



# Monroe Community College

STATE UNIVERSITY OF NEW YORK

# Annual Campus Security & Fire Safety Report 2020



Collaboratively prepared by the Department of Public Safety, the Division of Student Services, the Office of Students Rights and Responsibilities, and the Title IX Director.

The format of this document is as per government requirements. In our continuing efforts to ensure that information is accessible to people of all abilities, we have provided more accessible versions of the tables on our website at [www.monroecc.edu/depts/pstd/mcc-annual-security-and-fire-safety-report/](http://www.monroecc.edu/depts/pstd/mcc-annual-security-and-fire-safety-report/). Links to specific information have also been included under each table.

# Annual Campus Security Report

The Monroe Community College (MCC) Annual Campus Security and Fire Safety Report is prepared to meet the compliance requirements of both the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act and the Higher Education Opportunity Act. This report has been developed by the Department of Public Safety in cooperation with the local law enforcement and fire protection agencies that serve each MCC campus location, as well as several other college departments and officials. All Clery Act crimes should be reported to Public Safety for the purposes of making Timely Warnings and inclusion in annual statistical disclosure. As required by law, the crime and fire statistics included in this report cover the calendar year 2019. The full text of this report is available online at [www.monroecc.edu/depts/pstd](http://www.monroecc.edu/depts/pstd).

Each year, all enrolled students as well as College faculty and staff receive an e-mail notification describing how to access this report electronically. Prospective students and employees may also view this report online or request a printed copy from the Department of Public Safety (585-292-2911).

## Campus Geography

Federal law requires that campuses report specific criminal activities that occur on campus property and specific areas around those properties. However, crimes occur in the community beyond what is required for reporting in this document. Students are advised to exercise caution in ALL areas both on- and off-campus:

**On Campus:** includes the main campus property and buildings.

**Non-Campus:** includes property owned by student organizations officially recognized by the institution and those owned by the College outside campus boundaries. Monroe Community College does not officially recognize any off- campus housing.

**Public Property:** includes thoroughfares, streets, side- walks, parking facilities, and public park or park-like settings immediately adjacent to and accessible from the campus.

## Reporting a Crime or Requesting Assistance

MCC encourages every member of the campus community to report a crime promptly to the Department of Public Safety. Bystanders should report an incident if the involved victim needs assistance in making such report or is unable to report it themselves. Any suspicious activity or person observed on college property or within college buildings should also be reported immediately. While at any MCC Campus, the Department of Public Safety may be contacted by dialing (585) 292- 2911. Emergency call boxes and blue-light phones located throughout the Brighton Campus may also be used to contact Public Safety directly.

The College utilizes MCC Guardian as well. Powered by RAVE, MCC Guardian transforms student and employee smartphones into personal safety devices. The app can be easily downloaded through the appropriate app store onto any mobile device

and will connect the user directly to Public Safety, as well as provide the ability to submit an anonymous tip, if suspicious activity is observed.

The Department of Public Safety's main office is located on the Brighton Campus in Building 21, Room 140. Public Safety personnel are also stationed at numerous locations around both the Brighton and Downtown Campuses, and may be reached by dialing (585) 292-2911. Front desk personnel, found at the Downtown Campus and Applied Technologies Center, can also reach Public Safety if requested.

Upon receiving information concerning an incident, Public Safety personnel will investigate the matter, document the information and take appropriate steps, which may or may not result in an arrest. These actions may also involve working with other local, state and/or federal law enforcement agencies as necessary. Incidents resulting in an arrest are adjudicated in the jurisdiction in which the incident occurred. Incidents may also be handled internally through the college's conduct system.

Crimes may be reported on a confidential basis and may also be reported anonymously by calling the Silent Witness tip line at (585) 292-3636 or via the web at: [www.monroecc.edu/depts/pstd/silent-witness/](http://www.monroecc.edu/depts/pstd/silent-witness/)

Anonymous and confidential reports will be used by the Department of Public Safety for informational purposes and possible inclusion into the College's annual crime statistics report. When deemed appropriate, the information will be disseminated in a Timely Warning notice.

As defined in 42 U.S.C. 13925(a)(20), personally identifiable information about victims will not be included in publicly available record keeping, including the reporting and disclosure of crime statistics.

## **Department of Public Safety**

The Department of Public Safety provides law enforcement and security related services for the college community 24/7/365. Public Safety staff conduct foot and vehicle patrols and enforce the laws of the State of New York, as well as College rules and regulations. MCC Campus Peace Officers have legal authority to investigate alleged criminal offenses and arrest anyone involved in illegal acts on campus. This includes the investigation of underage drinking as well as the illegal sale, use or possession of alcoholic beverages, controlled substances or weapons. The College may also refer students who commit violations of the MCC Student Code of Conduct for disciplinary action.

As authorized and directed by the Board of Trustees and the College President, MCC Campus Peace Officers carry firearms and are required to successfully complete the Basic Course for Police Officers, which is the same course of instruction and certification required of all police officers in New York State.

Public Safety Assistants and Security Guards who complete the required training and certification necessary to obtain a New York State Security Guard license aid MCC Campus Peace Officers. Public Safety staff assigned to patrol functions also receive CPR/AED training.

The Department of Public Safety works collaboratively and maintains a Memorandum of Understanding with other law enforcement agencies, including the Rochester Police Department and the Brighton Police Department, pertaining to the investigation of serious incidents occurring on college property or in the immediate proximity to a campus location. MCC does not have any officially recognized student organizations with off-campus sites.

## **Crime Prevention Programs**

The Department of Public Safety offers a variety of opportunities to provide crime prevention techniques to members of the campus community. Seminars and workshops are scheduled throughout the academic year with sessions on topics including, but not limited to, the prevention of theft and vandalism as well as personal safety tips. Individuals and groups are encouraged to contact the Department of Public Safety at (585) 292-2912 to schedule a program, which can be customized as needed. These programs include:

**Resident Advisor Security Training Program:** Public Safety staff provide specialized security training information for all new and returning Resident Directors and Resident Advisors. This gives them the knowledge and tools necessary to conduct their own basic crime prevention discussions with residential students. An initial training event is conducted each fall with additional events added throughout the semesters as requested.

**Security Surveys:** Upon request, Public Safety staff will evaluate work areas or other campus locations and provide a report, which may include suggested physical improvements or methods for enhancing security.

**Orientation Programs:** Public Safety staff present general information and safety tips to new members of the campus community, with more than a dozen presentations provided both fall and spring.

**Public Safety Website:** As part of a complete crime prevention and community education effort, the Department of Public Safety maintains a comprehensive website, which is located at [www.monroecc.edu/depts/pstd/](http://www.monroecc.edu/depts/pstd/). The Public Safety website provides a variety of information about the Department and its services including valuable tips on crime prevention and safety as well as links to other resources at MCC and beyond.

## **Security Policies and Procedures**

Both of the Brighton and Downtown Campuses strive to maintain an “open” campus environment. As an open campus, students, employees and visitors are permitted access to the College’s academic, recreational, and administrative facilities. The general public may also attend cultural and recreational events occurring on campus.

All Brighton campus buildings close each weeknight at midnight and reopen at 6:00 a.m. the following day. Weekend hours vary throughout the year.

The Downtown Campus closes each weeknight at 10:00 p.m. and reopens at 7:00 a.m. the following day. This Campus is also open from 7:30 a.m. to 5:00 p.m. on Saturdays but closed on Sundays.

Public Safety staff patrol each building as well as the campus grounds on a regular basis to monitor security-related needs. Closed circuit television cameras (CCTV) provide enhanced security by recording activity inside campus buildings and outside courtyards, sidewalks and parking lots.

Individuals wishing to gain access to an area they are authorized to be in, but is normally secure, must obtain prior written approval from the appropriate faculty/staff member. Written requests are forwarded to the Department of Public Safety for review. If approved, authorized individuals must present valid College identification before a Public Safety staff member is permitted to unlock the area. The authorized individual is responsible for securing the area when finished.

Brighton campus residence halls are locked 24 hours/day and are equipped with electronic card access systems. Residence Life and Public Safety staff also monitor access to each residential hall. Students must carry and produce their College issued identification when asked to do so by a College official. Depending on the time of day, anyone entering a Residence Hall must submit to a search of any bags being carried in. Residential students may not allow unauthorized individuals into residential facilities and are encouraged to report security related concerns to the Department of Public Safety or Residence Life staff.

The Applied Technologies Center and the Public Safety Training Facility maintain building hours based on the needs of the programs offered at each of these campus locations.

## **Security Awareness Programs**

As an academic institution, MCC recognizes the key role education plays in generating security-conscious behavior. Periodically during the academic year, the Department of Public Safety, in collaboration with other MCC departments, presents crime prevention awareness programs such as conflict resolution, fire safety, and information on safe spring break activities. These programs are designed to inform students and employees about campus security procedures and practices and to encourage students and employees to be responsible for their own security as well as the security of others. Specific security awareness programs offered to the campus community include:

**Personal Safety & Security:** A program which includes tips to help prevent theft, consumer fraud/scams, sexual assault as well as self-defense information.

**MCC Guardian:** MCC Guardian allows MCC students and employees quick and easy contact with MCC's Department of Public Safety and has additional features for keeping users safe on campus. Using MCC Guardian, you can place a call, report a tip to the MCC Department of Public Safety, or set a Safety Timer session with friends who are part of your safety network.

## **Maintenance of Campus Facilities**

The Department of Public Safety continuously monitors and inspects campus buildings and grounds and works with Facilities Services to identify and correct lighting problems, broken locks and doors, as well as other potential safety and security hazards.

## **Monroe Community College Identification Cards**

Monroe Community College issues photo identification cards to all students, faculty, and staff of the College. Students and employees are required to carry their identification card at all times. ID cards are needed in order to use the College libraries, recreational facilities, and a variety of other services and events. Students must produce their current ID card any time they are asked to do so by any college official (Public Safety, staff, faculty, or administrator).

## **Campus Security Authorities**

As required by the Clery Act, a number of College employees have been identified as Campus Security Authorities (CSA). A CSA is defined as any official having significant responsibility for student and campus activities including but not limited to student housing, discipline, or campus judicial proceedings and has the authority and duty to take action or respond to particular issues on behalf of the institution. These individuals will be identified by and receive training from the Department of Public Safety and the Title IX Coordinator.

Although members of the campus community are encouraged to report criminal activity directly to the Department of Public Safety, in some instances they may choose to disclose a crime to a CSA. If a CSA determines (in good faith) that a crime has been reported, they must then report the incident to the Department of Public Safety. This must be done in an expeditious manner as the incident may pose a serious or continuing threat to the MCC community. Crime statistics gathered from CSAs are included in the Public Safety Daily Crime Log as well as the Annual Campus Security and Fire Safety Report.

A CSA is not responsible for determining whether or not a crime took place, as that responsibility is the function of law enforcement personnel. In addition, Campus Security Authorities should not attempt to apprehend alleged perpetrators or try to convince a victim to contact law enforcement if the victim chooses not to.

Licensed professional and pastoral counselors are excluded from CSA requirements as long as they do not have a function that gives them CSA responsibilities, such as a student organization advisor. These counselors, if and when they deem it appropriate, should inform the person they are counseling of any procedures to report crimes including how to do so on a voluntary or confidential basis.

Any MCC official who learns of a sexual assault or any other crime must inform the victim that they can report the incident to the Department of Public Safety or other local law enforcement agency. MCC officials will assist victims in notifying other law enforcement authorities as requested.

## **Behavioral Early Alert Team**

The MCC Behavioral Early Alert Team (BEAT) is an interdisciplinary group of College professionals who use a collaborative systems approach to help identify students with at-risk behavior on campus, convening weekly meetings to assess situations involving questionable behavior. The team completes a holistic student assessment and

develops a plan to reduce student risk. Strategies are then implemented to address the behavioral concerns with regard for the safety of the student and the college community as a whole. The BEAT is comprised of representatives from Student Services, Public Safety, Housing and Residence Life, Health Services and the Counseling Center.

## **Advisory Committee on Campus Security**

In accordance with Section 6431 of the New York State Education Law, Monroe Community College maintains an Advisory Committee on Campus Security. This committee is charged with reviewing current campus security policies and procedures for:

- educating the college community about sexual assault, domestic violence, and stalking offenses;
- educating the college community about personal safety and crime prevention;
- reporting sexual assaults, domestic violence and stalking incidents and assisting victims during investigations;
- referring complaints to appropriate authorities;
- counseling victims; and
- responding to inquiries from concerned persons.

The Committee makes recommendations for the improvement of such policies and procedures and submits an annual report on its findings.

## **Daily Crime Log**

The Department of Public Safety maintains a “Daily Crime Log” of offenses that occur on campus. The log is available for public viewing at all campus locations and can be found at:

Brighton Campus: Public Safety Office, Building 21, Room 140

Downtown Campus: Parking Services Office, Room 122

Applied Technologies Center: Reception Office

Public Safety Training Facility: Dean’s Office

Log entries are made within two business days of the event being reported to the Department of Public Safety. While most offenses are included on the log, the Chief of Public Safety may determine that an incident be classified as “confidential” in order to avoid jeopardizing a criminal investigation or the identity of a crime victim.

## **Alcohol & Illegal Drug Policies**

Monroe Community College maintains that the abuse of alcohol or use of illicit drugs presents serious health and safety hazards to the college community and interferes with educational and occupational success. With that in mind, MCC has adopted policies prohibiting certain behaviors.

Students, faculty and staff are not permitted to consume alcoholic beverages on college property, or in connection with activities officially sponsored by the College, without prior approval of the College President.

The College also fully complies with the Drug Free School and Communities Act of 1989 by prohibiting the possession, consumption and distribution of illegal drugs on college property at all times.

### ***Legal Sanctions Governing Alcohol***

The New York State Alcohol & Beverage Control Law establishes age 21 as the minimum age to purchase or possess alcoholic beverage and furthermore states the following:

1. persons under age 21 found in possession of an alcoholic beverage may be fined;
2. anyone convicted of using a driver's license to fraudulently purchase or to attempt to purchase alcoholic beverages may have their driver's license suspended; and
3. persons convicted of buying alcoholic beverages through fraudulent means may also face a fine and/or sentence of community service.

A violation of any law involving alcoholic beverages is also a violation of the MCC Code of Conduct and will be treated as a separate disciplinary matter by the College. Behavior that disrupts the educational environment, causes public inconvenience, annoyance or alarm, or recklessly creates a risk to people and/or property even though motivated by the use of alcoholic beverages is also a violation of law and College Code of Conduct. Specific information regarding violations of alcohol related laws, including driving while intoxicated, are available from the Department of Public Safety.

### ***Legal Sanctions Governing Illegal Drugs***

The possession, sale or use of illicit drugs is covered under Articles 220 and 221 of the New York State Penal Law. The seriousness of the offense and penalty imposed upon conviction depend upon the individual drug and amount held or sold. Penalties can range from between a minimum of 15 days in jail and a \$250 fine up to a maximum of life imprisonment and a \$100,000 fine. It is important to note that the Penal Law defines a gift of drugs as a sale.

Monroe Community College prohibits the illegal possession, use, and sale of illegal drugs and will cooperate fully with other local, state, and federal law enforcement authorities to protect the students, staff and faculty of the College. Regardless of whether legal action is pursued in criminal courts, disciplinary action will be taken by the College for violations of law, college policies or the Code of Conduct Regulations. All students, faculty and staff should be familiar with the Drug Free Campus Policy and are required to abide by it. In addition, all college employees must comply with the Monroe Community College Drug Free Workplace Policy.



## ***Education Programs, Counseling & Treatment***

Monroe Community College offers educational programs that address the prevention of alcohol and drug abuse. The College also has experienced and highly qualified staff in both the Counseling Center and Health Services offices. Counselors can provide information, confidential referrals and assistance to those persons with problems stemming from the use or abuse of drugs or alcohol. Employees are encouraged to utilize the Employees' Assistance Program (EAP) when necessary. Information pertaining to the EAP is available in the Human Resources Office.

The New York State Division of Substance Abuse Services supports and monitors a statewide network of prevention and treatment programs. Persons concerned about substance abuse problems may also call 1-800-522-5353 toll free for information and assistance.

## **Weapons Policy**

Monroe Community College prohibits the possession of any firearms, weapon or other dangerous instrument that may cause injury or damage to person or property without express official authorization granted in writing by the Office of the President.

## **Bias/Hate Crime Prevention and the Law**

Hate crimes, also called bias crimes or bias-related crimes, are criminal activity motivated by the perpetrator's bias or attitude against an individual victim or group based on perceived or actual personal characteristics, such as their race, religion, ethnicity, gender, sexual orientation, disability, gender identity, or national origin. The Department of Public Safety is mandated to protect all members of the campus community through prevention efforts and enforcement of laws addressing bias or hate crimes that occur within its jurisdiction.

Penalties for bias-related crimes are very serious and range from fines to imprisonment for lengthy periods, depending on the nature of the underlying criminal offense, the use of weapons/violence, or previous convictions of the offender. Students who perpetrate bias/hate crimes are also subject to the College's disciplinary procedures where sanctions including dismissal are possible.

In addition to enforcing hate/bias laws, the Department of Public Safety also addresses bias-related activities that do not rise to the level of criminal activity. These activities, referred to as bias incidents, are defined by the College as acts of bigotry, harassment, or intimidation directed at a member or group within the campus community based on national origin, ethnicity, race, age, religion, gender, sexual orientation, disability, veteran status, color, creed, or marital status.

Bias incidents may be adjudicated using the State University of New York's (SUNY) Discrimination Complaint Procedure or the MCC Code of Conduct. Bias incidents reported to the Department of Public Safety will be handled using the college's grievance procedures outlined in the Catalog and Student Handbook.

Victims of bias crimes or incidents can avail themselves of counseling and support services from the College through the Counseling Center.

## **Violent Felony Offenses**

In accordance with Section 6434 of the New York State Education Law, Monroe Community College has implemented a plan to thoroughly investigate all violent felony offenses that may occur. The Department of Public Safety will secure the scene, take first responder actions, and report all violent felony incidents immediately to the Brighton or Rochester Police Departments. Public Safety will then work collaboratively with those agencies to ensure a thorough and prompt investigation is completed.

## **Missing Person Procedures for Residential Students**

Students who reside on campus are required to provide missing person contact information in the event they are reported missing. This can be accomplished when students first arrive and check in with the Office of Housing and Residence Life. Individuals designated as a missing person contact may be someone other than who a student lists as their general emergency information contact.

Missing person contact information is maintained confidentially and only authorized campus officials are permitted access to this information during the course of a missing person investigation. In addition, the College will contact a parent or guardian if the student is under the age of 18 and not emancipated. If the student is emancipated, or over the age of 18, the College is only required to notify the person designated by the individual as their missing person contact.

If a residence hall student is believed to be missing from the Brighton Campus, and there is reasonable concern for his or her well-being and safety, the Department of Public Safety must be contacted immediately to initiate an investigation. If a missing student is not readily located by Public Safety personnel within a reasonable amount of time, the Brighton Police Department, the law enforcement agency of the community where the missing student maintains a home of record, and the person designated as the student's missing person contact will be notified no later than 24 hours after the student is determined to be been missing.

## **Sex Offender Registration Information**

The "Campus Sex Crimes Prevention Act" (CSCPA) of 2000 is a federal law that provides for the tracking of convicted sex offenders enrolled or employed at institutions of higher education.

Monroe Community College provides information regarding registered sex offenders who may have a connection to the College on the Department of Public Safety website by providing a link to the New York State Division of Criminal Justice Services (DCJS) Sex Offender Registry.

Sex offender registration information may also be obtained by directly accessing the DCJS website at: <https://www.criminaljustice.ny.gov/nsor/>

You may also contact the DCJS Sex Offender Registry at (518) 457-6236 or 1-800-262-3257.

## **Timely Warnings**

In the event that a situation arises (either on or off campus) that, in the judgment of the Chief of Public Safety (or designee), constitutes an ongoing or continuing threat to the college community, a campus wide Timely Warning notice will be issued to the campus community. Timely Warnings are distributed via the College's e-mail system and will be issued for specific offenses noted in the Clery Act including, but not limited to, major incidents of arson, murder/non-negligent manslaughter and robbery.

Timely Warnings for crimes such as aggravated assault or sex offenses are considered on a case-by-case basis depending on when and where the incident occurred, when it was reported, and the amount of information known to the Department of Public Safety at the time. For example, if an assault occurs between two students and there is no ongoing threat to other campus community members, a Timely Warning would not be distributed. If a sexual assault is reported long after the incident occurred, a Timely Warning would no longer be "timely" therefore an alert would not be issued.

## **Emergency Response & Evacuation Plans**

The Department of Public Safety is responsible for coordinating the appropriate response to an emergency occurring on campus or the evacuation of the campus community should it become necessary. In most cases, the Department of Public Safety and other local law enforcement agencies and/or fire services are the first responders to incidents occurring on campus that involve a threat to the health or safety of the campus community. Public Safety officials receive training in managing crisis situations and the College has created an emergency response and evacuation plan. Further information on Emergency Management may be found at [www.monroecc.edu/depts/pstd/emergency-management/](http://www.monroecc.edu/depts/pstd/emergency-management/)

The College tests emergency response and evacuation procedures on an annual basis to assess its state of readiness if an emergency were to occur. Tests may be announced or unannounced.

Emergencies, which do not require an immediate evacuation, may be managed utilizing other methods designed to help keep the campus community safe.

### ***Shelter in Place***

A "Shelter in Place" response may be used to safeguard against environmental or weather-related situations that necessitate the holding of occupants within college buildings. Examples may include chemical spills, severe power outages, explosions or extreme weather conditions. Based upon the severity of the incident, the Department of Public Safety will provide specific information that may or may not modify college activities.

## ***Lockdown***

A “Lockdown” response may be used when it becomes necessary for campus community members to immediately enter or remain inside a secure structure, room or area in an effort to protect them- selves from possible danger. When the Department of Public Safety determines that a situation requires an immediate lockdown, the campus community will be notified using the College’s emergency alert systems. Additional information will be provided by the Department of Public Safety as it becomes available.

## ***Emergency Notifications***

MCC is committed to the safety and well-being of its students, employees and visitors. In the event of a significant emergency or dangerous situation involving the immediate threat to the health or safety of persons on campus, the College will notify the community of the situation. Emergency notifications will occur immediately unless it is determined that such announcements will compromise efforts to assist victims or contain the emergency.

The MCC ALERT System, which includes text, e-mail, and telephone alert options, are used by authorized college personnel to send emergency notifications including warnings, protective actions and post-incident follow-up information related to life safety issues. Follow-up messages are also distributed via MCC ALERT or may be posted to the College’s website. An “All Clear” message and/or additional information pertaining to the end of an emergency situation are also acceptable uses of the MCC ALERT System. Subscription to MCC ALERT is free and may be accomplished by going to the following website and selecting ‘MCC Alert’: [www.monroecc.edu/depts/pstd/mcc-alert-system](http://www.monroecc.edu/depts/pstd/mcc-alert-system)

Emergency notifications are permitted for events in the categories identified below or other “life threatening” situations:

- **Civil Disturbance:** large group disrupting normal campus activities;
- **Fire:** large-scale fire that endangers the campus community;
- **Hazardous Materials:** dangerous chemical, biological or nuclear material spreading from a contained area;
- **Major Road Closing:** unanticipated event that would disrupt safe passage to and from campus;
- **Medical Emergency:** pandemic or other health related event with potential casualties;
- **Personal Safety:** situations that pose an active threat including the use of weapons or violence, hostage situation or missing person;
- **Suspicious Package:** reasonable belief that a package may contain a chemical, biological or nuclear substance that would cause harm to persons or property;
- **Utility Failure:** a major disruption or damage to utilities including gas, electric or water.
- **Severe Weather Conditions:** such as flooding, blizzard, or tornado.

# Emergency Notification Systems

## Primary System

System	Primary Message Creator	Backup Message Creator	Authority for Approving & Sending Messages	Primary Message Sender
<b>MCC Public Address System</b>	Chief of Public Safety (or designee)	Designee in Public Safety or Office of Government & Community Relations	Chief of Public Safety (or designee) or Office of Government & Community Relations	Chief of Public Safety (or designee)
<b>MCC Alert</b>	Chief of Public Safety (or designee) or Office of Government & Community Relations	Designee in Public Safety or Office of Government & Community Relations	Chief of Public (or designee) or Office of Government & Community Relations	Chief of Public Safety or Office of Government & Community Relations
<b>E-Mail (All Campuses)</b>	Chief of Public Safety (or designee) or Office of Government & Community Relations	Designee in Office of Government & Community Relations	Chief of Public (or designee) or Office of Government & Community Relations	Office of Government & Community Relations

## Secondary System

System	Primary Message Creator	Backup Message Creator	Authority for Approving & Sending Messages	Primary Message Sender
<b>MCC Website</b>	Office of Government & Community Relations	Designee in Office of Government & Community Relations	Chief of Public Safety (or designee) or Office of Government & Community Relations	Office of Government & Community Relations
<b>Social Media &amp; Posters</b>	Office of Government & Community Relations	Designee in Office of Government & Community Relations	Chief of Public Safety (or designee) or Office of Government & Community Relations	Office of Government & Community Relations

An accessible version of these tables is available online: [www.monroecc.edu/depts/pstd/mcc-annual-security-and-fire-safety-report/emergency-notification-system/](http://www.monroecc.edu/depts/pstd/mcc-annual-security-and-fire-safety-report/emergency-notification-system/)

# Conduct Regulations

## ***Preamble***

In any organized group of people, it is essential to define the rights and responsibilities of the individuals in that group. Students, faculty, administration, staff and visitors form a society or a group at Monroe Community College. In defining the rights and responsibilities of individuals, Monroe Community College adheres to the 1967 Joint Statement on Rights and Freedoms of Students, the 1940 AAUP Statement on Principles of Academic Freedom and subsequently approved Interpretive Comments (1970).

Nothing contained herein shall be construed to be in conflict with the aforementioned documents. These rules are not intended to repeal, supersede or preclude any other rules related to the same subject matter except to the extent that they are inconsistent therewith.

## ***Jurisdiction***

- A. The rules hereby adopted shall govern the conduct of students upon the campus of the College and also upon or with respect to any other premises or property under the control of the College used in its teaching, research, administrative, service, cultural, recreation, athletic and other programs and activities.
- B. For College-sponsored off-campus programs, it is the intent of the College to leave disciplinary action with respect to off-campus offenses to civil authorities. It must be noted, however, that there are certain off-campus offenses that by their very nature pose a serious threat to the College community. In such cases, the College reserves the right to take appropriate action.

## ***Civility: Our Community's Core Values***

The students, faculty, staff, and administration of Monroe Community College are committed to core values that include:

- A. Creating an environment where we value and respect each other;
- B. Promoting a community that encourages the tolerance of divergent opinions and constructive resolution of conflict;
- C. Exchanging ideas and enriching our lives through the exploration of our multi-faceted culture;
- D. Embracing responsibility, honesty, integrity and courtesy;
- E. Respecting the dignity, rights and freedoms of every community member;
- F. Respecting the intellectual and physical property of others; and
- G. Respecting college property including both public and private spaces.

We, as a community of learners, are affirming these core values to guide our actions and behaviors.

### ***Prohibited Actions***

The following actions or conduct is prohibited:

- A. Alcohol
  - 1. The use, sale, transfer, or possession of alcoholic beverages on College premises
  - 2. Knowingly being in the presence or possession of alcoholic beverages or empty alcohol containers on College premises
  - 3. Disruptive behavior exhibited as a result of alcohol use, whether the use was on or off campus
- B. **Amplification:** use of amplification/audiovisual equipment and/or interference with any public, office, library, classroom, or other College function in any of the reservation facilities without prior approval from the Campus Events Office
- C. Animals
  - 1. Possession or accompaniment of animals in any campus building at any time - exceptions include laboratory animals, service/comfort animals as defined and recognized through the Services for Students with Disabilities Office, and the Housing and Residence Life pet policy guidelines for professional staff
  - 2. Improper handling or behavior of a service or comfort animal
  - 3. Failure to clean up after a service or comfort animal
- D. Assault
  - 1. Non-physical violence or abuse, including verbal abuse, threats, intimidation, harassment, coercion, and/or other conduct which threatens or endangers the health or safety of any person
  - 2. Actual or attempted slapping, kicking, shoving, or otherwise striking another person
- E. **Attempt:** attempting to engage in conduct, which, if completed, would result in the violation of any rule applicable to the College.
- F. College Grounds
  - 1. Use of College space and grounds by an organization or person without reservation of the space or proper authorization
  - 2. Operation of bicycles, skateboards, roller- blades, or other recreational items in a reckless or unsafe manner on College grounds
  - 3. Storage of bicycles, skateboards, rollerblades, or other recreational items within any College building or facility without appropriate authorization

- G. **Complicity:** the aiding, assisting, or abetting any person or persons in any action or conduct stated to be prohibited.
- H. Computer and Technology Use
1. Unauthorized entry into a file to use, read, or change the contents, or for any other purpose
  2. Use of another individual's identification and/or password, or revealing the password to anyone, including faculty and staff
  3. Use of computing facilities and resources to:
    - a. interfere with the work of another student, faculty, or college official
    - b. send obscene, harassing, or abusive messages, or view lewd or pornographic materials
    - c. interfere with normal operation of the College computing system
    - d. violate copyright laws
    - e. advertise or run a business or organization
  4. Any attempt to bypass accounting or security mechanisms, circumvent data-protection or system consistency schemes, or uncover security loopholes
  5. Use of technology or social media outlets to harass or bully an individual or organization
  6. Use of any device for listening to, observing, photographing, recording, amplifying, transmitting, or broadcasting sounds or events occurring in any place where the individual/group has a reasonable expectation of being free from unwanted surveillance, eavesdropping, or recording, including the use of Unmanned Aerial Devices (UAV), Recreational Aerial Vehicles (RAV) and drones.
- I. Demonstrations
1. Participation in a campus demonstration which disrupts the normal operations of the College and infringes on the rights of other members of the College community; leading or inciting others to disrupt schedules and/or normal activities within any campus building or area; intentional obstruction which unreasonably interferes with freedom of movement
  2. Providing or dispensing of materials that could lead to harm or injury to a person, including, but not limited to, self-defense spray, objects that can be thrown, objects that can be used to deface property, etc.



J. Destruction of Property

1. Destroying, defacing, materially altering, or otherwise damaging property not his or her own. This includes, but is not limited to, doors, windows, swipe card mechanisms, restroom equipment, vending machine equipment, College transportation equipment, etc.
2. Creating a condition which endangers or threatens property not his or her own.

K. **Discrimination:** unfair treatment of a person or group based on race, color, religion, sex, sexual orientation, familial status, gender identity or expression, age, genetic information, national or ethnic origin, physical or mental disability, marital or veteran status, domestic violence victim status, and/or criminal conviction.

L. Dishonesty

1. Repeated violation of the Academic Honesty Policy or other incidents of dishonesty that involve complicity on a large scale
2. Furnishing false information to any College official, faculty member, employee, or office
3. Forgery, alteration, or misuse of any instrument of identification, including, but not limited to, driver's licenses, passports, MCC ID cards, etc.
4. Use or attempted use of counterfeit money
5. Forgery, alteration, falsification, or misuse of any College or official document, supplies, or record, including, but not limited to:
  - a. Submission of a falsified universal grade change form to the College
  - b. Submission of false grade information of any sort to a College office or department, employer, academic institution, etc.
  - c. Altering any academic coursework and/or examinations so as to unjustly affect the grade awarded to that assignment
  - d. Knowingly falsifying application information

M. Disorderly conduct

1. Conduct that is disorderly, lewd, or indecent, or causes a breach of the peace
2. Aiding, abetting, or procuring another person to breach the peace on College premises, or at functions sponsored or participated in by the College

N. **Disruption:** the obstruction or disruption of any College function, class, or activity; general disruption that results in Public Safety or other public servant/faculty/staff response or intervention, both on and off campus

- O. **Election Tampering:** tampering with the election process of any College-recognized student organization
- P. **Failure to Comply:** the refusal to obey any reasonable or lawful request, order, or directive of a College Public Safety officer, faculty member, administrator, or any other identified representative of the College.
- Q. Fire and Safety
  - 1. Tampering with, misuse of or negligent activation of fire alarms and firefighting equipment, including, but not limited to, fire extinguishers, fire hoses, heat and smoke detectors, sprinkler systems, etc.
  - 2. Causing a fire or explosion or unauthorized use of any potential incendiary device or equipment
  - 3. Tampering with, or misuse of, or rendering useless any elevator device or systems
  - 4. Failure to exit the building during a fire alarm or drill, except as authorized in a documented safety plan
  - 5. Use of elevators during a fire alarm or drill
  - 6. Possession and/or use of any equipment or materials that is/are determined to be a fire or safety hazard, including but not limited to:
    - a. Any device with an open flame (candles, Bunsen burners, etc.)
    - b. Combustible/flammable liquids (butane, gasoline, etc.)
    - c. Hover boards, motorized self-balancing or hands-free scooters
    - d. Explosives, or any other hazardous materials including sparklers and fireworks
    - e. In the residence halls, non-UL approved appliances or appliances/items that are on the prohibited items list on the Housing and Residence Life website
  - 7. Storage of any motor vehicle or internal combustion machine within any College building
- R. **Gambling:** Money and/or other valuables being exchanged or wagered
- S. **Harassment:** unwelcome verbal, non-verbal, or physical conduct, based on race, color, religion, sex, sexual orientation, familial status, gender identity or expression, age, genetic information, national or ethnic origin, physical or mental disability, marital or veteran status, domestic violence victim status, and/or criminal conviction, that is sufficiently persistent or pervasive such that it unreasonably interferes with, denies, or limits someone's ability to participate in or benefit from the College's educational program and/or activities, and is based on power differentials, the creation of a hostile environment, or retaliation.

- T. **Hazing:** any act which endangers the mental or physical health or safety of a student, or which destroys or removes public or private property, for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in, a group or organization
- U. **Judicial System:** abuse of the disciplinary process, including, but not limited to:
1. Failure to obey a summons of a judicial body or College official
  2. Falsification, distortion, or misrepresentation of information before a judicial body
  3. Disruption or interference with the orderly conduct of a judicial proceeding
  4. Attempting to discourage an individual's proper participation in, or use of, the judicial system
  5. Attempting to influence the impartiality of a member of a judicial body prior to and/or during the course of the judicial proceeding
  6. Harassment (verbal or physical) and/or intimidation of a member of a judicial body prior to, during, and/or after a judicial proceeding
  7. Failure to comply with the sanctions imposed under the Student Code of Conduct
  8. Influencing or attempting to influence another person to commit an abuse of the judicial system
- V. **Keys/ID Access**
1. Unauthorized possession, duplication, or use of keys or IDs to any College premises
  2. Unauthorized entry to, or use of, College premises
- W. **Laws:** any conduct which constitutes a violation of the laws of the United States, the State of New York, Monroe County, or any other civil jurisdiction
- X. **Leaving the Scene:** attempting to flee or unlawfully leaving the area of an accident, crime, a College violation (and/or areas of potential accidents, crimes, or violations), or avoiding being apprehended or questioned by the College or other law enforcement agencies
- Y. **Publicity and Posting:** distributing promotional material that is not approved by the Office of Campus Life and/or the Housing and Residence Life Office
- Z. **Rules:** failure to abide by any of the College's published policies, rules, and regulations, or any of the published policies of Housing and Residence Life
- AA. **Sexual Misconduct:** Please refer to the below section for definitions of the following:
1. Sex discrimination

2. Sexual harassment
  3. Sexual assault I
  4. Sexual assault II
  5. Sexual exploitation
  6. Dating violence
  7. Domestic violence
  8. Stalking
  9. Retaliation
- BB. **Smoking:** Smoking and/or tobacco use is prohibited within the boundaries of College property, including all buildings, facilities, indoor and outdoor spaces, and grounds owned, rented or operated by the College. This includes, but is not limited to, parking lots, walkways, sidewalks, stairwells, college vehicles, residence halls, and private vehicles parked or operated on College property.
- CC. Substances
1. The use, sale, transfer, or possession of illegal substances and/or related paraphernalia on College premises
  2. Knowingly being in the presence of illegal substances
  3. Disruptive behavior exhibited as a result of substance use, whether the use was on or off campus
- DD. **Theft:** using, taking, and/or possessing property or services that are knowingly not his or her own with intention to deprive the owner of his/her rights
- EE. Traffic and Driving
1. The obstruction of the free flow of pedestrian or vehicular traffic, or the free access to, or exit from, any part of the College premises
  2. Unsafe or unauthorized use of a motor vehicle on campus grounds, including operating a motor vehicle under the influence of alcohol or drugs
  3. Repeated failure to pay parking tickets and/or address traffic fines/citations
- FF. **Trespass/Unauthorized Entry:** knowingly entering or remaining in a building, office, residence hall room, apartment, or any other College property at any time without permission or authorization
- GG. Weapons
1. Possession or use of any dangerous or deadly weapon or instrument on any college-owned or controlled property or at any college-sponsored or supervised function. For purposes of these guidelines, a “dangerous or deadly weapon or instrument” includes but is not limited

to any: firearm, shotgun, rifle, pistol, air rifle, BB gun, folding pocket knife, dirk, dagger, locking blade knife, switch blade knife, brass knuckles, blackjack, billy club, nun-chuck sticks, sling shot, Taser, stun gun, shocker, razor blade, acid, metal pipe, sharpened wood or metal trap, or any other weapon, instrument or object designed or modified to inflict physical harm on another person or animal. In the interest of protecting students, college personnel, or campus visitors, the College retains discretion to determine what constitutes a dangerous or deadly weapon or instrument.

2. The possession of any replica or “fake” copy of a weapon that can, to a reasonable person, seem real.

### ***Residence Halls***

Monroe Community College prohibits the following behaviors in the Residence Halls:

- A. **Guest/Visitation Policy**
  1. Hosting a guest who does not comply with directives given by College officials or violates any Housing and Residence Life or College policy
  2. Failure to appropriately sign in a guest
  3. Hosting more than two guests at one time; collectively hosting more than 12 people in a suite at one time
  4. Unauthorized visitation of a guest for more than three nights in a two-week period
- B. **Cleanliness:** Failure to maintain a level of cleanliness in your residence hall room or suite or failure to rectify documented cleanliness issues within your suite.
- C. **Quiet Hours:** failure to act responsibly and not interfere with the rights, comfort, or safety of roommates, suitemates or other residents; creating excessive noise.
- D. **Solicitation:** soliciting any sales, services, or products door to door in a residence hall; advertising or using the residence halls as a place of business.
- E. **Suite Agreement:** failure to abide by the agreement signed by the members of your suite.

Please refer to the Student Code of Conduct and MCC Policy (3.2) Employee & Visitor Conduct for more information.

### **Notice of Non-Discrimination**

Monroe Community College prohibits discrimination based on race, color, religion, sex, sexual orientation, pregnancy, familial status, gender identity or expression, age, genetic information, national or ethnic origin, physical or mental disability, marital status, veteran status, domestic violence victim status, socioeconomic status, criminal conviction, or any other characteristic or status protected by state or federal laws or

College policy in admissions, employment, and treatment of students and employees, or in any aspect of the business of the College.

Inquiries regarding the application of Title IX and other laws, regulations and policies prohibiting discrimination may be directed to:

Shannon Glasgow, Title IX Director  
Monroe Community College  
1000 East Henrietta Road  
Rochester, NY 14623  
(585) 292-2108 or [sglasgow@monroecc.edu](mailto:sglasgow@monroecc.edu)

## Summary of Title IX Policies for Individuals Reporting Sexual Harassment and Misconduct

The full text of Title IX Policies for Individuals Reporting Sexual Harassment and Misconduct is available at [www.monroecc.edu/go/titleix/](http://www.monroecc.edu/go/titleix/) and in the Code of Conduct at [www.monroecc.edu/go/conduct](http://www.monroecc.edu/go/conduct)

Monroe Community College is committed to creating and maintaining an educational environment free from all forms of sex discrimination, including sexual misconduct. MCC strictly prohibits the offenses of domestic violence, dating violence, sexual assault, and stalking. Monroe Community College encourages the reporting of sexual misconduct that is prompt and accurate. MCC is committed to protecting the confidentiality of victims/survivors, and will work closely with students who wish to obtain private/confidential assistance regarding an incident of sexual misconduct. Certain professionals at the College are permitted by law to offer confidentiality, and those who do not maintain that privilege are expected to keep reports private to the extent permitted under the law and College policy. All allegations will be investigated promptly and thoroughly, and both the Reporting Individual and the Accused Student will be afforded equitable rights during the investigative process.

## Education Programs and Campaigns

It is the collective responsibility of all members of the MCC community to foster a safe and secure campus environment. The College engages in ongoing educational programs and campaigns and all incoming students (and employees) are required to participate in these programs. All members of the College community are encouraged to participate throughout the year in ongoing primary prevention and awareness programs to prevent dating violence, domestic violence, sexual assault, and stalking.

- **Healthy Relationships:** Identify signs of abusive behavior and control in relationships and locate resources to help with relationship issues.
- **Consent in Relationships:** Definition of affirmative consent and instances when an individual is unable to provide consent.
- **Healthy Decision Making:** How emotions influence your thinking and behaviors and the use of critical thinking skills.

- **Effective Communication:** Recognize the importance of verbal & nonverbal communication.
- **Title IX Training:** Explanation of law and College policy; information about reporting options, including confidential reporting, available resources and accommodations, myths about sexual assault, and how to handle a disclosure. Training is offered in-person and online.
- **Enough is Enough Campaign:** Weeklong series of events held on-campus annually aimed at encouraging and supporting our community to work together to develop comprehensive, intentional, and systematic violence prevention initiatives, including sexual violence prevention initiatives.
- **Bystander Intervention Training through The Green Dot etc.:** A strategy representing a comprehensive approach to violence prevention that capitalizes on the power of peer and cultural influence across all levels of the socio-ecological model. This training is offered in person.
- **Mentors in Violence Prevention (MVP-MCC) Training:** MVP provides the leadership necessary, within sport and beyond, to address the global issues of sexism – especially men’s violence against women. Advocacy efforts and training programs educate, inspire and empower men and women to prevent, interrupt and respond to sexist abuse. Training is offered in person.

## **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 to any sexual act or prior consensual sexual activity between or with any party does not necessarily constitute consent to any other sexual act.
- Consent is required regardless of whether the person initiating the act is under the influence of drugs and/or alcohol.
- Consent may be initially given but withdrawn at any time.
- Consent cannot be given when a person is incapacitated, which occurs when an individual lacks the ability to knowingly choose to participate in sexual activity. Incapacitation may be caused by the lack of consciousness or being asleep, being involuntarily restrained, or if an individual otherwise cannot consent. Depending on the degree of intoxication, someone who is under the influence of alcohol, drugs, or other intoxicants may be incapacitated and therefore unable to consent.
- Consent cannot be given when it is the result of any coercion, intimidation, force, or threat of harm.
- When consent is withdrawn or can no longer be given, sexual activity must stop.

**Dating Violence:** Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. It does not include acts covered under the definition of domestic violence.

**Domestic Violence:** A felony or misdemeanor crime of violence committed:

- By a current or former spouse or intimate partner of the victim;
- By a person with whom the victim shares a child in common;
- By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
- By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or
- By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

**Retaliation:** Adverse action against another person for reporting a violation or for participating in any way in the investigation or conduct process. Retaliation includes harassment and intimidation, including but not limited to violence, threats of violence, property destruction, adverse educational or employment consequences, and bullying.

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

Specifically:

- **Sexual Assault I:** 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, including instances where the victim is incapable of giving consent because of his/her temporary or permanent mental incapacity.
- **Sexual Assault II:** 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 incapacity.
- **Sexual Exploitation:** Non-consensual, abusive sexual behavior that does not otherwise constitute Sexual Assault I, Sexual Assault II, or Sexual Harassment. Examples include but are not limited to: intentional, nonconsensual tampering with or removal of condoms or other methods of birth control and STI prevention prior to or during sexual contact in a manner that significantly increases the likelihood of STI contraction and/or pregnancy by the non-consenting party; nonconsensual video or audio taping of sexual activity; allowing others to watch



consensual or nonconsensual sexual activity without the consent of a sexual partner; observing others engaged in dressing/undressing or in sexual acts without their knowledge or consent; trafficking people to be sold for sex; and inducing incapacitation with the intent to sexually assault another person.

**Sexual Harassment:** Unwelcome, gender-based verbal, non-verbal, or physical conduct that may or may not be sexual in nature. It is and sufficiently persistent, or pervasive in that it unreasonably interferes with, denies, or limits someone's ability to participate in or benefit from the College's educational program and/or activities. It is, and is based on power differentials ("quid pro quo" harassment), or the creation of a hostile environment, or retaliation.

**"Quid pro quo" Sexual Harassment:** Occurs when a person in a position of authority uses that position to engage in unwelcome sexual advances, requests for favors, or other verbal or physical conduct of a sexual nature when: a) submission to such conduct is explicitly made a term or condition of a student's employment or education; or b) submission to or rejection of such conduct is used as a basis for decisions affecting a student's education or employment.

**Hostile Environment:** Creation of a hostile environment involving sexual harassment requires an assessment based on the totality of circumstances to determine whether the conduct is sufficiently serious to deny or limit a student's ability to participate in or benefit from the College's program and/or activities based on sex. The factors considered include:

- The degree to which the conduct affected one or more students' education
- Type, frequency, and duration of conduct
- Identity of and relationship between alleged harasser and the subject(s) of harassment
- Number of individuals involved
- Age and sex of alleged harasser and subject(s) of harassment
- Size of the College, location of incidents, and context in which they occurred
- Other incidents at the College
- Incidents of gender-based but nonsexual harassment

**Incapacitation:** Physical and/or mental inability to make informed, rational judgments and decisions. Where alcohol or other substances are involved, incapacitation is determined by how the substance impacts a person's decision-making capacity, awareness of consequences, and ability to make informed judgments.

In evaluating whether a person was incapacitated for purposes of evaluating affirmative consent, the College considers two questions: (1) Did the person initiating sexual activity know that the other individual was incapacitated? And if not, (2) should a sober, reasonable person in the same situation have known that the other individual was incapacitated? If the answer to either of these questions is "yes," affirmative consent was absent.

Incapacitation is a state beyond drunkenness or intoxication. A person is not incapacitated merely because they have been drinking or using drugs. The standard for incapacitation does not turn on technical or medical definitions, but instead focuses on whether a person has the physical and/or mental ability to make informed, rational judgments and decisions. A person who initiates sexual activity must look for the common and obvious warning signs that show that a person may be incapacitated or approaching incapacitation. Although every individual may manifest signs of incapacitation differently, typical signs may include: slurred or incomprehensible speech, unsteady gait, combativeness, emotional volatility, vomiting, and/or incontinence. Additionally, a person who is incapacitated may not be able to understand some or all of the following questions: "Do you know where you are?", "Do you know how you got here?", "Do you know what is happening?", "Do you know whom you are with?"

**Stalking:** Intentionally engaging in a course of conduct, directed at a specific person, which is likely to cause a reasonable person to fear for his or her safety or the safety of others or causes that person to suffer substantial emotional damage. Examples include, but are not limited to, repeatedly following such person(s), repeatedly committing acts that alarm, cause fear, or seriously annoy such other person(s) and that serve no legitimate purpose, and repeatedly communicating by any means, including electronic means, with such person(s) in a manner likely to intimidate, annoy, or alarm him or her.

- A course of conduct is two or more acts, including but not limited to acts in which the stalker directly, indirectly or through third parties by any action, method, device or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person or interferes with a persons' property.
- Substantial emotional distress is significant mental suffering or anguish that may, but does not necessarily require, medical or other professional treatment or counseling.
- A reasonable person is one under similar circumstances with similar identities to the victim.

### ***New York State Law Definitions\****

\* Always refer to New York State Penal Law for most recent updates.

**Family or Household Member:** Person's related by consanguinity or affinity; Persons legally married to one another; Persons formerly married to one another regardless of whether they still reside in the same household; Persons who have a child in common regardless of whether such persons are married or have lived together at any time; Unrelated persons who are continually or at regular intervals living in the same household or who have in the past continually or at regular intervals lived in the same household; Persons who are not related by consanguinity or affinity and who are or have been in a significant relationship regardless of whether such persons have lived together at any time. Factors that may be considered in determining whether a relationship is a "significant relationship" include, but are not limited to: the nature or type of relationship regardless of whether the relationship is sexual in nature; the

frequency of interaction between the persons; and the duration of the relationship. Neither a casual acquaintance nor ordinary fraternization between two individuals in business or social contexts shall be deemed to constitute a "significant relationship". Significant relationship status shall also be applied to teens, lesbian/gay/bisexual/transgender, and elderly individuals, current and formerly married and/or dating heterosexual individuals who were, or are in a significant relationship.

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

**Sex Offenses; Lack of Consent:** Whether or not specifically stated, it is an element of every offense defined in this article that the sexual act was committed without consent of the victim.

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

**Rape in the Third Degree:** When a person (1) engages in sexual intercourse with another person who is incapable of consent by reason of some factor other than being less than 17 years old; (2) Being 21 years old or more, engages in sexual intercourse with another person less than 17 years old; or (3) engages in sexual intercourse with another person without such person's consent where such lack of consent is by reason of some factor other than incapacity to consent.

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

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

**Facilitating a Sex Offense with a Controlled Substance:** A person is guilty of facilitating a sex offense with a controlled substance when he or she: (1) knowingly and unlawfully possesses a controlled substance or any preparation, compound, mixture or substance that requires a prescription to obtain and administers such substance or preparation, compound, mixture or substance that requires a prescription to obtain to another person without such person's consent and with intent to commit against such person conduct constituting a felony defined in this article; and (2) commits or attempts to commit such conduct constituting a felony defined in this article.

**Incest in the Third Degree:** A person is guilty of incest in the third degree when he or she marries or engages in sexual intercourse, oral sexual conduct or anal sexual conduct with a person whom he or she knows to be related to him or her, whether

through marriage or not, as an ancestor, descendant, brother or sister of either the whole or the half blood, uncle, aunt, nephew or niece.

**Incest in the Second Degree:** A person is guilty of incest in the second degree when he or she commits the crime of rape in the second degree, or criminal sexual act in the second degree, against a person whom he or she knows to be related to him or her, whether through marriage or not, as an ancestor, descendant, brother or sister of either the whole or the half blood, uncle, aunt, nephew or niece.

**Incest in the First Degree:** A person is guilty of incest in the first degree when he or she commits the crime of rape in the first degree, or criminal sexual act in the first degree, against a person whom he or she knows to be related to him or her, whether through marriage or not, as an ancestor, descendant, brother or sister of either the whole or half blood, uncle, aunt, nephew or niece.

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

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

**Stalking in the Second Degree:** When a person: (1) commits the crime of stalking in the third degree and in the course of and furtherance of the commission of such offense: (a) displays, or possesses and threatens the use of, a firearm, pistol, revolver, rifle, sword, billy, blackjack, bludgeon, plastic knuckles, metal knuckles, chuka stick, sand bag, sand club, sling- shot, slingshot, shirken, "Kung Fu Star," dagger, dangerous

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

**Stalking in the First Degree:** When a person commits the crime of stalking in the third degree or stalking in the second degree and, in the course and furtherance thereof, he or she intentionally or recklessly causes physical injury to the victim of such crime.

**Criminal Sexual Act in the Third Degree:** When a person engages in oral or anal sexual conduct (1) with a person who is incapable of consent by reason of some factor other than being less than 17 years old; (2) being 21 years old or more, with a person less than 17 years old; (3) with another person without such persons consent where such lack of consent is by reason of some factor other than incapacity to consent.

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

**Criminal Sexual Act in the First Degree:** When a person engages in oral or anal sexual conduct with another person (1) by forcible compulsion; (2) who is incapable of consent by reason of being physically helpless; (3) who is less than 11 years old; or (4) who is less than 13 years old and the actor is 18 years old or more.

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

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

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

**Sexual Abuse in the Second Degree:** When a person subjects another person to sexual contact and when such other person is (1) incapable of consent by reason of some factor other than being less than 17 years old; or (2) less than 14 years old.

**Sexual Abuse in the First Degree:** When a person subjects another person to sexual contact (1) by forcible compulsion; (2) when the other person is incapable of consent by reason of being physically helpless; or (3) when the other person is less than 11 years old; or (4) when the other person is less than 13 years old.

**Aggravated Sexual Abuse:** For the purposes of this section, conduct performed for a valid medical purpose does not violate the provisions of this section.

**Aggravated Sexual Abuse in the Fourth Degree:** When a person inserts a (1) foreign object in the vagina, urethra, penis or rectum of another person and the other person is incapable of consent by reason of some factor other than being less than 17 years old; or (2) finger in the vagina, urethra, penis, rectum or anus of another person causing physical injury to such person and such person is incapable of consent by reason of some factor other than being less than 17 years old.

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

**Aggravated Sexual Abuse in the Second Degree:** When a person inserts a finger in the vagina, urethra, penis, rectum or anus of another person causing physical injury to such person by (1) forcible compulsion; or (2) when the other person is incapable of consent by reason of being physically helpless; or (3) when the other person is less than 11 years old.

**Aggravated Sexual Abuse in the First Degree:** When a person subjects another person to sexual contact: (1) By forcible compulsion; or (2) when the other person is incapable of consent by reason of being physically helpless; or (3) when the other person is less than eleven years old; or (4) when the other person is less than thirteen years old and the actor is twenty-one years old or older.

**Course of Sexual Conduct Against a Child in the Second Degree:** When over a period of time, not less than three months, a person: (1) Engages in two or more acts of sexual conduct with a child less than 11 years old; or (2) being 18 years old or more engages in two or more acts of sexual conduct with a child less than 13 years old. A

person may not be subsequently prosecuted for any other sexual offense involving the same victim unless the other charges offense occurred outside of the time period charged under this section.

**Course of Sexual Conduct Against a Child in the First Degree:** When a person over a period of time, not less than three months in duration, a person: (1) Engages in two or more acts of sexual conduct, or aggravated sexual contact with a child less than 11 years old; or (2) being 18 years old or more engages in two or more acts of sexual conduct which includes at least one act of sexual intercourse, oral sexual conduct, anal sexual conduct, or aggravated sexual contact with a child less than 13 years old.

## Students' Bill of Rights

The State University of New York and Monroe Community College are committed to providing options, support and assistance to victims/survivors of sexual assault, domestic violence, dating violence, and/or stalking to ensure that they can continue to participate in College-wide and campus programs, activities, and employment. All victims/survivors of these crimes and violations, regardless of race, color, national origin, religion, creed, age, disability, sex, gender identity or expression, sexual orientation, familial status, pregnancy, predisposing genetic characteristics, military status, domestic violence victim status, or criminal conviction, have the following rights, regardless of whether the crime or violation occurs on campus, off campus, or while studying abroad.

All students have the right to:

1. Make a report to local law enforcement and/or state police;
2. Have disclosures of domestic violence, dating violence, stalking, and sexual assault treated seriously;
3. Decide 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 from 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 institutional representatives as practicable and not to be required to unnecessarily repeat a description of the incident;
8. Be protected from retaliation by the institution, any student, the Accused Student 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 Student, 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 College.

### ***Options in Brief***

Victims/survivors have many options that can be pursued simultaneously, including one or more of the following:

1. Receive resources, such as counseling and medical attention;
2. Confidentially or anonymously disclose a crime or violation (for detailed information on confidentiality and privacy see Options for Confidentially Disclosing Sexual Violence)
3. Make a report to:
  - a. An employee with authority to address complaints, including the Title IX Coordinator, a Student Conduct Employee, or a Human Resources employee;
  - b. MCC Public Safety;
  - c. Local law enforcement; and/or
  - d. Family Court or Civil Court.

## **Sexual Violence Response Policy**

The full Sexual Violence Response Policy is available in Title IX Policies for Individuals Reporting Sexual Harassment and Misconduct at [www.monroecc.edu/go/titleix](http://www.monroecc.edu/go/titleix) and in the Code of Conduct at [www.monroecc.edu/go/conduct](http://www.monroecc.edu/go/conduct). Reporting Individuals have the right to pursue more than one of the options below at the same time, or to choose not to participate in any of the options below.

### ***Reporting***

Individuals have the right to make a report to Public Safety, local law enforcement, and/or State Police or choose not to report; to report the incident to the institution; to be protected by the institution from retaliation for reporting an incident; and to receive assistance and resources from the institution.

- To disclose confidentially the incident to one of the following College officials, who by law may maintain confidentiality, and can assist in obtaining services: Counseling Services - Brighton Campus, Bldg. 3, Room 103, (585) 292-2030, and Ivan Matthew, Student Services - Downtown Campus, Room 310P, (585) 685- 6169.
- To disclose confidentially the incident and obtain services from the New York State, New York City or county hotlines: [www.opdv.ny.gov/help/dvhotlines.html](http://www.opdv.ny.gov/help/dvhotlines.html).



Additional disclosure and assistance options are catalogued by the Office for the Prevention of Domestic Violence and presented in several languages: <https://opdv.ny.gov/help/index.html> (or by calling 1-800-942-6906).

- To anonymously disclose the incident to the College via either: Silent Witness Hotline - (585) 292-3636, or Anonymous Reporting Online Form (<https://anonymousreportingform.monroecc.edu>).
- To disclose the incident to a Title IX Officer. The Title IX Director is Shannon Glasgow, (585) 292-2108. In addition to the Title IX Coordinator, there are several Title IX Deputies on campus. Title IX Deputy contact information is available at [www.monroecc.edu/go/titleix](http://www.monroecc.edu/go/titleix).
- To file a criminal complaint with MCC Public Safety and/or with local law enforcement and/or state police: MCC Public Safety at (585) 292-2911; Rochester Police Department and/or Brighton Police Department at 911; and/or NYS Police 24-Hour Hotline at 1-844-845-7269.
- To receive assistance from Public Safety in initiating legal proceedings in family court or civil court: MCC Public Safety at (585) 292-2911.
- When the accused person is an employee, a Reporting Individual may also report the incident to Human Resources. Disciplinary proceedings will be conducted in accordance with applicable collective bargaining agreements. When the accused person is an employee of an affiliated entity or vendor of the college, college officials will, at the request of the Reporting Individual, assist in reporting to the appropriate office of the vendor or affiliated entity and, if the response of the vendor or affiliated entity is not sufficient, assist in obtaining a persona non grata letter, subject to legal requirements and college policy. To report to Human Resources, contact: Kristin Lowe, Director of Human Resources, (585) 292- 2114.

Within 96 hours of an assault, a person can receive a Sexual Assault Forensic Examination at a hospital. To best preserve evidence, victims/survivors should avoid showering, washing, changing clothes, combing hair, drinking, eating, or doing anything to alter physical appearance until after a physical exam has been completed. Completing a sexual assault forensic examination would not require someone to file a police report. Having a forensic examination will help preserve evidence in case the individual decides at a later date to file a police report.

### ***Privacy Versus Confidentiality***

Even Monroe Community College offices and employees who cannot guarantee confidentiality will maintain your privacy to the greatest extent possible. The information you provide to a non-confidential resource will be relayed only as necessary to investigate and/or seek a resolution and to notify the Title IX Coordinator or designee, who is responsible under the law for tracking patterns and spotting systemic issues. Monroe Community College will limit the disclosure as much as possible, even if the Title IX Coordinator determines that the request for confidentiality cannot be honored.

## ***Summary of Available Protection and Accommodations***

1. When the accused person is a student, the College may issue a “No Contact Order,” meaning that continuing to contact the protected individual is a violation of College policy subject to additional conduct charges.
2. Public Safety or other college officials are available to provide assistance in initiating legal proceedings in family court or civil court, including but not limited to obtaining an Order of Protection.
3. When the accused person is a student and presents a continuing threat to the health and safety of the community, the College may place the Accused Student on interim suspension pending the outcome of a conduct process.
4. When the accused person is not a student but is a member of the college community and presents a continuing threat to the health and safety of the community, the College may impose interim measures in accordance with applicable collective bargaining agreements, employee handbooks, and Monroe Community College policies and rules.
5. When the accused person is not a member of the College community, Public Safety is available to assist in obtaining a persona non grata letter, subject to legal requirements and college policy.
6. The College provides reasonable and available interim measures and accommodations that effect a change in academic, housing, employment, transportation, or other applicable arrangements in order to ensure safety, prevent retaliation, and avoid an ongoing hostile environment.

The College will maintain as confidential any accommodations or protective measures provided, to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.

## ***Standard of Proof in Sexual Misconduct Cases***

In all college disciplinary proceedings, including sexual misconduct proceedings, the “preponderance of the evidence” standard of proof will be used. If the evidence presented meets this standard – in other words, if it is “more likely than not” that the sexual misconduct occurred - then the Respondent must be found responsible.

## ***Student Conduct Process for Sexual Misconduct Cases***

A Reporting Individual may request that student conduct charges be filed against the Accused Student. Conduct proceedings are governed by the procedures set forth in the MCC Student Handbook as well as federal and New York State law, including the due process provisions of the United States and New York State Constitutions

Throughout conduct proceedings, the Respondent and the Reporting Individual will have:

1. The same opportunity to be accompanied by an advisor of their choice who may assist and advise the parties throughout the conduct process and any

- related hearings or meetings. Participation of the advisor in any proceeding is governed by federal law and the Student Code of Conduct.
2. The right to a prompt response to any complaint and to have their complaint investigated and adjudicated in an impartial, timely, and thorough manner by individuals who receive annual training in conducting investigations of sexual violence, the effects of trauma, impartiality, the rights of the Respondent, including the right to a presumption that the Respondent is “not responsible” until a finding of responsibility is made, and other issues related to sexual assault, domestic violence, dating violence, and stalking.
  3. The right to an investigation and process conducted in a manner that recognizes the legal and policy requirements of due process (including fairness, impartiality, and a meaningful opportunity to be heard) and is not conducted by individuals with a conflict of interest.
  4. The right to receive advance written or electronic notice of the date, time, and location of any meeting or hearing they are required to or are eligible to attend. The Accused Student will also be told the factual allegations concerning the violation, a reference to the specific code of conduct provisions alleged to have been violated, and possible sanctions.
  5. The right to have a conduct process run concurrently with a criminal justice investigation and proceeding, except for temporary delays as requested by external municipal entities while law enforcement gathers evidence. Temporary delays should not last more than 10 days except when law enforcement specifically requests and justifies a longer delay.
  6. The right to offer evidence during an investigation and to review available relevant evidence in the case file (or otherwise held by Monroe Community College).
  7. The right to present evidence and testimony at a hearing, where appropriate.
  8. The right to a range of options for providing testimony via alternative arrangements, including telephone/ videoconferencing or testifying with a room partition.
  9. The right to exclude prior sexual history with persons other than the other party in the conduct process or their own mental health diagnosis or treatment from admittance in college disciplinary stage that determines responsibility. Past findings of domestic violence, dating violence, stalking, or sexual assault may be admissible in the disciplinary stage that determines sanction.
  10. The right to ask questions of the decision maker and via the decision maker indirectly request responses from other parties and any other witnesses present.
  11. The right to make an impact statement during the point of the proceeding where the decision maker is deliberating on appropriate sanctions.

12. The right to simultaneous (among the parties) written or electronic notification of the outcome of a conduct proceeding, including the decision, any sanction, and the rationale for the decision and any sanctions.
13. The right to written or electronic notice about the sanction(s) that may be imposed on the Accused Student based upon the outcome of the conduct proceeding. For students found responsible for Sexual Assault I, the available sanctions are suspension with additional requirements before re-enrollment or expulsion/dismissal.
14. Access to at least one level of appeal of a determination before a panel, which may include one or more students, that is fair and impartial and does not include individuals with a conflict of interest.
15. The right to have access to a full and fair record of a student conduct hearing, which shall be preserved and maintained for at least five years. The following office can serve as a point to assist with obtaining a record of a student conduct hearing: Amy Greer, Director of Student Rights & Responsibilities, (585) 292-2023.
16. The right to choose whether to disclose or discuss the outcome of a conduct hearing. The right to have all information obtained during the course of the conduct or judicial process be protected from public release until the appeals panel makes a final determination unless otherwise required by law.

The College will conduct a timely review of all complaints of domestic violence, dating violence, sexual assault, sexual harassment, and/or stalking. Absent extenuating circumstances, review and resolution is expected to take place. The College strives to review and resolve complaints within sixty (60) calendar days from receipt of the complaint.

The preliminary review of these complaints, including initial interviews and implementation of interim measures, will usually be completed within 5-10 days of receipt of complaint.

The subsequent, comprehensive review and investigation of these complaints, including additional interviews with parties and witnesses/persons with knowledge or information and the gathering of evidence, will usually be completed within 10-40 days of receipt of complaint. Results of the complaint, via either a formal hearing or waiver of hearing, are typically issued within 40-60 days of receipt of the complaint.

The 60-calendar day timeframe to review and resolve complaints may be extended for good cause, as determined by the Vice President for Student Services. "Good cause" includes but is not limited to: delays caused by school breaks and/or holidays, delays caused by the availability of parties and witnesses/persons with information or knowledge, delays caused by the availability of faculty and/or staff involved in the investigation or adjudication processes, delays related to a concurrent criminal investigation, etc. Both the Respondent and the Complainant will be notified in writing of the delay, the reason(s) for the delay, and provided the date of the new deadline or event. Extensions requested by one party will not be longer than five (5) business/school days.

For information about Judicial Proceedings, visit [www.monroecc.edu/go/conduct](http://www.monroecc.edu/go/conduct) to access the Code of Conduct.

### ***Disciplinary Sanctions Applicable to Students***

Any student who engages in any prohibited act or conduct may be subject to one or more of the following sanctions. The degree of violation and matters of extenuating circumstances shall be considered, along with all relevant circumstances, in determining the appropriate sanction. Please note: For students found responsible for Sexual Assault I, the available sanctions are suspension with additional requirements before re-enrollment or expulsion/dismissal. Students found responsible for Domestic Violence, Dating Violence, or Stalking may be subject to one or more of the following sanctions. A sanction need not be imposed in every case, and no sanction shall be imposed that is more serious than is clearly appropriate for the circumstances. Findings and sanctions will become a part of a student's conduct file and will be part of the student's educational record. The sanctions that may be imposed by a conduct officer or hearing board are as follows:

1. **Verbal Reprimand:** This action is a formal admonition on behalf of the College community and is intended to clearly document, in a student's disciplinary file, that his/her behavior has been deemed unacceptable. Reprimands typically do not include additional sanctions, but may.
2. **Written Warning:** This action is a written statement on behalf of the College community and is intended to clearly document, in a student's disciplinary file, that his/her behavior has been deemed unacceptable and that repetition or additional wrongful conduct would be followed by more severe disciplinary action. A written warning may include additional sanctions.
3. **Disciplinary Probation:** This action constitutes a change in status between good standing and suspension or expulsion from the College. For a specified time period or indefinitely, the student must demonstrate behavior that aligns with the mission, values, and policies of the College. The student is permitted to remain enrolled at the College under certain stated conditions.
4. **Fines:** This action may be imposed when necessary.
5. **Restitution:** This action typically results from disciplinary violations involving theft and/or damage to College property.
6. **Discretionary Sanctions:** This action typically occurs in conjunction with a written warning or disciplinary probation. Sanctions include but are not limited to: essays, privilege revocation, referral to counseling or another service area, work assignments, apology letters, service to the College, or other related discretionary assignments may be imposed.
7. **Deferred Removal from the Residence Halls:** An official action informing the student that the violation of any College regulation or residence hall policy during the deferred removal period will result in residence hall suspension or

- residence hall removal. For a specified time period or indefinitely, residence hall privileges may be revoked, such as having guests/visitors or borrowing hall equipment.
8. **Residence Hall Removal:** Eviction/removal from the residence halls and the termination of the student's housing license. Students removed from the residence halls may not return to the halls or surrounding grounds as a guest and may be arrested for trespassing.
  9. **Residence Hall Suspension:** Eviction/removal from the residence halls for a period of time up to two years and the termination of the student's housing license. Students suspended from the residence halls may not return to the halls or surrounding grounds as a guest and may be arrested for trespassing.
  10. **Residence Hall Relocation:** An official action moving a student from one room to another within the residence halls. Students relocated to another room may be restricted from entering a specified room, suite, floor or building.
  11. **Residence Hall Interim Removal:** A temporary action removing a student from the residence halls in order to protect the safety of other students in the community. A residence hall interim removal is used in situations where threats are made, acts of physical violence are committed, and/or there is any indication of a safety risk. Typically, interim removals occur after business hours and last until the next business day, but can last through an investigation and conduct process period.
  12. **Suspension:** This action results in the involuntary withdrawal of the student from the College for a period of time up to two years or until specific conditions have been met. Please note that the college has a Transcript Notation Policy, which may apply for violent or Clery reportable violations that result in suspension. To review this policy, please refer to the Regulations and Policies section of the current college catalog.
  13. **Summary Suspension:** This action results in the immediate removal of a student from the College, including the residence halls, until a conduct hearing can take place. If a student is summarily suspended, immediate written notice of charges is provided and a Judicial Board hearing is scheduled within five (5) business days. During this time, a student may not be permitted to be on campus for any reason without notifying Public Safety.
  14. **Expulsion:** This action results in termination of student status at the College for an indefinite period of time. Please note that the college has a Transcript Notation Policy, which may apply for violent or Clery reportable violations that result in expulsion. To review this policy, please refer to the Regulations and Policies section of the current college catalog.
  15. **Loss of Privileges for Clubs or Organizations:** In addition to the above sanctions, clubs or organizations may suffer loss of all or selected rights and privileges for a period of time or indefinitely.
  16. **Interim Sanctions:** This action results in directives that are in place through the judicial process. A student may be placed on a disciplinary probation

status, temporarily relocated or removed from the residence halls, unable to attend one class, referred to counseling, provided an order of no contact, etc., while an investigation and Judicial Board hearing are taking place.

## **Student Appeals Process**

The Complainant or the Responding Student may appeal any finding and/or sanction based upon the criteria specified in the Code of Conduct. All appeals are written to the Vice President for Student Services and must be submitted within 72 hours of effective notice of a decision. For just cause, the Vice President for Student Services may waive the 72-hour requirement. Please note that the appeal of any sexual misconduct case will be reviewed by a panel. The Vice President for Student Services and/or his designee(s) will review the appeal. For additional information about the Appeals Process, visit [www.monroecc.edu/go/conduct](http://www.monroecc.edu/go/conduct) to access the Code of Conduct.

## **Policy for Alcohol and/or Drug Use Amnesty in Sexual and Interpersonal Violence Cases**

The full Policy for Alcohol and/or Drug Use Amnesty in Sexual and Interpersonal Violence Cases is available in the Code of Conduct at [www.monroecc.edu/go/conduct](http://www.monroecc.edu/go/conduct). 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 Monroe Community College officials or law enforcement will not be subject to Monroe Community College's code of conduct action for violations of alcohol and/or drug use policies occurring at or near the time of the commission of the domestic violence, dating violence, stalking, or sexual assault.

## ***Employee Conduct Process for Sexual Misconduct Cases, Applicable Sanctions, and Appeals Process***

Complaints against employees will be investigated in conjunction with the Human Resources Department, in accordance with its procedures for complaints against non-contract employees, or for complaints against an employee who is a member of a union, in accordance with the disciplinary procedures set forth in the applicable collective bargaining agreement.

### **Resources**

On-campus and off-campus resources are summarized on the next page and information is available at the Title IX website: [www.monroecc.edu/go/titleix/](http://www.monroecc.edu/go/titleix/).

## **Clery Act Crimes**

### ***Definitions***

Colleges are also required to report the below listed offenses on an annual basis.

**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 a 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 that could and probably would result in serious personal injury if the crime were successfully completed).

**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.

**Burglary:** The unlawful entry of a structure to commit a crime therein. For reporting purposes this definition includes unlawful entry with intent to commit a crime, and all attempts.

**Drug Abuse Violations:** The violation of laws or ordinances relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana, synthetic narcotics (Demerol, methadone); and dangerous nonnarcotic drugs (barbiturates, Benzedrine).

**Liquor Law Violations:** The violation of laws or ordinances prohibiting the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to a minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; and all attempts to commit any of the aforementioned activities. (Drunkenness and driving under the influence are not included in this definition).

**Motor Vehicle Theft:** The theft or attempted theft of a motor vehicle.

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

**Negligent Manslaughter:** The killing of another person through gross negligence.

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

**Weapon Law Violations:** The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; illegal aliens possessing deadly weapons; and all attempts to commit any of the aforementioned acts.

**Hate Crimes:** Include murder/non-negligent manslaughter, negligent manslaughter, rape, fondling, incest, statutory rape, robbery, aggravated assault, burglary, motor vehicle theft and arson as well as larceny-theft, simple assault, intimidation, and destruction, damage or vandalism of property motivated by the perpetrator's bias or attitude against an individual victim or group based on perceived or actual personal characteristics, such as their race, religion, ethnicity, gender, sexual orientation, disability, gender identity, or national origin. There were no hate crimes reported to the MCC Department of Public Safety in 2017, 2018, or 2019.



## Brighton Campus

1000 E. Henrietta Road, Rochester, New York

Located on a 300-acre site just outside the city limits, the campus includes 16 academic, administrative and athletic buildings, the Alice Holloway Young Commons residence halls, and the Richard M. Guon Child Care Center.

Brighton Campus Crime Statistics	On-Campus (Includes Residence Halls)			Residence Halls Only			Non-Campus Property~			Public Property		
	2017	2018	2019	2017	2018	2019	2017	2018	2019	2017	2018	2019
Offense Year	2017	2018	2019	2017	2018	2019	2017	2018	2019	2017	2018	2019
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Rape	5	5	0	5	4	0	0	0	0	0	0	0
Fondling	3	3	0	0	1	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	1	2	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	1	1	2	1	0	2	0	0	0	0	0	0
Motor Vehicle Theft	1	1	2	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0
Stalking	0	1	0	0	1	0	0	0	0	0	0	0
Dating Violence	3	7	6	0	6	3	0	0	0	0	0	0
Domestic Violence	2	3	7	1	1	5	0	0	0	0	0	0
Arrest for Drugs	0	0	2	0	0	2	0	0	0	0	0	0
Arrest for Alcohol	0	0	0	0	0	0	0	0	0	0	0	0
Arrest for Weapons	0	0	0	0	0	0	0	0	0	0	0	0
Referrals for Drugs	25	36	33	16	32	27	0	0	0	0	2	0
Referrals for Alcohol	61	47	24	60	47	23	0	0	0	0	0	0
Referrals for Weapons	1	0	0	0	0	0	0	0	0	0	0	0

An accessible version of this table is available online: [www.monroecc.edu/depts/pstd/mcc-annual-security-and-fire-safety-report/crime-statistics/brighton-campus-crime-statistics/](http://www.monroecc.edu/depts/pstd/mcc-annual-security-and-fire-safety-report/crime-statistics/brighton-campus-crime-statistics/)

## Damon City Campus

(January 1, 2017 – July 31, 2017)

228 E. Main Street, Rochester, New York

A 200,000 square foot facility located in the heart of downtown Rochester. Weekday, evening, Saturday and summer classes were held here for the convenience of those who live and work in the city. No residence halls were located at this campus site.

Damon City Campus Crime Statistics	On-Campus			Non-Campus Property			Public Property		
	2017	2018	2019	2017	2018	2019	2017	2018	2019
Offense Year	2017	2018	2019	2017	2018	2019	2017	2018	2019
Murder/Non-Negligent Manslaughter	0	+	+	0	+	+	0	+	+
Negligent Manslaughter	0	+	+	0	+	+	0	+	+
Rape	0	+	+	0	+	+	0	+	+
Fondling	1	+	+	0	+	+	0	+	+
Incest	0	+	+	0	+	+	0	+	+
Statutory Rape	0	+	+	0	+	+	0	+	+
Robbery	0	+	+	0	+	+	0	+	+
Aggravated Assault	0	+	+	0	+	+	0	+	+
Burglary	0	+	+	0	+	+	0	+	+
Motor Vehicle Theft	0	+	+	0	+	+	0	+	+
Arson	1	+	+	0	+	+	0	+	+
Stalking	0	+	+	0	+	+	0	+	+
Dating Violence	1	+	+	0	+	+	0	+	+
Domestic Violence	0	+	+	0	+	+	0	+	+
Arrest for Drugs	0	+	+	0	+	+	0	+	+
Arrest for Alcohol	0	+	+	0	+	+	0	+	+
Arrest for Weapons	0	+	+	0	+	+	0	+	+
Referrals for Drugs	0	+	+	0	+	+	0	+	+
Referrals for Alcohol	0	+	+	0	+	+	0	+	+
Referrals for Weapons	0	+	+	0	+	+	0	+	+

+ The Damon Campus was not utilized by MCC in 2018 or 2019.

An accessible version of this table is available online: [www.monroecc.edu/depts/pstd/mcc-annual-security-and-fire-safety-report/crime-statistics/damon-city-campus-crime-statistics/](http://www.monroecc.edu/depts/pstd/mcc-annual-security-and-fire-safety-report/crime-statistics/damon-city-campus-crime-statistics/)

## Downtown Campus

321 State Street, Rochester, New York

MCC's Downtown Campus offers 7 floors and 255,000 sq-ft of innovative classroom and meeting space in the heart of Rochester's historic High Falls district. The Downtown Campus is also the home of the Economic & Workforce Development Center.

Downtown Campus Crime Statistics	On-Campus			Non-Campus Property			Public Property		
	2017	2018	2019	2017	2018	2019	2017	2018	2019
Offense Year	2017	2018	2019	2017	2018	2019	2017	2018	2019
Murder/Non-Negligent Manslaughter	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	1	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	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	1	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	1	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

+ The Downtown Campus formally opened on August 1, 2017.

An accessible version of this table is available online: [www.monroecc.edu/depts/pstd/mcc-annual-security-and-fire-safety-report/crime-statistics/downtown-campus-crime-statistics/](http://www.monroecc.edu/depts/pstd/mcc-annual-security-and-fire-safety-report/crime-statistics/downtown-campus-crime-statistics/)

## Applied Technologies Center (ATC)

2485 West Henrietta Road, Rochester, New York

MCC's state-of-the-art facility for technical education and industry-based training. The 53,000-square-foot facility contains a computer lab, multi-use classrooms, state-of-the-art laboratories, conference rooms, student lounge and the Rochester Tooling and Machining Association. No residence halls are located at this campus site.

Applied Technologies Center Crime Statistics	On-Campus			Non-Campus Property			Public Property		
	2017	2018	2019	2017	2018	2019	2017	2018	2019
Offense Year	2017	2018	2019	2017	2018	2019	2017	2018	2019
Murder/Non-Negligent Manslaughter	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	0	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

An accessible version of this table is available online: [www.monroecc.edu/depts/pstd/mcc-annual-security-and-fire-safety-report/crime-statistics/applied-technologies-center-campus-crime-statistics/](http://www.monroecc.edu/depts/pstd/mcc-annual-security-and-fire-safety-report/crime-statistics/applied-technologies-center-campus-crime-statistics/)

## Public Safety Training Facility (PSTF)

1190 Scottsville Road, Rochester, New York

A regional emergency training complex owned by Monroe County and operated through a partnership with the City of Rochester and MCC. Here, the College provides local police, fire and emergency medical personnel with both basic and in-service training related to their respective fields. No residence halls are located at this campus site.

Public Safety Training Facility Crime Statistics	On-Campus			Non-Campus Property			Public Property		
	2017	2018	2019	2017	2018	2019	2017	2018	2019
Offense Year	2017	2018	2019	2017	2018	2019	2017	2018	2019
Murder/Non-Negligent Manslaughter	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	0	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

An accessible version of this table is available online: [www.monroecc.edu/depts/pstd/mcc-annual-security-and-fire-safety-report/crime-statistics/public-safety-training-facility-campus-crime-statistics/](http://www.monroecc.edu/depts/pstd/mcc-annual-security-and-fire-safety-report/crime-statistics/public-safety-training-facility-campus-crime-statistics/)

# Annual Campus Fire Safety Report

At Monroe Community College, the safety of our students, employees and visitors is our top priority. The Environmental Health & Safety Department is charged with implementing policies and programs to ensure the health and safety of our community, while being compliant with federal, state and local regulations and requirements.

Each year, Environmental Health & Safety staff provide fire safety training for all Resident Assistants and Resident Directors.

This training includes: Residence Hall Rules and Regulations, Building Fire Alarm Systems, Evacuation Procedures, Inspection Techniques, Fires and Fire Spread, and Hands-On Fire Extinguisher Training in coordination with the Rochester Fire Department.

A log recording all fires at the MCC Residence Halls is available for review at the Public Safety Department located at Building 21 of the Brighton Campus.

## Fire Safety Inspections

Along with varied internal inspections by Environmental Health & Safety staff, the New York State Office of Fire Prevention and Control inspects Monroe Community College on an annual basis. This agency has the authority to inspect public and private colleges and universities to insure campuses are in compliance with the New York State Fire Safety Code.

## Automatic Sprinkler System

MCC residence halls are equipped with an automatic sprinkler system with sprinkler heads located in each room and hallway. The system is activated by excessive heat at the sprinkler head and is monitored by the College's automated fire alarm system. Sprinkler heads must not be blocked or tampered with in any manner. Nothing should be attached to the head as it may cause an accidental discharge or prevent proper operation. All sprinkler systems are inspected quarterly and maintained by EH&S.

## Procedures Students and Employees Should Follow in Case of a Fire

If you discover or strongly suspect a fire, immediately:

1. Shout "Fire!" to alert those in the immediate vicinity. Assist any person in immediate danger, if it can be accomplished without risk to yourself.
2. Evacuate the building immediately via the closest exit, activating the fire alarm on your way out of the building. (This will automatically notify the fire department and shut down the air handling units to prevent the spread of smoke throughout the building.) If you are the last person out of a room, close the door behind you as you leave. Do not use the elevators.
  - If the closest exit is blocked, go to the next closest exit. If all exits are blocked or if there is life threatening smoke or fire in the corridor, go back

to your room. Close the room door and call Public Safety (292-2911) to report your location. If you are not able to communicate via phone, position yourself in front a window and signal for help. If smoke is entering the room, seal the bottom of your room door and air vents with a rug, blanket or towel. Crawl and keep low to avoid deadly smoke, heat and fumes.

- Individuals unable to leave the building due to a mobility impairment should proceed to a designated area of assistance, generally located near or at a stair tower. “Area of Refuge”, “Emergency Assembly Area” or “Area of Rescue Assistance” signs mark these areas. If imminent danger from a fire/smoke occurs while waiting for Public Safety assistance, move inside the nearest stair tower. MCC Public Safety staff checks these areas during all emergency evacuations and when needed, provides assistance in relocating individuals. If possible, call Public Safety (585-292-2911), with the exact location of a person needing assistance.
3. Once outside, move away from buildings and courtyards and assemble in the following designated areas:
- a. Brighton Campus Assembly Location
    - Assemble near a blue light phone (or flagpole in the front of the campus).
    - Do not assemble within 100 feet of the buildings, in either courtyard, or on the plaza deck.
  - b. Downtown Campus Assembly Locations
    - Once outside, stay on the sidewalk, proceed to the front of the building and cross Morrie Silver Way. Public Safety personnel will be present, stopping road traffic, to allow for safe crossing.
    - Assemble in Parking Lot AA.
  - c. Applied Technology Center Assembly Location
    - Congregate in the back parking lot, at the point most distant from the entrance the emergency responders will be using. Do not congregate in the Fire Lane.
  - d. Resident Halls Assembly Locations
    - Alexander Residents will meet in parking Lot D (Child Day Care parking lot)
    - Pioneer Residents will meet in the east end of parking lot R
    - Tribune Residents will meet in east end of parking Lot R
    - Canal Residents
      - The northern section Canal will meet in the northwest corner of parking lot S and northeast corner of parking lot T.

- The southern section of Canal will meet in the area between the Canal Hall Service Road and the bridge that crosses the pond. Do not block the service road.
4. Once you are in a designated area, call Public Safety (585-292-2911) IF you have important information regarding the location of the fire, the cause of the alarm, or to report any missing, trapped people or disabled individuals waiting in an Area of Assistance.
  5. Do not assume it is safe to re-enter the building because the alarm has been silenced. Wait for an announcement via the public address system, or by an official of the Fire Department or MCC Public Safety stating it is safe to re-enter the building.

If you hear a fire alarm sounding or are instructed to evacuate, follow steps 2 – 5.

### ***Fire Evacuation in the Residence Halls***

When the fire alarm sounds, all occupants must evacuate quickly and safely via the nearest exit. The Public Safety Dispatch Center, which monitors the fire alarm system 24/7, will immediately notify the fire department. There is no need to call 911. Residents who do not evacuate during a fire alarm will be referred for student conduct sanctioning and assessed a fine.

No training is provided to students in firefighting or suppression activity as this is inherently dangerous. A student's only duty is to exit safely and quickly, activating the fire alarm and shutting doors along their path (to contain the spread of flames and smoke) as they exit the building. At no time should the closing of doors or activation of the alarm delay the exit from the building.

### ***Report All Fires***

Anyone who finds evidence of a fire that has been extinguished, and is unsure whether Public Safety has already responded, should immediately notify Public Safety to investigate and document the incident.

## **Policies on Prohibited Items, Smoking, Electrical Appliances & Open Flames**

The following are prohibited in or around college residence halls. Violators are subject to immediate action and/or removal by college personnel. The Office of Housing and Residence Life reserves the right to authorize personnel to confiscate any prohibited item or item deemed to be a danger to the individual, other residents or college property at any time. Confiscated items must be picked up by the resident within thirty (30) days of confiscation for the purpose of taking the item off campus. Residents are responsible for any charges related to confiscated items including, but not limited to, storage or transport. All confiscated items which are not picked up and taken home may be disposed of by Housing and Residential Life staff.

1. Alcohol advertisements, signs and/or potentially offensive material in public viewing areas (including windows, hallways and doors).



2. Animals or pets of any kind including snakes and turtles. (Small 5-gallon fish aquariums are permitted – one per resident).
3. Any type tobacco product or inhalant including but not limited to lighted cigarettes (traditional and e-cigarettes), cigar, pipe, bidi, clove, cigarette and any other smoking product, and smokeless or spit tobacco.
4. Candles (with or without wicks; decorative or otherwise), fireworks, explosives, charcoal/gas grills, oil lamps, incense or any combustible flame/ember device (i.e. gasoline, benzene, flammable liquids, chemicals).
5. Dartboards of any kind – including magnetic, felt or plastic tipped darts.
6. Electric blankets or air mattresses
7. Electrically amplified instruments, including DJ equipment and drum sets.
8. Extension cords or multi-plug outlets, plug-in air fresheners. (Power strips and surge protectors are permitted.)
9. Exterior television, radio antennas, satellite dishes or any object that protrudes from a window or attaches to the exterior of a residence hall.
10. Federal, state, college, local or other signs.
11. Firearms, weapons, or other dangerous instruments, which may cause injury or damage to person or property. This includes, but is not limited to: firearms, BB guns, paintball guns, fireworks, knives and archery equipment.
12. Halogen lamps, black lights, lava lamps, or other high intensity lamps including torchiere floor lamps, spider lamps or any upward facing bowl lamps.
13. Hot plates, toaster ovens, George Foreman and similar grills, electric fry pans, waffle, sandwich and quesadilla makers, oil fryers or auxiliary heaters and refrigerators exceeding 4.0 cubic feet.
14. Indoor use of any athletic or recreation equipment, any hall sports/gaming, water/food fights, or horse-play, including bouncing or throwing any type of ball, skateboarding or utilization of any other recreational device with wheels.
15. Kegs and beer balls, alcohol cans/bottles (full or empty), beer pong tables, funnels, shot glasses or any other item affiliated with the consumption or possession of alcohol, including those beers designated “non-alcoholic”.
16. Live-cut Christmas trees and flammable decorations.
17. Neon signs.
18. Strings of lights (including holiday and rope lights).
19. Waterbeds, air mattresses, hot tubs, Jacuzzis, non-college lofts and cinder blocks.
20. Weightlifting apparatus (barbells, free weights, exercise machines, pull up bars, etc.).

21. Wireless routers from external providers.
22. Personal mattresses (without medical documentation).
23. Tattoo equipment may not be used in the residence halls.

## **Tobacco Free Policy**

MCC's tobacco free policy prohibits the use, distribution or sale of tobacco products in all college owned, leased or controlled buildings, property and vehicles and at all MCC-sponsored events. This policy, which applies to students, employees, visitors, vendors and contractors, brings the College into compliance with a resolution passed by the State University of New York (SUNY) Board of Trustees that requires all SUNY campuses to be 100 percent tobacco free.

## **Fire Safety Reporting Definitions**

**Cause of Fire:** The factor or factors that give rise to a fire. The causal factor may be, but is not limited to, the result of an intentional or unintentional action, mechanical failure, or act of nature.

**Fire:** Any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner.

**Fire Drill:** A supervised practice of a mandatory evacuation of a building for a fire.

**Fire-Related Injury:** Any instance in which a person is injured as a result of a fire, including an injury sustained from a natural or accidental cause while involved in fire control, attempting rescue, or escaping from the dangers of the fire. The term person may include students, faculty, staff visitors, firefighters, or any other individuals.

**Fire-Related Death:** Any instance in which a person is killed as a result of a fire, including death resulting from a natural or accidental cause while involved in fire control, attempting rescue, or escaping from the dangers of a fire, or who dies within one year of injuries sustained as a result of the fire.

**Fire Safety System:** Any mechanism or system related to the detection of a fire, the warning resulting from a fire, or the control of a fire, including:

- sprinkler or other fire extinguishing systems;
- fire detection devices;
- stand-alone smoke alarms;
- devices that alert one to the presence of a fire, such as horns, bells, or strobe lights;
- smoke control and reduction mechanisms;
- fire doors and walls that reduce the spread of a fire.
- Value of Property Damage: The estimated value of the loss of the structure and contents, in terms of the cost of replacement in like kind and quantity, including:
- contents damaged by fire;

- related damages caused by smoke, water, and overhaul but not including indirect loss, such as business interruption.

## Future Improvements to Fire Safety

MCC does not have any immediate plans for future improvements to fire safety systems.

## On-Campus Residential Facilities Fire Safety Systems

The address for all on-campus residence halls is 1000 East Henrietta Road, Rochester, New York 14623

Residential Facilities	Fire Extinguishers	Sprinkler System	Smoke/Heat Detectors	Manual Pull Stations	Fire Alarm Audio/Visual	Alarm Monitoring by Public Safety	Fire Drills 2019
Canal Hall	Yes	Yes	Yes	Yes	Yes	Yes	4
Pioneer Hall	Yes	Yes	Yes	Yes	Yes	Yes	4
Alexander Hall	Yes	Yes	Yes	Yes	Yes	Yes	4
Tribune Hall	Yes	Yes	Yes	Yes	Yes	Yes	4

An accessible version of this table is available online: [www.monroecc.edu/depts/pstd/mcc-annual-security-and-fire-safety-report/on-campus-residential-facilities-fire-safety-systems/](http://www.monroecc.edu/depts/pstd/mcc-annual-security-and-fire-safety-report/on-campus-residential-facilities-fire-safety-systems/)

## Fire Statistics — Campus Residence Halls

Residential Facilities	Year	Total Fires in Building	Cause/Nature	Fire Related Injuries *	Fire Related Deaths	Property Damage (\$) Range
Canal Hall	2019	0	---	0	0	---
	2018	0	---	0	0	---
	2017	1	Unintentional	0	0	\$0 - 99
Pioneer Hall	2019	0	---	0	0	---
	2018	2	Unintentional	0	0	\$100 - 999
	2017	1	Unintentional	0	0	\$100 - 999
Alexander Hall	2019	0	---	0	0	---
	2018	1	Unintentional	0	0	\$0 - 99
	2017	2	Unintentional	0	0	\$0 - 99
Tribune Hall	2019	0	---	0	0	---
	2018	1	Unintentional	0	0	\$0 - 99
	2017	0	----	0	0	----

\*Injuries requiring treatment at a medical facility

An accessible version of this table is available online: [www.monroecc.edu/depts/pstd/mcc-annual-security-and-fire-safety-report/fire-statistics-campus-residence-halls/](http://www.monroecc.edu/depts/pstd/mcc-annual-security-and-fire-safety-report/fire-statistics-campus-residence-halls/)

Questions or concerns regarding fire safety and hazard prevention should be directed to the Office of Environmental Health & Safety (EH&S) at (585) 292-3150. Additional information can be found on the EH&S webpage: [www.monroecc.edu/depts/pstd/environmental-health-safety/](http://www.monroecc.edu/depts/pstd/environmental-health-safety/)