



2026 Annual Security Report

Version 1

2026-2027 Academic Year Publication

IENYC 2026 ANNUAL SECURITY REPORT TABLE OF CONTENTS

1. COLLEGE OVERVIEW	4
2. ANNUAL SECURITY REPORT	4
3. SECURITY AND ACCESS TO COLLEGE FACILITIES	5
4. VIDEO MONITORING	6
5. GENERAL PROCEDURES FOR REPORTING AND INVESTIGATING A CRIME OR EMERGENCY	6
6. PROHIBITION ON RETALIATION	8
7. CAMPUS SECURITY AUTHORITIES (CSA'S)	8
8. TIMELY WARNINGS & EMERGENCY NOTIFICATIONS	9
9. INFORMATION IN WARNINGS AND NOTIFICATIONS	10
10. CAMPUS SAFETY AND SECURITY PROGRAMS	11
11. SAFE & POSITIVE OPTIONS FOR BYSTANDER INTERVENTION	12
12. RISK REDUCTION	12
13. MONITORING AND RECORDING OF CRIMINAL ACTIVITY BY STUDENTS AT NON-CAMPUS LOCATIONS OF RECOGNIZED STUDENT ORGANIZATIONS	14
14. GEOGRAPHIC DEFINITIONS	14
15. CRIME STATISTICS FOR 2023, 2024 AND 2025	14
16. DAILY CRIME LOG AND FIRE LOG	16
17. UNDERAGE DRINKING POLICY	16
18. SMOKE FREE CAMPUS	16

<u>19. ALCOHOL AND DRUG POLICY</u>	<u>16</u>
<u>20. DRUG AND ALCOHOL ABUSE PREVENTION INFORMATION</u>	<u>18</u>
<u>21. REPORTING INDIVIDUAL SUPPORT</u>	<u>19</u>
<u>22. PROTECTIVE MEASURES AND ACCOMMODATIONS FOR REPORTING INDIVIDUALS AND RESPONDENTS</u>	<u>19</u>
<u>23. SUPPORTIVE MEASURES</u>	<u>21</u>
<u>24. POLICY AGAINST SEXUAL MISCONDUCT AND VIOLENCE</u>	<u>23</u>
<u>25. SEX OFFENDER REGISTRY</u>	<u>24</u>
<u>26. APPENDIX A: PROCEDURES VICTIMS SHOULD FOLLOW IF A CRIME OF SEXUAL ASSAULT, DOMESTIC VIOLENCE, DATING VIOLENCE & STALKING OCCURS</u>	<u>25</u>
<u>NEW YORK STATE STUDENT BILL OF RIGHTS</u>	<u>33</u>
<u>NEW YORK STATE CRIME VICTIMS BILL OF RIGHTS</u>	<u>33</u>
<u>27. APPENDIX B: CODE OF STUDENT CONDUCT</u>	<u>35</u>
<u>28. APPENDIX C: STUDENT INVESTIGATION MODEL FOR VIOLATIONS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, STALKING AND OTHER FORMS OF SEXUAL VIOLENCE</u>	<u>64</u>
<u>29. APPENDIX D: EMPLOYEE INVESTIGATION MODEL FOR VIOLATIONS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, STALKING AND OTHER FORMS OF SEXUAL VIOLENCE</u>	<u>65</u>
<u>30. APPENDIX E: FEDERAL AND NEW YORK STATE TRAFFICKING PENALTIES</u>	<u>66</u>
<u>31. APPENDIX F: COMMONLY ABUSED DRUG CHART</u>	<u>70</u>
<u>32. APPENDIX G: EMERGENCY ACTION PLAN</u>	<u>72</u>

1. College Overview

1.1. Introduction

IE New York College (hereinafter also “IENYC” or “the College”) was founded as Glasgow Caledonian New York College (hereinafter “GCNYC”) in 2017 by Glasgow Caledonian University, its founding sole member. The College was granted a charter by the New York State Education Department to award master’s degrees in the area of business and adopted its mission to teach a business curriculum.

In July 2024, the sole membership of the College was transferred to IE Universidad (hereinafter “IE University”) and GCNYC changed its name to IE New York College. Globally renowned for business education, IE University and IENYC have complementary purposes with a focus on driving positive change in business through education, research and innovation.

1.2. Mission

IENYC is committed to shaping the next generation of globally minded business leaders. Located in the heart of the world's most dynamic city, IENYC creates opportunities for ambitious minds and offers an education that inspires innovation and fuels transformative change. Through a rigorous, experiential, and student-centered learning environment, we position students for successful careers and cultivate entrepreneurial thinkers and ethical leaders—empowered with the knowledge, skills, and global perspective to drive positive change in industry, society, and the world.

1.3. The Campus

The campus for IENYC is located at 64 Wooster Street, in NYC’s historic SoHo Neighborhood. The facility includes offices, classrooms, student study areas and event space.

2. Annual Security Report

- 2.1.** IENYC will publicly release an Annual Security Report (ASR) on or before October 1 of each year. The ASR will include a copy of all crime and safety related policies, practices, and a report on the safety of the campus for the three previous years. IENYC will also file a certificate of compliance with New York State Education Law article 129 on or before the 1st of July each year. The President of IENYC, or the Title IX Coordinator will be responsible for this report.

3. Security and Access to College Facilities

3.1. General Access to College Facilities

IENYC is committed to working with all members of the community to ensure that our campus facilities are as safe and secure as possible. Generally, the IENYC campus is open Monday-Thursday from 9:00 AM to 8:00 PM. Staff working hours are typically 9:00 AM to 5:00 PM Monday-Friday.

IENYC does not have a proprietary police or security department. The College hires contract security personnel to work in the College's campus on the ground floor and lower level of 64 Wooster Street during days when classes are in session from 9:00 AM to 8:00 PM. Students and faculty entering the building must present a IENYC ID card at the security desk.

The front doors generally remain locked with the exception of certain events. They will only be unlocked when security personnel are present. IENYC staff and certain faculty have access to the building via a key card.

IENYC periodically hosts daytime and evening events. IENYC hires security personnel during these events if the guest count exceeds 50 people. If the guest count meets or exceeds 100 people, two guards are hired to have one at each fire exit. Security personnel's responsibilities also involve providing general assistance to students, employees and visitors and securing the premises before closing the building.

3.2. IENYC Security

The IENYC security staff are not sworn officers, but staff members from a contracted service, holding Security Guard licenses. None of the security personnel at IENYC have the authority to make arrests. Unless they are present during an incident or an incident is reported directly to them as a CSA (Campus Security Authority), they are not part of any investigation nor are required to write up reports.

While there is no proprietary police or security department at IENYC, institutional representatives do work with the New York Police Department (NYPD) as needed and the College will continue to build relationships with local precincts as the College grows.

3.3. Identification Cards

All staff, faculty and students are required to carry a valid IENYC photo identification (ID) card. Upon entering the building, they will be asked to present their ID card to security. The replacement fee for an ID card is \$25.

3.4. College Issued Key Cards

IENYC staff and some faculty have a key card which unlocks the College's front doors. The Director of Operations and IT Operations Coordinator are responsible for issuing key cards and managing record keeping. The loss or suspected loss of a key card must be reported to the College immediately.

The Director of Operations and IT Operations Coordinator are also responsible for managing the key card access system. They can schedule time frames to unlock the doors and can review the campus access history.

3.5. Visitors

During general business hours Monday-Thursday 9 AM – 5 PM, visitors are allowed entrance via an intercom system. They must announce themselves at the front desk and wait until the employee they are visiting comes to meet them.

All guests must write their name and date on the sign-in sheet upon entering the building. The sign-in sheet is typically managed at reception but may also be managed by security. Guests will also receive a guest badge sticker.

4. Video Monitoring

- 4.1.** The College's premises are monitored by video systems for the purposes of campus security and safety, the protection of property and the prevention and detection of crime. Video footage may also be used for investigations or proceedings arising under the College's regulations, codes and policies.

5. General Procedures for Reporting and Investigating a Crime or Emergency

- 5.1.** Members of the IENYC community are encouraged to report all crimes and emergencies, in an accurate and prompt manner, directly to the NYPD by dialing 911. During normal business hours, we encourage people reporting a crime or emergency occurring on or around campus to the NYPD to also report the incident, as soon as practicable, to IENYC's Title IX Coordinator, a CSA or other College official, and complete an incident report (copies available from the Title IX Coordinator or any other CSA.) Crimes should be accurately and promptly reported to the appropriate police agency, when the victim of a crime elects to, or is unable to, make such a report.
- 5.2.** IENYC Community members are also encouraged to report non-life-threatening incidents, acts of aggression, or suspicious behavior on or around campus to a CSA to file an incident report.

- 5.3.** Members of the IENYC community that report any incidents of sexual misconduct, relationship violence and/or stalking will be able to discuss support measures and have resolution options explained to them by the Title IX Coordinator. More information is provided in the Code of Student Conduct.
- 5.4.** Members of the community are helpful when they immediately report crimes or emergencies to the NYPD and/or to the College's Title IX Coordinator, CSA or other College official, for purposes of including them in the annual statistical disclosure and assessing them for issuing Emergency and Timely Warning Notices, when deemed necessary.

Title IX Coordinator: titleix@ienyc.edu

- 5.5.** In response to a call, the NYPD takes action it deems appropriate, generally either dispatching an officer to the caller's location or asking the caller to report to the nearest NYPD precinct to file a report. The NYPD is responsible for the investigation of any reported crimes and other public safety emergencies. If assistance is required from the New York City Fire Department, they will be sent by the 911 dispatchers upon receiving an emergency call.
- 5.6.** Our published materials for students, staff and faculty reflect our policy that the decision to report a crime is an individual choice, and the College endeavors to support students in reporting crimes on a voluntary, confidential basis.
- 5.7.** The College Catalog contains information about on- and off-campus resources (Appendix A) and is made available to all IENYC community members. The information regarding "resources" is not provided to infer that those resources are "crime reporting entities" for IENYC. Crimes should be reported to NYPD officials and IENYC as described above to ensure inclusion in the annual crime statistics and to aid in providing timely warning notices to the community, when appropriate.
- 5.8.** The following resources are available to students on a confidential basis (i.e., are generally not required to disclose conversations with students): Director of Counseling.
- 5.9. Types of Disciplinary Proceedings Utilized in Cases of Alleged Domestic Violence, Dating Violence, Sexual Assault and Stalking**

The process by which IENYC College investigates and adjudicates reports of sexual misconduct and violence is outlined below.

- i. When both the reporting and responding parties are students, the process will follow the diagram represented in Appendix C. Further detail is described in the Code of Student Conduct.

- ii. When both the reporting and responding parties are employees of the college, the process will follow the diagram represented in Appendix D.
- iii. When the reporting party is an employee of the college, and the responding party is a student, the process will follow the diagram represented in Appendix D. Further detail is described in the Code of Student Conduct.
- iv. When the reporting party is a student, and the responding party is an employee, the process will follow the diagram represented in Appendix D.

6. Prohibition on Retaliation

6.1. No person may intimidate, threaten, coerce, or discriminate against any individual because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing described in this Code. Prohibited retaliation may include filing, in bad faith, a complaint against an individual under this or another IENYC policy.

7. Campus Security Authorities (CSA's)

7.1. In compliance with relevant regulation (including the Clery Act, the Violence Against Women Act, Title IX, and New York State Educational Law articles 129-a 129-b), the President of IENYC, or the Title IX Coordinator, will be responsible for identifying those faculty and staff who qualify as "Campus Security Authorities." The President will also be responsible for issuing a letter to each of those individuals informing them of those responsibilities and informing them of scheduled training session. Training sessions will be scheduled within two weeks of the beginning of the August Summer Session; letters to CSAs will be sent at least two weeks prior to scheduled training dates. Individuals hired at other times during the academic year whose roles require that they be CSAs will receive their letter informing them of that status and their responsibilities when they are appointed, and the training will be incorporated into their induction. A copy of our Clery Handbook is kept in the Title IX Coordinator's office.

7.2. Training session for all CSAs include:

- i. Appropriate crime definitions for reporting
- ii. Geographic definitions applicable to reporting
- iii. Processes for passing information to appropriate individuals to allow timely warnings
- iv. Campus Emergency Action plan
- v. Review of all College policies in health and safety
- vi. Best practices for maintaining the safety of our students
- vii. Best practices for speaking with reporters of sexual violence
- viii. Legal and institutional reporting requirements
- ix. Processes for reporting crimes to College officials
- x. Student rights
- xi. College Code of Conduct and processes

- xii. Familiarization with all appropriate laws and policies related to campus safety and crime including the Clery Act, Violence Against Women Act, Title IX, and Educational Law article 129-a and 129-b.

7.3. As of April 2026, IENYC's CSA's are the:

- Director of Operations and Title IX Coordinator (titleix@ienyc.edu), Main Floor Office
- Associate Director of Student Experience and Academic Operations, Main Floor Office
- Associate Director of Global Student Services & Recruitment, Main Floor Office
- Managing Director, Main Floor Office
- Dean of Programs & External Relations, Lower Level Office
- President, Main Floor Office
- College Security Guards, Main Floor Entrance

Contact information can be found in the IENYC Administration Contacts section on the last page of the College Catalog.

8. Timely Warnings & Emergency Notifications

8.1. At any point at which the IENYC President or the Title IX Coordinator has information about a Clery category crime (listed below) which represents or reflects an ongoing threat to the campus or its people, a "Timely Warning Notification" will be issued to all students and employees of IENYC.

8.2. Clery Category Crimes:

- Criminal homicide
 - Murder and nonnegligent manslaughter
 - Negligent manslaughter
- Sex Offenses
 - Rape
 - Fondling
 - Incest
 - Statutory Rape
- Robbery
- Aggravated assault
- Burglary
- Motor vehicle theft
- Arson
- Arrests and referrals for disciplinary actions, including:
 - Arrests for liquor law violations, drug law violations, and illegal weapons possession

- Persons not included in [34 CFR 668.46\(c\)\(1\)\(ii\)\(A\)](#) who were referred to campus disciplinary action for liquor law violations, drug law violations, and illegal weapons possession
 - Hate crimes, including:
 - The number of each type of crime in [34 CFR 668.46\(c\)\(1\)\(i\)](#) that are determined to be hate crimes
 - The number of the following crimes that are determined to be hate crimes:
 - Larceny-theft
 - Simple assault
 - Intimidation
 - Destruction/damage/vandalism of property
 - Dating violence, domestic violence, and stalking as defined in [34 CFR 668.46\(a\)](#)
- 8.3.** Upon receiving a report that a Clery Act crime has occurred, has been reported to the College by Police or to a campus CSA, and it is determined that there is a risk of the same crime occurring again by the same individual, agent, or circumstance, IENYC will initiate the process for sending a Timely Warning Notification.
- 8.4.** The content of Timely Warning Notifications will be written by the Title IX Coordinator in consultation with the President, Managing Director or other College leadership in their absence.
- 8.5.** *If there is an immediate threat to the health and safety of students and employees, the College will follow its Emergency Notification Policies. (See Appendix G: Emergency Action Plan.)*
- 8.6.** The Timely Warning may be sent by the President, the Title IX Coordinator or a designee who is directed in writing to assume that responsibility, upon receipt of relevant information.
- 8.7.** Timely Warnings will be issued to all students, staff and faculty via some combination of text message, email, web posting, in building announcements, and/or public placards. Every effort will be made to ensure that reach of the warning is comprehensive.
- 8.8.** To update your Emergency Contact information please contact Registrar@ienyc.edu.
- 8.9.** The issuing of a Timely Warning will be recorded as an incident in the campus' Daily Crime Log.

9. Information in Warnings and Notifications

- 9.1.** Upon confirmation of a significant campus emergency or dangerous situation, IENYC will without delay, taking into account the safety of the community, determine the content of

and send out the notification unless the notification will in the professional judgement of responsible authorities, or upon conferral with the emergency responders, compromise efforts to assist victims or to contain, respond to, or otherwise mitigate the emergency.

Information in direct communications should not release identifiable information about victims but should provide appropriate information to allow others to be safe and to avoid potentially dangerous situations, including suspect descriptions.

Notifications will provide specific actions (i.e., do not come to campus) and indicate that there will be a follow up message with additional information within 24 hours.

Within 24 hours, the college officer who sent out the message will provide an explanation or resolution; suggest specific follow up actions, or ways to achieve assistance or accommodation based on potential results from the situation; and update of the situation or incident if continuing.

10. Campus Safety and Security Programs

10.1. Each New Student Orientation and employee onboarding will cover:

- i. The Code of Student Conduct and/or the Employee Handbook
- ii. Appropriate campus safety/security procedures and practices including fire safety and emergency procedures
- iii. Definitions of important terms including 'consent' to sexual activity in the applicable jurisdiction
- iv. Reporting structures
- v. Description of safe and positive options for bystander intervention
- vi. Information on crime prevention and risk reduction

10.2. Ongoing Programs and Campaigns to Prevent Dating Violence, Domestic Violence, Sexual Assault and Stalking

Students and Employees: Each semester, IENYC will send out an informational webinar about campus safety including crime prevention and risk reduction, preventing dating violence, domestic violence, sexual assault, stalking and drug and alcohol abuse prevention to all students, staff and faculty. This video will also be available year-round at www.ienyc.edu. Other materials with related information are also available on the website.

Employees: All College employees are required to complete an annual sexual harassment prevention online training course.

11. Safe & Positive Options for Bystander Intervention

11.1. Bystanders play a critical role in the prevention of sexual and relationship violence. They are “individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it.”¹ We want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. We may not always know what to do even if we want to help. Below is a list² of some ways to be an active bystander. Further information regarding bystander intervention may be found. If you or someone else is in immediate danger, dial 911. This could be when a person is yelling at or being physically abusive towards another and it is not safe for you to interrupt.

¹ Burn, S.M. (2009). A situational model of sexual assault prevention through bystander intervention. *Sex Roles*, 60, 779-792.

² Bystander intervention strategies adapted from Stanford University’s Office of Sexual Assault & Relationship Abuse

1. Watch out for your friends and fellow students/employees. If you see someone who looks like they could be in trouble or need help, ask if they are ok.
2. Confront people who seclude, hit on, try to make out with, or have sex with people who are incapacitated.
3. Speak up when someone discusses plans to take sexual advantage of another person.
4. Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
5. Refer people to on or off campus resources listed in this document for support in health, counseling, or with legal assistance.

12. Risk Reduction

12.1. With no intent to victim blame and recognizing that only abusers are responsible for their abuse, the following are some strategies to reduce one’s risk of sexual assault or harassment (taken from Rape, Abuse, & Incest National Network, www.rainn.org)

1. **Be aware** of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
2. Try to **avoid isolated areas**. It is more difficult to get help if no one is around.
3. **Walk with purpose**. Even if you don’t know where you are going, act like you do.
4. **Try not to load yourself down** with packages or bags as this can make you appear more vulnerable.
5. **Make sure your cell phone is with you** and charged and that you have cab money.
6. **Don’t allow yourself to be isolated** with someone you don’t trust or someone you don’t know.
7. **Avoid putting music headphones in both ears** so that you can be more aware of your surroundings, especially if you are walking alone.

8. **When you go to a social gathering, go with a group of friends.** Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.
9. **Trust your instincts.** If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).
10. **Don't leave your drink unattended** while talking, dancing, using the restroom, or making a phone call. If you've left your drink alone, just get a new one.
11. **Don't accept drinks from people you don't know or trust.** If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don't drink from the punch bowls or other large, common open containers.
12. **Watch out for your friends, and vice versa.** If a friend seems out of it, is way too intoxicated for the amount of alcohol they've had, or is acting out of character, get him or her to a safe place immediately.
13. **If you suspect you or a friend has been drugged, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).** Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).
14. If you need to get out of an uncomfortable or scary situation here are some things that you can try:
 - i. **Remember that being in this situation is not your fault.** You did not do anything wrong, it is the person who is making you uncomfortable that is to blame.
 - ii. **Be true to yourself.** Don't feel obligated to do anything you don't want to do. "I don't want to" is always a good enough reason. Do what feels right to you and what you are comfortable with.
 - iii. **Have a code word with your friends or family** so that if you don't feel comfortable you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come to get you or make up an excuse for you to leave.
 - iv. **Lie.** If you don't want to hurt the person's feelings it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use are: needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.
15. **Try to think of an escape route.** How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby?
16. **If you and/or the other person have been drinking,** you can say that you would rather wait until you both have your full judgment before doing anything you may regret later.

13. Monitoring and Recording of Criminal Activity by Students at Non-Campus Locations of Recognized Student Organizations

13.1. IENYC does not have any student organizations that own or control non-campus facilities. Therefore, local law enforcement is not used to monitor and record criminal activity since there are no non-campus locations of student organizations.

14. Geographic Definitions

14.1. IE New York College's sole member is IE University (Spain), but IENYC operates under an independent charter governed by New York State. IENYC reported statistics refer specifically to IE New York College and do not include information from Spain or any other IE University partner campuses. For our annual Federal Campus Security Report, IENYC defines its campus geography as follows:

- i. On-Campus: The Main and lower-level of 64 Wooster Street
- ii. Non-campus: Any additional facilities rented or controlled by IENYC for the purposes of the delivery of classes or required student activities. These locations are only considered as part of our report during such times as IENYC is actively using the site.
- iii. Public Property: For our reporting purposes, the only public property which the IENYC campus abuts is Wooster Street between Broome Street and Spring Street. The report includes reports of crime occurring on the street and either sidewalk.

14.2. For reporting to NYSED in compliance with Education Law article 129-B, geographic boundaries will not be used. Reporting will be based on the status of a reporting individual or Respondent being enrolled as a student of IENYC.

15. Crime Statistics for 2023, 2024 and 2025

15.1. Crime statistics are typically obtained from the New York City Police Department (NYPD) and the IENYC Title IX Coordinator. However, the 2025 statistics for our specific geographic location were unavailable from the NYPD by the time of publishing. This report will be updated as soon as the statistics are made available.

IE NYC does not have a traditional "campus." Our campus is located on the ground floor and lower level of an office building located at 64 Wooster Street New York, NY 10012.

Note: IENYC does not have non-campus facilities or lease other facilities for short-term use. IENYC does not have any student housing or on or off campus residential facilities.

IE New York College Crime Statistics 2023-2025

Category	On-Campus			Non-Campus			Public Property		
	2023	2024	2025	2023	2024	2025	2023	2024	2025
Murder/Non-Negligent Homicide	0	0	NA*	0	0	NA*	0	0	NA*
Negligent Manslaughter	0	0	NA*	0	0	NA*	0	0	NA*
Sexual Assault									
Rape	0	0	NA*	0	0	NA*	0	0	NA*
Fondling	0	0	NA*	0	0	NA*	0	0	NA*
Incest	0	0	NA*	0	0	NA*	0	0	NA*
Statutory Rape	0	0	NA*	0	0	NA*	0	0	NA*
Dating Violence	0	0	NA*	0	0	NA*	0	0	NA*
Domestic Violence	0	0	NA*	0	0	NA*	0	0	NA*
Stalking	0	0	NA*	0	0	NA*	0	0	NA*
Robbery	0	0	NA*	0	0	NA*	1	0	NA*
Aggravated Assault	0	0	NA*	0	0	NA*	0	0	NA*
Burglary	0	0	NA*	0	0	NA*	0	0	NA*
Arson	0	0	NA*	0	0	NA*	0	0	NA*
Arrests									
Weapons Related	0	0	NA*	0	0	NA*	0	0	NA*
Drug Related	0	0	NA*	0	0	NA*	0	0	NA*
Alcohol Related	0	0	NA*	0	0	NA*	0	0	NA*
Referrals for Disciplinary Action									
Weapons Related	0	0	NA*	0	0	NA*	0	0	NA*
Drug Related	0	0	NA*	0	0	NA*	0	0	NA*
Alcohol Related	0	0	NA*	0	0	NA*	0	0	NA*

***Note:** Zero crimes were reported to the College in this category however, crime statistics from the NYPD were not made available at the time of publishing.

15.2. There were no hate crimes reported to the College for 2023, 2024 or 2025. The NYPD was unable to provide statistics for our specific geographic location.

15.3. There were no reported unfounded crimes to the College for 2023, 2024 or 2025. Unfounded crimes are crimes reported to law enforcement personnel that were then investigated and found to be false or baseless.

15.4. Hard copies of the Annual Security Report can be obtained from the Title IX Coordinator by emailing titleix@ienyc.edu or calling 646-768-5300.

16. Daily Crime Log and Fire Log

- 16.1.** The College will record all crimes reported to the College and from them generate a Daily Crime Log. The Log will include the nature, date, time, general location of each crime committed on campus and within the College's Clery geographic area, including the disposition, if known.
- 16.2.** The College will record all fires that have occurred in on-campus College housing, including those owned or leased by the College. The Log will include the date, location, and nature of the fire, along with any resulting damage, injuries, or deaths.
- 16.3.** Neither the Daily Crime Log nor Fire Log will include specific or identifying information about individuals involved in the crime or fire.

17. Underage Drinking Policy

- 17.1.** IENYC prohibits the consumption, possession and distribution of alcohol by anyone under the age of 21 at any time on IENYC's campus, or at college-sponsored events in compliance with New York State law. All state and federal laws will be fully enforced. Additionally, the IENYC Code of Student Conduct considers violation of this policy to be a major offense.

18. Smoke Free Campus

- 18.1.** In alignment with New York State and IENYC policy, smoking is not permitted anywhere on the IENYC campus.

19. Alcohol and Drug Policy

- 19.1.** The possession, sale or the furnishing of alcohol on campus is governed by IENYC's alcohol policy and New York State law. Alcohol is prohibited on campus except in the case of approved events where the sale and service of alcohol is being conducted by the College and/or an affiliated organization in accordance with College policy and State Law. Alcohol policies and applicable federal and state laws and regulations are strictly enforced by Campus Safety and Security.
- 19.2.** Prohibited behaviors involving alcohol include, but are not limited to: use, sale, distribution, and possession; use, display or possession of any paraphernalia associated with alcohol; use of alcohol that leads to impairment and disorderly, destructive, or violent behavior to self or others; and, students under the age of 21 being in the presence of alcohol in the residence halls. The possession, sale, manufacture, or distribution of any

controlled substance is illegal under Federal, State and Local law. IENYC strictly enforces all applicable laws and policies.

19.3. Prohibited behaviors involving drugs, controlled substances, related synthetic materials, and related paraphernalia (including altered or constructed devices used to conceal or consume) include, but are not limited to: use, possession, display, distribution, sale, and being under the influence. Prohibited behaviors involving look-alike drugs include, but are not limited to: possession, consumption, distribution, use, and forcing another to ingest "imitation drugs" or synthetic materials that are either not intended for human consumption or used to produce effects similar to an illegal drug or a substance or drug being used for an unintended purpose (e.g., synthetic cannabis, herbal incense, and or herbal smoking blends, Whip-it and other similar products).

Students and employees that violate policy or law are subject to College disciplinary action, criminal prosecution (under the NYS Penal Law; Article 220 - Controlled Substances Offenses, NYS Penal Law; Article 260 - Offenses Relating to Children, Disabled Persons, Vulnerable Elderly Persons, or other applicable law), fine and imprisonment.

Please see the Federal and New York State Drug Trafficking Penalties in Appendix E¹ and the Commonly Used Drugs Chart including uses and effects in Appendix F.

19.4. Disciplinary Sanctions for Students

Incidents are considered a violation of the Code of Student Conduct and subject to both College disciplinary procedures up to and including expulsion and criminal prosecution.

19.5. Disciplinary Sanctions for Employees

Any violation of this policy will result in disciplinary action, up to and including termination, and may have legal consequences.

¹ Please note that laws, including penalties, are subject to change at any time, and that IENYC is not responsible for notifying students of changes or regularly updating this information. This information does not constitute legal advice.

20. Drug and Alcohol Abuse Prevention Information

20.1. Statement on Self-Reporting and Bystander Intervention (Good Samaritan):

IENYC students are expected to be aware of their health and safety and to be bystanders who help fellow students when their health and safety is in danger. When a person's health or safety is threatened due to consumption of alcohol, unlawful drugs, controlled substances and/or other synthetic materials, domestic violence, dating violence, sexual assault or stalking, immediate actions should be taken. This includes alerting medical personnel, campus security, or an appropriate College official. In all cases, the incident will be documented. When determining the appropriate response in the conduct process, the College will consider actions taken by any student who seeks assistance on their own behalf or the behalf of another student experiencing a medical emergency related to consumption of alcohol, unlawful drugs, controlled substances and/or other synthetic materials. In some cases, disciplinary sanctions may be reduced. This practice does not preclude action by Campus Safety or other legal authorities.

20.2. Alcohol and Drug Abuse Education Programs

At each New Student Orientation, IENYC will present information designed to prevent the illicit use of drugs and abuse of alcohol by students and employees. The presentation will include services related to drug use and abuse of alcohol.

The College will annually disseminate written informational materials annually to both students and employees. These written materials include information on the College's standards of conduct, disciplinary sanctions for violations of the standard of conduct, possible legal sanctions and penalties, health risks associated with alcohol and drug abuse, educational programming available to students, staff and faculty, counseling services, and referrals.

20.3. Health Risks: Drug and Alcohol Abuse (referenced from the National Institute of Health-NIH)

- Alcohol: Ethyl alcohol, or ethanol, is an intoxicating ingredient found in beer, wine, and liquor. Alcohol is produced by the fermentation of yeast, sugars, and starches. It is a central nervous system depressant that is rapidly absorbed from the stomach and small intestine into the bloodstream.
- Alcohol affects every organ in the drinker's body and can damage a developing fetus. Intoxication can impair brain function and motor skills; heavy use can increase risk of certain cancers, stroke, and liver disease. Alcoholism or alcohol dependence is a diagnosable disease characterized by a strong craving for alcohol, and/or continued use despite harm or personal injury. Alcohol abuse, which can lead to alcoholism, is a pattern

of drinking that results in harm to one's health, interpersonal relationships, or ability to work.

- Drug addiction is a brain disease. Although initial drug use might be voluntary, drugs of abuse have been shown to alter gene expression and brain circuitry, which in turn affect human behavior. Once addiction develops, these brain changes interfere with an individual's ability to make voluntary decisions, leading to compulsive drug craving, seeking and use.
- The impact of addiction can be far reaching. Cardiovascular disease, stroke, cancer, HIV/AIDS, hepatitis, and lung disease can all be a result of drug abuse. Some of these effects occur when drugs are used at high doses or after prolonged use; however, some may occur after just one use.

20.4. The following is a list of resources for local drug and alcohol abuse prevention programming:

- NYS Office of Addiction Services and Supports: <https://oasas.ny.gov>
- NYS Treatment Availability Dashboard: <https://findaddictiontreatment.ny.gov>
- NYC Health: Alcohol and Drug Use: <https://www1.nyc.gov/site/doh/health/health-topics/alcohol-and-drug-use.page>
- Inter-Group Association of A.A. of New York: <https://www.nyintergroup.org>

21. Reporting Individual Support

21.1. Beyond Code of Conduct Policies and Procedures, reporting individuals (students, employees, or members of the community) of sexual assault, domestic violence, dating violence and/or stalking will be made aware of supporting resources. In compliance with the standards established by the Violence Against Women Act (VAWA) and Education Law article 129, IENYC will provide written notification to reporting individuals with information on their rights, options and available resources including counseling, health, mental health, victim advocacy, legal assistance, student financial aid and other services for victims. This document can be found in Appendix A and is available in hard copy from the Title IX Coordinator. Contact titleix@ienyc.edu.

22. Protective Measures and Accommodations for Reporting Individuals and Respondents

22.1. Upon receipt of a report or formal complaint of sexual misconduct or violence (including sexual assault, domestic violence, dating violence and/or stalking,) the College, through the Title IX Coordinator, will promptly contact the reporting individual to discuss the availability of supportive measures, consider the reporting individual's wishes with respect to supportive measures, provide written notification to the reporting individual of the

availability of supportive measures with or without the filing of a formal complaint, and explain to the reporting individual the process for filing a formal complaint.

These supportive measures may include changes to academic, living, transportation and working situations or protective measures. They are designed to restore or preserve equal access to the College's educational and working programs or activities without unreasonably burdening the other party, including measures designed to protect the safety of all parties and the broader College community, or deter sexual harassment. While a supportive measure may impose some restrictions on a party, it will not unreasonably burden them. The College may provide supportive measures to the reporting individual or respondent, as appropriate, as reasonably available, and will do so without fee or charge, regardless of whether the complainant seeks formal disciplinary action. Once supportive measures are approved, the parties or affected individuals will be notified in writing of the supportive measures. The College will maintain any supportive measures provided to the reporting individual or respondent as confidential to the extent possible.

22.2. Protective measures and accommodations may include:

- i. counseling;
- ii. extensions of deadlines or other course-related/academic adjustments;
- iii. modifications of work or class schedules;
- iv. modifications to mode of attending work or class (virtual or on campus);
- v. campus escort services;
- vi. mutual restrictions on contact between the parties;
- vii. changes in work or housing locations;
- viii. leaves of absence;
- ix. increased security and monitoring of certain areas of the campus; and/or
- x. any other measure that can be used to achieve the goals of this policy.

22.3. Requests for supportive measures may be made by or on behalf of the reporting individual or respondent to any College official, including the Title IX Coordinator. The Title IX Coordinator is responsible for ensuring the implementation of supportive measures and coordinating the College's response with the appropriate offices on campus.

22.4. All individuals are encouraged to report concerns about the failure of another to abide by any restrictions imposed by a supportive measure. The College will take immediate action to enforce a previously implemented measure and disciplinary sanctions can be imposed for failing to abide by a College-imposed measure.

23. Supportive Measures

23.1. Definition

Supportive Measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the Complainant or the Respondent before or after the filing of a complaint or where no complaint has been filed. Such measures are designed to restore or preserve equal access to IENYC's education program or activity without unreasonably burdening the other Party, including measures designed to protect the safety of all Parties or IENYC's educational environment, or deter policy violations.

These supportive measures may include changes to academic, living, transportation and working situations or protective measures. They are designed to restore or preserve equal access to the College's educational and working programs or activities without unreasonably burdening the other party, including measures designed to protect the safety of all parties and the broader College community, or deter sexual harassment. While a supportive measure may impose some restrictions on a party, it will not unreasonably burden them. The College may provide supportive measures to the Complainant or Respondent, as appropriate, as reasonably available, and will do so without fee or charge, regardless of whether the Complainant seeks formal disciplinary action. Once supportive measures are approved, the Parties or affected individuals will be notified in writing of the supportive measures.

23.2. Examples

Supportive Measures may be implemented by the Title IX Coordinator, with or without request of the Parties. The Parties shall be afforded an opportunity to request Supportive Measures (or modifications thereto) that affect them and may submit evidence to the Title IX Coordinator in support of their request.

23.3. Supportive measures may include:

- i. counseling.
- ii. extensions of deadlines or other course-related/academic adjustments;
- iii. modifications of work or class schedules;
- iv. modifications to mode of attending work or class (virtual or on campus);
- v. campus escort services;
- vi. mutual restrictions on contact between the parties;
- vii. changes in work or housing locations;
- viii. leaves of absence;
- ix. increased security and monitoring of certain areas of the campus; and/or
- x. any other measure that can be used to achieve the goals of this Code.

23.4. Mutual No Contact Orders

- 23.4.1. In appropriate circumstances, the Title IX Coordinator may issue a No Contact Order. Under a No-Contact Order, the Parties are to have no contact with one another, in person, by voice technology, or by electronic communication. The Title IX Coordinator will determine whether to issue a No Contact Order based on a review of the available information and generally after speaking with both the Complainant and Respondent. Both Parties are entitled to request a prompt review of the need for, terms of, or a No Contact Order, and both Parties are entitled to submit evidence in support of their request.
- 23.4.2. In accordance with New York law, when there is a No Contact Order, if the Complainant and Respondent observe each other in a public place, it shall be the responsibility of the Respondent to leave the area immediately and without directly contacting the Respondent.
- 23.4.3. Members of the IENYC community may also contact the New York Police Department to file an order of protection. While IENYC cannot make this request directly, IENYC can assist a member of the IENYC community in contacting the police and requesting an order of protection.
- 23.4.4. The Complainant and Respondent parties have the right to receive a copy of any order of protection or equivalent received by IENYC from police or the court system, as well as the opportunity to meet or speak with the Title IX Coordinator about the order including information from the order about the responding party's responsibility to stay away from the protected person or persons, as well as an explanation of the consequences for violating the order such as arrest, additional conduct charges, and interim suspension. The person or persons protected by the order have the right to receive assistance from IENYC in contacting local law enforcement in effecting an arrest for violating the order.

23.5. Interim Suspensions

IENYC reserves the right to suspend Respondents on an interim basis from IENYC Property, programs, and functions pending the outcome of a disciplinary review, where the Title IX coordinator determines—based on an individualized safety and risk assessment—that not suspending the Respondent would pose an immediate threat to the physical or emotional health or safety of any student or other individual exists arising from the alleged policy violation.

The Complainant and Respondent shall be afforded notice and an opportunity to challenge the decision immediately following the interim suspension by submitting a written appeal to the President.

Where a Respondent has been suspended under this provision, the Title IX Coordinator will endeavor to conduct the investigation and provide their findings to the SDC within 14 days. This timescale may be modified if the allegations are complex and/or involve detailed investigation and/or a number of witnesses.

23.6. Requesting Supportive Measures

Requests for supportive measures may be made by or on behalf of the reporting individual or respondent to any College official, including the Title IX Coordinator. The Title IX Coordinator is responsible for ensuring the implementation of supportive measures and coordinating the College's response with the appropriate offices on campus.

23.7. Confidentiality of Supportive Measures.

The College will maintain as confidential any supportive measures provided to the Complainant or Respondent, to the extent that maintaining such confidentiality would not impair the ability of the College to provide the supportive measures. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

23.8. Violations of Supportive Measures (including No Contact Orders)

All individuals are encouraged to report concerns about the failure of another to abide by any restrictions imposed by a supportive measure. The College will take immediate action to enforce a previously implemented measure. Disciplinary sanctions can be imposed for failing to abide by a College-imposed measure.

Violations of "No Contact Orders" may be considered a threat to the health and safety of the community, and may result in suspension by the President pending the outcome of disciplinary proceedings and other disciplinary action. Individuals wishing to appeal such suspensions must do so by submitting a written appeal to the President for IENYC.

24. Policy Against Sexual Misconduct and Violence

24.1. IENYC prohibits the offenses of domestic violence, dating violence, sexual assault, stalking, Title IX sexual harassment, quid pro quo sexual harassment and other forms of sexual violence. These incidents are considered a violation of the Code of Student Conduct (see Appendix B). In keeping with this commitment, IENYC has taken steps to help prevent and respond to sexual discrimination, relationship violence, sexual assault and other forms of sexual misconduct. These steps include thoughtful procedures for reporting and

investigating incidents; educational programs; access to internal and external resources; and compliance with federal and state laws.

25. Sex Offender Registry

- 25.1.** The federal Campus Sex Crimes Prevention Act, enacted on October 28, 2000, requires institutions of higher education to issue a statement advising the campus community where to obtain law enforcement agency information provided by a state concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a State to provide notice, as required under State law, of each institution of higher education in that State at which the person is employed, carries on a vocation, volunteers services or is a student. Information regarding a registered sex offender can be obtained by calling: New York State Sex Offender Registry Information Line at: 1-800-262-3257 or accessing it online at <https://www.criminaljustice.ny.gov/nsor/>.
- 25.2.** Callers must be 18 years old and must provide their name, address and telephone number in order to request information. The Information Line is open Monday through Friday, from 8:00 am to 5:00 pm. To learn the status of an individual, callers must provide the individual's name and at least one of the following identifiers: the individual's street address and apartment number, driver's license number, social security number or birth date. A physical description is helpful but is not required. To use the online link, the person inquiring must provide their name and address to access information about the registered sex offenders. Nationwide information is available through the Department of Justice at: www.nsopr.gov.

APPENDICES

26. Appendix A: Procedures Victims Should Follow if a Crime of Sexual Assault, Domestic Violence, Dating Violence & Stalking Occurs



Procedures Victims Should Follow if a Crime of Sexual Assault, Domestic Violence, Dating Violence & Stalking Occurs (VAWA & CLERY ACT WRITTEN NOTIFICATION)

If you or someone you know has been hurt by sexual assault, domestic violence, dating violence, or stalking, **IENYC is here to help. You have the right to learn, and/or work in a safe and welcoming environment.** Violence is unacceptable, and College policy prohibits sexual assault, domestic violence, dating violence, and stalking. This document outlines steps to take depending on what services you want or need.

Your immediate and long-term safety is priority. The resources and options outlined below may be helpful as you decide what next steps are a good fit for you.

WHAT TO DO & HOW TO REPORT TO LAW ENFORCEMENT

- Get to a safe place. (For example, someone's home, the nearest hospital, or police precinct.) If you are the victim of assault and/or violence, the most important step is to get yourself to a place of safety to determine what courses of action you need to take
- Call 911 to be taken to an emergency room for medical care and/or for immediate police protection and assistance. A complete medical evaluation will include a physical examination, treatment, evidence collection, and counseling. Remember, you will not be made to do anything you do not want to do and may decline any part of the evaluation.
- If you have been sexually assaulted, it is important to seek medical care, especially if you have been physically injured. Even if you do not have any visible physical injuries from the assault, there may be physical injuries that you cannot see, and medical and health centers can provide additional services such as testing for sexually transmitted diseases and emergency contraception.
- When you call 911, explain what has happened and request to be sent to an emergency department that is a certified SAFE Center of Excellence. See below for more information and a list of hospitals in New York City with SAFE Centers
- To speak to a specialist about sex crimes, call the NYPD at 1-212-267-RAPE (7273)
- If you have information about a crime you would like to report, call 1-212-567-TIPS (8477)
- If you so choose, IENYC can assist you in notifying the appropriate local law enforcement.

- You also have the right to decline to notify law enforcement. If you choose not to notify the police, please know that you will still have access to all the forms of support and assistance listed below.

NEW YORK DEPARTMENT OF HEALTH CERTIFIED SEXUAL ASSAULT FORENSIC EXAMINER (SAFE) CENTERS OF EXCELLENCE

The SAFE Centers listed below provide sexual assault patients with:

- Sensitive, victim-centered, medical and forensic health care performed by a specially trained Sexual Assault Forensic Examiner (SAFE).
- Care that is timely, compassionate, and patient-centered, in a designated and appropriately equipped private room.
- Assurance about the quality of collection, documentation, preservation and custody of physical evidence by utilizing a trained and New York State Department of Health certified sexual assault forensic examiner to perform exams. These examiners are available to provide expert testimony if patients choose to report crimes to law enforcement.
- Psycho-social and legal support by a specially trained Rape Crisis Advocate or Counselor.
- Reliable referrals to mental and physical health care and follow-up services.

The following is a list of hospitals in New York City with SAFE Centers that provide the services listed above:

Manhattan

Bellevue Hospital, NYC Health + Hospitals	462 First Avenue Room A329 New York, NY 10016	212-562-3025
Mount Sinai Beth Israel - Petrie Division	Emergency Department Milton and Carol Petrie Division First Avenue at 16 th Street NY, NY 10003	212-420-2840
Lenox Health Greenwich Village, Northwell Health	North Shore LIJ Health System 30 7th Avenue New York, NY 10011	646-665-6910
Mount Sinai Hospital	The SAVI Program One Gustave L. Levy Place, Box #1670 NY, NY 10029	212-423-2140
Mount Sinai St. Luke's & Mount Sinai West	Crime Victims Treatment Center 411 West 114th Street, Suite 2C New York, NY 10025	212-523-3336, 212-523-6800
Harlem Hospital Center, NYC Health + Hospitals	Emergency Department, Room 2105 506 Lenox Ave New York, NY 10037	212-939-2250
Metropolitan Hospital Center, NYC Health + Hospitals	1901 First Avenue Room 2A33 New York, NY 10029	212-423-6466
Columbia University Medical Center, New York Presbyterian Hospital	Social Work Department Harkness Pavilion 622 West 168th Street 2 nd Floor New York, NY 10032	212-305-6204
Weill Cornell Medical Center, New York Presbyterian Hospital	525 East 68 th Street, Box 143 New York, NY 10032	212-746-4458

Brooklyn

Coney Island Hospital, NYC Health + Hospitals	Emergency Department, Room 1E8B 2601 Ocean Parkway Brooklyn, NY 11235	718-616-4400
Kings County Hospital Center, NYC Health + Hospitals	Crisis Center Room -S1N30, 451 Clarkson Avenue Brooklyn, NY 11203	718-245-4602
New York Presbyterian- Brooklyn Methodist	506 6th Street Brooklyn, NY 11215	718-80-3000
NYU Langone Brooklyn Hospital	150 55th St. New York, New York 11220	718-630-7000
Woodhull Medical Center, NYC Health + Hospitals	760 Broadway, Room 2BC-104 Brooklyn, NY 11206	718-963-8443

Bronx

Jacobi Medical Center, NYC Health + Hospitals	Social Work Department 1400 Pelham Parkway Room 1E4 South Bronx, NY 10467	718-918-5800
Lincoln Hospital, NYC Health + Hospitals	Emergency Department 234 E. 149th Street Bronx, NY 10451	718-579-5784
North Central Bronx Hospital, NYC Health + Hospitals	Social Work Department, Room 14A03, 3424 Kossuth Avenue Bronx, NY 10467	718-519-3013

Queens

Elmhurst Hospital, NYC Health + Hospitals	Emergency Department, 79-01 Broadway, Room B-1-27 Elmhurst, NY 11373	718-334-3054
Queens Hospital Center, NYC Health + Hospitals	82-68 164 th Street Jamaica, NY 11432	718-883-3090

Staten Island

Richmond University Medical Center	Emergency Department Room 532 355 Bard Avenue Staten Island, NY 10310	718-818-2995
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HOW TO REPORT TO CAMPUS AUTHORITIES

- Should you wish to formally report a crime to IENYC, please contact the Title IX Coordinator, Jessica Chang-Russell at titleix@ienyc.edu. A Campus Security Authority can also file a report for you.
- Please know that reporting to IENYC is not the same as notifying law enforcement. IENYC is required to disclose that a crime has occurred but is not required to report names.

IMPORTANCE OF PRESERVING EVIDENCE

- Do not change clothes, bathe, douche, or brush your teeth. This is important for the evidence collection process that will occur at the hospital.

- If you seek to place a report with the police or press charges, it is best for evidence collection to occur within 96 hours so that evidence may be preserved that may assist in proving that the alleged criminal offense occurred/or is occurring or may be helpful in obtaining a protection order
- Victims of sexual assault, domestic violence, stalking, and dating violence are encouraged to also preserve evidence by saving text messages, instant messages, social networking pages, other communications, and keeping pictures, logs or other copies of documents, if they have any, that would be useful to College adjudicators/investigators or police.
- Evidence collection does not require you to place a report with the police or press charges, but preserves evidence if you wish to place a report or press charges in the future.
- As time passes, evidence may dissipate or become lost or unavailable, thereby making investigation, possible prosecution, disciplinary proceedings, or obtaining protection from abuse orders related to the incident more difficult. If a victim chooses not to make a complaint regarding an incident, they nevertheless should consider speaking with Campus Public Safety or other law enforcement to preserve evidence in the event that the victim decides to report the incident to law enforcement or the College at a later date to assist in proving that the alleged criminal offense occurred or that may be helpful in obtaining a protection order.
- Additional Important and helpful information is available from RAINN (Rape And Incest National Network): <https://rainn.org/get-information/aftermath-of-sexual-assault/preserving-and-collecting-forensic-evidence>
- If you are the victim of stalking, please keep all emails, texts, and any other methods of contact.

CONFIDENTIALITY, ACCOMMODATIONS & PROTECTIVE MEASURES

- IENYC will take every step to keep your information private.
- Your confidentiality will be respected in any discussions you have with IENYC staff.
- IENYC will not share personally identifiable information about a reporting individual in any public notification or publicly available recordkeeping including Clery Act reporting and disclosures.
- While IENYC is legally required to report that a crime occurred and to warn others if a danger is posed, these reports will never provide any details which could reveal your identity.

- The IENYC Title IX Coordinator will take action to assist you with any reasonable accommodations and protective measures you might require, including academic accommodations; working accommodations; or other additional necessary measures. They are designed to restore or preserve equal access to the College's educational and working programs or activities without unreasonably burdening the other party, including measures designed to protect the safety of all parties and the broader College community, or deter sexual harassment. While a supportive measure may impose some restrictions on a party, it will not unreasonably burden them. The College may provide supportive measures to the reporting individual or respondent, as appropriate, as reasonably available, and will do so without fee or charge, regardless of whether the complainant seeks formal disciplinary action. Once supportive measures are approved, the parties or affected individuals will be notified in writing of the supportive measures. The College will maintain any supportive measures provided to the reporting individual or respondent as confidential to the extent possible.

Protective measures and accommodations may include:

- counseling;
- extensions of deadlines or other course-related/academic adjustments;
- modifications of work or class schedules;
- modifications to mode of attending work or class (virtual or on campus);
- campus escort services;
- mutual restrictions on contact between the parties;
- leaves of absence;
- increased security and monitoring of certain areas of the campus; and/or
- any other measure that can be used to achieve the goals of this policy.

Requests for supportive measures may be made by or on behalf of the reporting individual or respondent to any College official, including the Title IX Coordinator. The Title IX Coordinator is responsible for ensuring the implementation of supportive measures and coordinating the College's response with the appropriate offices on campus.

All individuals are encouraged to report concerns about the failure of another to abide by any restrictions imposed by a supportive measure. The College will take immediate action to enforce a previously implemented measure and disciplinary sanctions can be imposed for failing to abide by a college-imposed measure.

- The College will maintain any supportive measures provided to the reporting party or respondent as confidential to the extent that maintaining such confidentiality would not impair the ability to provide such accommodations or protective measures.

ADDITIONAL ON-CAMPUS RESOURCES	
Counseling & Mental Health:	Please contact Michael Cohen, PhD, IENYC Director of Counseling and Disability Services Coordinator, Michael.Cohen@ienyc.edu
Health:	n/a
Victim Advocacy:	Please contact Andrea Gonzalez, Associate Director of Global Student Services & Recruitment, andrea.gonzalez@ienyc.edu
Legal Assistance:	n/a
Visa & Immigration Assistance:	Please contact Lilian Lopez, Managing Director, Lilian.Lopez@ienyc.edu
Other:	n/a
OFF-CAMPUS RESOURCES	
Counseling:	n/a
Mental Health:	n/a
Health:	In an emergency, please call 911. Urgent care services are not provided on campus. Students can visit the closest City MD to campus, which is located at 331 6 th Avenue, New York City, NY 10014.
Victim Advocacy:	n/a
Legal Assistance:	n/a
Visa and Immigration Assistance:	n/a
Student Financial Aid:	NYS Higher Education Services Corporation, 888-697-4372 U.S. Department of Education, 800-433-3243
Other:	n/a
ADDITIONAL RESOURCES	
Below are a few additional resources that are in Manhattan. You can also contact 3-1-1 at any time to be connected to additional services in New York City or in your own neighborhood.	
Safe Horizon NYC: 2 Lafayette Street, New York, NY 10007 212-577-7700, 24/7 Hotline: 1-800-621-4673	

Provides counseling, safety planning, legal help and court assistance, short-term housing, and other services to victims of domestic violence, rape, sexual assault, stalking, human trafficking, homelessness, and other forms of abuse.

Sylvia Rivera Law Project:

147 W. 24th Street, 5th Floor, New York, NY 10011 212-337-8550

Provides legal assistance to people who are transgender, intersex, or gender non-conforming, including help getting a name change, accessing health care, accessing government services or benefits, fighting harassment and discrimination, and other issues regarding gender identity.

Immigrant Defense Project:

40 W. 39th Street, Suite 501, New York, NY 10018 212-725-6422 www.immdefense.org

Provides legal advice, services, and support to New Yorkers and their families who are undocumented immigrants or are lawful permanent residents ("green card" holders), including those who are victims of crimes, have committed crimes, or are facing deportation.

Rape, Abuse and Incest National Network: <http://www.rainn.org>

Department of Justice: <http://www.ovw.usdoj.gov/sexassault.htm>

Department of Education, Office of Civil Rights: <http://www2.ed.gov/about/offices/list/ocr/index.html>

REPORTING & PROCEDURES FOR DISCIPLINARY ACTION

- To report an event requiring action on the part of IENYC, please contact the Title IX Coordinator, Jessica Chang-Russell titleix@ienyc.edu.
- All disciplinary actions involving students and/or employees will occur within the practices identified in the IENYC College Catalog.
- Prompt, fair and impartial process and will be conducted from the initial investigation to the final result by officials who receive annual training on the issues related to dating violence, domestic violence, sexual assault, and stalking as well as how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability
- Both the complainant and the respondent will:
 - Have the same opportunity to have others present during any institutional disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice
 - Receive simultaneous written notification of the result of any institutional disciplinary proceeding, procedures for appeal, changes to the result, and the date the results become final

RIGHTS OF REPORTING INDIVIDUALS

New York State Student Bill of Rights

In accordance with New York State Education Law, Article 129-B, also known as Enough is Enough, the following is the list of rights students can expect when reporting or responding to sexual offenses and relationship violence at IENYC:

All students have the right to:

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

New York State Crime Victims Bill of Rights

Victims of crimes in New York State have the following rights:

- A free copy of the police report, even if there was no physical injury.
- Payment waiver of fees for replacing a driver's license, permit, registration and license plates which were lost or stolen as a result of a crime.
- Have law enforcement and the District Attorney inform employers that the criminal case may require work absences. They can also explain the circumstances of the crime to creditors.
- Not to be penalized by an employer when appearing as a witness in a criminal

proceeding, consulting with prosecutors or exercising other rights under the law. A violation of this law by an employer is a B misdemeanor. Employers, however, may withhold wages in these situations.

- File for victim compensation and assistance with the New York State Office of Victim Services. Victims of physical injury or relatives of murder victims are entitled to out-of-pocket expenses incurred as a result of the crime. These expenses may include the repair or replacement of damaged property, loss of earnings or support, medical and counseling bills, crime-scene cleanup or funeral expenses. Crime victims may also be eligible for transportation expenses incurred for necessary court appearances. Kidnapping, stalking and unlawful imprisonment victims may be eligible for an award to cover loss of earnings or support, unreimbursed costs for counseling, rehabilitative training and the costs of damaged essential personal property and security devices. Claims must be filed within one year of the crime or within one year of the victim's death. You can obtain a claim form from the police, the District Attorney, a hospital emergency room, the Office of Victim Services or from the Office of the Attorney General. Assistance is also available from other programs such as rape crisis centers and domestic violence and child abuse programs. Ask the District Attorney's office for referrals.
- Be notified of criminal proceedings. Victims who provide a current address and telephone number to the District Attorney have the right to be notified of the accused's: arrest; first appearance before a judge; release from jail while the criminal proceeding is pending; entry of a guilty plea, trial and sentencing; maximum and minimum terms of imprisonment if the offender is sentenced to prison and parole hearing date.
- Freedom from intimidation, threats or harassment. Intimidating a victim or a witness is a felony, apart from any charges the accused may already face. If you are threatened or your property is damaged by anyone connected to your case, you should contact the District Attorney's office and law enforcement immediately.
- Notice of discharge, release or escape of offender from a correctional facility. The District Attorney has a form to be completed in order to stay informed. The New York Victim Information and Notification Everyday (VINE) system provides up to date information about the custody status of offenders via the telephone or internet. Crime victims and other New Yorkers can call 888-VINE-4NY (888-846-3469) or go to www.vinelink.com to secure information about incarcerated defendants. By providing an inmate's identification number or date of birth, which you can obtain from the District Attorney, you can learn sentencing and release information. You may also register with VINE for automatic notification by telephone when the inmate is released.

27. Appendix B: Code of Student Conduct

27.1. Introduction

This Code of Student Conduct (“the Code”) applies to all students. IENYC believes that effective learning and teaching are best achieved in an ordered and disciplined environment. The Code seeks to ensure that student discipline is maintained in a manner that promotes fair and equitable treatment of all students. IENYC reserves the right to digress from this Code, alter this Code, or withdraw this Code at any time, subject to applicable law.

One of the purposes of this Code is to help and encourage students to achieve and maintain the standards of conduct required by the College. It is essential that all students comply with these standards. The Code also outlines the action that will be taken when there are complaints or concerns those standards have not been met.

We, therefore, recognize the importance of resolving issues concerning unsatisfactory or inappropriate conduct within the College and we will take appropriate measures to do so.

27.2. Application of the Code

27.2.1. This Code is not intended to create rights beyond our legal and regulatory obligations and will at all times be interpreted and administered in accordance with applicable law (including in the event of conflict between the Code and applicable law).

27.2.2. The Title IX² Coordinator (defined below) has overall responsibility for the application of the Code, subject to the oversight of the President and the Managing Director.

27.3. Circumstances in which the Code will apply

27.3.1. This Code will apply in the following circumstances:

- The misconduct involves IENYC students and:
 - Occurs on any College Property³;
 - Takes place in connection with an IENYC program or activity—online or in-person—anywhere in the world, including study abroad programs.
 - Occurs off-campus but has continuing effects on-campus;
 - The allegation is made against an IENYC student, including offenses in another institution which IENYC students attend as part of a College course such as

² IENYC is currently not a recipient of federal financial assistance and is therefore not legally bound by Title IX, the Clery Act, and other federal laws whose applicability is tied to receipt of federal funding. Nevertheless, it voluntarily seeks to comply with such laws—without creating a legal obligation to do so—as a matter of discretion.

³ “College Property” includes any property and/or premises owned or controlled by the College or to which access has been gained through membership of the College, including but not restricted to student services provided by another institution, athletic facilities, halls of residence, or other institutions providing services or facilities to students on behalf of, and in agreement with, IENYC.

external secondments, placements, field trips, residential trips, etc. or part of any reciprocal agreement with another institution.

- Allegations of Title IX Sexual Harassment and/or Sexual Assault and Intimate Partner Violence are made against any IENYC staff or faculty member.

27.3.2. IENYC reserves the right to modify the procedures set forth herein on a case-by-case basis, in its sole discretion, subject to applicable law.

27.3.3. Allegations of misconduct against staff and faculty will be addressed in accordance with the Employee Handbook or related policies unless they involve allegations of Title IX Harassment or Sexual Assault and Intimate Partner Violence, in which case they will be addressed in accordance with the applicable procedures herein. Human Resources will also be notified of any complaints made against staff or faculty.

27.4. Policy for Alcohol/Drug Use Amnesty

27.4.1. The health and safety of every student at IENYC is of utmost importance. IENYC recognizes that students who have been drinking and/or using drugs (whether such use is voluntary or involuntary) at the time that an offense, including but not limited to domestic violence, dating violence, stalking, or sexual assault occurs may be hesitant to report such incidents due to fear of potential consequences for their own conduct. IENYC strongly encourages students to report domestic violence, dating violence, stalking or sexual assault to institution officials and/or law enforcement.

27.4.2. Any student, bystander, or other reporting individual acting in good faith who reports an incident of alleged domestic violence, dating violence, stalking, or sexual assault to IENYC's officials or law enforcement will not be subject to disciplinary action under the Code 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.

27.4.3. IENYC's full Drug and Alcohol Policy and Drug and Alcohol Abuse Prevention Information can be found in the Campus Safety section of the College Catalog.

27.5. Select Definitions

27.5.1. Complainant refers to the individual(s) who is alleged to be the victim of conduct that could constitute a violation of this Code. A witness who reports an incident may also be considered a complainant.

27.5.2. **Respondent** refers to the individual(s) who has been alleged to be the perpetrator of conduct that could constitute a violation of this Code.

27.5.3. **Party/ies** refers individually to a Complainant or Respondent or collectively to the Complainant and Respondent.

27.5.4. **Title IX Coordinator** refers to the person designated by IENYC to coordinate to administer this Code.

The contact information for the Title IX Coordinator is as follows:

Jessica Chang-Russell, Director of Operations, Title IX Coordinator
Address: IENYC 64 Wooster Street New York, NY 10012
Email: titleix@ienyc.edu or Jessica.chang@ienyc.edu

27.5.5. Formal Complaint means a document filed by a Complainant or signed by the Title IX Coordinator alleging Title IX Harassment (or any general complaint) against a Respondent and requesting that IENYC investigate the allegation of Title IX Harassment. At the time of filing a Formal Complaint, a Complainant must be participating in or attempting to participate in the education program or activity of IENYC with which the Formal Complaint is filed. A Formal Complaint may be filed with the Title IX Coordinator in person, by mail, or by email (complaints@ienyc.edu). The full Complaints Handling Procedure including a model Formal Complaint form are available on [our website](#). As used in this paragraph, the phrase “document filed by a Complainant” means a document or electronic submission (such as by email or through an online portal provided for this purpose by the recipient) that contains the Complainant's physical or digital signature, or otherwise indicates that the Complainant is the person filing the Formal Complaint. Where the Title IX Coordinator signs a formal complaint, the Title IX Coordinator is not considered a Complainant.⁴

27.6. Offenses

The following section is a non-exhaustive list of examples of prohibited conduct:

27.6.1. General misconduct includes, but is not limited to:

- i. Anti-social or abusive behavior and/or abusive language
- ii. Destruction of property
- iii. Breaches of safety regulations
- iv. Riotous or disorderly conduct affecting good order or persistently noisy or disruptive behavior anywhere within the College or on College Property, including student residences whether or not they are owned by the College
- v. Noise beyond socially acceptable norms for the time of day/night
- vi. Engaging in or threatening to engage in behavior(s) that, by virtue of their intensity, repetitiveness, or otherwise, endanger or compromise the health, safety, or well-being of oneself, another person, or the general College community. This includes, but is not limited to, threatening, tormenting, mocking, intimidating, maliciously or inappropriately ridiculing another's work or comments beyond the scope of scholarly inquiry, and exploiting known psychological or physical vulnerabilities or impairment.
- vii. Physical violence, actual or threatened against any individual or group of persons
- viii. Possession of weapons (defined as instruments designed to cause injury, intended to cause injury, or imply a threat to cause injury), including simulated weapons, on IENYC Property (see 'Weapons Policy' in the Campus Safety section of the College Catalog)

⁴ Throughout this Policy, policies that apply only to Title IX Harassment are identified through boxes and blue text. Such policies replace the general policies with respect to their subject matter. If there is no policy specific to Title IX Harassment on a particular topic, the general policy on that subject will apply, except to the extent prohibited by applicable law or accreditation standards.

- ix. Harassment, discrimination or incitement discriminatory harassment on the grounds of race (including traits historically associated with race, including but not limited to hair texture and protective hairstyles, sex, sexual orientation, national origin, ethnic origin, religious, political or philosophical belief, disability, age, gender identity, marital status, mental condition or as detailed in the appropriate College policies available on the College's website (which you are required to read and abide by), when such conduct does not meet the definition of Title IX Harassment
- x. Hazing
- xi. Persistent Absenteeism
- xii. Avoidance or attempted avoidance of security procedures to gain access to files and work done by users of College computing equipment
- xiii. Use or attempted use of College computing equipment to gain unauthorized access to any College computing facilities and/or unauthorized access to web or other IT related material or access to networked materials in violation of law
- xiv. Impersonating another person or presenting oneself under false pretenses
- xv. Theft, fraud, unauthorized possession, misapplication of and/or unauthorized access to or gross negligence in connection with funds or property of any kind
- xvi. Deliberate and malicious misuse of safety equipment and/or contravention of safe working practices or procedures likely to seriously endanger the health and safety of another person
- xvii. Possession, supply, use, abuse, touting or being under the influence of controlled substances and/or abuse of alcohol or prescription medication
- xviii. Smoking on campus as described in our Smoke Free Campus policy in the Campus Safety section of the College Catalog
- xix. Unauthorized use of the College's internet and e-mail facilities and connections as defined in College Regulations pertaining to the use of Information Technology Facilities
- xx. Contravention of established procedures, working practices codes of practice and/or regulations dictated by current legislation or authorities
- xxi. Non-return of any equipment or property loaned from the College
- xxii. Any conduct or activity of any nature which may bring the College into disrepute whether such conduct or activity takes place either in the College or outside the College, including violent behavior, threatening violence, misrepresentation and immoral or obscene conduct
- xxiii. Failure to comply with the decision adopted by IENYC in relation to an Offense
- xxiv. Retaliation: Participating in any adverse action against an individual for making a good faith report of prohibited conduct or participating in any proceeding under this Code. This includes threatening, intimidating, harassing or any other conduct that would discourage a reasonable person from engaging in activity protected under this Code.
- xxv. Engaging in behavior as prohibited under other established IENYC College policies not otherwise cited above.
- xxvi. Ignoring any written notices from the College during a preliminary investigation, formal investigation or resolution processes. Responses are expected within 2 business days unless otherwise noted.
- xxvii. Any other conduct that IENYC determines is inconsistent with a respectful, collegial, and safe learning and living environment

27.6.2. **Academic Misconduct** includes, but is not limited to:

- i. Offenses in connection with examinations or assessments, including conduct designed to gain obtain an unfair advantage
- ii. Falsification, misrepresentation or misuse of documentation, prior qualifications and experiences, certifications, letters, e- communications, etc. presented or transmitted to any officer or student of the College or any person operating on behalf of the College
- iii. Plagiarism, including use of the work of other students, past or present, or substantial and unacknowledged use of published (electronic as well as physical) material or violation of copyright material presented as the student's own work
- iv. Unauthorized or undeclared use of artificial intelligence to complete or assist with assignments or examinations
- v. Contravention of the United States Fair Use Doctrine (Section 107 of the Copyright Act), which provides the statutory framework for determining whether something is a fair use and identifies certain types of uses—such as criticism, comment, news reporting, teaching, scholarship, and research—as examples of activities that may qualify as fair use

27.6.3. Title IX Harassment is a specific type of misconduct defined in accordance with applicable law and accreditation rules. When conduct does not meet these narrow definitions, **it will often still be prohibited and chargeable under this Code but will be adjudicated in a different manner.**

In order for misconduct to be characterized as Title IX Harassment, it must meet (1) “jurisdictional” requirements; and (2) conduct requirements, *i.e.*, be of a specific nature. *If both jurisdictional requirements are not met and/or the conduct does not fall within the definitions, below, the conduct does NOT qualify as Title IX Harassment*

To meet the **jurisdictional** requirements:

- The Complainant must have been physically present in the United States when the alleged misconduct occurred; **and**
- The Complainant must have been participating or attempting to participate in an IENYC program or activity⁵ (including employment) at the time of the alleged misconduct.

The following types of misconduct satisfy the **definitional** requirements:

:

- An employee of the IENYC conditioning the provision of an aid, benefit, or service of the recipient on an individual's participation in unwelcome sexual conduct;
- Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to an IENYC education program or activity (including employment);
- “Dating Violence” (defined below);
- “Domestic Violence” (defined below);
- “Sexual assault” (defined below); and
- “Stalking” (defined below)

⁵ “Program or activity” includes locations—on or off-campus—events, or circumstances over which IENYC exercises substantial control over both the Respondent and the context in which the Title IX Harassment occurred, and also includes any building owned or controlled by a student organization that is officially recognized by IENYC.

27.6.4. Definition of Sexual Assault and Intimate Partner Violence

“Sexual Assault and Intimate Partner Violence” refers to the following misconduct:

- **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
- **Domestic Violence:** felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of New York, or other applicable jurisdiction, 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 New York, or other applicable jurisdiction
- **Stalking:** engaging in a course of conduct directed at a specific person that would cause a reasonable person to (A) fear for their safety or the safety of others or (B) suffer substantial emotional distress.
- **Sexual assault:** includes “forcible sex offenses,” i.e., “any sexual act directed against another person, without the consent of the victim including instances where the victim is incapable of giving consent,” and “non-forcible sex offenses,” i.e., “unlawful, nonforcible sexual intercourse” such as statutory rape and incest, but excluding prostitution.

27.6.5. Affirmative Consent

Sexual contact of any kind is permitted only where all participants have given Affirmative Consent. The definition of Affirmative Consent applies to both Title IX Harassment and other forms of sexual misconduct that do not meet the definition of Title IX Harassment.

Consistent with New York Law, **Affirmative Consent** is defined as “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.

IENYC adheres to the following principles as guidance for the IENYC community:

- 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.

27.7. Reporting a Conduct Violation

- 27.7.1. Any suspected cases of misconduct under the scope of this Code should be reported to the Title IX Coordinator or another member of staff as soon as possible for consideration under the Code.
- 27.7.2. All IENYC faculty and staff are *required* to report (1) any suspected case of Title IX Harassment, Sexual Assault and Dating Partner Violence, (2) when involving a student, any suspected case of discrimination or harassment on the basis of any legally protected characteristic, and (3) retaliation for reporting any of the conduct listed in this subsection. As set forth in the Employee Handbook, those with supervisory and/or managerial authority are also required to report suspected violations of the Policy Against Discrimination and Harassment in the Handbook.
- 27.7.3. To submit an incident report, please contact the Title IX Coordinator or a CSA as listed in the Campus Safety section of the College Catalog.
- 27.7.4. Formal complaints may be made by following IENYC's [Complaint Handling Procedure](#).
- 27.7.5. If this matter is an emergency, please call 911 and notify the Title IX Coordinator or other College official immediately.
- 27.7.6. For non-emergencies, contact the Title IX Coordinator to complete an incident report, titleix@ienyc.edu or follow the [Complaints Handling Procedure](#).
- 27.7.7. In accordance with applicable law, different reporting procedures apply in reports of Title IX Harassment. In order to proceed with disciplinary proceedings related to such a complaint, IENYC must be in receipt of a **Formal Complaint** (of Title IX Harassment, as defined above).

27.8. Student Rights When Reporting an Incident of Dating Violence, Domestic Violence, Sexual Assault, or Assault under the scope of this Code

- 27.8.1. All students have the right to the following, when reporting possible Dating Violence, Domestic Violence, Sexual Assault, or Assault:
- i. Report a crime to IENYC and local law enforcement and/or state police.
 - ii. Have disclosures of any crime including domestic violence, dating violence, stalking, and sexual assault treated seriously.
 - iii. Make a decision about whether or not to disclose a crime or violation and participate in the judicial or conduct process and/or criminal justice process free from pressure by the institution.
 - iv. Report an incident and participate in a process that is fair, impartial, and provides adequate notice and a meaningful opportunity to be heard.
 - v. Be treated with dignity and receive from the institution courteous, fair, and respectful health care and counseling services where available.

- vi. Be free from any suggestion that the reporting individual is at fault or should have acted in a different manner to avoid such crimes or violations.
- vii. Describe the incident to the appropriate and necessary institution representatives and not be required to unnecessarily repeat a description of the incident.
- viii. Be protected from retaliation by the institution, any student, the accused and/or the Respondent, and/or their friends, families and acquaintances within the jurisdiction of IENYC.
- ix. Have access to at least one level of appeal after a determination has been made.
- x. Be accompanied by an institution representative of choice who may assist and advise a reporting individual, accused, or respondent throughout the judicial or conduct process including during all hearings related to such process.
- xi. Exercise civil rights and practices of religion without interference by the investigative, criminal justice, or judicial or conduct process of IENYC.

27.8.2. Resources for those Affected by Sexual Assault and Intimate Partner Violence. Please refer to Appendix A.

27.9. Preliminary Procedures & Investigation

27.9.1. Upon receiving a report of or otherwise learning of an alleged violation of the Code of Student Conduct or other College policy, the Title IX Coordinator will proceed as set forth below. Procedures that apply only to allegations of Title IX Harassment will be identified as such.

27.9.2. Meeting with Reporting Party

The Title IX Coordinator or a designee will meet with the Complainant/s to:

- review the complaint and request additional information (as needed);
- explain the resolution procedures and provide a copy of IENYC's Code of Student Conduct and and/or any other relevant policies and procedures;
- explain the availability of Supportive Measures and learn the Complainant's preferences with respect thereto; and
- Explain and discuss the availability of Informal Resolution and learn the Complainant's preferences with respect thereto.

If the complaint alleges Title IX Harassment but is not submitted as a Formal Complaint, the Title IX Coordinator will explain to the Complainant the process for filing a Formal Complaint, and clarify that supportive measures are available whether or not a Complaint is filed. If the Complainant declines to file a Formal Complaint, the Title IX Coordinator may submit a Formal Complaint on behalf of the Complainant, if it is not clearly unreasonable to do so under the circumstances. Generally, this will only occur where the alleged misconduct involves sexual violence, actual or perceived serious threat, or risk of harm any member of the IENYC Community. If the Title IX Coordinator signs a Formal Complaint, the victim of the alleged misconduct will be treated as a Complainant, and this Code will apply in the same manner as if the Complainant had filed the complaint.

27.9.3. Written Notice

Written notice will be provided to both the Complainant and the Respondent. The written notice, sent to give the Respondent enough time (2 business days unless otherwise stated) to prepare a response before any initial interview, will include:

- Alleged violations and brief description
- Notice of IENYC's Code of Student Conduct policy and Complaints Handling Policy (where relevant), including the informal resolution process;
- Appropriate details regarding the allegations known at the time, including the identities of the parties involved in the incident, if known, the conduct allegedly constituting a policy violation, and the date and location of the alleged incident(s).
- A statement that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility will be made at the conclusion of the investigation process;
- Meet w/ Title IX Coordinator and an additional member of staff for an interview .
- A reminder of IENYC's No-Retaliation Policy
- A statement that knowingly making materially false statements or knowingly submitted materially false information is prohibited; and
- In the case of (i) Title IX Harassment and (ii) Sexual Assault and Intimate Partner Violence offenses that do not meet the definition of Title IX Harassment only, a statement that both Parties may have an advisor of their choice, who may be, but is not required to be, an attorney, present at all meetings, interviews, and hearings during the grievance process, and may inspect and review evidence.

27.9.4. Meeting with the Respondent

The Title IX Coordinator or a designee and an additional member of staff will meet with the Respondent to:

- Discuss the allegations and request additional information (as needed);
- Explain the resolution procedures and provide a copy of IENYC's Code of Student Conduct and and/or any other relevant policies and procedures;
- Explain the availability of supportive and interim measures and learn the Respondent's preferences with respect thereto; and
- Explain and discuss the availability of informal resolution and learn the Respondent's preferences with respect thereto.

27.9.5. Post-Investigation Preliminary Review

The Title IX Coordinator will first determine whether the complaint constitutes a Formal Complaint of Title IX Harassment or any other type of complaint and proceed accordingly.

27.9.6. All Complaints *Except* Formal Complaints of Title IX Harassment

The Title IX Coordinator will first determine whether the conduct alleged in the complaint, if established, would violate any policy of IENYC. If not, the complaint will be dismissed and the Parties notified.

If the Title IX Coordinator does not dismiss the complaint, the Title IX Coordinator will determine if an informal resolution is appropriate or if the launch of a formal investigation is required, in consultation with the Parties, as appropriate. Informal Resolution of Sexual Assault and Intimate Partner Violence offenses is permitted only with the agreement of the Parties.

The Title IX Coordinator will present their decision regarding how to proceed:

- In the case of Informal Resolution, the [Managing Director]
- In the case of a formal investigation, the Managing Director and President.

27.9.7. Formal Complaints of Title IX Harassment

The Title IX Coordinator will evaluate the Formal Complaint to determine whether the conduct alleged in the Formal Complaint would constitute Title IX Harassment if proved. If it does, it *must* be addressed in accordance with Title IX Harassment-specific procedures, below. If it does *not*, it *must* be dismissed and instead must be re-assessed under the preliminary review procedures applicable to other complaints.

The Title IX Coordinator *may* either direct re-assessment under the preliminary review procedures for non-Title IX Harassment matters or outright dismiss the complaint if:

- The Complainant notifies the Title IX Coordinator in writing that they would like to withdraw the Formal Complaint (or does not wish to pursue the Formal Complaint, if it was submitted by a third party);
- The Respondent is no longer enrolled at or employed by IENYC; or
- The specific circumstances prevent IENYC from gathering evidence sufficient to reach a determination as to the Formal Complaint or allegations therein.

Upon dismissal of a Formal Complaint for Title IX purposes, the Title IX Coordinator will:

- Promptly and simultaneously notify both Parties in writing of the dismissal and the reason for dismissal;
- Evaluate and address the complaint in accordance with the above preliminary procedures for non-Title IX Harassment matters.

If a Formal Complaint is not dismissed, the Title IX Coordinator will determine whether to authorize the possibility of Informal Resolution, or instead require that a full investigation take place. Informal Resolution will never be authorized, or will be discontinued, if:

- Either Party, prior to resolution, does not consent or revokes their consent to Informal Resolution;
- The Respondent is an IENYC employee or faculty member; or
- If substantiated, the allegations would most likely warrant expulsion or suspension.

If the Title IX Coordinator determines that an Informal Resolution may be appropriate, the Managing Director will be notified and they, along with the Title IX Coordinator, will meet with the Parties to discuss informal resolutions.

If a formal resolution proceeds, the President will be notified, and the Title IX Coordinator or their designee will proceed with the investigation.

27.10. Supportive Measures

27.10.1. Definition

Supportive Measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the Complainant or the Respondent before or after the filing of a complaint or where no complaint has been filed. Such measures are designed to restore or preserve equal access to IENYC's education program or activity without unreasonably burdening the other Party, including measures designed to protect the safety of all Parties or IENYC's educational environment, or deter policy violations.

These supportive measures may include changes to academic, living, transportation and working situations or protective measures. They are designed to restore or preserve equal access to the College's educational and working programs or activities without unreasonably burdening the other party, including measures designed to protect the safety of all parties and the broader College community, or deter sexual harassment. While a supportive measure may impose some restrictions on a party, it will not unreasonably burden them. The College may provide supportive measures to the Complainant or Respondent, as appropriate, as reasonably available, and will do so without fee or charge, regardless of whether the Complainant seeks formal disciplinary action. Once supportive measures are approved, the Parties or affected individuals will be notified in writing of the supportive measures.

27.10.2. Examples

Supportive Measures may be implemented by the Title IX Coordinator, with or without request of the Parties. The Parties shall be afforded an opportunity to request Supportive Measures (or modifications thereto) that affect them and may submit evidence to the Title IX Coordinator in support of their request.

27.10.3. Supportive measures may include:

- xi. counseling.
- xii. extensions of deadlines or other course-related/academic adjustments;
- xiii. modifications of work or class schedules;
- xiv. modifications to mode of attending work or class (virtual or on campus);
- xv. campus escort services;
- xvi. mutual restrictions on contact between the parties;
- xvii. changes in work or housing locations;
- xviii. leaves of absence;

- xix. increased security and monitoring of certain areas of the campus; and/or
- xx. any other measure that can be used to achieve the goals of this Code.

27.10.4. Mutual No Contact Orders

27.10.5. In appropriate circumstances, the Title IX Coordinator may issue a No Contact Order. Under a No-Contact Order, the Parties are to have no contact with one another, in person, by voice technology, or by electronic communication. The Title IX Coordinator will determine whether to issue a No Contact Order based on a review of the available information and generally after speaking with both the Complainant and Respondent. Both Parties are entitled to request a prompt review of the need for, terms of, or a No Contact Order, and both Parties are entitled to submit evidence in support of their request.

27.10.6. In accordance with New York law, when there is a No Contact Order, if the Complainant and Respondent observe each other in a public place, it shall be the responsibility of the Respondent to leave the area immediately and without directly contacting the Respondent.

27.10.7. Members of the IENYC community may also contact the New York Police Department to file an order of protection. While IENYC cannot make this request directly, IENYC can assist a member of the IENYC community in contacting the police and requesting an order of protection.

27.10.8. The Complainant and Respondent parties have the right to receive a copy of any order of protection or equivalent received by IENYC from police or the court system, as well as the opportunity to meet or speak with the Title IX Coordinator about the order including information from the order about the responding party's responsibility to stay away from the protected person or persons, as well as an explanation of the consequences for violating the order such as arrest, additional conduct charges, and interim suspension. The person or persons protected by the order have the right to receive assistance from IENYC in contacting local law enforcement in effecting an arrest for violating the order.

27.10.9. Interim Suspensions

IENYC reserves the right to suspend Respondents on an interim basis from IENYC Property, programs, and functions pending the outcome of a disciplinary review, where the Title IX coordinator determines—based on an individualized safety and risk assessment—that not suspending the Respondent would pose an immediate threat to the physical or emotional health or safety of any student or other individual exists arising from the alleged policy violation.

The Complainant and Respondent shall be afforded notice and an opportunity to challenge the decision immediately following the interim suspension by submitting a written appeal to the President.

Where a Respondent has been suspended under this provision, the Title IX Coordinator will endeavor to conduct the investigation and provide their findings to the SDC within 14 days. This timescale may be modified if the allegations are complex and/or involve detailed investigation and/or a number of witnesses.

27.10.10. Requesting Supportive Measures

Requests for supportive measures may be made by or on behalf of the reporting individual or respondent to any College official, including the Title IX Coordinator. The Title IX Coordinator is responsible for ensuring the implementation of supportive measures and coordinating the College's response with the appropriate offices on campus.

27.10.11. Confidentiality of Supportive Measures.

The College will maintain as confidential any supportive measures provided to the Complainant or Respondent, to the extent that maintaining such confidentiality would not impair the ability of the College to provide the supportive measures. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

27.10.12. Violations of Supportive Measures (including No Contact Orders)

All individuals are encouraged to report concerns about the failure of another to abide by any restrictions imposed by a supportive measure. The College will take immediate action to enforce a previously implemented measure. Disciplinary sanctions can be imposed for failing to abide by a College-imposed measure.

Violations of "No Contact Orders" may be considered a threat to the health and safety of the community, and may result in suspension by the President pending the outcome of disciplinary proceedings and other disciplinary action. Individuals wishing to appeal such suspensions must do so by submitting a written appeal to the President for IENYC.

27.11. Informal Resolution

27.11.1. The Title IX Coordinator and/or Managing Director] or a designee will oversee Informal Resolutions. Informal Resolutions may encompass a broad range of conflict resolution strategies, including, but not limited to, arbitration, mediation, or restorative justice. There is no set of procedures that will apply to Informal Resolution; rather, the Parties, together with the Title IX Coordinator and the designee, are encouraged to choose the resolution option that is best for them and serves the educational needs of IENYC.

27.11.2. Information Resolution of Sexual Assault and Intimate Partner Violence complaints (and Title IX Harassment complaints, see below) may occur only with the agreement of the Parties and the Title IX Coordinator.

27.11.3. Outcomes of an Informal Resolution process may involve sanctions or appropriate remedial measures, such as no contact orders, permanent assignment of an employee to a different unit/department, and changes in academic/course schedules, among others.

27.11.4. The Title IX Coordinator will keep records of the Informal Resolution finding and of the outcome/resolution reached. In certain cases, Informal Resolutions may result in a written resolution agreement that both parties approve and sign. Failure to abide by the resolution outcome/resolution may result in sanctions.

In the case of Title IX Harassment allegations, informal Resolution is voluntary and available only where a Formal Complaint has been filed and the Title IX Coordinator, the Complainant, and Respondent all agree to Informal Resolution. Informal Resolution is never available to resolve allegations that an IENYC faculty member or employee engaged in Title IX Harassment with respect to a student.

Since the Informal Resolution process is voluntary in the Title IX Harassment Context, the Reporting Party, Responding Party, and Title IX Coordinator may each decide to end the Informal Resolution process at any time before its completion, including if the Title IX Coordinator determines that any IENYC community members' safety is at risk. In that case, the Complaint will be resolved through Formal Resolution. However, once a Complaint has been resolved through Informal Resolution, the result becomes binding, the case will be closed, and a complaint about the same alleged incidents will not be accepted. If an Informal Resolution process is terminated in favor of Formal Resolution, the information obtained during Informal Resolution may be used in a subsequent Resolution.

Before any Informal Resolution process begins, the Title IX Coordinator will provide the Parties with a written notice including:

- the allegations contained in the Formal Complaint
- the requirements of the Informal Resolution process;
- that any signed agreement reached at the end of the Informal Resolution is binding and precludes a subsequent complaint about the same incidents;
- that any Party has the right to withdraw from the Informal Resolution process at any time before an Informal Resolution agreement is signed and resume the grievance process with respect to the Formal Complaint; and
- that records created in connection with the Informal Resolution process must be preserved and, in limited circumstances, shared in accordance with applicable law.

The Informal Resolution process will not begin until both Parties submit a signed acknowledgment that they reviewed and understand the foregoing notice and agree to participate in Informal Resolution. No Party will be required by IENYC to agree to Informal Resolution as a continued condition of employment or participation in any other IENYC educational program or activity. The Informal Resolution process will not result in sanctions, unless the Parties agree to such sanctions.

27.12. Formal Investigation & Resolution:

27.12.1. In General

Complaints that are not dismissed or resolved through Informal Resolution are resolved through the Formal Resolutions described in this section. The procedures for the investigation of Title IX Harassment and other matters are similar.

However, the manner of fact-finding will be slightly different:

- Non-Title IX Matters: fact-finding will be made following an investigation, without a live hearing

- Title IX Matters: fact-finding will be made following an investigation that concludes with a live hearing

27.12.2. IENYC's Discretion in non-Title IX Matters

Notwithstanding the foregoing and the procedures set forth below for non-Title IX Harassment Policies, IENYC reserves the right, in its sole discretion, to follow the Title IX Harassment Procedures (in whole or in part) for non-Title IX Harassment matters (*e.g.*, by having a live hearing). However, Parties will be provided written notice of any such changes prior to commencement of the investigation process.

27.12.3. Select Disciplinary Committee

Findings regarding responsibility or non-responsibility for policy violations will be made by a Select Disciplinary Committee ("SDC"). The method of fact-finding will vary based on whether the complaint is one of Title IX Harassment or another type of alleged misconduct.

The composition of the SDC shall be a Chair and 2 members appointed as follows:

- A chair to be appointed by the IENYC Academic Board. As of June 2026, this position is held by the Dean of Programs & External Relations and External Relations
- One member of the staff to be appointed by the IENYC Academic Board. As of May 2025, this position is held by the Director of Administrative Services & Bursary.
- A student participant will be chosen from one of the Student Representatives. This Student Representative will be selected by the Chair and the Title IX Coordinator. In cases of Title IX investigations there will be no student participant. The Chair and Title IX Coordinator will select another staff or faculty member.

Notwithstanding the foregoing, due to training requirements and applicable law, for adjudication of matters related to Title IX Harassment or Sexual Assault and Intimate Partner violence, the student representative will be replaced by someone appointed by the Managing Director and Title IX Coordinator.

- Each member of the SDC may have their appointment terminated at the discretion of the Academic Board.
- To avoid the inability to reach a decision in the absence of unanimity, all three members of the SDC must participate in disciplinary proceedings.
- The Chair may nominate one of the other members of the SDC to take the Chair in their absence.
- No member of the SDC directly involved in the events giving rise to any charge or appeal or posing any other conflict of interest shall be a member of the SDC related to that charge or appeal.
- The SDC shall have the discretion to appoint a legal adviser from outside the College to advise the SDC.

- ix. The Title IX Coordinator or their nominee shall act as clerk to the SDC and shall be responsible for maintaining a confidential record of the proceedings of the Committee. The Title IX Coordinator shall have powers to prepare orders for the regulation of the proceedings and business of the SDC.
- x. The President shall not be a member of the SDC.

27.12.4. Notice to Parties

Prior to any hearing, interview, or other meeting at which a Party is invited or expected to attend, advance written notice will be provided—typically at least 48 hours prior to the applicable start time—which will include the date, time, location, and participants for such event.

27.12.5. Investigation

All complaints that are not dismissed or resolved through Informal Resolution will be investigated by an investigator or panel of investigators (the “Investigator”).

For Non-Title IX Harassment Matters, the SDC will conduct the investigation, provided that the SDC may instead designate the Title IX Coordinator or a designee to conduct the investigation under its supervision.

For Title IX Harassment matters, the Title IX Coordinator or a designee will conduct the investigation, and the SDC will take no part in the investigation.

27.12.6. Procedures

27.12.7. During the investigation, the Complainant and the Respondent will have an equal opportunity to be heard, to submit evidence (inculpatory and exculpatory), and to identify witnesses (fact and expert). The Investigator will gather facts and information through interviews (of the Parties involved and witnesses), supporting documents provided by the Parties and witnesses, and by collection other types of evidence including documentary, digital, direct, and circumstantial evidence. IENYC will apply a preponderance of the evidence, or “more likely than not,” standard when determining whether a policy violation has occurred. The Parties are not restricted from discussing the underlying allegations under investigation or from gathering evidence and witnesses to support their defense—but must maintain confidentiality with respect to the investigation and adjudication process—or to gather and present relevant evidence.

All interviews will either be audio recorded by the Investigator (with no other recording permitted) or memorialized through an interview memo drafted from the Investigator’s contemporaneous notes and recollections.

Absent good cause and notice to the Parties, the investigation must be concluded within [21] days of the filing of the complaint or Formal Complaint, as applicable.

27.12.8. Representation

Where the complaint alleges Title IX Harassment or Sexual Assault and Intimate Partner Violence Offenses, both Parties will be permitted the opportunity to be accompanied to any meeting, interview, or hearing by the advisor of their choice, who may be, but is not required

to be, an attorney. A Party's advisor will not be permitted to speak or otherwise participate during meetings or interviews; except during hearings as explained below. This restriction applies to advisors for both Parties.

In all other matters, advisors are not permitted to attend meetings, interviews, hearings, or other proceedings or to otherwise participate in the investigation or adjudication process.

If a Party does not have an advisor in a Title IX Harassment or Sexual Assault and Intimate Partner Violence matter, IENYC will provide such Party with an advisor of IENYC's choice, free of charge, who may be, but is not required to be, an attorney.

27.12.9. Review of Evidence

The Investigator will provide both Parties an equal opportunity to inspect and review any evidence—both inculpatory and exculpatory—obtained as part of the investigation that is directly related to the complaint, regardless of whether IENYC intends to rely upon it in making a determination regarding responsibility or sanctions.

At the conclusion of the investigation but prior to the completion of the Investigative Report or Draft Statement of Conclusions (discussed below), the Investigator will notify the Parties and their advisors (where applicable) of where and how they may review the evidence. IENYC will have sole discretion over how the evidence is made available for review (provided that the process will apply equally to the Parties. The Parties will have ten (10) days (from the date the evidence was made available for review) to submit a written response to the Investigator and provide any additional evidence, and, in the case of Sexual Assault and Intimate Partner Violence matters, may also submit Impact Statements (described below) at this time.

The Investigator will disclose to the Complainant/Respondent any written responses, including Impact Statements, and additional evidentiary submissions by the other Party prior to completing the Draft Statement of Conclusions. All written responses will be appended to the Draft Statement of Conclusions.

27.12.10. Determination of Responsibility – Non-Title IX Harassment

27.12.11. Draft Statement of Conclusions

At the conclusion of the investigation, the SDC will convene to review and discuss the evidence, findings of fact, conclusions regarding responsibility, sanctions, and/or remedial measures. Thereafter, the SDC will prepare a Draft Statement of Conclusions, which summarizes:

- (1) The steps of the investigation;
- (2) The evidence presented;
- (3) The SDC's findings of fact;
- (4) The SDC's conclusions regarding responsibility or non-responsibility for policy violations, including the vote(s) regarding responsibility;
- (5) Sanctions to be imposed; and
- (6) Remedial measures to be implemented

A finding of responsibility or non-responsibility will be made by simple majority vote. No members of the SDC may abstain.

27.12.12. Transmittal of Draft Statement of Conclusions to the Parties

Within [10] days of the conclusion of the investigation, the SDC shall simultaneously provide the Parties with a copy of the Draft Statement of Conclusions, with the evidence considered attached thereto as appendices.

The parties will have [5] days, from the date of receiving the Draft Statement of Conclusions to respond in writing, if they wish to do so, advocating for changes to content or conclusions of the Draft Statement of Conclusions. Such responses will be included as part of the Final Statement of Conclusions.

27.12.13. Final Statement of Conclusions

The SDC will consider the responses of the Parties, make any agreed-upon revisions, and issue a Final Statement of Conclusions within [10] days of the expiration of the period for the Parties to submit comments to the Draft Statement of Conclusions. This statement will include any sanctions imposed by the college. The SDC will simultaneously transmit the Final Statement of Conclusions to the Parties, the Title IX Coordinator, and the President.

If not timely and properly appealed, as set forth below, the Final Statement of Conclusions will become binding.

27.12.14. Determination of Responsibility – Title IX Harassment

27.12.15. Investigative Report

The Investigator will prepare an Investigative Report that fairly summarizes the evidence and the investigative steps. The Investigative Report will be completed and provided to the Parties and their advisors—in hard or electronic copy—no *earlier* than the conclusion of time to respond to evidence in writing, above, and *no later than* [10 days prior] to the live hearing, discussed below. The Parties will be permitted to share a written response to the Investigative Report prior to the live hearing, subject to deadlines communicated in writing (that shall not be less than [10 days] after receiving the Investigative Report). All written responses will be shared with all Parties and appended to the Investigative Report. Prior to the live hearing before the SDC, the Title IX Coordinator will forward the Investigative Report (including evidentiary attachments and Parties' written responses) to the SDC.

27.12.16. Pre-Hearing Procedures

Following the expiration of the period for Party responses to the Investigative Report, a live hearing will be held before the SDC. The live hearing will be held within 30 days of the issuance of the Investigative Report, unless an extension is granted for good cause. Upon written request of either Party made at least twenty-four (24) hours prior of the hearing, the hearing will be held in separate rooms with live video feeds allowing the SDC and the Parties to simultaneously see and hear the Party or witness answering questions. Otherwise, the hearing will be held with the Parties in the same room.

No later than ten (10) days prior to the hearing, the SDC will propose a list of non-Party witnesses that it intends to question. No later than five (5) days prior the hearing, the Parties may identify any additional witnesses that they wish to question. Generally, witnesses not previously interviewed or identified by the Parties will not be permitted to testify, absent good cause shown by the Party offering such testimony at the hearing.

27.12.17. Hearing Rules

No Party or witness can be compelled to attend the hearing or speak at the hearing. If a Party (or Parties) who has received proper notice of the hearing does not attend, the hearing will proceed in the absence of that Party (or Parties). No negative inferences will be drawn from the decision not to attend.

Advisors for the Parties will be permitted to question the other Party and any witnesses. Only advisors may speak during live hearings only when examining witnesses or when addressed by the SDC and may not make arguments, including with respect to the relevance of evidence or questions, except with respect to sexual history questions, as explained below.

If a Party does not have an advisor present at the live hearing, IENYC will provide such Party with an advisor of IENYC's choice, free of charge, who may be, but is not required to be, an attorney.

Only relevant questions are allowed. Questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent. The SDC must explain to the party proposing the questions any decision to exclude a question as not relevant. With the exception of questions related to the sexual predisposition or prior sexual behavior of any Party or witness, no objections will be permitted, and no one present, including advisors for either Party, may make arguments as to the relevance of evidence.

If a party or witness does not submit to cross-examination at the live hearing, the SDC must not rely on any statement of that Party or witness in reaching a determination regarding responsibility; provided, however, that the decision-maker(s) cannot draw an inference about the determination regarding responsibility based solely on a Party's or witness's absence from the live hearing or refusal to answer cross-examination or other questions.

Audio recordings of all hearings will be made by IENYC. No other person, including Parties and witness, may make recordings. The audio recordings will be provided to the Parties and their advisors within one week of the hearing. No transcripts will be created.

27.12.18. Hearing Format

The SDC has the discretion to set the format of the hearing, in a manner compatible with the terms of this Code and applicable law and regulations. The following procedures shall serve as the default procedures.

1. The SDC will explain the hearing procedures to the Parties and their advisors, and summarize the allegations;
2. The Complainant will be offered an opportunity to make a statement;
3. The SDC will generally (but is not required to) pose questions to the Complainant;
4. The Respondent's advisor may question the Complainant;
5. The Respondent will be offered an opportunity to make a statement;
6. The SDC will generally (but is not required to) pose questions to the Respondent;
7. The Complainant's advisor may question the Respondent;

8. The SDC will then question any witness who the SDC determines may have relevant information, including witnesses identified one or both Parties. However, the SDC may bar witnesses who are not reasonably expected to have relevant information;
9. After the SDC questions a witness, the advisors for the Complainant and Respondent may question the witness (with the order of questioning determined by the SDC);
10. The SDC is permitted to interject and ask follow-up questions at any point.
11. After all witnesses have spoken, each Party (and not their advisors) will be permitted to make a brief final statement, addressing any factual matters and/or requesting that appropriate inferences be drawn.

Impact Statements may be submitted within five (5) days of the hearing. No other written submissions will be accepted following the hearing, absent approval of the SDC.

27.12.19. Decision

Following the hearing, the SDC will issue a written determination. Credibility determinations may not be based on a person's status as a Complainant, Respondent, or witness

The written decision will be issued with ten (10) business days of the hearing, and shall include:

- Identification of the allegations allegedly constituting Title IX Harassment;
- A description of the procedural steps taken from the receipt of the Formal Complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, investigative methods and evidence gathering, and hearings held;
- A finding of responsibility or no responsibility, with respect to each allegation;
- A statement of findings of fact and the rationale for each such finding;
- If the Respondent is found responsible, any disciplinary sanctions IENYC imposes on the Respondent;
- whether remedial measures—measures designed to restore or preserve equal access to IENYC's education program or activity—will be provided; and
- IENYC's procedures and permissible bases for the Complainant and Respondent to appeal.

The SDC will provide the written determination to the Parties, the Title IX Coordinator, and the President simultaneously.

Decisions will become final upon expiration of the appeal period if no appeal is filed.

27.13. Impact Statements

In all matters involving Title IX Harassment or Sexual Assault and Intimate Partner Violence, the parties may submit statements to the Title IX Coordinator explaining how the alleged misconduct affected them. These statements must be submitted in accordance with the timelines above. Impact Statements will not be forward to or considered by the SDC unless the SDC first determines that the Respondent is responsible for one or more policy violations.

27.14. Prior Infractions

If the SDC concludes that the Respondent is responsible for committing a violation of this Code, before it imposes sanctions, it will request a copy of the Respondent's disciplinary record from the Title IX Coordinator. The SDC will consider prior infractions or lack thereof only in determining the appropriate sanction to impose.

27.15. Sanctions

27.15.1. The SDC (and/or the Title IX Coordinator and Managing Director for informal resolutions) shall have the power to impose any or all the following penalties when respondents are found responsible for violations of this Code. The SDC reserves the right to defer the imposition of any penalty in appropriate circumstances.

27.15.2. All Offenses and resultant penalties will be recorded using the Disciplinary Offenses Records Form. The Title IX Coordinator shall ensure that a Records Form is completed, signed and a copy given to the student. The original Records Form will be retained in a separate file by the President.

The SDC may impose one or more of the following penalties:

- i. Verbal or written formal warning
- ii. Removal of email account for a specified period
- iii. Reprimand
- iv. Fine
- v. Order to make good any damage caused to any property
- vi. Ban, period to be determined, from the College or College-related facilities
- vii. The withholding of the student's diploma on graduation
- viii. Behavioral requirement contract
- ix. Restriction of visitation/guest privileges
- x. Charge for damage and/or other loss arising from the student's conduct
- xi. Examination assessment being declared null and void
- xii. Removal from Student Representative, club leader or similar student-held position
- xiii. Probation
- xiv. Suspension
- xv. Expulsion
- xvi. Other appropriate sanctions as may be determined by the SDC that are appropriate under the circumstances.

27.15.3. For crimes of violence, including but not limited to sexual violence, defined as crimes that meet the reporting requirements pursuant to the Federal Clery Act, Respondents will have a notation on their transcript: "[Expelled/suspended] after a finding of responsibility for a Code of Student Discipline violation."

27.15.4. Sanctions will be determined using the IENYC Code of Student Conduct Disciplinary Rubric. Please refer to the Disciplinary Rubric at the end of this Appendix B.

27.15.5. The Title IX Coordinator is responsible for the implementation of any sanctions and remedial measures.

27.15.6. Failure to comply with a disciplinary or remedial measure is a separate offense and may subject the violator to sanctions.

27.16. Appeals: Formal Resolutions

27.16.1. Both the Complainant and Respondent may file an appeal—only on the grounds listed below—from:

- i. The dismissal of a complaint (including a Formal Complaint of Title IX Harassment);
- ii. The result of a Formal Investigation

27.16.2. Appeals may be based only on the following grounds:

- i. The dismissal of a complaint (including a Formal Complaint of Title IX Harassment) was incorrect as a matter of law or policy, as to one or more allegations. For the avoidance doubt, the decision *not* to dismiss a complaint, in whole and part, is not appealable;
- ii. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter;
- iii. The sanction imposed was unduly harsh or lenient under the circumstances;
- iv. There was procedural irregularity that affected the outcome of the matter; and;
- v. The Title IX Coordinator, Investigator, Managing Director (in the case of Informal Resolution) or a member of the SDC had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that would change the outcome.

27.16.3. The Title IX Coordinator shall communicate in writing the details of this right to the student at the same time as formal notification of the disciplinary decision is made to the student.

27.16.4. Any appeal must be: (1) in writing; (2) addressed to the President of IENYC; and (3) submitted to the Title IX Coordinator.

27.16.5. The deadline for submission of appeals is fourteen (14) days from the date of the appealed-from decision.

27.16.6. Any written documentation, witness statement or submission in relation to the appeal must be delivered to the Title IX Coordinator either by hand, recorded delivery or electronic delivery with signature at the same time as lodging their written grounds for appeal.

27.16.7. The Title IX Coordinator shall, as soon as practicable upon receipt of an appeal, submit copies of the appeal to the non-appealing Party, the President, and the SDC.

27.16.8. The President will conduct a preliminary review and dismiss any appeals that are procedurally improper (*e.g.*, are submitted too late or do not raise a recognized basis for appeal).

- 27.16.9. The SDC shall promptly (generally, with five business days) submit the full record of its proceedings to the President.
- 27.16.10. The non-appealing Party will have fourteen (14) days to respond in writing, addressed to the President and submitted to the Title IX Coordinator.
- 27.16.11. No additional appeal submissions will be accepted without the approval of the President.
- 27.16.12. Within ten (10) business days of receiving the response to the appeal or the deadline for the response passing if no response is filed, the President will issue a written decision. The written decision will include the President's decision and reasoning and will be simultaneously provided to both Parties.
- 27.16.13. The decision of the President for IENYC shall be final.
- 27.16.14. The President for IENYC may consult with legal counsel, at their discretion.
- 27.16.15. No member of the SDC, the Title IX Coordinator, or the Managing Director shall participate in the deciding of an appeal.

27.17. Appeals: Informal Resolution

- 27.17.1. Informal Resolutions where the Parties agree to a resolution are not appealable. This includes all Informal Resolutions of Title IX Harassment matters.
- 27.17.2. Where an Informal Resolution results in a finding or sanction not agreed to in advance by the Parties, either Party may appeal in accordance with the procedures for appeals of Formal Resolutions, provided that the SDC will fill all roles filled by the President in appeals of Formal Resolutions, and the decision of the SDC will be final and not subject to further appeal.

27.18. Freedom from Bias; Training

- 27.18.1. IENYC requires that the Title IX Coordinator and anyone else involved in investigation, decision-making, or Informal Resolution process on behalf of IENYC be free from any conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant or Respondent specifically.
- 27.18.2. IENYC ensures that Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process, receives training on:
- the definition of offenses, including Title IX Harassment;
 - the scope of IENYC's programs or activities;
 - how to conduct an investigation and grievance process including hearings, appeals, and informal resolution processes, as applicable, and
 - how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias.
- 27.18.3. Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process will also receive applicable training on:

- any technology to be used at a live hearing;
- issues of relevance of questions and evidence, including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant,
- issues of relevance to create an investigative report that fairly summarizes relevant evidence.

27.18.4. Any materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process will not rely on sex stereotypes and will promote impartial investigations and adjudications.

27.19. Criminal Proceedings

27.19.1. In any case where it is alleged that a person may be involved in criminal conduct and IENYC has a legal duty to report the matter to law enforcement authorities, it is the duty of the President, in consultation with the Title IX Coordinator, to do so.

27.19.2. In cases where a law enforcement/prosecutorial investigation or action is underway at the same time as the College's investigation or disciplinary proceedings are underway, the College will generally still proceed with its investigations and/or disciplinary action, although it reserves the right to suspend such proceedings in its sole discretion.

27.19.3. However, investigations/adjudications of Title IX Harassment and Sexual Assault and Intimate Partner violence may be suspended for a maximum of ten (10) days, unless law enforcement specifically requests and justifies a longer delay.

27.20. Confidentiality

27.20.1. IENYC strives to investigate all matters of alleged misconduct with due regard for confidentiality and privacy of all Complainants, Respondents, and witnesses, and to maintain the confidentiality of the complaint and privacy of the persons involved to the greatest extent practicable under the circumstances. Parties, witnesses, advisors, and any other person participating in the investigation process shall therefore maintain the confidentiality of the information obtained throughout the complaint resolution process, subject to any exceptions provided elsewhere in this Code.

27.20.2. As a point of clarification, Parties are not prevented with discussing the allegations with others (except for the other Party where there is a no-contact order in place) or from gathering evidence.

27.20.3. If a Complainant does not wish for their name to be shared, does not wish for there to be an investigation, or does not want formal resolution to be pursued, the Complainant may make an appropriate request to the Title IX Coordinator. Factors that are considered by the Title IX Coordinator in evaluating these requests include: the Complainant's concerns; the best interests of the IENYC Community; fair treatment of all involved, including the Respondent's right to have specific notice of the allegations prior to disciplinary proceedings; and IENYC's obligations to provide a safe and non-discriminatory environment. **Disciplinary action is generally prohibited where the Complainant remains anonymous (and always prohibited with respect to Title IX Harassment, when the Complainant remains anonymous).** Complainants who request

any of the foregoing related to confidentiality will be promptly informed of IENYC's decision related to the request.

27.21. Withdrawal from IENYC or from Proceedings during their Pendency

27.21.1. Either Party may withdraw from participating in disciplinary proceedings at any time without penalty. However, the proceedings may continue without the participation of the withdrawing party, subject to applicable law, and a withdrawing Respondent may be found responsible for a violation of this Code and disciplined, notwithstanding their withdrawal. If the Respondent withdraws while conduct charges are pending, their transcript will include the notation: "Withdrew with conduct charges pending" (unless the Respondent continues to participate in the proceedings following withdrawal).

27.21.2. If proceedings are pending at the time of graduation or degree granting, IENYC may withhold the Respondent's degree subject to completion of adjudication of the pending complaints.

27.22. False Statements

No person shall knowingly or willfully make any false statement in connection with any alleged violation of this Code or investigation or resolution thereof. Violations of the foregoing will subject the violator to disciplinary action. However, no disciplinary action will be taken against any person who makes allegations or statement in good faith, believing them to be true, even if they turn out not to be true or are not substantiated.

27.23. Prohibition on Retaliation

No person may intimidate, threaten, coerce, or discriminate against any individual because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing described in this Code. Prohibited retaliation may include filing, in bad faith, a complaint against an individual under this or another IENYC policy.

27.24. Records

27.24.1. The College will maintain, in accordance with its records retention policy and applicable law (for seven years, in the case of Title IX Harassment matters), records of:

- each complaint and investigation including any determination regarding responsibility and any audio or audiovisual recording or transcript, any disciplinary sanctions imposed on the Respondent, and any remedial measures implemented;
- Any appeal and the result therefrom;
- Any informal resolution and the result therefrom; and
- All materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process.

27.24.2. These records will be maintained in accordance with the College's obligations in terms of data protection requirements and will be retained in accordance with the College's data retention policy which can be found [here](#).

27.25. Deadlines

All deadlines set forth herein may be extended by IENYC for good cause, except where prohibited by law.

27.26. Questions

Clarification on the terms of this Code can be obtained from the office of the President of IENYC or the Title IX Coordinator.

27.27. IENYC Code of Student Conduct Disciplinary Rubric

At IENYC, disciplinary responses aim to protect community safety, uphold academic integrity, and support students in meeting professional and behavioral standards expected of a college environment. Disciplinary measures should be proportionate, consistent, and paired with educational or restorative interventions whenever appropriate. This tiered rubric provides a starting point for determining what disciplinary measures should be imposed upon a finding of responsibility for enumerated offenses. However, an individualized disciplinary determination will be made in each case, following a weighing of aggravating and mitigating factors and consideration of the totality of the circumstances, explained below.

Tier 1 Offense	Tier 2 Offense	Tier 3 Offense
• Anti-social or rude behavior; inappropriate or abusive language (non-threatening) • Noise beyond socially acceptable norms • Disruptive or disorderly behavior not posing safety risks • Persistent absenteeism or lateness • Unauthorized or improper use of e-mail, internet or computer systems (less severe) • Extended or repeated minor classroom disruptions (using phone, argumentativeness) • Refusal to follow reasonable instructions from faculty/staff • Mild misuse of college facilities or communal spaces • Low-level academic violations (first-instance plagiarism, improper citation, AI misuse without intent to deceive)	• Continued or persistent Tier 1 behaviors • Sexual and other harassment (verbal or non-physical), including cyberstalking • Harassment, discriminatory behavior, or intimidation not rising to Title IX Harassment • Behavior endangering health, safety or wellbeing (non-violent) • Unauthorized access or attempted access to files, networks, or IT systems (more severe) • Impersonation or presenting oneself under false pretenses • Theft, fraud, unauthorized possession, or misuse of property or funds • Destruction of property; vandalism • Gross negligence involving College funds, equipment, or facilities • Non-return of loaned College equipment or property • Drug or alcohol misuse/possession in violation of policy	• Continued or persistent Tier 1 and/or Tier 2 behaviors • Physical violence or threats of violence • Behavior endangering health, safety or wellbeing (non-violent) • Possession, display, or use of weapons (including simulated weapons) • Sexual exploitation, non-consensual sexual contact and assault • Intimate partner violence • Stalking • Behavior that exploits psychological or physical vulnerabilities of others • Riotous or dangerous conduct creating substantial safety risk • Severe or malicious misuse of safety equipment • Controlled substance distribution, possession with intent, or abuse causing harm • Academic misconduct involving intent to gain unfair advantage (e.g., cheating on exams, falsifying documentation, using unauthorized AI tools)

	• Academic misconduct involving intent to gain unfair advantage (e.g., cheating on exams, falsifying documentation, using unauthorized AI tools) • Contravention of safety procedures that could endanger others • Smoking or vaping on campus (policy violation)	• Unauthorized access to protected systems or materials in violation of law • Conduct bringing the College into disrepute (e.g., serious criminal behavior, violent or obscene behavior off campus tied to student identity) • Failure to comply with a decision or disciplinary measure issued by IENYC • Retaliation against any reporting individual or witness • Any conduct determined by IENYC to be grossly inconsistent with a safe, respectful, and professional college environment
Possible Disciplinary Measures	Possible Disciplinary Measures	Possible Disciplinary Measures
• Verbal or written formal warning • Reprimand • Behavioral expectation meeting with instructor or staff • Required meeting with Director of Counseling and/or college leadership • Reflective statement or educational assignment connected to the violation • Loss of minor privileges (e.g., study room access) • Restorative conversation • Follow-up monitoring or check-in plan	• Written warning or formal reprimand • Fines or required restitution for damage • Behavioral requirement contract • Removal of email account for a specified period • Restriction of access to certain facilities • Required educational workshop or compliance training • Probation (academic, disciplinary, or both) • Suspension of privileges (campus access, lab access, etc.) • Nullification of exam/assessment grade • Suspension (dependent on severity)	• Immediate removal from class or campus • Suspension (interim or final) • Long-term ban from specific College facilities • Behavioral contract with strict monitoring • Requirement to make good any damages • Probation with heightened conditions • Withholding of diploma at graduation • Expulsion • Other disciplinary measures deemed appropriate by SDC

Notwithstanding the above-listed tiers and disciplinary measures, IENYC may impose any lawful disciplinary measure in any case. In doing so, IENYC will consider aggravating and mitigating factors, including as set forth below.

Aggravating factors (include):

- Use of force, violence, threats, intimidation, or weapons
- Deliberate incapacitation through the use of drugs or alcohol, or taking advantage of the victim's existing incapacitation (*e.g.*, intoxication)
- Concealment or destruction of evidence
- Abuse of position of trust or power
- Severity, duration, and/or pervasiveness of the misconduct
- Harm caused
- Concurrent commission of multiple offenses
- Prior history of misconduct
- High likelihood of commission of future offenses

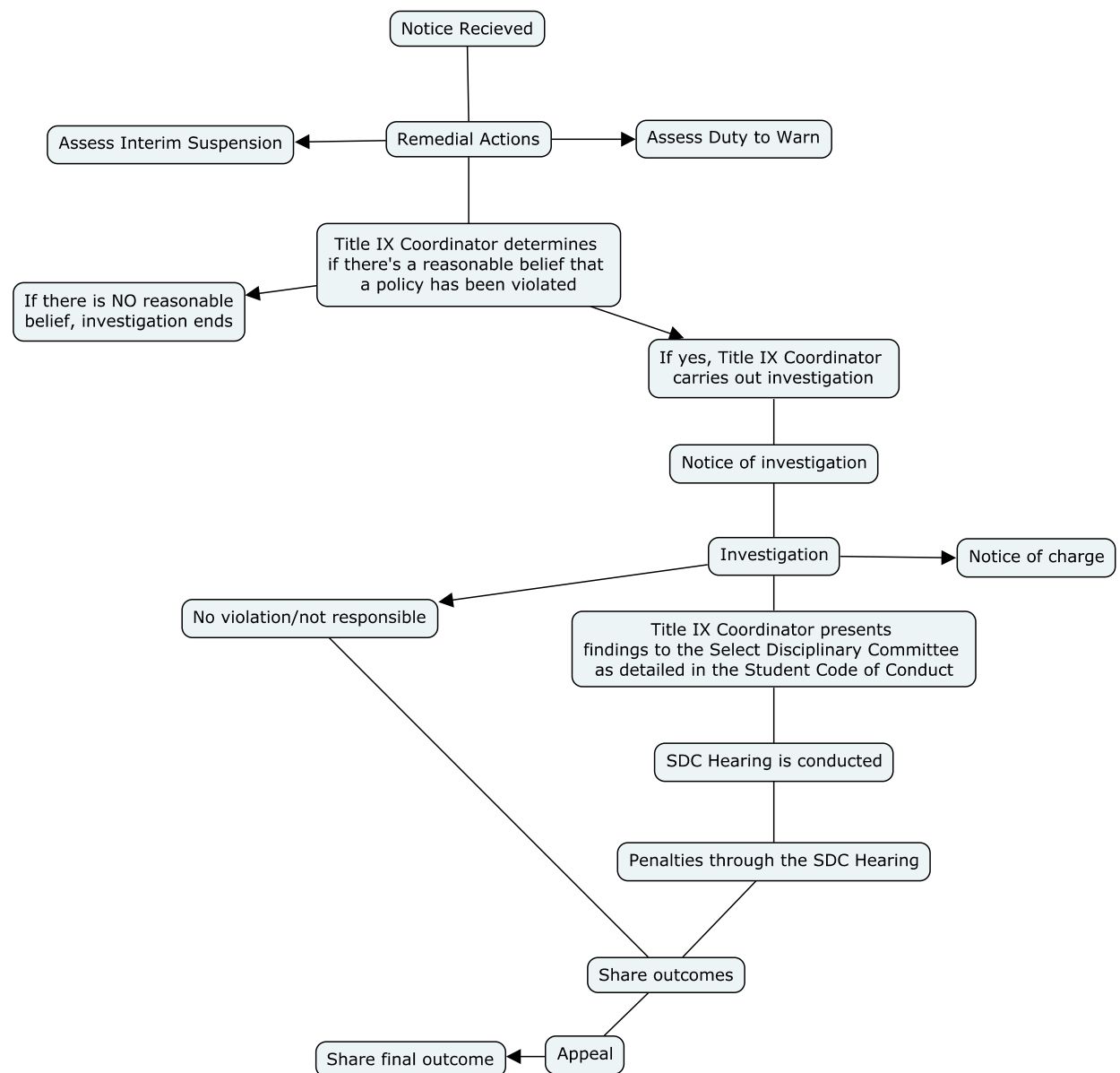
Mitigating factors (include):

- Cooperation in investigation
- Remorse
- Acceptance of responsibility
- Documented disability that tends to diminish culpability under the circumstances
- Minimal harm caused
- Complainant's expressed preference for lesser disciplinary measure
- No history of prior misconduct
- Low likelihood of commission of future offenses.

Written decisions imposing disciplinary measures should explain the weighing of the aggravating and mitigating circumstances, though each factor need not be specifically addressed and other factors not enumerated may be considered in mitigation or aggravation.

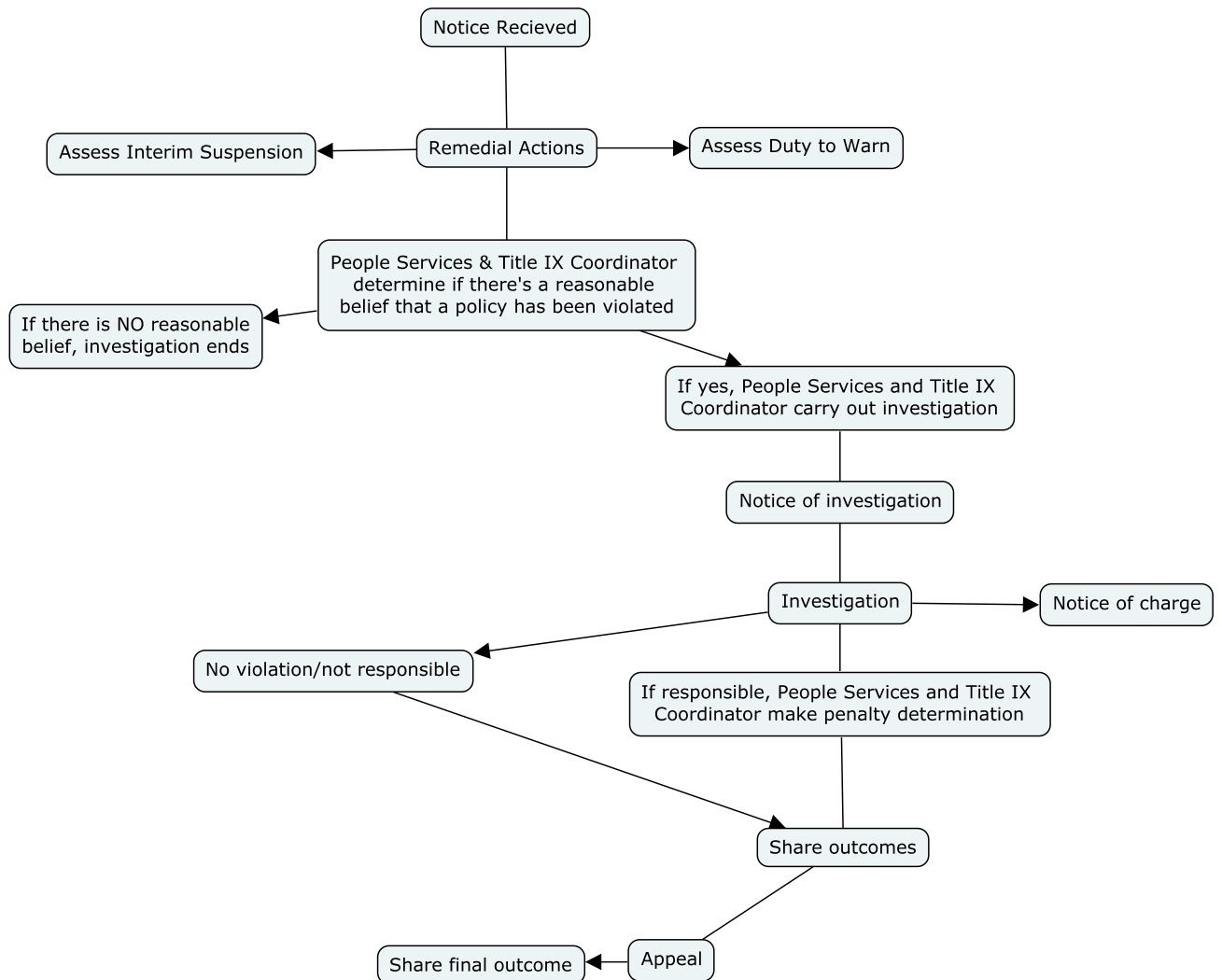
28. Appendix C: Student Investigation Model for Violations of Domestic Violence, Dating Violence, Sexual Assault, Stalking and Other Forms of Sexual Violence

Student Investigation Model for Violations of domestic violence, dating violence, sexual assault, stalking, Title IX sexual harassment, quid pro quo sexual harassment and other forms of sexual violence



29. Appendix D: Employee Investigation Model for Violations of Domestic Violence, Dating Violence, Sexual Assault, Stalking and Other Forms of Sexual Violence

Employee Investigation Model for Violations of domestic violence, dating violence, sexual assault, stalking, Title IX sexual harassment, quid pro quo sexual harassment and other forms of sexual violence



30. Appendix E: Federal and New York State Trafficking Penalties

FEDERAL TRAFFICKING PENALTIES—MARIJUANA—

DRUG	QUANTITY	1st OFFENSE	2nd OFFENSE *
Marijuana (Schedule I)	1,000 kg or more marijuana mixture; or 1,000 or more marijuana plants	Not less than 10 yrs. or more than life. If death or serious bodily injury, not less than 20 yrs., or more than life. Fine not more than life. Fine not more than \$10 million if an individual, \$50 million if other than an individual.	Not less than 20 yrs. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than \$20 million if an individual, \$75 million if other than an individual.
Marijuana (Schedule I)	100 kg to 999 kg marijuana mixture; or 100 to 999 marijuana plants	Not less than 5 yrs. or more than 40 yrs. If death or serious bodily injury, not less than 20 yrs., or more than life. Fine not more than life. Fine not more than \$5 million if an individual, \$25 million if other than an individual.	Not less than 10 yrs. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than \$20 million if an individual, \$75 million if other than an individual.
Marijuana (Schedule I)	More than 10 kgs hashish; 50 to 99 kg marijuana mixture More than 1 kg of hashish oil; 50 to 99 marijuana plants	Not less than 20 yrs. If death or serious bodily injury, not less than 20 yrs., or more than life. Fine \$1 million if an individual, \$5 million if other than an individual.	Not less than 30 yrs. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if other than an individual.
Marijuana (Schedule I)	Less than 50 kilograms marijuana (but does not include 50 or more marijuana plants regardless of weight) marijuana plants; 1 to 49 marijuana plants;	Not less than 5 yrs. Fine not more than \$250,000, \$1 million if other than an individual	Not less than 10 yrs. Fine \$500,000 if an individual, \$2 million if other than individual
Hashish (Schedule I)	10 kg or less		
Hashish Oil (Schedule I)	1 kg or less		

*The minimum sentence for a violation after two or more prior convictions for a felony drug offense have become final is a mandatory term of life imprisonment without release and a fine up to \$20 million if an individual and \$75 million if other than an individual.

FEDERAL TRAFFICKING PENALTIES—

DRUG/SCHEDULE	QUANTITY	PENALTIES	QUANTITY	PENALTIES
Cocaine (Schedule II)	500–4999 grams mixture	First Offense: Not less than 5 yrs, and not more than 40 yrs. If death or serious injury, not less than 20 or more than life. Fine of not more than \$5 million if an individual, \$25 million if not an individual. Second Offense: Not less than 10 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$8 million if an individual, \$50 million if not an individual.	5 kgs or more mixture	First Offense: Not less than 10 yrs, and not more than life. If death or serious injury, not less than 20 or more than life. Fine of not more than \$10 million if an individual, \$50 million if not an individual. Second Offense: Not less than 20 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual. 2 or More Prior Offenses: Life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.
Cocaine Base (Schedule II)	28–279 grams mixture		280 grams or more mixture	
Fentanyl (Schedule II)	40–399 grams mixture		400 grams or more mixture	
Fentanyl Analogue (Schedule I)	10–99 grams mixture		100 grams or more mixture	
Heroin (Schedule I)	100–999 grams mixture		1 kg or more mixture	
LSD (Schedule I)	1–9 grams mixture		10 grams or more mixture	
Methamphetamine (Schedule II)	5–49 grams pure or 50–499 grams mixture		50 grams or more pure or 500 grams or more mixture	
PCP (Schedule II)	10–99 grams pure or 100–999 grams mixture		100 gm or more pure or 1 kg or more mixture	
PENALTIES				
Other Schedule I & II drugs (and any drug product containing Gamma Hydroxybutyric Acid)	Any amount	First Offense: Not more than 20 yrs. If death or serious injury, not less than 20 yrs, or more than life. Fine \$1 million if an individual, \$5 million if not an individual. Second Offense: Not more than 30 yrs. If death or serious injury, life imprisonment. Fine \$2 million if an individual, \$10 million if not an individual.		
Flunitrazepam (Schedule IV)	1 gram			
Other Schedule III drugs	Any amount	First Offense: Not more than 10 years. If death or serious injury, not more than 15 yrs. Fine not more than \$500,000 if an individual, \$2.5 million if not an individual. Second Offense: Not more than 20 yrs. If death or serious injury, not more than 30 yrs. Fine not more than \$1 million if an individual, \$5 million if not an individual.		
All other Schedule IV drugs	Any amount			
Flunitrazepam (Schedule IV)	Other than 1 gram or more	First Offense: Not more than 5 yrs. Fine not more than \$250,000 if an individual, \$1 million if not an individual. Second Offense: Not more than 10 yrs. Fine not more than \$500,000 if an individual, \$2 million if other than an individual.		
All Schedule V drugs	Any amount			

New York State Drug Possession Crimes and Penalties

Table 1 describes the different drug possession crimes and their penalties in New York. Penalties for these crimes range from a fine of up to \$100 for certain types of marijuana possession to up to 20 years in prison for 1st degree possession of a controlled substance.

Table 1: Drug Possession Crimes in New York

<i>Crime</i>	<i>Degree</i>	<i>Conduct</i>	<i>Penalty</i>
Possessing controlled substances (NY Penal §§ 220.03 to 220.25)	7 th degree	Possessing a controlled substance	Class A misdemeanor - Up to 1 year in prison - Up to \$1,000
	5 th degree (New York does not have a 6 th degree crime)	Possessing: - a controlled substance with intent to sell - at least ½ oz preparations containing narcotics preparations - at least 50 mg phencyclidine (PCP) - a - at least 500 mg cocaine - at least 1,000 mg ketamine - ketamine with a prior conviction of ketamine possession - at least 28 g of gamma hydroxybutyric acid (GHB)	Class D felony 1 to 2.5 years in prison - Alternate penalty of up to one year - Up to \$5,000
	4 th degree	Possessing at least: ¼ oz preparations containing a narcotic drug ½ oz preparations containing methamphetamine or its precursors 2 oz preparations containing narcotics preparations 1 g stimulants 1 mg lysergic acid diethylamide (LSD) 25 mg hallucinogen 1 g hallucinogenic substance 10 oz dangerous depressant 2 lbs of depressants 250 mg PCP 360 mg methadone 50 mg PCP with intent to sell and prior conviction of a drug offense 4,000 mg ketamine 200 g GHB	Class C felony 1 to 5.5 years in prison - Alternate penalty of up to one year - Up to \$15,000

	3 rd degree	Possessing: - a narcotic with intent to sell - a stimulant, hallucinogen, hallucinogenic substance, or LSD with intent to sell and a prior drug conviction - at least 1 g stimulant with intent to sell - at least 1 mg LSD with intent to sell - at least 25 mg hallucinogen with intent to sell - at least 1 g hallucinogenic substance with intent to sell - at least ½ oz preparations containing methamphetamine or its precursors with intent to sell - at least 5 g stimulants - at least 5 mg LSD - at least 125 mg hallucinogens - at least 5 g hallucinogenic substance - at least ½ oz preparations containing a narcotic drug - at least 1,250 mg PCP	Class B felony 1 to 9 years in prison - Alternate penalty of up to one year - Up to \$30,000
	2 nd degree	Possessing at least: 4 oz preparations containing a narcotic drug 2 oz preparations containing methamphetamine or its precursors 10 g stimulants 25 mg LSD 625 mg of a hallucinogen 25 g hallucinogenic substance 2,880 mg methadone	Class A-II felony 3 to 10 years in prison - Up to \$50,000
	1 st degree	Possessing at least: 8 oz preparations containing a narcotic drug 5,760 oz of methadone	Class A-I felony 8 to 20 years in prison - Up to \$100,000

Possessing precursors of controlled substances (NY Penal § 220.60)	-	Possessing certain precursors of controlled substances with intent to make a controlled substance	Class E felony • 1 to 1.5 years in prison • Alternate penalty of up to one year • Up to \$5,000
Crime	Degree	Conduct	Penalty
Possessing methamphetamine manufacturing material (NY Penal §§ 220.70 to 220.71)	2 nd degree	Possessing a precursor, solvent, or chemical reagent with intent to use it or knowing another intends to use it to produce methamphetamine.	Class A misdemeanor • Up to 1 year in prison • Up to \$1,000
	1 st degree	Subsequent conviction of the 2nd degree crime within 5 years of a previous conviction of the crime.	Class E felony • 1 to 1.5 years in prison • Alternate penalty of up to one year • Up to \$5,000
Possessing methamphetamine precursors (NY Penal § 220.72)	-	With intent to use or knowing that another intends to use it to manufacture methamphetamine, possessing a: • precursor and • solvent or chemical reagent	Class E felony • 1 to 1.5 years in prison • Alternate penalty of up to one year • Up to \$5,000
Unlawful Possession of Cannabis(NY Penal § 222.25)		A person is guilty of unlawful possession of cannabis when he or she knowingly and unlawfully possesses cannabis and such cannabis weighs more than three ounces or concentrated cannabis and such concentrated cannabis weighs more than twenty-four grams.	• Up to \$125
Unlawful Possession of Cannabis(NY Penal § 222.30)	3 rd degree	Possessing marijuana • cannabis and such cannabis weighs more than sixteen ounces; or • concentrated cannabis and such concentrated cannabis weighs more than five ounces.	Class A misdemeanor • Up to 1 year in prison • Up to \$1,000
Unlawful Possession of Cannabis(NY Penal § 222.35)	2 nd degree	1. cannabis and such cannabis weighs more than five pounds; or 2. concentrated cannabis and such concentrated cannabis weighs more than two pounds.	Class E felony • 1 to 1.5 years in prison • Alternate penalty of up to one year • Up to \$5,000
Unlawful Possession of Cannabis (NY Penal § 222.40)	1 st degree	1. cannabis and such cannabis weighs more than ten pounds; or 2. concentrated cannabis and such concentrated cannabis weighs more than four pounds.	Class D Felony Between 1-3 and 7 years in prison Alternate penalty of up to one year Up to \$5,000

DRUG SALE CRIMES

Tables describing the different drug sale crimes and their penalties in New York can be viewed at <https://www.cga.ct.gov/2015/rpt/2015-R-0304.htm>

COMMONLY ABUSED DRUGS

DESCRIPTION	STREET NAMES	COMMON NAMES	COMMON NAMES TAKEN	DEA SCHEDULE	SHORT-TERM	LONG TERM	OTHER HEALTH-RELATED ISSUES	IN COMBINATION WITH ALCOHOL	WITHDRAWAL SYMPTOMS	MEDICATIONS	BEHAVIORAL THERAPIES
An extremely addictive stimulant amphetamine drug. For more information, see the Methamphetamine Research Report.	Crack, Crack, Crystal, Fire, Glass, Go Fast, Ice, Speed	Desoxy	White powder or pill, crystal meth looks like pieces of glass or shiny blue-white "rocks" of different sizes	II	Increased alertness and physical energy, decreased fatigue, increased heart rate, increased blood pressure, increased body temperature, irregular heartbeat	Anxiety, confusion, insomnia, mood problems, violent behavior, paranoia, hallucinations, delusions, weight loss, severe dental problems ("meth mouth"), intense itching leading to skin sores from scratching.	Pregnancy, premature delivery, separation of the placenta from the uterus, low birth weight, lethargy, heart and brain problems. Risk of HIV, hepatitis, and other infectious diseases from shared needles	Masks the depressant effect of alcohol, increasing risk of alcohol overdose, may increase blood pressure	Depression, anxiety, irritability	There are no FDA-approved medications to treat methamphetamine addiction.	Cognitive-behavioral therapy (CBT) Contingency management, or motivational incentives The Matrix model 12-Step facilitation therapy
A dissociative drug developed as an intravenous anesthetic that has been discontinued due to serious adverse effects. Dissociative drugs are hallucinogens that cause the user to feel detached from reality. PCP is an abbreviation of the acronym for name, phencyclidine. For more information, see the Hallucinogens and Dissociative Drugs Research Report.	Angel Dust, Boat, Hog, Love Boat, Peace Pill	No commercial uses	White or colored powder, tablet, or capsule or clear liquid	I, II	Delusions, hallucinations, paranoia, prodromehunting, a sense of disorientation, violent behavior, anxiety, paranoia, low doses: slight increase in breathing rate, increased blood pressure and heart rate, decreased body temperature and sweating, numbness of the hands or feet, problems with movement. High doses: nausea, vomiting, choking up, tremor of the eyes, drooping loss of consciousness, coma, violent, seizures, coma, and death.	Memory loss, problems with speech and thinking, loss of appetite, anxiety	PCP has been linked to self-harm or risk of HIV, hepatitis, and other infectious diseases from shared needles	Unknown	Headaches, increased appetite, sleepiness, depression.	There are no FDA-approved medications to treat addiction to PCP or other dissociative drugs	More research is needed to find out if behavioral therapies can be used to treat addiction to dissociative drugs
An emerging family of drugs containing one or more synthetic chemicals related to caffeine, a stimulant found naturally in the khat plant. Examples of such chemicals include methylenedioxymethamphetamine (MDA), 3,4-methylenedioxycathedrine (MDA), and 3,4-methylenedioxymethamphetamine (MDA). For more information, see the Synthetic Cathinones ("Bath Salts") Drugs.	Boom, Quad Line, Cosmic Blast, Fakka, Ivory Vale, Lunar Vale, Scarbox, Vanilla Sky, White Lightning	No commercial uses for ingested "bath salts"	White or brown crystalline powder sold in small plastic or foil bags labeled not for human consumption and sometimes sold as jewelry cleaner, tablet, capsule, liquid	I (Some formulations have been banned by the DEA)	Increased heart rate, vomiting, agitation, confusion, hallucinations, anxiety, paranoia, increased blood pressure	Death	Risk of HIV, hepatitis, and other infectious diseases from shared needles	Unknown	Depression, anxiety	There are no FDA-approved medications to treat addiction to synthetic cathinones.	Cognitive-behavioral therapy (CBT) Contingency management, or motivational incentives Individualized Enhancement Therapy (IET) Behavioral treatments geared to users
A wide variety of herbal mixtures containing man-made cannabinoid chemicals related to THC in marijuana but often much stronger and more dangerous. Sometimes misleadingly called "synthetic marijuana" and marketed as a "natural," "safe," legal alternative to marijuana. For more information, see the Synthetic Cannabinoids Drugs.	K2, Spice, Black Mamba, Bliss, Borneo Blue, Fake Weed, Fire, Guts, Moon Rocks, Skull, Smackpot, Voodoo, Zkita	No commercial uses	Dried, shredded plant material that looks like potpourri and is sometimes sold as "incense"	I	Increased heart rate, vomiting, agitation, confusion, hallucinations, anxiety, paranoia, increased blood pressure	Unknown	Use of synthetic cannabinoids has led to an increase in emergency room visits in certain areas.	Unknown	Headaches, anxiety, depression, irritability	There are no FDA-approved medications to treat synthetic cannabinoid addiction.	More research is needed to find out if behavioral therapies can be used to treat synthetic cannabinoid addiction.
Any liquid or solid beverage which are ingested found fiber, wine and liquor. It is produced by the fermentation of yeast, sugars and starches. For more information, see the Tobacco/Moisture Research Report.	Booze, Juice, Saus, Brew	Various	Beer, wine, liquid/solid beverages	Not scheduled, illegal for purchase or use by those under age 21	Increased blood pressure, breathing, and heart rate	Irregular heartbeat, stroke, high blood pressure, coma and loss of consciousness, liver cancer, liver disease, chronic bronchitis, emphysema, heart disease, leukemia, diabetes, pneumonia	Pregnancy, miscarriage, low birth weight, stillbirth, learning and behavior problems	Unknown	Irregular heartbeat, stroke, high blood pressure, coma and loss of consciousness, liver cancer, liver disease, chronic bronchitis, emphysema, heart disease, leukemia, diabetes, pneumonia	There are no FDA-approved medications to treat addiction to alcohol.	Cognitive-behavioral therapy (CBT) 12-Step facilitation therapy Motivational incentives Individualized Enhancement Therapy (IET)

For More Information:

The NDA website, www.drugabuse.gov, has information on a variety of drugs and related information.

Some publications, including these charts, are available in print, free of charge.

To order print copies, call the DRUGRubs
Research Dissemination Center
at 1-877-NH-NDAC or
<http://drugrubs.drugbase.com>.

32. Appendix G: Emergency Action Plan

32.1. Introduction

- 32.1.1. All employees and students should familiarize themselves with this plan and its requirements. In addition, all fire alarms are visual as well as auditory, and all fire exits are clearly indicated. For special events during which we have large numbers of attendees, we have hired fire marshals in attendance—their directions and instructions should be followed at all times. A first aid kit and defibrillator are available on the main level. Fire extinguishers are located throughout the building and the building is equipped with sprinklers.

32.2. Emergency Notifications

- 32.2.1. For instances where a significant emergency, potentially dangerous situation or immediate threat is confirmed, an Emergency Notification will be issued to all students and employees of IENYC. These include all incidents identified in the IENYC Emergency Action Plan, but the President, Managing Director and/or the Title IX Coordinator have the right to expand those definitions based on their own discretion. These include, but are not limited to terrorist attacks, active shooters, natural disasters, environmental phenomena, weather, or infectious disease.
- 32.2.2. The Emergency Notification upon confirmation of the report of danger, will be sent without delay. Confirmation can include and be based on information from civil authorities, public media, or direct report or witnessing of situations.
- 32.2.3. Emergency Notifications will be issued to students and staff via some combination of text message, email, web posting, in building announcements, and/or public placards. Every effort will be made to ensure that reach of the notification is comprehensive.
- 32.2.4. An Emergency Notification may be sent by the President, the Title IX Coordinator, Managing Director or a designee who is directed in writing to assume that responsibility in their absence from campus at the required time of the Notification. The College has developed a library of pre-approved potential messages to be used for Emergency Notifications.
- 32.2.5. The issuing of an Emergency Notification will be recorded as an incident in the campus' Daily Crime Log.

32.3. Testing and Training

- 32.3.1. IENYC facilitates testing and training of our Emergency Action Plans and Emergency Notification procedure at least once per year. These tests will include students, staff and faculty and may be announced or unannounced. During such tests/training, building occupants will be re-familiarized with the College's emergency response and evacuation procedures. All tests conducted will be documented by the Title IX Coordinator or their designee and will include a description of the exercise, the date, time and whether it was announced or unannounced.

32.4. Building Evacuation

- 32.4.1. If the fire alarm is triggered, all individuals should exit the building.
- 32.4.2. The fire alarm will be used for any threat to safety that requires evacuation of the building. Even if students or staff do not smell smoke or see flames, they are required to exit the building.
- 32.4.3. Upon exiting the building, turn left and head toward Broome Street. The meeting point will be the northwest corner of Broome and Wooster Streets:
 - I. Do not remain in front of the building as Emergency Vehicles will be arriving.
 - II. Do not depart until you have checked in with both IENYC Incident Commanders, who will ensure that everyone is present after the evacuation. If you wish permission to depart, please ensure that you have informed both Incident Commanders.
- 32.4.4. If a student has important information about the incident or anyone still in the building, the student should report it immediately to one of the IENYC Incident Commanders, who will communicate the information directly to Emergency Responders.
- 32.4.5. Once the students and staff have departed the building, no one may not re-enter until an Incident Commander, who after receiving clearance from Emergency Responders, says it is safe to return.

32.5. Seeking Shelter

- 32.5.1. If a safety threatening event occurs for which safe shelter is required, when directed, all individuals should go to the lower level of 64 Wooster Street and remain as far to the east end as possible (inside Classroom 3).
- 32.5.2. While it is recommended that students and employees stay, they may assume the risk of departing; HOWEVER, before doing so, they must receive acknowledgement from the Incident Commander/s.

32.6. Medical Emergencies

- 32.6.1. If someone should become seriously ill or injured, call or ask someone to call 911. Immediately report this to a College official. That College official will become the Incident Commander and will be the primary contact with emergency personnel. Be sure to pass on any and all relevant information to them.

32.7. Active Threat

- 32.7.1. In the event of an active threat such as an active shooter or other act of criminal violence, the College will (if safe to do so) send out a Campus Alert text message reading, "Shelter in place" or "Evacuate the building."

32.7.2. College Personnel will keep you updated and/or provide further direction as they are able and as the situation warrants. At no time should students or staff/faculty accept directions from anyone other than a College Incident Commander, Campus Security Guard or Law Enforcement Personnel.

32.7.3. If you are on-campus during an active shooter:

- Run. Get out and get away as quietly and quickly as possible.
 - Evacuate regardless of whether others agree to follow
 - Leave your personal belongings behind
 - Help others escape, if possible.
 - If you can't run out, you can run away, buy time and create distance between yourself and the attacker
 - Call 911 as soon as it is safe to do so
- Hide. If you cannot run, find a place to hide where the attacker is less likely to find you.
 - Lock and/or barricade doors
 - Turn off lights
 - Remain quiet
 - Stay out of the attacker's view
 - Silence your cell phone
 - Hide behind large items that could protect you
- Fight. If all else fails, and only as a last resort, attack the shooter with whatever makeshift weapons you can find (scissors, portable fire extinguishers, chairs, etc.) to disarm and disable. It is best, when possible, to work with others.

32.7.4. Afterwards:

- When law enforcement arrives:
 - Remain calm and follow law enforcement personnel's instructions
 - Keep hands visible at all times
 - Avoid making quick movements towards law enforcement personnel
 - Do not stop to ask the officers for help or directions when evacuating. Just proceed in the direction from which they entered the premises.

32.8. Incident Commander Responsibilities and Actions

32.8.1. Incident Commanders will be the primary responsible parties for IENYC in an emergency situation and are the primary contact for emergency personnel. Incident Commanders will:

- i. Ensure that everyone has vacated the building in an evacuation situation
- ii. Ensure that individuals exit the building in a timely manner
- iii. Ensure that all individuals are in the appropriate areas in a seek shelter situation
- iv. Ensure that everyone is accounted for

32.8.2. Unless otherwise communicated, the Incident Commanders will be:

From 9am-5pm:

- President
- Director of Operations & Title IX Coordinator
- Managing Director
- If the above are unavailable, an IENYC staff Director may assume this role

After 5pm:

- Campus Security
- or an IENYC staff Director or Faculty member present on campus