2.3 Campus Security Policies

2.3.1 Access to Campus Facilities Policy

**ACCESS TO CAMPUS FACILITIES POLICY**

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<tr>
<th>Effective Date:</th>
<th>May 8, 2017</th>
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<tbody>
<tr>
<td>Policy Number:</td>
<td>II – 2.3.1</td>
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<tr>
<td>Supersedes:</td>
<td>Not Applicable.</td>
</tr>
<tr>
<td>Issuing Authority:</td>
<td>President</td>
</tr>
<tr>
<td>Responsible Officer:</td>
<td>Vice President for Student Affairs</td>
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<tr>
<td>Applicability:</td>
<td>All members of the Canisius College community.</td>
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<tr>
<td>History:</td>
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**PURPOSE**

The purpose of this policy is to establish the college's policies and procedures regarding access to campus facilities and residential halls and the security of campus facilities.

**POLICY**

Access to Campus Facilities and Residence Halls

During regular business hours, Monday-Friday, most campus buildings are accessible to students, employees, alumni, and visitors having legitimate business with the college. Arrangements for after hours use of college facilities must be made with the specific department sanctioning the event requiring after hours access. Public Safety does not allow unrestricted or unauthorized after-hours access without prior written notification from an appropriate college official. Students and employees are required to show a valid college identification card upon request by Public Safety personnel or other college officials.

Visitors are at all times subject to college policies and conduct standards. Students and employees are responsible for the conduct of their guests at all times.

Security Maintenance

Public Safety officers routinely document and report physical safety and security hazards to Facilities Management when discovered by the officer or reported to Public Safety by another member of the campus community. This reporting procedure serves to expedite repair of deficiencies involving lighting, doors, windows, and environmental security such as shrubbery. In addition, a number of Public Safety staff members serve on college committees that provide input into security considerations for new, renovated, or existing campus facilities.

Access to Residence Housing

The Canisius College residence community houses nearly 1,400 students in varied accommodations, ranging from a two-person traditional style room to fully furnished apartments and townhouses. Services and programs intended to enhance the quality of life and to assure the security and safety of the resident student body are important to the Office of Student Life. All residence halls are equipped with a state-of-the-art swipe card access system. General access is available only to residents of those buildings. Guests may call residents to gain access. All facilities are served by hall directors and resident assistants. At least one professional staff member is on duty at all times, 24 hours a day, seven days a week.
The varied types of housing available, the policies and procedures for housing assignments, building and roommate selection, and guest access are described more thoroughly in the Student Handbook or by accessing canisius.edu/reslife. Security and safety policies and procedures, especially regarding locking individual rooms, building entrances and related precautions are discussed with residents in crime prevention seminars, routine floor meetings and in printed materials posted and distributed by the staff. During holidays and other periods in the academic year when classes are not in session, some or all of the residence facilities are closed. Those few students authorized to live on campus during that time are registered with the Office of Student Life and Public Safety due to decreased staffing levels.

DEFINITIONS

Not applicable.

PROCEDURES/GUIDELINES

Reporting Hazardous Conditions

Members of the college community are encouraged to promptly report hazardous conditions to Public Safety at (716) 888-2330, or visit Public Safety in the lower level of Bosch Residence Hall.

RELATED POLICIES

Campus Security and Fire Safety Report Policy

2.3.2  Canisius College Identification Card Policy

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<th>CANISIUS COLLEGE IDENTIFICATION CARD POLICY</th>
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<td>History:</td>
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PURPOSE

Canisius College identification (ID) card provides a general form of identification issued solely for the purpose of accessing programs and services administered by the college and its legal agents. Authority to issue ID cards is delegated solely to the Department of Public Safety.

POLICY

While on college property, college employees and students are required to carry college identification cards (ID) and present it when requested to do so by Public Safety or college personnel.

Canisius ID cards are the property of the college and their use is governed by the college in its sole discretion. The ID card is nontransferable; lending the ID card to anyone for any purpose is prohibited and may result in disciplinary action.

Student ID’s are valid for registered full or part-time students at the college, must be carried at all times, and must be presented for admission or access to various college activities and facilities. The student ID card is no longer valid once a student graduates or withdrawals from the college.

Employee ID’s are valid for regular full or part time employees during the period of employment with the college. Employees/retirees must present a valid ID card for admission or access to various college activities and facilities and when applying for employee/retiree discounts associated with it. Upon termination of employment (except for retirement), ID cards must be returned to the employee’s immediate supervisor.

DEFINITIONS

Not Applicable.

PROCEDURES/GUIDELINES

Canisius College ID cards for registered students and college employees are available 24 hours per day at Public Safety located in the lower level of Bosch Hall. The loss of an ID card must be immediately reported to Public Safety at 716-888-2330. A replacement cost for lost or stolen ID cards may apply.

Eligibility

Students: To receive a student ID card, students must be registered for classes for the current or upcoming semester.

Employees: Faculty and staff members may receive their ID card on their official start date.

The college reserves the right to confiscate any ID used in an inappropriate manner.
2.3.3 Campus Law Enforcement Policy

PURPOSE

The purpose of this policy is to establish the college’s policies and procedures regarding (a) the law enforcement authority of Public Safety personnel; (b) the working relationship between Public Safety and local law enforcement; (c) the monitoring of criminal activity at off-campus student organizations; (d) the accurate and prompt reporting of all crimes that take place on and around the college’s campus that pose a threat to the safety of the college community; and (e) the college’s maintenance of a crime log, which lists all crimes on campus that have been reported to Public Safety for the most recent 60-day period.

POLICY

Enforcement Authority and Working Relationship with Local Law Enforcement

Public Safety, located on the ground level of the Bosch Residence Hall, is open 24 hours a day, providing around the clock protection and services to the campus community. The department is established to protect and serve the educational environment of Canisius College, defending the environment from the threat of physical harm, property damage and disruptive activity. Departmental objectives include: aiding in the enforcement of federal, state and local laws; preventing crime; regulating noncriminal conduct and preserving the peace.

Uniformed Public Safety officers are on duty 24 hours a day, seven days a week, 365 days a year. Their primary responsibilities include: patrolling the campus area on foot, on bicycles and in vehicles; security services; emergency response and requests for assistance involving members of the campus community.

Canisius College Public Safety officers are granted peace officer status according to New York law and have full powers of arrest when acting pursuant to their duties. Each officer receives basic law enforcement training which exceeds New York’s requirements for peace officers. In addition, each officer receives annual and specialized training related to their position. The department is staffed by a director, patrol supervisors, full time and part-time officers, dispatchers, and support staff, which includes non-sworn security and secretarial personnel.

Working Relationship between Public Safety and Local Law Enforcement

To assist in monitoring, reporting, and investigation of significant criminal incidents that have occurred on campus or in close proximity to the campus, the Buffalo Police Department and Canisius College Department of Public Safety have entered into a formal memorandum of understanding to report violent felonies and missing resident students to the other agency. In addition, Public Safety maintains a close working relationship with other local, state, and federal enforcement agencies. Information and reports about significant incidents are routinely exchanged and joint investigations are often conducted.

Monitoring Criminal Activity of Off-Campus Student Organizations

Since there are no campus groups recognized by the college living off campus, monitoring of any such group is not applicable. All recognized student organizations are required to abide by federal, state, and local laws, and college policies, guidelines, and procedures.

Reporting Crimes

Public Safety strongly recommends that all crimes and emergency situations that occur on campus or in the campus area be reported to Public Safety at once. Canisius College initiates, supports, and encourages the investigation of crimes and incidents reported to Public Safety that have occurred on campus or in the campus area. See the Procedures/Guidelines section of this policy for detailed reporting procedures.

In addition, members of the college community may choose to report criminal activity to a Campus Security Authority or local law enforcement. See the Procedures/Guidelines section of this policy for detailed reporting procedures.

Voluntary and Confidential Crime Reporting

If the victim of a crime on campus or in the campus area would like to report the incident confidentially, the Counseling Center may be contacted at Ext. 2620.
Reports of crimes shared with a professional at the Counseling Center may be made on a confidential basis to the extent possible by the law. This means that personally identifiable information shared with this professional is not part of students’ education record or employees’ personnel records and will not be reported to other college personnel (including the Title IX Coordinator) or to others unless the disclosing individual gives his or her consent to the disclosure or the law requires it (as may be the case with alleged Sexual and Gender-Based Misconduct involving a minor or under conditions involving imminent harm to one or more members of the college community, for example). If, however, it is determined that the circumstances of the crime pose a danger to other members of the campus community, then general information about the incident may be released to Public Safety or other members of the campus community.

The college has no policy encouraging professional and pastoral counselors to notify those whom they are counseling of the voluntary, confidential reporting options available to them.

Persons may also report crimes anonymously to local law enforcement through the Crime Stoppers at 1-800-577-TIPS (8477).

Crime Log

In compliance with federal law, the college maintains a crime log, which lists all crimes on campus that have been reported to Public Safety for the most recent 60-day period. The crime logs is updated daily by Public Safety, Monday through Friday. The crime log includes the following information:

- Date the crime was reported;
- Date and time the crime occurred;
- Nature of the crime;
- General location of the crime; and
- Disposition of the complaint, if known.

See the Procedures/Guidelines section of this policy for applicable procedures regarding how individuals may inspect the college’s crime log.

DEFINITIONS

Campus Security Authority— a college employee who has significant responsibility for student and campus activities, and as such is trained by the college to report certain crimes occurring on campus or at a college sanctioned event to Public Safety for inclusion in the college’s Annual Security and Fire Report.

PROCEDURES/GUIDELINES

Reporting Crimes to Public Safety

To report crime incidents, call Public Safety at (716) 888-2330, or visit the Public Safety Office in the lower level of Bosch Residence Hall. Dispatchers are on duty 24 hours a day to take calls and dispatch Public Safety officers to investigate.

In addition, a number of well-marked exterior blue-light telephones are located throughout the campus. Emergency phones are also located at the entrances to all dormitories. These can be used to report a criminal incident, fire or any other type of emergency.

To report crimes and incidents off-campus, please contact the law enforcement agency serving that area.

Reporting Crimes to Campus Security Authorities

While the college encourages members of the community to immediately report all crimes and other emergencies directly to Public Safety, it also recognizes that some may prefer to report to other individuals or college offices. The Clery Act recognizes certain college officials and offices as “Campus Security Authorities” (CSA) and members of the college community may report any crime or emergency occurring on campus or at a college-sanctioned event to these individuals.

At Canisius College, the following individuals have been designated as CSA’s:

- Vice presidents;
- The Title IX coordinator;
- Deans, department chairs, directors and athletic coaches;
- Any employee in a supervisory or management role;
- All faculty members;
- Public Safety personnel;
- Any staff member whose primary job description includes providing academic advice to students;
- Residence life staff; and
- Student life staff.

Each of these individuals are required and trained to report incidents of a Clery crime occurring on campus or at a college sanctioned event to Public Safety or the Title IX coordinator for inclusion in the college’s Annual Security and Fire Report.

Reporting to Local Law Enforcement

Members of the college community may also report any crime occurring on campus or at a college-sanctioned event or activity to the Buffalo Police Department, which can be reached by dialing 911 in an emergency.

Reporting to Professional Counselors

Canisius College students and employees who are victims of a crime may choose to discuss the incident with professionals who are mandated by law to protect the confidentiality of a disclosure. On campus, these professionals include the counselors at the Counseling Center (Ext. 2620).

Incident Investigation
When a crime is reported to Public Safety, an officer will initiate a preliminary investigation. The complainant will be interviewed by the officer so basic information about the incident can be obtained. If it is determined that a crime has occurred, the officer will complete an incident report which outlines the incident and includes such information as the complainant’s name and address, suspect information, witness information and other information pertinent to the investigation. If the case is not brought to a conclusion following a preliminary investigation, the incident report is forwarded to a Public Safety investigator for a follow-up investigation. In the event that a reported crime is a violent felony offense, the Buffalo Police Department will be notified pursuant to a formal agreement between both agencies. Moreover, if assistance is required from the police or fire department, or other local, state, or federal law enforcement agencies, Public Safety will contact the appropriate agency.

Inspection of Crime Log

Interested individuals with proper identification may review the crime log for the most recent 60-day period at Public Safety 24 hours a day, seven days a week. Any portions of the crime log that is older than 60 days will be made available within two business days of a request for public inspection. Archived crime logs are maintained by the college for a period of seven years.

RELATED POLICIES

Campus Security and Fire Safety Report Policy
Mandatory Crime Reporters Policy
Sexual and Gender-Based Misconduct Policy
Security Cameras Policy
Timely Warnings Policy

2.3.4 Campus Security and Fire Safety Report Policy

<table>
<thead>
<tr>
<th>CAMPUS SECURITY AND FIRE SAFETY REPORT POLICY</th>
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<td>Effective Date:</td>
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<td>Applicability:</td>
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PURPOSE


POLICY

Canisius complies with the Jeanne Clery Disclosure of Campus Security Policy and the Campus Crime Statistics Act by making information available regarding campus security and personal safety on an annual basis. This information is disclosed annually via the college’s Security and Fire Report (ASR), and includes crime prevention, public safety, law-enforcement authority, crime reporting policies, disciplinary procedures, and other important matters about security on campus. Also available in the ASR are statistics for three previous calendar years of reported crimes that occurred on campus, in certain off-campus buildings or property owned or controlled by Canisius, and on public property within or immediately adjacent to and accessible from the campus. The Canisius Advisory Committee on Campus Safety will provide upon request all campus crime statistics as reported to the United States Department of Education. This information is available on-line at [https://ope.ed.gov/campussafety/#/](https://ope.ed.gov/campussafety/#/). A PDF of the college’s Annual Security and Fire Report is available on the Canisius website.

DEFINITIONS

**Campus Security Authority**—a college employee that has significant responsibility for student and campus activities, and as such is trained by the college to report certain crimes occurring on campus or at a college sanctioned event to Public Safety for inclusion in the college’s Annual Security and Fire Report.

**Unfounded Reports**—reports that have been fully investigated by sworn or commissioned law enforcement personnel who, based on the results of this full investigation and evidence, have made formal determination that the crime report is false or baseless. Recovery of stolen property, stolen property that is of low value, the refusal of a victim to cooperate with law enforcement or the failure to make an arrest do not justify classifying a report as “unfounded.”

**Crime Categories**—

**Criminal Offenses** - include Criminal Homicide, including Murder and Non-negligent Manslaughter, and Manslaughter by Negligence; Sexual Assault (also referred to as Sex Offenses), including Rape, Fondling, Incest and Statutory Rape; Robbery; Aggravated Assault; Burglary; Motor Vehicle Theft; and Arson.
Arson—Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.

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

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

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.

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

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

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

Sex Offenses-Forcible[1]—Any sexual act directed against another person, 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.

1. Forcible Rape - The carnal knowledge of a person, 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 temporary or permanent mental or physical incapacity (or because of his/her youth).

2. Forcible Sodomy - Oral or anal sexual intercourse with another person, 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.

3. Sexual Assault with an Object - The use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, 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.

4. Forcible 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 incapacity.

Sex Offenses-Nonforcible—Unlawful, nonforcible sexual intercourse.

1. Incest - Nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

2. Statutory Rape - Nonforcible sexual intercourse with a person who is under the statutory age of consent.

Hate Crimes—offenses and crimes involving bodily injury reported to local police agencies or to a campus security authority that manifest evidence that the victim was intentionally selected because of the perpetrator's bias or because the perpetrator perceived the person to be in one of the protected group categories. The protected group categories include: race, gender, religion, sexual orientation, ethnicity, disability, national origin, and gender identity. For Clery purposes, hate crimes offenses and crimes also include any of the following offenses that are motivated by bias: Murder and Non-negligent manslaughter; Forcible sex offenses; Nonforcible sex offenses; Robbery; Aggravated Assault; Burglary; Motor Vehicle Theft; Arson; Larceny-theft; Simple Assault; Intimidation; Destruction/Damage/Vandalism of Property.

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

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

Destruction/Damage/Vandalism of Property—to willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

Violence Against Women Act Offenses—any incidents of Domestic Violence, Dating Violence and Stalking. (Note that Sexual Assault is also a VAWA Offense but is included in the Criminal Offenses category for Clery Act reporting purposes)

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

Domestic Violence—a felony or misdemeanor crime of violence committed:

- By a current or former spouse or intimate partner of the victim;
- By a person with whom the victim shares a child in common;
- By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
- By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred;
- By any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.
Stalking— means engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person’s safety or the safety of others; or suffer substantial emotional distress. Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person’s property. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily require medical or other professional treatment or counseling.

Arrests and Referrals for Disciplinary Action for Weapons—Carrying, Possessing, Weapons Law Violations; Drug Abuse Violations; and Liquor Law Violations

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

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

Weapon Law Violations—the violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature.

Definitions of Geography

On-Campus—(1) Any building or property owned or controlled by the college within the same reasonably contiguous geographic area and used by the college in direct support of, or in a manner related to, the college’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 college but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).

Non-Campus Buildings or Property—Any building or property owned or controlled by a student organization that is officially recognized by the college; or any building or property owned or controlled by the college that is used in direct support of, or in relation to, the college’s educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the college.

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. Clery crimes occurring on public property as defined here will be included in the statistics report. The college’s crime statistics do not include, however, crimes that occur on privately owned homes or business within or adjacent to the campus boundaries.

PROCEDURES/GUIDELINES

Content of the Annual Security and Fire Safety Report (ASR)

The ASR, at a minimum, will include the following content:

- A statement of current campus policies regarding how students and others should report crimes or other emergencies;
- A statement of current campus policies concerning security and access to campus facilities, including campus residences and security considerations used in the maintenance of campus facilities;
- A statement of current campus law enforcement policies, including, the law enforcement authority of campus security personnel; the working relationship between Public Safety and state and local law enforcement agencies, including a description of any agreements or written memorandum of understanding with other law enforcement agencies for the investigation of alleged criminal offenses; and policies which encourage accurate and prompt reporting of all crimes to Public Safety and the appropriate law enforcement agencies when the victim of such crimes elects to, or is unable to make such reports;
- A description of the type and frequency of campus programming designed to inform students and employees about campus security procedures and practices and to encourage students and employees to be responsible for their own security and the security of others;
- A description of programs designed to inform students and employees about the prevention of crime;
- A report of the following crime statistics occurring on the college’s Clery geography during the most recent calendar year and during the two preceding calendar years as reported to campus security authorities or local law enforcement: (1) Criminal Offenses—Criminal Homicide, including Murder and Non-negligent Manslaughter, and Manslaughter by Negligence; Sexual Assault, including Rape, Fondling, Incest and Statutory Rape; Robbery; Aggravated Assault; Burglary; Motor Vehicle Theft; and Arson; (2) Hate Crimes—Any of the above-mentioned offenses, and any incidents of Larceny-Theft, Simple Assault, Intimidation, or Destruction/Damage/Vandalism of Property that were motivated by bias; (3) VAWA Offenses—any incidents of Domestic Violence, Dating Violence and Stalking. (Note that Sexual Assault is also a VAWA Offense but is included in the Criminal Offenses category for Clery Act reporting purposes); and (4) Arrests and Referrals for Disciplinary Action for Weapons—Carrying, Possessing, Etc. Law Violations, Drug Abuse Violations and Liquor Law Violations. Statistics will be disclosed separately for each of these four general categories. In addition, the ASR will include the total number of crime reports that were “unfounded” and subsequently withheld from the crime statistics;
- A statement of policy concerning the monitoring and recording, through local law enforcement, of criminal activity at off-campus student organizations which are recognized by the college, including student organizations with off-campus housing;
- A statement of policy regarding the possession, use and sale of alcoholic beverages and enforcement of state underage drinking laws;
- A statement of policy regarding possession, use and sale of illegal drugs and enforcement of federal and state drug laws;
- A description of drug or alcohol abuse education programs;
- A statement advising the campus community where information concerning registered sex offenders may be obtained;
- A statement of campus policies and procedures to immediately notify the campus community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on campus, unless issuing a notification will compromise efforts to contain the emergency. The statement must include the college’s procedures to: publicize emergency response and evacuation procedures on an annual basis in a manner designed to reach students and employees; and test emergency response and evacuation procedures on an annual basis;
- A statement of procedures to make timely reports to the campus community about the occurrence of Clery crimes considered to represent a serious or continuing threat to students and employees that are reported to a CSA or Public Safety. The procedures must confirm that reports will be provided to students and employees in a manner that is timely, will aid in the prevention of similar occurrences and that the names of victims will be kept confidential;
• A statement of policy regarding primary prevention and awareness programs to prevent domestic violence, dating violence, sexual assault, and stalking for all incoming students and new employees and ongoing prevention and awareness campaign for current students and faculty which includes: a statement that the college prohibits the offenses of domestic violence, dating violence, sexual assault, and stalking; the legal definitions of domestic violence, dating violence, sexual assault and stalking in New York; the definition of consent in reference to sexual activity in New York; safe and positive options for bystander intervention; information on risk reduction; possible sanctions or protective measures that may be imposed by the college; procedures victims should follow if a sex offense, domestic violence, dating violence, sexual assault or stalking has occurred; and disciplinary procedures to be followed in cases of alleged domestic violence, dating violence, sexual assault or stalking;
• A statement of policy regarding missing student notification procedures for students who reside in on-campus housing facilities;
• A statement of campus fire safety policies and procedures, as well as a description of the college’s current student housing fire safety systems; and
• A description of the type and frequency of campus programming designed to inform resident students about campus fire safety procedures and practices.

Preparation and Distribution of Annual Security and Fire Report

The college’s ASR is prepared by the Director of the Public Safety Department using information maintained by Public Safety or provided by other offices such as the Office of Student Life, Residence Life, Campus Security Authorities, and by local law enforcement agencies surrounding the campus. Each of these offices and/or organizations provides updated policy information and crime data as applicable.

A notification of the ASR is e-mailed to all staff and students on or before October 1st of each year. A hard copy receipt is sent to the director of public safety from the Office of Informational Technology Services listing the recipients. The ASR is also available on the Canisius website.

Paper copies are available upon request at the Office of Admissions; Public Safety; and at the Office of Student Life.

Availability Notice of the Annual Security and Fire Safety Report

The websites for Human Resources and Admissions must also contain the exact wording below to inform prospective employees and students about the availability of the Annual Security and Fire Safety Report:

“Canisius College’s Annual Security and Fire Safety Report is available to all current employees and students, as well as prospective employees and students. This report includes statistics from the previous three years concerning reported crime that occurred on campus, in certain off-campus buildings or property owned or controlled by Canisius College and statistics for fires in on-campus student housing. The report also includes institutional policies concerning campus security and other safety information along with fire safety policies and procedures. You may obtain a hard copy of this report by contacting Public Safety or by visiting the college website at /public_safety/stats.asp.”

Record Retention

It is the policy of Canisius College to retain the records included in the ASR for seven years from the latest publication of the ASR to which they apply. Support records must also be retained, including crime and fire logs. These records include, but are not limited to: incident reports and referrals for disciplinary action; timely warning and emergency notification reports; correspondences to and from local police, CSAs, and the Department of Education having to do with Clery Act compliance; copies of notices to students and employees about the availability of the ASR. All documentation must be dated.

RELATED POLICIES

Access to Campus Facilities Policy
Alcohol and Drug Prevention Program Policy
Campus Law Enforcement Policy
Crisis Response Plan TBA
Emergency Notification and Response Policy
Fire Safety Policy
Mandatory Crime Reporters Policy
Missing Students Policy
Sexual and Gender-Based Misconduct Policy
Timely Warnings Policy

2.3.5 Child Abuse and Maltreatment Policy

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<th>CHILD ABUSE AND MALTREATMENT POLICY</th>
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PURPOSE

The purpose of this policy is to provide guidance to Canisius College trustees, students, employees, volunteers, as well as all college vendors regarding the mandatory requirements in New York law that governs the reporting of suspected cases of child abuse and child maltreatment (neglect), and to affirm the commitment of the college to the protection of the safety and welfare of children who come into contact with the college community.

POLICY

Members of the Canisius College community who interact with, supervise, chaperone, or otherwise oversee children in college sponsored programs, activities, and/or residential facilities, as well as those employees classified as mandatory reporters pursuant to New York law, have an affirmative obligation to report immediately suspected cases of child abuse or maltreatment in accordance with the reporting procedures set forth in this policy. Moreover, any member of the college community may report a concern if they have reasonable suspicion that a child has been abused or neglected.

Exclusions & Special Situations

The duty to report may not apply to certain confidential communications to attorney or members of the clergy in cases where a recognized legal duty of confidentiality applies.

College physicians, psychiatrists, licensed therapists, and other clinicians as applicable who are reporting suspected child abuse or maltreatment to the New York State Child Abuse & Maltreatment Hotline in connection with their clinical care to patients are not required to notify Public Safety of the report if doing so would breach a patient’s legal rights to confidentiality.

DEFINITIONS

Child/Minor—any individual under the age of 18.

Child Abuse—encompasses the most serious harms committed against children. An “abused child” is a child whose parent or other person legally responsible for his/her care inflicts upon the child serious physical injury, creates a substantial risk of serious physical injury, or commits an act of sex abuse against the child. Not only can a person be abusive to a child if they perpetrate any of these actions against a child in their care, they can be guilty of abusing a child if they allow someone else to do these things to that child. Child abuse is defined in law at Section 412 of the Social Services Law and at Section 1012 of the Family Court Act.

Maltreatment (includes Neglect)—refers to the quality of care a child is receiving from those responsible for him/her. Maltreatment occurs when a parent or other person legally responsible for the care of a child harms a child, or places a child in imminent danger of harm by failing to exercise the minimum degree of care in providing the child with any of the following: food, clothing, shelter, education or medical care when financially able to do so. Maltreatment can also result from abandonment of a child or from not providing adequate supervision for the child. Further, a child may be maltreated if a parent engages in excessive use of drugs or alcohol such that it interferes with their ability to adequately supervise the child.

Neglect is defined in law at Section 1012 of the Family Court Act. Maltreatment is defined in law at Section 412 of the Social Services Law. Although the terms are not synonymous in the law, for the purposes of this policy, the terms neglect and maltreatment are used interchangeably.

Mandated Reporters—are certain professionals recognized by New York State who are specially equipped to perform the important role of mandated reporter of child abuse or maltreatment. Please refer to the Summary Guide for Mandated Reporters in New York State (Pub. 1159) for a listing of mandatory reports under New York law.

PROCEDURES/GUIDELINES

Reporting Procedures

Mandatory reporters, as well as members of the Canisius College community who interact with, supervise, chaperone, or otherwise oversee children in college sponsored programs, activities, and/or residential facilities who suspect that a child may have been abused or maltreated, must take the following steps:

- If a child is in immediate danger or requires emergency assistance, call 911.
- If child abuse has not been witnessed, but it is suspected that it may be occurring or has occurred:
  - Call the New York State Child Abuse & Maltreatment Hotline: 800-342-3720; and
  - Call Public Safety.

Individuals should also notify the appropriate program director. The lead person for the program shall then ensure that the above steps have been completed and that their supervisor is notified.

Prohibition on Retaliation

The college will not retaliate against any individual who reports a reasonable belief that a minor has been subject to child abuse or neglect.

Immunity

Any individual who in good faith makes or participates in making a report under the law is immune from any civil liability or criminal prosecution. In addition, any person who in good faith makes or participates in making a report under this policy is free from any reprisal at the college that might otherwise result from compliance with the policy.

Confidentiality
The confidentiality of a report of suspected child abuse or neglect, including the identity of an individual who makes a report under this policy, the individual suspected of child abuse or neglect, and the child who may have been abused or neglected, will be protected consistent with relevant Federal and State laws.

Sanctions

Failure to report is a violation of this policy and may be subject to disciplinary action up to and including termination of employment or dismissal pursuant to the college’s applicable disciplinary policies.

In addition, any employee or student convicted of any charge related to child abuse or maltreatment in connection with their employment or on campus activities will be subject to applicable disciplinary policies and procedures, which may lead to termination or dismissal. The matter will also be referred to law enforcement.

RELATED POLICIES

Activities and Programs with Minor Children Participants Policy

Campus Law Enforcement Policy

Mandatory Crime Reporters Policy

Sexual and Gender-Based Misconduct Policy

Timely Warnings Policy

2.3.6 Disclosure to Victims of Alleged Crimes Policy

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<tr>
<th>DISCLOSURE TO VICTIMS OF ALLEGED CRIMES POLICY</th>
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PURPOSE

The purpose of this policy is to establish the college’s responsibilities for the disclosure of the results of any investigation and/or due process hearing conducted by the college against a student or employee who is the alleged perpetrator of a crime of violence or a non-forcible sex offense in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act.

POLICY

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

DEFINITIONS

Violent Crimes—those offenses which involve force or threat of force including murder and non-negligent manslaughter, forcible rape, robbery, and aggravated assault.

Non-Forcible Sex Offense—unlawful, non-forcible sexual intercourse: a) incest – non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law, and b) statutory rape – non-forcible sexual intercourse with a person who is under the statutory age of consent.

PROCEDURES/GUIDELINES

The vice president for student affairs, upon written request, will inform the alleged victim of a crime of violence or a non-forcible sex offense (or next of kin if the victim is deceased) the results of any student investigation and/or due process hearing conducted by the college.

The associate vice president for human resources and compliance, upon written request, will inform the alleged victim of a crime of violence or a non-forcible sex offense (or next of kin if the victim is deceased) the results of any employee investigation and/or due process hearing conducted by the college.

RELATED POLICIES

Campus Security and Fire Safety Report Policy
2.3.7  Emergency Notification and Response Policy

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<th>EMERGENCY NOTIFICATION AND RESPONSE POLICY</th>
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PURPOSE

The purpose of this policy is to establish the college’s responsibilities and procedures for the reporting of emergency incidents and/or dangerous situations involving an immediate threat to the health or safety of Canisius College students or employees and the college’s responses to such reports, including the issuance of notifications to the college community.

POLICY

Canisius College is committed to immediately notifying the campus community of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on campus. In the event of an emergency situation, the college will use the emergency response and notification procedures and guidelines set forth in this policy to notify members of the campus community of the emergency situation or immediate threat.

DEFINITIONS

Emergency Notification—A communication triggered when there is confirmation of a dangerous situation or emergency with immediate impact to life or property at Canisius College.

PROCEDURES/GUIDELINES

Emergency Response Evacuation

The appropriate response by the college to a specific emergency will depend on the relevant facts and circumstances. Emergency situations may consist of police, fire, medical, and environmental emergencies. Because of their fluid nature and the variety of possibilities associated with each type of emergency, it is difficult to define specific procedures for dealing with each emergency. When notified about an emergency, the Department of Public Safety will immediately respond to investigate. The primary goal of the initial response and investigation is to determine the nature of the emergency and take appropriate actions to safeguard human life, contain the emergency, and assist in determining emergency notification methods. Specific actions could consist of facilitating evacuations, building lockdowns, and a variety of general or tactical responses. Depending on the nature of the emergency, other public emergency response agencies may be called to assist. Evacuation drills are coordinated jointly by Public Safety, Academic Affairs, and Facilities Management and are held in conjunction with fire drills. Annually, four fire drills are conducted in each residence facility and two in each academic and support building. The purpose of the evacuation drill is to evaluate the general evacuation process in each building and to identify and remedy deficiencies that arise as a result of the drill. In the days prior to the drills, all members of the campus community are sent an email notification informing them about evacuation procedures and the upcoming drills. All members of the campus community are required to comply with evacuation policies and violations are noted and may be referred for follow-up. The Canisius College Crisis Response Plan (CRP) is tested once per year during a disaster scenario tabletop exercise involving each official and/or department having a role or responsibility in the CRP.

Immediate Emergency Notifications

When a significant emergency or dangerous situation that poses a serious threat to the health or safety of members of the campus community is confirmed by first responders, the Department of Public Safety will immediately notify the affected members of the campus community about the emergency unless it is determined by the first responders that such immediate notification will compromise efforts to assist victims, contain the emergency, or have a negative effect on the response or mitigation. Once the aforementioned considerations are resolved, the notification will commence without delay. The content of the notification and notification methods will be determined by college officials involved in managing the emergency pursuant to the Canisius College Crisis Response Plan. Such officials may primarily consist of public safety, student affairs and public relations administrators and executives. Notification methods consist of any or all of the following:

Canisius Alert System: The Canisius Alert System is an emergency notification system that enables College officials to quickly notify the campus community in the event of a significant emergency. The notices can be automatically sent to the cellular telephones and residential telephones, e-mail accounts, and other communication devices that have been pre-selected by those members of the campus community who have registered to receive the emergency alerts. The system is tested twice annually.

Canisius Emergency Public Alerting System: The Canisius Emergency Public Alerting System is a speaker system located inside buildings throughout the campus that enables certain college officials to broadcast real-time or pre-recorded emergency voice announcements in the event of a significant developing emergency situation on campus or in the general campus area. Depending on the emergency, the announcements can be sent to individual buildings, groups of buildings, or as a general announcement to all campus buildings. The system is tested tactically on an annual basis. The sound capability of the system is tested daily.
Canisius College Website: The Canisius College website is used as a primary communication vehicle for the quick notification of emergency, college closings or class cancellations. Information for the website can be uploaded from remote locations to facilitate the quick dissemination of information. In the event of a campus crisis, a Campus Alert Homepage has been prepared to announce and chronicle events and provide support information to various audiences. If the college website is disabled because of a campus emergency, the college has made arrangements with a remote web service provider to publish an emergency homepage in order to maintain web communication.

College Crisis Plan

The Canisius College Crisis Response Plan (CRP) provides important information in the event of an emergency or the occurrence of a natural disaster within the general area of the college’s campus that impact academic or other operations. The basic emergency procedures contained in the CRP are designed to protect lives and property through effective use of college and community resources. A copy of the plan can be found online.

At the beginning of each academic year, Public Safety sends the college community a copy of the CRP via e-mail, reminding them to review it, outlining how the college’s emergency communication system works, and alerting them that the system will be tested. As noted earlier, Canisius College tests its emergency communication system and the CRP at least annually. Testing may be announced or unannounced at the discretion of Public Safety. For each test it conducts, Public Safety will document a description of the exercise, the date, the time and whether it was announced or unannounced. All emergency test documentation will be retained for seven years.

RELATED POLICIES

Campus Law Enforcement Policy

Campus Security and Fire Safety Report Policy

College Crisis Response Plan TBA

Fire Safety Policy

Timely Warnings Policy

2.3.8 Fire Safety Policy

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<th>FIRE SAFETY POLICY</th>
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PURPOSE

The purpose of this policy is to promote fire safety and awareness at the college and to enable Canisius College to comply with the The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, the Higher Education Opportunity Act of 2008 and applicable implementing regulations, which require each institution of higher education that maintains on-campus student housing to establish certain fire prevention and safety procedures and programs and to make annual disclosures regarding these procedures and programs as well as statistics regarding fires in its housing facilities.

POLICY

Canisius College complies with the The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, the Higher Education Opportunity Act of 2008 fire safety policies and reporting requirements by (i) maintaining a fire log and statistics regarding any fires in on-campus housing facilities; (ii) maintaining fire safety systems in all student housing facilities; (iii) conducting regular fire drills in residence halls; (iv) maintaining evacuation plans for each residence hall; (v) providing and publicizing fire safety and training programs for students and employees; and (vi) annually disclosing fire statistics and fire safety program information as part of the college’s Annual Security and Fire Safety Report. The components of college’s fire safety program are set forth more fully in the Procedures/Guidelines section of this policy.

DEFINITIONS

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

PROCEDURES/GUIDELINES

Fire Statistics

Public Safety is responsible for collecting the following fire statistics for college residence housing:

- The number of fires and the cause of each fire in college residence housing;
- The number of deaths related to the fire in the college residence housing;
• The number of injuries related to the fire in the college residence housing that resulted in treatment at a medical facility;
• The value of property damage related to the fire at a college residence.

These statistics are published in the Annual Security and Fire Safety Report and on the college website.

Fire Log

Public Safety maintains a fire log, which lists all fires in the college residence halls that have been reported to Public Safety for the most recent 60-day period. The fire log is updated daily, Monday through Friday.

The fire log includes the following information: the date the fire was reported; the nature of the fire; the date and time of the fire; and the general location of the fire.

Interested individuals with proper identification may review the fire log for the most recent 60-day period at Public Safety 24 hours a day, seven days a week. Any portions of the fire log older than 60 days will be made available within two business days of a request for public inspection. Archived fire logs are maintained by the college for a period of seven years.

Fire Safety Systems

The residence halls and townhomes all have smoke and carbon monoxide detectors that comply with the New York State fire code. All current student housing has sprinkler systems in place. See the Annual Security and Fire Safety Report for additional information.

In accordance with New York State law, when the building alarm sounds, all residents are required to leave the building. Residents cannot re-enter a building until permitted by residence life staff.

Fire Drills

Annually four fire drills are conducted in each residence facility and two in each academic and support building. The purpose of the evacuation drill is to evaluate the general evacuation process in each building and to identify and remedy deficiencies that arise as a result of the drill. In the days prior to the drills all members of the campus community are sent an email notification informing them about evacuation procedures and the upcoming drills. All members of the campus community are required to comply with evacuation policies and violations are noted and may be referred for follow up.

Restricted Student Housing Appliances and Items

See Residence Life Standards of Conduct.

Fire Safety Education and Training

Student Housing

Student Life staff are trained annually on fire extinguisher use, smoke/fire detection systems, and important procedures in the event of an actual fire. In addition, Student Life staff addresses fire safety issues with resident students annually at floor meetings. When a student is identified as accidentally setting off a residential fire system, Student Life staff addresses fire safety issues during a follow up meeting with the student. Student Life also provides a media campaign in the residence facility common areas which promote fire safety.

Staff and Faculty

Information about fire drill procedures are distributed campus-wide in conjunction with each fire drill. Additionally, the Office of Accessibility Support Services provides online evacuation procedures and guidelines pertinent to evacuating persons with special needs.

Student Housing and Campus Fire Evacuation Policy Guidelines and Procedures

All fire alarms should be considered fire alerts and the building of occurrence, regardless of its type, must be evacuated immediately.

It is the policy of Canisius College that any known or suspected fire or activated fire alarm must be immediately reported to Public Safety at 716/888-2330.

In case of fire, you should activate the alarm in your area and evacuate the building immediately. If you are in a residence facility, if practical, knock on room doors along your evacuation route to notify residents of the fire evacuation. Do not attempt to extinguish the fire. Whether it’s an actual fire or a false alarm, the building must be evacuated immediately. The following procedures should be followed:

• Wear or carry clothing suitable for the weather;
• Close and lock your room or office door;
• Do not stop to gather valuables;
• Leave the building via the stairway. (DO NOT USE ELEVATORS). Do so in an orderly and expedient manner; and
• Do not obstruct passageways for firefighters or other emergency responders.

Remain outside and at least fifty (50) feet away from the building until the signal to return is given or you are directed to another building or area. Anyone remaining in the building during an evacuation is subject to disciplinary action.

Based on guidelines established by the NYS Office of Fire Prevention, Public Safety will notify the Buffalo Fire Department in the event of an activated fire alarm or reported fire or suspected fire. Students or employees should not contact the Buffalo Fire Department unless they are unable to contact Public Safety. Dial 911 for the Buffalo Fire Department.

All resident students must immediately evacuate their residence facility upon activation of a fire alarm by following the aforementioned procedures. Failure to do so will result in disciplinary sanctions, not limited to but could include removal from the residence halls, residence/college probation, and completion of fire education workshop.

Upon an emergency evacuation of a residence hall, students must never re-enter the building without the direction of the Public Safety supervisor, in conjunction with Student Life officials and/or the Buffalo Fire Department. Do not under any circumstance re-enter the building based on rumor or silenced alarm. Wait for the direction of personnel in charge.
Keep in mind that if the Buffalo Fire Department has been summoned to the scene of an activated fire alarm or suspected fire, they are the officials in control of the situation.

Future Fire Safety Improvements

Campus fire safety systems are routinely inspected and tested. Results are documented and deficiencies are addressed promptly. Improvements are planned and submitted through the annual capital request process.

RELATED POLICIES

Campus Security and Fire Safety Report Policy

Crisis Response Plan TBA

Emergency Notification and Response Policy

2.3.9 Mandatory Crime Reporters Policy

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PURPOSE

The purpose of this policy is to comply with the Jeanne Clery Act and Title IX and to identify those college employees required to report concerning behaviors, harassment, discrimination and crimes to appropriate administrators on campus.

POLICY

There are three federal laws that establish responsibilities for employees of colleges and universities to report certain types of crimes and incidents—the Clery Act, Title IX, and Title VII. Pursuant to these laws, certain employees at Canisius College are required to report applicable criminal incidents to Public Safety and/or the Title IX Coordinator.

It is therefore the policy of the college to define all employees with supervisory or leadership responsibilities or responsibilities related to student welfare as mandatory reporters. If a mandatory reporter learns about sexual harassment, discrimination, sexual violence or other forms of sexual and gender-based misconduct (i.e., Domestic Violence, Dating Violence, Sexual Exploitation, and Stalking), s/he is expected to promptly contact the college’s Title IX coordinator. The Title IX coordinator will take responsibility for prompt notification of Public Safety and other appropriate college officials. Other serious crimes covered by the Clery Act must be reported to Public Safety. All concerning and disruptive student behaviors must be reported to the Office of Student Life. Concerning and disruptive employee, volunteer, and third party behaviors must be reported to Human Resources. All emergencies should be reported to the Public Safety. In addition, college policy and New York state law mandates that certain individuals report incidents of child abuse and neglect (see Child Abuse and Maltreatment Policy).

The procedures below identify which employees are obligated to make a mandatory report to the appropriate college authority (and law enforcement if applicable) and what types of crimes or incidents must be reported.

All other members of the college community are strongly encouraged to report concerning behaviors, discrimination, sexual and gender-based misconduct, and crimes to Public Safety.

DEFINITIONS

**Responsible Employee**—a college employee who has the authority to take action to redress the harassment, has the duty to report other harassment or misconduct to appropriate officials, or is someone a student could reasonably believe has this authority or responsibility.

**Campus Security Authority (CSA)**—a college employee who has significant responsibility for student and campus activities, and as such is trained by the college to report certain crimes occurring on campus or at a college-sanctioned event to Public Safety for inclusion in the college’s Annual Security and Fire Report. See Procedures/Guidelines section of the policy for a listing of the college’s CSAs.

PROCEDURES/GUIDELINES

Clery Crime Reporting

The Clery Act recognizes certain college officials and offices as campus security authorities (CSAs) and members of the college community may report any crime or emergency occurring on campus or at a college-sanctioned event to them.

At Canisius College, the following individuals have been designated as CSA’s:
Each of these individuals are required and trained to report incidents of a Clery crime occurring on campus or at a college sanctioned event to Public Safety for inclusion in the college’s Annual Security and Fire Report.

Title IX Reporting

Pursuant to Title IX, certain employees known as responsible employees who knew or, in the exercise of reasonable care, should have known about sexual or gender-based harassment that creates a hostile environment are required to report this information to the College’s Title IX coordinator. At Canisius College, the following positions/offices are designated by the college to be responsible employees:

- Human Resources staff;
- Student Life staff;
- Public Safety staff;
- Office of Athletics staff (including coaches);
- The president, vice presidents, and their staff; and
- Faculty.

The college requires that all Responsible Employees immediately report to the Title IX coordinator all relevant details about the alleged incident that the college will need to determine what happened – including the names of the reported party and responding party, any witnesses, and any other relevant facts, including the date, time and specific location of the alleged incident. To the extent possible, information reported to a responsible employee will be shared only with people responsible for handling the college’s response to the report. A responsible employee will not share information with law enforcement without the reported victim’s consent or unless the reported victim has also reported the incident to law enforcement.

Sanctions

Any CSA or Responsible Employee who fails to report may be subject to disciplinary action.

RELATED POLICIES

Campus Law Enforcement Policy

Child Abuse and Maltreatment Policy

Sexual and Gender-Based Misconduct Policy

2.3.10 Missing Students Policy

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<th>MISSING STUDENTS POLICY</th>
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<td>Supersedes: Not Applicable.</td>
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<td>Issuing Authority: President</td>
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<td>Responsible Officer: Vice President for Student Affairs</td>
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<td>Applicability: All Canisius College students residing in College housing.</td>
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PURPOSE

The purpose of this policy is to convey the procedures of the college’s response to reports of missing residential students, as required by The Higher Education Opportunity Act of 2008.

POLICY

Canisius College will investigate any report of a missing student residing in any of the college’s residential housing and take appropriate action to ensure all notifications and actions comply with legal mandates. In accordance with the procedures and guidelines set forth in this policy, Public Safety will notify law enforcement when a student is determined to be missing.

DEFINITIONS

Campus Security Authority—a college employee that has significant responsibility for student and campus activities, and as such is trained by the college to report certain crimes occurring on campus or at a college-sanctioned event to Public Safety for inclusion in the college’s Annual Security and Fire Report.
Missing Student—a student is considered missing when a student residing in college housing has been absent from Canisius College for more than 24 hours without any known reason.

PROCEDURES/GUIDELINES

Registering Information

All students residing in the college housing are annually provided the option of identifying a contact person or persons whom the college will notify if the student is determined to be missing by Public Safety, the Office of Student Life, Residence Life staff, or a local law enforcement agency. The contact information will be confidential, accessible only to authorized college officials and law enforcement, and may not be disclosed except in a missing person investigation. For a person under the age of 18 (who is not emancipated), and for purposes of missing student notification, the person(s) to be contacted must be a custodial parent or guardian.

Reporting a Missing Student

Any concerned person should notify a campus security authority (CSA) of a belief that a student residing in one of the residence halls is missing for 24 hours. See the Mandatory Crime Reporters Policy.

Any and all reports of missing residential students will be directed to Public Safety at (716-888-2330).

Investigation

The director of public safety/designee will contact the vice president for student affairs and the senior associate dean of students/designee. The senior associate dean of students will assemble the appropriate members of the Threat Assessment Team. An investigation will be initiated to determine the validity and credibility of the missing person report. The Threat Assessment Team will gather essential information about the student from the person making the report and any other relevant persons. The information to be obtained includes, but is not limited to, personal description, clothing last worn, locations where student may be, persons or witnesses who may have information, vehicle description, information of the physical and mental well-being of the student, up-to-date photograph, cell phone number, address, class schedule, etc.

When a student who resides in college housing is determined to have been missing for 24 hours, the appropriate member of the Threat Assessment Team will notify individual(s) identified as the missing person's emergency contact(s) within 24 hours. In situations in which the student has failed to designate a contact for missing student notification, Public Safety or the appropriate member of the Threat Assessment Team will use college records and resources to continue its investigation. Family members, including those not formally identified by the student, may be contacted during the course of the investigation to resolve a report of a missing student.

Notification of the Buffalo Police will be the responsibility of Public Safety after initial steps to locate the missing person are unsuccessful. In all instances, Buffalo Police will be notified that the student is missing within 24 hours of the college determining that the student is missing.

The Threat Assessment Team shall initiate a list of actions that they deem to be appropriate and in the best interest of the student.

The senior associate dean of students or designee will coordinate notification of the vice presidents for student affairs and institutional advancement.

Resolution of Missing Student Status

The listing contacts for any missing student will be advised of the resolution of a student’s missing status. These contacts will further be advised of law enforcement options in cases where the student is not located by the college.

RELATED POLICIES

Campus Law Enforcement Policy

Campus Security and Fire Safety Report Policy

Mandatory Crime Reporters Policy

2.3.11 Registered Sex Offenders Policy

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PURPOSE

The purpose of this policy is to comply with the Family Educational Rights and Privacy Act, as amended by The Campus Sex Crimes Prevention Act, which require each institution of higher education to disclose information concerning registered sex offenders.
POLICY

The Campus Sex Crimes Prevention Act requires institutions of higher education to issue a statement to the campus community about where to find information on registered sex offenders in the state.

In compliance with the Act, it is the policy of Canisius College to provide a link in the Annual Security and Fire Safety Report to the New York State Sex Offender Registry website. The campus community can obtain up-to-date law enforcement agency information provided by the state of New York concerning registered sex offenders from the New York State Sex Offender Registry website at: http://www.criminaljustice.ny.gov/. Unlawful use of the information for purposes of intimidating or harassing another may be a crime and punishable by law.

The Campus Sex Crimes Prevention Act also requires convicted sex offenders to notify the state and police in the jurisdiction in which they live if they are enrolled, carry on a vocation or are employed in a post-secondary institution. Further, convicted sex offenders who attend Canisius College, or who are employed or carry on a vocation at the college, either on a full or part-time basis, must register with Public Safety.

DEFINITIONS

Convicted Sex Offender—a person convicted of a crime involving a sexual offense that is required to register with government authorities.

Minor Child—a child under the age of 18, with the exception of properly enrolled students and employees.

PROCEDURES/GUIDELINES

Sex Offender Registration

All registered sex offenders are required to self-report their status to Public Safety upon employment or enrollment. If designated as a registered sex offender after employment or enrollment, the self-reporting must occur within three working days of the designation. Failure to self-report may result in disciplinary action up to and including termination of employment or suspension.

Employment and Enrollment of Sex Offenders

Employment – Registered sex offenders are not barred from employment or enrollment at Canisius College. Limitations and restrictions on employment and enrollment must be reasonable, job related (for employees), and directly related to areas of potential risk. Registered sex offenders are, however, prohibited from working in or being on the premises, without proper authority, of any area of the college that is designated to provide service/care to minor children. They are also prohibited from working in the college residence halls and being present in the living areas of college residential housing.

Enrollment – Registered sex offenders are prohibited from living in college housing and being present in the living areas of college residential housing. Other locations and/or events may be added at the discretion of the Senior Leadership Team.

RELATED POLICIES

Activities and Programs with Minor Children Participants Policy

Campus Security and Fire Safety Report Policy

2.3.12 Security Awareness and Crime Prevention Programs
DEFINITIONS
Not Applicable.

PROCEDURES/GUIDELINES
As part of the college’s educational mission, Public Safety teaches members of the campus community how to reduce their chances of suffering from a violation of their property or of themselves. To accomplish this, the department operates a crime prevention unit staffed by officers trained in crime prevention techniques. These officers conduct meetings, workshops and programs dedicated to the introduction and training of crime prevention methods and strategies. Canisius collaborates with officers from police departments in the surrounding area.

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:

Shuttle Bus Service: Shuttle bus service is operated through the Office of Student Life.

Crime Prevention Presentations: Annual crime prevention and Public Safety presentations are made to campus groups such as freshmen, transfer students and parents at orientation, commuter students, international students, student government, resident students, specific campus departments, recognized student organizations and staff groups.

Residence Halls: Crime prevention presentations, accompanied by brochures, other printed material and videos are made available several times each semester to students residing on campus.

VIN Etch Program: The VIN Etch program is a vehicle theft prevention program where a vehicle’s federal VIN number is permanently etched on the windows of your vehicle making it less desirable to thieves. This service is offered free of charge. Participation may save individuals up to 15 percent on their car insurance. For complete information about the VIN Etch program go to https://www.canisius.edu/student-experience/student-life-and-housing/commuter-students.

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 – the engraving of serial numbers, or owner specific numbers on valuable property – is strongly promoted. Engravers are loaned free-of-charge at the Public Safety 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: All residential facilities, computer labs and campus buildings are equipped with electronic access control devices. Access to these locations is only provided to students and staff members who possess a properly coded Canisius College identification card.

Emergency Telephones: Interior and exterior emergency telephones linked directly to the Department of Public Safety are located throughout the campus. Each of these telephones is answered by a Public Safety dispatcher.

Electronic Alarm Systems: A state-of-the-art intrusion and panic alarm system registers emergency situations with the Public Safety Office. Most college-owned buildings on the campus area are monitored through this system.

Closed Circuit Television: Exterior entrances of the dormitory-style residences and other areas of the campus are equipped with closed-circuit television cameras. These cameras, along with access alarms, help to deter unauthorized entry into the facility.

RELATED POLICIES
Campus Law Enforcement Policy
Campus Security and Fire Safety Report Policy
Mandatory Crime Reporters Policy
Sexual and Gender-Based Misconduct Policy
Timely Warnings Policy

2.3.13 Security Cameras Policy

<table>
<thead>
<tr>
<th>SECURITY CAMERAS POLICY</th>
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<tbody>
<tr>
<td>Effective Date: May 8, 2017</td>
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<tr>
<td>Policy Number: II – 2.3.13</td>
</tr>
<tr>
<td>Supersedes: Not Applicable.</td>
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<tr>
<td>Issuing Authority: President</td>
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<tr>
<td>Responsible Officer: Vice President for Student Affairs</td>
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<tr>
<td>Applicability: All members of the Canisius College community.</td>
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<tr>
<td>History:</td>
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</tbody>
</table>
PURPOSE
The purpose of this policy is to provide guidelines for the use of security cameras on the Canisius College campus in a manner that enhances security and aids law enforcement while respecting the privacy expectations of members of the college community.

POLICY
Responsibility for determining the appropriateness of installing Canisius College authorized security cameras on campus that will be used for non-instructional purposes, and for disseminating and implementing this policy is delegated to Public Safety.

Security camera use on campus for non-instructional purposes is considered appropriate when it enhances: The protection of individuals, equipment and facilities; the monitoring of public areas; the monitoring of building entrances and exits; and the investigation of criminal activity.

Security camera use on campus is considered inappropriate when it entails: The monitoring of private areas; and filming as a means of surreptitiously evaluating employee performance.

Note: The existence of this policy does not imply or guarantee that security cameras will be monitored in real time continuously or otherwise.

DEFINITIONS
Private Areas—areas in which a person has a reasonable expectation of privacy, including, but not limited to non-common areas of residence halls, residence hall corridors, bathrooms, shower areas, locker and changing rooms and other areas where a reasonable person might change clothes. Additionally, areas designed for the personal comfort of college employees or the safeguarding of their possessions, such as lounges and locker rooms, and areas dedicated to medical, physical, or mental therapy or treatment are considered private areas for the purpose of this policy.

Public Areas—areas made available for use by the public, including, but not limited to, campus grounds, parking areas, building exteriors, loading docks, areas of ingress and egress, classrooms, lecture halls, study rooms, lobbies, theaters, libraries, dining halls, gymnasiums, recreation areas, and retail establishments. Areas of the college in which persons would not have a reasonable expectation of privacy, but to which access is restricted to certain college employees, such as storage areas, are also be considered public areas for the purpose of this policy.

PROCEDURES/GUIDELINES
All recording or monitoring of the activities of individuals or groups by Canisius College authorized security cameras will be conducted in a manner consistent with existing college policies, and will never be based on the subjects' personal characteristics, including basis of race, color, sex, religion, ancestry, national origin, age, sexual orientation, disability, veteran status, gender identification, or genetic information or any other characteristic protected by federal, state or local law.

All recording or monitoring of video records will be conducted in a professional, ethical, and legal manner. Public Safety, as well as any other staff assigned to monitor video records will receive training in the effective, legal and ethical, use of the monitoring equipment.

All recording or monitoring of public areas for security and safety purposes by Canisius College authorized security cameras is limited exclusively to practices that will not violate the standard of a reasonable expectation of privacy.

Recorded images made by Canisius College authorized security cameras will be archived in a secure location for a specific predetermined period of time by Public Safety and will be accessible to authorized personnel on an as needed basis only. Upon expiration of the predetermined time period for storage, all recorded images will be destroyed unless they are being used as part of an ongoing investigation of criminal or disciplinary activity. The alteration of previously recorded images is strictly prohibited.

Recorded materials are available only to duly authorized officials of Canisius College and appropriate law enforcement agencies, as provided in this policy. These materials may be used only in connection with: (a) Disciplinary proceedings involving student(s) or Canisius College employees or agents; (b) Actual or potential litigation involving Canisius College, in the event the material may be relevant to the issues involved in such litigation; (c) Any other action taken by Canisius College in which the material may be relevant to the action; or made available for use by a law enforcement agency in connection with criminal proceedings in the event the material may be relevant to the issues involved in such proceedings; and (d) Such other lawful and legitimate purposes as determined by the president of the college, in consultation with the director of public safety.

An audit of the location, use, and effectiveness of all security cameras used for the recording and monitoring of public areas for non-instructional purposes will be conducted by Canisius College under the guidance of the director of public safety on regular basis.

Security cameras installed by authorized financial institutions to monitor ATM machine usage on campus are exempt from this Policy.

Any persons who tamper with or destroy video security equipment will be subject to criminal proceedings and/or campus disciplinary action.

RELATED POLICIES
Not Applicable.

2.3.14 Students of Concern Policy

<table>
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<tr>
<th>STUDENTS OF CONCERN POLICY</th>
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<tr>
<td>Effective Date: May 8, 2017</td>
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PURPOSE

The purpose of this policy is to identify and set forth policies and procedures pertaining to the Students of Concerns Committee. The team exists as a proactive, multi-disciplinary committee in support of the safety, health, and well-being of all students. Its goal is to provide a structured positive method for addressing student behaviors that may adversely impact the college community, the mission of the college, and may involve psychiatric and/or safety issues.

POLICY

Canisius College is committed to promoting and maintaining an environment where students participate in the educational process without compromising the health, safety, or welfare of themselves or others. The procedures and policy guidelines set forth in this policy create a campus based multi-disciplinary intervention and response committee to engage students who may pose a threat to the College community or to themselves.

Note: This policy is not a substitute for appropriate police or emergency involvement. Call Public Safety or 911 if there is a threat of imminent physical harm.

DEFINITIONS

Not applicable.

PROCEDURES/GUIDELINES

The Students of Concerns Committee (“SOCC”) provides a means by which members of the college community may report instances of observed conduct, actions, or statements by a student that represent a direct threat of harm to members of the campus community or to themselves or who poses a significant disruption to the college’s living, learning, or work environment.

The SOCC may then assess the risk associated with these concerns and, in cooperation with other appropriate college offices or departments, formulate an appropriate response when a student’s behavior and/or statements generate concern that he/she may present a threat to the health or safety of others or to themselves.

The SOCC consists of a group of qualified professionals who are likely to become involved with and/or receive information pertaining to a student of concern. The committee is organized through the Griff Center for Academic Engagement and has professional representatives from the following areas:

- Associate academic deans from each of the schools
- Student Life
- Public Safety
- Campus Ministry
- Financial Aid
- Griff Center: assistant dean of new students, Accessibility Support,
- Academic Mentoring, Veteran Support, Student-Athletic Advisement
- Advisory support — Student Health Office and Counseling Center

Other ad hoc members may be included as needed.

The SOCC meets bi-weekly during the academic year to identify, assess, and respond to any student who is displaying behaviors that may impact their ability to be successful in the college environment. The concerns may range from small changes in personality, a family crisis or death, or larger behavioral issues that may create a significant amount of concern. The issues addressed may be first indicators that a student needs assistance or continuous support or outreach.

Instances of observed conduct, actions, and statements by the student that represent a direct threat to members of the campus community may be reported to the SOCC by any student, parent, or employee of the College, and by others not directly associated with the college. The most common method of reporting by staff and faculty is done via the Student Status Report System through iAdvise. Other may report by contacting any members of the SOCC. In emergency situations, individuals should immediately call local law enforcement by dialing 911 and then Public Safety at (716) 888-2330.

After a submission is reviewed, the SOCC’s response will vary depending on the type of concern reported. This may range from an e-mail and/or phone contact offering assistance for a student representing no risk, to an immediate/mandatory appointment with a student representing potentially high risk.

The SOCC will assess the situation and make a determination that takes into consideration the student’s best interest, as well as the best interest of the college community. In the event of a psychological emergency, the Psychological Major Emergency Situations procedures set forth in the Crisis Response Plan will be followed. Other possible outcomes include, but are not limited to: appropriate treatment; referral to an additional campus resource; reduction in access to courses and/or facilities; and withdrawal from the college.

In determining an appropriate outcome, the college will consider whether there is a reasonable way to accommodate the student to decrease the safety risk to the student or others and/or to ensure compliance with college policies. Moreover, any decision to withdraw a student from the college will be made in consultation with a professional qualified to interpret the evidence. The decision rendered by the team will be made in a nondiscriminatory manner based on the observation of a student’s conduct, actions, and statements and not be based on a slightly increased, speculative, or remote risk of substantial harm to oneself or others.

Students who fail to comply with an assessment requirement may be referred to the vice president for student affairs for action.

Retaliation
Retaliating against a person who has made a report to the team in good faith or has participated in an investigation is prohibited. Retaliation includes, but is not limited to: ostracizing the person; pressuring the person to drop the report or not participate in an investigation; or taking other adverse action against the person. An individual who engages in retaliation under this policy will be subject to discipline in accordance with the college’s personnel, faculty, or student life policies, as applicable.

RELATED POLICIES

Crisis Response Plan – Psychological Major Emergency Situations TBA

Involuntary Leave of Absence Policy

2.3.15 Timely Warnings Policy

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<th>TIMELY WARNINGS POLICY</th>
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<td>Effective Date:</td>
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<td>Responsible Officer:</td>
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<td>Applicability:</td>
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PURPOSE

The purpose of this policy is to establish the college’s responsibilities and procedures for issuing a timely warning to the college community about criminal activity to help them avoid a continuing threat and aid in the prevention of similar crimes.

POLICY

Canisius College will issue a Timely Warning Notice in the event it receives notice of an alleged Clery Act crime (identified below) occurring on campus, on public property within or immediately adjacent to the college’s campus, or in or on non-campus buildings or property controlled by the college, where the college determines, in its judgment, that the allegations present a serious or continuing threat to the Canisius College community.

DEFINITIONS

Bias—a preformed negative opinion or attitude toward a group of persons based on their race, gender, gender identity, religion, disability, sexual orientation or ethnicity/national origin.

Clery Act Crime—arson, criminal homicide, burglary, robbery, sex offenses, aggravated assault, motor vehicle theft, domestic violence, dating violence, stalking and hate crimes, as defined by the Clery Act.

Hate Crime—a criminal offense of murder and non-negligent murder, forcible sex offenses, non-forcible sex offenses, robbery, aggravated assault, burglary, motor vehicle theft, arson, larceny-theft, simple assault, intimidation, destruction/damage/vandalism of property, domestic violence, dating violence, or stalking incidents, where the criminal offense was committed against a person or property which is motivated, in whole or in part, by the offender’s bias.

Timely—as soon as reasonably practicable, after an incident has been reported to: Public Safety, a campus security authority (CSA), or a local police agency.

Timely Warning—a communication triggered when a crime is reported and the college determines there is a continuing threat to the campus community. Crime reports do not always require an emergency notification, but are released once the pertinent information is available.

PROCEDURES/GUIDELINES

Whether to issue a Timely Warning Notice is determined by Public Safety on a case-by-case basis for Clery Act reportable crimes: arson, criminal homicide, burglary, robbery, sex offenses, aggravated assault, motor vehicle theft, domestic violence, dating violence, stalking and hate crimes, as defined by the Clery Act. Timely warning notices may also be issued for other crimes as determined necessary by Public Safety. The college will document and retain the justification for determining whether to issue a timely warning notice for a seven-year period.

Timely Warning notification methods may consist of any or all of the following:

**Canisius Alert System**: The Canisius Alert System is an emergency notification system that enables college officials to quickly notify the campus community in the event of a significant emergency. The notices can be automatically sent to the cellular telephones and residential telephones, e-mail accounts, and other communication devices that have been pre-selected by those members of the campus community who have registered to receive the emergency alerts. The system is tested twice annually.

**Canisius Emergency Public Alerting System**: The Canisius Alerting System is a speaker system located inside buildings throughout the campus that enables certain college officials to broadcast real time or pre-recorded emergency voice announcements in the event of a significant developing
emergency situation on campus or in the general campus area. Depending on the emergency the announcements can be sent to individual buildings, groups of buildings, or as a general announcement to all campus buildings. The system is tested tactically on an annual basis. The sound capability of the system is tested daily.

Canisius College Website: The Canisius College website is used as a primary communication vehicle for the quick notification of emergency, college closings or class cancellations. Information for the website can be uploaded from remote locations to facilitate the quick dissemination of information. In the event of a campus crisis, a Campus Alert Homepage has been prepared to announce and chronicle events and provide support information to various audiences. If the college website is disabled because of a campus emergency, the College has made arrangements with a remote web service provider to publish an emergency homepage in order to maintain web communication.

Written timely warning notices typically contain in the subject line the phrase "Timely Warning Notice" or "Crime Alert" depending on the nature and severity of the threat. The body of each timely warning notice will include a short description of the crime or incident giving the time and date, location, reported offense, suspect description, weapon used (if any), suspect vehicle (if any) and method of operation used to facilitate the crime. The notice will also include personal safety information to aid members of the college community in protecting themselves from becoming victims of a similar crime and to promote overall safety for the college community. In no instance, however, will a timely warning notice include the name of the victim or other identifying information about the victim. Finally, in developing the content of the timely warning notice, the college will take all reasonable efforts not to compromise on-going law enforcement efforts.

RELATED POLICIES

Campus Law Enforcement Policy
Campus Security and Fire Safety Report Policy
Emergency Notification and Response Policy
Crisis Response Plan TBA
Mandatory Crime Reporters Policy
Sexual and Gender-Based Misconduct Policy
Timely Warnings Policy

2.3.16 Weapons and Other Dangerous Instruments Policy

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<tr>
<th>WEAPONS AND OTHER DANGEROUS INSTRUMENTS POLICY</th>
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<td>Policy Number:</td>
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<td>Responsible Officer:</td>
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<tr>
<td>Applicability:</td>
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<tr>
<td>History:</td>
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</tbody>
</table>

PURPOSE

The purpose of this policy is to establish restrictions regarding the possession or use of weapons and other dangerous instruments on campus or at a college-sponsored activity or event.

POLICY

The unauthorized or illegal possession, use or sale of firearms, airsoft guns, air guns, paintball guns, ammunition, fireworks, explosives or any lethal weapon or dangerous instrument, is strictly forbidden on campus and subject to college discipline, as well as criminal charges. Approval for possession and use of firearms is limited to specific situations such as Reserve Officers Training Corps (ROTC) supervised activities, Canisius Public Safety officers engaged in their official duties and commissioned law enforcement officers engaged in their official duties. All other possession or use of a weapon must be authorized in writing by the Canisius College director of public safety.

DEFINITIONS

Lethal Weapons and Dangerous Instruments—firearms, airsoft guns, air guns, paintball guns, ammunition, fireworks, explosives, or thing which, in the manner it is used, is intended to be used or threatened to be used, is known to be capable of producing death or serious bodily injury. Examples of lethal weapons and dangerous instruments include but are not limited to: firearms of any description, paintball, carbon dioxide and spring propelled guns, swords, dirks, knives, brass knuckles, blackjacks, bow and arrows or crossbows or other devices designed or intended to propel a missile of any kind, stun guns, stun batons, tasers or other electronic or electric weapons, fireworks, bombs, and other explosive devices that may be implemented for the infliction of serious bodily injury, and any other instrument deemed to be a weapon. This list is not intended to list all possible weapons; final determination is at the discretion of the college.

PROCEDURES/GUIDELINES

Sanctions
Students and employees who violate the provisions of this policy are subject to disciplinary action, up to and including dismissal or termination of employment.

Public Safety is responsible for appropriate enforcement of the policy for visitors and others on campus, which may include removal from the campus, restriction of access to campus, criminal and/or civil proceedings.

Exceptions

Active sworn law enforcement officers are permitted to bring a firearm to campus or keep a firearm locked inside their vehicle in any college-owned or leased parking lot.

In addition, there may be theatrical productions, displays, props used in plays, props used in class presentations or educational workshops that may appear to violate the letter of this policy, but this is not the intent of this policy. In such cases, written approval granting permissible use of the props from the director of public safety is required before the activity may take place. Those responsible for the activity must remove the props from the college property at the end of the term of the permission.

RELATED POLICIES

Crisis Response Plan TBA

Emergency Notification and Response Policy

Fire Safety Policy

Timely Warnings Policy

[1] Sex Offenses Definitions From the National Incident Based Reporting System Edition of the Uniform Crime Reporting Program.