

I. CONTACT INFORMATION

Fulton-Montgomery Community College

2805 State Highway 67
Johnstown, NY 12095
518-736-3622

Incident Reporting

518-736-3622 ext. 8405 Non-Emergency
Or
518-620-1760 Non-Emergency (after hours)

Emergencies

Dial 911

Local Fire, Police and Ambulance

Dial 911

FMCC Department of Public Safety is located in the Physical Education Building, P-144

New York State Domestic Violence hotline – 800-942-6906
<http://www.nyscadv.org/local-domestic-violence>

II. DEPARTMENT OF PUBLIC SAFETY

The Department of Public Safety at FMCC oversees security operations for the college. The department works closely with law enforcement agencies and first responders throughout New York to ensure a safe, secure learning environment for our students and a professional work environment for our faculty and staff. Safety is everyone's responsibility. The college community is a great place to work; however, it is not immune to the types of problems seen throughout society. Unfortunately, crime is a reality FMCC. The college's goal is to provide a safe and secure environment for students, staff and visitors. However, it is only possible to maintain safety and security when every student and staff member takes an active part in the effort.

The purpose of this publication is to:

- Provide an overview of the Department of Public Safety;
- Share crime statistics required by the Jeanne Clery, Disclosure of Campus Security Policy and Campus Crime Statistics Act;
- Inform current and prospective students, staff and visitors about the policies and programs designed;
- Provide information regarding emergency preparedness and planning;
- Distribute public information regarding fire safety, fire statistics and fire-related information.

III. COLLEGE LAW ENFORCEMENT

Fulton-Montgomery Community College is located in the Town of Mohawk, County of Montgomery, and State of New York. In conjunction with local law enforcement and individual facility management at our location, the office works to ensure the overall safety of the college community as a whole. The office is staffed 24 hours a day by a patrol force. The office works cooperatively with outside law enforcement agencies having jurisdiction at FMCC. All federal, state and local laws apply at FMCC. Memorandums of understanding have been forged with local law enforcement agencies for the cooperative investigation of crimes that may occur at FMCC. Certified Peace Officer(s) of the Department of Public Safety possess law enforcement authority. FMCC has developed policies and procedures to ensure that students and their possessions are protected as much as possible, it is primarily the responsibility of the student, faculty or staff member to provide for his or her own personal safety.

IV. THE JEANNE CLERY ACT

Compliance Statement: The Crime Awareness and Campus Security Act of 1990

A. Clery Campus Crime Statistics

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act is the federal law, originally known as the Campus Security Act, which requires colleges and universities across the United States to disclose information about crime on and around their campuses. The Clery Act also requires reporting crimes on public property not owned or controlled by the college. Colleges and universities are required to publish an annual report every year that contains three years' worth of campus crime statistics and certain security policy statements including sexual assault policies that assure basic victims' rights, the law enforcement authority of campus Police, Security/Public Safety and where students should report crimes. The report is to be made available to all current students and employees. Prospective students and employees are to be notified of its existence and given an opportunity to request a copy. It remains the responsibility of the Department of Public Safety for the collection of crime reports and distribution of the annual crime statistics and report by Oct. 1 of each calendar year. The FMCC "Annual Safety and Security Report and Procedures" is available to all current and perspective FMCC students and employees upon request at the Office of Public Safety.

The "Annual Safety and Security Report and Procedures" includes:

- statistics on the number of on-campus murders, rapes, robberies, aggravated assaults, burglaries, motor vehicle thefts, bias-related crimes and arrests for weapons possessions and liquor and drug abuse violations;
- Policies regarding security, access to college and other facilities, and college law enforcement.
- Annual safety and security report and procedures
- Procedures for reporting crimes and other emergencies;
- Information on college sexual assault and rape awareness programs, procedures to follow when a sex offense occurs, disciplinary action procedures, counseling opportunities and notification to students that FMCC will make reasonable changes of a victim's academic situation if the victim so chooses;
- Policies on the use, possession and sale of alcoholic beverages and illegal drugs; and
- A description of FMC's programs informing the campus community about alcohol and drug abuse education, crime prevention and campus security practices.
- Sex offender registry information, New York State Sex Offender Registry and NYS Sex Offender Registry home page at www.criminaljustice.ny.gov/. You also can call 800-262-3257.
- Procedures for emergency response, emergency communications and emergency evacuation procedures.

B. Geographic Locations Used Under the Clery Act

● On Campus:

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

● Non-campus Building or Property:

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

● On Public Property:

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

C. Safety and Security – Our Responsibility

The Department of Public Safety is responsible for compiling and disseminating the Campus Safety Report annually as required by the Federal Student Right-to-Know Law and Campus Security Act, which was signed into law November 1990. The purpose of this report is to provide FMCC faculty, staff, students and prospective students with campus safety information including crime statistics and procedures to follow in order to report a crime. Title II of this act was known as the Crime Awareness and Campus Security Act, which was amended and renamed in 1998 to the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, known as the Clery Act. The Clery Act mandates that institutions receiving Title IV federal funds disseminate crime statistics for certain serious offenses that occurred on campus and in adjacent areas for the current reporting year and the previous two calendar years.

Definitions:

- 1) On an annual basis, the Department of Public Safety solicits information from any and all law enforcement agencies with geographical jurisdiction over FMCC about criminal activity reported to those agencies. The information requested outlines crimes reported to the agencies that happened on or near an FMCC location or involved members of the college community.
- 2) This report of crimes reflects but is not limited to crimes outlined under the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act).
- 3) The Department of Public Safety compiles data as outlined under the Clery Act and makes them available annually to the college community. Upon request, this data shall be provided to prospective students and employees.
- 4) Data obtained and reported to the Department of Public Safety is held for seven years after an individual year report is published.

D. Fulton-Montgomery Community College, the New York State Campus Safety Act, Compliance Statement

- FMCC acknowledges the importance of campus safety and investigating crime. By means of this statement FMCC adheres to formal plans that provide for the investigation of missing students and violent felony offenses committed on campus. Memorandums of understanding have been executed with various local law enforcement agencies to specifically address this issue. Annual safety and security report and procedures; what is the New York State Campus Safety Act? This law was enacted in 1999. It was prompted by the unexplained disappearance of Suzanne Lyall from the State University of New York at Albany campus in 1998. The reforms made by this law acknowledge that improving campus safety must begin with swift and efficient investigative action and optimum access to missing person information by student's families and the public. The act:
 - Requires all public, private, community colleges and universities in New York to have formal plans that provide for the investigation of missing students and violent felony offenses committed on campus;
 - Expands the responsibilities of the NYS Division of Criminal Justice Services (DCJS) Missing and Exploited Children Clearinghouse to provide assistance with the dissemination of information about missing college students.

E. Investigations of Missing Persons

FMCC Missing Person's Compliance Statement.

A "missing student" or "missing person," means any student of FMCC subject to provisions of section 355 (17) of the New York State Education Law. FMCC does operate or employ residence halls. Therefore, any and all persons reported missing to FMCC, or the Department of Public Safety will be reported to law enforcement agencies having immediate jurisdiction. In 2003, President George W. Bush signed into law "Suzanne's Law," requiring police to notify the National Crime Information Center (NCIC) when someone between 18 and 21 is reported missing, as part of the national "Amber Alert" bill.

F. Memorandums of Understanding

FMCC, [in accordance with the provisions of Procedure #3650, dated July 1, 2004, set forth by the State University of New York, Campus Conduct and Other College Property Used for Educational Purposes, and The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, codified at 20 USC 1092 (f), Crime Awareness and Campus Security Act of 1990 otherwise known as the Campus Safety Act] developed memorandums of understanding with local law enforcement to address enforcement of laws at the college, to assist in the reporting of missing persons and investigate and respond to violent felony crime under New York Penal Law §70.

V. CRIMINAL AND INCIDENT REPORTING

A. Criminal Offense

If a criminal offense occurs at any of the college's locations, it must be reported immediately. Notification must be made to the Department of Public Safety or local police and or any FMCC Faculty or Staff members. Individuals who are victims of a crime at or near a college facility have the responsibility to report such acts to Public Safety, local police, and or college officials. In each case, DPS Officers will File an incident report and assign a case number. Victims or witnesses to crime also may report the incident to Public Safety directly. Emergency contact information for local police is located on the public safety and security website. During normal business hours, college officials will be available to assist victims and witnesses in reporting incidents to police. Criminal offenses occurring on campus should be reported directly to DPS or local law enforcement. The college also has established an after-hours non-emergency contact number for Public Safety; this number is 518-620-1760.

B. Incident Reporting Procedure

FMCC Incident Reporting Procedural Statement

Establish guidelines to assist FMCC college community members in reporting of incidents that may occur to students, faculty and staff. Fulton-Montgomery Community College is regulated by statute to report specific criminal incidents that have direct correlation to the college. The guidelines that follow will assist individuals in reporting of incidents and streamline the notification process.

Definitions

- **Incidents:** An incident may be defined as, an action or event that is, has or is going to occur that has an effect on someone or something. For the purposes of this procedure an "incident" is a crime, emergency or incident immediately dangerous to life, health or to the college as a whole.
- **Incident Report:** Official report taken by FMCC DPS with regards to an incident documenting information regarding said incident. A police agency report will serve as an official report under this definition and will be entered into the DPS SJS Data Base.

Incident Reporting, Criminal or Violent Behavior

All college staff, faculty and students are asked to assist in making the college a safe place by being alert to suspicious situations or persons and reporting them as outlined below. If you witness, are the victim of, or are involved in any on-campus violation of the law such as assault, robbery, theft or overt sexual behavior, local emergency police services should be called at 911 as soon as possible and the following information should be given:

- Nature of the incident
- Location of the incident
- Description of the person(s) involved, injured
- Description of the property involved

In addition, the individual should immediately report the incident to Public Safety. Crimes or incidents of a lesser nature including, but not limited to: property crimes, larceny and vandalism, are to be immediately reported to Public Safety or appropriate FMCC faculty or staff member. If an individual notices a person(s) acting suspiciously, he or she should contact the Public Safety at (518) 620-1760 or (518)736-3622 ext. 8405.

Incidents requiring medical attention should be reported to local emergency 911 officials. In addition, the individual should immediately report the incident to a faculty member, dean (or designee) or appropriate vice president.

Reporting of all incidents to college officials is mandatory. Persons reporting must contact a faculty member, dean (or designee) or appropriate vice president to report the incident that occurred. They in turn will contact the Public Safety (518) 736-3622, ext. 8405 who will conduct an investigation, taking the initial report (if applicable).

In the event of a critical incident or violent criminal act, The Department of Public Safety Officers will immediately respond in conjunction and communication with local law enforcement will, in accordance with the Jeanne Clery Act (34 CFR 668.46(e)), issue a “timely warning” and/or “emergency notification” as directed by the Fulton-Montgomery Community College Emergency Notification and Timely Warning Policy.

Identification of College Campus Security Authorities

The college has designated certain administrators and staff as “campus security authorities” in recognition that many students, faculty and staff may be hesitant about reporting crimes to local police or Safety and Security, and may be more inclined to report incidents to non-law enforcement administrators and/or staff instead.

Public Safety Authorities are individuals designated at the college to aid in the safety of the college community. Contact your campus security authority if you see unsafe conditions at a college location; if you or someone else in the college community is the victim of a crime; or if you or someone else in the college community needs a referral for drug or alcohol abuse, or for rape counseling.

Campus security authorities are charged with reporting to a Public Safety Officer or the appropriate law enforcement personnel, either public safety or local police, or to any official or office which should be informed of the crime or complaint due to the nature of the crime or complaint, those allegations of Clery Act crimes that the campus security authority concludes are made in good faith. A campus security authority (President, Vice President), is not responsible for determining whether a crime took place as that is the function of law enforcement and its investigatory process.

A campus security authority is required to report all allegations to law enforcement personnel, even if the campus security authority was told of a crime in the context of providing emotional support or health care support. The allegations will be reported whether or not the victim chooses to file a report with law enforcement or press charges. A campus security authority also may provide a victim or witness with assistance in reporting a crime to Safety and Security or local police, or to any official or office which should be informed of the crime or complaint.

Counselors at the college are not campus security authorities, and are therefore exempt from disclosing or reporting allegations of crimes and incidents. However, to be exempt from the Clery Act reporting requirements, the counselor must be acting in their professional role of mental health counselors at the college. For example, a dean who has Ph.D. in psychology is not acting in the counseling role, but rather as a dean; and a Ph.D. student in psychology working in the counseling center as part of his or her education and training is acting in the counseling role.

The college encourages them to inform their clients of the procedures in accordance with their professional judgment, given the individual victim and circumstances before them. Please see location specific contact information on page 1.

In addition, as required under, (34 CFR 668.46a)

- The college must designate certain administrative personnel as “college security authorities”
- The following persons are recognized as college security authorities:
 - Public Safety, chief/director/coordinator, line supervisors and officers.
 - Vice presidents
 - Director of human resources and labor relations, or designee
 - Provost and Vice Presidents
 - Director of Housing
 - Deans and associate deans
 - Directors and coordinators
 - Members of Emergency Management Team
 - Coordinator of college-wide disability services

C. Definitions of Offense

Offenses in Campus Crime Reporting use the Federal Uniform Crime Reporting Part I Offenses and their related definitions. These offenses are:

- **Aggravated assault:** An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm.
- **Arson:** Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.
- **Burglary:** The unlawful entry into a building or other structure with the intent to commit a felony or a theft.
- **Crime or a public offense:** An act committed or omitted in violation of a law forbidding or commanding it, and to which is annexed, upon conviction, either of the following punishments: death; imprisonment; fine; removal from office; or disqualification to hold and enjoy any office of honor, trust, or profit in this state.
- **Drug abuse:** Violations of laws prohibiting the production, distribution and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use.
- **Rape, Sexual Offense, see below:** 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 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.
- **Hate crime:** Any act of intimidation, harassment, physical force or the threat of physical force directed against any person or family, or their property or advocate, motivated either in whole or in part by hostility to their real or perceived race, ethnic background
- **Larceny – theft:** The unlawful taking, carrying, leading or riding away of property from the possession or constructive possession of another.
- **Liquor-law violation:** Violations of laws or ordinances prohibiting the manufacture, purchase, transportation, possession or use of alcoholic beverages.
- **Murder and non-negligent manslaughter:** The willful (non-negligent) killing of one human being by another.
- **Negligent manslaughter:** The killing of another person through gross negligence.
- **Robbery:** The taking or attempting to take anything of value from the care, custody or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.
- **Vehicle theft:** The theft or attempted theft of a motor vehicle.
- **Weapons:** Violations of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons.

Definitions of Crimes, New York State

Violence against women act specific definitions: The Violence Against Women Act and its proposed regulations require the inclusion of certain New York state definitions in a campus's Annual Security Report and also require that those definitions be provided in campaigns, orientations, programs and trainings for employees and students. Definitions required include: consent, dating violence, domestic violence, sexual assault and stalking.

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, dating violence would include the crimes listed elsewhere in this document when committed by a person in a social relationship of a romantic or intimate nature with the victim. Dating violence includes, but is not limited to, sexual or physical abuse or threat of abuse. It does not include acts covered under the definition of domestic violence.

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 16, 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.

PARENT – Means natural or adoptive parent or any individual lawfully charged with a minor child’s care or custody.

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

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

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

RAPE IN THE THIRD DEGREE –

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

RAPE IN THE SECOND DEGREE –

When a person (1) being 18 years old or more, engages in sexual intercourse with another person less than 15 years old; or (2) engages in sexual intercourse with another person who is incapable of consent by reason of being mentally disabled or mentally incapacitated. It is an affirmative defense to the crime of rape in the second degree the defendant was less than 4 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 4 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 10 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 5 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 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 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 11 years old; or (4) when the other person is less than 13 years old and the actor is 21 years old or older.

COURSE OF SEXUAL CONDUCT AGAINST A CHILD IN THE SECOND DEGREE –

When over a period of time, not less than three months, a person: (1) engages in two or more acts of sexual conduct with a child less than 11 years old; or (2) being 18 years old or more engages in two or more acts of sexual conduct with a child less than 13 years old. A person may not be subsequently prosecuted for any other sexual offense involving the same victim unless the other charges offense occurred outside of the time period charged under this section.

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

FACILITATING A SEX OFFENSE WITH A CONTROLLED SUBSTANCE –

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

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

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

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

STALKING IN THE FOURTH DEGREE – When a person intentionally, and for not legitimate purpose, engages in a course of conduct directed at a specific person, and knows or reasonably should know that such conduct (1) is likely to cause reasonable fear of material harm to the physical health, safety or property of such person, a member of such person's immediate family or a third party with whom such person is acquainted; or (2) causes material harm to the mental or emotional health of such person, where such conduct consists of following, phoning 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, phoning 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 10 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, slingshot, slung shot, 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 14 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 14 in reasonable fear of physical injury, serious physical injury or death; or (5) commits the crime of stalking in the third degree, against 10 or more persons, in 10 or more separate transactions, for which the actor has not been previously convicted.

STALKING IN THE FIRST DEGREE – When a 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.

D. Notification to FMCC College Administration

Once the incident has been effectively handled by DPS police, reporting of the incident to college officials (leadership team) is mandatory. Persons reporting are instructed to forward copies of the incident report to all college security authorities to further report the incident that has occurred. Persons reporting also should contact the Department of Public Safety to report incidents. The Department of Public Safety will conduct an investigation along with the Police agency taking the initial report. Once an incident has been reported to the leadership team the incident report will be filed though Public Safety.

E. Protection and Confidentiality

Nothing in this report will be construed to permit the college, or an officer, employee or agent of the college, participating in any program under this title to retaliate, intimidate, threaten, coerce or otherwise discriminate against any individual with respect to the implementation of any provision of this document. At this time, there are no provisions for confidential reporting. FMCC encourages students, faculty and staff to report all criminal activity that has occurred at or on the FMCC campus. The report of the criminal activity may be anonymous and the person may request confidentiality. FMCC does not have a policy or procedure that encourages its professional counselors; if and when the counselor deems it appropriate, to inform the person being counseled of any procedures to report crime on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics.

Disclosure of Policy Statement: Policy for Preparing and Reporting the Annual Disclosure of Crime Statistics

The Department of Public Safety, in conjunction with the Office of Student Affairs, prepares this report to comply fully with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. Statistics are compiled in accordance with the Uniform Crime Reporting System of the Department of Justice and the Federal Bureau of Investigation.

Campus crime, arrest and referral statistics include those reported to the Department of Public Safety, and designated campus officials (including Office of Student Affairs, Office of the President, Office of Human Resource), and local law enforcement entities. Crimes are reported that occur on campus, on locations that are contiguous to the campus, and buildings or properties that are either owned or controlled by a campus affiliated entity.

College policy encourages every member of the campus community to report a crime promptly. Information is available and is provided to individuals in reference to, voluntary confidential reporting procedures in the event a person does not want to pursue action either within the federal or state criminal justice system or within the university's discipline system. A procedure is in place to capture crimes statistics which are disclosed anonymously to the Department of Public Safety or the Counseling Center.

The data for the annual crime statistics is monitored daily. The Fulton-Montgomery Community College campus has a designated campus security/ law enforcement authority. The campus security authority, upon receiving notification of a crime incident on FMCC property, will verify the circumstances and put the information into the appropriate database. These crime statistics will be published as part of the FMCC Annual Security Report. Current data also can be disseminated upon request. The Department of Public report on an annual basis upon request the crime statistics reported to them for the previous calendar year. Data received from local law enforcement is compared to the college's internal database to ensure accurate reporting.

Each year, an email notification is made to all enrolled students, faculty and staff that lists the website to access this report. Copies of the report also may be obtained at the Department of Public Safety located at 2805 State Highway 67, Johnstown, NY 12095. All prospective students may obtain a copy by calling the Department of Public Safety and Security, the Office of Student Affairs, or by visiting the website at www.fmcc.edu/. All prospective employees may obtain a copy by calling the Department of Public Safety or by visiting the above website.

Of note, the Federal Clery Act may define a particular crime differently than that crime is defined under the New York State Penal Code. For the purposes of this report, the university uses the Clery Act definitions of crimes. Please see herein for the Clery Act definitions.

F. Daily Crime Log

In accordance with The Jeanne Clery Act, Campus Safety Act, Public Safety maintains a “daily crime log.” The information contained in this log identifies incidents and or crimes reported to the Department of Public Safety, occurring on or near a college facility. The information contained in this log identifies, but not limited to, the nature of the crime reported to security or law enforcement, dates and times the incident was reported and occurred, the general location of the incident or crime and the disposition of the complaint if known. The crime log is available for public viewing during normal business hours at the Department of Public Safety. The most recent 60-day period is open to public inspection, upon request, during normal business hours. Anyone may ask to see the log, whether or not they are associated with the college.

VI. TIMELY WARNING PROCEDURES

A. Timely Warnings and Emergency Notifications to the College Community, Procedure What constitutes an “Emergency” at Fulton-Montgomery Community College?

Below is a list of emergency situations identifying the most common types of emergency notifications? Any emergency where the health and/or human safety at Fulton-Montgomery Community College are in question may constitute an “emergency.” The list is not inclusive:

- Bomb threat – based on credible intelligence that indicates a threat.
- Civil disturbance – disruption of normal college activities by a group of people.
- Fire – fire to building(s), wildfires, local community or industry that may endanger college students, faculty, staff or property.
- Hazardous material – dangerous material that is chemical, biological or nuclear spreading from a contained area.
- Major road closing/incident – unanticipated event that would disrupt safe passage to and from college.
- Medical emergency – pandemic or an event with mass casualties.
- Personal Safety – situations that include use of weapons, violence, perpetrator(s) at large, active shooter and hostage situation or missing persons. Any situation, on or off college that, in the judgment of the local authorities, the college president or his designee, constitutes an on-going or continuing threat to person or property.
- Suspicious package – reasonable belief that a package may contain chemical, biological, explosive, radiological or nuclear substance that would cause harm to persons or property.
- Utility failure– a major disruption or damage to utilities including gas, electrical or water.
- Weather– severe weather conditions to include flooding, snow/ice/cold, thunderstorm, wind, tornado or hurricane.
- Natural disasters– such as earthquakes.

Ways to communicate these issues:

Safety Related Issues:

Methods of communication will be chosen based on the nature of the incident. A decision will be made on notification methods by the Department of Public Safety or a member of the Incident Command Team.

General Notification:

- Email to all students and/or faculty/staff affected.
- Postings in college facilities, and on campus as applicable to the incident. Postings can be emailed as attachments to various offices as indicated below.
- Utilization of the Campus Emergency Notification System
- Activation of SUNY Alert System
- Activation of FMCC electronic digital signs
- Posting of notification on FMCC Public Safety website
- NY ALERT in the case of a critical campus wide emergency
- Text messaging, if applicable
- Social media sites

Health Related Issues:

- Letters to students faculty and staff
- Letters to faculty and staff, if appropriate
- Posting of notification on the college website at www.esc.edu
- Based on timing of the incident

Procedure to Follow

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

What warrants a “timely warning” or “emergency notification?”

FMCC will issue Timely Warnings for a specific college location or college-wide whenever a crime is reported to the Office of Safety and Security, Public Safety or a local police agency that is considered to represent a serious or continuing threat to students and employees. Whenever a timely warning is sent, it will be sent to the entire affected community. Emergency Notifications will be issued, when the college is made aware of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurs at a specific campus location. As appropriate, emergency notifications may be targeted at the segment or segments of the campus community that are at risk. Emergency notifications will be issued without delay unless doing so would compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency. The Incident Command Team, or the Director of Public Safety and/or other campus and non-campus officials as appropriate, will confirm the existence of a situation that may warrant a warning or notification and determine if a timely warning or emergency notification is warranted and the extent of the notification as appropriate. In addition to criminal incidents emergency notifications may be issued in situations such as, but not limited to:

Safety Related Issues:

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

Health Related Issues:

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

B. Emergency Preparedness, Response and Evacuation Procedures

In the event that a situation arises, either on or off campus, that, in the judgment of the Incident Command Team, or Director of Public Safety, constitutes an ongoing or continuing threat to the campus population, a campus wide “timely warning” will be issued.

Emergency Response Plan Synopsis

This college-wide Emergency Management Plan is designed to outline a plan of action so that emergencies can be dealt with immediately in a logical and coherent manner. The intention of the Emergency Response Plan is not to establish policy, but to create a framework that will allow an immediate response to an emergency.

This plan is the result of the recognition by the college officials that there is a responsibility to manage emergency and disaster situation on campus and coordinate with all public safety and local government officials. The college recognized that a comprehensive plan is needed that is compliant with HSPD-5, including the National Incident Management Systems (NIMS). The plan also must be consistent with, and closely linked to, county and state plans.

The Emergency Management Plan designates Public Safety Officials and local police as the initial contact for reporting all emergency situations and as the central point of communication during the response and resolution of all emergencies.

Emergency Management Plan is designed to maximize human survival and preservation of property, minimize danger, restore normal operations to FMCC and assure responsive communications with the college campus community, surrounding regions and the cities in which we function within.

This plan is set in operation whenever a natural or induced emergency reaches proportions that cannot be handled by established measures.

A crisis may be sudden and unforeseen, or there may be varying periods of warning. This plan is intended to be sufficiently flexible to accommodate contingencies of all types, magnitudes and duration.

Fulton-Montgomery Community College’s Emergency Management Plan is put into effect whenever a crisis, man-made or natural, disrupts operations, threatens life, creates major damage or occurs within the college community and its environments.

Emergency Response and Evacuation Procedures

Under the college wide Emergency Management Plan (EMP), the college practices regular emergency evacuation drills and fire safety drills.

An emergency or crisis situation can arise at Fulton-Montgomery Community College any time and from many causes. Emergencies range from chemical spills, fires and bomb threats to explosions, natural disasters and civil disturbances such as riots or labor unrest.

The Fulton-Montgomery Community College, college wide Emergency Management Plan is a procedural document, which incorporates the Incident Command System for organizing, coordinating and directing available resources toward the control of an emergency. The plan includes a chain of command establishing the authority and responsibility of various individuals. In emergencies, procedures sometimes must be changed at an instant's notice; therefore, responsible and knowledgeable persons who know the procedures have the authority to make necessary modifications.

Procedure to follow

For information that is believed to be of interest or concern to the entire college population, the threat assessment team in conjunction with the vice president for administration will typically notify the Office of the President in advance of sending a campus wide notification.

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

C. Fulton-Montgomery Community College Community Responsibility

All Fulton-Montgomery Community College community members including faculty, staff and current students are encouraged to sign up for New York State Alert and will use this as one of the methods to communicate emergencies.

The college-wide notification system that will allow single source notifications to all parties affected by an emergency will receive information in a timely manner as needed. This information will be posted on the Public Safety website as the program is implemented, all faculty, staff and students email addresses will be entered into the emergency notifications system to receive emergency notifications as they may develop. Accounts have been created for current faculty, staff and students. Once an account has been entered, the user will receive emergency notifications informing them of the nature of the emergency and instructions on what to do. Users may opt into various groups of notification at any time. Users however will not be able to opt out of emergency notifications sent by the college.

VII. BUILDING SECURITY

A. Access to Facilities and Security of Building

Most college locations are open to the public during normal business hours. At night and during periods when classes are not in session, college buildings are generally locked. Faculty, staff and a limited number of students, with proper identification are issued keys/access cards to gain entry into buildings. Individual's assigned keys are responsible for reporting missing, lost and/or stolen keys.

Additionally, electronic monitoring devices (CCTV) have been employed to assist with the overall general safety of the community.

B. Campus Facilities

The college's goal is to provide a campus environment that is as safe and secure as possible. Generally, campus buildings and facilities are not only accessible to members of the campus community but also to the public during normal business hours 8 a.m. to 5 p.m. During nonbusiness hours, 5 p.m. to 8 a.m., classrooms and office buildings not in use will remain locked.

C. Security and Access to Campus Facilities Procedure Policy Statement

Fulton-Montgomery Community College establishes procedures to ensure the safety of its students and employees.

All procedures follow these basic principles:

- Normal business hours: 8 a.m. to 9 p.m., Monday through Friday. Main entrances to facilities will be open and auxiliary entrances shall remain secured unless otherwise accommodated for. Facilities that host after-hour events or provide student instructional services may opt to have entrance times vary. The Facilities Office Director and or Other College Administrators are responsible for variances in times. Additionally, hours of operation, may vary.
- Holidays and other college closings: All facilities will be closed and secured during state recognized holidays. Alarm systems will be armed for 24 hours during these dates. Only college personnel with authorization privileges shall be permitted access to the building.
- Special considerations: Fulton-Montgomery Community College hosts various functions and has liberal leave days. During these times facilities operate on limited staffing. Main entrance areas may remain open. In buildings with key access, personnel will utilize this option for access to the facilities.

D. Other General Information

Access Control -Visitors and Vendors

The purpose of the Access Control and Security System is:

- To improve the security of facilities with an effective policy;
- To comply with campus wide crime prevention and control objectives;
- To enable Fulton-Montgomery Community College to safeguard the work facilities;
- To simplify locking policies;
- To eliminate key duplication;
- To eliminate unauthorized access;

- To eliminate the necessity of emergency re-keying and re-coring;
- To satisfy security concerns of students, faculty and staff.

Fulton-Montgomery Community College Student ID Number

At FMCC your social security number will not be used as your student identifier. You will be assigned a registration number for FMCC, this ID number will be used to identify your records at the college.

Physical Maintenance of Facilities

The overall maintenance of facilities at FMCC is conducted through the Office of Facilities. Physical Plant deficiencies found are to be reported to Facilities at 518-736-3622, ext. 8411. Periodic safety inspections are conducted by Public Safety in conjunction with Facilities. Overall hazards are identified and corrected. Physical security, lighting and general safety items are identified and addressed in a timely manner.

Physical deficiencies or hazards found or identified at FMCC must be reported directly to the Facilities department. The deficiencies are corrected by Facilities personnel or property owners of that respective site.

However, any emerging hazard or deficiency that is of a critical nature also should be reported to the Department of Public Safety at 518-736-3622, ext. 8405.

VIII. SECURITY PROGRAMS

A. Crime Prevention Programs

The college provides specialized trainings and crime prevention programs primarily for faculty and staff on an ongoing basis. All new arriving students and staff are given information on crime prevention during their respective orientation.

All employees, are advised of building security procedures, personal safety awareness and work place/domestic violence programs when they begin employment with the college during “new employee orientation” sessions.

Annual notification regarding specific policies and procedures can be found within this document. Specific policy information regarding “Work Place Violence and Domestic Violence” may be located at www.fmcc.edu/

B. Off-campus Criminal Activity

Fulton-Montgomery Community College is a residential college with dormitories and off-campus housing. Off-campus groups or associations in a living environment associated with the college exist. The Department of Public Safety works regularly with local law enforcement to identify crimes or incidents that occur on or near college facilities. All events conducted in conjunction with Fulton-Montgomery Community College off college property are considered college events and must follow procedures and codes of conduct in adherence with college policy.

IX. CAMPUS SEX CRIMES PREVENTION ACT OF 2000

The act sets requirements for sexual offender registration and community notification. The Campus Sex Crimes Prevention Act of 2000 provides for the tracking of convicted sex offenders enrolled at, or employed by, institutions of higher education. It requires sex offenders, already required to register in a state, to provide notice of each institution of higher education in that state in which that person is employed, carries on a vocation or is a student. The act amends the Family Educational Rights and Privacy Act of 1974 (FERPA) to clarify that nothing in the act can prohibit an educational institution from disclosing information provided to the institution concerning registered sex offenders.

Information is listed at New York Division of Criminal Justice Services' Sex Offender Registry or at www.criminaljustice.state.ny.us/nsor.

You also may contact the NYS DCJS Sex Offender Registry at 518-457-3167 or 800-262-3257.

X. SEXUAL OFFENDER REGISTRY

The Sex Offender Registration Act requires the Division of Criminal Justice Services (DCJS) to maintain a Sex Offender Registry. The registry contains information on classified sex offenders according to their risk of re-offending: low risk (level 1), moderate risk (level 2) and high risk (level 3). The act requires that the division also maintain a subdirectory of level 3 sex offenders.

The DCJS Sex Offender Registry site may be found on the Web (www.criminaljustice.state.ny.us/nsor) and contains their subdirectory of level 3 sex offenders as well as other information regarding the New York State Sex Offender Registry (referred to as "the registry").

Sex offenders registered in New York are now required to notify the registry of any institution of higher education at which he or she is, or expects to be, whether for compensation or not, enrolled, attending or employed, and whether such sex offender resides or expects to reside in a facility operated by the institution. Changes in status at the institution of higher education also must be reported to the registry no later than 10 days after such change.

Fulton-Montgomery Community College will maintain a website link to the New York State Sex Offender Registry and local law enforcement that maintain listings of registered sex offenders.

Correction Law §168-b requires that Division of Criminal Justice Services (DCJS) include this information regarding an institution of higher education on its registry.

XI. SEXUAL HARASSMENT AND SEXUAL ASSAULT

A. Definitions

Sexual Harassment

Sexual harassment is any unwelcome attention or unwanted verbal or physical advance of a sexual nature made by someone in the workplace or educational setting, which is offensive or objectionable to the recipient.

Sexual harassment can substantially interfere with a student's education and should be addressed. For further assistance, please contact the Department of Public Safety at 518-736-3622, ext. 8405.

The Sexual Harassment Policy is available on the college website at www.FMCC.edu/, in the college catalog and at all college locations stating that sexual harassment of either employees or students will not be tolerated.

Sexual Assault and Rape

Interpersonal violence can happen to anyone regardless of age, sex, race, socioeconomic status or the length of time the individuals involved have known each other. Rape is an act of violence and an attempt to control, humiliate and degrade the victim. Rapists can be anyone and often may be a friend, acquaintance or family member. Alcohol and other mood-altering substances are known contributors to episodes of this type of behavior. Any sexual contact that is made without the consent of the victim is considered a sexual offense. Rape and sodomy are felony crimes. The New York State Penal Law, Article 130, defines sex offenses and applicable punishment.

B. Sexual Assault Crimes and Offenses

Sexual activity with another person against his or her wishes is a crime (New York State Penal Law, Article 130). If the victim does not resist or express unwillingness, a crime may still have been committed.

Sexual activity is defined as sexual contact, not restricted to the act of intercourse. The crimes specified in Article 130 may constitute a Class A misdemeanor to a Class B felony.

A Misdemeanor is a criminal offense for which a sentence of a fine or imprisonment for more than 15 days, but less than one year, could be imposed.

A felony is a criminal offense punishable by a fine or imprisonment for more than one year. In addition, FMCC may impose sanctions outlined in the Student Code of Conduct, ranging from disciplinary action, warnings and expulsion. The outcome of sexual offenses at Fulton-Montgomery Community College depends on several factors including the reporting of the incident and the willingness of the victim to press charges. The mechanisms of adjudication are criminal court, civil court, an administrative conduct hearing or all of these listed. Fulton-Montgomery Community College will not hinder prosecution, therefore all federal, state and local laws apply within college setting.

C. Sexual Harassment Policy

Fulton-Montgomery Community College is committed to ensuring an environment for all employees and students which is fair, humane and respectful, an environment which supports and rewards employee and student performance on the basis of ability and effort. In November 1980, the Equal Employment Opportunity Commission issued final guidelines on sexual harassment in the workplace reaffirming that sexual harassment is an unlawful employment practice under Section 703 of Title VII of the Civil Rights Act of 1964, as amended.

The Federal Equal Employment Opportunity Commission has defined sexual harassment as: “unwelcome sexual advances, requests for favors and other verbal or physical conduct of a sexual nature when submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment, submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or such conduct has the purpose or effect of substantially interfering with an individual’s work performance or creating an intimidating, hostile or offensive working environment.” Fulton-Montgomery Community College prohibits such conduct.

Fulton-Montgomery Community College has a discrimination grievance procedure that is available for use by any employee or student who feels that he or she has been the victim of sexual harassment or other unlawful discrimination. Persons wishing to discuss an incident or use the discrimination procedure may contact the Director of Human Resources at 518-736-3622, ext. 8403. The Department of Public Safety also may serve as a reporting entity for such complaints. All inquiries are confidential and will be dealt with promptly.

D. Statement for Students about Sexual Assault and Harassment

Fulton-Montgomery Community College takes issues of personal safety seriously, especially sexual assault and harassment. The following information is provided to students to assist in the prevention of, and response to, sexual assault and harassment and to meet the requirements of the Personal Safety Law of the State of New York and the Higher Education Amendment of 1992. Students who are undecided about what process to follow may contact one or more of the following for assistance.

Fulton-Montgomery Community College is committed to providing a safe and secure environment in which all its members are treated respectfully and free from harm. To that end, the college takes a strong stand against, crimes of sexual nature in all its forms including sexual assault, as well as the use of coercion, intimidation or exploitation of others for sexual purposes. The college is actively engaged in educating its members about these vital issues and in providing timely issues support and assistance to victims of sexual violence.

President Dr. Dustin Swanger
Office of the President
Fulton-Montgomery Community College
2805 State Highway 67.
Johnstown, NY 12095
518-736-3622, ext. 8000

Provost Dr. Gregory Truckenmiller
Office of Academic Affairs
Fulton-Montgomery Community College
2805 State Highway 67.
Johnstown, NY 12095
518-736-3622, ext. 8001

Director Jason Rauch
Office of Human Resources
Fulton-Montgomery Community College
2805 State Highway 67.
Johnstown, NY 12095
518-736-3622, ext. 8403

Mark Pierce
Director of Public Safety
Chief Law Enforcement Officer
Fulton-Montgomery Community College
2805 State Highway 67.
Johnstown, NY 12095
518-736-3622, ext. 8406

E. Sexual Assault Educational and Prevention Programs

The college provides prevention programs throughout the academic year in partnership with Fulton-Montgomery Counties Domestic Violence and sexual Assault Services for students, staff and college community members. Employees are also educated in basic awareness and safety at time of employment during orientation.

F. Reporting Sexual Assault or Rape to the College

After victims have seen to their own safety and wellbeing, victims may report the incident to a college official. The college has procedures in place to facilitate reporting, Fulton-Montgomery Community College is a victim driven reporting system. It remains the victim's choice to report a crime of this nature. Fulton-Montgomery Community College will assist the student or employee, in a confidential nature, to seek medical attention and or notify local law enforcement if so desired.

Victims may report the incident to the Department of Public Safety. They will ensure that the proper individuals in the college are notified.

The victim of a sexual offense has the right to:

- Call 911
- Report the incident to the appropriate police agency and pursue criminal charges
- Seek medical treatment as soon as possible, including the collection and preservation of evidence that is crucial to pursuing criminal prosecution. Do not discard of your clothing or wash them after the assault. Clothing, sheets and bedding later may be used as key evidence in cases of sexual assault as evidence.
- Access to support services provided by the college

● If the incident occurred at Fulton-Montgomery Community College, the victim also is encouraged to report the assault to the Department of Public Safety, and local police. Victims may report the incident to the appropriate college official. If the accused is a member of the college faculty or staff, in addition to filing a police report, a report of the incident to the Director of Human Resources, should be made. If the accused is a student at the college, in addition to filing a police report, report the incident to:

Mark Pierce
Director of Public Safety
Chief Law Enforcement Officer
Fulton-Montgomery Community College
2805 State Highway 67
Johnstown, NY 12095
(518) 736-3622 ext. 8406

Jean Karutis
Title IV Coordinator
Fulton-Montgomery Community College
2805 State highway 67
Johnstown, NY 12095
(518) 736-3622 ext. 8903

Director Jason Rauch
Office of Human Resources
Fulton-Montgomery Community College
2805 State Highway 67
Johnstown, NY 12095
518-736-3622, ext. 8403

G. Action Following a Report to a College Official for Harassment

Discrimination complaints against a member of the college staff or faculty, including sexual harassment, are handled by the college's Director of Human Resources. A recommendation is made to the president regarding disciplinary action, if warranted. Varieties of outcomes are possible and may range from no action to termination of the employee.

H. Action Following a Report to a College Official of Sexual Assault or Rape

When a sexual assault has been reported to the college for administrative action, the Director of Human Resources or designee, will initiate action on the student or employee's behalf.

● If the accused is a member of the college staff or faculty, the Office of Human Resources and will conduct an investigation (appropriate offices and the Office of Public Safety may be involved as well). Together, they will make a recommendation to the college president who will determine what, if any, corrective and/or disciplinary action will be taken. A variety of outcomes are possible and may range from no action to termination of the employee.

● If the accused is a student, the assistant to the provost will work with the center or program administrator where the student is enrolled to initiate student conduct procedures. Behavior deemed sexual harassment or assault is a violation of the Student Conduct Policy. The policy and procedures are available in the college catalog. The college Vice President of Student Affairs or designee may immediately place a student on interim suspension after determining that such an action is necessary for maintaining safety and order. The suspension will be in effect until a hearing can take place and a final resolution is reached. (See Student Conduct Policy.) Actions the college may take in relation to employees and students have to do with their relationship with the college,

- Sexual assaults violate the standards of conduct expected of every member in the college community.
- Sexual assault is a criminal act, which subjects the perpetrator to criminal and civil penalties under state and federal law. In all cases, the college will abide by and cooperate with local, state and federal sanctions. College disciplinary action may include suspension or expulsion depending on the seriousness of the situation.
- Fulton-Montgomery Community College will change a victim's academic situation after a sex offense or alleged sex offense if those changes are requested by the victim and are reasonably available.
- The accuser and the accused are entitled to the same opportunities to have others present during a disciplinary proceeding. Please refer to the College Student Code of Conduct for particulars.
- Both the accuser and the accused must be informed of the outcome of any institutional, college, disciplinary proceeding brought alleging a sex offense.

I. Professional Counselors

Fulton-Montgomery Community College employs counselor services for students. A separate on-call counseling center is in place for usage by college employees (EAP). The Office of Human Resources is available to provide additional information as needed. This office can be reached at 518-736-3622, ext. 8405.

J. Workplace Violence, Dating Violence, Stalking and Domestic Violence Policies

Fulton-Montgomery Community College recognizes the serious nature surrounding Work Place Violence and Domestic Violence in society and in the workplace.

The college is required by New York State Labor Law to publish and have in place a Work Place Violence, Policy and Prevention program, training and Domestic Violence Policies. The current policies and procedures may be found at www.fmcc.edu. Faculty and staff receive training at orientation as to the existence of such policies. Annual notification to the college community of these policies is made within this document.

Fulton-Montgomery Community College is committed to providing a safe and secure environment in which all its members are treated respectfully and free from harm. To that end, the college takes a strong stand against crimes of sexual nature in all its forms, including sexual assault, as well as the use of coercion, intimidation or exploitation of others for sexual purposes. The college is actively engaged in educating its members about these vital issues and in providing timely support and assistance to victims of sexual violence.

K. Counseling Service

The college has professional counseling services located in the Student Development Offices. College-wide, this program has been largely successful and students are never turned away. The program allows students to access the counseling center during regular business hours. This program is confidential and the information will not be shared with college officials unless harm to self or others is imminent.

XII. BIAS RELATED CRIME AND HATE CRIME

Fulton-Montgomery Community College takes bias crimes seriously. The college provides the following information to students and employees to assist in the prevention of and response to bias crimes. This statement meets the requirements of the New York State Hate Crimes Act of 2000 (Penal

A. Bias Crimes, Definitions

Hate crimes, also called bias crimes or bias-related crimes, are criminal activities motivated by the perpetrator's bias or attitude against an individual victim or group based on perceived or actual personal characteristics, such as race religion, ethnicity, gender identity, sexual orientation, national origin or disability. Penalties for bias-related crimes are very serious and range from fines to imprisonment for lengthy periods, depending on the nature of the underlying criminal offense, the use of violence or previous convictions of the offender.

If you are the victim of, or witness to, a hate/bias crime at a college location or event, report it to the Department of Public Safety or an appropriate local police agency.

B. Bias Related Incidents or Crimes

Bias incidents directed at a member of a group within Fulton-Montgomery Community College that does not rise to the level of a crime include bigotry, harassment or intimidation based on national origin, ethnicity, race, age, religion, gender identity, sexual orientation, disability, veteran status, color, creed or marital status. Such incidents may be addressed through the filing of a complaint procedure or the College's Student Conduct Policy.

Procedures. Bias incidents can be reported to the following individual:

Mark Pierce or Designee (On-duty Patrol Officers)

Director of Public Safety

Chief Law Enforcement

Fulton-Montgomery Community College

2805 State Highway 67

Johnstown, NY 12095

518-736-3622, ext. 8405

Victims of bias crimes or incidents may seek counseling services from their own health care providers. The college does not offer counseling services.

XIII. DRUG AND ALCOHOL PREVENTION PROGRAM

A. Standards of Conduct

Fulton-Montgomery Community College policy prohibits the unlawful possession, use or distribution of illicit drugs and the abuse of alcohol by students and employees on college property or as part of the college's activities. No formal prevention programs are offered to students at this time. Employees may seek additional information at the Office of Human Resources (EAP).

B. Health Risks

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

C. Federal, State and Local Legal Sanctions

Conviction for possession and sale of controlled substances carries a number and variety of penalties under New York State Law. These range from fines to prison terms of 15 years to life, depending upon the nature of the substance, the criminal act and the character of the crime. Federal Trafficking Law convictions also carry a variety of penalties which range from five to 30 years in prison and substantial fines. These sanctions are described in materials which are available at the centers or the Office of Academic Affairs. NYS Penal Law <http://public.leginfo.state.ny.us/menuegtf.cgi?COMMONQUERY=LAWS>.

D. Disciplinary Sanctions – Students

A student accused of possession/use of or distribution of alcohol or drugs will be subject to the college's Student Conduct Policy and Procedures in the college catalog. Sanctions for those found responsible may include written warning, suspension or expulsion.

XIV. ALCOHOL POLICY

A. Alcohol and Drug Use in the Workplace

In compliance with the Federal Drug Free Schools and Communities Act of 1988 and the New York State Policy on Alcohol and Controlled Substances in the Workplace, the Fulton-Montgomery Community College policy prohibits the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance and the abuse of alcohol by students and employees on college property or as part of the college's activities. New York State prohibits on-the-job use of, or impairment from, alcohol and controlled substances.

B. Campus Drug Policy

Fulton-Montgomery Community College is committed to promoting a drug-free campus environment.

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

New York State Law

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

XV. FIRE SAFETY, ANNUAL FIRE SAFETY REPORT

Fulton-Montgomery Community College fully recognizes its responsibility to provide both awareness and safety training for faculty, staff and students and undertakes an ambitious program each year. Fire safety and emergency training for faculty and staff begins with discussions about fire prevention and safety during orientation programs. Annual fire inspections are conducted by NYS Office of Fire Prevention and Control. Smoking is prohibited inside all college facilities.

A. Fires, Emergency Building Evacuations, Evacuation for People with Physical Disabilities

In the event of fire, a smoke condition or odor of gas:

- Notify fire departments by dialing 911 from any phone or cell phone
- Activate the nearest alarm pull station as you leave the building
- Follow evacuation instructions
- Quickly and calmly evacuate the building from the nearest exit. Do not use the elevators.
- Do not re-enter a building that is in alarm
- Proceed to the previously designated area of refuge and remain there.

Emergency evacuation plans are identified for each college location and posted.

- It is best to have arrangements preplanned for evacuation assistance. Arrangements can be made to reasonably assure that assistance is provided to anyone who requires it. Contact the Department of Public Safety at (518) 736-3622, ext. 8405 for preplan arrangements or questions.
- IF you are unable to evacuate, call 911.
- Remember to never use the elevators.

XVI. MEDICAL EMERGENCIES

Dial 911 from any college phone, or dial 911 from your cellular device.

Medical Incidents

Emergencies can happen any place and at any moment. When an emergency arises at Fulton-Montgomery Community College, it is important to know who to notify to expedite an emergency service response to the incident. Everyone at Fulton-Montgomery Community College remains a vital link in the network of college and community resources prepared to respond to medical emergencies. Dial 911.

XVII. GENERAL SAFETY

A. Faculty and Staff Members' Roles

Everyone at Fulton-Montgomery Community College has a basic responsibility for his or her own personal safety; faculty and staff have an increased level of responsibility.

B. Personal Safety

- Stairwells and out-of-the way corridors: utilize common stairwells and corridors that are traveled most frequently by others.
- Elevators: if in an elevator with someone who creates an uneasy feeling, get off as soon as possible.
- Restrooms: be extra cautious when using restrooms that are isolated or poorly lit.

- After hours: don't walk alone late at night. Create a buddy system for walking to parking lots or public transportation.
- Parking lots or garages: always lock the car and roll the windows up all the way. Park in a well-lit area. Carry keys in hand while approaching the vehicle.

C. Prevention of Crime in the Office

Use your keys, access card/codes properly:

- Never share them with anyone.
- Don't place personal identification on your key rings.
- Keep your personal keys and your office keys on separate rings.
- Report lost key rings and access card immediately.
- Keep purses or wallets on your person or lock them in a drawer or closet.
- Keep track of serial numbers of any personal items and mark them with your name or initial (i.e., radio).
- Keep coat racks away from entrances/exits to minimize temptation.
- Don't leave your office unattended. Lock it.
- Have your phone forwarded to another person's office or to voice mail.
- Report any lighting deficiencies, broken windows or broken door locks to the facilities maintenance.
- Don't allow repairs to security or communication equipment without verifying a written order from the appropriate supervising office.

XIII. DOMESTIC VIOLENCE – WORKPLACE VIOLENCE INITIATIVE

Executive Order 19, issued on Oct. 22, 2007, requires all state agencies to adopt a Domestic Violence and the Workplace Policy by Aug. 1, 2008. The Office for the Prevention of Domestic Violence (OPDV) has been charged with the responsibility of developing a model policy and sample implementation procedures by Feb. 1, 2008. The workplace violence program and training Fulton-Montgomery Community College adheres to is located within the Office of Human Resources. XXII. SAFETY PROGRAMS AND SERVICES regarding safety programs and services for domestic violence and workplace violence.

XIX. WEAPONS POSSESSION

College policy prohibits, unauthorized possession or use of firearms, explosive devices, fireworks, dangerous or illegal weapons, or hazardous materials.

A. Safety Guidelines for Armed Subjects, Active Shooter Situations.

An active shooter is a person who appears to be actively engaged in killing or attempting to kill people in a populated area. In most cases active shooters use firearm(s) and there is no pattern or method to their selection of victims. These situations are dynamic and evolve rapidly, demanding immediately deployment of law enforcement resources to stop the shooting and mitigate harm to innocent victims. This section provides guidance to persons who may be caught in an active shooter situation, and describes what to expect from responding police officers.

What should you do?

In general, how you respond to an active shooter will be dictated by the specific circumstances of the encounter, bearing in mind there could be more than one shooter involved in the same situation. If you find yourself involved in an active shooter situation, try to remain calm and use these guidelines to help you plan a strategy for survival.

- If an active shooter is outside your building, proceed to a room that can be locked, close and lock all the windows and doors, and turn off all the lights; if possible, get everyone down on the floor and ensure that no one is visible from outside the room. One person in the room should call 911, advise the dispatcher of what is taking place, and inform him/her of your location; remain in place until the police or a campus administrator known to you, gives the “all clear.” Unfamiliar voices may be the shooter attempting to lure victims from their safe space; do not respond to any voice commands until you can verify with certainty that they are being issued by a police officer.
- If an active shooter is in the same building you are, determine if the room you are in can be locked. If so, follow the same procedure described in the previous paragraph. If your room can't be locked, determine if there is a nearby location that can be reached safely and secured, or if you can safely exit the building. If you decide to move from your current location, be sure to follow the instructions outlined below.
- If an active shooter enters your office or classroom, try to remain calm, dial 911, if possible, and alert police to the shooter's location; if you can't speak, leave the line open so the dispatcher can listen to what's taking place. Normally the location of a 911 call can be determined without speaking. If there is absolutely no opportunity to escape or hide, it might be possible to negotiate with the shooter; attempting to overpower the shooter with force should be considered a last resort, after all other options have been exhausted. If the shooter leaves the area, proceed immediately to a safer place and do not touch anything that was in the vicinity of the shooter.
- No matter what the circumstances, if you decide to flee during an active shooting situation, make sure you have an escape route and plan in mind. Do not carry anything while fleeing, move quickly, keep your hands visible, and follow the instructions of any police officers you may encounter. Do not attempt to remove injured people; instead, leave wounded victims where they are and notify authorities of their location as soon as possible. Do not try to drive off campus until advised it is safe to do so by police or campus administrators.

What to expect from responding police officers

Police officers responding to an active shooter are trained to proceed immediately to the area in which shots were last heard; their purpose is to stop the shooting as quickly as possible. The first responding officers may be dressed in regular patrol uniforms, or they may be wearing external bulletproof vests, Kevlar helmets and other tactical equipment. The officers may be armed with rifles, shotguns or handguns, and might be using Tasers, pepper spray or tear gas to control the situation. Regardless of how they appear, remain calm, do as the officers tell you, and do not be afraid of them. Put down any bags or packages you may be carrying and keep your hands visible at all times. If you know where the shooter is, tell the officers. The first officers to arrive will not stop to aid injured people; rescue teams composed of other officers and emergency medical personnel will follow the first officers into secured areas to treat and remove injured persons. Keep in mind that even once you have escaped to a safe location, the entire area

is still a crime scene; police will usually not let anyone leave until the situation is fully under control and all witnesses have been identified and questioned. Until you are released, remain at whatever assembly point authorities designate.

XX. FIREARMS POLICY

Fulton-Montgomery Community College (in accordance with State and Federal laws and FMCC policies and regulations*) prohibits any person from possessing firearms at any college facility or college sponsored event without the written authorization of the college's chief administrative officer. This policy specifically applies to law enforcement officials who may otherwise be authorized to carry firearms while off duty and to other individuals who may be licensed to carry firearms.

This policy prohibiting the possession of firearms does not apply to law enforcement officials in pursuit of official duty when authorized by federal or state law. For purposes of this policy, law enforcement officers who are required to carry firearms while taking on-duty breaks shall be considered to be in "pursuit of official duty" when on such breaks. * The following SUNY policies and regulations apply: 8 NYCRR Part 590 – SUNY's regulations relating to firearms; SUNY's Policy for Firearms on State Operated Campuses; 8 NYCRR Part 535 SUNY's regulations for the maintenance of public order.

XXI. STUDENT CONDUCT POLICY

A. Policy Statement

The Student Conduct Policy sets behavioral standards for Fulton-Montgomery Community College students and defines the relationship between the college and its students. It affirms values essential to promoting individual intellectual and personal development and for creating an effective learning community. Fulton-Montgomery Community College expects students to conduct themselves in a responsible manner that is respectful of the rights, well-being and property of all members of the college community and that supports the college's educational mission. This policy complies with section 6450 of the Educational Law and section 535 of the Rules of the Board of Trustees of the State University of New York.

Students are expected to:

- Treat students, faculty and staff of the college with civility and respect;
- Represent themselves and any documentation that they may present to the college in an honest manner;
- Respect college property and the activities conducted at college facilities or college-sponsored events;
- Uphold college policies, SUNY policies and all applicable laws. Fulton-Montgomery Community College students should expect the same degree of civility and respect from other students, faculty and staff.

B. Scope

A student is a person who is admitted or enrolled at Fulton-Montgomery Community College. The college has an interest in student conduct which occurs during a student's matriculation or enrollment at the college, including any breaks in enrollment permitted by college policy. Students are responsible for their own behavior and the behavior of their guests.

The college does not normally pursue alleged conduct violations that occur away from Fulton-Montgomery Community College facilities or events, or that are not associated with the student's relationship with Fulton-Montgomery Community College. However, in situations when the safety of members of the college community may be endangered, the college may review such violations pursuant to the policy on student conduct.

C. College Regulations

The following behaviors by a student, or any guest of a student, whether acting alone or with any other persons, violate the policy on student conduct:

1. Conduct that threatens or endangers the mental health, physical health or safety of any person or persons, or causes actual harm, including: physical harm or threat of physical harm such as physical abuse, sexual assault or coercion; harassment and intimidation, whether physical, verbal (oral or written) or nonverbal.
2. Dishonest conduct not covered by the Fulton-Montgomery Community College Academic Plagiarism Policy and Procedures, including forgery; alteration, fabrication or misuse of identification cards, records, grades, diplomas, college documents; or misrepresentation of any kind to a college office or official.
3. Disorderly conduct that interferes with the rights of others.
4. Intentional or reckless disruption or interference with the activities of the college or its members.
5. Theft of personal or college property or services, or illegal possession or use of stolen property.
6. Vandalism or intentional or reckless damage to personal or college property.
7. Unauthorized entry, use, or occupation of college facilities or the unauthorized use or possession of college equipment.
8. Illegal purchase, use, possession or distribution of alcohol, drugs, or other controlled substances.
9. Failure/refusal to comply with the directions of college officials who are performing the duties of their office in relation to the maintenance of safety or security.
10. Unauthorized possession or use of firearms, explosive devices, fireworks, dangerous or illegal weapons, or hazardous materials.
11. Interference with or misuse of fire alarms, elevators, or other safety and security equipment or programs, including but not limited to initiating, or causing to be initiated, any false report, warning or threat of fire, explosion or other emergency.
12. Violation of a condition or sanction imposed (or agreed upon) due to a violation of the policy on student conduct.
13. Violation of any federal, state or local law that poses a threat to the health, safety or well-being of the college or its individual members.

Additional information can be found at www.fmcc.edu

XXII. SAFETY PROGRAMS AND SERVICES

The department of Public Safety offers safety programs and services throughout the year and/or upon request. The focus of these programs and services changes depending on the need.

Currently, the following are offered:

- Violence Against Women Act, prevention and training:
- Workplace Violence Awareness and Prevention Training. The training session provides participants with information related to workplace violence, including risk factors, key elements, definition and types of workplace violence, and more. This is generally achieved through our partnership with Domestic Assault, Sexual Assault Services of Fulton-Montgomery counties and the programs they present on our campus.
- Publications. The Department of Public Safety have various publications available that address problems such as date rape, alcohol abuse and theft. Listed on the Safety and Security website are various links to police agencies across New York that our locations operate within.
- Lighting. The college locations are routinely surveyed to ensure that exterior areas are adequately illuminated at night. Trees and shrubs that impair lighting along walks are trimmed as needed.
- Building Security. Each individual location operated by Fulton-Montgomery Community College utilizes various methods of building security. Personnel at college locations are instructed to report any suspicious situations to the police immediately.

Crime	Location	2014	2015	2016
Murder	On Campus	0	0	0
	Campus Housing	0	0	0
	Non-Campus Property	0	0	0
	On Public Property	0	0	0
Sex Offenses	On Campus	0	0	1
	Campus Housing	0	0	2
	Non-Campus Property	0	0	0
	On Public Property	0	0	1
Robbery	On Campus	0	0	0
	Campus Housing	0	0	0
	Non-Campus Property	0	0	0
	On Public Property	0	0	0
Aggravated Assault	On Campus	0	0	0
	Campus Housing	0	0	0
	Non-Campus Property	0	0	0
	On Public Property	0	0	0
Burglary	On Campus	1	2	0
	Campus Housing	0	2	2
	Non-Campus Property	0	0	0
	On Public Property	0	0	0
Motor Vehicle Theft	On Campus	0	0	0
	Campus Housing	0	0	0
	Non-Campus Property	0	0	0
	On Public Property	0	0	0
Manslaughter	On Campus	0	0	0
	Campus Housing	0	0	0
	Non-Campus Property	0	0	0
	On Public Property	0	0	0
Arson	On Campus	0	0	0
	Campus Housing	0	0	0
	Non-Campus Property	0	0	0
	On Public Property	0	0	0
Liquor Law Violations	On Campus	10	11	2
	Campus Housing	10	10	2
	Non-Campus Property	1	1	0
	On Public Property	0	0	1
Drug Related Violations	On Campus	34	24	3
	Campus Housing	32	22	17
	Non-Campus Property	1	0	0
	On Public Property	0	0	0

Crime	Location	2014	2015	2016
Weapons Possessions	On Campus	0	2	0
	Campus Housing	0	1	0
	Non-Campus Property	0	0	0
	On Public Property	0	0	0
Weapons Arrests	On Campus	0	0	0
	Campus Housing	0	0	0
	Non-Campus Property	0	0	0
	On Public Property	0	0	0
Drug Arrests	On Campus	3	0	1
	Campus Housing	3	0	0
	Non-Campus Property	0	0	0
	On Public Property	0	0	0
Alcohol Arrests	On Campus	0	0	0
	Campus Housing	0	0	0
	Non-Campus Property	0	0	0
	On Public Property	0	0	0
Weapons Disciplinary Actions	On Campus	0	1	0
	Campus Housing	0	1	0
	Non-Campus Property	0	0	0
	On Public Property	0	0	0
Drug Disciplinary Actions	On Campus	34	24	3
	Campus Housing	32	22	17
	Non-Campus Property	1	1	0
	On Public Property	0	0	0
Alcohol Disciplinary Actions	On Campus	10	11	2
	Campus Housing	10	10	2
	Non-Campus Property	1	0	0
	On Public Property	0	0	1

Number of times ARRESTS made by your Agency for an offense occurring at Campus View Student Housing.

Liquor Law Violation	0 – Campus Housing	0 - Campus
Drug Related Violation	0 – Campus Housing	1- Campus
Weapons Possession Violation	0 – Campus Housing	0 - Campus

There were no hate crimes committed during the 2016 year.

If you have any questions about this information or the issues of personal safety, please contact the Office of Student Affairs at (518) 736-3622, Ext. 8101.

*The Federal Student Right-to-Know and Campus Security Act requires Fulton-Montgomery Community College to provide information on campus crime statistics to current and prospective students, employees, and others who request it. In order to complete this report, the College needs to know if the Fulton County Sheriff's Office, the Montgomery County Sheriff's Office, and the New York State Police have received any reports of any of the following criminal offenses occurring at the **HFM CAREER & TECHNICAL CENTER** (formerly BOCES), during 2016.*

Criminal Offense. Number of times occurrence was REPORTED to Campus Security Authorities or the Local Police at HFM BOCES.

Murder	0
Manslaughter	0
Sex Offenses	0
Robbery	0
Aggravated Assault	0
Burglary	0
Arson	0
Motor Vehicle Theft	0