

BERKELEY COLLEGE Conduct and Safety Policy

Scope

This Policy applies to all Berkeley College students, faculty, associates, student organizations, and any visitors, licensees, and invitees on College property.

Purpose

The purpose of this Policy is to (i) comply with state regulatory requirements where applicable; (ii) outline the expected conduct within the Berkeley College community; and (iii) outline the general safety measures of the College. All persons on College property are expected, among other things, to abide by all public laws; to comply with the policies, procedures and rules of the College; to provide true and complete information to the College when called upon to do so; and to promote the safety of the College community. Any action or situation which recklessly or intentionally endangers the mental or physical health of another is strictly prohibited. Such actions or situations include, but are not limited to, the forced consumption of liquor or drugs for the purpose of initiation into or affiliation with any organization. The College further forbids the unauthorized carrying of weapons and smoking is prohibited by all persons on College property. For more information, see the Human Resources Policies located on Berkeley365 (SharePoint) (for associates), [Student Handbook - Conduct](#), [Alcohol and Drug Policies and Programs](#), [Weapons Policy](#), and [Smoke Free Campus Policy](#).

I. GENERAL SAFETY MEASURES

- A. Emergency Management.** The [Emergency Management Master Plan](#) shall be followed during any major emergency. The response and evacuation procedures shall be communicated by the Office of Public Safety to all College students, faculty and associates on an annual basis.
- B. Reporting Violent or Serious Offenses; Threats to Public Safety.** If you witness an emergency situation, or the commission of a serious crime (including but not limited to violent felony offenses), or perceive a situation to be an immediate threat to your safety or the safety of others, or you are a victim yourself, you should immediately dial "911" or call the local police department. Local law enforcement shall respond to and investigate all reports. You should also call the Office of Public Safety or Campus Security but only after reporting the serious matter to the Police. If you witness a crime that does *not* involve bodily injury, or learn about *past criminal activity*, you should report the matter promptly to the Office of Public Safety or Campus Security. With regard to all criminal matters brought to its attention, the Office of Public Safety shall notify law enforcement as appropriate.

The College has several memoranda of understanding in place with local police departments, outlining the responsibilities of both parties and mutual cooperation, in the event of criminal activity on or near any campus, including incidents of sexual misconduct, intimate partner violence, and stalking.

Timely Warning. In the event a situation arises where there is a serious or continuing threat to the Berkeley community, the College will issue a “timely warning.” For more information, see the [Campus Security and Crime Reports](#).

Confidential Assistance and Reporting. There may be instances in which a victim of or witness to a crime is reluctant to file a police report, which is typically treated as a public record under state law. In such situations, the victim or witness should consider seeking confidential assistance from the College, by discussing the matter with a Campus “Personal Counselor.” The College provides Personal Counselors to whom a victim or witness may disclose the commission of a crime in confidence. Upon receiving such information, the Counselor (who is not considered a “campus security authority”) is not obligated to report the crime to College officials for investigation or for inclusion in the Annual Security Report. College policy does, however, require the Counselor to inform the victim or witness that the victim or witness may authorize the Counselor to report the crime, without identifying the victim or witness, to the Office of Public Safety for possible inclusion in the Annual Security Report. In addition, with the permission of the victim or witness, an authorized College official may file a police report on the details of the incident without revealing the identity of the victim or witness. Doing so may help protect others from danger. In all cases, the College strongly encourages Personal Counselors, who are the College’s only designated confidential resource, to inform victims or witnesses of all appropriate reporting options, both inside and outside the College.

VAWA Reporting Options. In the event of an incident involving sexual assault, intimate partner violence (domestic violence and dating violence), or stalking, you have several reporting options and resources available to you. You have the option to (i) report the incident to local law enforcement (if the incident involves criminal activity); (ii) receive assistance from the Title IX Coordinator and/or Office of Public Safety with contacting local law enforcement, upon request; (iii) report the incident to the Title IX Coordinator; or (iv) decline to notify any such authorities. For full reporting options and additional information and resources, please review the [Berkeley College Sexual Assault, Intimate Partner Violence, and Stalking: Education, Rights, Options and Resources Brochure](#).

- C. Missing Students.** In the event the College receives a report that a resident student is missing, the Office of Public Safety, in conjunction with the Office of Student Development and Campus Life, shall conduct a preliminary inquiry. When the College has determined that a resident student is missing, the Office of Public Safety will promptly notify local law enforcement, who shall respond to and investigate all reports. Further, the Office of Student Development and Campus Life shall notify the President, the Campus Operating Officer, the Office of the General Counsel and the Assistant Vice President of Communications and External Relations in the event a resident student is determined missing. For more information, see the [Missing Resident Students Policy and Procedures](#).
- D. Fire Safety.** The Office of Student Development and Campus Life shall provide all resident students with a copy of the Resident Student Handbook. The Handbook shall contain, among other things, descriptions of the College’s fire safety systems and fire and emergency evacuation procedures.
- E. Sexual Assault, Domestic Violence, Stalking and Bias Related Crimes.** The Office of Student Development and Campus Life shall provide programs, information and awareness activities for both incoming and existing students throughout the academic year, concerning sexual assault, dating violence, domestic violence, stalking and bias

related crime prevention measures. The College Human Resources Department shall provide training and awareness activities for both incoming and existing faculty and staff concerning sexual assault, dating violence, domestic violence and stalking. The Office of Public Safety shall coordinate with local law enforcement as appropriate and when permissible, with respect to responding to and investigating reports of sexual assault, domestic violence, dating violence, stalking and bias related crimes. For more information regarding prohibited conduct and reporting, see the [Equal Opportunity Policy and Procedures](#), and [Berkeley College Sexual Assault, Intimate Partner Violence, and Stalking: Education, Rights, Options and Resources Brochure](#)

- F. Crime and/or Fire Statistics.** The College collects statistics for select crimes, as required by federal law and regulations, and discloses such data for the previous three years as part of each location's Security and Crime Report. Fire statistics are available at the only location offering on-campus housing – White Plains, NY. For more information, see the [Campus Security and Crime Reports](#).
- G. Crime and/or Fire Logs.** The most recent 60-day period of the log is available for inspection upon request from 9 a.m. to 5 p.m. weekdays at the Security Desk at each campus location. Any request for a portion of the log that is older than 60 days will be made available for inspection within 2 business days of the request. The fire log is only available at the location offering on-campus student housing in White Plains, NY.
- H. Written Agreements.** The Office of Public Safety shall maintain any agreements between the College and local law enforcement.

II. CREDIT CARD MARKETING PROHIBITED

The advertising, marketing or merchandising of credit cards to students is prohibited at all Berkeley College locations and College-sponsored events. This restriction applies to banks and other business entities that conduct such activities. Any vendor found in violation shall be prohibited from entering College property.

III. ENFORCEMENT & MAINTENANCE

The College reserves the right to take disciplinary action, up to and including suspension or dismissal/termination, against any student, faculty member or associate who violates this Policy or any other applicable College policies. Any student organizations in violation of this Policy or other applicable College policies may be prohibited from operating on College property.

The Office of the General Counsel will evaluate and review this Policy on an annual basis.