®

YESHIVA UNIVERSITY

Annual Security Report

October 1, 2023

Israel Henry Beren Campus

Murray Hill section of Manhattan

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ABOUT THE ANNUAL SECURITY REPORT

This Annual Security Report (this "Report") is prepared by Yeshiva University (the "University" or "YU") to comply with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (the "Clery Act") and the Campus Sex Crimes Prevention Act. This Report is updated annually by the University on or about October 1st. The University provides a notice of availability of this Report to current students and employees (and in certain circumstances also provides them with a copy), and also provides a notice of availability of this Report to prospective students and employees. This Report is also available on-line on the University's website at: http://yu.edu/safety-security/reports/security. You may request a paper copy of this Report by contacting the Beren Campus Security Department (917-326-4885 or security@yu.edu), the Beren Campus Office of Student Life (646-592-4125), or the University's Human Resources Department (646-592-4335).

The Security Department is responsible for ensuring the annual publication and dissemination of this Report, including compiling the required policy statements and gathering the required crime statistics from other University departments, the New York City Police Department ("NYPD"), and other applicable police departments and law enforcement agencies. The Security Department is in charge of operating Security Departments on each of the three Manhattan campuses of the University: the Wilf Campus (consisting of several buildings in the Washington Heights section of Manhattan), the Israel Henry Beren Campus (consisting of several buildings in the Murray Hill section of Manhattan), and the Brookdale Center, Benjamin N. Cardozo School of Law (consisting of one building in the Greenwich Village section of Manhattan). The Manhattan Security Department also is in charge of security for the campus of the Ferkauf Graduate School of Psychology of Yeshiva University in the Morris Park section of the Bronx (consisting of the Rousso building (1165 Morris Park Avenue) and the 5th floor of the Van Etten building (1225 Morris Park Avenue) which also is used for programs of the Katz School of Science and Health).

The purpose of this Report is to provide the University community with accurate information about campus security policies, victim's rights, and crimes occurring on and around the campus.

This Report relates to the Beren Campus in the Murray Hill section of Manhattan. There is a separate annual security report for each other campus. The annual security reports for the other Manhattan campuses and the Ferkauf/Katz Campus are available on-line on the University's website at: http://yu.edu/safety-security/reports/security.

The University also annually prepares and publishes an Annual Fire Safety Report for each of the campuses (as applicable) on or about October 1st. The reports for the Manhattan campuses are posted on-line on the University's website at: http://www.yu.edu/safety-security/reports/fire-safety/.

In March 2019, Albert Einstein College of Medicine became an independent academic institution. The annual security report and annual fire safety report for Einstein, as well as information about its daily Crime and Fire Safety Logs, are available on-line on its website at http://www.einsteinmed.edu.

MESSAGE FROM THE SECURITY DEPARTMENT

Campus safety and security is a shared responsibility. The best protection against campus crime is an aware, informed and alert campus community; students, faculty and staff who use reason and caution; and a proactive security presence. The vast majority of the University's students, faculty, staff and visitors will never experience crime during their time at the University. However, despite the University's best efforts, crimes may still occur. The University is committed to maintaining a safe and secure campus. If you have any concerns, questions or comments about the University's campus safety and security programming, please contact the Beren Campus Security Office at 917-326-4885.

REPORTING CRIMES, SERIOUS INCIDENTS, AND OTHER EMERGENCIES

As a non-profit institution, the University recognizes that it is essential for all members of the University community to maintain the highest ethical standards of conduct and integrity. It is important for a University community member to act immediately in suspected cases of abuse or other crimes, or in a circumstance where a member finds himself/herself either a victim or a witness to questionable activity. In such situations:

- If immediate emergency assistance is required, or a crime is in progress, dial 9-1-1 to call the NYPD.
- For a non-emergency situation, call the Beren Campus Security Department (917-326-4885 or 1-888-STERN YU (1-888-783-7698)). The Security Department can help assess the situation and determine what other notification or action is necessary.
- Information on potential criminal activity also may be reported anonymously to the University's confidential Compliance Hotline by calling the toll free hotline at 866-447-5052 or via the web at https://www.integrity-helpline.com/yu.jsp.

The Security Department maintains an excellent working relationship with the NYPD, the New York City Fire Department ("FDNY"), and other emergency responders. The University has a Memorandum of Understanding with the NYPD, which provides that an investigation be conducted in cooperation with the NYPD of any violent felony offense or missing student on campus. The University also generally reports other serious crimes to the NYPD for their assistance and follow-up investigation.

Alternatively, the following University departments can also be contacted to report crimes or other serious incidents. These departments will in turn contact the Security Department.

- Beren Campus Office of Student Life (646-592-4125)
- Beren Campus Office of University Housing and Residence Life (646-592-4163)
- Human Resources Department (646-592-4335)
- Vice Provost of Student Affairs / Title IX Coordinator (646-592-4201)
- Dean of Students (646-592-4129)
- Athletics Department (646-592-4610)

These departments (and their authorized personnel), as well as the Security Department, are designated as "campus security authorities," as defined by the Clery Act.

Voluntary, Confidential Reporting of Crimes

The University encourages any victim of a crime committed on campus to report the crime to the Security Department (917-326-4885 or 1-888-STERN YU (1-888-783-7698)) or other campus security authorities. If requested by the victim and to the extent permitted by applicable law, the University will endeavor to keep confidential the identity of the victim. Reporting the crime to the University will enable it to keep accurate records of the number of crimes committed on campus, determine if there is a pattern of crime with regard to a particular location, method or assailant, and alert the other members of the campus community to potential danger, thereby assisting the University's efforts to protect the members of the campus community. Reports are counted and disclosed in the annual crime statistics for the University.

Pastoral and Professional Counselors

"Pastoral Counselors" and "Professional Counselors", when acting as such, are not considered to be "campus security authorities" and are not required to report crimes for the purpose of investigating or inclusion in the University's annual crime statistics. As a matter of policy, they are encouraged, if and when they deem it appropriate, to inform persons being counseled of the procedures to report crimes on a voluntary basis for inclusion in the University's annual crime statistics or otherwise to the appropriate law enforcement agency.

A "Pastoral Counselor" is defined as a person who is associated with a religious order or denomination, is recognized by that religious order or denomination as someone who provides confidential counseling, and is functioning within the scope of that recognition as a pastoral counselor.

A "Professional Counselor" is defined as a person whose official responsibilities include providing mental health counseling to members of the University's community and who is functioning within the scope of his or her license or certification. This definition applies even to professional counselors who are not employees of the University, but are under contract to provide counseling at the University.

SAFETY AND SECURITY AT YESHIVA UNIVERSITY

The Beren Campus Security Department

The Beren Campus Security Department includes:

Chief of Security	Paul Murtha
Deputy Chief of Security	Jose Morales
Assistant Director	Kelvin Valentin
Assistant Director	Jeremiah Leary
Assistant Director	Louis Garza
Security Supervisor	Ytalo Plata

The Chiefs of Security, Assistant Directors and Security Supervisor are on call twenty-four hours a day, seven days a week, to deal with special situations and emergencies. In addition, the Beren Campus Security Department is comprised of approximately 68 full-time Security Officers and 8 uniformed supervisors licensed by New York State. Security Department staff are not sworn law enforcement personnel and do not have arrest authority. They are assigned to both fixed and mobile posts, and patrols are conducted in vehicles and on foot across the campus. All security guards receive both pre-employment and in-service training as required by the New York State Security Guard Act. Many guards are also licensed by the FDNY as Fire Safety Directors and/or Fire Guards. In addition, many of the Security Department staff also received CPR/AED training.

Working with the New York City Police Department

The Security Department maintains a strong, collaborative working relationship with the NYPD. The Beren Campus is located within the boundaries of the NYPD's 17th Precinct located on 167 East 51st Street (212-826-3211) and Midtown South Precinct located on 357 West 35th Street (212-239-9811).

If the NYPD is contacted about criminal activity occurring off campus involving students of the University, the NYPD may notify the University. However, there is no official NYPD policy requiring such notification. Students in these cases may be subject to arrest by the NYPD and subject to University disciplinary proceedings.

Crime Awareness and Crime Prevention Programming

Once a year, prior to the start of the Fall semester, the Security Department conducts a comprehensive Security Orientation Program with all undergraduate Housing Resident Advisors (RA's) and Graduate Assistants (GA's), as applicable, designed to forge a partnership with the Security Department in preventing crime and enhancing security awareness in the undergraduate residential housing facilities on campus.

Twice a year, during the Spring and Fall orientation sessions, the Security Department conducts a Security Awareness & Crime Prevention Program for all new undergraduate students on campus. This program is designed to inform students about campus security procedures and practices, and to encourage students to be responsible for their own security and the security of others. During the program, information concerning security awareness, crime prevention, fire safety and other campus security-related matters is distributed and discussed.

The NYPD Community Affairs Division provides the Security Department with crime prevention tips, security advisories and other relevant information regarding conditions surrounding the campus. This information, when relevant, is forwarded by the Security Department to students and employees via an email message or posted on the Security Department's website.

In addition, the Security Department's website has a "Safety Tips" crime prevention and awareness section with information on personal safety, crime prevention, theft prevention and sexual assault. This website is located at http://yu.edu/safety-security/safety/ and is accessible to everyone, including all students and employees.

Security and Access to Campus Buildings, including Residence Halls

The University takes very seriously its responsibilities to help secure the safety of its buildings for its students, faculty, staff and visitors. Security Officers and security cameras are used to control access to all open buildings, including residence halls, and patrols are in place on the campus twenty-four hours a day, seven days a week. ID scanners have been added to the buildings to control access. Additional personnel are provided for special events held on campus. The post assignments for Security Officers are constantly evaluated and modified, if necessary, to meet current needs. In buildings without a Security Officer, the office is equipped with an intercom system and visitors are allowed access after their identification is checked.

The Beren Campus Security Department office is located at 50 East 34th Street (1st Floor). The office can be contacted by calling 917-326-4885. A local Toll Free number is available by calling: 1-888-STERN YU (1-888-783-7698).

Security Personnel are assigned to the following Residence Halls, on a twenty-four hours a day, seven days a week basis. All calls for emergency assistance should be made to the security desk, which are located in the lobbies of all the buildings.

- Brookdale Residence Hall – 212-340-7796
- The Benjamin – Residence Hall – 646-592-4673
- Schottenstein Residence Hall – 212-340-7460
- 151 East 36th Street – 917-256-0225
- 150 East 35th Street – 212-679-4783

Security Personnel in the administrative buildings can be reached at the following numbers:

- Stanton Hall – 212-340-7709
- Syms School of Business – 917-326-4875

Security matters for 251 Lexington Avenue and for 200 East 30th Street are handled by Beren Campus Security Department office 917-326-4885.

The Security Officer receiving the request will dispatch security personnel to handle the situation and place calls for the NYPD, FDNY and/or EMS/ Ezras Nashim / Hatzolah response.

Valid University identification cards must be displayed, upon request, to gain entrance to buildings and offices, as applicable. Visitors are checked in at the Security Desk of each building, as applicable. With respect to residence halls, no one is allowed unless he/she is a resident or other authorized visitor. When permitted, all guests must be in the presence of the resident student. (For further information, please refer to the applicable Guest Policy which is available on-line on the University's website at: https://www.yu.edu/student-life/housing/women). Residents must respond to the lobby to accept deliveries. Cooperation with this procedure is essential.

At times, a local van shuttle service is available for certain riders with valid University identification cards. The service transports passengers to and from the Wilf Campus, subways, and other locations within the community. In addition, at times there is a scheduled shuttle service between the Beren Campus and the Wilf Campus. Schedules for van shuttles are

distributed to all students on campus, and are also available on-line on the University's website at: http://yu.edu/safety-security/transportation/shuttles/.

Video surveillance cameras and intrusion alarm systems are installed at certain key locations on campus and are an integral part of the overall security monitoring system. Security personnel are equipped with portable radios for emergency communication.

Security Considerations in the Maintenance of Campus Facilities

The University endeavors to maintain its facilities in a manner that minimizes hazardous conditions. Security Officers regularly patrol the campus and report malfunctioning lights and other unsafe physical conditions to the Security Department, where a report is then prepared. Reports are then routed to the appropriate department for corrective action. Members of the University are encouraged to report dangerous or hazardous conditions, or other events that could cause damage to campus facilities to Security Personnel at 1-888-STERN YU (1-888-783-7698). Appropriate personnel will be dispatched to correct the condition.

Notifying the Campus About Crimes and Emergency Situations

Timely Warning Policy

To help prevent crimes or serious incidents, the Security Department (under the direction of the Chief of Security) will issue a warning in a timely manner (i.e., generally as soon as pertinent information is available to it or other campus security authorities) about the commission of any Clery Act Crime (i.e., those listed in the annual crime statistics disclosure) committed on campus or in the vicinity via one or more of the following: text-message, voicemail, email, the University's website, the University's hotline, and other available communication channels (which may include campus flat screens). At times, the Security Department (under the direction of the Chief of Security) may also issue a timely "YU Security Advisory" in the event that another situation on campus or in the vicinity arises that, in its judgment, could pose an ongoing threat to the University community. These warnings and advisories are intended to alert the University community to the potential threat, and to help prevent additional crime and promote safety.

Crime prevention is of the utmost concern to everyone. In order for the University's efforts to be effective, security must be a responsibility shared by all members of the campus community. Anyone with information which may necessitate a timely warning or advisory should immediately report the circumstances to the Security Department (917-326-4885 or 1-888-STERN YU (1-888-783-7698)). Warnings and advisories will withhold the names of victims as confidential. Community Education Security Memos will be periodically distributed to everyone in order to enhance campus safety and security.

The following Emergency Response Policy sets forth the procedures established to address emergency situations requiring immediate notification to the campus community.

Emergency Response Policy

As required by federal law, Yeshiva University has established the following procedures to address emergency situations requiring immediate notification to the campus community.

The University employs separate procedures that govern timely warnings of campus crimes that are sent to the campus community. This policy applies only in situations where the Emergency Response Group (as defined below) determines that there is an immediate threat of danger to the campus community.

Immediate Notification

Immediate notification will be used in only those situations (e.g., severe weather, major fires and serious crimes) that occur on campus and involve an imminent threat to the health or safety of students or staff.

In the event of a significant emergency or dangerous event requiring immediate notification, the University will employ an alert system that includes any or all of the following: text-message, voicemail, email, the University's website, the University's hotline, and other available communication channels (which may include campus flat screens). The University will generally provide follow-up information to the larger community as appropriate via the University's website.

The alert system is provided in addition to existing emergency notification procedures and does not replace or eliminate any other emergency notification system (e.g., fire alarms or intrusion alarm systems). If the University follows its immediate notification procedures in the case of an immediate threat, the University is not obligated to issue a timely warning based on the same circumstances.

Emergency Response

The members of the Emergency Response Group are responsible for determining whether there is a significant emergency or dangerous situation on campus. If any member of the Emergency Response Group confirms the existence of a significant on-campus emergency or dangerous situation involving an immediate threat to the health or safety of students or staff, such person, in conjunction with the other members of the Emergency Response Group, is responsible for determining the appropriate segment or segments of the campus community to receive the alert message.

The Emergency Response Group will immediately notify the Marketing and Communications office of any emergency or dangerous situation, and all public inquiries will be directed to such office.

The Emergency Response Group will, without delay, and taking into account the safety of the community, determine the content of the immediate notification and initiate the alert system, unless issuing an alert will, in the professional judgment of the Emergency Response Group or other responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency situation.

The Office of the President (including the Chief of Staff), as well as the Vice President of Business Affairs, the Vice President for Legal Affairs, the Provost, the Vice President of Communications, the Chief Human Resources Officer, and the Dean of Students (collectively, the "Emergency Response Notification Group"), also will be immediately notified of any emergency or dangerous situation and, as appropriate, consulted in making any such determinations.

The police and other emergency personnel will be contacted as appropriate.

Alert System

The University maintains multiple systems for alerting students and staff about campus emergencies. The University provides alert messages to the campus community, via the YU ALERT system. To receive the above notifications, students and staff are strongly encouraged to register their cell phones, text devices, PDAs and land-line phones by visiting www.yu.edu/yualert.

Emergency alerts are also sent to email addresses ending in "yu.edu."

Annual Testing

The Security Department is responsible for testing the University's emergency response and evacuation procedures at least once per year. These tests may be announced or unannounced. The Security Department is responsible for maintaining documentation for each test, including a description of the exercise, the date and time of the exercise, and whether the drill was announced or unannounced. The University will publicize (generally via e-mail but at times it also may use other forms of communication) its emergency response policy and emergency response procedures to all current students and staff in conjunction with at least one test per year.

Emergency Response Group*	• Chief Facilities & Administrative Officer • Chief of Security

* The Emergency Response Notification Group will be notified and consulted as provided above.

In the event of a vacancy in any of the positions referred to herein, the person performing the duties of such vacant position shall be substituted herein.

Daily Crime and Fire Safety Log

The Security Department office on each campus, and Ferkauf/Katz maintains a Daily Crime Log and Fire Safety Log for such campus/Ferkauf-Katz (on the Beren Campus at 50 East 34th Street, 1st Floor). The logs for the most recent 60-day period are available for public inspection, upon request, during normal business hours, Monday to Friday, and information for prior periods is available upon request to the Security Department, with at least 2 business days' prior notice. Notice of the availability of the logs can be found on the University's website at: http://yu.edu/safety-security/reports/security.

These logs include all crimes, fire-related incidents and other serious incidents reported to the Security Department that occur on the applicable campus, including non-campus buildings or properties, on public property or within the Security Department's jurisdiction, or crimes reported to the Security Department by the NYPD.

The logs set forth the incident type, date the incident is reported, date and time of occurrence, and general location of the incident, as well as the disposition of the incident (if this information is known). An incident is posted into the log by the Security Department within 2 business days of it receiving a report of an incident; provided that the Security Department may exclude reports from a log in certain circumstances as permitted by law.

Campus Sexual Assault Policies including Sexual Harassment, Sexual Abuse/Assault, Stalking, and Dating Violence/Domestic Violence

Respect for one another is essential to preserving the spirit of the University community. Membership in the community entails certain rights and responsibilities. All members of the community are afforded these rights, and are equally accountable to uphold their responsibilities. Members are also expected to abide by all Federal, New York State, and New York City laws.

The University has a comprehensive Non-Discrimination and Anti-Harassment Policy & Complaint Procedures (including Sexual Harassment, Sexual Abuse/Assault, Stalking, Domestic Violence and Dating Violence) which can be found on-line on the University's website at: http://yu.edu/safety-security/security-policies-and-procedures.

The University prohibits the crimes of dating violence, domestic violence, sexual assault and stalking, as those terms are defined for purposes of the Clery Act.

Some of the pertinent provisions of this Policy are as follows:

To Whom Applicable

The Policy applies to all University faculty, administration (whether supervisors, administrators, senior or otherwise, and managers), athletic personnel, and other staff, whether full-time or part-time, non-employees working at the University (such as employees of contracted service providers, volunteers, and interns), applicants for employment, students and visitors, and covers their treatment of each other as well as others with whom they come into contact at the University and/or at University-sponsored and affiliated activities and events.

The University's disciplinary authority may not extend to third parties who are not students or employees of the University; however, a complaint that such a person engaged in a violation of the Policy will be investigated in accordance with the Policy as will a complaint of Other Sexual Misconduct made to the University by a third party if such complaint is connected to the University's educational programs or activities. At the time of filing a complaint of Title IX Sexual Harassment, a complainant must be participating in, or attempting to participate in, the University's education programs or activities.

Where Applicable

The Policy is intended to protect all aforementioned people and applies to conduct that occurs on University premises and/or at University-sponsored and affiliated activities and events, whether on University premises or at other locations, including, but not limited to, overnight trips, sporting events and practices, study abroad programs, service learning programs, internships and external business meetings, and to all forms/uses of technology by all individuals covered by the Policy.

The prohibition against Title IX Sexual Harassment applies to conduct that occurs in the United States in the University's education programs and activities. Education programs and activities include locations, events or circumstances where the University exercised substantial control over both the person accused of misconduct and the context in which the harassment occurred, and also includes any building owned or controlled by a student organization that is officially recognized by the University.

Conduct that occurs outside of the University's education programs and activities or that occurs outside of the United States or at locations, events, or under circumstances where the University does not exercise substantial control over both the person accused of misconduct and the context in which the harassment occurred, although not covered by the Title IX Sexual Harassment policy, may be covered by the University's Other Sexual Misconduct policy if the University determines that the behavior, or the continued presence of the accused perpetrator, impairs, obstructs, substantially interferes with or adversely affects the mission, processes or functions of the University. Calls, texts, emails, and social media usage by employees can constitute unlawful workplace harassment, even if they occur away from the workplace premises or not during work hours.

Title IX Sexual Harassment

Sexual Harassment, including sexual abuse/assault, is a form of sex discrimination prohibited by Title IX, Title VII of the 1964 federal Civil Rights Act, the New York State Human Rights Law, and the New York City Administrative Code. Sexual harassment is offensive and includes harassment on the basis of sex, sexual orientation, gender identity and the status of being transgender.

Sexual harassment refers to any unwelcome or unwanted sexual advances, requests for sexual favors, or other verbal, physical, demonstrative, or electronic conduct or communication of a sexual nature, or which is directed at an individual because of that individual's sex, and includes (i) Hostile Environment Harassment, (ii) Quid Pro Quo Harassment, (iii) Sexual Assault, including Rape, Statutory Rape, and Fondling, (iv) Dating Violence, (v) Domestic Violence, and (vi) Stalking.

Other Sexual Misconduct

In addition to Title IX Sexual Harassment, the University prohibits a broader range of misconduct under its prohibition against Other Sexual Misconduct. This captures any unwelcome or unwanted sexual advances, requests for sexual favors, or other verbal, physical, demonstrative, or electronic conduct or communication of a sexual nature, or which is directed at an individual because of that individual's sex, but falls outside the scope of Title IX Sexual Harassment.

Title IX Coordinator (per Title IX of the Higher Education Act of 1972 ("Title IX"))

The University has designated an employee to coordinate its efforts to comply with and carry out its responsibilities under Title IX. This employee is called the Title IX Coordinator and is responsible for ensuring Title IX compliance at the University, as well as compliance with the Policy. The Title IX Coordinator is responsible for the effective implementation of supportive measures. At the conclusion of a grievance process, the Title IX Coordinator is also responsible for effective implementation of any remedies.

The Title IX Coordinator for the University is currently Dr. Chaim Nissel, who also serves the function of Vice Provost of Student Affairs. The Title IX Coordinator is responsible for ensuring the prompt and equitable resolution of all Title IX complaints and other complaints under this Policy, identifying and addressing any patterns of systemic problems that are found based on review of such complaints or otherwise, and providing education and training about this Policy to the University community. Dr. Nissel can be reached at (646) 592-4201 or via email at drnissel@yu.edu. His office is located on the Wilf Campus, 500 West 185th Street, New York, New York 10033. In the event of Dr. Nissel's absence (or in the event of a conflict of interest), his duties are carried out by the following Deputy Title IX Coordinators: Ann Todd, Esq. - (646) 592-4624 / ann.todd@yu.edu (specializing in sexual assault and sexual harassment); (Human Resources) Ms. Renee Coker - (646) 592-4336 / renee.coker@yu.edu; Mr. Joe Bednarsh - (646) 592-4615 / joe.bednarsh@yu.edu; and (Cardozo) Ms. Jennifer S. Kim - (646) 592-6421 / Jennifer.Kim@yu.edu.

Reporting

Anyone (whether the victim or anyone else) who has knowledge of a suspected violation of the Policy may notify the University by contacting: (i) the Title IX Coordinator or a Deputy Title IX Coordinator;(ii) the Security Department; (iii) the Dean of Students; (iv) a member of the Unlawful Harassment Panel; (v) the Office of Human Resources; (vi) the Office of the General Counsel; and (vii) the University's Confidential Compliance Hotline. Suspected violations also may be reported to any other campus security authorities.

There is no time limit on when a report or complaint pursuant to the Policy can be made to the University, however, the University's ability to investigate and respond may be affected by any time delay in reporting. Therefore, the University strongly encourages victims to file complaints promptly. Prompt reporting will serve to enhance the University's ability to investigate effectively and to preserve important evidence for future proceedings, including, for example, legal and disciplinary proceedings.

In the case of an anonymous report, such report will be investigated to the extent possible, however, all anonymous reporters should be aware that reporting anonymously may affect the University's ability to investigate and respond effectively.

No University employee may discourage an individual from reporting misconduct covered by the Policy. Any University employee with any knowledge, whether from firsthand observation, having been confided in or having heard about it in some other fashion, of a violation of the Policy must report the incident, even if the actual victim of such discrimination or harassment is not interested in filing a formal complaint.

Anyone who has been the victim of a crime may (but is not required to) initiate a complaint with the local police department as well as with the University. Should an individual decide to file a complaint with the police, the University will support such individual in doing so. Regardless of whether such person wants to make a complaint to either the University or the local police, he/she should promptly seek medical attention both to address his/her own health and to preserve potential evidence should he/she later decide to file charges or obtain a protective order. The University can help guide a victim through the process of obtaining a judicial order of protection and/or University-issued "no contact" order.

The University system and police/legal system work independently from one another. Because

the standards for finding a violation of criminal law are different from the standards in the Policy, criminal investigations or reports are not determinative of whether or not misconduct under the Policy has occurred. The University will cooperate with police investigations, but will not delay its investigation of a complaint in the absence of extenuating circumstances and will conduct its investigation simultaneously with any police/legal system investigation.

The University's first and foremost concern for anyone who has been the victim of a crime is their physical safety. Thus, if anyone is feeling physically unsafe, he/she should immediately call the Security Department, the local police precinct or 911 for assistance.

In addition, if such person is in need of immediate medical treatment, he/she should go to the nearest hospital emergency room, or call 911 or Hatzalah Volunteer Ambulance Corps at (212) 230-1000. The University is well aware of the emotional trauma often suffered by a victim of sexual violence, and therefore it has designated trained counselors in its Counseling Center to serve as sexual assault coordinators for the University. They can be reached by calling (646) 592-4210 (Beren/Cardozo Campus) or (646) 592-4200 (Wilf Campus) (or emailing counseling@yu.edu) and asking for a sexual assault coordinator. These counselors can offer advice and support on a confidential basis as the victim begins to make choices regarding how to proceed post-assault. There are also many outside sources of support available to victims in these circumstances, including The NYC Alliance Against Sexual Assault (on-line at www.svfreenyc.org), which has compiled numerous resources available to victims, and the SOVRI (Support for Orthodox Victims of Rape and Incest) Hotline at Beth Israel Medical Center, (888) 613-1613. The latter is a confidential (no caller-ID is used) hotline that may be called anonymously for information and support.

The University will respond to all reported complaints promptly, thoroughly, fairly and impartially.

Rights of Victims

Students and employee-victims have the right (i) to make a report to the University's Security Department, local law enforcement and/or State Police or choose not to report; (ii) to report the incident to the University; (iii) to be protected by the University from retaliation for reporting an incident (or testifying or assisting in a proceeding); and (iv) to receive assistance and resources from the University.

See Addendum B, Student Bill of Rights, for certain rights of student victims/survivors of sexual assault, domestic violence, dating violence, and/or stalking.

Investigation

Upon receipt of a complaint involving Title IX Sexual Harassment, Other Sexual Misconduct, or any other violation of the Policy, or upon receiving information which the University determines on its own warrants further investigation (even if no complaint is filed, or even if a complaint is filed and later withdrawn), a fair and impartial investigation will commence in accordance with the procedures set forth in the Policy.

The University will provide written notice to the complainant and respondent that includes: information about the grievance processes available (formal and informal), sufficient details of the

allegations, a statement that the respondent is presumed not responsible and that any responsibility will be determined at the conclusion of the process, and a statement that making false statements or submitting false information during the grievance process is prohibited. In addition, the parties will be notified of such additional information as required by the applicable Appendix B or C to the Policy. Should the University decide to investigate additional allegations that arise during the course of an investigation, the complainant and respondent will be notified of those allegations as well. In all cases, the complainant and respondent will be provided with an equal opportunity to present witnesses (fact and expert), as well as other inculpatory and exculpatory evidence.

A detailed explanation of the investigative process, as well as the adjudication process, is set out in Appendix A of the Policy, Informal Resolution; Appendix B of the Policy, Formal Resolution of Complaints Involving Title IX Sexual Harassment, Including Sexual Abuse/Assault, Stalking, Domestic Violence and Dating Violence; and Appendix C of the Policy, Formal Resolution of Complaints Not Involving Title IX Sexual Harassment, of the Policy.

The University expects all members of the University community to cooperate with investigations. However, in no event will an alleged victim or respondent be compelled to participate in the investigation.

The University expects all cases involving a finding of sexual violence, stalking, domestic violence and dating violence to involve consideration of suspension or expulsion for students, and termination of employment for employees. Other sanctions that may be imposed include a warning, disciplinary probation, restriction from employment by the University, removal from University housing, removal from courses or activities, loss of privileges, no contact, exclusion from areas of the campus and facilities, removal or non-renewal of scholarships, a notation on the respondent's official University transcript, community service, restitution, and a fine. In addition, the respondent may also be required to undergo an assessment and treatment by a therapist or counselor, attend an intervention treatment program and/or issue a letter of apology.

Formal Resolution of Complaints Involving Title IX Sexual Harassment:

The complainant (the person who is alleged to have experienced conduct that could constitute Title IX Sexual Harassment) must file a formal, written, signed complaint with the Title IX Coordinator or Deputy Title IX Coordinator. At the time of filing, the complainant must be participating in, or attempting to participate in, the University's education programs or activities.

Following a determination to pursue a formal resolution of the complaint, the Title IX Coordinator or Deputy Title IX Coordinator will provide detailed notice to the parties. An investigator will promptly, fully, fairly and impartially investigate the complaint, and each party will have equitable opportunities to present witnesses, and review and present information and relevant inculpatory and exculpatory evidence.

The parties are entitled to be accompanied by an advisor of their choice during any meeting or proceeding related to the formal complaint. The advisor will have the same opportunity as the party to inspect and review evidence and any written reports. During the investigation portion, an advisor may not speak on behalf of a party.

The Investigator will seek to conclude the investigation as soon as practicable after receipt of the

formal complaint. The Investigator is responsible for gathering information sufficient to reach a determination about the respondent's responsibility. The Investigator will review all information gathered or provided by the parties and will determine the appropriateness, relevance and probative value of the information developed or received during the investigation.

The University will not restrict the parties from discussing the allegations or from gathering and presenting relevant evidence.

Prior to completing the final investigative report, the Investigator will provide the parties with equal opportunity to inspect and review any evidence directly related to the allegations that was obtained from any party or witness during the investigation. The parties will have 10 business days to submit any written feedback or additional information – or to identify additional witnesses or request that the Investigator collect additional information. Any information that either party submits to the Investigator at this stage will be shared with the other party, as will any additional evidence gathered after that point in time.

After receipt of written feedback and/or additional information from the parties, and after taking any additional steps that the Investigator deems necessary based on that information, the Investigator will finalize the investigative report. The investigative report will summarize the relevant evidence gathered during the investigation – but it will not reach a determination of responsibility. The Investigator will provide the final investigative report to the parties and their advisors (if applicable) simultaneously and at least 10 business days prior to the scheduled hearing. The parties may submit a written response to the investigative report – any response will be shared with the other party.

Upon receipt of the final investigative report from the Investigator, the Title IX Coordinator or Deputy Title IX Coordinator will identify a decision-maker to conduct a live hearing after which the decision-maker will render a determination regarding the respondent's responsibility based on a preponderance of the evidence (i.e., that it is more likely than not that the Title IX Sexual Harassment occurred).

The decision-maker will schedule a hearing promptly after his/her receipt of the investigative report. The hearing will be closed to the public. The live hearing will be conducted in real time.

The decision-maker will set an agenda for the hearing, including in what order events will occur, how long statements or questioning may last, and any other issues that the decision-maker determines needs to be addressed.

Each party must have an advisor accompany them to the hearing. The University will provide an advisor, without fee, to any party who does not have one. At the hearing, the advisor will have the opportunity to ask relevant questions and follow-up questions of any party or witness (sometimes referred to as "cross-examination"), including those challenging credibility. Only an advisor may conduct the cross-examination – a party may not do so.

As soon as practicable, the decision-maker will issue a written decision simultaneously to each party regarding the respondent's responsibility based on a preponderance of the evidence.

Where a respondent is found responsible for any of the alleged conduct, the parties will be provided with the opportunity to submit an impact statement for the decision-maker's

consideration during the sanctioning stage. Impact statements should be submitted within 3 days of the notice of the decision – and if submitted, will be shared with the other party. In deciding an appropriate disciplinary action, the decision-maker may consider the respondent's past violations of University policy, as well as the nature and severity of the violation(s), the impact statements of the parties, and any mitigating circumstances. The decision-maker will decide the appropriate disciplinary actions as soon as practicable.

Any party may appeal the dismissal or non-dismissal of a formal complaint, a determination of responsibility or non-responsibility, and/or the sanctions imposed. Any request for an appeal must consist of a plain, concise, and complete written statement outlining the grounds for the appeal. The appeal request must be submitted to the Title IX Coordinator or Deputy Title IX Coordinator within 5 days of the date of the final determination letter. The other party will be provided notice of the appeal and given 5 days to respond. In the event that both parties initially appeal the decision, each party will be provided notice and a copy of the other party's appeal.

In all cases, there are only three possible grounds for appeal: (1) An alleged material violation of the established procedures in this Policy; (2) Evidence that could affect the outcome is now available that could not have been obtained at the time of the determination/initial hearing; or (3) The sanction is excessive, inconsistent with or insufficient for the nature of the offense.

The Title IX Coordinator or Deputy Title IX Coordinator will appoint an appeal panel of two individuals to review the matter. The appeal panel will review the written investigation report, decisions and all supporting documents, may review other records generated through the investigation and hearing, and also may consult with both parties.

The appeal panel can affirm the original determination of responsibility, alter the determination of responsibility either in whole or in part, and/or alter the sanctions, depending on the circumstances. The matter can also be referred back for further investigation or consideration if appropriate.

The appeal panel will issue its written determination as soon as practicable. Appeal decisions are final. If there is no appeal, the Title IX Coordinator or Deputy Title IX Coordinator also will simultaneously notify the parties that the initial decision is final because the time for an appeal has expired.

<u>Formal Resolution of Complaints Not Involving Title IX Sexual Harassment, but involving sex/sex-based discrimination, sexual harassment, sexual abuse/assault, stalking, domestic violence and dating violence:</u>

The Title IX Coordinator or Deputy Title IX Coordinator will provide detailed notice to the parties. The complaint will be fully, fairly and impartially investigated by a designated investigator, and each party equally will have the opportunity to present witnesses and other evidence to the investigator. Each party will also be afforded similar and timely access to information that may be provided by the University to the other party and that will be used to adjudicate the complaint.

The investigator will endeavor, as promptly as feasible, to interview all relevant parties and review all evidence, including witnesses and evidence identified by the parties.

No party or witness may have legal counsel present for any step of the process; provided that with

respect to allegations regarding sexual assault, stalking, domestic violence or dating violence involving students, the alleged victim and respondent may have a personal advisor of his/her choice and at his/her expense (who may be an attorney) present during any University meeting and/or disciplinary proceeding with such party about the complaint.

The investigator will compile a neutral investigation report, and both parties will have an opportunity to review the investigation report in person, in the presence of a University official at a location selected by the University. The complainant and respondent may respond to the report, either verbally or in writing. The Title IX Coordinator or Deputy Title IX Coordinator will then decide if (i) the investigator should make the finding as to whether this Policy has been violated and determine appropriate sanctions, or for cases involving students (ii) a hearing officer should convene a hearing and make the finding and determine appropriate sanctions.

If it is determined that a violation has occurred, the parties may submit an impact statement. In deciding an appropriate disciplinary action, the respondent's past violations of University policy, as well as the nature and severity of the violation(s), the impact statements of the parties, and any mitigating circumstances may be considered.

In cases involving students, the parties have a right to appeal.

Appeals

For all investigations into allegations of Title IX Sexual Harassment, both the complainant and respondent have the right to appeal the outcome of the investigation. For investigations involving Other Sexual Misconduct regarding sex/sex-based discrimination, sexual harassment, sexual abuse/assault, stalking, domestic violence and dating violence involving students, both parties shall have the right to appeal, and for other investigations involving Other Sexual Misconduct where the respondent is a student, the student has the right to appeal the determination. In all other cases, no party will have the right of appeal. The Policy specifies the possible grounds for appeal, but the appeal is not a re-hearing of the underlying matter.

Bystander Intervention

The University expects all members of the University community to take reasonable and prudent actions to prevent or stop an act of discrimination, harassment, or sexual misconduct, and provide assistance if an act has occurred. Taking action or providing assistance may include direct intervention, calling law enforcement, or seeking assistance from a person in authority.

If someone suspects a friend, acquaintance, or stranger may be in a high risk situation for becoming a victim, is being victimized, or has been victimized, it is important to decide as a bystander whether there is a safe and reasonable way to intervene effectively.

Do's:

- Remind friends that affirmative consent is required and it is the difference between sex and sexual assault and that someone can be too intoxicated to consent.
- Take the initiative to help friends who aren't thinking clearly from becoming targets of violence (or) take steps to stop a friend who chooses to use violence.

- When possible, prevent an intoxicated friend/person from going to a private location with an acquaintance or friend.
- Contact the Security Department, the Title IX Coordinator or a Deputy Title IX Coordinator, or another person of authority who can assist.

Don'ts:

- Let friends engage in activities, such as excessive alcohol/drug consumption, that impedes judgment and that therefore could lead to actions, including sexual advances, that are unwelcome and/or endanger the rights, safety, and well-being of others.
- Let friends walk/run alone in secluded areas or at night.
- Leave a friend or acquaintance alone at a party.
- Leave residence hall doors unlocked.
- Let friends drink to the point of impairment.
- Place yourself in a vulnerable situation where you are unable to voice consent.

Sexual Assault Forensic Examinations (SAFE)

The University has a Memorandum of Understanding (MOU) with Mount Sinai Beth Israel – Petrie Division (Manhattan) located at First Avenue at 16th Street, New York, NY 10003 (main phone: (212) 420-2000) regarding services to sexual assault victims. The Petrie Division has a Sexual Assault Forensic Examiner Program, and is a designated SAFE Center of Excellence. Emergency care and support is available 24 hours/7 days a week, and a Victim Service Program social worker or volunteer advocate is on call at all times.

External Remedies for Employees

Sexual harassment in the employment context is not only prohibited by the University but is also prohibited by state, federal, and, where applicable, local law.

Aside from the internal process at the University, employees may also choose to pursue legal remedies with the New York State Division of Human Rights (DHR), the United States Equal Employment Opportunity Commission (EEOC), their county, city or town, or with the local police department.

Supportive Measures

The Title IX Coordinator is responsible for the effective implementation of supportive measures. Supportive measures are non-disciplinary, non-punitive, individualized services offered as appropriate, as reasonably available, and without fee or charge to the alleged victim, the reporting individual (if different than the alleged victim), the respondent (i.e., the person against whom a report has been filed), and all third party witnesses at any point. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact (i.e., "no contact" orders), changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures. The Title IX Coordinator will consider the individual's wishes with respect to implementing supportive measures, and will notify individuals of the availability of supportive measures with or without filing a formal complaint.

Confidentiality

Information gathered during the informal or formal investigation process will be handled by the University with due diligence and care. Discreet inquiry, corrective counseling, and trust will be stressed by the University in dealing with all complaints. Records and information concerning complaints will be kept confidential to the greatest extent possible, and the University will comply with all applicable laws in maintaining the confidentiality of the investigation. However, subject to applicable laws, the University cannot guarantee complete confidentiality where it would conflict with the University's obligations to ensure a safe, non-discriminatory and harassment-free environment. For example, under conditions of potential imminent harm to the community, the University may be required by federal law to inform the community of the occurrence of an incident of sexual violence (but would not identify the victim). In addition, consistent with law, information regarding violations of this Policy may be shared among University personnel as appropriate and necessary.

Complainant Request for Confidentiality

Under the formal resolution process for complaints involving Title IX Sexual Harassment, a complainant cannot remain anonymous or prevent his or her identity from being disclosed to the respondent. In all other circumstances, when someone reporting misconduct requests that their name be kept confidential, the Title IX Coordinator or the Deputy Title IX Coordinator will evaluate the request in consultation with the Office of the General Counsel. The Title IX Coordinator will advise the person reporting misconduct that granting the request may limit the University's ability to respond fully to the matter, including pursuing disciplinary action against the person accused of misconduct. Nevertheless, in most instances, the University will attempt to comply with requests for confidentiality unless doing so would impede its ability to provide a safe and nondiscriminatory environment.

In all instances, the University will endeavor to maintain the complainant's and the respondent's privacy and reveal the parties' identities only to those individuals who need to know it in order for an investigation to commence or continue (as applicable) and the matter to be adjudicated.

Even University offices and employees who cannot guarantee confidentiality will maintain the complainant's privacy to the greatest extent possible. The information the complainant provides to a non-confidential resource will be relayed only as necessary for the Title IX Coordinator or Deputy Title IX Coordinator (or designated investigator) to investigate and/or seek a resolution.

Retaliation

The Policy prohibits retaliation against any individual who reports or complains of sexual harassment or other discrimination and/or participates in the investigation of a complaint or resolution of an incident, including those who testify or assist in any proceeding related to a complaint or incident, even if the complaint or incident is unsubstantiated.

Time Limits

The University will exercise due diligence in complying with the stated time limits set forth in the Policy. However, stated time limits may be extended depending on the nature of the allegations, the time of year, and any other unforeseen or extenuating circumstance.

Transcript Notations

Students suspended or expelled for committing an act of sexual assault, stalking, domestic violence, dating violence, or a "violent crime," as defined by the Clery Act, will have a notation placed on their transcript as follows: "suspended after a finding of responsibility for a code of conduct violation" or "expelled after a finding of responsibility for a code of conduct violation."

Education/Training

University Community. As part of the University's commitment to providing a safe, non-discriminatory and harassment-free environment, the Policy is disseminated widely to the University community through publications, websites, student orientations, new employee orientations, current employee training, and other appropriate channels of communication. The University also provides training programs for University employees and students to promote awareness and a safe and respectful University environment.

Employees are required to complete a training program prior to commencement of employment, and also are required to annually complete a Sexual Harassment Prevention course. RA's and GA's are also provided with additional training, and annually additional training is provided for coaches and members of the Athletic Department.

Those Involved in Investigations. The Title IX Coordinator, Deputy Title IX Coordinator, Investigators, Decision-Makers, University administrators rendering decisions on sanctions and appeal, and any person who facilitates an informal resolution process receive training on the definition of Title IX Sexual Harassment, the scope of the University's education program or activity, how to conduct an investigation and grievance process including hearings, appeals, and informal resolution processes (as applicable), and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias. In addition, decision-makers receive training on any technology to be used at a live hearing and on issues of relevance of questions and evidence, including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant. Investigators receive training on issues of relevance as it relates to drafting an investigative report that fairly summarizes relevant evidence.

Support Resources (Confidential and Non-Confidential Support)

Confidential University Resources

A report made to the following University resources will not trigger an investigation by the University:

- **University Counseling Centers -** http://www.yu.edu/student-life/counseling/
  Beren/Cardozo Campus Counseling Center
  215 Lexington Ave, Suite 339
  (646) 592-4210
  counseling@yu.edu

Wilf Campus Counseling Center
500 West 185th Street, FH 520
(646) 592-4200
counseling@yu.edu
Counselors at these centers can offer advice and support on a confidential basis as the victim begins to make choices regarding how to proceed post-assault.

Non-Confidential University Resources

A report also may be made to the University's Title IX Coordinator or a Deputy Title IX Coordinator, Security Department, Dean of Students, or other campus security authorities, however reports to these resources will trigger a review by the University in accordance with this Policy.

Confidential Resources not affiliated with University

There are also many outside sources of support available to victims. Reporting to one of these resources will not trigger an investigation by the University.

- **SOVRI (Support for Orthodox Victims of Rape and Incest)** Hotline at Beth Israel Medical Center, (888) 613-1613. This is a confidential (no caller-ID is used) hotline that may be called anonymously for information and support.

Other Resources not affiliated with the University

- New York State Division of Human Rights has a toll free Sexual Harassment Hotline: 1-800-HARASS-3 for advice on issues of workplace sexual harassment.
- **The NYC Alliance Against Sexual Assault** (on-line at www.svfreenyc.org) has compiled numerous resources available to victims.
- **Manhattan Family Justice Center can provide a wide range of services and support. The Manhattan location is at** 80 Centre Street, New York, NY 10013; **Phone: (**212) 602-2800; https://www1.nyc.gov/site/ocdv/programs/family-justice-centers.page.
- **Family Court Volunteer Lawyer Program** (part of the New York State Access to Justice Program)
  900 Sheridan Avenue
  Bronx, NY 10451
  Phone: (718) 618-2150
  Hotline: (718) 618-2150
- **Safe Horizon (NYC)**
  2 Lafayette Street, 3rd Floor
  New York, NY 10007
  Phone: (212) 227-3000
  http://www.safehorizon.org/
  help@safehorizon.org
  Hotline: (866) 689-4357

Immigration & Visa Assistance Services for Victims of Sexual & Interpersonal Violence

- Non-Confidential University Resource

  Yeshiva University Office of International Students and Scholars
  500 West 185th Street, Furst Hall, Room 413
  New York, NY 10033
  (646) 592-4203
  oiss@yu.edu

- Other Resources not affiliated with the University

  U.S. Citizenship and Immigration Services (USCIS)
  http://www.uscis.gov/citizenship/learners/find-help-your-community
  USCIS Find Legal Services Webpage
  http://www.uscis.gov/avoid-scams/find-legal-services

  Board of Immigration Appeals (BIA) (Listing of attorneys by state who provide immigration services either for free or for little cost)
  http://www.justice.gov/eoir/probono/states.htm

  American Immigration Lawyers Association (AILA)
  Immigration Lawyer Referral Service
  http://www.ailalawyer.org/

  American Bar Association (ABA)
  (Information on finding legal services by state)
  http://apps.americanbar.org/legalservices/findlegalhelp/home.cfm

Sexual Assault Prevention Programming

Primary Prevention Programming

The University requires all incoming first-year students to successfully complete an e-Learning program concerning issues of sexual violence, including sexual assault, domestic violence, dating violence, and stalking, and makes this e-Learning workshop available to all of its other students. Also, the University requires all student athletes and student leaders to successfully complete an additional e-Learning program concerning issues of sexual misconduct, including bystander intervention and risk reduction, and makes this e-Learning workshop available to all of its other students. Additional e-Learning workshops, including a program regarding risks of alcohol consumption, are also available and recommended to all students.

Employees are required to complete a sexual harassment prevention training program prior to commencement of employment and on an annual basis.

Ongoing Prevention Programming

From time to time, the University provides educational programs and workshops to its students to promote the awareness of sex offenses and the availability of victim counseling services. At times the University has also offered programs and workshops regarding domestic violence, risks of alcohol use and building healthy relationships. These programs may be conducted by the University's Counseling Center, Title IX staff members, or third parties, such as Shalom Task Force and SOVRI/Beth Israel Medical Center. Such programs may also be attended by employees. RA's, GA's and certain student peer counselors are also educated about these issues, and are trained in ways to detect and prevent abuse and support the victims. In addition, campus and student organizations offer programming, forums, and awareness campaigns throughout the year on sexual violence and related issues.

The University continually reviews its policies, procedures and preventative education programs to ensure compliance with applicable law, including the requirements imposed by the Violence Against Women Reauthorization Act of 2013 and New York Education Law Article 129-B.

Campus Sex Crimes Prevention Act

In accordance with the "Campus Sex Crimes Prevention Act" of 2000, which amends the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, the Clery Act and FERPA, the University is providing a link to the New York State Police Sex Offender Registry. This act requires institutions of higher education to issue a statement advising the campus community where law enforcement information provided by a State concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a State to provide notice of each institution of higher education in that State at which the person is employed, carries on a vocation, or is a student. A listing of all registered sex offenders in New York State is maintained by the New York State Division of Criminal Justice Services. Information regarding a registered sex offender can be obtained by calling the New York State Sex Offender Registry Information Line at 1-800-262-3257 or on-line at http://www.criminaljustice.ny.gov/nsor/. The ZIP code for the Beren Campus is 10016.

ILLICIT DRUGS AND ALCOHOL POLICY

The issue of safety touches on many other areas of campus and city life, among them the use and sale of illegal drugs, underage drinking, and abuse of alcohol. The University is committed not only to educating students on issues concerning alcohol and drug use but also to responding to behavior that is in violation of the University's policies on substance abuse and alcoholic beverages. Detailed information about the University's policies and procedures regarding the use/abuse of alcohol and other drugs by students, faculty and staff can be found in "YESHIVA UNIVERSITY POLICY ON DRUGS AND ALCOHOL," which document is available on-line on the University's website at: https://www.yu.edu/sites/default/files/legacy//uploadedFiles/Offices_and_Services/HR/Working_at_YU/policies/DrugPolicy9232014.pdf (the "Drug and Alcohol Policy"). The Drug and Alcohol Policy is also distributed by the University to all students and employees. The University has other policies and prohibitions regarding both illegal substances and alcohol use which can be found on the University's website. It should be noted that it is unlawful to sell, furnish or provide alcohol to a person under the age of 21 in New York State. Copies of the Drug and Alcohol Policy are available in the Security Department Main office. 50 East 34th Street (1st Floor).

In summary, the Drug and Alcohol Policy provides:

- The unlawful possession, manufacture, dispersing, use, or distribution of illicit drugs at any University facility or in connection with any University activity is prohibited.
- Being under the influence of illicit drugs during working hours, or when classes are in session, or while engaged in any University activity is prohibited.
- Persons under the age of 21 years are prohibited from possessing or consuming any alcoholic beverage at any University facility or in connection with any University activity.
- Undergraduate students, regardless of age, are prohibited from possessing or consuming alcoholic beverages at any University facility or in connection with any University activity.
- All students are prohibited from being under the influence of alcohol while engaged in any University activity.
- Employees are prohibited from being under the influence of alcohol during working hours or while engaged in any University activity.

- Except for a limited exception, employees are prohibited from bringing alcoholic beverages into, or consuming alcoholic beverages in, any University facility or bringing/consuming alcoholic beverages in connection with any University activity.
- Violators of the Policy will be disciplined, up to and including expulsion or termination from the University.

The Drug and Alcohol Policy also describes legal sanctions for the misuse of alcohol and the unlawful possession, use or distribution of illicit drugs, as well as the health risks associated with illicit drug and alcohol use, and counseling resources.

MISSING STUDENTS POLICY

As required by federal law, the University has established the following policies and procedures to address situations when a student who resides in on-campus housing is determined to have been missing for 24 hours.

The policy applies only to students who reside in YU's on-campus housing, which is defined as housing that is (1) owned or controlled by YU or located on property that is owned or controlled by YU, and (2) located within the reasonably contiguous geographic area that makes up a YU campus.

The policy does not apply to students residing in apartments or other residences not leased or licensed from YU.

The policy is also available on-line on the University's website at: http://www.yu.edu/safety-security/safety/ (click on Missing Student Policy link).

A. Policies

Definition of a Missing Student

A student is considered to be "missing" when a student who resides in on-campus housing has been absent from YU for more than 24 hours without any known reason.

Reporting Missing Students

All reports of missing students should be directed to YU's Security Department, the Dean of Students, or the Housing Department, in each case for the campus in question.

Any reports made to the Dean of Students or the Housing Department will be referred immediately to YU's Security Department for the campus in question.

Designation of a Contact Person

All undergraduate students who apply for student housing must designate on their application for housing a contact person whom YU will notify within 24 hours of the determination that the student is missing.

All graduate students are given the opportunity to designate such a contact person on their

application for student housing.

The Housing Department for the applicable campus will keep information about a student's designated contact person confidential. The information will be disclosed only to authorized campus officials and to law enforcement personnel, but only when it is necessary to further a missing persons investigation.

Mandatory Notifications

Students under the age of 18 (who are not emancipated) should be aware that YU is legally required to notify a parent or guardian within 24 hours of the determination that the student is missing. In such cases, YU will notify both the parent/guardian and any additional contact person that has been designated by the student.

In addition, all students should be aware that YU will notify the New York City Police Department ("NYPD") within 24 hours of a determination that any student is missing, regardless of that student's age or whether that student has designated a contact person.

B. Procedures

Immediate Response

Once it has been determined that a student who resides in on-campus housing has been missing for 24 hours, YU will take the following immediate steps:

1. The Security Department personnel designated by the Chief of Security for the applicable campus will respond to the scene and interview the individual who reported the student missing and any other witnesses to obtain all pertinent facts, including an accurate description of the student, what he or she may be wearing, and the location and time where and when he or she was last seen.
2. The Security Department personnel responding to the scene as provided above will notify the Chief of Security for the applicable campus of all pertinent facts prior to initiating any additional action.
3. The applicable Chief of Security, or his or her designee, will:
    a. Contact the applicable Director or Assistant Director of the Housing Department, or such other personnel as they may select, to determine if he or she is aware of the student having left campus for other reasons;
    b. Contact the applicable Dean of Students, and such other personnel as they may select (which may include the applicable Finance Department, Office of the General Counsel and Dean's Office; and
    c. Obtain copies of the student's ID cards from the applicable Security Office and distribute copies to all guard posts at the applicable campus.
4. If the location where the student was last seen was a YU building, a search team will be formed to perform a thorough search of the building and the outside perimeter. The search team will then broaden its search to the rest of the campus buildings and grounds.
5. The Security Department for the applicable campus will notify supervisory personnel at other YU campuses about the missing student.
6. The Security Department for the applicable campus will contact the following appropriate local police precinct to inquire if the missing student has been the subject of any police

action.

a. Wilf Campus - 34th Precinct – (212) 927-9711
b. Beren Campus
    i. 17th Precinct – (212) 826-3211
    ii. Midtown South Precinct – (212) 239-9811
c. Cardozo Campus – 6th Precinct – (212) 741-4811
d. Ferkauf/Katz Campus – 49th Precinct – (718) 918-2000

7. The Security Department for the applicable campus will prepare an Incident Report.

Response Within 24 Hours

Within 24 hours of making the determination that a student who resides in on-campus housing is missing, YU will take the following steps:

1. The applicable Security Department, the Dean of Students, or the Housing Department will notify the student's designated contact person (if the student has designated one) that the student is missing.
2. If the student is under the age of 18 (and not emancipated), the applicable Security Department, the Dean of Students, or the Housing Department will notify the student's parent or guardian that the student is missing.
3. The applicable Security Department, the Dean of Students, or the Housing Department will notify the NYPD.

Cooperation with the New York City Police Department

Once the NYPD has been notified, YU will cooperate with the NYPD as follows:

- The applicable Security Department will advise the NYPD of all actions taken by the Security Department and other YU personnel up to that point.
- The applicable Security Department will provide the NYPD with an office near the applicable campus Security Office to be utilized as a police headquarters.
- The applicable Security Department will work with the NYPD to ascertain whether the NYPD Missing Persons Squad has any information about the student.
- The applicable Security Department will request that the Precinct Detective Squad be notified for appropriate response.
- The applicable Security Department will request that the NYPD Communications Division broadcast a description of the missing student to patrol units.
- The applicable Security Department will request that the NYPD enter the missing person into the Federal N.C.I.C. system at the conclusion of the NYPD investigation.

If the Security Department, the Dean of Students, or the Housing Department is properly notified that a missing student has been located, they may inform the student's parent or guardian (in the case of students under the age of 18 who are not emancipated) and/or the student's designated contact person (if any).

WEAPONS POLICY

The possession of any weapon (as defined in local, state and federal statutes, and includes, without limitation, firearms, knives and explosives) on any University campus is strictly prohibited. This prohibition applies to all facilities owned, leased or otherwise controlled by the University, and whether academic, residential or otherwise. Failure to comply with this Policy may result in disciplinary action by the University (up to and including, in the case of a student, suspension or expulsion and, in the case of an employee, termination of employment) and also may result in criminal prosecution. In addition, the University reserves the right to confiscate the weapon. This Policy applies to all members of the University community as well as all visitors and guests, and regardless of whether the possessor is licensed to carry that weapon.

Exceptions to this Policy may only be made with the written permission of the Chief of Security of the applicable campus, in consultation with the University's Chief Facilities & Administrative Officer.

CRIME STATISTICS FOR BEREN CAMPUS

The Clery Act requires the University to publish statistics for certain crimes that have taken place as a matter of information and record. The following statistics reflect those crimes that were reported to the Security Department and the other campus security authorities during the indicated period relating to the Beren Campus. (Additional copies of this Report are available at the Security Department office, 50 East 34th Street (1st Floor)).

The statistics are printed as reported to the Security Department. The statistics were valid at publication, but may not reflect current trends.

Clery Act Crime Definitions

Criminal Homicide

- *Murder and non-negligent manslaughter* - The willful (non-negligent) killing of one human being by another.
- *Negligent manslaughter* - The killing of another person through gross negligence.

Sex Offenses

Forcible Sex Offenses

- *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 or her temporary or permanent mental or physical incapacity (or because of his or her youth).
- *Forcible sodomy* - Oral or anal sexual intercourse with another person, forcibly and/or against that person's will; or not forcibly against the person's will, where the victim is incapable of giving consent because of his or her youth or because of his or her temporary or permanent mental or physical incapacity.

- *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 or her youth or because of his or her temporary or permanent mental or physical incapacity
- *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 or her youth or because of his or her temporary or permanent mental or physical incapacity.

Non-Forcible Sex Offenses

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

Robbery

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

Aggravated Assault

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

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 a felony, breaking and entering with intent to commit a larceny, housebreaking, safecracking and all attempts to commit any of the aforementioned acts.

Motor Vehicle Theft

- The theft or attempted theft of a motor vehicle. (Motor vehicle theft is classified as any case where an automobile is taken by a person not having lawful access, even if the vehicle is later abandoned, including joy riding.)

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.

Hate Crimes

- Any of the aforementioned offenses and larceny/theft, simple assault, threat/intimidation, vandalism, and any other crime involving bodily injury reported to local police agencies or to a campus security authority that manifests evidence that the victim was intentionally selected because of the perpetrator's bias. Categories of bias are:

    - Race. A preformed negative attitude toward a group of persons who possess common physical characteristics (e.g., color of skin, eyes, and/or hair; facial features, etc.) genetically transmitted by descent and heredity which distinguish them as a distinct division of humankind (e.g., Asians, blacks, whites).
    - Gender. A preformed negative opinion or attitude toward a group of persons because those persons are male or female. Gender bias is also a Clery Act specific term, not found in the FBI's Hate Crime Data Collection Guidelines.
    - Religion. A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being (e.g., Catholics, Jews, Muslim, Protestants, atheists).
    - Sexual orientation. A preformed negative opinion or attitude toward a group of persons based on their sexual attraction toward, and responsiveness to, members of their own sex or members of the opposite sex (e.g., gays, lesbians, heterosexuals).
    - Gender Identity/National Origin. Involves intentional selection of a victim based on actual or perceived characteristics.
    - Ethnicity/national origin. A preformed negative opinion or attitude toward a group of persons of the same race or national origin who share common or similar traits, languages, customs and traditions (e.g., Arabs, Hispanics).
    - Disability. A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments/challenges, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced age or illness.

Other Offenses

- *Liquor law viola*tions - The violation of laws or ordinances prohibiting: the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; furnishing liquor to a minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; and all attempts to commit any of the aforementioned activities. (Drunkenness and driving under the influence are not included in this definition.)
- *Drug abuse violations* - Violations of state and local laws relating to the unlawful possession, sale, use, growing, manufacturing and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana;

synthetic narcotics (Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine).

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

Definitions of Crimes that Must Be Reported Pursuant to VAWA

The Violence Against Women Reauthorization Act of 2013 ("VAWA"), added additional categories of crimes to the Clery Act that Colleges and Universities are now required to report.

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

- New York State has multiple laws addressing domestic violence, and the definition is broad. Generally, domestic and intimate partner violence is a pattern of abusive behavior in any relationship that is used by one partner to gain or maintain power and control over another intimate partner. Domestic and intimate partner violence can be physical, sexual, emotional, economic, or psychological actions or threats of actions that influence another person. This includes any behaviors that intimidate, manipulate, humiliate, isolate, frighten, terrorize, coerce, threaten, blame, hurt, injure or wound someone.

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

- Like domestic violence, dating violence includes a pattern of abusive behavior that one person intentionally uses to gain or maintain power and control over another person. Dating violence can be physical, sexual, emotional, economic, or psychological actions or threats of actions that influence another person. This includes any behaviors that intimidate, manipulate, humiliate, isolate, frighten, terrorize, coerce, threaten, blame, hurt, injure or wound someone.

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

- Stalking generally refers to repeated behaviors that harass or threaten the victim, such as following a person, appearing at a person's home or place of business, making repeated and/or harassing calls, leaving written messages or objects, or contacting someone repeatedly via electronic means (i.e. the internet or text messaging).
- Unlike other crimes, which normally consist of a single illegal act, stalking is a series of actions that, when taken individually, may be perfectly legal. For instance, sending a birthday card or flowers or standing across the street from someone's house is not a crime. When these actions are part of a course of conduct that would cause a reasonable person to be afraid or to feel emotional distress, they are illegal.

Clery Act Geography Definitions

- *On Campus* - (1) Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and (2) any building or property that is within or reasonably contiguous to paragraph (1) of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).
- *Student Housing Facility* - Any student housing facility that is owned, controlled or rented by the institution, or is located on property that is owned or controlled by the institution, and is within the reasonably contiguous geographic area that makes up the campus is considered an on-campus student housing facility. This includes any student housing for student groups such as fraternity or sorority houses.
- *Non Campus Building or Property* – (1) Any building or property owned or controlled by a student organization that is officially recognized by the institution; or (2) any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.
- *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.

Crime Statistics

Offense	Year	On-Campus Property	Non-Campus Property	Public Property	On-Campus Student Housing Facilities*
Murder/Non-Negligent Manslaughter	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Negligent Manslaughter	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Sex Offense, Forcible	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Sex-Offense, Non-Forcible	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Robbery	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Aggravated Assault	2022	0	0	0	0
	2021	0	0	1	0
	2020	0	0	2	0
Burglary	2022	3	0	0	2
	2021	0	0	0	0
	2020	0	0	0	0
Motor Vehicle Theft	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Arson	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Arrests: Weapons: Carrying, Possessing, Etc.	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Disciplinary Referrals: Weapons: Carrying, Possessing, Etc.	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Arrests: Drug Abuse Violations	2022	0	0	0	0
	2021	0	0	1	0
	2020	0	0	0	0
Disciplinary Referrals: Drug Abuse Violations	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Arrests: Liquor Law Violations	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Disciplinary Referrals: Liquor Law Violations	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0

* The "On-Campus Student Housing Facilities" category is a subset of the "On-Campus Property" category.

Hate Crimes

2022: One (1) public property intimidation crime characterized by religious bias.
2021: One (1) public property intimidation crime characterized by religious bias.
2020: One (1) public property intimidation crime characterized by religious bias.

Domestic Violence, Dating Violence and Stalking

Offense	Year	On-Campus Property	Non-Campus Property	Public Property	On-Campus Student Housing Facilities†
Domestic Violence	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Dating Violence	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Stalking	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0

† The "On-Campus Student Housing Facilities" category is a subset of the "On-Campus Property" category.

SECURITY AND FIRE SAFETY POLICIES FOR YUI

The University's affiliate, Caroline and Joseph Gruss Institute of Yeshiva University in Israel (Registered Amuta)("YUI"), owns a facility in Israel at 40 Duvdevani St., Bayit VeGan, Jerusalem. The facility is comprised of four buildings: three are used for residence halls and one is used for classrooms, administrative offices, a dining room and other non-residential purposes. YUI's administrative offices are located there, and from time to time University students may stay there when they are in Israel for service learning programs, internships and the like. Students from RIETS and other third-party educational institutions also use the facility.

YUI employs a security officer who is responsible for security at the campus and reports on all such matters to YUI administration. The third party security company, carefully selected by YUI, hires security guards for the campus, and regularly meets with the YUI security officer and other administrators to discuss issues and ways to improve services. The security company also maintains a dialogue with local police and fire departments, and Israeli government security organizations.

The campus is surrounded on all sides by a fence, and video surveillance cameras, intercoms and emergency LED lights are installed throughout the campus, allowing for full perimeter visibility. The main entrance to the campus is staffed by a security guard twenty four hours a day, seven days a week, and the guard also controls access to two other campus entrances which are locked and monitored via video cameras: one for deliveries and one for pedestrian traffic. All visitors must enter the campus via the main entrance, and must present proper identification and be approved admission by the guard. All guards are armed with handguns. Intercoms with direct access to the main security desk are installed at certain key locations in the residence halls.

Description of Fire Safety/Fire Drills

There are smoke detectors in every dorm room and apartment, and there are small hand-held wall fire extinguishers in the apartments as well. In addition, there are fire hoses in the corridors of every building, and fire alarms in the common areas or hallways of each building. The main intercom system also can be used to warn the residents of a fire event. At the start of each academic year, all residents are required to view a fire safety film, and the film is also presented to summer visitors. One or more fire drills are conducted during the year.

CRIME AND FIRE STATISTICS FOR YUI

The following statistics reflect the specified crimes and fire incidents relating to the YUI campus that were reported to the University during the indicated period. The statistics were valid at publication, but may not reflect current trends.

Crime Statistics (YUI)

Offense	Year	On-Campus Property	Non-Campus Property	Public Property	On-Campus Student Housing Facilities‡
Murder/Non-Negligent Manslaughter	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Negligent Manslaughter	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Sex Offense, Forcible	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Sex-Offense, Non-Forcible	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Robbery	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Aggravated Assault	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Burglary	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Motor Vehicle Theft	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Arson	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Arrests: Weapons: Carrying, Possessing, Etc.	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Disciplinary Referrals: Weapons: Carrying, Possessing, Etc.	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Arrests: Drug Abuse Violations	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Disciplinary Referrals: Drug Abuse Violations	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Arrests: Liquor Law Violations	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Disciplinary Referrals: Liquor Law Violations	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0

‡ The "On-Campus Student Housing Facilities" category is a subset of the "On-Campus Property" category.

Hate Crimes (YUI)

There were no reported hate crimes for the years 2020, 2021 or 2022.

Domestic Violence, Dating Violence and Stalking (YUI)

Offense	Year	On-Campus Property	Non-Campus Property	Public Property	On-Campus Student Housing Facilities[§]
Domestic Violence	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Dating Violence	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Stalking	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0

Note: YUI's Bylaws pursuant to the Prevention of Sexual Harassment Law can be found at: https://www.yu.edu/jll/israel.

Fire Statistics (YUI)

Residence Halls - YUI 40 Duvdevani Street	Year	Fires and Cause	Injuries	Deaths	Value of Damages
Kollel Apartments	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Torat Shraga Dorm	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Kollel Married Apartments	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0

[§] The "On-Campus Student Housing Facilities" category is a subset of the "On-Campus Property" category.

Important telephone numbers and e-mail addresses:

- **EMERGENCY- 911**

- **Hatzolah Volunteer Ambulance Corp. - (212) 230-1000**

- Beren Campus Security Department
  Paul Murtha, Chief of Security
  50 East 34th Street, 1st Floor
  Telephone: 917.326.4885
  Fax: 917.326.4997
  security@yu.edu
  24-Hour Hotline: 1-888-STERN YU (1-888-783-7698)

- Vice Provost of Student Affairs / Title IX Coordinator
  Chaim Nissel, Psy.D.
  Telephone: 646.592.4201
  drnissel@yu.edu

- Dean of Students
  Sara Asher, Psy.D.
  Telephone: 646.592.4129
  sara.asher@yu.edu

- Deputy Title IX Coordinators
  Ann Todd, Esq. - (646) 592-4624 – ann.todd@yu.edu (specializing in sexual assault and sexual harassment)
  (Human Resources) Ms. Renee Coker - (646) 592-4336 - renee.coker@yu.edu
  Mr. Joe Bednarsh - (646) 592-4615 - joe.bednarsh@yu.edu
  (Cardozo) Ms. Jennifer S. Kim - (646) 592-6421 – Jennifer.Kim@yu.edu

- Beren Campus Office of Student Life
  Jonathan Schwab, Director of Student Life
  Telephone: (646) 592-6234
  jschwab@yu.edu

- Beren Campus Office of University Housing and Residence Life
  Rebecca Ciment, Associate Director of University Housing and Residence Life
  Telephone: 646.592.4163
  Rebecca.Ciment@yu.edu

- Human Resources Department
  Julie Auster, Chief Human Resources Officer
  Wilf Campus – Belfer Hall
  2495 Amsterdam Avenue
  New York NY 10033
  Telephone: 646.592.4335
  Julie.auster@yu.edu

- Beren Campus Counseling Center
  215 Lexington Avenue, Suite 339
  Telephone: 646.592.4210
  counseling@yu.edu

ADDENDUM A

New York Crime Definitions

The Violence Against Women Act (VAWA) and its regulations requires the University to include certain New York State definitions in its Annual Security Report and also requires that these definitions be provided in other materials disseminated by the University. Relevant New York definitions are set forth below.

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

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

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

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

FAMILY OR HOUSEHOLD MEMBER: Person's related by consanguinity or affinity; persons legally married to one another; person formerly married to one another regardless of whether they still reside in the same household; persons who have a child in common regardless of whether such persons are married or have lived together at any time; unrelated persons who are continually or at regular intervals living in the same household or who have in the past continually or at regular

intervals lived in the same household; persons who are not related by consanguinity or affinity and who are or have been in an intimate relationship regardless of whether such persons have lived together at any time. Factors that may be considered in determining whether a relationship is an "intimate relationship" include, but are not limited to: the nature or type of relationship regardless of whether the relationship is sexual in nature; the frequency of interaction between the persons; and the duration of the relationship. Neither a casual acquaintance nor ordinary fraternization between two individuals in business or social contexts shall be deemed to constitute an "intimate relationship"; any other category of individuals deemed to be a victim of domestic violence as defined by the office of children and family services in regulation. Intimate relationship status shall be applied to teens, lesbian/gay/bisexual/transgender, and elderly individuals, current and formerly married and/or dating heterosexual individuals who were, or are in an intimate relationship.

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

SEXUAL ASSAULT: New York State does not specifically define sexual assault. However, sexual assault includes offenses that meet the definitions of rape, fondling, incest, or statutory rape.

SEX OFFENSES; LACK OF CONSENT: Whether or not specifically stated, it is an element of every sexual act committed without consent of the victim.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

AGGRAVATED SEXUAL ABUSE IN THE THIRD DEGREE: When a person inserts a foreign object in the vagina, urethra, penis, rectum or anus of another person (1)(a) by forcible compulsion; (b)

when the other person is incapable of consent by reason of being physically helpless; or (c) when the other person is less than 11 years old; or (2) causing physical injury to such person and such person is incapable of consent by reason of being mentally disabled or mentally incapacitated.

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

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

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

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

STALKING IN THE SECOND DEGREE: When a person: (1) Commits the crime of stalking in the third degree and in the course of and furtherance of the commission of such offense: (a) displays, or possesses and threatens the use of, a firearm, pistol, revolver, rifle, sword, billy, blackjack, bludgeon, plastic knuckles, metal knuckles, chuka stick, sand bag, sandclub, sligshot, slungshot, shirken, "Kung Fu Star," dagger, dangerous knife, dirk, razor, stiletto, imitation pistol, dangerous instrument, deadly instrument or deadly weapons; or (b) displays what appears to be a pistol, revolver, rifle, shotgun, machine gun or other firearm; or (2) commits the crime of stalking in the third against any person, and has previously been convicted, within the preceding five years, of a specified predicate crime, and the victim of such specified predicate crime is the victim, or an

immediate family member of the victim, of the present offense; or (3) commits the crime of stalking in the fourth degree and has previously been convicted of stalking in the third degree; or (4) being 21 years of age or older, repeatedly follows a person under the age of fourteen or engages in a course of conduct or repeatedly commits acts over a period of time intentionally placing or attempting to place such person who is under the age of fourteen in reasonable fear of physical injury, serious physical injury or death; or (5) commits the crime of stalking in the third degree, against ten or more persons, in ten or more separate transactions, for which the actor has not been previously convicted.

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

ADDENDUM B

Student Bill of Rights

The University is committed to providing options, support and assistance to victims/survivors of sexual assault, domestic violence, dating violence, and/or stalking to ensure that they can continue to participate in University-wide and campus programs, activities, and employment. All victims/survivors of these crimes and violations have the following rights, regardless of whether the crime or violation occurs on campus, off campus, or while studying abroad:

All students have the right to:

1. Make a report to local law enforcement and/or state police;

2. Have disclosures of domestic violence, dating violence, stalking, and sexual assault treated seriously;

3. Make a decision about whether or not to disclose a crime or violation and participate in the judicial or conduct process and/or criminal justice process free from pressure by the institution;

4. Participate in a process that is fair, impartial, and provides adequate notice and a meaningful opportunity to be heard;

5. Be treated with dignity and to receive from the institution courteous, fair, and respectful health care and counseling services, where available;

6. Be free from any suggestion that the reporting individual is at fault when these crimes and violations are committed, or should have acted in a different manner to avoid such crimes or violations;

7. Describe the incident to as few institution representatives as practicable and not be required to unnecessarily repeat a description of the incident;

8. Be protected from retaliation by the institution, any student, the accused and/or the respondent, and/or their friends, family and acquaintances within the jurisdiction of the institution;

9. Access to at least one level of appeal of a determination;

10. Be accompanied by an advisor of choice who may assist and advise a reporting individual, accused, or respondent throughout the judicial or conduct process including during all meetings and hearings related to such process; and

11. Exercise civil rights and practice of religion without interference by the investigative, criminal justice, or judicial or conduct process of the institution.

For more information about preventing and addressing sexual assault, domestic violence, dating violence, and stalking at the University, see the University's Non-Discrimination and Anti-Harassment Policy and Complaint Procedures available on the University's website at: http://yu.edu/student-life/resources-and-services/standards-policies/; http://yu.edu/hr/policies/; and http://yu.edu/ogc/policies/ (among other places). This policy includes information about filing a report, seeking a response and options for confidential disclosure.

Diversity and Affirmative Action Notice

Yeshiva University has a long-standing commitment to equal opportunity and affirmative action. We apply every good faith effort in achieving nondiscrimination and equality of opportunity in employment and in all spheres of academic life. All University-wide decisions with regard to faculty, staff and students are based on equitable and equally applied standards of excellence. Unlawful harassment procedures have been established, both as a legal obligation under applicable law and as a visible and formal expression of institutional policy. The University's policy is designed to insure that recruitment, hiring, training, promotion, and all other personnel actions take place, and all programs involving students, both academic and non-academic, are administered without regard to race, religion, color, creed, age, national origin or ancestry, sex, marital status, physical or mental disability, veteran or disabled veteran status, genetic predisposition/carrier status, sexual orientation, gender identity and expression, citizenship status, sexual and other reproductive health decisions or decision-making, or any other characteristic protected by any applicable law, ordinance or regulation. In addition, University policy is designed to maintain a work and academic environment free of harassment and intimidation. If you have any questions relating to equal opportunity or affirmative action, or if you wish the University to pursue a possible violation of University policy, you should contact the University's Title IX Coordinator, Dr. Chaim Nissel at (646) 592-4201; or a Deputy Title IX Coordinator: Ann Todd, Esq. at (646) 592-4624 (specializing in sexual assault and sexual harassment), (Human Resources) Ms. Renee Coker at (646) 592-4336, Mr. Joe Bednarsh at (646) 592-4615, or (Cardozo) Ms. Jennifer S. Kim at (646) 592-6421 ; or a member of the University's Panel on Unlawful Harassment.