from the Webb campus includes the property up to Crescent Beach Road and Welwyn Preserve. The map to the right indicates the area included in the Campus Safety and Security Report.



WEBB'S CAMPUS SECURITY AUTHORITIES:

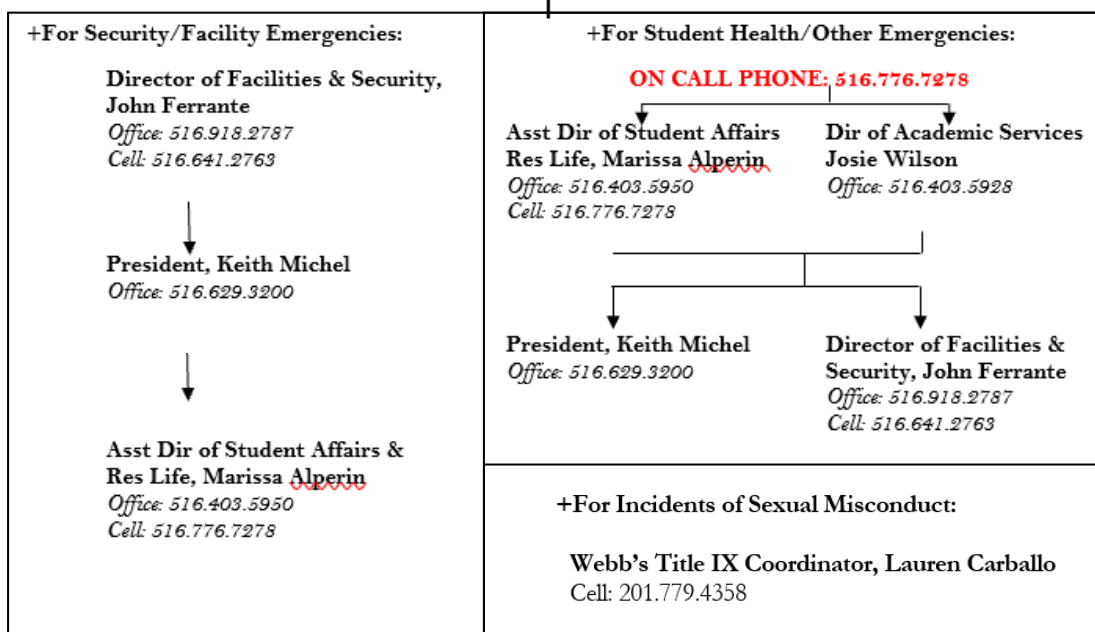
Webb Institute currently has no Campus Police. The Officer of the Day (O.D.), which is a student position, manages the front desk from 7:00 AM until 10:00 PM (excluding class and meal times), and security officers (both those hired internally by Webb and those employed by Allied University, a third-party party provider that organizes on-site professional security) manage the front desk from 10:00 PM until 7:00 AM. The O.D. and security officers are provided with emergency response protocol in case of an emergency. Neither the O.D. nor the security officers have enforcement authority. Together Webb's Emergency Response Team (ERT) and Assessment and Care Team (ACT), as detailed below are responsible for providing guidance, ongoing education and/or training for the safety of the community; discussing community members of concern and intervening when necessary, including referrals to medical and mental health professionals as needed; creating an inclusive environment in which students, staff, faculty and guests are treated fairly and with respect; and managing emergency situations. More information can be found in **Webb's Security/Security Protocol and Emergency Response Handbook**.

WEBB'S EMERGENCY RESPONSE TEAM (ERT):

In case of a Security, Facilities or Student Health emergency, a member of Webb's Emergency Response Team (ERT), which consists of the President, the Director of Facilities and Security, the Office of Admissions and Student Affairs, the Director of Academic Services, and the Dean should be notified. Everyone is encouraged to immediately contact a member of the ERT any time there is an emergency and/or a community member believes they need assistance, and an Emergency Service Provider (e.g., Police Department, Fire Department, etc.) if needed. The residential, on-call ERT members are trained in basic first aid, CPR, and AED use. A member of the ERT also serves as the liaison to any Emergency Service providers.

Webb's Emergency Reponse Team Phone Chart:

FOR CRITICAL EMERGENCIES, CALL 911 (or other Emergency Service Provider) FROM LANDLINE* FIRST



Other members of the ERT who are available by phone in case of an emergency (but who do not reside on campus) include:

Dean Matthew Werner (Office: 516.403.5924) &
Dir of Admissions and Student Affairs Lauren Carballo (Office: 516.403.5900)

Once a member of the ERT is notified, the college administrator will assess the situation and take immediate action. If need be, the administrator will contact local authorities or other emergency service providers. All reporting of incidents to local authorities if needed will be prompt and accurate.

WEBB'S ASSESSMENT AND CARE TEAM (ACT):

The missions of Webb's Assessment and Care Team (ACT) is to identify, assess, and manage situations that pose, or may potentially pose a threat to the safety and/or well-being of any member(s) of the campus community, or the campus community as a whole. The ACT is a multidisciplinary team that meets weekly to establish policies that provide guidance for the safety of the community; to provide ongoing education or training to the community; to discuss community members of concern and intervene when necessary, including referrals to medical and mental health professionals as needed; to create an inclusive environment in which students, staff, faculty and guests are treated fairly and with respect; and to assist the Emergency Response Team in managing emergency situations.

ACT members include the Dean, members of the Office of Admissions and Student Affairs, the Director of Academic Services, the Director of Facilities and Security, and the Webb Psychologist (Office: 516.403.5395).

RESPONSIBILITY TO REPORT CRIMINAL OR SUSPICIOUS ACTIVITY:

Community Responsibility for Reporting All Criminal or Suspicious Activity:

Campus emergency prevention depends on the Webb Community noticing and reporting potentially worrisome behaviors and situations to the ACT before they result in harm. A person or situation that receives help sooner may be less likely to experience more severe symptoms or cause harm to his/herself or others later. To do so, contact

any member of Webb's Assessment and Care Team to share any concerns, big or small about a member of Webb's community.

In emergency situations, the ERT is responsible for keeping the members of the Webb community safe. This includes assessing the situation and taking immediate action, which may include contacting local authorities or other emergency response providers if needed.

Threats and Violence to Community Members:

Threats or violent behavior of any kind expressed to a community member or visitor will not be tolerated. Any individual who makes substantial threats, exhibits threatening behavior, or engages in violent acts will be removed from the premises as quickly as safety permits and will remain off the property pending the outcome of an investigation.

RESPONSIBILITY TO REPORT CRIMINAL OR SUSPICIOUS ACTIVITY:

The ERT and ACT will request law enforcement services and/or other emergency services when needed. All complaints, regardless of law enforcement involvement, will be investigated, and any violations of law or Webb policy can result in the filing of criminal charges and/or referral to the appropriate campus office or organization (i.e., Office of Admissions and Student Affairs, Dean, Honor Council, Student Court, etc.) Webb will support any reports to law enforcement and will make all attempts to document the incident, even if a report is not made to law enforcement. In certain cases, investigations may be carried out in conjunction with local, state, or federal law enforcement agencies.

Reports to the Police:

In any situation that requires assistance beyond what Webb provides, community members are encouraged to contact the Police by dialing 911. Please note that due to Webb's location, in order to immediately connect to the Glen Cove Police Department, community members are encouraged to dial 911 from a landline or to make sure that their Emergency Address on their cell phone is updated to Webb's address.

Reports to the Emergency Response Team (ERT):

To report any emergencies relating to safety and security on campus and/or the health and wellness of the Webb community, community members are encouraged to contact any member of Webb's Assessment and Care Team by stopping by their offices, phone or email. Webb's security guards are responsible for filing out incident reports and contacting a member of Webb's ERT. Any crimes are required to be added to Webb's Crime Log.

Reports to the Assessment and Care Team (ACT):

To report any concerns relating to safety and security on campus and/or the health and wellness of the Webb community, students are encouraged to contact any member of Webb's Assessment and Care Team by stopping by their offices, by phone or by email.

Anonymous Reports to the Assessment and Care Team (ACT):

There may be occasions, however, when a community member feels uncomfortable alerting administration about a fellow community member's behavior. Although Webb prefers to converse directly with the reporting party whenever possible, Webb acknowledges the fact that some may wish to leave information anonymous for a variety of reasons. For these situations, community members are encouraged to make an anonymous report using Webb's [Anonymous Report Form](#) to report to the ACT. For any concerns that fall under Title IX (e.g., sexual misconduct, dating violence, stalking, etc.), community members are encouraged to use [Webb's Title IX Anonymous Report Form](#).

Employee Reports:

In the event of workplace concerns, employees may report directly to the Director of Human Resources.

CAMPUS and BUILDING SECURITY:

Campus and Building Security:

Most campus buildings and facilities are accessible to members of the community as well as guests and visitors during normal business hours, Mondays through Fridays, and during designated hours on Saturdays and Sundays during the school year (excluding holiday periods). Exterior doors of all buildings except for Stevenson Taylor Hall are locked 24-hours a day, with Stevenson Taylor Hall being locked outside of normal business hours. The gates surrounding campus, with the exception of the front gate, are locked during the academic year, and all gates are locked outside of business hours during the summers.

Keypads control access to all campus buildings. Guests and visitors who wish to enter any locked building should call their hosts for access, and the keycodes should not be shared under any circumstances with non-students. The Office of Admissions and Student Affairs and the Department of Facilities and Security are involved in decisions regarding maintenance and security of campus facilities and should be contacted with questions regarding this area.

Security Cameras:

Trained security personnel and select members of the Emergency Response Team and Assessment and Care Team are provided with access to Webb's Security Cameras, housed by Digital Watch Dogs. The cameras record 24/7 and assist Webb in monitoring and investigating and public safety issues occurring on campus. They are monitored sporadically throughout the day.

Repairs to the Webb Institute Campus:

Community members are encouraged to report all security related repairs (i.e., broken locks, doors, lights out, etc.) to the Director of Facilities and Security. Repairs may be made by Facilities and Security personnel or by certified service vendors in an attempt to address concerns in a timely manner. Webb's Emergency Response Team should be notified of an immediately safety/security concern.

Webb Vans:

Webb allows students who obtain certified driver training, the use of Webb passenger vans for Webb-related activities. Limitations are placed on the use, time, and destination in order to make the services available to the majority of community members. All vans are equipped with safety features and includes a Wi-Fi speed tracker, which is monitored by the Director of Facilities and Security. Driving violations such as Driving Under the Influence, excessive speeding, etc. and/or restrictions placed on community members' licenses can lead to van access suspension or removal.

MEDICAL EMERGENCIES and FIRST AID:

Medical Closet and First Aid Kits:

First Aid kits are located in the front of each laboratory and in Stevenson Taylor Hall. Each first aid kit is supplied with basic first aid supplies to handle minor injuries. Webb's Medical Closet, which is available to students 24/7, is also located in Stevenson Taylor Hall and has additional supplies.

Automated External Defibrillators (AEDs):

AEDs are located in the Medical Closet in Stevenson Taylor Hall, in Robinson Model Tank, in Haerberle Labs and at the Yacht Club. The AEDs are tested monthly and all Emergency Response Team and Assessment and Care Team members are trained in AED use.

Student Medical Records:

Student Medical Files, which include student medical and immunizations records, copies of student insurance cards, and emergency contact information, are kept by the Assistant Director of Student Affairs and Residence Life. The Assistant Director can make medical appointments for the students at Dr. Brenda Gomez's practice or other practitioner/specialist. Members of the ERT and ACT have access to these files, which are referred to in an emergency.

FIRE SAFETY:

Webb Institute is covered by a fire alarm system that provides the residence halls with automated fire prevention systems that are monitored 24 hours a day. All Webb buildings are equipped with fire pull-boxes, alarms, and emergency lighting. All main campus building fire alarm systems are connected to Webb's emergency generator and will operate life safety systems including all fire safety equipment. Students are asked to contact the Director of Facilities and Security when an alarm sounds to inspect the property, and if necessary, notify the Glen Cove Fire Department in the event of a fire emergency. Webb maintains a Fire Safety Log.

Testing:

All fire and carbon monoxide detection systems, fire extinguishers and fire hydrants are tested as outlined by the designated state and local law as well as college insurance.

Fire Prevention:

All students at Webb receive basic fire evacuation training at the beginning of each semester for all residence hall buildings. The county and state fire marshals make unannounced inspections of the campus throughout the year. Webb's insurance company inspects the campus as well on, at a minimum, an annual basis.

In the event that a pulled alarm box or activation of the alarm system is determined to be malicious, disciplinary action may be taken, including losing Webb's full-tuition scholarship, or suspension or expulsion from Webb. Violators may also be reported to Glen Cove Police Department for possible criminal prosecution.

When the Fire Alarm sounds in the dorm buildings, the Glen Cove Fire Department is automatically notified. Webb upgrades security and safety systems during scheduled construction and renovation projects and allocates funding for the installation or upgrade of the existing systems as determined necessary.

CAMPUS EMERGENCY NOTIFICATION AND PREPAREDNESS:**Emergency Notification Response System:**

Webb has partnered with Rave Mobile Safety to provide the Webb community with on-demand emergency notification and response. In the event of an emergency that may impact the community, a notification will be sent both by text messages and email. The emergency contact information is imported using Webb's Emergency Contact Form and the system is tested annually at the beginning of the school year. Webb will, without delay and while 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. This system will provide information about the nature of the emergency, what to do, and where to get additional details. Emergency updates and further information will be provided through the same ENR system, email (webb.edu) and other methods as needed.

Timely Warning Policy:

The ERT is responsible for issuing timely warnings in compliance with the Jeanne Clery Act, 20 U.S.C. A timely warning is defined as what is considered by the institution to represent a serious or continuing threat to students and employees. Timely Warning Notices are usually distributed for the following classifications: arson, criminal

homicide, and robbery. Cases of aggravated assault and sex offenses are considered on a case-by-case basis, depending on the facts of the case and the information known by campus officials. Accordingly, the ERT and ACT will continuously and diligently work and coordinate with the Glen Cove Police Department and other law enforcement agencies to address exigent public safety concerns. Anyone with information warranting a timely warning should report the circumstances to the Public Safety Department. The decision to issue a timely warning shall be decided on a case-by-case basis in compliance with the Clery Act and will consider all available facts. The timing of the notification shall be based upon whether the crime is considered a serious or continuing threat to students or employees and the possible risk of compromising law enforcement efforts.

Timely Warning Procedure

When determining if a timely warning should be issued, appropriate college officials will communicate promptly to the ERT to assess the information and establish the most appropriate means of communication while at the same time considering ongoing law enforcement efforts. This may include taking one or more appropriate steps to ensure timely notification: Emergency Notification System (RAVE mobile), issue an email to the community of the timely warning notice, organize a school assembly, utilize the college website and social media sources and distribute fliers around campus as necessary. Such warnings may include but are not limited to the following: description of what occurred, type of crime, date, time, location of the incident and suspect description.

Threat Levels and Notification:

Webb's goal during any concerning situation that may arise is to preserve life, property, and the continuity of campus operations, and to ensure the effective management and coordination of Webb's resource in preparing for and responding to these situations. Webb has determined a response plan based on the level of the situations that arise, as follows:

Level 1: Administrative Notification

-The ACT and/or ERT will manage any situations and provide updates to the community as needed through personal contact, school-wide assemblies, email, website, and/or postings.

Level 2: Monitor / Standby

-The ACT and/or ERT will monitor any situations that have the potential to be a threat to the community and will manage or provide updates regarding the situation to the community as needed through Webb's Emergency Notification System (RAVE Mobile Safety). personal contact, school-wide assemblies, email, website, and/or postings.

Level 3: Alert

-The ERT will alert and update the community as needed through Webb's Emergency Notification System (RAVE Mobile Safety). If an evacuation is needed, instructions will be included in the emergency notification.

Level 4: Emergency

-In the event of a major emergency which may involve the entire campus community and potentially the surrounding community, which is typically beyond the emergency response capabilities of campus resources, emergency service providers will be called for assistance. The ERT will alert and update the community through Webb's Emergency Notification System (RAVE Mobile Safety). If an evacuation is needed, instructions will be included in the emergency notification.

CRIME PREVENTION INFORMATION:

New Student and Family Orientation:

During Orientation, all freshmen are provided with mandatory educational sessions regarding Title IX, substance use and abuse, and Webb's safety and emergency protocol. Freshman families are also made aware of Webb's safety and emergency protocol at the Parent Orientation session, and are provided with a list of emergency numbers they can contact.

Annual Education:

Annually, Webb offers a Title IX presentation as well as a mandatory presentation addressing substance use and abuse to the Webb community. Additional optional educational sessions, which have been made available to the campus community in the areas safety and security include CPR/AED certification, NARCAN training and Stop the Bleed Training. Other educational opportunities are organized as needed.

Student Leadership:

During Leadership Week, the student leadership is reminded of Webb's safety and emergency protocol. The top 7 meet monthly with the Webb President, Dean and Director of Admissions and Student Affairs, at which time any safety and emergency protocol concerns can be discussed. Webb also has a Title IX advisory that meets monthly as well as an Alcohol and Other Drugs Committee that meets twice per semester. Areas of concern from both the student side and administrative side in these areas can be addressed during these advisory/committee meetings.

Safety and Security Protocol and Emergency Response Handbook:

Webb's Safety and Security Protocol and Emergency Response Handbook, which is part of Webb's Student Handbook is updated annually and posted to Webb's wiki page, which is easily accessible by all Webb community members. Any changes or bulletins pertaining to campus security throughout the academic year are distributed as needed by email.

Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act:

In compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, Webb Institute publishes and makes available to any prospective student, current student, or employee a copy of Webb's annual Safety, Security and Fire Report, which is posted on <http://www.webb.edu/campus-safety-security/>

SEX OFFENDER REGISTRATION:

In accordance with the "Campus Sex Crimes Prevention Act" of 2000, which amends the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, the Jeanne Clery Act and the Family Educational Rights and Privacy Act of 1974, Webb is providing a link to the [New York state Division of Criminal Justice Service site](#). This act requires institutions of higher education to issue a statement advising the campus community where law enforcement information provided by a State concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a State to provide notice of each institution of higher education in that State at which the person is employed, carries a vocation, or is a student.

All sex offenders registered in New York are required to notify the registry of any institution of higher education at which they are expected to be, whether for compensation or not, enrolled, attending or employed, and whether they reside or expect to reside in a facility operated by the institution. In New York, when released to the community after conviction for a registerable offense, a sex offender is required to register with the Division of Criminal Justice Services. Level 1 offenders must register for a minimum of twenty years; level 2 and 3 offenders must register for life. By law only information about higher-risk offenders (levels 2 and 3) is available on-line.

MISSING STUDENTS:

The purpose of this protocol is to establish procedures for the College's response to reports of missing students. This protocol applies to a student who resides in campus housing and is determined through a third-party report to be a "missing person." For purposes of this protocol, a student may be considered to be a missing person if the person's absence is contrary to his/her usual pattern of behavior and unusual circumstances may have caused the absence. Such circumstances could include, but not be limited to, a report or suspicion that the missing person may

be the victim of foul play, has expressed suicidal thoughts, is drug dependent, is in a life-threatening situation, or has been with persons who may endanger the student's welfare. In accordance with recently enacted New York State legislation, S. 2862 (Chapter 22 Laws of 1999), governing Independent Colleges and Universities, it shall be the policy of Webb Institute, as approved by the Board of Trustees, to turn over investigation of reports of missing students to the Glen Cove Police Department. This protocol does not impose any obligation upon Webb to continuously "check" on the whereabouts of any student.

Protocol:

If a student is determined to be a missing person, the ERT and ACT will work together to ensure that appropriate members of the campus community, parents and law enforcement are notified, and resources and services are effectively used. Anyone in the Webb community wishing to report a missing student should contact a member of the ERT or ACT immediately. A student is determined to be missing when a report comes to the attention of any of the administrators and Webb determines the report to be credible. The Administrator in charge and other necessary Webb officials will immediately initiate an investigation and obtain as much information as possible by contacting and interviewing or notifying witnesses, the student's confidential contact, the student's emergency contact (if the student's confidential contact is unavailable), and/or custodial parent.

Procedures for Designation of Emergency Contact Information:

Students age 18 and above, Emancipated Minors and Those Who Have Not Identified a Contact Person

Students will be given the opportunity during each year to designate an individual or individuals to be contacted by Webb no more than 24 hours after the time that the student is determined to be missing in accordance with the procedures set forth below. A designation will remain in effect until changed or revoked by the student. All contact information provided by the student will be registered confidentially. This information will be accessible only to authorized campus officials and it may not be disclosed, except to law enforcement personnel in furtherance of a missing person investigation.

Students Under the Age of 18

In the event a student who is not emancipated is determined to be missing pursuant to the procedures set forth below, the College shall notify a custodial parent or guardian no more than 24 hours after the student is determined to be missing in accordance with the procedures set forth below.

Timeframes for Reporting to Emergency Contacts, Parents or Spouse

The above stated time frames shall be accelerated under appropriate circumstances. If foul play is suspected, contact should be made as soon as sufficient information has been confirmed. Such contact shall be made by the President, Dean or Director of Admissions and Student Affairs or the Director of Facilities and Security. Name and phone numbers should be left with the parents.

Notification Procedures for a Missing Student:

A missing person report may be initiated by any member of the campus community or by a third party. The ERT and ACT should be notified immediately of such a report. The ERT will gather all essential information about the missing student from the reporting person and from the student's acquaintances: description, clothes last worn, where the student might be, who the student might be with, vehicle description/license and information about the student's physical and mental wellbeing. Appropriate campus staff will be notified to aid in the search for the student, and arrangements for the parents to come to campus should be made, if necessary.

Communication About Missing Student:

In cases involving a missing student, law enforcement personnel are best situated to provide information to the media that is designed to elicit public assistance in the search for a missing person. Therefore, all communications regarding a missing student will be handled by the Director of Communications and Media Relations in consultation with the President, Dean, the Director of Admissions and Student Affairs, and outside law enforcement authorities. Prior to providing Webb community with any information about a missing student, external law enforcement authorities shall be consulted to ensure that communications do not hinder the investigation. Furthermore, as appropriate, paper flyers, email and the Emergency Notification System (RAVE Mobile Safety) may be used to assist in seeking information about a missing student.

Follow-up:

If the student is found quickly with minimum response, all departments that were contacted should be notified that the student has been located. After contacting the parents, if they have been contacted, the Dean and/or Director of Admissions and Student Affairs will meet with the student and arrange for any follow-up actions. If the student is found, but after law enforcement has been notified, law enforcement should be notified that the student has been located and the same follow-up protocol should be followed.

ALCOHOL and OTHER DRUGS:

Webb students are made aware that their behavior with respect to alcohol and other drugs is constrained by two sets of rules: New York state law and Webb's Alcohol and Other Drugs Policy. (Please see [Webb's Alcohol and Other Drugs Policy](#) for more information)

Federal Law and New York State Law:

Alcohol

Webb Institute observes all laws and regulations that govern the sale, purchase, and serving of alcoholic beverages by all members of its community and expects that these laws regulations and procedures will be adhered to at all events associated with Webb. As per NYS (New York State) law (Public Law 101-226), only individuals 21 years of age or older may consume or may be served alcohol on the Webb Institute campus.

Drugs

The unlawful possession, use, or distribution of illicit drugs is prohibited by federal law. There are strict penalties for drug convictions, including mandatory prison terms for many offenses.

Webb Alcohol and Other Drugs Policy

In addition to maintaining strict compliance with all state and federal laws, Webb has established its own drug and alcohol policies. Persons who violate the College's policy regarding alcohol and drugs, are subject to appropriate disciplinary action as determined by the Student Court, Honor Council and/or Administration including counseling, education, probation, suspension, expulsion, and referral to proper law enforcement authorities for prosecution. Under appropriate circumstances, the College may refer violations to the Glen Cove Policy, Nassau County Attorney, or the United States Attorney, as appropriate, for investigation and/or prosecution. A new law suspends federal student aid eligibility for students convicted under federal or state law of possession or sale of unlawful drugs.

Internship Drug Testing

All students will be required to take a drug test for the issuance of their Merchant Mariner Document in their freshman year and to take a pre-employment drug test in their sophomore year before their sea term. During their four required internships, there is a possibility that students will be subject to random drug testing in their place of employment. If a student should receive a positive drug test result during any of the above instances, this positive drug test result will warrant disciplinary action at the discretion of the President and/or the Dean. The disciplinary action may include suspension for a determined amount of time or expulsion from Webb Institute.

Community Resources

Students

Resources are available to assist Webb students in understanding and dealing with drug and alcohol abuse. The National Institute on Drug Abuse provides a confidential information and referral line that directs callers to treatment centers in the local community. Webb has also partnered with the Long Island Council on Alcohol and Drug Dependency to provide services to students, including an annual presentation and support services for students.

Employees

Employees may contact the Human Resource Office for available resources supported by Webb and local resource groups. Employees are also able to visit the Long Island Council on Alcohol and Drug Dependency for further services.

POLICY ON WEAPONS and FIREWORKS:

Webb strictly prohibits the possession of illegal or dangerous weapons on campus. Such weapons include, but are not limited to, revolvers, pistols, rifles, shotguns, BB or pellet guns, stun guns/taser, paint ball guns, replica guns, chemical weapons such as mace or pepper spray, swords, knives (other than those used for cooking, fishing or small pocket knives), slingshots, martial arts weapons, bows and arrows, and others as deemed such by the Dean or his/her designee. Practicing or performing with martial arts or fencing equipment is permitted by members of recognized student organizations; when not in use, such equipment should be stored securely. Possession of fireworks is also prohibited by the College. Possession or use of firearms, fireworks, ammunition, dangerous chemicals, bombs, and infernal devices on a college campus also is prohibited by New York state law. Any violation will result in immediate and permanent confiscation of the weapon and can result in immediate referral to the Dean, President and/or the appropriate law enforcement agency.

SEXUAL MISCONDUCT and TITLE IX:

Webb Institute (“Webb”) is proud of its Honor Code, traditions, workplace, and academic environment and will endeavor to maintain a pleasant and collegial environment for employees, students, guests, and visitors, all of whom are expected to treat each other with courtesy, consideration, and professionalism. In accordance with Title IX of the Education Amendments of 1972 (“Title IX”), the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (the “Clery Act”), as amended by the Violence Against Women Act/Campus Sexual Violence Act (“Campus SaVE Act”), and Article 129-B of the New York State Education Law (“Article 129-B”), Webb is committed to providing a safe community, free from all forms of sex discrimination, including sexual misconduct. In accordance with Title IX, Webb does not discriminate on the basis of sex in its educational programs and activities. Under Title IX, discrimination on the basis of sex includes sexual harassment and sexual violence. Sexual misconduct can occur in many forms and will not be tolerated in Webb’s educational programs or activities. Sexual harassment and sexual violence, including the offenses of sexual assault, sexual coercion, sexual exploitation, dating violence, domestic violence, and stalking, are all forms of sexual misconduct that are strictly prohibited by Webb and Title IX. Sexual misconduct can occur between strangers, acquaintances, or people who know each other well, including those who are involved in an intimate or sexual relationship, and can be committed by anyone regardless of sex, gender, or gender identity. Questions regarding Title IX, the Clery Act, the Campus SaVE Act and/or Article 129-B may be referred to Webb’s Title IX Coordinator. (Please see [Webb’s Sexual Misconduct Policy and Procedures](#) for more information).

Scope of Policy

This Policy applies to:

- All students and employees involved in Webb’s academic, educational, and recreational programs regardless of sex, race, national origin, disability, sexual orientation, gender identity, or other protected status;
- Visitors and guests;
- Recipients and/or providers of any Webb program, including participants in Webb’s Winter Work Program; • Third parties, including, but not limited to, subcontractors and all employees and applicants for employment in all positions.

The Policy also encompasses and applies to any allegation of sexual misconduct that:

- Takes place on Webb’s property;
- Takes place on any property on which a Webb program or activity takes place;

- Webb-sponsored events that occur off campus, which include, but are not limited to,
 - o off-campus incidents that have an on-campus impact or affect members of the campus community, regardless of whether such members are on-or off-campus;
 - o off-campus and/or online speech or conduct, such as social networking sites, which causes a substantial disruption to Webb's operations and/or mission or affects members of the campus community.

Reporting Options:

There are multiple avenues for reporting sexual misconduct. A complainant may choose to report to law enforcement, to Webb, to both, or to neither. These reporting options are not exclusive, and a complainant may simultaneously pursue criminal and disciplinary action. Webb will work with students and employees to understand these options and how they differ. Webb urges victims and anyone who becomes aware of an incident of sexual misconduct to report the incident immediately to the Title IX Coordinator. Any incident of sexual misconduct reported to a Webb employee, with the exception of those designated as confidential (i.e., Webb Psychologist), as set forth herein, must be reported by the employee to the Title IX Coordinator.

Complaint Form – A [Complaint Form](#) is available on Webb's website and in the offices of the Title IX Coordinator and the Director of Human Resources. You may choose to file the complaint form [anonymously](#), though please note that a response to or investigation of the complaint may be limited. This form will be received and reviewed by the Title IX Coordinator unless the complaint is against the Title IX Coordinator, in which case the form will be returned to, and reviewed by, the Director of Human Resources. Completion of the form is not mandatory, and complaints can be filed orally with the Title IX Coordinator or Director of Human Resources.

Time Frame - There is no time limit on when a complaint must be made. Complainants are encouraged to report any alleged sexual misconduct immediately in order to maximize Webb's ability to obtain evidence and conduct a thorough, impartial, and reliable investigation. Webb's ability to investigate and respond effectively may be reduced with the passage of time. However, reports may be made at any time without regard to how much time has elapsed since the sexual misconduct. The time frames included in this Policy may vary depending on the details of the complaint and, in some cases, the time of the academic year (e.g., during breaks or final exams). Webb will conduct an investigation and make all efforts to provide a resolution usually within sixty (60) days from the time Webb receives notice. However, the resolution of a complaint may vary depending on the complexity of the investigation and/or extent of the sexual misconduct. The sixty (60) daytime period does not include the time period required for the appeal process. Webb may extend any time frame for good cause and will provide the complainant and respondent with a written explanation as to the reason for such extension. Please note that for those who wish to initiate legal proceedings, there is a statute of limitation.

Rights of Reporting Individuals (Students) - When Webb receives a report from a student that he or she has been the victim of sexual misconduct, including dating violence, domestic violence, sexual assault or stalking, whether the offense occurred on or off-campus, Webb will provide the reporting individual with a written explanation of his or her rights and options. Webb will provide the reporting individual with written notification regarding existing counseling, health, mental health, victim advocacy, legal assistance, student financial aid and other services available for victims both within Webb and in the community.

Student Amnesty - The health and safety of every student at Webb is of utmost importance. Webb 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. Webb strongly encourages students to report domestic violence, dating violence, stalking, or sexual assault to Webb 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 Webb officials or law enforcement will not be subject to discipline pursuant to the procedures outlined in the Webb Institute Alcohol and Other Drugs Policy and the Student Organization Handbook for violations of alcohol and/or drug use policies occurring at or near the time of the domestic violence, dating violence, stalking or sexual assault incident.

Advisors - Each party may be accompanied by an advisor of his or her choice to any related meeting or Webb proceeding. The role of an advisor is limited to observing and consulting with, and providing support to, the complainant or respondent. Advisors may not speak on behalf of the complainant or respondent. At the request

of the complainant or the respondent, the Title IX Coordinator will appoint to the requesting party an advisor who has been formally trained. These trained advisors typically include member of Webb's staff (not faculty). An advisor may not direct questions to the Complaint Review Panel described below, or witnesses at the hearing, but may consult with the party that he or she is assisting. While the advisor may provide guidance and support, all written submissions must be authored by the complainant or respondent. All Webb administrators and staff will communicate directly with the complainant or respondent and not his/her advisor. The Complaint Review Panel will not allow an advisor's presence to inhibit the parties' sharing of information or the conduct of the hearing.

Interim Action and Accommodations Any individual who has been the victim of sexual misconduct, regardless of whether he or she wishes to pursue resolution under this Policy, may request assistance in changing academic, transportation and working situations. Webb will grant such accommodations, provided they are reasonable and available. Such accommodations may include providing increased security, supervision or monitoring at locations or activities where the alleged misconduct occurred, adjusting an individual's academic or work schedule, changing an individual's housing arrangements, and issuing a No Contact Order. Webb will promptly address violations of any interim measures. Requests for accommodations in connection with incidents of sexual misconduct should be submitted, in writing, to Webb's Title IX Coordinator.

Law Enforcement - Webb strongly encourages students to promptly report an incident of sexual misconduct to the police. Contacting law enforcement will ensure the preservation of evidence and facilitate a timely investigation and response. Webb representatives are available to assist students in notifying law enforcement of an incident of sexual misconduct and in contacting law enforcement or legal service organizations to learn about these remedies. If requested, Webb will also provide assistance with making this contact and initiating legal proceedings in family court or civil court. Except in instances where the victim is underage, Webb will respect a victim's decision regarding whether or not to report an incident to local law enforcement. Where an incident involves the suspected abuse of certain individuals, such as minors, Webb may have an obligation to report to law enforcement under New York State law.

Required Reporting:

Webb values privacy and understands that, for many victims of sexual misconduct, confidentiality is a primary concern. However, certain Webb employees are required by state and federal laws to share information from a report of sexual misconduct.

- **Responsible Employees** Responsible employees are accountable for actions or inaction that obstruct the application of this Policy. A "responsible employee" is any employee of the institution who has the authority to take action to redress harassment; the duty to report harassment or other types of misconduct to appropriate officials; or is someone the students or employees could reasonably believe has this authority or responsibility. Responsible employees at Webb include all faculty members, executive staff members, members of the department handling student services, and advisors of on-campus organizations.
- **Reports Involving Minors** Child abuse includes both the physical and sexual abuse of minors under the age of seventeen. All Webb employees are directed to bring all reasonable suspicions, beliefs, and allegations of child abuse immediately to the attention of the Title IX Coordinator, who will then make the appropriate report to the New York State Child Abuse Hotline (State Central Register). Reports can be made directly to the Child Abuse Hotline at (800) 342-3720. Additional information about reporting is available at <http://ocfs.ny.gov/main/cps/>.

Confidentiality

Webb understands that an individual who has been the victim of sexual misconduct may wish to talk about the incident with the assurance that the discussion will be completely confidential. The ability of Webb employees to maintain confidentiality is as follows:

Professional and Pastoral Counselors

- **Professional Counselors:** A professional, licensed counselor whose official responsibilities include providing mental health counseling to individuals, including those who act in the role of providing mental health counseling under the supervision of a licensed counselor, are not required to report any information about an incident of sexual misconduct disclosed while acting within the scope of his/her license or certification to

the Title IX Coordinator without the victim's permission. State law requires professional counselors to report: (i) when a patient is likely to engage in conduct that would result in serious harm to the patient or to others; or (ii) if there is reasonable cause to suspect that a minor has been sexually abused. Dr. Michelle Stein is the professional counselor available to all Webb students.

- Pastoral Counselors: A pastoral counselor is 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. A pastoral counselor is not required to report an incident of sexual misconduct to the Title IX Coordinator without the victim's permission. However, a pastoral counselor acting in some other manner, such as a faculty member, is not exempt from the reporting obligations. Pastor Dave Collins is the pastoral counselor available to the Webb Community. (dhcollins1@yahoo.com)

Requests for Confidentiality

Webb endeavors to respect and follow the wishes of an individual who brings forward a sexual misconduct complaint. However, complainants should understand that Webb may have ethical and legal obligations to investigate and attempt to resolve or adjudicate incidents of sexual misconduct that come to its attention. Therefore, depending on the circumstances, it may not be possible to honor a request for confidentiality while still providing a safe, nondiscriminatory environment for all members of the Webb community. The Title IX Coordinator is designated to evaluate requests for confidentiality. When determining whether the complainant's request for confidentiality can be honored, the Title IX Coordinator will consider a range of factors, including, but not limited to, the following:

- Whether there have been other sexual misconduct complaints about the same respondent;
- Whether there is an increased risk that the respondent will commit additional acts of violence;
- Whether the respondent has a history of arrests or records from a prior school indicating a history of violence;
- Whether Webb has other means to obtain relevant evidence (e.g., security cameras or personal, physical evidence);
- Whether the incident represents an escalation in unlawful conduct on behalf of the respondent from previously noted behavior;
- Whether the sexual misconduct was committed by multiple respondents;
- Whether the complainant's report reveals a pattern of perpetration (e.g., via illicit use of drugs or alcohol) at a given location or by a particular group;
- Whether the alleged sexual misconduct was perpetrated with a weapon; and
- The age of the complainant.

The presence of one or more of these factors could lead Webb to investigate the alleged sexual misconduct and, if appropriate, pursue disciplinary action in a manner that may require Webb to disclose the complainant's identity to the respondent. If Webb determines that an investigation is required, Webb will inform the complainant and take immediate action necessary to protect and assist the complainant. Webb will take all reasonable steps to investigate and respond to the complaint while maintaining the complainant's privacy to the greatest extent possible. If, after considering these factors, Webb determines that it can honor the complainant's request for confidentiality, Webb will nevertheless take all reasonable steps to respond to the complaint consistent with the complainant's request for confidentiality, and will take immediate action as necessary to protect and assist the complainant. Webb will also consider broader remedial action, such as increased monitoring, security supervision at locations where the reported sexual misconduct occurred, increasing training, education and prevention efforts, and conducting climate surveys. If Webb honors the request for confidentiality, the complainant must understand that Webb's ability to meaningfully investigate the incident and pursue disciplinary action against the respondent may be limited.

Student Bill of Rights:

In accordance with New York State law, 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 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, complainant, accused, or respondent throughout the judicial or conduct process including during all meetings and hearing related to such process; and
11. Exercise civil rights and practice of religion without interference by the investigative, criminal justice, or conduct process of the institution.

Investigative Procedures and Resolution

Webb is committed to providing a prompt, fair, and impartial investigation and resolution of all allegations of sexual misconduct.

Filing a Complaint - Complainants will be asked to either complete a written complaint or meet with the Title IX Coordinator who will complete a written complaint and ask the complainant to read and sign a verification of the complaint allegations. Once a complaint or notice is received, it will be reviewed by the Title IX Coordinator. To ensure a prompt and thorough investigation of a complaint, the complainant should provide as much of the following information as possible:

- Name, department, and position of the person allegedly engaged in the misconduct.
- Description of the incident, including the date, location, and the identity of any witnesses.
- If the complainant is an employee, the alleged effect of the incident on the complainant's position, salary, benefits, promotional opportunities, or other terms or conditions of employment. (The Director of Human Resources will be involved if this is the case as well).
- If the complainant is a student, the alleged effect of the incident on the complainant's academic standing, housing environment, or social status or other terms or conditions of the educational environment.
- Names of other persons who might have been subject to the same or similar misconduct.
- Any other information the complainant believes relevant to the misconduct.

Regardless of whether an individual files a complaint or requests action, if Webb has knowledge, or reasonably should know, about possible sexual misconduct, Webb will conduct a prompt, thorough, and impartial investigation. Webb will also prepare a written record of the complaint if the complainant refuses to file or verify a written complaint form to record the details of the complaint. The complainant reserves the right to withdraw a complaint or his/her involvement in Webb's investigation or resolution process at any time. However, in such instances, Webb's ability to respond will be limited and Title IX may nevertheless require Webb to complete the investigation processes.

Meeting with the Parties –

- **Meeting with Complainant** - The Title IX Coordinator or his or her designee will schedule, within three (3) days of receiving the complaint, an individual intake meeting with the complainant. At the intake meeting, the Title IX Coordinator or his or her designee will provide the complainant with a general understanding of this Policy and identify forms of support or immediate assistance available to the complainant. Such information includes, but is not limited to, the complainant's right to report the incident(s) to local law enforcement agencies, information concerning available medical treatment, information on available support services, how Webb handles requests for confidentiality, and Webb's policy against retaliation. The Title IX Coordinator or his or her designee will also provide the complainant with a written explanation of his or her rights and options with respect to his or her report of

sexual misconduct. The intake meeting may also involve a discussion of any interim accommodations that may be appropriate concerning the complainant's academic schedule and/or Webb employment arrangements. At the initial intake meeting or at any subsequent time, the Title IX Coordinator or his or her designee will seek to determine how the complainant wishes to proceed, i.e., whether the complainant wishes to enter Webb's resolution process, described below, or does not wish to pursue resolution of any kind. If the complainant does not wish to pursue resolution through Webb's resolution process and either requests that his or her complaint remain confidential or refuses to participate in the initial intake meeting with the Title IX Coordinator, the Title IX Coordinator will inform the complainant that Webb's ability to meaningfully investigate and respond to the report may be limited. In such scenarios, Title IX nevertheless requires Webb to evaluate the complainant's request(s) for no action in the context of Webb's commitment to provide a safe and non-discriminatory environment for the entire Webb community.

- **Meeting with Respondent** - The Title IX Coordinator or his or her designee will, within twenty-four (24) hours of receiving notice that the complainant would like to proceed with the resolution process, provide the respondent with written notification that a complaint of sexual misconduct has been filed, the date, time, location and factual allegations concerning the alleged violation, and a list of possible sanctions. The Title IX Coordinator will promptly contact the respondent to set up an intake meeting to discuss the allegations against the respondent and his/her rights under this Policy. The respondent is entitled to a presumption of non-responsibility until a finding of responsibility is made in accordance with the procedures set forth in this Policy.

Investigation –

The Title IX Coordinator or his or her designee will investigate all complaints of sexual misconduct. The investigation is a neutral fact-finding process and will be conducted within a reasonable amount of time and will normally be completed within sixty (60) days. The investigator(s) will make every effort to keep the complainant and the respondent informed, on a timely basis, about the status of the investigation. During all phases of the resolution process, the parties will be provided with advance notice of any meeting they are required or eligible to attend. The investigation will be conducted in a manner that is adequate, reliable, and impartial and may include any of the following:

- Interviews of the complainant and the respondent;
- Interviews of any witnesses;
- Interviews of individuals who may have observed the alleged misconduct or may have other relevant knowledge; and,
- Gathering of any other relevant information, including, but not limited to, medical records, surveillance video, cell phone and other electronic records, and other evidence.

Each party will have an equal opportunity to submit evidence, identify witnesses, and submit questions that should be directed by the investigator(s) to the other party or to any witness, if deemed appropriate. The investigator(s) will collect and review evidence it deems necessary or helpful to the investigation of the alleged sexual misconduct. Within five (5) business days of the investigation's completion, the investigator(s) will provide a written report of findings to the Title IX Coordinator. The complainant and respondent will each have an opportunity to review, but not copy, the investigative report in the presence of a Webb official. In response to the investigative report, both the complainant and the respondent will be given the opportunity to submit a written statement. The written statement must be submitted at least three (3) days prior to the hearing date. Any employee or non-student who, after appropriate investigation, has been found to have violated this Policy, will be subject to disciplinary action, which may include reprimand, suspension from service for a stated period, with or without pay, termination of employment, or such other responsive actions deemed appropriate for the violation. Any student who, after an appropriate investigation, has been found to be in violation of this Policy, will be subject to disciplinary action, which may range from minor disciplinary action to expulsion, depending on the severity of the misconduct, the student's cumulative conduct record, institutional precedent, and other mitigating or aggravating circumstances.

Dispute Resolution Options -

Upon completion of the investigation, if there are sufficient grounds to proceed, the matter will be adjudicated consistent with the dispute resolution options set forth below. Either a formal or an informal resolution process

may be used. However, a complaint involving sexual violence of any kind cannot be resolved through informal resolution.

- **Formal Resolution Process** - The formal resolution process involves a hearing before a committee comprised of three (3) members of the Complaint Review Panel (“CRP”), which is comprised of trained members of Webb’s administration. All CRP members receive training, at least annually, on the issues relating to sexual misconduct, including sexual harassment, dating violence, domestic violence, sexual assault, and stalking. They will also be trained regarding how to conduct a hearing process that protects the safety of complainants, the due process rights of respondents, and promotes accountability. Within five (5) business days of receiving the investigative report, the Title IX Coordinator will select the CRP members who will participate in the hearing. The Title IX Coordinator will also select a non-voting Chair. 21

- **Notice** - Webb will provide written notice at least five (5) business days before the hearing date to both parties, stating the date, time, place of the hearing, and members of the CRP. A party wishing to challenge the participation of a CRP member must notify the Title IX Coordinator, in writing, within twenty-four (24) hours of receiving the written notice. The party must state the specific reason(s) for the party’s objection. The Title IX Coordinator will then determine whether the party’s objection has merit and review the appointment of the CRP member(s) to reassess whether the member will handle complaints impartially and objectively. If the party’s claim has merit or if there is a conflict of interest where the member cannot be impartial, another member(s) will be appointed by the Title IX Coordinator to preside over the hearing.

- **Pre-Hearing Submissions** - Each party will provide the Chair with a list of witnesses they wish the CRP to call, copies of documents, and a description of any other information they propose to present at the hearing at least three (3) business days prior to the hearing. The Chair will provide each party with a copy of the list of witnesses and copies of documents or other information submitted by each party. A party wishing to challenge the admittance of evidence and/or witnesses must notify the Chair, in writing, at least two (2) days before the hearing date. The party must state the specific reason(s) for the party’s objection. The Chair will determine whether the challenge has merit, the relevance of any proffered evidence, and whether to include or exclude certain types of evidence. In the absence of good cause, as determined by the CRP, the parties may not introduce witnesses, documents, or other information at the hearing that were not provided by this deadline.

- **Hearing Procedures** - The hearing will take place on the date and time specified in the notice of hearing. If circumstances arise that require a change in the hearing date or time, the Chair will provide both parties with written notice explaining the reason for such change. The Chair will arrange for the hearing to be recorded. The complainant and the respondent have the right to be present at the hearing. Either party may request alternative methods of participating in the hearing, including through electronic means, if the party does not wish to be in physical proximity of the other party. As a non-adversarial process, the hearing will not follow a courtroom model, and formal rules of evidence will not be observed. The CRP will determine the order of the witnesses and resolve any questions of procedure arising during the hearing. The CRP will ask for all necessary witnesses to be present, or to have provided written statements in lieu of attending the hearing. This may be done as necessary to accommodate a witness who cannot be present, or whom the CRP determines may remain anonymous. All parties will have the opportunity to present facts and arguments in full and question all witnesses involved in the hearing. The CRP will review in advance of the hearing all the written materials provided. The process of the hearing usually is as follows:

- Chair explains the hearing procedures;
- Participants are introduced;
- Investigator(s) present the investigation report;
- Questioning of and by both parties;
- Questioning of witnesses.

- **Determination** - The CRP will evaluate evidence under a preponderance of the evidence standard. “A preponderance of the evidence” means that the CRP, after careful consideration of the evidence,

has determined that it is more likely than not that the respondent violated this Policy. The CRP will determine whether the respondent is responsible for sexual misconduct and will provide a written statement of such determination and a recommendation for sanctions or other appropriate measures to the Dean Matthew R. Werner (mwerner@webb.edu), when the respondent is a student, or, when the respondent is an employee, the Director of Human Resources.

- **Impact Statements** - Within three business (3) days of the conclusion of the hearing, both the complainant and respondent will be given access to the record of the hearing and offered an opportunity to provide an impact statement to the Dean of Students or Director of Human Resources, as applicable, while he or she is deliberating on the appropriate sanctions. The record of the hearing may not be copied. The impact statement may be no longer than five (5) singled-spaced typed pages, using size 12 Times New Roman font and 1-inch margins. The impact statement is the individual's opportunity to discuss his or her experience and the incident in question, as well as respond to how the investigation and hearing was conducted and any areas of agreement or disagreement with the investigation or hearing or determination of the CRP. The impact statement may not seek to introduce new evidence.
- **Sanctions and Disciplinary Actions** - The Dean or Director of Human Resources, as applicable, may impose any of the following sanction(s):

- Reprimand or warning;
- Change in respondent's academic schedule;
- Change in respondent's work schedule;
- Forfeiture of a benefit, honor, leadership position, or other privilege enjoyed by virtue of the person's membership as full- or part-time faculty, adjunct faculty, staff, or administration, or student;
- Demotion or forfeiture of promotion or salary increase;
- Reassignment of Webb employment;
- Restitution;
- Disciplinary probation;
- Revocation of honors or awards;
- Restriction of respondent's access to Webb facilities or activities;
- Community service;
- Issuance of a No Contact Order to the respondent or requirement that such an order remain in place;
- Change in respondent's housing assignment;
- Dismissal from, limitation on, or reassignment of Webb employment;
- Removal from student or employee housing;
- Suspension (limited time or indefinite, with or without pay (for employees));
- Expulsion;
- Training; and/or
- Revocation of degree.

In recommending the appropriate sanction(s), the Dean or Director of Human Resources, as applicable, may consider any record of past violation(s) of Webb policies, as well as the nature and severity of such past violation(s). Past findings of domestic violence, dating violence, stalking, or sexual assault may be relevant in the disciplinary stage that determines sanctions. The Dean or Director of Human Resources, as applicable, will also consider as part of the deliberations whether the respondent poses a continuing risk to the complainant and/or the Webb community. The Dean or the Director of Human Resources, as applicable, shall review the parties' impact statements and the CRP's recommended sanction, and may either accept the recommended sanction, modify the recommended sanction, or reject the recommended sanction and impose a sanction that he or she deems more appropriate. Any sanction imposed will be explained and supported in the written decision of the Dean or the Director of Human Resources, as applicable. If another Webb policy or handbook (such as the Webb Faculty Handbook) requires Webb to comply with specific procedures prior to imposing a certain sanction on an employee, the Director of Human Resources will ensure that Webb complies with such other procedures. Within seven (7) business days from the determination, the Dean or Director of Human Resources, as applicable, will issue a determination letter to the respondent and the complainant. Both parties, concurrently, will receive a copy of this determination letter, which will contain the following information:

- the name of the respondent;

- whether the respondent has been found responsible or not responsible for specific violation(s) of this Policy;
- a list of the possible sanctions imposed, if any;
- the sanctions actually imposed;
- the rationale for the sanctions imposed;
- Webb’s appeal process;
- any change to the results that occur prior to the time that the results become final;
- when the results become final.

Please note that Webb does not publicly release underlying information regarding investigations unless required by law. However, after students or employees are provided with an outcome, they can choose whether to disclose or discuss the outcome of the conduct process.

○ **Records and Transcript Notation Policy** - In accordance with Article 129-B of the New York State Education Law, if a student is found responsible through Webb’s conduct process for a crime(s) 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), Webb will make one of the following notations on the transcript of such student:

- “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”

If a student withdraws from Webb while such conduct charge(s) is pending and declines to complete the disciplinary process, Webb will note on the student’s transcript that he or she “withdrew with conduct charges pending.” Employee records will be maintained for seven (7) years. Records pertaining to students will be maintained for seven years after the student’s graduation or after seven (7) years of academic inactivity, or in the event of suspension/expulsion, will be kept indefinitely. The academic records of students that have been found to have violated this Policy will be handled in accordance with Webb’s Policy and Procedure for Transcript Notation. This Policy is posted on Webb’s website and a written or electronic copy can be obtained from the Registrar.

○ **Appeal Process** - The complainant or the respondent may request an appeal of the findings regarding the formal resolution process. A request for such an appeal must be submitted in writing to the Director of Development, Mr. Anthony Zic (azic@webb.edu) within three (3) business days of the receipt of written notification of the original outcome. If a request is not made in that time, then the decision is rendered final and the parties will be simultaneously so informed. An appeal of the decision may be considered if one (1) of the following grounds are present: i. A procedural error has occurred that significantly impacted the outcome (e.g., substantiated bias, material deviation from established procedures, etc.). This error must be described in the letter requesting an appeal. Minor or harmless deviations from the process will not invalidate the proceedings; ii. The discovery of significant and relevant new information that was unavailable during the original process, which has become available and could impact the outcome. A summary of this new evidence, why it was previously unavailable, and its potential impact must be included in the request for an appeal; or iii. The sanction imposed is clearly not appropriate for the violation. Once Webb receives a request for an appeal, a decision will be rendered by the Director of Development as to eligibility, usually within ten (10) business days. If there are insufficient grounds for an appeal, the appeal will be denied and the parties will be simultaneously informed. If appropriate grounds are present, the appeal will be reviewed by an Appeals Panel, which is comprised of three (3) trained members of Webb’s administration. The Appeals Panel shall not include the investigator or any member of the CRP and shall be assembled by the Director of Development. Regardless of whether all parties request an appeal, the complainant and respondent will be made aware of, and permitted to participate in, the appeal as it will be the only appeal conducted and its conclusion will be final. Where the complainant and respondent each request to appeal on different grounds, those grounds will be consolidated into one appeal process. Except for appeals brought under (ii) above, the Appeals Panel’s entire review process will be based on the party’s appeal, the non-appealing party’s response to the appeal, if any, and the Appeals Panel’s record of the case. Otherwise, no additional

evidence is allowed and no witnesses may be heard. The Appeals Panel will make a final determination on the appeal and issue a final determination letter to the respondent and the complainant.

- **Informal Resolution Process –**

Certain complaints of sexual misconduct can be resolved through informal resolution procedures. These informal procedures may include, but are not limited to, an informal investigation, mediation, counseling, and/or any other means of resolving a complaint other than a formal resolution process. The use of the informal resolution process is voluntary and must be agreed to by the complainant, the respondent, and the investigator(s). Either the complainant or the respondent may end an informal process at any time and choose to pursue the formal resolution process, or the complainant can choose not to pursue the matter further. The assigned investigator(s) will meet with the complainant to discuss the complaint and the process. The investigator(s) will explain to the complainant the nature of the informal resolution process, and, if acceptable to the complainant, the investigator(s), whenever possible, appropriate and safe, will attempt to resolve the problem or complaint through an informal resolution process. The complainant will not be required to meet with the respondent individual face to face. The informal resolution process attempts to resolve the issue with the complainant and the respondent by mutual agreement, which will be finalized in writing. Once a mutually agreed upon resolution is suggested, it will be reviewed, accepted, or modified by the Dean. Once the recommendation for the informal resolution is approved, written notification will be prepared promptly by the Dean, with a copy to the Title IX Coordinator. The notification will specify the findings and the terms of the approved resolution. If either party is dissatisfied with the approved resolution, either may make a request within seven (7) business days of issuance of the written notification for formal resolution proceedings. In cases involving employees, all mutually agreed upon resolutions are subject to the approval of the Director of Human Resources. After review of a proposed resolution, the Director of Human Resources will issue an outcome letter to the employees, with a copy to the Title IX Coordinator.

- **Prevention and Awareness Programs -**

Creating a safe and respectful environment is the responsibility of all members of Webb's community. To promote and maintain this environment, Webb engages in comprehensive educational programming to prevent sexual misconduct (including sexual harassment, domestic violence, dating violence, sexual assault, stalking, and retaliation). Webb provides primary prevention and awareness programs for all incoming students and employees, and ongoing prevention and awareness campaigns for all students and employees. This comes in the form of presentations for students and in the form and an online course – "Sexual Harassment and Discrimination for Employees in New York—for employees. Webb seeks to ensure that all programs are culturally relevant, responsive to community needs, and informed by research and assessed for value.

CAMPUS SAFETY and SECURITY REPORT:

The Student Right-to-Know and Campus Security Act of 1990 (Public Law 101-542) required all colleges to begin to collect certain information commencing September 1, 1991. It also required that Webb prepare, publish, and distribute this information to all current students and employees, and to any applicants for enrollment or employment upon request beginning September 1, 1992, and each year thereafter. Title II of Public Law 101-542 mandates the reporting of the following criminal acts occurring at Webb during the most recent three calendar years as defined in the law. Title II of Public Law 101-542 also mandates the reporting of statistics concerning the number of arrests for those same crimes. This law was also amended to include those not arrested.

Webb currently has no recognized off-campus student organizations and no students who reside off-campus. All students and student organizations are housed in campus buildings. Incidents reported to the ERT and ACT as mandated by Title II of Public Law are defined as:

CAMPUS SAFETY and SECURITY REPORT GLOSSARY (as defined in the Handbook for Campus Safety and Security Reporting – 2016 Edition):

Criminal Offenses:

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

Criminal Homicide:

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

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

Sex Assault: Any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent.

Fondling: The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.

Incest: Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Rape: The 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.

Statutory Rape: Sexual intercourse with a person who is under the statutory age of consent.

Aggravated Assault: An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. (It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could and probably would result in serious personal injury if the crime were successfully completed.)

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

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

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

Hate Crimes: A criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. Although there are many possible categories of bias, under the Clery Act, only the following eight categories are reported:

Hate Crime – Disability: A preformed negative attitude towards a group of persons based on their physical or mental impairments, whether such a disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced age or illness.

Hate Crime – Ethnicity: A preformed negative opinion or attitude towards a group of persons whose members identify with each other, through a common heritage, often consisting of a common language, common culture (often including a shared religion) and/or ideology that stresses common ancestry.

Hate Crim - Gender: A preformed negative opinion or attitude towards a group of persons based on their actual or perceived gender, e.g., bias against a male or female.

Hate Crime – Gender Identity: A preformed negative opinion or attitude towards a group of persons based on their actual or perceived gender identity, e.g., bias against transgender or gender non-conforming individuals.

Hate Crime – National Origin: A preformed negative attitude towards a group of persons based on their actual or perceived country of birth.

Hate Crime - Race: A preformed negative opinion or attitude towards a group of persons who possess common physical characteristics

Hate Crime - Religion: A preformed negative opinion or attitude towards 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, e.g., bias against catholic, Jews, protestants, atheists, etc.

Hate Crime - Sexual Orientation: A preformed negative opinion or attitude towards a group of persons based on their actual or perceived sexual orientation, e.g., bias against gay, lesbian, bisexual heterosexual, etc. individuals.

Destruction/Damage/Vandalism of Property: to willfully or maliciously destroy, damage, deface or otherwise injure real or personal property with the consent of the owner or the person having custody or control of it.

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

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

Simple Assault: the 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.

VAWA Offenses:

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 where the existence of such a relationship shall be determined based on a consideration of the following factors: the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

Domestic Violence: 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, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, 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.

Stalking: Engaging in a course of conduct directed at a specific person that would cause a reasonable person to (a) fear for the person's safety or the safety of others or (b) suffer substantial emotional distress.

Arrests and Referrals for Disciplinary Action:

Drug Abuse Violations: Violations of laws prohibiting the production, distribution, and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use growing, manufacturing and making of narcotic drugs.

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

Weapons Law Violations: The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons.

CAMPUS SAFETY and SECURITY REPORTING TABLES:

CRIMINAL OFFENSES REPORTING TABLE					
Offence	Year	On-Campus Property	On-Campus Student Housing Facility	Non-Campus Property	Public Property
Murder / Non-Negligent Manslaughter	2018	0	0	n/a	0
	2017	0	0	n/a	0
	2016	0	0	n/a	0
Manslaughter by Negligence	2018	0	0	n/a	0
	2017	0	0	n/a	0
	2016	0	0	n/a	0
Rape	2018	1	0	n/a	0
	2017	0	0	n/a	0
	2016	0	0	n/a	0
Fondling	2018	2	1	n/a	0
	2017	0	0	n/a	0
	2016	0	0	n/a	0
Incest	2018	0	0	n/a	0
	2017	0	0	n/a	0
	2016	0	0	n/a	0
Statutory Rape	2018	0	0	n/a	0
	2017	0	0	n/a	0
	2016	0	0	n/a	0
Robbery	2018	0	0	n/a	0
	2017	0	0	n/a	0
	2016	0	0	n/a	0
Aggravated Assault	2018	0	0	n/a	0
	2017	0	0	n/a	0
	2016	0	0	n/a	0
Burglary	2018	1	0	n/a	0
	2017	0	0	n/a	0
	2016	0	0	n/a	0
Motor Vehicle Theft	2018	1	0	n/a	0
	2017	0	0	n/a	0
	2016	0	0	n/a	0
Arson	2018	0	0	n/a	0
	2017	0	0	n/a	0
	2016	0	0	n/a	0

HATE CRIME OFFENSES REPORTING TABLE

Offence	Total	Race	Religion	Sexual Orientation	Gender	Gender Identity	Disability	Ethnicity	National Origin
Murder / Non-Negligent Manslaughter	2018	0	0	0	0	0	0	0	0
	2017	0	0	0	0	0	0	0	0
	2016	0	0	0	0	0	0	0	0
Rape	2018	0	0	0	0	0	0	0	0
	2017	0	0	0	0	0	0	0	0
	2016	0	0	0	0	0	0	0	0
Fondling	2018	0	0	0	0	0	0	0	0
	2017	0	0	0	0	0	0	0	0
	2016	0	0	0	0	0	0	0	0
Incest	2018	0	0	0	0	0	0	0	0
	2017	0	0	0	0	0	0	0	0
	2016	0	0	0	0	0	0	0	0
Statutory Rape	2018	0	0	0	0	0	0	0	0
	2017	0	0	0	0	0	0	0	0
	2016	0	0	0	0	0	0	0	0
Robbery	2018	0	0	0	0	0	0	0	0
	2017	0	0	0	0	0	0	0	0
	2016	0	0	0	0	0	0	0	0
Aggravated Assault	2018	0	0	0	0	0	0	0	0
	2017	0	0	0	0	0	0	0	0
	2016	0	0	0	0	0	0	0	0
Burglary	2018	0	0	0	0	0	0	0	0
	2017	0	0	0	0	0	0	0	0
	2016	0	0	0	0	0	0	0	0
Motor Vehicle Theft	2018	0	0	0	0	0	0	0	0
	2017	0	0	0	0	0	0	0	0
	2016	0	0	0	0	0	0	0	0
Arson	2018	0	0	0	0	0	0	0	0
	2017	0	0	0	0	0	0	0	0
	2016	0	0	0	0	0	0	0	0
Simple Assault	2018	0	0	0	0	0	0	0	0
	2017	0	0	0	0	0	0	0	0
	2016	0	0	0	0	0	0	0	0
Larceny-Theft	2018	0	0	0	0	0	0	0	0
	2017	0	0	0	0	0	0	0	0
	2016	0	0	0	0	0	0	0	0
Intimidation	2018	0	0	0	0	0	0	0	0
	2017	0	0	0	0	0	0	0	0
	2016	0	0	0	0	0	0	0	0
Destruction / Damage / Vandalism of Property	2018	0	0	0	0	0	0	0	0
	2017	0	0	0	0	0	0	0	0
	2016	0	0	0	0	0	0	0	0

VAWA OFFENSES REPORTING TABLE					
Offence	Year	On-Campus Property	On-Campus Student Housing Facility	Non-Campus Property	Public Property
Domestic Violence	2018	0	0	n/a	0
	2017	0	0	n/a	0
	2016	0	0	n/a	0
Dating Violence	2018	0	0	n/a	0
	2017	1	0	n/a	0
	2016	0	0	n/a	0
Stalking	2018	0	0	n/a	0
	2017	0	0	n/a	0
	2016	0	0	n/a	0

ARRESTS and DISCIPLINARY OFFENSES REPORTING TABLE					
Offence	Year	On-Campus Property	On-Campus Student Housing Facility	Non-Campus Property	Public Property
Arrests: Weapons, Carrying, Possessing, etc.	2018	0	0	n/a	0
	2017	0	0	n/a	0
	2016	0	0	n/a	1
Disciplinary Referrals: Weapons, Carrying, Possessing, etc.	2018	0	0	n/a	0
	2017	0	0	n/a	0
	2016	0	0	n/a	0
Arrests: Drug Abuse Violations	2018	0	0	n/a	3
	2017	0	0	n/a	0
	2016	0	0	n/a	2
Disciplinary Referrals: Drug Abuse Violations	2018	0	0	n/a	0
	2017	0	0	n/a	0
	2016	0	0	n/a	0
Arrests: Liquor Law Violations	2018	0	0	n/a	0
	2017	0	0	n/a	0
	2016	0	0	n/a	2
Disciplinary Referrals: Liquor Law Violations	2018	12	8	n/a	0
	2017	9	9	n/a	0
	2016	10	10	n/a	0

FIRE REPORTING TABLE				
Residence Hall	Category	2016	2017	2018
Stevenson Taylor Hall	Fires	0	0	0
	Injuries	0	0	0
	Deaths	0	0	0
Robinson Model Basin	Fires	0	0	0
	Injuries	0	0	0
	Deaths	0	0	0
Motley Hall	Fires	0	0	0
	Injuries	0	0	0
	Deaths	0	0	0