



# NIAGARA COUNTY COMMUNITY COLLEGE

## STATE UNIVERSITY OF NEW YORK



# Annual Security & Fire Safety Report For CY 2022

Higher Education Opportunity Act (Clery Act)

Published 9/2023

[www.niagaracc.suny.edu/security](http://www.niagaracc.suny.edu/security)



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**NIAGARA COUNTY COMMUNITY COLLEGE**  
THE SMART PLACE TO START

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## Annual Security Report

### Foreword

On behalf of the College, welcome to Niagara County Community College!

At the College, our foremost concern is the safety and well-being of the students, faculty, staff and visitors. The Public Safety Department ("PSD") is dedicated to providing service in keeping with our focus on Community Safety. We are here 24 hours a day, every day working to maintain and improve the safety, security, and quality of life within our community.

Niagara County Community College ("NCCC") has more than 3000 undergraduate students, with approximately 600 faculty and staff. There are 2 campuses, the Sanborn campus and the Niagara Falls Culinary Institute ("NFCI").

Our 250-acre main campus is situated in Sanborn NY; with classrooms and residence halls and is located between Lockport, NY and Niagara Falls, NY; the Niagara Falls Culinary Institute is located in a 90,000 square foot building in the City of Niagara Falls, NY. The data from all campuses are included in this report.

CPSD works closely with students, faculty and staff across the campus to achieve the highest levels of personal safety possible. PSD is staffed around the clock, 365 days a year, directed by the Chief of Campus Public Safety a commissioned peace officer.

The College provides an extensive array of Public Safety programs and procedures, which are described on the following pages. Our continuing effort to improve safety has led us to implement several initiatives – regular foot and mobile patrols, beginning randomly in the morning and continuing throughout the night. We also meet regularly with local police, government officials, community leaders, and Student Housing, seeking ways to make on-campus and off-campus living safer for our students. While this report is updated annually, we encourage you to check on the College's website for periodic updates on campus safety and victim support programs offered by CPSD, Student Life, Student Housing, the Wellness Center, and other campus offices and departments.

While we have developed procedures and policies to ensure that students and their possessions are protected as much as possible, it is primarily the responsibility of the student, faculty, or staff member to provide for his or her own safety and security by taking simple, common sense precautions, and by reporting information to PSD or other campus security authorities, including the Office of the Vice President for Student Services, Student Housing Village Corporation, and the Title IX Compliance Officer.

All campus crime and incident reports are posted promptly on the College's website. In cases where a reported crime appears to threaten the safety of the campus community, the College takes additional steps, email notifications, telephone alerts, and television notices, to notify the campus community of what has occurred and the steps that are being taken.

CPSD provides 24-hour-a-day, 365-day-a-year mobile and foot patrol protection to campus properties internal and external.

The College and CPSD strives to promote and maintain a campus environment conducive to academic achievement. A truly safe campus can only be achieved through the cooperation of the entire campus community. With your help and participation and our commitment, we are confident that the time you spend with us will be safe and productive.

Sincerely,

Wayne P. Lynch,  
Vice President of Administration



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## **CAMPUS CRIME STATISTICS**

Under the Clery Act campuses are required to report campus crime statistics for certain offenses, hate crimes, arrests and disciplinary referrals to the campus judicial process. In all cases, this data must be broken down according to the geographic location of the occurrence of the offense. These locations are defined as the campus "Clery Geography" under the Act.

### **Clery Geography**

#### **On Campus**

Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and any building or property that is within or reasonably contiguous to paragraph (1) of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).

#### **On Campus – in Residential Hall**

"Dormitories or other residential facilities for students on campus" are a subset of the on-campus category. Institutions must disclose the total number of on-campus crimes, including those in dorms or other residential facilities for students on campus, and must also make a separate disclosure limited to the number of crimes occurring in student dorms or residential facilities on campus. As a subset, the number of crimes reported for dormitories or other residential facilities must be less than or equal to the number of reported crimes for the on-campus category.

#### **Non-Campus Building or Property**

Any building or property owned or controlled by a student organization that is officially recognized by the institution; or

Any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

#### **On Public Property**

All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.





**CRIMINAL OFFENSES (Sanborn Campus)**

**Hierarchical Offenses**

The following criminal offenses are reportable offenses under the Clery Act for the Sanborn Campus. Hierarchical offenses are listed a single time for each location category under the most serious offense committed. On campus statistics include both incidents reported to police and those reported to non-police officials and may therefore contain multiple entries for the same incident.

*On Campus*

Criminal Offense	2020	2021	2022
Murder/Non-Negligent/Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
Robbery	0	0	0
Aggravated Assault	0	1	0
Burglary	1	0	2
Motor Vehicle Theft	0	1	0

*Non-Campus Buildings or Property*

Criminal Offense	2020	2021	2022
Murder/Non-Negligent/Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	0
Burglary	0	0	0
Motor Vehicle Theft	0	0	0

*On Campus - In Resident Hall*

Criminal Offense	2020	2021	2022
Murder/Non-Negligent/Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
Robbery	0	0	0
Aggravated Assault	0	1	0
Burglary	0	0	2
Motor Vehicle Theft	0	0	0

*On Public Property*

Criminal Offense	2020	2021	2022
Murder/Non-Negligent/Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	0
Burglary	0	0	0
Motor Vehicle Theft	0	0	0

\* The Violence Against Women Reauthorization Act amended the Jeanne Clery Act to afford additional rights to campus victims of sexual assault, domestic violence, dating violence and stalking. The categories of Forcible Sex Offences and Non-Forcible Offences have been updated to reflect these changes.



**CRIMINAL OFFENSES (Sanborn Campus)**

**Non-Hierarchical Offenses**

Non-hierarchical offenses are counted each time one of the offenses is reported for each location category under the most serious offense committed. If a single incident includes multiple non-hierarchical offenses the incident will be counted for each count of each offense (and potentially once again if a hierarchical offense is also reported).

*On Campus*

Criminal Offense	2020	2021	2022
Arson	0	0	0
Dating Violence**	0	3	1
Domestic Violence**	0	0	2
Fondling**	0	0	2
Incest**	0	0	0
Rape**	1	2	0
Stalking**	0	0	0
Statutory Rape**	0	0	0

*Non-Campus Buildings or Property*

Criminal Offense	2020	2021	2022
Arson	0	0	0
Dating Violence**	0	0	0
Domestic Violence**	0	0	0
Fondling**	0	0	0
Incest**	0	0	0
Rape**	0	0	0
Stalking**	0	0	0
Statutory Rape**	0	0	0

*On Campus - In Resident Hall*

Criminal Offense	2020	2021	2022
Arson	0	0	0
Dating Violence**	0	3	1
Domestic Violence**	0	0	0
Fondling**	0	0	2
Incest**	0	0	0
Rape**	1	2	0
Stalking**	0	0	0
Statutory Rape**	0	0	0

*On Public Property*

Criminal Offense	2020	2021	2022
Arson	0	0	0
Dating Violence**	0	0	0
Domestic Violence**	0	0	0
Fondling**	0	0	0
Incest**	0	0	0
Rape**	0	0	0
Stalking**	0	0	0
Statutory Rape**	0	0	0

\*\*This category includes all on-campus incidents, including those listed "In Resident Hall." These categories represent duplication and are not cumulative.



**HATE OFFENSE STATISTICS (Sanborn Campus)**

- For Calendar Year 2020 there were no hate crimes reported on the Sanborn campus, non-campus property, on public property, or in Resident Hall
- For Calendar Year 2021 there were no hate crimes reported on the Sanborn campus, non-campus property, on public property, or in Resident Hall
- For Calendar Year 2022 there were no hate crimes reported on the Sanborn campus, non-campus property, on public property, or in Resident Hall

**Arrests**

*On Campus*

Criminal Offense	2020	2021	2022
Liquor Law Violations	0	0	0
Drug Law Violations	1	0	0
Illegal Weapons Possession	0	0	0

**Disciplinary Actions/Referrals**

*On Campus*

Criminal Offense	2020	2021	2022
Liquor Law Violations	9	9	2
Drug Law Violations	19	8	13
Illegal Weapons Possession	0	2	0

*On Campus - In Resident Hall*

Criminal Offense	2020	2021	2022
Liquor Law Violations	0	0	0
Drug Law Violations	0	0	0
Illegal Weapons Possession	0	0	0

*On Campus - In Resident Hall*

Criminal Offense	2020	2021	2022
Liquor Law Violations	6	9	2
Drug Law Violations	19	8	13
Illegal Weapons Possession	0	2	0

*Non-Campus Buildings or Property*

Criminal Offense	2020	2021	2022
Liquor Law Violations	0	0	0
Drug Law Violations	0	0	0
Illegal Weapons Possession	0	0	0

*Non-Campus Buildings or Property*

Criminal Offense	2020	2021	2022
Liquor Law Violations	0	3	0
Drug Law Violations	0	0	0
Illegal Weapons Possession	0	0	0

*On Public Property*

Criminal Offense	2020	2021	2022
Liquor Law Violations	0	0	0
Drug Law Violations	0	0	0
Illegal Weapons Possession	0	0	0

*On Public Property*

Criminal Offense	2020	2021	2022
Liquor Law Violations	0	0	0
Drug Law Violations	0	0	0
Illegal Weapons Possession	0	0	0



**CRIMINAL OFFENSES (Niagara Falls Culinary Arts Institute)**

**Hierarchical Offenses**

The following criminal offenses are reportable offenses under the Clery Act for the Niagara Falls Culinary Art Institute. Hierarchical offenses are listed a single time for each location category under the most serious offense committed. On campus statistics include both incidents reported to police and those reported to non-police officials and may therefore contain multiple entries for the same incident.

*On Campus*

Criminal Offense	2020	2021	2022
Murder/Non-Negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	0
Burglary	0	0	1
Motor Vehicle Theft	0	0	0

*Non-Campus Buildings or Property*

Criminal Offense	2020	2021	2022
Murder/Non-Negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	0
Burglary	0	0	0
Motor Vehicle Theft	0	0	0

*On Public Property*

Criminal Offense	2020	2021	2022
Murder/Non-Negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	0
Burglary	0	0	0
Motor Vehicle Theft	0	0	0

\* The Violence Against Women Reauthorization Act amended the Jeanne Clery Act to afford additional rights to campus victims of sexual assault, domestic violence, dating violence and stalking. The categories of Forcible Sex Offences and Non-Forcible Offences have been updated to reflect these changes.

\*\* Non-Campus Resident Hall ended 5/17.



**CRIMINAL OFFENSES (Niagara Falls Culinary Art Institute)**

**Non-Hierarchical Offenses**

Non-hierarchical offenses are counted each time one of the offenses is reported for each location category under the most serious offense committed. If a single incident includes multiple non-hierarchical offenses the incident will be counted for each count of each offense (and potentially once again if a hierarchical offense is also reported).

*On Campus*

Criminal Offense	2020	2021	2022
Arson	0	0	0
Dating Violence**	0	0	0
Domestic Violence**	0	0	0
Fondling**	0	0	0
Incest**	0	0	0
Rape**	0	0	0
Stalking**	0	0	0
Statutory Rape**	0	0	0

*Non-Campus Buildings or Property*

Criminal Offense	2020	2021	2022
Arson	0	0	0
Dating Violence**	0	0	0
Domestic Violence**	0	0	0
Fondling**	0	0	0
Incest**	0	0	0
Rape**	0	0	0
Stalking**	0	0	0
Statutory Rape**	0	0	0

*On Public Property*

Criminal Offense	2020	2021	2022
Arson	0	0	0
Dating Violence**	0	0	0
Domestic Violence**	0	0	0
Fondling**	0	0	0
Incest**	0	0	0
Rape**	0	0	0
Stalking**	0	0	0
Statutory Rape**	0	0	0

\*Non-Campus in Resident Hall ended 5/17

\*\*This category includes all on-campus incidents, including those listed "In Resident Hall." These categories represent duplication and are not cumulative.





**HATE OFFENSE STATISTICS (Niagara Falls Culinary Art Institute- NFCI)**

- For Calendar Year 2020 there were no hate crimes reported on the NFCI Campus, non-campus property, or on public property.
- For Calendar Year 2021 there were no hate crimes reported on the NFCI Campus, non-campus property, or on public property.
- For Calendar Year 2022 there were no hate crimes reported on the Sanborn campus, non-campus property, on public property.

**Arrests**

*On Campus*

Criminal Offense	2020	2021	2022
Liquor Law Violations	0	0	0
Drug Law Violations	0	0	0
Illegal Weapons Possession	0	0	0

**Disciplinary Actions/Referrals**

*On Campus*

Criminal Offense	2020	2021	2022
Liquor Law Violations	0	0	0
Drug Law Violations	0	0	1
Illegal Weapons Possession	0	0	0

*Non-Campus Buildings or Property*

Criminal Offense	2020	2021	2022
Liquor Law Violations	0	0	0
Drug Law Violations	0	0	0
Illegal Weapons Possession	0	0	0

*Non-Campus Buildings or Property*

Criminal Offense	2020	2021	2022
Liquor Law Violations	0	0	0
Drug Law Violations	0	0	0
Illegal Weapons Possession	0	0	0

*On Public Property*

Criminal Offense	2020	2021	2022
Liquor Law Violations	0	0	0
Drug Law Violations	0	0	0
Illegal Weapons Possession	0	0	0

*On Public Property*

Criminal Offense	2020	2021	2022
Liquor Law Violations	0	0	0
Drug Law Violations	0	0	0
Illegal Weapons Possession	0	0	0

\*Non-Campus in Resident Hall ended 5/17



## CLERY OFFENSES

(Federal Offense Definitions)

**Aggravated assault:** An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm.

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

**Burglary:** The unlawful entry into a building or other structure with the intent to commit a felony or a theft.

**Crime or a public offense:** An act committed or omitted in violation of a law forbidding or commanding it, and to which is annexed, upon conviction, either of the following punishments: death; imprisonment; fine; removal from office; or disqualification to hold and enjoy any office of honor, trust, or profit in this State.

**Drug abuse:** Violations of laws prohibiting the production, distribution and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use.

### Forcible Sex Offenses:

- **Fondling:** The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will; or, not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

- **Rape:** Penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

**Hate crime:** A criminal offense committed against a person or property which is motivated, in whole or in part, by the offender's bias against a race, gender, gender identity, religion, disability, sexual orientation, ethnicity, or national origin.

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

**Liquor-law violation:** Violations of laws or ordinances prohibiting the manufacture, purchase, transportation, possession or use of alcoholic beverages.

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

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

### Non-Forcible Sex Offenses:

- **Incest:** Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory rape:** Non-forcible sexual intercourse with a person who is under the statutory age of consent.

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



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

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

**Domestic Violence:** Violent misdemeanor and felony offenses committed by the victim's current or former spouse, current or former cohabitant, person similarly situated under domestic or family violence law, or anyone else protected under domestic or family violence law.

**Dating Violence:** Violence committed by a person who has been in a romantic or intimate relationship with the victim. Whether there was such relationship will be gauged by its length, type, and frequency of interaction.

**Stalking:** A course of conduct directed at a specific person that would cause a reasonable person to fear for her, his, or others' safety, or to suffer substantial emotional distress.



## NEW YORK STATE LAW DEFINITIONS

**CONSENT:** Lack of consent results from: forcible compulsion; or incapacity to consent; or where the offense charged is sexual abuse or forcible touching, any circumstances, in addition to forcible compulsion or incapacity to consent, in which the victim does not expressly or impliedly acquiesce in the actor's conduct. Where the offense charged is rape in the third degree, a criminal sexual act in the third degree, or forcible compulsion in circumstances under which, at the time of the act of intercourse, oral sexual conduct or anal sexual conduct, the victim clearly expressed that he or she did not consent to engage in such act, and a reasonable person in the actor's situation would have understood such person's words and acts as an expression of lack of consent to such act under all the circumstances. A person is incapable of consent when he or she is: less than 17 years old; or mentally disabled; or mentally incapacitated; or physically helpless; or committed to the care and custody of the state department of correctional services, a hospital, the office of children and family services and is in residential care, or the other person is a resident or inpatient of a residential facility operated by the office of mental health, the office for people with development disabilities, or the office of alcoholism and substance abuse services, and the actor is an employee, not married to such person, who knows or reasonably should know that such person is committed to the care and custody of such department or hospital.

**CONSENT, ABBREVIATED:** Clear, unambiguous, and voluntary agreement between the participating individuals to engage in specific sexual activity.

**DATING VIOLENCE:** New York State does not specifically define "dating violence." However, under New York Law, intimate relationships are covered by the definition of domestic violence when the act constitutes a crime listed elsewhere in this document and is committed by a person in an "intimate relationship" with the victim. See "Family or Household Member" for definition of "intimate relationship."

**DOMESTIC VIOLENCE:** An act which would constitute a violation of the penal law, including, but not limited to acts constituting disorderly conduct, harassment, aggravated harassment, sexual misconduct, forcible touching, sexual abuse, stalking, criminal mischief, menacing, reckless endangerment, kidnapping, assault, attempted murder, criminal obstruction of breathing or blood circulation, or strangulation; and such acts have created a substantial risk of physical or emotional harm to a person or a person's child. Such acts are alleged to have been committed by a family member. The victim can be anyone over the age of sixteen, any married person or any parent accompanied by his or her minor child or children in situations in which such person or such person's child is a victim of the act.

**FAMILY OR HOUSEHOLD MEMBER:** Person's related by consanguinity or affinity; Persons legally married to one another; Person formerly married to one another regardless of whether they still reside in the same household; Persons who have a child in common regardless of whether such persons are married or have lived together at any time; Unrelated persons who are continually or at regular intervals living in the same household or who have in the past continually or at regular intervals lived in the same household; Persons who are not related by consanguinity or affinity and who are or have been in an intimate relationship regardless of whether such persons have lived together at any time. Factors that may be considered in determining whether a relationship is an "intimate relationship" include, but are not limited to: the nature or type of relationship regardless of whether the relationship is sexual in nature; the frequency of interaction between the persons; and the duration of the relationship. Neither a casual acquaintance nor ordinary fraternization between two individuals in business or social contexts shall be deemed to constitute an "intimate relationship"; any other category of individuals deemed to be a victim of domestic violence as defined by the office of children and family services in regulation. Intimate relationship status shall



be applied to teens, lesbian/gay/bisexual/transgender, and elderly individuals, current and formerly married and/or dating heterosexual individuals who were, or are in an intimate relationship.

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

**SEXUAL ASSAULT:** New York State does not specifically define sexual assault. However, according to the Federal Regulations, sexual assault includes offenses that meet the definitions of rape, fondling, incest, or statutory rape as used in the FBI's UCR program.

**SEX OFFENSES; LACK OF CONSENT:** Whether or not specifically stated, it is an element of every offense defined in this article that the sexual act was committed without consent of the victim.

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

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

**RAPE IN THE SECOND DEGREE:** When a person (1) being 18 years old or more, engages in sexual intercourse with another person less than 15 years old; or (2) engages in sexual intercourse with another person who is incapable

of consent by reason of being mentally disabled or mentally incapacitated. It is an affirmative defense to the crime of rape in the second degree the defendant was less than four years older than the victim at the time of the act.

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

**CRIMINAL SEXUAL ACT IN THE THIRD DEGREE:** When a person engages in oral or anal sexual conduct (1) with a person who is incapable of consent by reason of some factor other than being less than 17 years old; (2) being 21 years old or more, with a person less than 17 years old; (3) with another person without such persons consent where such lack of consent is by reason of some factor other than incapacity to consent.

**CRIMINAL SEXUAL ACT IN THE SECOND DEGREE:** When a person engages in oral or anal sexual conducts with another person (1) and is 18 years or more and the other person is less than 15 years old; or (2) who is incapable of consent by reason of being mentally disabled or mentally incapacitated. It is an affirmative defense that the defendant was less than four years older than the victim at the time of the act.

**CRIMINAL SEXUAL ACT IN THE FIRST DEGREE:** When a person engages in oral or anal sexual conduct with another person (1) by forcible compulsion; (2) who is incapable of consent by reason of being physically helpless; (3) who is less than 11 years old; or (4) who is less than 13 years old and the actor is 18 years old or more.

**FORCIBLE TOUCHING:** When a person intentionally, and for no legitimate purpose, forcibly touches the sexual or other intimate parts of another person for the purpose of





degrading or abusing such person; or for the purpose of gratifying the actor's sexual desire. It includes squeezing, grabbing, or pinching.

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

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

**SEXUAL ABUSE IN THE SECOND DEGREE:** When a person subjects another person to sexual contact and when such other person is (1) incapable of consent by reason of some factor other than being less than 17 years old; or (2) less than 14 years old.

**SEXUAL ABUSE IN THE FIRST DEGREE:** When a person subjects another person to sexual contact (1) by forcible compulsion; (2) when the other person is incapable of consent by reason of being physically helpless; or (3) when the other person is less than 11 years old; or (4) when the other person is less than 13 years old.

**AGGRAVATED SEXUAL ABUSE:** For the purposes of this section, conduct performed for a valid medical purpose does not violate the provisions of this section.

**AGGRAVATED SEXUAL ABUSE IN THE FOURTH DEGREE:**

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

**AGGRAVATED SEXUAL ABUSE IN THE THIRD DEGREE:**

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

**AGGRAVATED SEXUAL ABUSE IN THE SECOND DEGREE:**

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

**AGGRAVATED SEXUAL ABUSE IN THE FIRST DEGREE:**

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

**COURSE OF SEXUAL CONDUCT AGAINST A CHILD IN THE SECOND DEGREE:**

When over a period of time, not less than three months, a person: (1) engages in two or more acts of sexual conduct with a child less than 11 years



old; or (2) being 18 years old or more engages in two or more acts of sexual conduct with a child less than 13 years old. A person may not be subsequently prosecuted for any other sexual offense involving the same victim unless the other charges offense occurred outside of the time period charged under this section.

**COURSE OF SEXUAL CONDUCT AGAINST A CHILD IN**

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

**FACILITATING A SEX OFFENSE WITH A CONTROLLED**

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

**INCEST IN THE THIRD DEGREE:** A person is guilty of incest in the third degree when he or she marries or engages in sexual intercourse, oral sexual conduct or anal sexual conduct with a person whom he or she knows to be related to him or her, whether through marriage or not, as an ancestor, descendant, brother or sister of either the whole or the half blood, uncle, aunt, nephew or niece.

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

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

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



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

**STALKING IN THE SECOND DEGREE:** When a person: (1) commits the crime of stalking in the third degree and in the course of and furtherance of the commission of such offense: (a) displays, or possesses and threatens the use of, a firearm, pistol, revolver, rifle, sword, billy, blackjack, bludgeon, plastic knuckles, metal knuckles, chukka stick, sand bag, sand club, slingshot, shuriken, "Kung Fu Star," dagger, dangerous knife, dirk, razor, stiletto, imitation pistol, dangerous instrument, deadly instrument or deadly weapons; or (b) displays what appears to be a pistol, revolver, rifle, shotgun, machine gun or other firearm; or (2) commits the crime of stalking in the third against any person, and has previously been convicted, within the preceding five years, of a specified predicate crime, and the victim of such specified predicate crime is the victim, or an immediate family member of the victim, of the past offense; or (3) commits the crime of stalking in the fourth degree and has previously been convicted of staking in the third; or (4) being 21 years of age or older, repeatedly follows a person under the age of fourteen or engages in a course of conduct or repeatedly commits act over a period

of time intentionally placing or attempting to place such person who is under the age of fourteen in reasonable fear of physical injury, serious physical injury or death; or (5) commits the crime of stalking in the third degree, against ten or more persons, in ten or more transactions, for which the actor has not been previously convicted.

**STALKING IN THE FIRST DEGREE:** When a person commits the crime of stalking in the third degree or stalking in the second degree and, in the course and furtherance thereof, him or her intentionally or recklessly causes physical injury to the victim of such crime.



## Disclosure of Policy Statement

### Preparing and Reporting the Annual Disclosure of Crime Statistics

The purpose of the Clery Report is to disclose information about aspects of the safety and security and to comply with the United States Department of Education guidelines for the dissemination of such information.

The Annual Clery Report for Niagara County Community College is prepared using the following methods: Public Safety Department, in conjunction with the Office of Student Services, Office of Student Housing, Office of Human Resources, and local law enforcement agencies, prepares this report to comply fully with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. Statistics are compiled in accordance with the Uniform Crime Reporting System of the Department of Justice and the Federal Bureau of Investigation.

Campus crime, arrest and referral statistics include those reported to CPSD, designated campus officials (including Office of Student Services, Student Housing, Office of Human Resources, Office of Academic Affairs), and local law enforcement entities. Crimes are reported that occur on campus, on locations that are contiguous to the campus, and buildings or properties that are either owned or controlled by a campus affiliated entity, including officially recognized student organizations. Please see the College map herein for the boundaries of crime reporting in accordance with the Clery Act.

Campus policy encourages every member of the campus community to report a crime promptly to PSD, campus security authorities, or local law enforcement. A procedure is in place to capture crimes statistics which are disclosed anonymously to PSD, the Wellness Center, Title IX Officer, V.P. Student Services.

## A. Statistical Data

1. All criminal incident reports in the crime reporting database are reviewed for classification accuracy and sorted by:
  - a. Crime type/Incident type
  - b. Occurrence Location
  - c. Referral/Arrest Status (if associated with a Clery reportable statistic)
2. All Calls for Service Data from the crime reporting database are reviewed and compared to the incident report data to ensure that no potential reportable items have been missed.
3. All data associated with the responses from local law enforcement agencies, including: Niagara County Community College Public Safety, Niagara County Sheriff Office, Niagara Falls Police, NYS Police, Lewiston Police, Lockport Police.
4. Data is collected from the Campus Security Authorities. This information is solicited through an annual letter that details the type of information requested, the period, and the deadline to reply to the inquiry. The resulting reports are compared to existing data to avoid duplication.
5. All statistical data is compiled and included in the body of the main Clery Report.



## **B. Report Information**

1. All sections of the previous year's report are reviewed and updates are made with particular attention to the following:
  - a. Updates to Campus Security Authorities
  - b. Verification of all stated phone numbers and addresses
2. All areas of the report are reviewed for accuracy and to ensure that the most recent changes in Clery are accounted for in the report.
3. An independent review of the report in its entirety is conducted by the designated campus Clery official and/or the NCCC counsel.

## **C. Submission**

1. Once all data has been included in the statistical report and the main report body has been updated to reflect information or reporting requirement changes, the entire report is sent to the United States Department of Education.
2. Each year, notification is made to all enrolled students, faculty and staff that provides the web site to access this report. Copies of the report may also be obtained at the Public Safety Department located at the northeast side of the campus, inside the Student Center, Room G 106, or by calling (716) 614-6400. All prospective students may obtain a copy by calling The Public Safety Department or by visiting the website at: [www.niagaracc.suny.edu/security/ASR](http://www.niagaracc.suny.edu/security/ASR) . All prospective employees may obtain a copy by calling Public Safety Department or the Office of Human Resources, or by visiting the above web site. This is the preferred dissemination method of Niagara County Community College. All data links are verified.
3. The webpage where the information or links to the information are published in the System Message (an all-employee electronic communication).
4. In addition, the report is made available online at Clery Compliance Information. <https://ope.ed.gov/campussafety/#/institution/list>

Of note, the federal Clery Act may define a particular crime differently than that crime is defined under the New York State Penal Law Code. For the purpose of this Report, the College uses the Clery Act definitions of crime. Please see herein for the Clery Act definitions.





## **Campus Law Enforcement Authority and Jurisdiction**

The Niagara County Sheriff's Office (NCSO) along with the New York State Police (NYSP) have complete policing authority on the Sanborn campus including the Student Housing Village and the Niagara Falls Police Department has the complete policing authority at the Niagara Falls Culinary Art Institute to apprehend and arrest anyone involved in illegal acts on campus and all areas adjacent to the campus, from major offenses such as rape, murder, aggravated assault, robbery and auto theft to more minor offenses such as traffic violations. As part of their policing authority, they also have the authority to execute arrest warrants and search warrants, to execute bench warrants, take into custody and transport, in accordance with the NYS Mental Hygiene Law, a person likely to be a danger to himself or herself or others, conduct a temporary detention and emergency search for a weapon, and accept possession of lost property.

If minor offenses involving violations of the College's rules and regulations are committed, including, but not limited to violations of the Code of Conduct, the NCSO, and NYSP may also refer the individual to the disciplinary division or the Office of Student Services or the Office of Human Resources.

CPSD works closely with local, state and federal police agencies. The NCCC Public Safety Department provides safety and security services on the Sanborn Campus including the Student Housing Village and at the Niagara Falls Culinary Institute campus. This department consists of highly trained and licensed public safety professionals who assist and protect the college community. In addition, the Chief of Public Safety at NCCC and Assistant Chief are sworn peace officer with law enforcement arrest authority. Six additional peace officers are on staff Sunday - Saturday. Two at the Sanborn Main Campus 7:00am - 3:00pm Monday - Friday, one 3:00pm - 11:00pm Monday - Friday, and one 3:00pm - 11:00pm Tuesday - Saturday. One peace officer 7:00am - 3:00pm Monday - Friday at the Niagara Falls Culinary Institute campus. One peace officer at The Student Housing Village 7:00pm - 3:00am Saturday, Sunday, Monday, Thursday, and Friday. As a service-orientated group, the PSD is responsible for assisting in first aid, personal safety, CPR, AED, fire and traffic safety, crime prevention, emergency notification, lectures on various topics, and documenting incidents that occur on campus. PSD have the authority to ask persons for identification and to determine whether individuals have lawful business on campus. They also have the authority to issue parking tickets on the Sanborn Campus, which are payable to the Town of Cambria. Criminal incidents may be handled by Campus Peace Officers or referred to local law enforcement agencies that have jurisdiction on campus. The college has a MOU with the Niagara County Sheriff's Office to provide law enforcement duties including arrests and resources. PSD has the authority to enforce the College's rules, regulations, policies and procedure, including but not limited to, violations of the Code of Conduct. PSD may also refer the individual to the Office of Student Services or the Office of Human Resources.

## **Daily Logs**

CPSD maintains a Daily Crime Log containing all incidents reported to the department. The log is available for viewing at the Campus Public Safety Department upon request or at: <https://www.niagaracc.suny.edu/security/crime-log/>

## **Policy on Off-Campus Crimes**

When an NCCC student is involved in an off-campus offense, CPSD officers may assist with the investigation in cooperation with local, state or federal law enforcement. The Sanborn campus is located in the hamlet of Sanborn which is located in Niagara County, NY. The Niagara County Sheriff's Office and the New York State Police have jurisdiction. Niagara Falls Culinary Institute is located in Niagara Falls, NY. The Niagara Falls Police Department and the New York State Police have jurisdiction respectively.

CPSD regularly communicates with the Niagara County Sheriff's Office, Niagara Falls Police Office, and the New York State Police to track any crimes or incidents involving NCCC Students.



## Reporting Crimes and other Emergencies

NCCC encourages all campus community members, students, faculty, staff and guests, to report all crimes and public safety incidents to CCPSD (Campus Public Safety Department) in a timely manner.

### To report a crime on the Sanborn campus:

#### **Public Safety**

- On campus telephones dial 555 or 6400
- Emergency and Blue Light Phones Pick up receiver/dialed automatically
- Other telephones, including cell phones dial (716) 614-6400

#### **Law Enforcement**

- Police, ambulance, fire dial 911

Crimes also can be reported personally to the CPSD office, 24 hours a day. The Sanborn Public Safety Department is located in the Student Center (G bldg), room G-106.

### To report a crime at the Niagara Falls Culinary Institute:

#### **Public Safety**

- On campus telephones dial 2555
- Other telephones, including cell phones dial (716) 210-2555

#### **Law Enforcement**

- Police, ambulance, fire dial 911

Crimes also can be reported personally to the CPSD office 7am – 11pm, 6 days a week (Monday - Saturday). The NCCI Public Safety Department is located at the Reception Desk 1st Floor.

### To report a crime at Student Housing Village:

#### **Public Safety**

- Emergency and Blue Light Phones Pick up receiver/dialed automatically
- Public Safety (716) 614-6400
- Director of Housing (716) 731-8850

#### **Law Enforcement**

- Police, ambulance, fire dial 911

Crimes also can be reported personally to the Student Housing office or the Sanborn Campus CPSD 24 hours per day/ 7 days per week.

### To report crimes off campus: **Dial 911 for local agencies**

NCCC encourages all campus community members, students, faculty, staff and guests, to report all crimes and public safety incidents to the CPSD in a timely manner.



## **Procedure after a call comes into CPSD:**

After a call comes in, CPSD or other College personnel will be dispatched as appropriate to the location and type of call. Criminal offenses are pursued by the CPSD and in conjunction with the local police and/or fire departments as necessary.

The CPSD works in close coordination with other area police agencies including the Niagara County Sheriff's Office, Niagara Falls Police Department and the New York State Police in the reporting and investigation of crimes occurring on and off campus.

## **Reporting Missing Persons:**

CPSD will take the report regardless of how long the person may have been missing. There is no requirement that the person be "missing" for 24 hours before CPSD will take a report and begin an investigation. It is the procedure of the CPSD to take immediate reports on all persons thought to be "missing" and to immediately begin efforts to locate the person.

Note that while the above notifications are required under federal law, nothing precludes contacting these or any other persons during the investigation if doing so may further the investigation, whether 24 hours has passed or not. Appropriate to the particulars of the report other resources may be contacted to assist with an investigation including other law enforcement agencies.

## **Missing Persons**

This applies to students who reside in campus housing, operated by Student Housing Village.

### **Purpose**

The purpose of this policy is to establish procedures for the college's response to reports of missing students, as required by the Higher Education Opportunity Act. Anyone who believes that a residential student is missing, should contact the Director of Housing immediately upon that determination. The Director of Housing in conjunction will file a report with the Chief of Campus Public Safety and then both will initiate the missing persons procedures as outlined below.

For purposes of this policy, a student will be considered missing, if a roommate, classmate, faculty member, family member, or other campus person has not seen the person in a reasonable amount of time. A reasonable amount of time may vary with the time of day and information available regarding the missing person's daily schedule, habits, punctuality, and reliability. Individuals will also be considered missing immediately, if their absence has occurred under circumstances that are suspicious or cause concerns for their safety.

### **Procedures for designation of emergency contact information**

**a.** Students age 18 and older and emancipated minors – Residence students are required each semester to designate an individual or individuals to be contacted by the college "in case of emergency." Student may designate more than one emergency contact - one for general emergencies and one specific for missing persons emergencies. In the event a student is reported missing, college personnel or the Director of Housing, will attempt to contact the student's emergency designee for missing persons no more than 24 hours after the time that the student is determined to be missing in accordance with the procedures set forth below. Emergency contact designees will remain in effect until changed or revoked by the student. This contact information will be registered confidentially and will only be accessible to authorized college officials and local law enforcement in the furtherance of a missing persons investigation.



**b.** Students under the age of 18 – In the event a student who is not emancipated is determined to be missing pursuant to the procedures set forth below, the college or the Director of Housing is required to notify a custodial parent or guardian no more than 24 hours after the student is determined to be missing in accordance with the procedures set forth below.

**c.** If the above actions are unsuccessful in locating the student within four hours of the report or it is apparent immediately that the student is a missing person (e.g., witnessed abduction), the Chief of Campus Public Safety will contact the Niagara County Sheriff's Office to report the student as a missing person and the local law enforcement agency will take over the investigation.

**d.** No later than 24 hours after determining that a residential student is missing, the Director of Housing, or designee, will notify the missing person's emergency contact (for students 18 and older) or the parent/guardian (for students under the age of 18) that the student is believed to be missing, unless local law enforcement agency was the entity that made the determination that the student is missing.

## **Campus Communications about Missing Students**

In all cases of a missing student, the law enforcement agency conducting the investigation will provide information to the media that is designed to obtain public assistance in the search for any missing student. The Chief of Public Safety, the Vice President of Student Services, or designee, is available to provide consultation on communication with the investigating law enforcement agency. Any media requests to the college will be directed to the Director of Public Relations.

- Director of Housing (716) 731-8850
- Public Safety Department (716) 614-6400
- Vice President of Student Services (716) 614-6240

## **Voluntary Anonymous Reporting Procedures**

NCCC encourages all members of its community to report crimes to CPSD or other Public Safety authorities, whether he or she is a victim or a witness.

If you are a victim to a crime and you do not want to pursue action within the College's disciplinary system or the criminal justice system, you may still want to consider making a confidential report. CPSD maintains an electronic anonymous reporting system on its website- <https://www.niagaracc.suny.edu/security/tipline/> - an anonymous online form to report crimes or suspicious actions. It will not retain email addresses, IP addresses or other identifying information unless the reporting person voluntarily includes identification information.

The purpose of an anonymous report is to comply with your wishes to keep the matter confidential, while taking steps to ensure the future safety of yourself and others. With this information, the College can keep an accurate record of the number of incidents involving students, faculty and staff, determine where there is a pattern of crime relative to location, method, and assailant and alert the campus community to potential harm. Anonymous reports are counted and disclosed in the annual crime statistics for the campus. Please understand while the crime is counted for statistical purposes, confidential reporting of a crime may impede a speedy investigation and/or a thorough investigation, or it may prohibit an investigation in its entirety.



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## **Emergency Response and Evacuation Procedures- Immediate Notification**

If there is an immediate threat to the health or safety of students or employees occurring on campus, the College Emergency Notification System will communicate what action to take as directed by the NCCC Critical Incident Response Plan. The methods of determining the need, content and communication will be made by the college president or his designee. The methods of communication are as follows:

- Text message through the NCCC Emergency Alert to those registered
- College Web Site: <http://www.niagaracc.suny.edu/>
- College Monitors
- Public Address System

A follow up notification will occur when further information is available on the status of the situation, and when it is safe to return.

## **Significant Emergency or Dangerous Situation**

Upon receiving information of a significant emergency or dangerous situation, the individual receiving the information shall call the Public Safety Department. Upon receiving the information, the CPSD will investigate all reports of emergency or dangerous situations to confirm the report. If the responding officer determines that the report is a significant emergency or dangerous situation, they will notify the proper local agency as soon as practical to advise of the situation. The Chief of Public Safety will determine the appropriate segment of the campus community to notify. The Chief of Campus Public Safety and the Director of Public Relations will determine the content of the notification, and will withhold the names of the victims as confidential. The Chief of Public Safety will initiate the notification system.

## **Disseminating Emergency Information to Large Community**

In the event of a significant emergency or dangerous situation occurring on the NCCC campus which could have a potential impact on the surrounding community:

- The Public Safety Department will notify the local police department of the potential impact to the surrounding community
- Per the College's Emergency Plan, the Public Relations Director will act as the College's liaison with the media

## **Testing the Emergency Response System (NCCC Emergency Alert)**

The Campus Public Safety Department will annually conduct an emergency test of the College's emergency response system. The test may be announced or unannounced. The College's emergency notification system will indicate that the drill is a test only. A debriefing will be held following the annual test to follow through on any corrections necessary. The Campus Public Safety Department will determine the type of test to be conducted on an annual basis. The Campus Public Safety Department will notify the Director of Public Relations, College administrators, and the local police agency prior to conducting the test to ensure they are aware the test is not a real event.



## Safety Responsibilities For Residential Students

Students living in the Student Housing Village have the responsibility to assist in maintaining their safety by keeping doors locked at all times and are encouraged to report unsafe conditions to Student Housing Village maintenance, if needed. Student rooms are individually keyed and the procedure for replacing a lost key may include a lock change. Student Housing staff and Campus Public Safety patrol Student Housing Village. The Director of Housing, Campus Public Safety and Resident Assistants will not enter an occupant's room/suite unless accompanied by the occupant, the occupant's authorized representative, or a second authorized College representative. However, the Student Housing Village reserves the right to enter any occupant's room/suite for the purpose of inspection when an authorized College official has reason to believe that the following conditions may exist, which include but are not limited to:

- An occupant of the living unit may be physically harmed or endangered
- Significant damage is being done to College property
- There has been a violation of the provisions contained in the Housing Contract, the Student Housing Guide, or subsequent written notice applicable to the operation and administration of the Student Housing Village
- Maintenance or repair needs to be completed
- Routine maintenance checks
- Occupancy verification checks
- Wellness Checks

See the Student Housing Guide for more information concerning Student Housing policies and procedures.  
[www.niagaracc.suny.edu/housing](http://www.niagaracc.suny.edu/housing)

Niagara County Community College incorporates environmental security design practices in planning, building, and maintenance stages of all structures and grounds keeping. Public Safety officers will routinely file work orders with the Operations Department to report any problems with lighting, shrubbery, or other maintenance concerns. Testing of the emergency blue phones is conducted routinely by the CPSD.

## Weapons

Lethal weapons of any type (hand-guns, rifles, shotguns, knives, etc.) are NOT permitted on campus. Possession of a New York State pistol permit does not allow you the privilege of carrying a weapon while you are on NCCC grounds. Possession of such weapons on campus can lead to disciplinary action by the Vice President of Student Services; or criminal charges, in the case of illegal weapons.



## Critical Incident Response Procedures

The College maintains and tests a Critical Incident Response Plan (CIRP). The (CIRP) utilizes the communications methods noted in the “Timely Warnings and Emergency Notifications to the Campus Community” section below. The NCCC Emergency Notification System is a primary communication method. The system is tested at least annually. Prior to each annual test, notification is sent to the community announcing when the test will occur, delineating the parameters of the test, advising the community how to participate in the NCCC Emergency Alert program and advising the community how and where to comment on the testing process.

### Timely Warnings and Emergency Notifications to the Campus Community

#### *What Warrants a “Timely Warning” or “Emergency Notification”?*

Timely Warnings shall be issued whenever a Clery Crime that is considered to represent a serious or continuing threat to students and employees is reported to CPSD or a local police agency and has occurred within NCCC’s Clery Geography. Whenever a timely warning is sent it shall be sent to the entire community.

Emergency Notifications shall be issued when a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occur on the campus. As appropriate, emergency notifications may be targeted at only a segment or segments of the campus community that is at risk. Emergency Notifications will be issued without delay, taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgement of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

The Chief of Campus Public Safety, or in their absence a designee, in conjunction with the President of the College and/or other campus and non-campus officials as appropriate, shall confirm the existence of a situation that may warrant a warning or notification and determine if a timely warning or emergency notification is warranted and the extent of the notification as appropriate. In addition to criminal incidents emergency notifications may be issued in situations such as, but not limited to:

#### 1. Safety Related Issues:

- An incident that occurs on any of our campuses that affects the personal safety and security of our population.
- An incident that occurs in close proximity of the College’s two campuses that may potentially affect the personal safety and security of our student, faculty and staff populations.

#### 2. Health Related Issues:

- A member of our population is diagnosed with a serious or life threatening communicable/infectious disease.
- Evidence of bio-terrorism.

The only reason an immediate notification for a confirmed emergency or dangerous situation would not be issued is if doing so will compromise efforts to: assist a victim, contain the emergency, respond to the emergency, or otherwise mitigate the emergency.





## Ways to communicate these issues:

### *For Safety Related Issues:*

The following methods can be used to get the word out. Methods of communication will be chosen based on the nature of the incident. A decision will be on notification methods by the Chief of Public Safety or their designee.

- E-mail to all students and/or faculty/staff
- Postings on building monitors
- Public address announcement
- Posting of notification on the College web site
- NCCC Emergency Alert in the case of a critical campus wide emergency

### *For Health Related Issues:*

The following methods can be used to get the word out. Methods of communication will be chosen based on the nature of the incident

- Letters to students and/or parents
  - Communication to parents is extremely minimal - most likely done in cases of measles, mumps, or rubella.  
Viral Meningitis would be communicated to the parents whose students are directly affected.
- Letters to faculty and staff, if appropriate
- Posting of notification on the College's website at: [www.niagaracc.suny.edu](http://www.niagaracc.suny.edu)
- Texts to students if warranted

For information that is believed to be of interest or concern to the entire NCCC population, the Vice President of Administration will typically notify the President's Office in advance of sending a campus wide notification.



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## NCCC Emergency Alert

Everbridge, Inc. (NASDAQ: EVBG) is a global software company that provides enterprise software applications for automating and accelerating an organizations' operational response to critical events in order to Keep People Safe and Organizations Running™. During public safety threats, **Everbridge Mass Notification with Incident Communications** enables enterprises and governmental entities to send notifications to individuals or groups to keep them informed before, during and after critical events. The NCCC Emergency Alert is capable of sending users text messages and emails. These options will only be used in the event of an on-campus emergency, an unscheduled College closing, or a delay of or cancellation of classes due to, for example, severe inclement weather.

The system will allow the College to communicate on matters of **CRITICAL EMERGENCIES** to all members of the College community. Students and all College employees have automatically been enrolled in the emergency management system. Any information that was provided to the College will be used as a means of communicating with the student or staff or faculty member. Students and employees may verify the information provided or add to the information.



## Campus Security Authorities

NCCC has designated certain administrators and staff as “Campus Security Authorities” in recognition that many students, faculty and staff may be hesitant about reporting crimes to PSD, and may be more inclined to report incidents to non-law enforcement administration and staff instead.

Campus Security Authorities are charged with reporting to the appropriate law enforcement personnel, either CPSD, local police, or to any official or office which should be informed of the crime or complaint due to the nature of the crime or complaint, those allegations of Clery Act crimes that the Campus Security Authority concludes are made in good faith. A “Campus Security Authority” is not responsible for determining whether a crime took place as that is the function of the PSD or the local police department and its investigatory process.

A Campus Security Authority is required to report all allegations to law enforcement personnel, even if the Campus Security Authority was told of a crime in the context of providing emotional support or health care support. The allegations will be reported whether or not the victim chooses to file a report with the CPSD, local law enforcement, or to any official or office which should be informed of the crime or complaint.

Advocates, mental health counselors, and pastoral counselors at the College are not Campus Security Authorities, and are therefore exempt from disclosing or reporting allegations of crimes and incidents. However, to be exempt from the Clery Act reporting requirements, the counselor must be acting in their professional role of mental health counselors at the College. For example, a Vice President who has PhD in psychology is not acting in the counseling role, but rather as a Vice President; and a PhD student in psychology working in the counseling center as part of his/her education and training is acting in the counseling role. Advocates and mental health counselors are trained in the procedures for reporting crimes and the procedures for reporting crimes confidentially. The College encourages them to inform their clients of the procedures in accordance with their professional judgement, given the individual victim and circumstances before them.

Niagara County Community College designates the following as “Campus Security Authorities”:

- Vice President of Administration
- Vice President of Student Services
- Vice President of Academic Affairs
- Assistant Vice President of Student Services and Campus Engagement or Designee
- Senior Staff in Human Resources
- Academic Advisors
- Faculty Advisors
- Professional staff in Athletics including coaches
- Supervisor of College Nursing Services
- Director of Housing
- Resident Assistants
- Student Life Administrators
- Chief Diversity and Equity Officer



## Security of Campus Buildings

### Residence Halls

Each year, the College Association along with Student Housing has enacted many programs to enhance the security of the residence. These initiatives include:

- Security viewing holes on residence hall room doors
- Key fob at each entrance doors
- Entrances secured 24 hours per day
- If fob is lost it is deactivated when reported
- Emergency blue lights located in front and back of building
- Random security patrols on all floors during evening
- Director of Housing and Residence Life Assistants are on duty at all times that students are in residence
- Security cameras throughout the housing building
- Throughout the year, Residential Life staff conducts programs relating to personal safety. The Campus Safety Advisory Committee meets regularly to recommend safety improvements to the Vice President of Administration and the Chief of Campus Public Safety.

### Other Campus Buildings, Academic and Non-Academic

Most campus facilities, with the exception of residence hall, are open to the public during the day and evening hours when classes are in session. The residence hall is locked twenty-four hours a day, seven days a week, with card access for residents and other authorized individuals. The general public is encouraged to attend cultural, athletic and other activities on campus with access limited to the facilities in which the events take place.

At night and during periods of time when classes are not in session, College buildings are generally locked. Administrators and essential personnel with appropriately issued keys and access cards are allowed access to the buildings. Campus employees with essential positions are issued keys. They are responsible for reporting missing and stolen keys.

### Public Safety Programs and Procedures

Safety and security on campus is built on a strong foundation that includes:

1. Community Policing - PSD strives to develop and maintain a positive relationship with all members of the NCCC family with a supportive community-oriented approach to law enforcement.
2. Individual Responsibility - Every member of the College community is responsible for his/her own safety by taking simple, common sense precautions and reporting incidents to the police and other campus authorities.
3. One of our most important safety programs, the Escort Service, is operated by CPSD who will provide a mobile escort as a positive contribution to safety efforts on campus.



## Safety Programs & Initiatives

### **Crime Prevention**

The college's crime prevention program is based on the dual concepts of eliminating or minimizing criminal opportunities whenever possible and encouraging all members of the campus community to take an active role in providing a safe, secure campus.

The following is a partial listing of the college's crime prevention programs and security measures:

### **Escort Service**

The Campus Public Safety Department provides escort service on an "as needed" basis to students and staff who request it.

### **Crime Prevention Presentations**

Annual crime prevention and Campus Public Safety presentations are made to campus groups such as commuter students, freshman at orientation, international students, student government, resident students, specific campus departments, recognized student organizations and staff groups.

### **R.A.I.N**

Respond, Access, Isolate, Notify is an instructional session that teaches members of the campus community how to react during the first few minutes of a critical incident.

### **Valuables Identification Program (VIP)**

The VIP program- a Campus Public Safety Officer will engrave serial numbers or owner specific numbers on valuable property. This is strongly promoted. Engraving is available free-of-charge at the Campus Public Safety Department Office.

### **Printed Crime Prevention Materials**

Printed crime prevention brochures and information related to personal and property security are distributed at crime prevention presentations and are available at various locations around campus.

### **Access Control System**

Niagara Falls Culinary Institute is equipped with electronic access control devices designed to permit access to authorized students and staff members who possess a properly coded NCCC identification card.

### **Emergency Telephones**

The Sanborn Campus has interior and exterior emergency telephones linked directly to the Public Safety Department and are located throughout the campus with blue light designation.

### **Electronic Alarm System**

Panic alarm system registers emergency situations to the Public Safety Department. These devices are located throughout the Sanborn Campus.

### **Closed Circuit Television**

Areas of the campus are equipped with closed circuit television cameras. These cameras, along with access alarms, help prevent unauthorized entry into the facility.



The College encourages you to take full advantage of safety programs and initiatives designed to protect your person and your property. They include:

**Wellness Center Personal Counselors**

Licensed Mental Health Counselors and Pastoral Counselors are available in the Wellness Center. The Center provides a safe and welcoming environment for students impacted by sexual violence including, but not limited to sexual assault, intimate partner violence and stalking, to receive support and advocacy services to help them heal. The Wellness Center Counselors work collaboratively with professional community-based advocates who offer a range of comprehensive services to victims/survivors including consultations to discuss students' options for medical care, reporting, counseling, and criminal charges. The Wellness Center staff provides ongoing support and advocacy throughout students' involvement with these processes and facilitates academic and residential accommodations as needed.

The Wellness Center is the office that offers the prevention and education programs. The Wellness Center's educational programs offer trainings on sexual violence.

**Emergency Blue Light Phones**

There are 4 emergency blue light phones on the Sanborn Campus. These telephones connect directly to the Campus Public Safety Department and there are also three emergency blue light phones located outside the Student Housing Village. These phones are clearly visible, denoted by their blue lights.

**The 555 Emergency System**

The 555 phone system was established to assist members of the College community in contacting the Campus Public Safety Department in case of situations such as: fires, crimes in progress, or medical emergencies.

**Residence Hall Safety Enhancements**

All suite doors are equipped with viewing holes; exterior doors are locked 24 hours a day; fob access to exterior doors allows for additional security; security patrols on quads; personal property and fire safety programs coordinated by Student Housing staff. Residence halls are locked twenty-four hours a day, seven days a week.

**Campus Safety Advisory Committee**

A group of policy level personnel, including faculty, professional staff and students who examine and make recommendations relative to safety conditions on the College campus.

**Lighting**

CPSD, the Operations Department, and The Campus Safety Advisory Committee annually survey lighting on campus to ensure that areas are adequately lighted. Numerous additions have been made to lighting in the last ten years. PSD conducts monthly inspections.

**Electronic Panic Alarms**

Many academic and support areas of special sensitivity are protected by alarm systems which ring directly to a central station or PSD. Officers are dispatched to intruded areas to evaluate the situation.



### **Alcohol and Other Drug Education, Prevention Services and Programs**

The College offers a wide range of alcohol and drug education prevention services and programs, including a highly visible social norms campaign targeting substance use and widespread delivery of an empirically supported screening and brief intervention program for at risk populations (e.g., first year students, student athletes, etc.). Current information regarding alcohol and drug prevention services and educational programs can be found in the Wellness Center room C122 or by calling (716) 614-6275  
<http://www.niagaracc.suny.edu/wellness/>

Outside of the campus, assistance can be found in Niagara County on the following website: [https://www.niagaracounty.com/departments/m-r/mental\\_health\\_\\_substance\\_abuse/index.php](https://www.niagaracounty.com/departments/m-r/mental_health__substance_abuse/index.php)

### **Enough is Enough Training**

The college has partnered with the YWCA of Niagara Frontier and NY State Police Campus Sexual Assault Victims Unit to provide sexual assault prevention training for students, staff and faculty. Training includes prevention information as well as how to assist in reporting the sexual assault and in informing the victim of the services available within the area.

## **Wellness Center- Health Services**

<https://www.niagaracc.suny.edu/wellness/>

A well-equipped Health Services Center, located in the Wellness Center, Science Building, Room C122, is available to provide services for the college community. Registered Nurses are available for emergency treatment of injuries, assessment and care of illness, referrals, and health/wellness counseling. A supply of "over-the-counter" medications is available in the Center for self-use.

Students will be referred to an area hospital, their family physician, or community health and/or social service agency when necessary and upon request.

A collection of current literature on health topics and social concerns is maintained in the Wellness Center. Health related programs are also conducted periodically by Wellness Center staff.

The Wellness Center and specific professor offices/classrooms serves as a Safe Zone for the LGBTQ population.

## **Wellness Center- Personal Counseling**

<https://www.niagaracc.suny.edu/wellness/counseling/>

It is the mission of the NCCC Wellness Center Personal Counselors to provide free and confidential counseling services to students in a safe, friendly environment and to work toward improving the mental health of students with the overall goal of improving their personal, academic, and overall functioning. Counseling services include short term individual therapy, group therapy, educational workshops, consultation services, crisis intervention, and referral services. All aspects of counseling are strength based as counselors work collaboratively with students, staff, and community services to provide solution focused therapy to enhance the quality of student life. They are dedicated to empowering students to make informed, positive lifestyle choices, to take responsibility for self-care, and to achieve optimal levels of wellness in order to reach their full academic potential. The Wellness Center has contracted with TELUS Health to provide free Tele Counseling services via the My SSP app at: <https://myssp.app>. My SSP connects students with free, confidential professional counseling available 24/7 via app, telephone and web. Confidential, real-time virtual counseling is available via live chat and phone where students may talk with a professional counselor at their convenience.





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## **Sexual Misconduct/VAWA (Violence against Women Act) Notice**

Niagara County Community College (NCCC) is committed to creating and maintaining an educational environment free from all forms of sex discrimination, including sexual misconduct. Any act involving sexual harassment, violence, coercion, and intimidation will not be tolerated. Specifically, NCCC strictly prohibits the offenses of domestic violence, dating violence, sexual assault, and stalking. These acts have a real impact on the lives of victims. They not only violate a person's feelings of trust and safety, but they can also substantially interfere with a student's education. It is the policy of SUNY and NCCC that, upon learning that an act of sexual misconduct has taken place, immediate action will be taken to address the situation and punish the perpetrator. This includes working with state and local law enforcement to bring possible criminal charges, seeking disciplinary action through the College, and enforcing mandatory transcript notifications so other institutions are on notice of the offense committed. NCCC encourages the reporting of sexual misconduct that is prompt and accurate. This allows the NCCC community to quickly respond to allegations and offer immediate support to the victim. NCCC is committed to protecting the confidentiality of victims, and will work closely with students who wish to obtain confidential assistance regarding an incident of sexual misconduct. Certain professionals at the College are permitted by law to offer confidentiality. Those who do not maintain the privilege to offer confidentiality are expected to keep reports private to the extent permitted under the law and College policy. This means that they may have to report to college officials, but will not broadcast the information beyond what is required by law and policy. All allegations will be investigated promptly and thoroughly, and both the victim and the accused will be afforded equitable rights during the investigative process.

It is the collective responsibility of all members of the NCCC community to foster a safe and secure campus environment. In an effort to promote this environment and prevent acts of sexual misconduct from occurring, NCCC engages in ongoing prevention and awareness education programs. All members of the NCCC community must participate in ongoing campaigns and trainings focused on the prevention of sexual misconduct on campus.

This policy applies to all members of the NCCC community, including students, faculty, staff, visitors, independent contractors, and other third parties who are on campus and involved in an incident of sexual misconduct (this can be someone who witnessed an incident or who wishes to report an incident on behalf of another). The policy applies to these parties regardless of sexual orientation or gender identity.

This policy prohibits all forms of sexual misconduct. This broad term includes, but is not limited to, acts of sexual harassment, sexual violence, sexual coercion, sexual threats or intimidation, domestic violence, dating violence, sexual assault, stalking, and cyber-stalking.



## Students' Bill of Rights

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

### All Students Have The Right To:

1. Make a report to local law enforcement and/or state police.
2. Have disclosures of domestic violence, dating violence, stalking, and sexual assault treated seriously.
3. 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 from the institution.
4. Participate in a process that is fair, impartial, and provides adequate notice and a meaningful opportunity to be heard.
5. Be treated with dignity and to receive from the institution courteous, fair, and respectful health care and counseling services, where available.
6. Be free from any suggestion that the reporting individual is at fault when these crimes and violations are committed, or should have acted in a different manner to avoid such crimes or violations.
7. Describe the incident to as few institutional representatives as practical, and not to be required to unnecessarily repeat a description of the incident.
8. Be free from retaliation by the institution, the accused and/or respondent, and/or their friends, family and acquaintances within the jurisdiction of the institution.
9. Access to at least one level of appeal of a determination.
10. Be accompanied by an advisor of choice who may assist and advise a reporting individual, accused, or respondent throughout the judicial or conduct process including during all meetings and hearings related to such process.
11. Exercise civil rights and practice of religion without interference by the investigative, criminal justice, or judicial or conduct process of the institution.



## Options in Brief:

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

- Receive resources, such as counseling and medical attention.
- Confidentially or anonymously disclose a crime or violation and find additional information:  
**<https://www.niagaracc.suny.edu/sexual-assault/>**
- Make a report to:
  - An institution employee with the authority to address complaints, including the Title IX Coordinator, Vice President of Student Services, Assistant Vice President of Human Resources, Equity & Inclusion, or Director of Housing.
  - Public Safety Department.
  - Niagara County Sheriff's Office or NY State Police.
  - Family Court or Civil Court.

The Student Right-to-Know and Campus Security Act of 1990 (Clery Act), the Higher Education Amendments of 1992 and 1998, the Violent Crime and Law Enforcement Act of 1994 (Violence Against Women Act, Title IX and the Campus SaVE Act of 2013) require that colleges and universities provide information concerning programs to prevent sexual assault, domestic violence, dating violence and stalking; and the procedures that they will follow if an incident of sexual assault, domestic violence, dating violence and stalking has been reported.

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

## Sexual Violence Response Policy

In accordance with the Students' Bill of Rights, reporting individuals shall have the right to pursue more than one of the options below at the same time, or to choose not to participate in any of the options below:

### Reporting:

- To disclose confidentially the incident to one of the following college officials, who by law may maintain confidentiality, and can assist in obtaining services. More information on confidential report is available in the Options for Confidentially Disclosing Sexual Violence: **<http://www.niagaracc.suny.edu/sexual-assault/>**

**Anonymous Sexual Assault Report-** If you do not wish to file a police report or a College incident report an Anonymous Sexual Assault (ASA) report can be filed. An ASA report is a completely anonymous report to Campus Public Safety Department. The report is used to gather data on sexual assault to create a more effective response to survivors.



**Confidential Reporting Options-** To report the assault in a confidential manner with no investigation or information reported to the institution, students may go to the Wellness Center or call the YWCA Rape Crisis/Domestic Violence Hotline. The Public Safety Department, Student Services, and Student Housing staff are considered mandatory reporters and incidents of sexual assault are documented to ensure proper protocol.

**Anonymously via the internet- Report a Sexual Assault form:**

<http://www.niagaracc.suny.edu/sexual-assault/>

**Wellness Center- Personal Counselors**

<https://www.niagaracc.suny.edu/wellness/counseling/>

Science Building, Room C-122

Phone: (716)614-6275

**YWCA Rape Crisis /Domestic Violence Hotline**

(716)433-6716 - Call or Text

<https://ywcaniagarafontier.org/services/womens-services/crisis-services/>

- To disclose confidentially the incident and obtain services from New York State or county hotlines:

<http://www.opdv.ny.gov/help/dvhotlines.html>

Additional disclosure and assistance options are catalogued by the Office for the Prevention of Domestic Violence and presented in several languages: <http://www.opdv.ny.gov> (or Call 1-800-942-6906, or Text 844-997-2121), and assistance can also be obtained through:

- o Legal Momentum: <https://www.legalmomentum.org/>
- o NYSCADV: <https://nyscadv.org/>
- o Pandora's Project: <https://pandys.org/>
- o GLBTQ Domestic Violence Project: <http://www.glnh.org/>
- o RAINN: [www.rainn.org/get-help](http://www.rainn.org/get-help)
- o Safe Horizons: <http://www.safehorizon.org/>

(Note: These hotlines are for crisis intervention, resources, and referrals, and are not reporting mechanisms, meaning that disclosure on a call to a hotline does not provide any information to the campus. Reporting individuals are encouraged to additionally contact a campus confidential or private resource so that the campus can take appropriate action in these cases).



- To disclose the incident to one of the following college officials who can offer privacy and can provide information about remedies, accommodations, evidence preservation, and how to obtain resources. Those officials will also provide the information contained in the Students' Bill of Rights, including the right to choose when and where to report, to be protected by the institution from retaliation, and to receive assistance and resources from the institution. These college officials will disclose that they are private and not confidential resources, and they may still be required by law and college policy to inform one or more college officials about the incident, including but not limited to the Title IX Coordinator. They will notify reporting individuals that the criminal justice process uses different standards of proof and evidence than internal procedures, and questions about the penal law or the criminal process should be directed to law enforcement or district attorney:
  - o Title IX Coordinator
  - o Campus Public Safety Department-
    - Sanborn Public Safety hours of operations 24/7
    - Niagara Falls Culinary Institute Public Safety
    - Student Housing Village- Public Safety
  - o Vice President of Student Services or Designee
  - o Wellness Center Counselor/Nurse

To file a criminal complaint with the Campus Public Safety Department or with local law enforcement and/or state police:

- o To report a crime on the Sanborn campus:  
Campus Public Safety Department  
3111 Saunders Settlement Road  
Student Center, Room G106  
Sanborn, NY 14132  
(716) 614-6400
- o Niagara County Sheriff's Office  
5526 Niagara Street Extension  
Lockport, NY 14095  
(716) 438-3393
- o New York State Police  
3609 Witmer Rd  
Niagara Falls, NY 14305  
(716) 297-0755

Crimes also can be reported personally to the PSD office, 24 hours a day. The Sanborn Public Safety Department is located in the Student Center (G Bldg), room G-106.

- o To report a crime at the Niagara Falls Culinary Art Institute:  
Campus Public Safety Department  
28 Old Falls Street  
Niagara Falls, NY 14303  
(716) 210-2555



# NIAGARA COUNTY COMMUNITY COLLEGE

## THE SMART PLACE TO START

ANNUAL SECURITY  
& FIRE SAFETY REPORT  
UNDER THE CLERY ACT

- o Niagara Falls Police Department  
1925 Main Street  
Niagara Falls, NY 14305  
(716) 286-4547
- o New York State Police  
3609 Witmer Rd  
Niagara Falls, NY 14305  
(716) 297-0755

Crimes also can be reported personally to the PSD office. The NFCI Public Safety Department is located at the Reception Desk on the first floor.

- o To report a crime at Student Housing Village:  
Public Safety Department  
3115 Saunders Settlement Road  
Sanborn, NY 14132  
(716) 614-6400
- o Niagara County Sheriff's Office  
Niagara 5526 Niagara Street Extension  
Lockport, NY 14095  
(716) 438-3393
- o New York State Police  
3609 Witmer Rd  
Niagara Falls, NY 14305  
(716) 297-0755

State Police 24 hour hotline to report sexual assault on a NY college campus:  
1-844-845-7269

- To receive assistance by the Campus Public Safety Department in initiating legal proceedings in family court or civil court.
- To file a report of sexual assault, domestic violence, dating violence, and /or stalking, and/or talk to the Title IX Coordinator for information and assistance. Reports will be investigated in accordance with NCCC policy and the reporting individual's identity shall remain private at all times if said reporting individual wishes to maintain privacy. If a reporting individual wishes to keep their identity anonymous, they may call the Wellness Center anonymously to discuss the situation and available options  
**<http://www.niagaracc.suny.edu/sexual-assault/>**
  - o **<http://www.niagaracc.suny.edu/wellness>**
  - o Title IX Coordinator  
3111 Saunders Settlement Road  
Sanborn, NY 14132  
(716)614-6241



- When the accused is an employee, a reporting individual may also report the incident to the Human Resource Office or may request that one of the above referenced confidential or private employees assist in reporting to Human Resources. Disciplinary proceedings will be conducted in accordance with applicable collective bargaining agreements. When the accused is an employee of an affiliated entity or vendor of the college, college officials will, at the request of the reporting individual, assist in reporting to the appropriate office of the vendor or affiliated entity and, if the response of the vendor or affiliated entity is not sufficient, assist in obtaining a persona non grata letter, subject to legal requirements and college policy.
  - o Human Resource Office  
3111 Saunders Settlement Road  
Sanborn, NY 14132  
(716) 614-5950

**You may withdraw your complaint or involvement from the NCCC process at any time.**

**Resources:**

- To obtain effective intervention services:
  - o Wellness Center- Personal Counseling Services  
Science Building- C-122  
3111 Saunders Settlement Road  
Sanborn, NY 14132  
(716) 614-6275

**NCCC Wellness Center Personal Counselors provide free and confidential counseling services to victims/survivors.**

- o Wellness Center- Health Services  
Science Building- C 122  
3111 Saunders Settlement Road  
Sanborn, NY 14132  
(716) 614-6275

Registered Nurses are available for emergency treatment of injuries, assessment and care of illness, referrals, and health/wellness counseling. A supply of “over-the-counter” medications is available in the Center for self-use.

Students will be referred to an area hospital, their family physician or community health and/or social service agency when necessary and upon request.

Sexual contact can transmit Sexually Transmitted Infections (STI) and may result in pregnancy. Testing for STI’s and emergency contraception is available at these off-campus locations:

- |                           |                       |
|---------------------------|-----------------------|
| DeGraff Memorial Hospital | Mt St Mary’s Hospital |
| 445 Tremont Street        | 5300 Military Road    |
| North Tonawanda, NY 14120 | Lewiston, NY 14092    |
| (716) 694-4500            | (716) 297-4800        |





Other applicable available off campus centers and services:

Niagara Falls Memorial Medical Center  
621 Tenth St, Niagara Falls, NY 14302  
(716) 278-4000

Millard Fillmore Suburban Hospital  
1540 Maple Road, Williamsville, NY 14221  
(716)568-3600

Sisters of Charity Hospital  
2157 Main Street, Buffalo, NY 14214  
(716) 862-1000

- Within 96 hours of an assault, you can get a Sexual Assault Forensic Examination (commonly referred to as a rape kit) at a hospital. You may be cared for by a SANE Nurse (Sexual Assault Nurse Examiner) who will perform the exam, as well as provide expert testimony in court if needed. While there should be no charge for a rape kit, there may be a charge for medical or counseling services off campus and, in some cases, insurance may be billed for services. You are encouraged to let hospital personnel know if you do not want your insurance policyholder to be notified about your access to these services. The New York State Office of Victim Services may be able to assist in compensating victims/survivors for health care and counseling services, including emergency funds. More information may be found here: Forensic Rape Examination (FRE) Direct Reimbursement Program | Office of Victim Services | <https://ovs.ny.gov/forensic-rape-examination-fre-direct-reimbursement-program> , or by calling 1-800-247- 8035. Options are explained here: Help For Crime Victims <https://ovs.ny.gov/>.
- To best preserve evidence, victims/survivors should avoid showering, washing, changing clothes, combing hair, drinking, eating, or doing anything to alter physical appearance until after a physical exam has been completed.

**Protection and Accommodations:**

- When the accused is a student, to have the college issue a “No Contact Order,” consistent with college policy and procedure, meaning that continuing to contact the protected individual is a violation of college policy subject to additional conduct charges; if the accused and a protected person observe each other in a public place, it is the responsibility of the accused to leave the area immediately and without directly contacting the protected person. Both the accused/respondent and reporting individual may request a prompt review of the need for terms of a No Contact Order, consistent with NCCC’s policy. Parties may submit evidence in support of their request. To have assistance from the Campus Public Safety Department in obtaining information on initiating legal proceedings in family court or civil court, including but not limited to obtaining an Order of Protection or, if outside of New York State, an equivalent protective or restraining order.
- To have an opportunity to meet or speak with a college official who can explain the order and answer questions about it, including information from the Order about the accused’s responsibility to stay away from the protected person(s); that burden does not rest on the protected person(s).
- To have an explanation of the consequences for violating these orders, including but not limited to arrest, additional conduct charges, and interim suspension.
- To have assistance from Public Safety in effecting an arrest when an individual violates an Order of Protection or, if outside of New York State, an equivalent protective or restraining order within the jurisdiction of Public Safety or, if outside of the jurisdiction or if Public Safety does not have arresting powers to call on and assist local law enforcement in effecting an arrest for violating such an order.



- When the accused is a student and presents a continuing threat to the health and safety of the community, to have the accused subject to interim suspension pending the outcome of a conduct process. Parties may request a prompt review of the need for and terms of an interim suspension.
- When the accused is not a student but is member of the college community and presents a continuing threat to the health and safety of the community, to subject the accused to interim measures in accordance with applicable collective bargaining agreements, employee handbook, and College policies and rules.
- When the accused is not a member of the college community, to have assistance from Campus Public Safety Department or other college officials in obtaining a persona non grata letter, subject to legal requirements and college policy.
- To obtain reasonable and available interim measures and accommodations that effect a change in academic, housing, employment, transportation, or other applicable arrangements in order to ensure safety, prevent retaliation, and avoid an ongoing hostile environment. Parties may request a prompt review of the need for and terms of any interim measures and accommodations that the offices referenced in this policy, the following office can serve as a point to assist with these matters:
  - o Vice President of Student Services or Designee  
Notar Administration Building  
Room A 266  
(716) 614-6240

**Student Conduct Process:**

- To request that student conduct charges be filed against the accused. Conduct proceedings are governed by the procedures set forth in the College's handbook:  
**[https://www.niagaracc.suny.edu/wp-content/uploads/2021/08/rights\\_and\\_responsibilities.pdf](https://www.niagaracc.suny.edu/wp-content/uploads/2021/08/rights_and_responsibilities.pdf)** as well as federal and New York state law, including the due process provisions of the United States and New York State Constitutions.
- Throughout conduct proceeding, the respondent and the reporting individual will have:
  - o The same opportunity to be accompanied by an advisor of their choice who may assist and advise the parties throughout the conduct process and any related hearings or meetings. Participation of the advisor in any proceeding is governed by federal law and the Student Code of Conduct;
  - o The right to a prompt response to any complaint and to have their complaint investigated and adjudicated in an impartial, timely, and thorough manner by individuals who receive annual training in conducting investigations of sexual violence, the effects of trauma, impartiality, the rights of the respondent, including the right to a presumption that the respondent is "not responsible: until a finding of responsibility is made, and other issues related to sexual assault, domestic violence, dating violence, and stalking.
  - o The right to an investigation and process conducted in a manner that recognizes the legal and policy requirements of due process including fairness, impartiality, and a meaningful opportunity to be heard) and is not conducted by individuals with a conflict of interest.



- o The right to receive advance written notice or electronic notice of the date, time, and location of any meeting or hearing they are required to or are eligible to attend. Accused individuals will also be told the factual allegations concerning the violation, a reference to the specific code of conduct provisions alleged to have been violated, and possible sanctions.
- o The right to have a conduct process run concurrently with a criminal justice investigation and proceeding, except for temporary delays as requested by external municipal entities while law enforcement gathers evidence. Temporary delays should not last more than 10 days except when law enforcement specifically request and justifies a longer delay.
- o The right to offer evidence during an investigation and to review available relevant evidence in the case file or otherwise held by the College.
- o The right to present evidence and testimony at a hearing, where appropriate.
- o The right to a range of options for providing testimony via alternative arrangements, including telephone/video conferencing.
- o The right to exclude prior sexual history with persons other than the other party in the conduct process or their own mental health diagnosis or treatment from admittance in college disciplinary stage that determines responsibility. Past findings of domestic violence, dating violence, stalking, or sexual assault may be admissible in the disciplinary stage that determine sanction.
- o The right to ask questions of the decision maker and the right to ask questions directly of other parties and witnesses.
- o The right to make an impact statement during the point of the proceeding where the decision maker is deliberating on appropriate sanctions.
- o The right to simultaneous (among the parties) written or electronic notification of the outcome of a conduct proceeding, including the decision, any sanction, and the rationale for the decision and any sanctions.
- o The right to written or electronic notice about the sanction(s) that may be imposed on the accused based upon the outcome of the conduct proceeding. For students found responsible for sexual assault, the available sanctions are suspension with additional requirements and expulsion/dismissal.
- o Access to at least one level of appeal of a determination, which may include one or more students, that is fair and impartial and does not include individuals with a conflict of interest.
- o The right to have access to a full and fair record of a student conduct hearing, which shall be preserved and maintained for at least five years.



- o The right to choose whether to disclose or discuss the outcome of a conduct hearing.
- o The right to have all information obtained during the course of the conduct or judicial process be protected from public release until the appeals panel makes final determination unless otherwise required by law.
  - Vice President of Student Services or Designee  
Notar Administration Building  
Room A266  
3111 Saunders Settlement Road  
Sanborn, NY 14132  
(716) 614-6240

## Options for Confidentially Disclosing Sexual Violence

The State University of New York and Niagara County Community College want you to get the information and support you need regardless of whether you would like to move forward with a report of sexual violence to campus officials or the police. You may want to talk with someone about something you observed or experienced, even if you are not sure that the behavior constitutes sexual violence. A conversation where questions can be answered is far superior to keeping something to yourself. Confidentiality varies, and this document is aimed at helping you understand how confidentiality applies to different resources that may be available to you.

### In this Policy:

- Privileged and Confidential Resources
- Privacy versus Confidentiality
- Requesting Confidentiality: How the College Will Weigh the Request and Respond
- Public Awareness/Advocacy Events
- Anonymous Disclosure
- Institutional Crime Reporting

### Privileged and Confidential Resources:

Individuals who are confidential resources will not report crimes to law enforcement or college officials without your permission, except for extreme circumstances, such as a health and /or safety emergency. At Niagara County Community College, this includes:

- Niagara County Community College Wellness Center Personal Counselors at:  
**<https://www.niagaracc.suny.edu/wellness/counseling/>**

Wellness Center- Personal Counseling  
Science Building- C122  
3111 Saunders Settlement Road  
Sanborn, NY 14132  
(716) 614-6275



Off-campus options to disclose sexual violence confidentially include (note that these outside options do not provide any information to the campus):

- Off campus counselors and advocates. Crisis services will generally maintain confidentiality unless you request disclosure and sign a consent or waiver form. More information on an agency's policies on confidentiality may be obtained directly from the agency.
  - o Rachel Sandle-Sacco  
Rape Crisis Program Supervisor  
YWCA of the Niagara Frontier  
32 Cottage St.  
Lockport, NY 14094  
Office # (716) 433-6714 ext 235  
Fax # (716) 433-1929  
Hotline (716) 433-6716  
Text Hotline (716) 870-9726  
rsandle@ywcanf.org
  
  - o Local SANE hospitals that have a contract with Crisis Services

DeGraff Memorial Hospital	Mt. St. Mary's Hospital
5300 Military Rd	5300 Military Rd
North Tonawanda, NY 14120	Lewiston, NY 14092
(716) 694-4500	(716) 297-4800
  
- Off-campus healthcare providers
  - o Note that medical office and insurance billing practices may reveal information to the insurance policyholder, including medication and /or examinations paid for or administered. The New York State Office of Victim Services may be able to assist in compensating victims/survivors for health care and counseling services, including emergency compensation. More information may be found by calling 1-800-247-8035. Options are explained here: <http://www.ovs.ny.gov/>

Note that even individuals who can typically maintain confidentiality are subject to exceptions under the law, including when an individual is a threat to themselves or others and the mandatory reporting of child abuse.

**Privacy versus Confidentiality:**

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



**Requesting Confidentiality: How NCCC will Weigh the Request and Respond:**

If you disclose an incident to a College employee who is responsible for responding to or reporting sexual violence or sexual harassment, but wish to maintain confidentiality or do not consent to the institution's request to initiate an investigation, the Title IX Coordinator must weigh your request against our obligation to provide a safe, non-discriminatory environment for all members of our community, including you.

We will assist you with academic, housing, transportation, employment, and other reasonable and available accommodations regardless of your reporting choices. While reporting individuals may request accommodations through several college offices, the following office can serve as a primary point of contact to assist with these measures:

Vice President of Student Services or Designee  
Notar Administration Building  
Room A266  
3111 Saunders Settlement Road  
Sanborn, NY 14132  
(716) 614-6240

We may also take proactive steps, such as training or awareness efforts, to combat sexual violence in a general way that does not identify you or the situation you disclosed. We may seek consent from you prior to conducting an investigation. You may decline to consent to an investigation, and that determination will be honored unless the College's failure to act does not adequately mitigate the risk of harm to you or other members of the College community. Honoring your request may limit our ability to meaningfully investigate and pursue conduct action against an accused individual. If we determine that an investigation is required, we will notify you and take immediate action as necessary to protect and assist you.

When you disclose an incident to someone who is responsible for responding to or reporting sexual violence or sexual harassment, but wish to maintain confidentiality, the College will consider many factors to determine whether to proceed despite that request. Factors include, but are not limited to:

- Whether the accused has a history of violent behavior or is a repeat offender;
- Whether the incident represents escalation, such as a situation that previously involved sustained stalking
- The increased risk that the accused will commit additional acts of violence
- Whether the accused used a weapon or force
- Whether the reporting individual is a minor
- Whether we possess other means to obtain evidence such as security footage, and whether the report reveals a pattern of perpetration at a given location or by a particular group

If the College determines that it must move forward with an investigation, the reporting individual or victim/survivor will be notified and the College will take immediate action as necessary to protect and assist them.

**Public Awareness/Advocacy Events:**

If you disclose a situation through a public awareness event such as "Take Back the Night," candlelight vigils, protests, or other public event, the College is not obligated to begin an investigation. The College may use the information you provide to inform the need for additional education and prevention efforts.



**Anonymous Disclosure:** An anonymous form, Report a Sexual Assault Today, is available on the website provided below.  
<http://www.niagaracc.suny.edu/sexual-assault/>

YWCA of Niagara Frontier 24/7 Rape Crisis/Domestic Violence helpline: (716) 433-6716. The helpline is for crisis intervention, resources, referrals, and the ability to meet with a advocate.

New York State Hotline for Sexual Assault and Domestic Violence: 1-800-942-6906. The Hotline is for crisis intervention, resources and referrals and is not a reporting mechanism.

### **Institutional Crime Reporting**

Reports of certain crimes occurring in certain geographical locations will be included in the College Clery Act Annual Security & Fire Safety Report in an anonymized manner that neither identifies the specifics of the crime or the identity of the reporting individual or the victim/survivor.

Campus Public Safety Department  
3111 Saunders Settlement Road  
Sanborn, NY 14132  
(716)614-6400

Niagara County Community College is obligated to issue timely warnings of Clery Act crimes occurring within relevant geography that represent a serious or continuing threat to students and employees (subject to exceptions when potentially compromising law enforcement efforts and when the warning itself could potentially identify the reporting individual or victim/survivor). A reporting individual will never be identified in a timely warning.

The Family Education Rights and Privacy Act allows institutions to share information with parents when (1) there is a health or safety emergency, or (2) when the student is a dependent on either parents' prior year federal income tax return. Generally, NCCC will not share information about a report of sexual violence with parents without the permission of the reporting individual.

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

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

*Note: This policy covers personal drug use whether intentional or accidental. There is not amnesty for drug sale, distribution, or for drugging another individual*

### **Prevention Efforts**

NCCC attempts to foster a safe living, learning, and working environment for all members of the campus community. To accomplish this, NCCC considers the educational programming that addresses all aspects of domestic violence, dating violence, sexual assault, and stalking (safety precautions and prevention, reporting, medical and counseling services, the NCCC discipline systems, academic schedules, living arrangement, etc.), the campus response to sexual violence, domestic violence, dating violence, and instances of stalking, and physical surroundings throughout the campus community.





## Sexual Offender Registry

The Sex Offender Registration Act requires the Division of Criminal Justice Services (DCJS) to maintain a Sex Offender Registry. The Registry contains information on sex offenders classified according to their risk of re-offending: low-risk (Level 1), moderate-risk (Level 2) and high-risk (Level 3). The Act requires that the Division also maintain a Subdirectory of Level 3 Sex Offenders. The DCJS Sex Offender Registry site may be found on the web and contains their Subdirectory of Level 3 Sex Offenders as well as other information regarding New York State's Sex Offender Registry.

Sex offenders registered in New York are now required to notify the Registry of any institution of higher education at which they are, or expects to be, whether for compensation or not, enrolled, attending or employed, and whether such sex offender resides or expects to reside in a facility operated by the institution. Changes in status at the institution of higher education must also be reported to the Registry no later than ten days after such change.

The Division of Criminal Justice Services' Sex Offender Registry may be found at:

[www.criminaljustice.ny.gov/nsor/](http://www.criminaljustice.ny.gov/nsor/)

Local registry:

<http://www.niagarasheriff.com>

## Risk Reduction Tips

With no intent to victim blame and recognizing that only rapists are responsible for rape, the following are some strategies to reduce one's risk of sexual assault or harassment.

- **Be aware** of your surroundings. Knowing where you are and who is around you may help you find a way to get out of a bad situation.
- Try to **avoid isolated areas**. It is more difficult to get help if no one is around.
- **Walk with purpose**. Even if you don't know where you are going, act like you do.
- **Trust your instincts**. If a situation or location feels unsafe or uncomfortable, it probably isn't the best place to be.
- **Try not to load yourself down** with packages or bags as this can make you appear more vulnerable.
- **Make sure your cell phone is with you** and charged and that you have cab money.
- **Don't allow yourself to be isolated** with someone you don't trust or someone you don't know.
- **Avoid putting music headphones in both ears** so you can be more aware of your surroundings, especially if you are walking alone.
- **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 find a way out of a bad situation.
- **If you feel unsafe** in any situation, go with your gut instinct. If you see something suspicious, contact law enforcement immediately (local law enforcement can be reached by dialing 9-1-1 in most areas of the U.S.).
- **Don't leave your drink unattended** while talking, dancing, using the restroom, or making a phone call. If you've left your drink unattended, get new one.
- **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.
- **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.
- **If you suspect you or a friend has been drugged, contact law enforcement immediately** (local law enforcement can be reached by calling 9-1-1 in most areas of the U.S.). Be explicit with doctors so they can give you the correct tests.



If you need to get out of an uncomfortable or scary situation here are some things that you can try:

- **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.
- **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 with what you're comfortable with.
- **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.
- **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 you need to be, etc.
- **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?
- **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.

## Definitions - Clery Violence Against Women Act

### Clery Definitions

#### Dating Violence

Dating violence is any act of violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the victim's statement and with consideration of the type and length of the relationship and the frequency of interaction between the persons involved in the relationship. Two people may be in a romantic or intimate relationship, regardless of whether the relationship is sexual in nature; however, neither a casual acquaintance nor ordinary fraternization between two individuals in a business or social context shall constitute a romantic or intimate relationship. This definition does not include acts covered under domestic violence.

#### Domestic Violence

Domestic violence is any violent felony or misdemeanor crime committed by a current or former spouse or intimate partner of the victim, a person sharing a child with the victim, or a person cohabitating with the victim as a spouse or intimate partner.

#### Stalking

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



## Consent

“Consent” also known as “Affirmative Consent” means a knowing, voluntary, and mutual decision among all participants to engage in sexual activity. Consent can be given by words or actions, as long as those words or actions create clear permission regarding willingness to engage in the sexual activity. Silence or lack of resistance, in and of itself, does not demonstrate consent. The definition of consent does not vary based upon a participant’s sex, sexual orientation, gender identity, or gender expression.

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

## What is Coercion?

Coercion is the use of force, through threats, pressure, begging, blackmail, or incapacitation (alcohol/ drugs), in order to get someone to do something and can range from being subtle to obvious. Methods of coercion include but are not limited to:

- Encouraging someone to disregard personal boundaries
- Encouraging someone to drink alcohol
- Actively pressuring someone to engage in sexual behavior
- Using guilt or pressure to get someone to engage in sexual behavior
- Threatening harm
- Using physical harm
- Using emotional pressure to get what you want

You are being coerced if:

- You feel like you have no choice
- You face potential social consequences if you don't do what is asked
- You are relentlessly pressured
- You feel threatened or afraid of what might happen if you resist
- A person abuses authority and rank to get you to comply
- A person continues pressure after you have said “no”

## NCCC

### Sexual Assault and Rape

Niagara County Community College does not condone any form of sexual assault committed by any member of the college community. Sexual assaults are crimes of violence. Men and women of the campus community who commit these crimes are subject to severe sanctions pursuant to the penal law of the state of New York, through the campus judicial system, or college procedures; as established through the collective bargaining agreements, Board of Trustees policy, and/ or the Student Code of Conduct. Internal sanctions may include suspension or expulsion of students, required leave, or terminations of employment.



Sexual assault incidents shall be reported to the Public Safety Department (PSD). When a survivor reports an incident, employees specially trained to provide assistance will be contacted immediately upon their request. These specially trained employees may include the College Nurse, a Licensed Mental Health Counselor, a victim advocate from the YWCA, the Director of Housing, the Title IX Coordinator and/or a representative of the PSD. Upon approval of the survivor, immediate medical and psychological treatment will be provided. The survivor will be advised of their rights to initiate judicial proceedings on campus including the possibility of initiating the Title IX Grievance process, as well as the right to utilize law enforcement agencies. If the assault occurred off campus-owned or controlled property and the alleged perpetrator is a member of the college community, the college may enforce established disciplinary procedures as deemed necessary to protect the institution and those affiliated members. Allegations of sexual assault or rape occurring off campus should be reported to the local police department, NYS Police, or the Niagara County Sheriff's Office by dialing 9-1-1.

Additionally, allegations of sexual assaults can be reported to any of the following:

- Office of Human Resources, Notar Administration Building, A261, (716) 614-5951
- Title IX Coordinator, Notar Administration Building, A-261, (716) 614-6295
- Vice President of Student Services or Designee, Notar Administration Building, A- 266 (716) 614-6240

### **What to do if you are Sexually Assaulted**

If you have been hurt by an acquaintance, partner, family member or stranger, it was not your fault. The NCCC Wellness Center, (716) 614-6275, provides free and confidential services to NCCC students and employees who have been hurt by sexual assault, relationship violence, and stalking. If you are on campus the YWCA of Niagara Frontier 24-hour Rape Crisis/Domestic Violence hotline (716) 433-6716 also provides free and confidential services to persons hurt by sexual assault, relationship violence, and stalking. Below you will find information about sexual assault and services available for students.

### **If you have been Sexually Assaulted**

***Get to a safe location. Below are services available for advocacy/counseling, medical assistance, evidence collection and reporting options.***

Tell a person who will support you and/or contact the 24/7 YWCA Rape Crisis/Domestic Violence hotline at: (716) 433-6716 (Call or Text) who will dispatch an advocate to the college or housing to assist you.

The NCCC Wellness Center provides assistance for NCCC students that are survivors of violence. They can answer questions, offer emotional support, and provide referrals. You can also make an appointment with a counselor by visiting the Wellness Center, located in the Science Building, Room C-122, or by calling (716) 614-6275.

### ***Have your medical needs attended to in the emergency room.***

Taking care of your physical and medical state can play an important role in healing. You may have internal and /or external injuries as a result of the assault requiring medical care. Additionally, you may want to explore options for preventing sexually transmitted infections/disease (STI/STD) and /or pregnancy.

***Emergency Contraception (EC)*** is available at area pharmacies, while it is "over the counter" and does not require an Rx, you will have to ask the pharmacist to obtain EC. There is no 'right' place to go for medical attention after an assault. Seek the services that best match your needs and comfort level, your own health care practitioner, a staff member at the Wellness Center, or the local emergency room.



If you are a housing resident, the closest hospital for victims of sexual assault is Mt. St. Mary's Hospital in Lewiston, where they offer 24 hr coverage. Specially trained nurses (SANE Nurse) will be available who will explain the options for having a sexual assault exam with collection of evidence. An advocate is also available, with 24 hr coverage, to provide victims with follow-up information and referrals. Victims have the right to decline services if they do not want an advocate for the collection of evidence.

**Contact Information:**

Mt. St. Mary's Hospital  
5300 Military Road  
Lewiston, NY 14092  
(716) 297-4800

<https://www.chsbuffalo.org/mount-st-marys-hospital>

DeGraff Memorial Hospital  
445 Tremont Street  
North Tonawanda, NY 14120  
(716) 694-4500

<https://www.degraffmedicalpark.org/>

For more information:

<http://www.niagaracc.suny.edu/sexual-assault/>

<http://www.suny.edu/violence-response/>

<https://ywcaniagarafontier.org/services/womens-services/crisis-services/>

**Definition:** Sexual assault is a forced sexual act or any sexual contact against one's will as defined in penal law S130.00 (3).

**Disciplinary Action:** If the accused is a student, the procedures detailed in the Student's Rights and Responsibilities – Student Code of Conduct and/or the Title IX Student Policy shall be followed. If the accused is an employee of the college/or College Association, the procedure detailed in the respective contractual agreement and/or according to terms or conditions of employment shall be utilized. All documents related to the incident will be kept on file as required by the State of New York.

Where there is reason to believe the Niagara County Community College's regulations prohibiting sexual misconduct have been violated, the College will pursue strong disciplinary action through its own channels regardless of whether a criminal case is pursued. This discipline includes the possibility of suspension or expulsion from NCCC.

An individual charged with a crime related to sexual assault may be subject to NCCC's disciplinary procedures, whether or not an individual is prosecuted under the New York State Penal Code. During the disciplinary process, the rights of the accused are as described in Student's Rights and Responsibility, Code of Conduct, the Title IX Student Policy, New York State laws, rules and regulations, and in any applicable collective bargaining agreements.

The College will make every effort to be responsive and sensitive to victims of these serious crimes. Protection of the victim and prevention of continued trauma is the College's priority. If the victim and the accused live in the same residence hall, an immediate hearing with the Vice President of Student Services or Designee, Title IX Coordinator, Director of Housing and the Chief of Campus Public Safety will be held to determine the need for modifying the living arrangements.

Assistance for any other personal or academic concerns will be reviewed and options provided in accord with the College's coordinated response to the sexual assault of students.

## **NCCC Disciplinary Sanctions for Students**

The Vice President of Student Services or Designee (VPSS) may impose one or more NCCC sanctions as described below for violations of the code.



### **Status Sanctions**

The following sanctions may be imposed singularly or in any combination. The Judicial Board is not limited to the following sanctions and may recommend any other sanction(s) considered appropriate. The Vice President of Student Services or Designee, or designee, is not limited to the following sanctions and may impose any other sanction(s) considered appropriate.

- No Action.
- Warning: Notice to the student stating that repetition of the misconduct for a period not exceeding one (1) calendar year is cause for more severe disciplinary action.
- Mediation and or counseling referral.
- Disciplinary Probation: suspension from participating in privileges or College co-curricular activities for a specified period of time.
- Restitution: Reimbursement for any damage or misappropriation of property.
- Community Service: may include performance of no more than fifty (50) hours of unpaid work assignments per semester either on or off campus as specified. Assignments are assigned and supervised by an administrative officer of the College and may not be combined or in conjunction with any other volunteer or court ordered requirement.
- Educational Activities: such sanctions may include a formal apology in writing and/or in person; a behavioral contract specifying the behavioral requirements to be followed, a reflective writing assignment or attendance at an event directly related to the violation committed.
- Restrictions: temporary or permanent loss of the use of a College facility, service, and or the privilege of participating in any extra-curricular activity.
- Mental Health and Threat Assessments: professional assessments may be imposed at the expense of the student.
- Suspension: Exclusion from all class(es), College premises, College sponsored or College supervised functions or privileges as determined by the Vice President of Student Services, or designee, for a period not exceeding one (1) calendar year. Any conditions of readmission shall be stated in the notice of suspension.
- Expulsion: Termination of student status for an indefinite period of time. Any condition(s) of readmission shall be stated in the notice of expulsion.
- Interim Suspension: Exclusion from any class(es), component of any class(es), College premises, College sponsored or College supervised functions or privileges for which the student might otherwise be eligible at the discretion of the Vice President of Student Services, or designee.
- No Contact Order: A no contact order can be issued for incidents where it is in the best interest of both the reporting individual and the respondent to not have contact. A no contact order consists of physical, electronic, and verbal contact. The order may also restrict access to certain areas of the College and certain activities sponsored by the College.

Interim Suspension shall only be imposed in extreme circumstances by the Vice President of Student Services, or designee:

- To ensure the safety and well-being of any member of the College Community or preservation of College property.
- To ensure the student's physical or emotional safety or well-being .
- If the student poses definite threat, disruption or interference with the normal operations of the College.

For more information on our disciplinary sanctions please see the Student Rights and Responsibilities (Code of Conduct).

[https://www.niagaracc.suny.edu/wp-content/uploads/2021/08/rights\\_and\\_responsibilities.pdf](https://www.niagaracc.suny.edu/wp-content/uploads/2021/08/rights_and_responsibilities.pdf)

### **Restrictions or Educational Activities Sanctions**

Having the intent of effecting a safer campus environment and /or promoting the development of a student determined responsible for code violations, the Vice President of Student Services (VPSS) or judicial body may impose additional sanctions. Such sanctions may include but are not limited to:





- The VPSS will direct a disciplinary withdrawal of a student who has been suspended.
- No Contact Directive: A directive to refrain from any intentional contact, direct or indirect, with one or more designated persons or group(s) through any means, including personal contact, email, telephone, or through third parties.

## What you should know about sexual assault

Several studies show that 50 to 60 percent of women surveyed have reported that they were victims of some sort of sexual aggression. One survey of college women indicated that one out of four in this age group had a sexual encounter that would legally constitute a rape. A similar survey of men indicated that one man in twelve admitted to sexual encounters that could be defined as rape, or attempted rape; yet none of these men identified himself as a rapist.

Sexual assaults occur not only between strangers but also between men and women who know each other. Acquaintance rape- sometimes called date rape- is forced, manipulated or coerced sexual intercourse by a man or woman who is known to the victim. Acquaintance rape occurs all over the country within all socioeconomic and age groups. However, most victims are women between the ages of 15 and 24.

### More Facts:

1. Most attacks are not reported. According to surveys on rape, 90 percent of the victims never report it to the authorities. Many victims do not associate an attack as a rape when the rapist is someone they know. In some cases, victims believe they may have caused the rape by consenting to a date, and then getting caught in a compromising situation. They may find it very difficult to report the attacker if he/she has been a friend, and may fear that their friends will think he/she "led him on" in some way. Some friends believe their friends will not believe them at all.
2. Victims of acquaintance rape tend to feel ashamed, guilty and depressed. Whether they acknowledge their experience as a rape or not, 30 percent of women identified in the study of college students as rape victims contemplated suicide after the incident. They feel betrayed and lose confidence in their judgment because they did not recognize the acquaintances as a potential rapist.
3. Acquaintance rape often results from poor communication. Some misunderstand words and actions and assume that when he/she says "no", it really means "yes". What a person says and how a person behaves may create conflicting messages. Society has led men and women to believe that a women's role is to be passive, and a man should be aggressive. Many people feel that a man has a right to be more sexually aggressive when he has dated a woman for a long time; if they have had previous sexual encounters; or if she has led him on; in some manner.
4. Society further conditions men and women to send strong nonverbal messages about their sexuality by the clothes they wear, the tone of their voice, their body language and eye contact.

## How to be an Active Bystander

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. 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 list of some ways to be an active bystander. If you or someone else is in immediate danger, dial 9-1-1. This could be when a person is yelling at or being physically abusive towards another and it is not safe for you to interrupt.

- 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.
- Confront people who seclude, hit on, try to make out with, or have sex with people who are incapacitated.
- Speak up when someone discusses plans to take advantage of another person.





- Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
- Refer people to on or off campus resources listed in this document for support in health, counseling, or with legal assistance.

In compliance with the Drug-free Schools and Campus Act and the Drug-free Workplace Act, this policy is intended to inform all members of the College community of the College's policy concerning alcohol and other drugs. This policy applies to all student and to all employees (faculty and staff)

## Campus Drug & Alcohol Policy

Niagara County Community College is committed to promoting a drug-free campus environment and elimination of drug and alcohol abuse for its students and employees.

Consistent with the Drug-Free and Communities Act Amendments of 1989 (Public Law 101-226), all students and employees are advised that individuals who violate federal, state or local laws and campus policies are subject to College disciplinary action and criminal prosecution.

The unlawful manufacture, distribution, dispensation, possession or use of a controlled substance is prohibited in and on Niagara County Community College owned or controlled property. Any Niagara County Community College employee determined to have violated this policy may be subject to disciplinary action up to and including removal. No employee will report to work while under the influence of illegal drugs. Violation of these rules by an employee will be reason for mandatory evaluation/treatment for a substance use disorder or for disciplinary action up to and including removal.

This policy includes the prohibition against use, manufacture, possession or distribution of marijuana, whether or not for medical use and whether or not the individual possesses a certificate of medical need, since such use, manufacture possession or distribution of marijuana continues to be a violation of federal law.

Any student determined to have violated this policy may be subject to disciplinary action as imposed through the Student Code of Conduct procedures. No student shall report to the College while under the influence of illegal drugs. The use of alcohol while on Niagara County Community College owned or controlled grounds is absolutely prohibited except when authorized by the College for approved College functions.

Students and employees should be aware there are significant psychological and physiological health risks associated with the use of illicit drugs and alcohol. Physical addiction, loss of control and withdrawal syndrome as well as serious damage to vital organs of the body can result from drug and alcohol abuse.

The following resources are available for assisting those with possible problems of chemical abuse:

Wellness Center  
Science Building  
Room C122

<https://www.niagaracc.suny.edu/wellness/>

or by calling (716) 614-6275

Outside of the campus, assistance can be found in Niagara County on the following website:

[https://www.niagaracounty.com/departments/m-r/mental\\_health\\_\\_\\_substance\\_abuse/index.php](https://www.niagaracounty.com/departments/m-r/mental_health___substance_abuse/index.php) or by calling the 24 hour Crisis Services at (716)-285-3515.



## New York State Law

Articles 220 and 221 of the New York State Penal Law set criminal penalties for possession or sale of drugs considered harmful or subject to abuse. The seriousness of the offense and penalty imposed upon conviction depend upon the individual drug and amount held or sold.

## Hashish

The penalties for sale or possession of hashish are more severe. Possession of any amount, no matter how small, is a misdemeanor punishable by up to one year in county jail and/or up to \$1000 fine. Possession of one-quarter ounce or more is a felony. Sale of any amount of hashish, no matter how small, is a felony.

## Cocaine and Crack

Possession of any amount, no matter how small, is the most serious class of misdemeanor punishable by up to 12 months in a county jail. Possession of 500 milligrams or more is a class D felony punishable by 2.3 to 7 years in a state correctional facility. Sale of any amount is a felony.

## Effects and Symptoms of overdose, withdrawal and misuse of alcohol and drugs

A description of alcohol and drug categories, their effects, symptoms of overdose, symptoms of withdrawal and indications of misuse can be found at: [www.samhsa.gov](http://www.samhsa.gov)

Drug Enforcement Administration of the U.S. Department of Justice website: <https://www.dea.gov/factsheets>

Federal Trafficking Penalties can be found at: [https://www.dea.gov/sites/default/files/drug\\_of\\_abuse.pdf#page=30](https://www.dea.gov/sites/default/files/drug_of_abuse.pdf#page=30)

## Alcohol Policy and Enforcement Guidelines for Niagara County Community College

### General Policy for Use of Alcohol on Campus

1. The College adheres to and enforces all federal, state and local laws concerning alcohol. Alcohol may only be sold and served at pre-approved social functions where the Alcohol Use Registration Form has been approved by the College Association.
2. No student under the age of twenty-one may possess or consume alcoholic beverages anywhere on campus.
3. Alcoholic beverages are not permitted in any student housing. These areas are designated as alcohol free. See Student Housing Handbook for more information.
4. The following are prohibited under the College's alcohol policy: binge drinking; driving under the influence; kegs and beer balls, whether empty or full, tapped or untapped; spiked punch; Jell-O shots containing alcohol; drinking games or any behavior that encourages or contributes to excess alcohol consumption; carrying open containers in any public area of campus; possessing, consuming and storage of alcohol are prohibited in all public areas, e.g. lounges, hallways, stairwells, common bathrooms, or outdoor areas.

## Summary of Policies Governing the Use of Alcohol on All Niagara County Community College Properties

1. No alcohol may be consumed in academic buildings, on Athletic Fields, in the Physical Education complex, at the Niagara Falls



Culinary Art Institute or at the Student Housing, except at “alcohol approved” social functions. An alcohol approved social function is one where the Alcohol Use Registration Form is filled out and approved by the College Association.

2. Under New York law, only persons twenty-one (21) years of age or older are legally entitled to purchase, be sold, given, or served alcohol. A person under 21 years of age may not possess or consume alcoholic beverages at any time on the College campus.
3. Under New York law, persons under the age of 21 are prohibited from possessing any alcoholic beverages with intent to consume the beverage. Violators are subject to a fine up to \$50.00 per offense. Authorized law enforcement personnel may seize alcoholic beverages involved in alleged violations of this law.
4. New York law further provides that any person, other than a parent or guardian, who purchases alcohol for, procures for, or gives alcohol to anyone under 21 years of age is guilty of a misdemeanor.
5. Under New York law, anyone under 21 years of age who uses fraudulent proof of age to obtain alcohol is guilty of a misdemeanor. This violation is punishable by a fine of up to \$100.00 and a community service requirement of up to thirty (30) hours.
6. The Director of Housing shall interpret the alcohol policy at student housing. The Vice President for Student Services is responsible for implementing and interpreting the alcohol use policy.

## Alcohol Policy Enforcement

1. Within NCCC’s policies and regulations, the College permits students of legal drinking age to possess and consume alcoholic beverages at special events that had prior administrative approval. However, individuals under 21 years of age may do neither  
**EXPECTATION:** College administrators, Resident Housing Officials and PSD (herein referred to as College officials) are expected to clearly explain to students what action will be taken in dealing with alcohol policy violations.

When encountering instances of alcohol policy violations, College officials are expected to confront the violators. Information should be provided as to what behavior is inappropriate and what the individual is expected to do to be in compliance with the campus alcohol policy. If the individual is cooperative and complies with the request, the incident may be considered resolved. If the individual is uncooperative or refuses to comply, College officials responsible for the building or area should be contacted. If the policy administrator is unavailable or the individual continues to be uncooperative, the Campus Public Safety Department should be summoned. The CPSD will formally identify the violator and state the campus expectation for compliance with the College’s alcohol policy. In such cases, an Incident Report will be completed by the CPSD and the individual referred to the campus Judicial System. The CPSD reserve the right to have the person(s) arrested, or issued a notice to meet with the Vice President of Student Services or the Director of Student Housing if such action is deemed necessary.

2. **STAFF DIRECTIVES TO VIOLATORS:** Violators are to be instructed to dispose of the alcohol by means other than consuming it. Students may either pour the alcohol out on their own or give it to a staff member to pour out. When students pour alcohol out themselves, a College official should accompany the student to ensure proper disposal. Students are not to dispose of alcohol by consuming it, throwing it in a trash can or giving it to another person who may be 21 years of age. The College official should ask the students if they intend to comply with the request. If the students are cooperative, they can proceed to dispose of the alcohol. Internal departmental procedures for communicating and documenting such incidents should take place. It is expected that students who violate the College’s alcohol policy will have the incident referred to the campus judicial system for appropriate sanctioning. If the students are uncooperative or refuse the official’s request, the Public Safety Department or law enforcement should be summoned for assistance. Again, it is expected such incidents will result in the preparation of an Incident Report and referral of the incident to the campus judicial system for alleged violation of the alcohol policy as well as non-compliance with the College Official.



3. **NOTE:** If College officials encounter an unauthorized bulk container (e.g. beer ball, box of wine, keg, or “bash”) it should be removed to an area where it can be drained. Once it is drained the container and tapping equipment, as appropriate, should be returned to the students. If the students refuse to drain the bulk container, the CPSD should be summoned.

## **Campus Policy for Governing the Use of Alcohol in Residence Hall**

All Niagara County Community College students who live in residence halls, and their visitors/guests, are subject to New York State Law and the College’s policy regarding possession and consumption of alcohol, as well as specific policies governing the residence hall.

### 1. **Definition of Student Housing**

NCCC students have various options to live near campus. In particular, the Student Housing Village Corporation, an affiliated entity to the College Association, that manages all auxiliary functions at the College, offers NCCC students various living arrangements.

Student Housing is defined as The Student Housing Village, including outdoor areas.

### 2. **Alcohol Policy in the Student Housing Village**

Alcoholic beverages are never permitted in residence halls. This includes all residential areas in the Student Housing Village. Visitors or guests of students residing in these areas are not permitted to possess or consume alcohol in these areas regardless of whether they are of legal drinking age. These areas are designated as alcohol free. Web site for alcohol policy:

[https://www.niagaracc.suny.edu/wp-content/uploads/2021/08/rights\\_and\\_responsibilities.pdf](https://www.niagaracc.suny.edu/wp-content/uploads/2021/08/rights_and_responsibilities.pdf)

### 3. **Alcohol Policy for Students Under 21 Years of Age Living in the Student Housing Village**

A person under 21 years of age may not possess or consume alcoholic beverages at any time on Housing property. Visitors or guests of students under 21 years of age are not permitted to possess or consume alcohol in the suite or bedroom of an underage student regardless of whether they are of legal drinking age. Alcohol containers, including empty liquor bottles, wine bottles and/or beer cans are prohibited.

### 4. **Alcohol Policy for Students Over 21 Years of Age Living in Student Housing**

The following regulations regarding alcohol use apply to students and visitors/guests in the Student Housing Village areas who are 21 years of age or older:

No individual student may possess alcoholic beverages, whether under the age of 21 or of the New York State legal age of 21.

Binge drinking is defined as consuming five or more drinks in about 2 hours for men or four or more drinks in the same time period for women. (<https://www.niaaa.nih.gov/alcohol-health/overview-alcohol-consumption/moderate-binge-drinking>) Binge drinking is strictly prohibited.

Individuals of legal drinking age may not provide alcohol to underage roommates, suitemates, visitors or guests.

Drinking games (e.g. beer pong) and other activities that promote the irresponsible use of alcohol are prohibited. This includes the use of alcohol paraphernalia such as funnels and ice luges.



Kegs and beer balls, whether empty or full, tapped or untapped, are prohibited. Spiked punch and Jell-O shots containing alcohol, regardless of alcohol content are also prohibited.

Behavior that encourages or contributes to alcohol consumption by another student is prohibited.

Carrying open containers of alcoholic beverages or consuming them in any public area of the campus is prohibited. This includes movement between residence hall rooms or apartments with an alcoholic beverage.

Compliance with all requests by College and/or Resident officials, including, but not limited to, Student Housing staff or CPSD, for proof of 21-year-old status is required. If there is reasonable suspicion to believe that alcohol might be in squeeze bottles, cups or other such containers, College and Student Housing staff reserve the right to approach students and hold individuals accountable under the provisions of this policy.

Possession, consumption, and storage of alcohol are prohibited in all public areas, e.g. lounges, hallways, stairwells, common bathrooms, or outdoor areas.

Driving on College property while under the influence of alcohol is strictly prohibited and will result in arrest, loss of driving privileges on campus, and possible suspension or expulsion from the College. Please see the following web site for further NYS Department of Motor Vehicles information, including FAQ's regarding Alcohol, Drugs, and DWI:

**<https://dmv.ny.gov/tickets/penalties-alcohol-or-drug-related-violations>**

#### ***Alcohol and Other Drug Education, Prevention Services and Programs***

The College offers alcohol and drug education prevention services and referrals. Current information regarding alcohol and drug prevention services and educational programs can be found by linking to:

**<https://www.niagaracc.suny.edu/wellness/counseling/>**

#### ***The Incident-Sanction Protocol for Alcohol & Other Drug Violations***

The Sanction Guide is designed to cover a range of sanctions that would be considered appropriate for a particular violation or behavior – including inappropriate alcohol and other drug use. The College's response is not restricted to those sanctions listed in the protocol. Students are advised that illegal possession and/or use of alcohol and other drugs are strictly prohibited at the College.

See the following link for the Sanction Guide:

**[https://www.niagaracc.suny.edu/wp-content/uploads/2021/08/rights\\_and\\_responsibilities.pdf](https://www.niagaracc.suny.edu/wp-content/uploads/2021/08/rights_and_responsibilities.pdf)**



## SUMMARY OF FEDERAL DRUG LAW<sup>2</sup>

Federal Trafficking Penalties for Schedules I, II, III, IV, and V (except Marijuana, App. 2)				
Schedule	Substance/ Quantity	Penalty	Substance/ Quantity	Penalty
II	Cocaine 500-4,999 grams mixture	<p>First Offense:            Not less than 5 yrs. and not more than 40 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine of not more than \$5 million if an individual, \$25 million if not an individual.</p> <p>Second Offense:            Not less than 10 yrs. and not more than life. If death or serious bodily injury, life imprisonment.            Fine of not more than \$8 million if an individual, \$50 million if not an individual.</p>	Cocaine 5 kilograms or more mixture	<p>First Offense:            Not less than 10 yrs. and not more than life. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine of not more than \$10 million if an individual, \$50 million if not an individual.</p> <p>Second Offense: Not less than 20 yrs. and not more than life. If death or serious bodily injury, life imprisonment.            Fine of not more than \$20 million if an individual, \$75 million if not an individual.</p> <p>2 or More Prior Offenses:            Life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.</p>
II	Cocaine Base 28-279 grams mixture		Cocaine Base 280 grams or more mixture	
IV	Fentanyl 40-399 grams mixture		Fentanyl 400 grams or more mixture	
I	Fentanyl Analogue 10-99 grams mixture		Fentanyl Analogue 100 grams or more mixture	
I	Heroin 100-999 grams mixture		Heroin 1 kilogram or more mixture	
I	LSD 1-9 grams mixture		LSD 10 grams or more mixture	
II	Methamphetamine 5-49 grams pure or 50-499 grams mixture		Methamphetamine 50 grams or more pure or 500 grams or more mixture	
II	PCP 10-99 grams pure or 100-999 grams mixture		PCP 100 grams or more pure or 1 kilogram or more mixture	

<sup>2</sup> Available at: Title 21 Code of Federal Regulations, Part 1308 – Schedules of Controlled Substances  
<https://www.dea.gov/sites/default/files/2022-12/federal%20trafficking%20penalties.pdf>  
 Also available at <https://www.accessdata.fda.gov/scripts/cdrh/cfdocs/cfcfr/CFRSearch.cfm>



**SUMMARY OF FEDERAL DRUG LAW (CONTINUED)**

Substance/Quantity	Penalty
Any Amount of Other Schedule I & II Substances	<p><b>First Offense:</b> Not more 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 not an individual.</p> <p><b>Second Offense:</b> Not more than 30 yrs. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if not an individual.</p>
Any Amount of Any Drug Product Containing Gamma Hydroxybutyric Acid	
Flunitrazepam (Schedule IV) 1 Gram	
Any Amount of Other Schedule III Drugs	<p><b>First Offense:</b> Not more than 10 yrs. If death or serious bodily injury, not more than 15 yrs. Fine not more than \$500,000 if an individual, \$2.5 million if not an individual.</p> <p><b>Second Offense:</b> 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.</p>
Any Amount of All Other Schedule IV Drugs (other than Flunitrazepam)	<p><b>First Offense:</b> Not more than 5 yrs. Fine not more than \$250,000 if an individual, \$1 million if not an individual.</p> <p><b>Second Offense:</b> Not more than 10 yrs. Fine not more than \$500,000 if an individual, \$2 million if other than an individual.</p>
Flunitrazepam (Schedule IV) (Other than 1 gram or more)	<p><b>First Offense:</b> Not more than 5 yrs. Fine not more than \$250,000 if an individual, \$1 million if not an individual.</p> <p><b>Second Offense:</b> Not more than 10 yrs. Fine not more than \$500,000 if an individual, \$2 million if other than an individual.</p>
Any Amount of All Schedule V Drugs	<p><b>First Offense:</b> Not more than 1 yr. Fine not more than \$100,000 if an individual, \$250,000 if not an individual.</p> <p><b>Second Offense:</b> Not more than 4 yrs. Fine not more than \$200,000 if an individual, \$500,000 if not an individual.</p>





**SUMMARY OF FEDERAL MARIJUANA LAW<sup>3</sup>**

Substance / Schedule	Quantity	1st Offense	2nd Offense
<b>Marijuana (Schedule I)</b>	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 \$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.
<b>Marijuana (Schedule I)</b>	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 \$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, \$75million if other than an individual.
<b>Marijuana (Schedule I)</b>	More than 10 kgs hashish; 50 to 99 kg marijuana mixture More than 1 kg of hashish oil; 50 to 99 marijuana plants	Not more 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 more than 30 yrs. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if other than an individual.
<b>Marijuana (Schedule I)</b>	Less than 50 kilograms marijuana (but does not include 50 or more marijuana plants regardless of weight)  1 to 49 marijuana plants;	Not more than 5 yrs. Fine not more than \$250,000, \$1 million if other than an individual.	Not more than 10 yrs. Fine \$500,000 if an individual, \$2 million if other than individual.
<b>Hashish (Schedule I)</b>	10 kg or less		
<b>Hashish Oil (Schedule I)</b>	1 kg or less		

<sup>3</sup> Available at Title 21 Code of Federal Regulations, Part 1308.11 – Schedules of Controlled Substances: Schedule 1  
<https://www.dea.gov/sites/default/files/2022-12/federal%20trafficking%20penalties.pdf>  
 Also available at <https://www.accessdata.fda.gov/scripts/cdrh/cfdocs/cfcfr/CFRSearch.cfm?fr=1308.11>



## HEALTH RISKS INFORMATION: ALCOHOL<sup>4</sup>

### Health Risks

The following information on health risks is from the Centers for Disease Control and Prevention:

Drinking too much can harm your health. Excessive alcohol use led to approximately 95,000 deaths and 2.8 million years of potential life lost (YPLL) each year in the United States from 2011– 2015, shortening the lives of those who died by an average of 29 years. Further, excessive drinking was responsible for 1 in 10 deaths among working-age adults aged 20-64 years. The economic costs of excessive alcohol consumption in 2010 were estimated at \$249 billion, or \$2.05 a drink.

The Dietary Guidelines for Americans defines moderate drinking as up to 1 drink or less a day for women and up to 2 drinks or less in a day for men, on days when alcohol is consumed. In addition, the Dietary Guidelines do not recommend that individuals who do not drink alcohol start drinking for any reason and that if adults of legal drinking age choose to drink alcoholic beverages, drinking less is better for health than drinking more.

Excessive drinking includes binge drinking, heavy drinking, and any drinking by pregnant women or people younger than 21. Excessive alcohol use has immediate effects that increase the risk of many harmful health conditions. Over time, excessive alcohol use can lead to the development of chronic diseases and other serious problems including: High blood pressure, heart disease, stroke, liver disease, and digestive problems; Cancer of the breast, mouth, throat, esophagus, liver, and colon; Learning and memory problems, including dementia and poor school performance; Mental health challenges, including depression and anxiety; Social problems, including lost productivity, family problems, and unemployment; Alcohol dependence, or alcoholism. By not drinking too much, you can reduce the risk of these short- and long-term health risks.

<sup>4</sup> Available at CDC website: <https://www.cdc.gov/alcohol/fact-sheets/alcohol-use.htm> (finished 7/26/23)



## HEALTH RISKS INFORMATION: MARIJUANA<sup>5</sup>

### Health Risks

The following information on health risks is from the Centers for Disease Control and Prevention:

Marijuana is the most commonly used federally illegal drug in the United States. Marijuana use may have a wide range of health effects on the body and brain.

About 3 in 10 marijuana users may experience some form of addiction. For people who begin using before the age of 18, that number is even greater. People who are addicted to marijuana may also be at a higher risk of other negative consequences of using the drug, such as problems with attention, memory, and learning. Some people who are addicted may need to smoke more and more marijuana to get the same high. It is also important to be aware that the amount of tetrahydrocannabinol (THC) in marijuana (i.e., marijuana potency or strength) has increased over the past few decades. The higher the THC content, the stronger the effects on the brain. In addition, some methods of using marijuana (e.g., dabbing, edibles) may deliver very high levels of THC to the user.

In many cases, marijuana is smoked in the form hand-rolled cigarettes (joints), in pipes or water pipes (bongs), in bowls, or in blunts—emptied cigars that have been partly or completely refilled with marijuana. Smoked marijuana, in any form, can harm lung tissues and cause scarring and damage to small blood vessels. Smoke from marijuana contains many of the same toxins, irritants, and carcinogens as tobacco smoke. Smoking marijuana can also lead to a greater risk of bronchitis, cough, and phlegm production. These symptoms generally improve when marijuana smokers quit.

Marijuana use, especially frequent (daily or near daily) use and use in high doses, can cause disorientation, and sometimes cause unpleasant thoughts or feelings of anxiety and paranoia. Marijuana use is associated with temporary psychosis (not knowing what is real, hallucinations and paranoia) and long-lasting mental health challenges, including schizophrenia (a type of mental illness where people might see or hear things that aren't really there).

Using marijuana during pregnancy may increase the person's risk for pregnancy complications. Pregnant and breastfeeding persons should avoid marijuana.

Marijuana use has also been linked to depression and anxiety, and suicide among teens. However, it is not known whether this is a causal relationship or simply an association.



## HEALTH RISKS INFORMATION: MDMA<sup>6</sup>

### Health Risks

The following information on health risks is from the National Institute on Drug Abuse:

People who use MDMA usually take it as a capsule or tablet, though some swallow it in liquid form or snort the powder. The popular nickname Molly (slang for “molecular”) often refers to the supposedly “pure” crystalline powder form of MDMA, usually sold in capsules. However, people who purchase powder or capsules sold as Molly often actually get other drugs such as synthetic cathinones (“bath salts”) instead. Some people take MDMA in combination with other drugs such as alcohol or marijuana.

MDMA increases the activity of three brain chemicals:

- Dopamine—produces increased energy/activity and acts in the reward system to reinforce behaviors Norepinephrine—increases heart rate and blood pressure, which are particularly risky for people with heart and blood vessel problems
- Serotonin—affects mood, appetite, sleep, and other functions. It also triggers hormones that affect sexual arousal and trust. The release of large amounts of serotonin likely causes the emotional closeness, elevated mood, and empathy felt by those who use MDMA.

Other health effects include:

- nausea
- blurred vision
- muscle cramping
- chills, and
- involuntary teeth clenching
- sweating.

MDMA's effects last about 3 to 6 hours, although many users take a second dose as the effects of the first dose begin to fade. Over the course of the week following moderate use of the drug, a person may experience irritability, impulsiveness and aggression, depression, sleep problems, anxiety, memory and attention problems, decreased appetite, and decreased interest in and pleasure from sex. It's possible that some of these effects may be due to the combined use of MDMA with other drugs, especially marijuana.

High doses of MDMA can affect the body's ability to regulate temperature. This can lead to a spike in body temperature that can occasionally result in liver, kidney, or heart failure or even death.

<sup>5</sup> Available at NIH website: <https://www.drugabuse.gov/publications/drugfacts/mdma-ecstasymolly>



## HEALTH RISKS INFORMATION: PRESCRIPTION OPIOIDS<sup>7</sup>

### Health Risks

The following information on health risks is from the National Institute on Drug Abuse:

Prescription opioids used for pain relief are generally safe when taken for a short time and as prescribed by a doctor, but they can be misused.

Opioids bind to and activate opioid receptors on cells located in many areas of the brain, spinal cord, and other organs in the body, especially those involved in feelings of pain and pleasure. When opioids attach to these receptors, they block pain signals sent from the brain to the body and release large amounts of dopamine throughout the body. This release can strongly reinforce the act of taking the drug, making the user want to repeat the experience.

In the short term, opioids can relieve pain and make people feel relaxed and happy. However, opioids can also have harmful effects, including drowsiness, confusion, nausea, constipation, euphoria, and slowed breathing. Opioid misuse can cause slowed breathing, which can cause hypoxia, a condition that results when too little oxygen reaches the brain. Hypoxia can have short- and long-term psychological and neurological effects, including coma, permanent brain damage, or death. Researchers are also investigating the long-term effects of opioid addiction on the brain, including whether damage can be reversed.

People addicted to an opioid medication who stop using the drug can have severe withdrawal symptoms that begin as early as a few hours after the drug was last taken. These symptoms include muscle and bone pain, sleep problems, diarrhea and vomiting, cold flashes with goose bumps, uncontrollable leg movements, and severe cravings.

An opioid overdose occurs when a person uses enough of the drug to produce life-threatening symptoms or death. When people overdose on an opioid medication, their breathing often slows or stops. This can decrease the amount of oxygen that reaches the brain, which can result in coma, permanent brain damage, or death.

If you suspect someone has overdosed, the most important step to take is to call 911 so he or she can receive immediate medical attention. Once medical personnel arrive, they will administer naloxone. Naloxone is a medicine that can treat an opioid overdose when given right away. It works by rapidly binding to opioid receptors and blocking the effects of opioid drugs. Naloxone is available as an injectable (needle) solution, a hand-held auto-injector (EVZIO®), and a nasal spray (NARCAN® Nasal Spray).

<sup>6</sup> Available at NIH website: <https://nida.nih.gov/research-topics/opioids>



## HEALTH RISKS INFORMATION: SPECIFIC DANGERS FROM DRUG FACILITATED SEXUAL ASSAULT DRUGS<sup>8</sup>

### Health Risks

The following information on health risks is from the National Institute of Drug Abuse:

There are three specific drugs that are commonly utilized in drug facilitated sexual assault: Rohypnol<sup>®</sup>, Ketamine, or GHB (Gamma Hydroxybutyric Acid).

#### **Rohypnol<sup>®</sup>**

Rohypnol<sup>®</sup>, also known as flunitrazepam, is not approved in the United States, although it is available for use as a prescription sleep aid in other countries. It is most commonly found as a tablet which is consumed by swallowing (as a pill or as dissolved in a drink), or snorting. The possible short-term health effects include drowsiness, sedation, sleep, amnesia, blackout; decreased anxiety; muscle relaxation, impaired reaction time and motor coordination; impaired mental functioning and judgement; confusion; aggression; excitability; slurred speech; headache; slowed breathing and heart rate. When combined with alcohol the possible health effects include severe sedation, unconsciousness, and slowed heart rate and breathing, which can lead to death. At this time the long-term health effects of Rohypnol<sup>®</sup> are unknown. The peak concentrations of Rohypnol<sup>®</sup> in the body occur 30-90 minutes after ingestion and the effects of the drug last for approximately 12 hours. Rohypnol<sup>®</sup> stays in the body for 16 – 35 hours, however, it can be detected in hair for up to 90 days after ingestion of the drug

#### **GHB (Gamma Hydroxybutyric Acid)**

GHB is a depressant approved for use in treatment of narcolepsy, and commonly goes by the other names of Goop, liquid ecstasy, and liquid X. It is most commonly found as a colorless liquid or white powder which is consumed through swallowing, often in combination with alcohol or other beverages. Within 15-30 minutes of drinking GHB, a person begins feeling the euphoric and sedating effects of the drug, which last for about 3-6 hours. The possible short-term health effects include euphoria, drowsiness, nausea, vomiting, confusion, memory loss, unconsciousness, slowed heart rate and breath, lower body temperature, seizures, coma, and death. In combination with alcohol the possible health effects include nausea, problems with breathing, and greatly increased depressant effects. At this point in time the long-term effects of GHB are unknown. GHB can only be detected in blood for up to 4 hours and in urine for up to 12 hours. This makes it difficult to detect the presence of the drug in cases of sexual assault.

<sup>7</sup> Available at NIH website: <https://www.drugabuse.gov/drug-topics/commonly-used-drugs-charts#rohypnol-reg-flunitrazepam>  
<https://www.drugabuse.gov/drug-topics/commonly-used-drugs-charts#ghb>  
<https://www.drugabuse.gov/drug-topics/commonly-used-drugs-charts#ketamine>  
[https://www.dea.gov/sites/default/files/2018-07/DFSA\\_0.PDF](https://www.dea.gov/sites/default/files/2018-07/DFSA_0.PDF)  
<https://www.drugrehab.com/addiction/drugs/ghb/>



## HEALTH RISKS INFORMATION: SPECIFIC DANGERS FROM DRUG FACILITATED SEXUAL ASSAULT DRUGS (CONTINUED)

### Health Risks (Continued)

#### **Ketamine**

Ketamine is a dissociative drug used as a surgical anesthetic for both humans and animals, and as a prescription for treatment resistant depression under strict medical supervision. It is most commonly found in liquid or white powder and is consumed through swallowing, smoking, snorting, injections, or nasal sprays. The possible short-term health effects include problems with attention, learning, and memory; dreamlike states, hallucinations; sedation; confusion loss of memory; raised blood pressure, unconsciousness; and dangerously slowed breathing. If Ketamine is consumed with alcohol there is an increased risk of adverse effects. The possible health effects associated with long-term use include ulcers and pain in the bladder; kidney problems; stomach pain; depression; and poor memory. Ketamine is sometimes used as a date rape drug. There is a risk of HIV, Hepatitis, and other infectious diseases from shared needles.

If an individual believes they or a friend have consumed Rohypnol®, GHB, or Ketamine they should visit a local healthcare facility that can care for survivors of sexual assault and provide a Sexual Assault Forensic Examination. While receiving care the individual who has ingested the drug can request the hospital to take a urine and/or blood sample for drug toxicology testing. If the individual cannot immediately go to a hospital they should save their urine in a clean, sealable container, label the sample with date and time of collection, and place it in the refrigerator or freezer for future toxicology testing.





## Hate or Bias Crimes

Niagara County Community College strives to protect all members of the college community by prosecuting bias or hate crimes that occur within the campus jurisdiction.

Hate crimes, also called bias crimes or bias-related crimes, are criminal activity motivated by the perpetrator's bias or attitude against an individual victim or group based on perceived or actual personal characteristics, such as national origin, color, race, age, religion or creed, ethnicity, gender, sexual orientation, veteran status, marital status, or disability. Hate/bias crimes are against the law and NCCC's policy. Copies of the New York Law are available at <https://ypdcrime.com/penal.law/article485.php>

Penalties for bias-related crimes are very serious and range from fines to imprisonment for lengthy periods, depending on the nature of the underlying criminal offense, the use of violence or previous convictions of the offender. Perpetrators who are students will also be subject to campus disciplinary procedures where sanctions, including dismissal, are possible.

### ***Hate or Bias Related Incidents***

In addition to preventing and prosecuting hate/bias crimes, the Vice President of Student Services and the Campus Public Safety Department may also assist in addressing bias-related activities that do not rise to the level of a crime. These activities, referred to as bias incidents and defined by the College as acts of bigotry, harassment, or intimidation directed at a member or group within the Niagara County Community College's community based on national origin, ethnicity, race, age, religion, gender, sexual orientation, disability, veteran status, color, creed, or marital status, may be addressed through the NCCC's Student Code of Conduct and College policy.

### ***Procedures to Initiate a Formal Complaint***

If you are a victim of or witness to a hate/bias crime or incident on campus, report it to any or all of the following:

#### Sanborn Campus

- Public Safety Department (716) 614-6400
- Vice President of Student Services (716) 614-6240
- Title IX Coordinator (716) 614-5951
- Office of Human Resources (716) 614-5950

#### NFCI

- Public Safety Department (716) 210-2555
- Vice President of Student Services (716) 614-6240
- Title IX Coordinator (716) 614-5951

#### Student Housing

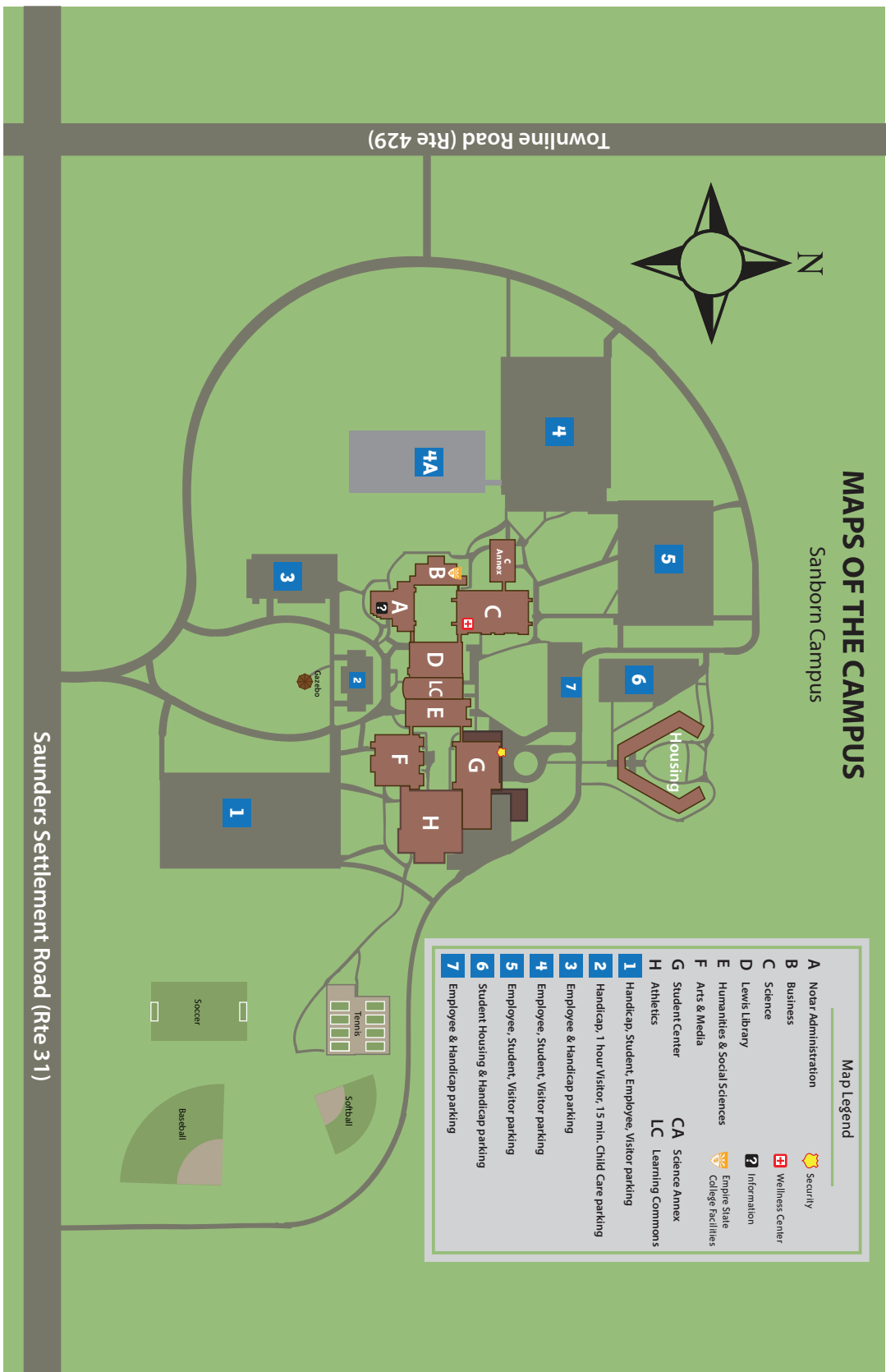
- Director of Student Housing Village (716) 731-8850
- Public Safety Department (716) 614-6400
- Vice President of Student Services (716) 614-6240



Niagara County Community College is committed to providing a safe and secure environment in which all its members are treated with dignity and respect.

To that end, the College takes the strongest possible stand against sexual violence in all its forms including sexual assault but also including the use of coercion, intimidation or exploitation of others for sexual purposes. The College is actively engaged in educating its members about these vital issues and in providing assistance and timely support to victims of sexual assault.

W. Ross Annable, Chief of Public Safety





Student Housing Village



Niagara Falls Culinary Institute



## Annual Fire Safety Report

Completed in compliance with 34 CFR 668.49(b)

### FOREWORD

#### Welcome to Niagara County Community College

Student Housing, the Vice President of Student Services and the Campus Public Safety Department are pleased to serve a diverse and vibrant academic community in Western New York. For many of our residential students, NCCC is their first living experience away from home. The challenge to our College is to provide a safe environment within which faculty, staff, students, and visitors can learn, live and work. The integral parts of our philosophy include fire safety education, engineering controls, and enforcement of campus policies, state laws and state fire codes. It is with this combination of education, engineering and enforcement, that we are able to reduce the risk of a fire event on our campus. This report will describe our fire prevention and life safety programming at the College, and will demonstrate how the three E's work together to make sure that all members of our community can return safely home without fire related injury or loss of property.

Perhaps the most important of the three E's is education. It is through life safety and fire prevention training, emergency evacuation drills, live fire training with portable fire extinguishers, tabling, and our safety manuals that the message of awareness and emergency response is disseminated throughout our community. We are excited to partner with the New York State Office of Fire Prevention and Control, the Sanborn Fire Department, and the Tri Community Ambulance in providing valuable life preserving information to our community members.

Engineering controls describe NCCC's efforts in the mandatory inspections, training and timely repairs of the sprinkler systems and addressable fire alarm systems. Engineering controls also describe the on-going testing and maintenance of fire protection systems on campus. This work ensures that these systems perform as designed in the event of a fire emergency.

Enforcement of state laws, campus regulations, and state fire codes is important in maintaining safe behaviors and buildings. NCCC's Public Safety Department (PSD) provides security services to the Student Housing Village. As such, they are responsible for maintaining order through the enforcement of state laws, some of which – arson, criminal tampering, and falsely reporting an incident – have a direct connection to fire safety. Additionally, the PSD and Housing staff work together in administering campus standards of conduct. These standards can be found in the Student Housing Handbook and the Student's Rights and Responsibilities- "Code of Conduct Responsibilities".

<https://www.niagaracc.suny.edu/wp-content/uploads/2022/09/2022-2023-Student-Housing-Village-Handbook-9.6.2022.pdf>

<https://www.niagaracc.suny.edu/housing/>

Enforcement and education work together in an annual fire safety inspection by the New York State Office of Fire Prevention and Control. Every space on campus is inspected in detail on an annual basis. While code violations are cited in the inspection process, these inspections are also used as an opportunity to meet face-to-face with resident students to discuss the violations and how they impair their safety.



**NIAGARA COUNTY COMMUNITY COLLEGE**  
THE SMART PLACE TO START

ANNUAL SECURITY  
& FIRE SAFETY REPORT  
UNDER THE CLERY ACT

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Please take some time to review the information found in this report. We encourage you to contact the Public Safety Department or Housing staff should you have any questions or comments about this document.

Again, welcome to the Niagara County Community College – I sincerely hope you have a safe and productive campus experience!

Christian Salvati  
Director of Student Housing Village

Alissa Shugats-Cummins  
Interim Vice President of Student Services



Picture of mock dorm fire



## **FIRE SAFETY EDUCATION**

The Director of Housing is responsible for providing fire prevention and life safety information to the campus residence community. This training includes information about maintaining a safe cooking environment to prevent kitchen fires, about maintaining a clean apartment to prevent combustible materials from accumulating, about the importance of not tampering with the fire/smoke detectors, and the procedures for evacuation. Training is provided to all in-coming students. Training is also given to all Residence Assistants (Residence Assistants are the only "staff" who reside in the building) at the beginning of the academic year. Fire safety involves a partnership between Niagara County Community College, Housing, the New York State Office of Fire Prevention and Control, and the Sanborn Fire Department. Live portable fire extinguisher training is provided to Public Safety Officers throughout the year.

## **FIRE SAFETY SYSTEMS**

### **Student Housing Village**

The residence hall is equipped with addressable fire alarm systems including smoke and heat detection devices. Activated fire alarm systems notify building occupants with distinctive audible and visual notification devices. All fire alarms ring into the Niagara County Sheriff's Office, which is monitored 24/7/365. EVERY alarm of fire is reported to the local fire department. Evacuated buildings are not re-occupied until the fire department has arrived on scene, investigated the alarm, and has given its approval to re-occupy the building.

The Student Housing Village does have a fire sprinkler system in designated areas such as common areas, mechanical areas, and the means of egress.





All hallways in the Resident Hall have emergency illumination through emergency lighting and illuminated exit signs. Fire alarm systems are inspected, tested and maintained in accordance with NFPA 72 “National Fire Alarm Code”. This work is completed by licensed contract third party.

Fire sprinkler systems and fire hydrants are inspected, tested and maintained in accordance with NFPA 25 “Standard for the Inspection, Testing and Maintenance of Water-Based Fire Protection Systems”. Inspected, tested and maintained by contract with a third party.

Fire Extinguishers are inspected by the PSD monthly and tested and maintained annually by a contract with a third party.

Emergency illumination is inspected and tested by trained Public Safety Officers and maintained by trained employees of the College Association.

## EMERGENCY EVACUATION

Emergency evacuation procedures are posted on the back of every residential suite door.

### Procedures:

In case of fire, immediately exit the building. Pull the manual pull station on the way out to notify other building occupants of an emergency. Report to the designated Assembly Area for accountability. The designated assembly area for the Sanborn Student Housing Village is inside the main Sanborn campus, Student Center, Student Hub.

Disabled persons on other than the ground level floor should respond to a designated Area of Refuge or fire-rated stair tower. The fire department’s first incident priority is the rescue of persons who are trapped or cannot evacuate on their own. Persons should not use the elevator as a means of egress.

## Enforcement

This section of Niagara County Community College’s Annual Fire Report identifies laws, rules and regulations applicable to faculty, staff and students. These laws, rules and regulations are enforced by the New York State Division of Homeland Security and Emergency Services – Office of Fire Prevention and Control (through an annual inspection process), the Niagara County Sheriff’s Office, the Public Safety Department and Residential Life.

### Penal Law of New York State

Article 145      Criminal Tampering

145.14      Criminal Tampering in the third degree

A person is guilty of criminal tampering in the third degree when, having no right to do so nor any reasonable ground to believe that he has such right, he tampers with property of another person with intent to cause substantial inconvenience to such person or to a third person. Criminal tampering in the third degree is a class “B” misdemeanor.



**145.15 Criminal Tampering in the second degree**

A person is guilty of criminal tampering in the second degree when, having no right to do so nor any reasonable ground to believe that he has such right, he or she tampers or makes connection with property of a gas, electric, sewer, stream or water-works corporation, telephone or telegraph, corporation, common carrier, nuclear powered electric generating facility, or public utility operated by a municipality or district; except that in any pro section under this section, it is an affirmative defense that the defendant did not engage in such conduct for a larcenous or otherwise unlawful or wrongful purpose. Criminal tampering in the second degree is a class "A" misdemeanor.

**145.20 Criminal Tampering in the first degree**

A person is guilty of criminal tampering in the first degree when, with intent to cause a substantial interruption or impairment of a service rendered to the public, and having no right to do so nor any reasonable ground to believe that he or she has such right, he or she damages or tampers with property of a gas, electric, sewer, stream or water-works corporation, telephone or telegraph corporation, common carrier, nuclear powered electric generating facility, or public utility operated by a municipality or district, and thereby cause such substantial interruption or impairment of services. Criminal tampering in the first degree in a class "D" felony

**Article 15 Arson**

**150.00 Arson definitions**

As used in this article,

1. "Building", in addition to its ordinary meaning, includes any structure, vehicle or watercraft used for the overnight lodging of persons, or used by persons for carrying on business therein. Where a building consists of two or more units separately secured or occupied, each unit shall not be deemed a separate building.
2. "Motor vehicle", includes every vehicle operated or driven upon a public highway which is propelled by any power other than muscular power, except
  - (a) Electronically-driven invalid chairs being operated or driven by an invalid
  - (b) Vehicles which run only upon rails or tracks, and
  - (c) Snowmobiles as defined in article forty-seven of the vehicle and traffic law.

**150.01 Arson in the fifth degree**

A person is guilty of arson in the fifth degree when he or she intentionally damages property of another without consent of the owner by intentionally starting a fire or causing an explosion.

Arson in the fifth degree is a class A misdemeanor.



**150.05 Arson in the fourth degree**

1. A person is guilty of arson in the fourth degree when he recklessly damages a building or motor vehicle by intentionally starting a fire or causing an explosion.
2. In any prosecution under this section, it is an affirmative defense that no person other than the defendant had a possessory or proprietary interest in the building or motor vehicle.

Arson in the fourth degree is a class E felony

**150.10 Arson in the third degree**

1. A person is guilty of arson in the third degree when he intentionally damages a building or motor vehicle by starting a fire or causing an explosion.
2. In any prosecution under this section, it is an affirmative defense that
  - (a) no person other than the defendant had a possessory or proprietary interest in the building or motor vehicle, or if other persons had such interest, all of them consented to the defendant's conduct, and
  - (b) the defendant's sole intent was to destroy or damage the building or motor vehicle for a lawful or proper purpose, and
  - (c) the defendant had no reasonable ground to believe that his conduct might endanger the life or safety of another person or damage another building or motor vehicle.

Arson in the third degree is a class C felony

**150.15 Arson in the second degree**

1. A person is guilty of arson in the second degree when he intentionally damages a building or motor vehicle by starting a fire, and when
  - (a) another person who is not a participant in the crime is present in such building or motor vehicle at the time and
  - (b) The defendant knows that fact or the circumstances are such as to render the presence of such a person therein a reasonable possibility.

Arson in the second degree is a class B felony

**150.20 Arson in the first degree**

1. A person is guilty of arson in the first degree when he intentionally damages a building or motor vehicle by causing an explosion or a fire and when
  - (a) Such explosion or fire is caused by an incendiary device propelled, thrown or placed inside or near such building or motor vehicle; or when such explosion or fire is caused by an explosive; or when such explosion or fire either
    - (i) Causes serious injury to another person other than the participant; or
    - (ii) The explosion or fire was caused with the expectation or receipt of financial advantage or pecuniary profit by the actor; and when



- (b) another person who is not a participant in the crime is present in such building or motor vehicle at the time, and
  - (c) the defendant knows the fact or the circumstances are such as to render the presence of such person therein a reasonable possibility.
2. As used in this section, "incendiary device" means a breakable container designed to explode or produce uncontained combustion upon impact, containing flammable liquid and having a wick or a similar device capable of being ignited.

Arson in the first degree is a class A felony

**Article 240 Falsely Reporting an Incident**

**240.50 Falsely reporting an incident in the third degree**

A person is guilty of falsely reporting an incident in the third degree when, knowing the information reported, conveyed or circulated to be false or baseless, he:

- 1. Initiates or circulated a false report or warning of an alleged occurrence or impending occurrence of a crime, catastrophe or emergency under circumstances in which it is not unlikely that public alarm or inconvenience will result; or
- 2. Reports, by work or action, to an official or quasi-official agency or organization having the function or dealing with emergencies involving danger to life or property, an alleged occurrence or impending occurrence of a catastrophe or emergency which did not in fact occur or does not in fact exist; or
- 3. Gratuitously reports to a law enforcement officer or agency
  - (a) the alleged occurrence of an offense or incident which did not in fact occur; or
  - (b) an allegedly impending occurrence of an offense or incident which in fact is not about to occur; or
  - (c) false information relating to an actual offense or incident or to the alleged implication of some person; therein; or
- 4. Reports, by word or action, alleged occurrence or condition of child abuse or maltreatment which did not in fact occur or exist to;
  - (a) the statewide central register of child abuse and maltreatment, as defined in title six or article six of the social services law, or
  - (b) any person required to report cases of suspected child abuse or maltreatment pursuant to subdivision one of section four hundred thirteen of the social services law, knowingly that the person is required to report such cases, and with the intent that such an alleged occurrence be reported to the statewide central register.

Falsely reporting an incident in the third degree is a class A misdemeanor



**240.55 Falsely reporting an incident in the second degree**

A person is guilty of falsely reporting an incident in the second degree when knowing the information reported, conveyed or circulated to be false or baseless, he or she:

1. Initiates or circulated a false report or warning of an alleged occurrence or impending occurrence of a fire, explosion, or the release of a hazardous substance under circumstances in which it is not unlikely that public alarm or inconvenience will result;
2. Reports by work or action, to any official or quasi-official agency or organization having the function of dealing with emergencies involving danger to life or property, an alleged occurrence or impending occurrence of a fire, explosion, or the release of a hazardous substance which did not in fact exist; or
3. Knowing the information reported, conveyed or circulated to be false or baseless and under circumstances in which it is likely public alarm or inconvenience will result, he or she initiates or circulates a report or warning of an alleged occurrence or an impending occurrence of a fire, an explosion, or the release of a hazardous substance upon any private premises.

Falsely reporting an incident in the second degree is a class E felony.

**240.60 Falsely reporting an incident in the first degree**

A person is guilty of falsely reporting an incident in the first degree when he:

1. Commits the crime of falsely reporting an incident in the second degree as defined in section 240.55 of this article, and has previously been convicted of that crime; or
2. Commits the crime of falsely reporting an incident in the third degree as defined subdivisions one and two of section 240.50 of this article or falsely reporting an incident in the second degree as defined in subdivisions one and two of section 240.55 of this article and another person who is an employee or member of any official or quasi-official agency having the function of dealing with emergencies involving danger to life or property ; or who is a volunteer firefighter with a fire department, fire company or any unit thereof defined in the volunteer firefighters' benefit law; or who is a volunteer ambulance worker with a volunteer corporation or any unit thereof as defined in the volunteer ambulance workers' benefit law suffers serious physical injury or is killed in the performance of his or her official duties in traveling to or working at or returning to a firehouse, police station, quarters or other base facility from the location identified in such report; or
3. Commits the crime of falsely reporting an incident in the third degree as defined in the subdivisions one and two of section 240.50 of this article or falsely reporting an incident in the second degree as defined in subdivisions one and two of section 240.55 of this article and another person suffers serious physical injury or is killed as a result of any vehicular or other accident involving any emergency vehicle which is responding to, operating at, or returning from the location identified in such report.
4. An emergency vehicle as referred to in subdivision three of this section shall include any vehicle operated by any employee or member of any official or quasi-official agency having the function of dealing with emergencies involving danger to life or property and shall include, but not necessarily be limited to, an emergency vehicle which is operated by a volunteer ambulance worker with a volunteer ambulance corporation, or any unit thereof as defined in the volunteer ambulance workers' benefit law.



5. Knowing the information reported, conveyed or circulated to be false or baseless and under circumstances in which it is likely public alarm or inconvenience will result, he or she initiates or circulates a report or warning of an alleged occurrence or an impending occurrence of a fire, an explosion, or the release of a hazardous substance upon school grounds and it is likely that persons are present on said grounds.

6. Knowing the information reported, conveyed or circulated to be false or baseless and under circumstances in which it is likely public alarm or inconvenience will result, he or she initiates or circulates a report or warning of an alleged occurrence or impending occurrence of a fire, explosion or the release of a hazardous substance in or upon a sports stadium or arena, mass transportation facility, enclosed shopping mall, any public building or any public place, and it is likely that persons area present. For purposes of this subdivision, the terms "sports stadium or arena, mass transportation facility or enclosed shopping mall" shall have the meaning set forth in section four hundred one of the executive law.

Falsely reporting an incident in the first degree is a class D felony

## **Fire Code of New York State (2012 Revision Cycle)1**

Chapter 1 General Requirements

Chapter 2 Definitions

Chapter 3 General Precautions Against Fire

Section 304 Combustible Waste Material

Section 308 Open Flames

Section 310 Smoking

Section 314 Indoor Displays

Chapter 4 Emergency Planning and Preparedness

Section 403 Public Assemblages and Events

Section 404 Fire Safety and Evacuation Plans

Section 405 Emergency Evacuation Drills

Table 405.2 Fire and Evacuation Drill Frequency and Participation

Section 406 Employee Training and Response Procedures

Section 407 Hazard Communication

Section 408 Use and Occupancy-related Requirements

408.3 Group B and Group R-2 College and University Facilities

Chapter 5 Fire Service Features

Chapter 6 Building Services and Systems

Section 604 Emergency and Standby Power Systems

Section 605 Electrical Equipment, Wiring and Hazards

Section 607 Elevator Recall and Maintenance

Section 610 Commercial Kitchen Hoods

Section 611 Carbon Monoxide Alarms

Chapter 7 Fire-Resistance-Rated Construction

Chapter 8 Interior Finish, Decorative Materials and Furnishings



Chapter 9 Fire Protective Systems

- Section 903 Automatic Sprinkler Systems
- Section 904 Alternative Automatic Fire-extinguishing Systems
- Section 905 Standpipe Systems
- Section 906 Portable Fire Extinguishers
- Section 907 Fire Alarm and Detection Systems
- Section 908 Emergency Alarm Systems
- Section 913 Fire Pumps

Chapter 10 Means of Egress

- Section 1004 Occupant Load

Chapter 14 Fire Safety During Construction and Demolition

Chapter 24 Tents, Canopies and Other Membrane Structures

Chapter 33 Explosives and Fireworks

1 The Fire Code of New York State is available for purchase by contacting the International Code Council, 500 New Jersey Avenue, NW, 6th Floor, Washington D.C. 20001. 1-888-ICC-SAFE. <http://www.iccsafe.org>. A free on-line version of the Fire Code of New York can be found at: [http://up.codes/viewer/new\\_york/ifc-2015](http://up.codes/viewer/new_york/ifc-2015)

[Property Maintenance Code of New York \(2012 Revision Cycle\)2](#)

## Niagara County Community College “Code of Conduct”

The “Student Rights and Responsibility: Code Of Conduct” is administered by NCCC Office of Student Services. Its contents describe standards for student conduct, and identify prohibited conduct that is detrimental to the College. This report contains excerpts from the document that address campus fire safety. Students may be arrested for violation of student conduct standards that are also violations of state law, and/or may be referred to the campus Judicial System for resolution of strictly campus-related violations.

### 1. Fire Safety Related Violations

- Causing or creating a fire.
- Tampering with safety measures or devices, including but not limited to, alarm systems, fire extinguishers, exit signs, emergency phone systems, smoke, carbon monoxide and/or heat detectors, fire hoses, security systems, locked exterior doors, etc.
- Failing to conform to safety regulations, including but not limited to, falsely reporting an incident, failure to evacuate facilities in a timely fashion in emergency situations or in response to fire alarms, inappropriate use of the fire alarm system.
- Smoking
- Smoking is prohibited in all indoor College buildings, including campus residence halls. Niagara County Community College is a tobacco free campus.

<https://www.niagaracc.suny.edu/security/smoking-tobacco/>





## Residence Hall Regulations Related to Fire Safety

- **Cooking.** Cooking is permitted only in residence suites kitchenette areas.
- **Appliances.** Air conditioners (air conditioning is provided), ceiling fans, microwave ovens and all other cooking appliances are prohibited. For snack preparation, the following appliances, UL approved ONLY, are permitted: pop-up toaster, closed element popcorn popper, thermostatically controlled hot pots and rice cookers, and percolator / coffeemaker.
- **Room decorations.** Combustible materials such as posters, pictures, etc. shall be limited to 20% of available wall space in each room. No combustible material shall be allowed on ceilings or on the inside of any door. Fabric, including sheets, fishnet, tap-stry, etc. used as decorations are prohibited. Ceiling decorations of all types are prohibited. Curtains must be flame resistant (per NFPA 701) as should any upholstered furniture (labeled CAL 133).

### Fire Safety-Kitchen

**NEVER LEAVE COOKING UNATTENDED.** One may be so busy juggling all their responsibilities that it is easy to forget that something is cooking on the stovetop or in the oven. NEVER leave the kitchen area or the apartment when something is cooking, either in the oven or on top of the stove.

There are different types of fires that can occur in the kitchen; some more serious than others. Typically, the most dangerous kitchen fire is a grease fire. A grease fire occurs when oil, butter, or other greases are heated so highly that they ignite. This type of fire can cause open flames that can extend to kitchen cabinets or other items very quickly. What should you do?

**Grease fires** – If a grease fire is small and ONLY if you are confident you can extinguish it, turn off the burner and smother the fire with a pan lid. Make sure the lid will cover the whole fire. Never, ever, use water to extinguish grease, oil or fat fires because water can precipitate splattering that can cause burns or scalds and spread the fire. Fire extinguishers are not recommended for this type of fire either. Do not attempt to carry the pan from a grease fire outside. The pan will become too hot and the fire will easily spread.

If a grease fire should occur and you are not confident you can extinguish it, do not risk getting burned even to turn off the burner. Evacuate immediately and activate the fire alarm to notify others.

**Oven fires** occur inside the oven. What should you do? Close the oven door and turn off the heat source. The oven fire usually suffocates. Do not take a burning dish out of the oven. Keep stovetop, oven and microwave oven clean. Accumulated grease and food in drip pans and cooking surfaces can cause smoke the next time the appliance is used.

**Dry cooking fires** typically occur on the stovetop if the moisture burns off the pan and the food (or empty pan) is left to scorch and burn. This type of fire will cause a lot of heat and can damage the surrounding area with smoke. This type of fire is prevented by never leaving your cooking unattended and by turning off the burner when food is finished cooking.

**Microwave fires** can occur when food is left to cook in the microwave for too long a period of time. NEVER use aluminum foil or put pots and pans in the microwave. Be careful of travel mugs – aluminum mugs cannot be heated in the microwave. Aluminum will cause a microwave fire. In the event of a fire in a microwave, keep the door closed and unplug or turn off the microwave. DO NOT remove a burning object from the microwave. Keep the microwave door closed, and evacuate the building, pulling the alarm on the way out.



**Appliances** – Students are expected to use appliances furnished in their apartment in the appropriate manner. The student takes full responsibility for the appliance's use and functioning during their stay.

Always follow the following guidelines to prevent fire or burn related injury:

1. Use padded oven mitts when handling a hot pot or pan.
2. Heat oil slowly over moderate heat.
3. Never pour butter or oil on top of something cooking in the broiler. The broiler operates at very high heat and will ignite the grease, causing a fire.
4. Unplug small appliances such as the coffeepot or toaster when they are not in use.
5. Turn off the oven or stovetop as soon as you have finished cooking.
6. Double check that the oven and stovetop are OFF before leaving your apartment.
7. Do not store outdoor barbeque items in your apartment such as grills, charcoal or lighter fluid.

If a fire occurs that is out of your control, **EVACUATE AND PULL THE ALARM**. Never risk harm to yourself or others. The safety of your life and the lives of your fellow students is more important than any material possessions that may be lost in a fire. Lastly, if you hear the fire alarm, always evacuate the building immediately.

If a fire occurs that you are able to extinguish prior to the fire alarm sounding, residents **are to report** the incident to the Director of Housing or their Resident Assistant immediately so that inspection can be made of the area affected. The staff will determine if the fire is completely extinguished and if the building is safe. The staff will also determine if there is damage to the area that needs to be addressed in order to promote a safe living environment.

Draperies and curtains not original to the apartment should be labeled "fire resistant." Under code NFPA 701. Additionally, draperies, curtains and wall hangings of any material may not cover more than 20% of the surface.

The use of any open-flamed devices such as candles, sternos, incense, and kerosene lamps is prohibited. The following are also prohibited: natural trees, wreaths, paneling, wallpaper, or similar coverings, open-element or liquid fueled (kerosene, propane, gas) space heaters, and excessive trash accumulations.

## **Cooking and Use of Outside Areas**

The use of charcoal burners and other open-flame cooking devices shall not be operated within 30 feet of the buildings. Residents are responsible for themselves and their guests in ensuring any outside gathering results in an expeditious and complete clean-up of the area. It is imperative that individuals take every safety precaution when disposing of used charcoal. Once the charcoal is finished being used, allow it to sit in the grill for at least 24-hours before placing it in the dumpster; placing used charcoal in the dumpster too soon will likely start a fire. Violations of this section may result in loss of privileges, as well as more severe sanctions.

## **Rules and Regulations**

### **Fire safety**

All residents must evacuate the building when a fire alarm sounds and move to the assembly area listed below. Failure to cooperate or to evacuate during a fire alarm; causing of a false fire alarm; inappropriate behavior which results in the activation of a fire alarm; interfering with the proper functioning of a fire alarm system; tampering with, damaging or removing fire hoses, extinguishers, exit lights, heat / smoke sensors, extinguisher boxes or alarm covers, or any other fire safety apparatus is strictly prohibited. The use of any open-flamed devices such as candles, sternos, and incense and kerosene lamps is prohibited. The following are also prohibited: natural trees, wreaths, paneling, wall paper or similar coverings, open element or liquid fueled (kerosene, propane, gas) space heaters, and hazardous trash accumulation.



## Assembly Areas

Student Housing Village- Evacuate to Sanborn Campus, Student Hub.

## Niagara County Community College's Contact Numbers for a FIRE EVENT

\*\*\* NOTE \*\*\* Telephone numbers listed below are NON-EMERGENCY only. If you have a fire, police, or medical emergency; please dial 911 from a campus phone or cell phone.

### Sanborn Campus

Campus Public Safety Department (716) 614-6400  
3111 Saunders Settlement Rd  
Sanborn, NY 14132

Chief of Campus Public Safety (716) 614-6407  
3111 Saunders Settlement Rd  
Sanborn, NY 14132

Vice President of Administration (716) 614-5981  
3111 Saunders Settlement Rd  
Sanborn, NY 14132

Niagara County Sheriff's Office- (716) 438-3393  
5526 Niagara Street Extension  
Lockport, NY 14094

Tri Community Ambulance- (716) 731-2604  
6276 Ward Road  
Sanborn, NY 14132

Sanborn Fire Department- (716) 731-4616  
5811 Buffalo Street  
Sanborn, NY 14132

NFCI Public Safety Department (716) 210-2555  
28 Old Falls Street  
Niagara Falls, NY 14303

Niagara Falls Police Department (716) 286-4547  
1925 Main Street  
Niagara Falls, NY 14305

Niagara Falls Fire Department (716) 286-4720



**Student Housing Village**

Director of Housing (716) 731-8850  
3115 Saunders Settlement Rd  
Sanborn, NY 14132

Public Safety Department (716) 614-6400  
3111 Saunders Settlement Rd  
Sanborn, NY 14132

Chief of Campus Public Safety (716) 614-6407  
3111 Saunders Settlement Rd  
Sanborn, NY 14132

Niagara County Sheriff's Office- (716) 438-3393  
5526 Niagara Street Extension  
Lockport, NY 14094

Tri Community Ambulance- (716) 731-2604  
6276 Ward Road  
Sanborn, NY 14132

Sanborn Fire Department- (716) 731-4616  
5811 Buffalo Street  
Sanborn, NY 14132



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## **POLICY FOR REPORTING ON-CAMPUS FIRES**

A fire, for purposes of HEOA regulations, is defined as any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner.

All incidents of fire and alarms of fire on the Sanborn campus of Niagara County Community College shall be reported to the local fire department immediately, per the Fire Code of the State of New York. All system reports of fire are signaled to the Niagara County Sheriff's Office. The Niagara County Sheriff's Office has no discretion regarding the notification of the local fire department – all alarms of fire must be reported immediately. Reports of fire may also be received by the Campus Public Safety Department. The PSD has no discretion regarding the notification of the local fire department – all reports of fire must be reported immediately.

All incidents of fire and alarms of fire at the Niagara Falls Culinary Art Institute shall be reported to the local fire department immediately, per the Fire Code of the State of New York. All system reports of fire are signaled to the Niagara Falls Fire Office. Reports of fire may also be received by the Public Safety Department. The CPSD has no discretion regarding the notification of the local fire department- all alarms of fire must be reported immediately.

All incidents for fire and alarms of fire at the Student Housing Village shall be reported to the local fire department immediately, per the Fire Code of the State of New York. All system reports of fire are signaled to the Niagara County Sheriff's Office. The Niagara County Sheriff's Office has no discretion regarding the notification of the local fire department- all alarms of fire must be reported immediately. Reports of fire may also be received by Campus Public Safety Department. The CPSD has no discretion regarding the notification of the local fire department- all reports of fire must be reported immediately.

The Operations Department will use New York State form DOS-1660 to notify the New York State Division of Homeland Security and Emergency Services – Office of Fire Prevention and Control of every incident of fire on campus pursuant to Title 19 New York Codes, Rules and Regulations Part 500 (19 NYCRR 500).

The Public Safety Department will publish incidents of fire on the Fire Safety Log per the United States Department of Education "Handbook for Campus Safety and Security Reporting".



**STATISTICS AND RELATED INFORMATION REGARDING FIRES IN RESIDENTIAL FACILITIES:**

**Student Housing Village Fire Statistics 2020-2022**  
**On-Campus Housing**

Facility: Student Housing Village at NCCC 3115 Saunders Settlement Rd Sanborn, NY 14132	Total Fires	Fire #	Date	Cause of Fire	Number of injuries that required treatment at a medical facility	Number of deaths related to a fire	Value of property damaged by fire (in dollars)
2020	0	-	-	No fires in 2020	0	0	-
2021	16	23	9/19/21	Lit Cigarette on Mulch	0	0	\$100-500
2022	0	-	-	No fires in 2022	0	0	-



## Fire Safety Systems

### Student Housing Village

Facility: Student Housing Village at NCCC 3115 Saunders Settlement Rd Sanborn, NY 14132	Fire Alarm monitoring done on site	Fire Alarm monitoring done off site	Full Sprinkler System*	Evacuation Plans and Placards	Fire Extinguisher Devices	Smoke Detection	Number of evacuation (fire) drills each calendar year
	X	X	X	X	X	X	6

- Full sprinkler system is defined as having sprinklers in both the common areas and individual rooms





## **ANNUAL SECURITY AND FIRE REPORT DISTRIBUTION**

The information in this annual security report is made available to you in compliance with The Jeanne Clery Disclosure of Public Safety Policy and Campus Crime Statistics Act, formerly the Student Right to Know Act of 1990. It is our hope that this information assists you in making intelligent, informed decisions. Please read it carefully and use the information to become partners with us in preventing crime on our campus. This Clery brochure is prepared annually in a hard copy print version and an electronic PDF format. Following are the distribution methods for the annual security report:

## **ANNUAL SECURITY AND FIRE REPORTS AVAILABILITY**

- System message to all faculty and staff
- Notice of report availability is included in all new hired employees orientation
- The Fire Log can be found on the Campus Public Safety Department's web page at:  
**<http://www.niagaracc.suny.edu/security/ASR>**
- The link to ASR is posted in all student common areas
- The Crime Log can be found on the Campus Public Safety Department's web site at:  
**<https://www.niagaracc.suny.edu/security/crime-log/>**

## **To request a hard copy of the Annual Security & Fire Safety Report, please**

- Call Campus Public Safety Department at (716) 614-6400, or;
- Write the Public Safety Department at:

Niagara County Community College  
Campus Public Safety Department  
3111 Saunders Settlement Road  
Sanborn, NY 14132



## APPENDIX A

### CAMPUS-WIDE INITIATIVES TARGETED TO PROMOTE BASIC PERSONAL SAFETY AND TO PREVENT SEXUAL ASSAULT

#### -Policy Evaluation and Enforcement

- Continued implementation of a NCCC Bystander 911 Policy to support students who seek assistance in the case of a medical emergency, either for themselves or for other students.
- Consistent provision of timely and effective adjudication by the Judicial Board, Vice President of Student Services and Student Housing Village of alcohol related incidents among students.
- Referral of students who violate NCCC's alcohol or other drug policies/community standards to the Director of Housing and/or the Vice President of Student Services.
- Development and dissemination of materials concerning drinking laws and the penalties associated with fake or altered identification.
- Public Safety and Wellness Center staff members trained in the recognition of and intervention for heroin abuse.
- Training of Public Safety staff in the recognition of and intervention for persons under the influence of alcohol or other drugs.
- Many staff members and students are trained to administer Narcan.
- Enough is Enough Training provided by the YWCA of the Niagara Frontier and NY State Police Campus Sexual Assault Victims Unity.
- SafeColleges Training
- Sexual Harassment Policy
- Clery Act Overview
- Sexual Harassment Staff to Staff
- Title IX and Sexual Misconduct
- Title IX and Gender Equity in Athletics
- Title IX Roles of Responsible Employees



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## EDUCATIONAL PROGRAMS

NCCC provides multiple levels of programming for faculty, staff and students revolving around campus safety, alcohol/drug abuse and awareness as well as sexual assault prevention and bystander intervention.

All new students attending the orientation program, including residential students are required to participate in workshops hosted by the Vice President of Student Services Office, Campus Security, local alcohol/drug rehabilitation programs and the local YWCA. These workshops include information about campus policies regarding the topics listed above, local resources available to students for the topics listed above and role-play opportunities for students to practice new ideas presented during these programming opportunities.

Each year student leaders, resident assistants and athletes receive training on sexual assault prevention as well as bystander intervention. Students in these categories are required to attend in-person trainings offered by our local partners prior to beginning their roles on campus. This group of students is also included in our Safe Campus virtual training program and is required to take online workshops on Sexual Assault, Sexual Harassment and Title IX.

The Wellness Center on campus provides workshops and tabling events throughout the year to reinforce the topics included in orientation and student leader training. These events include the following:

- Wellness Series: A series of workshops offered consistently throughout the year with different topics offered each month. Topics include, Domestic Violence, Safe Sex/STI's, Sexual Assault Awareness, Substance Abuse Awareness, Alcohol Awareness, and more.
- Sexual Violence Prevention and Awareness Workshop is offered for students in housing and other groups who request the presentation.
- Domestic Violence Awareness Month (October) – programming is done throughout the month to bring awareness to domestic violence. Purple ribbons or beads are distributed to students and staff to wear around campus to raise awareness.
- Clothesline Project – this project is usually hosted in the spring and is promoted to staff and students. Decorated t-shirts made by NCCC students at previous events are hung on a clothesline in a common area on campus to share with our college community. Students and staff are encouraged to decorate t-shirts to represent their own experiences or to memorialize experiences of others. Counselors are available to support and educate students and staff. An informational table is set up to share information and provide resources. T-shirts are also hung outside of the Wellness Center year round.
- SAAWS Workshops - Substance Abuse Awareness Workshops are held throughout the year for students on campus. This workshop is also part of the sanctioning process for any alcohol or drug related infraction on campus and in housing.
- TIPS Training - Alcohol Education and Training is provided during orientation of Resident Assistants in Student Housing and for any student who wishes to attend.
- Alcohol & Other Drugs Tabling is held on a weekly basis throughout the academic year. These are interactive events which provide students with information about a different drug or alcohol each week. Students answer questions about the alcohol or drug focused on for each event. Students also have the opportunity to ask questions. These events are a learning opportunity to spread awareness on the different laws, sanctions, and health effects.

Faculty and staff receive training through the year through the Student Conduct Institute online platform. Topics include Workplace Violence, Sexual Assault Prevention, Sexual Harassment between employees, Drug Free Workplace, and Title IX and Sexual Harassment. Employees associated with the Title IX Grievance Process on campus are enrolled through SUNY's Student Conduct Institute and complete the mandatory training for this process. The SUNY Conduct Institute offers workshops in-person, live online and virtually. Information contained in these trainings can be found at <https://system.suny.edu/sci/postedtraining/>.



### **ADDITIONAL EDUCATIONAL PROGRAMS**

- Emergency Response- PSD responds to all manner of campus emergencies including crimes in progress and fires.
- Student Escort Service- members of the Department provide escorts for students.
- Community Mason- PSD maintains close relationships with local municipalities, police and fire departments and provides assistance to them on request. Further the PSD helps coordinate assistance to student victims of off-campus crimes.
- Blue Lights- PSD is the answering point for over 8 emergency telephones on campus.
- Coffee with a Cop.