

Unification Theological Seminary
Annual Security and Fire Safety Report

December 2022

Safety and Security Policies
Crime Statistics

UTS Safety and Security Policies
December 2022

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INTRODUCTION

The Unification Theological Seminary (“UTS” or “the Seminary”) maintains two campuses: its main campus is located at 4 West 43rd St., New York, NY (“the Main Campus”), with an extension center located in Barrytown, NY (“the Barrytown Campus” or “the Barrytown Extension Center”). The Main Campus is a commuter campus and occupies leased space on the second floor of an office building owned by the Seminary’s sponsoring church, the Family Federation for World Peace and Unification.

EMERGENCY TELEPHONE NUMBERS

New York City

Frank LaGrotteria, Vice President for Administration	(212) 563-6647 x115
Keisuke Noda, Associate Provost	(212) 563-6647 x101
Steven Boyd, Dean of Students	(212) 563-6647 x105
Security Desk	(212) 997-0125 x101

Off campus

Fire, Police	911
Police, Midtown South Precinct	(212) 239-9811
New York City Government Services	311
Mount Sinai West Hospital	(212) 523-4000
National Suicide and Crisis Lifeline	988
Safe Horizon Rape and Sexual Assault Hotline	(212) 227-3000
Poison Control Hotline	(212) 764-7667
Flu Informational Website	

<https://www1.nyc.gov/site/doh/health/health-topics/flu-seasonal-vaccination.page>

Barrytown

Frank LaGrotteria, Vice President for Administration	(212) 563-6647 x115
Carl Verderber, Facilities Supervisor	(845) 752-3000 x223
Ichinori Tsumagari, Security Officer	(845) 594-8964

Off campus

Ambulance-Fire-Police	911
Northern Dutchess Hospital	(845) 876-3001
Suicide Prevention	(845) 485-9700
Rape Crisis	(845) 452-7272
Poison Control Hotline	1-800-222-1222
Flu Infoline	(845) 486-3435
Lyme Disease	(845) 486-3407

SECURITY AND ACCESS

The 4 West 43rd Street facility at the Seminary's Main Campus provides building security through International Protective Services, Inc. (IPSI). All visitors must check in at the front desk. Security personnel are on duty during the hours when the building is open, 8 a.m. – 10 p.m. Security personnel patrol public areas of the building. Students or staff should report any suspicious activity to the front desk.

UTS maintains a night security patrol of the Barrytown Campus and an evening presence at the campus entrance. Anyone who witnesses any suspicious activity or notices any questionable objects, suspicious people or circumstances should report immediately to the administration. Since the campus has several miles of unfenced perimeter, every resident at the Barrytown campus must keep a security-minded consciousness. As a regular part of their routine lot and building patrols, Campus Security authorities are alert for any deficiencies, including, broken door locks; inoperative lights; overgrown shrubs and trees; broken sidewalks, steps and handrails; and other conditions which might detract from the safety and security of the campus environment. Anyone encountering a condition affecting campus safety and security should report it promptly to Campus Security or to the Maintenance Department.

As noted, all visitors to the 4 W 43rd Street facility must check in with the security officer at the front desk. Since the Barrytown campus is private property, access is by permission only with the exception of the greenway trails, which are open to the public from dawn to dusk.

CRIME STATISTICS REPORTS

The following tables depict the crime statistics at the Main and Barrytown Campuses for the past three academic years: 2019-20, 2020-21, and 2021-22. Hate crime categories and VAWA (Violence Against Women Act) offenses have been incorporated into these tables for both simplicity—crimes of neither type were reported in the relevant time frame—and directness of presentation.

MAIN CAMPUS CRIME STATISTICS, 2019-2022

OFFENSE	YEAR	ON-CAMPUS PROPERTY	ON-CAMPUS STUDENT HOUSING	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
Murder / Non-Negligent Manslaughter	2019-20	0	Not Applicable	Not Applicable	0
	2020-21	0	Not Applicable	Not Applicable	0
	2021-22	0	Not Applicable	Not Applicable	0

Negligent Manslaughter	2019-20	0	Not Applicable	Not Applicable	0
	2020-21	0	Not Applicable	Not Applicable	0
	2021-22	0	Not Applicable	Not Applicable	0
Rape	2019-20	0	Not Applicable	Not Applicable	0
	2020-21	0	Not Applicable	Not Applicable	0
	2021-22	0	Not Applicable	Not Applicable	0
Fondling	2019-20	0	Not Applicable	Not Applicable	0
	2020-21	0	Not Applicable	Not Applicable	0
	2021-22	0	Not Applicable	Not Applicable	0
Incest	2019-20	0	Not Applicable	Not Applicable	0
	2020-21	0	Not Applicable	Not Applicable	0
	2021-22	0	Not Applicable	Not Applicable	0
Statutory Rape	2019-20	0	Not Applicable	Not Applicable	0
	2020-21	0	Not Applicable	Not Applicable	0
	2021-22	0	Not Applicable	Not Applicable	0
Robbery	2019-20	0	Not Applicable	Not Applicable	0
	2020-21	0	Not Applicable	Not Applicable	0
	2021-22	0	Not Applicable	Not Applicable	0
Aggravated Assault	2019-20	0	Not Applicable	Not Applicable	0
	2020-21	0	Not Applicable	Not Applicable	0
	2021-22	0	Not Applicable	Not Applicable	0
Burglary	2019-20	0	Not Applicable	Not Applicable	0
	2020-21	0	Not Applicable	Not Applicable	0
	2021-22	0	Not Applicable	Not Applicable	0
Motor Vehicle Theft	2019-20	0	Not Applicable	Not Applicable	0
	2020-21	0	Not Applicable	Not Applicable	0
	2021-22	0	Not Applicable	Not Applicable	0
Arson	2019-20	0	Not Applicable	Not Applicable	0

	2020-21	0	Not Applicable	Not Applicable	0
	2021-22	0	Not Applicable	Not Applicable	0
Simple Assault	2019-20	0	Not Applicable	Not Applicable	0
	2020-21	0	Not Applicable	Not Applicable	0
	2021-22	0	Not Applicable	Not Applicable	0
Larceny-Theft	2019-20	0	Not Applicable	Not Applicable	0
	2020-21	0	Not Applicable	Not Applicable	0
	2021-22	0	Not Applicable	Not Applicable	0
Intimidation	2019-20	0	Not Applicable	Not Applicable	0
	2020-21	0	Not Applicable	Not Applicable	0
	2021-22	0	Not Applicable	Not Applicable	0
Destruction / Damage / Vandalism of Property	2019-20	0	Not Applicable	Not Applicable	0
	2020-21	0	Not Applicable	Not Applicable	0
	2021-22	0	Not Applicable	Not Applicable	0
Domestic Violence	2019-20	0	Not Applicable	Not Applicable	0
	2020-21	0	Not Applicable	Not Applicable	0
	2021-22	0	Not Applicable	Not Applicable	0
Dating Violence	2019-20	0	Not Applicable	Not Applicable	0
	2020-21	0	Not Applicable	Not Applicable	0
	2021-22	0	Not Applicable	Not Applicable	0
Stalking	2019-20	0	Not Applicable	Not Applicable	0
	2020-21	0	Not Applicable	Not Applicable	0
	2021-22	0	Not Applicable	Not Applicable	0
Weapons Arrests - Carrying, Possessing, etc.	2019-20	0	Not Applicable	Not Applicable	0
	2020-21	0	Not Applicable	Not Applicable	0
	2021-22	0	Not Applicable	Not Applicable	0
Weapons Disciplinary Referrals -	2019-20	0	Not Applicable	Not Applicable	0
	2020-21	0	Not Applicable	Not Applicable	0

Carrying, Possessing, etc.	2021-22	0	Not Applicable	Not Applicable	0
Drug Abuse Violations - Arrests	2019-20	0	Not Applicable	Not Applicable	0
	2020-21	0	Not Applicable	Not Applicable	0
	2021-22	0	Not Applicable	Not Applicable	0
Drug Abuse Violations - Disciplinary Referrals	2019-20	0	Not Applicable	Not Applicable	0
	2020-21	0	Not Applicable	Not Applicable	0
	2021-22	0	Not Applicable	Not Applicable	0
Liquor Law Violations - Arrests	2019-20	0	Not Applicable	Not Applicable	0
	2020-21	0	Not Applicable	Not Applicable	0
	2021-22	0	Not Applicable	Not Applicable	0
Liquor Law Violations - Disciplinary Referrals	2019-20	0	Not Applicable	Not Applicable	0
	2020-21	0	Not Applicable	Not Applicable	0
	2021-22	0	Not Applicable	Not Applicable	0
Unfounded Crimes	2019-20	0	Not Applicable	Not Applicable	0
	2020-21	0	Not Applicable	Not Applicable	0
	2021-22	0	Not Applicable	Not Applicable	0

BARRYTOWN CAMPUS CRIME STATISTICS, 2019-2022

OFFENSE	YEAR	ON-CAMPUS PROPERTY	ON-CAMPUS STUDENT HOUSING	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
Murder / Non-Negligent Manslaughter	2019-20	0	0	Not Applicable	0
	2020-21	0	0	Not Applicable	0
	2021-22	0	0	Not Applicable	0
Negligent Manslaughter	2019-20	0	0	Not Applicable	0
	2020-21	0	0	Not Applicable	0
	2021-22	0	0	Not Applicable	0
Rape	2019-20	0	0	Not Applicable	0

	2020-21	0	0	Not Applicable	0
	2021-22	0	0	Not Applicable	0
Fondling	2019-20	0	0	Not Applicable	0
	2020-21	0	0	Not Applicable	0
	2021-22	0	0	Not Applicable	0
Incest	2019-20	0	0	Not Applicable	0
	2020-21	0	0	Not Applicable	0
	2021-22	0	0	Not Applicable	0
Statutory Rape	2019-20	0	0	Not Applicable	0
	2020-21	0	0	Not Applicable	0
	2021-22	0	0	Not Applicable	0
Robbery	2019-20	0	0	Not Applicable	0
	2020-21	0	0	Not Applicable	0
	2021-22	0	0	Not Applicable	0
Aggravated Assault	2019-20	0	0	Not Applicable	0
	2020-21	0	0	Not Applicable	0
	2021-22	0	0	Not Applicable	0
Burglary	2019-20	0	0	Not Applicable	0
	2020-21	0	0	Not Applicable	0
	2021-22	0	0	Not Applicable	0
Motor Vehicle Theft	2019-20	0	0	Not Applicable	0
	2020-21	0	0	Not Applicable	0
	2021-22	0	0	Not Applicable	0
Arson	2019-20	0	0	Not Applicable	0
	2020-21	0	0	Not Applicable	0
	2021-22	0	0	Not Applicable	0
Simple Assault	2019-20	0	0	Not Applicable	0
	2020-21	0	0	Not Applicable	0

	2021-22	0	0	Not Applicable	0
Larceny-Theft	2019-20	0	0	Not Applicable	0
	2020-21	0	0	Not Applicable	0
	2021-22	0	0	Not Applicable	0
Intimidation	2019-20	0	0	Not Applicable	0
	2020-21	0	0	Not Applicable	0
	2021-22	0	0	Not Applicable	0
Destruction / Damage / Vandalism of Property	2019-20	0	0	Not Applicable	0
	2020-21	0	0	Not Applicable	0
	2021-22	0	0	Not Applicable	0
Domestic Violence	2019-20	0	0	Not Applicable	0
	2020-21	0	0	Not Applicable	0
	2021-22	0	0	Not Applicable	0
Dating Violence	2019-20	0	0	Not Applicable	0
	2020-21	0	0	Not Applicable	0
	2021-22	0	0	Not Applicable	0
Stalking	2019-20	0	0	Not Applicable	0
	2020-21	0	0	Not Applicable	0
	2021-22	0	0	Not Applicable	0
Weapons Arrests - Carrying, Possessing, etc.	2019-20	0	0	Not Applicable	0
	2020-21	0	0	Not Applicable	0
	2021-22	0	0	Not Applicable	0
Weapons Disciplinary Referrals - Carrying, Possessing, etc.	2019-20	0	0	Not Applicable	0
	2020-21	0	0	Not Applicable	0
	2021-22	0	0	Not Applicable	0
Drug Abuse Violations - Arrests	2019-20	0	0	Not Applicable	0
	2020-21	0	0	Not Applicable	0
	2021-22	0	0	Not Applicable	0

Drug Abuse Violations - Disciplinary Referrals	2019-20	0	0	Not Applicable	0
	2020-21	0	0	Not Applicable	0
	2021-22	0	0	Not Applicable	0
Liquor Law Violations - Arrests	2019-20	0	0	Not Applicable	0
	2020-21	0	0	Not Applicable	0
	2021-22	0	0	Not Applicable	0
Liquor Law Violations - Disciplinary Referrals	2019-20	0	0	Not Applicable	0
	2020-21	0	0	Not Applicable	0
	2021-22	0	0	Not Applicable	0
Unfounded Crimes	2019-20	0	0	Not Applicable	0
	2020-21	0	0	Not Applicable	0
	2021-22	0	0	Not Applicable	0

REPORTING CRIMES & OTHER EMERGENCIES

UTS encourages students and employees to accurately and promptly report incidents that occur on campus to the appropriate campus security authorities on a voluntary basis. Crimes can be reported in person or by phone to onsite security personnel who will notify the police. At the Main Campus, crimes should be reported to the security personnel on duty at the front desk. At the Barrytown Campus, crimes should be reported to both the Vice President for Administration and the Security Officer. If the victim of a crime elects to or is unable to report the incident, the Seminary will assign someone to do so.

Security personnel at the Main and Barrytown Campuses will work in conjunction with police to conduct appropriate investigations and file the necessary report(s). Follow-up pursuits will include efforts to identify responsible parties, recover stolen property, recommend appropriate legal action, file charges with the dean of enrollment services, and encourage restitution when feasible.

Regarding crimes, sexual harassment claims, and other types of infractions, UTS will use the appropriate disciplinary action. Any student or employee who feels they have been subjected to sexual harassment or harassment or discrimination of any type shall file a written report within thirty (30) days of the conduct to the Vice President for Administration, whether the event occurred at the Main Campus or the Barrytown Campus. The Seminary will conduct a prompt and confidential investigation. Confidential reporting will go through the Vice President for

Administration. If the Vice President for Administration is the object of the complaint, the written report should be sent directly to the President.

Both campus communities will be promptly notified of any significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on or near campus. This can include, but is not limited to, sexual predators, active crimes, terrorist incidents and environmental threats. The Seminary will use all communication tools available to provide timely updates as situations arise (on the website and via email, text, Populi, and phone calls).

Crime statistics are disclosed annually before October 1 by the administrative staff of the Seminary. A digital copy of the Annual Security and Fire Safety Report (this document) is forwarded to all members of the UTS community and posted on the UTS website: <https://uts.edu/student-consumer-information>.

EMERGENCY RESPONSE & EVACUATION

The following emergency response and evacuation procedures apply in full to both UTS campuses.

Bomb Threat: In the case of a bomb threat, the building should be evacuated. Security personnel will call 911 to notify local and state police of the situation. The New York City and Barrytown security personnel will cooperate fully with local authorities.

Severe Weather Emergencies (including thunderstorms, lightning, and tornadoes): If there is threat of severe weather, the potential occurrence is monitored by the Seminary and members of the UTS community will be notified and appropriate guidelines will be given.

Accident or Injury: In case of severe accident or injury, students should seek immediate medical attention by calling 911 or other appropriate emergency personnel. For all other cases, students should reach out to any Seminary employee for assistance. It is the Seminary's policy to always call 911 and transport victims via an ambulance if transportation to a hospital is necessary.

CAMPUS SAFETY AND SECURITY AWARENESS

The Seminary is a graduate school that conducts its classes primarily online. However, the Seminary does maintain two campuses, as described above (see "Introduction"). Both campuses have been relatively crime-free for many years. With that said, however, the property manager at the Manhattan campus has an official relationship with local law enforcement, and the Security Officer based at branch campus in Barrytown, which is rarely used, has a relationship with the local sheriff.

At the beginning of each semester, students gather for a convocation where practical issues are addressed, including campus security, safety, fire prevention, crime prevention, and emergency reporting.

FIRE PREVENTION PLAN AND STATISTICS

The primary concern of the fire protection plan is to save lives. The protection of property is secondary. Each employee and student should become familiar with the fire alarm signal, fire extinguisher locations, evacuation procedures, and be prepared should a fire occur on either campus. Evacuation maps are located on every floor at multiple key locations which show the proper exit to use during emergencies. In the case of a fire, occupants of the building should proceed to the nearest exit. Smoking is prohibited in all campus buildings and on all UTS property. Fire emergencies on both campuses should be reported to the Vice-President for Administration and on the Barrytown Campus to the Facilities Supervisor and Security Officer as well.

Frank LaGrotteria, Vice President for Administration	(212) 563-6647 x115
Carl Verderber, Facilities Supervisor	(845) 752-3000 x223
Ichinori Tsumagari, Security Officer	(845) 594-8964

Because the Seminary retains dormitories and short-term student housing at the Barrytown Campus, the following policies and procedures remain in effect for all students and guests who stay there.

Procedures for Evacuation in the Case of a Fire at the Barrytown Campus

In the event of a fire, the Seminary expects students to calmly proceed to the nearest exit, closing doors behind them so as to help contain the spread of fire, and to pull a fire alarm on the way if it is safe to do so. Once outside, students should proceed to a distance of at least 300 feet from the building and not reenter until authorized. Students are expected to refrain from any sort of firefighting or suppression activities, as this increases the possibility for harm; students' primary responsibility during a fire is to safely evacuate the building. Once evacuated, it is appropriate to alert the local fire department and the facilities supervisor for the Barrytown Campus if deemed necessary.

If at any time fellow students are determined to be missing or injured, students should report missing or injured persons to appropriate authorities or to the Vice President for Administration. Students are expected to not use vehicles on the Barrytown Campus during a fire emergency without permission from the Vice President for Administration so as to afford ease of access to all roads for fire trucks and emergency response personnel. Students and staff at both campuses

are not to use the telephone for personal incoming or outgoing calls but are to leave all lines free for authorized fire personnel use only.

Description of Fire Safety Systems at the Barrytown Campus

The fire safety systems in each dorm are linked to one another and are identical in scope and function. Each dorm is equipped with a fire extinguisher that is regularly inspected by the Facilities Supervisor and smoke and carbon monoxide detectors that are inspected on a regular basis by an independent third party. Located to the left of the main entry into each dorm is a fire alarm pull station; additionally there is a fire alarm pull station in the hallway outside the dormitories. To prevent the spread of a fire, each dorm, as well as the stairwell doors to the third floor as a whole, is enclosed by industry-standard fire safety doors. Due to the fact that the building was originally built in the 1930s, the dormitories do not include a fire sprinkler system, however, there are 26 fire hoses located strategically throughout the building.

The Seminary sponsors regular training to instruct residents on proper procedure in the event of an emergency. Fire drill results are posted at the end of this section of the report.

Guidelines on Use of Electrical Appliances at the Barrytown Campus

In the event that the Barrytown Campus is rented out to visiting groups, UTS has established the following safety policies regarding the use of electrical appliances in order to prevent fires and overloaded electrical circuits.

- The following items are prohibited (except where specifically authorized): hot plates, percolators, toasters, immersion heaters, popcorn poppers, hot pots, frying pans, rice cookers and any other appliances using or involving heating elements (exceptions listed below).
- The following items may be used if under 1000 watts, and no more than two of the following items are to be plugged into the same circuit at one time: hair dryers, flat irons and curling irons (*note: use of flat irons and curling irons is restricted to tiled bathrooms. Use of hair dryers is permitted in personal bedrooms*).
- The following items are permitted if properly used: clocks, fans, sewing machines, electric toothbrush, tape recorders, CD players, vacuum cleaners, electric razors, televisions, radios, VCRs, DVD players, video game consoles, computers, printers, scanners, and fax machines. Mini-refrigerators are also allowed and must be plugged directly into the wall, without use of an extension cord.
- All appliances must have the Underwriters Laboratory approval (UL) stamped on the article.
- All appliances, except for clocks, radios, etc., especially those involving heating elements, should be unplugged, not merely switched off, when left unattended.
- Hot water/coffee maker machines are not allowed in individual dorm rooms, but are available in common areas.

- Any and all electrical repairs including blown fuses must be made through the Facilities Supervisor.

In addition to the safety policies regarding use of electrical appliances listed above, students and guests are expected to adhere to the following regulations to aid in fire prevention.

- Smoking is not allowed in any UTS buildings or on the grounds, whatsoever.
- Burning of any kind is prohibited in the building. This includes gas lanterns, sterno or camp stoves, etc.
- Anything that constitutes a fire hazard is prohibited. Improperly stored flammable materials and littered areas may be ruled hazardous and cleared.
- Tampering with equipment such as extinguishers, signs, fire doors, exit lights or the fire alarm system is prohibited.
- Please report to the Facilities Supervisor concerning any broken or unusable fire equipment, any missing fire extinguishers, unlighted exit signs, etc.
- Open fires may not be built on the Barrytown Campus grounds. Exceptions can be considered with permission from the Facilities Supervisor and a permit from the town of Red Hook. Open fires are not permissible at the Main Campus.
- Study the location of fire alarms, exits and fire equipment and know their use.

Barrytown Campus Fire Report 2019-To Date

There were no reported fires at the Barrytown Campus Residence Facilities, located at 30 Seminary Dr., Barrytown, NY, for the years 2019-20, 2020-21, and 2021-22.

Fire Drills were held on the following dates:

2021-22

Main Building: Sep. 8, 2022 – Evacuation Drill
 Massena: Sep. 8, 2022 – Evacuation Drill
 Main Building: July 19, 2022 – Evacuation Drill
 Main Building: March 2, 2022 – Evacuation Drill
 Main Building: Oct. 21, 2021 – Evacuation Drill
 Massena: Oct. 21, 2021 – Evacuation Drill

2020-21

Main Building: July 30, 2021 – Evacuation Drill
 Main Building: March 29, 2021 – Evacuation Drill
 Massena: March 29, 2021 – Evacuation Drill
 Massena: Oct. 20, 2020 – Evacuation Drill

Main Building: Sep. 29, 2020 – Evacuation Drill
Main Building: July 14, 2020 – Evacuation Drill

2019-20

Massena: May 22, 2020 – Alarm caused by cooking smoke
Massena: July 5, 2020 – Alarm caused by cooking smoke
Main Building: April 23, 2020 – Evacuation Drill
Massena: April 22, 2020 – Evacuation Drill
Massena: Dec. 31, 2019 – Evacuation Drill
Main Building: Dec. 28, 2019 – Alarm caused by Smoke beam intrusion
Main Building: Dec. 27, 2019 – Alarm caused by Smoke beam intrusion
Massena: Oct. 14, 2019 – Evacuation Drill
Main Building: Oct. 11, 2019 – Evacuation Drill
Main Building: Aug. 16, 2019 – Evacuation Drill
Massena: Aug. 15, 2019 – Evacuation Drill

DRUGS AND ALCOHOL POLICY

UTS is committed to providing a drug-free, safe environment for students, visitors, employees, faculty, and staff on both of its campuses. Toward this end, we maintain a “dry” campus, where the use of alcohol and drugs is prohibited. This commitment is clearly stated in both the Student Code and the *Employee Handbook*. Moreover, UTS clearly states that it is unlawful for individuals to manufacture, possess, use and/or distribute illicit drugs and alcohol on campus. Individuals who violate UTS regulations and local, state and federal laws will be subject to disciplinary action, dismissal from the Seminary, and/or prosecution under applicable federal, state and/or local statutes.

In the event that security personnel encounter drug or alcohol use on campus, it is the policy of the Seminary to collect the names and license plate numbers (if applicable) of all individuals involved in the incident and to confiscate the materials being used. The security personnel will also write a report about the incident, which will be sent to the Vice President for Administration and to local law enforcement when appropriate.

SEXUAL ASSAULT, DOMESTIC VIOLENCE, DATING VIOLENCE, & STALKING

As stated in the UTS 2021-22 *Student Handbook*, UTS is committed “to providing a working and learning environment where all members feel valued and are fully empowered to claim a place in and responsibility for our shared working, living, and learning community. Members of the Seminary community, guests, and visitors have a right to be free from discrimination and harassment and to be treated with respect.” As such, UTS maintains zero-tolerance policies for

sexual harassment and sexual assault within the seminary community, whether the misconduct is perpetrated on or off campus or while studying abroad. The Seminary encourages the prompt reporting of any violation of these policies to the Vice President for Administration; if the Vice President for Administration is the object of the complaint, the written report should be sent directly to the President.

Regarding the prevention of dating violence, domestic violence, sexual assault, or stalking, several resources are available for students and employees of the Seminary. Students specifically are encouraged to refer to the *Student Handbook*, Article XII, “Discrimination and Harassment” for a detailed description of the seminary’s discrimination and harassment policy and the formal and informal processes which may be initiated by victims or by the Seminary to resolve a complaint. This section of the *Student Handbook* has been attached as an appendix to this document (Appendix E).

The Seminary also has an extensive Sexual Harassment Prevention Policy, which applies to all of its employees. All employees of the seminary are required to undergo sexual harassment prevention training annually. Employees’ certificates of completion of sexual harassment training are kept on file by the Seminary.

The employee Sexual Harassment Prevention Policy has been appended to this document in full (Appendix C), as has the complaint form used by the Seminary to produce and preserve reports of sexual harassment or assault among the seminary community (Appendix D).

SEX OFFENDER REGISTRY AND ACCESS TO RELATED INFORMATION

The Campus Sex Crimes Prevention Act requires all institutions of higher education to issue a statement advising the campus community as to where the State provides law enforcement agency information concerning registered sex offenders.

This information for New York, NY can be found at the following website:
<https://www.homefacts.com/offenders/New-York/New-York-County.html>.

This information for Red Hook, NY can be found at the following website:
<http://www.homefacts.com/offenders/New-York/Dutchess-County/Red-Hook.html>.

All UTS employees have had background checks performed.

MISSING STUDENT NOTIFICATION POLICY

The Seminary is a graduate school that conducts its classes primarily online. In the unlikely event that a student went missing or if there is a concern about a particular student's whereabouts or even missing students, such concerns should be reported to the on-call campus security authority immediately. In the case of a missing student, campus security authorities will work closely with the Vice-President for Administration to locate the missing student. If the student is determined to be missing for 24 hours, local authorities will be notified immediately and the administration will cooperate fully with authorities to locate the missing student. Students will also identify a contact person at the beginning of the year whom the UTS administration will notify within 24 hours of the determination that the student is missing.

APPENDIX A: CLERY ACT CRIME DEFINITIONS

DEFINITIONS DERIVED FROM THE NATIONAL INCIDENT-BASED REPORTING SYSTEM (NIBRS) USER MANUAL

Aggravated Assault. An unlawful attack by one person upon another wherein the offender uses a dangerous weapon or displays it in a threatening manner or the victim suffers obvious severe or aggravated bodily injury, or where there was a risk for serious injury/intent to seriously injure.

Arson. To unlawfully and intentionally damage or attempt to damage any real or personal property of another person or entity by fire or incendiary device.

Burglary. The unlawful entry into a building or some other structure to commit a felony or a theft.

Drug Abuse Violations. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled substance.

Liquor Law Violations. The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages.

Motor Vehicle Theft. The theft of a motor vehicle.

Murder and Nonnegligent Manslaughter. The willful (nonnegligent) killing of one human being by another.

Negligent Manslaughter. The killing of another person through gross negligence.

Robbery. The taking of anything of value from the control, custody, or care of another person by force or threat of force and/or by putting the victim in fear of immediate harm.

Sex Offenses. Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

Fondling. The touching of the private body parts of another person for the purposes of sexual gratification, without the consent of the victim, including instances where the victim is unable to give consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.

Rape (except Statutory Rape). The carnal knowledge of a person, without consent of the victim, including instances where the victim is unable to give consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.

Sex Offenses. Unlawful sexual intercourse.

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

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

Weapons Carrying, Possessing, etc., Law Violations. The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons.

Source: <https://le.fbi.gov/file-repository/nibrs-user-manual.pdf/view>

DEFINITIONS DERIVED FROM THE VIOLENCE AGAINST WOMEN ACT (VAWA)

Dating Violence. Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.

- I. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
- II. For the purposes of this definition—
 - A. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
 - B. Dating violence does not include acts covered under the definition of domestic violence.

Domestic Violence. A felony or misdemeanor crime of violence committed—

- A. By a current or former spouse or intimate partner of the victim;
- B. By a person with whom the victim shares a child in common;
- C. By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
- D. By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or

- E. By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

Hate Crimes. A crime reported to local police agencies or to a campus security authority that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. For the purposes of this section, the categories of bias include the victim's actual or perceived race, religion, gender, gender identity, sexual orientation, ethnicity, national origin, and disability.

Larceny-Theft (except Motor Vehicle Theft). The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Attempted larcenies are included. Embezzlement, confidence games, forgery, worthless checks, etc., are excluded.

Simple Assault. An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.

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

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

Sexual Assault. An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's UCR (Uniform Crime Reporting) program.

Stalking.

- I. Engaging in a course of conduct directed at a specific person that would cause a reasonable person to—
 - A. Fear for the person's safety or the safety of others; or
 - B. Suffer substantial emotional distress.
- II. For the purposes of this definition—
 - A. *Course of conduct* means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action,

method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.

- B. *Reasonable person* means a reasonable person under similar circumstances and with similar identities to the victim.
- C. *Substantial emotional distress* means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

Source:

<https://www.federalregister.gov/documents/2014/10/20/2014-24284/violence-against-women-act#sectno-citation-668.46>

**The VAWA derived these four hate crime definitions from “the Hate Crime Data Collection Guidelines and Training Manual From the FBI’s UCR (Uniform Crime Reporting) Program.” For the purposes of Clery Act reporting, the following crimes may also be considered hate crimes, if evidence suggests that the crime was perpetrated due to bias against the victim: murder and non-negligent manslaughter, manslaughter by negligence, robbery, aggravated assault, burglary, motor vehicle theft, arson, and sexual assault offenses: rape, fondling, incest, statutory rape.*

APPENDIX B: BUILDING EVACUATION REPORT TEMPLATE



BUILDING EVACUATION REPORT
 Unification Theological Seminary

Revised 6/28/03

DATE:		WEEKDAY:	
START TIME:		TIME COMPLETE:	
REASON FOR EVACUATION: (Exercise, Fire, Bomb Threat, Other)			
TYPE OF EVACUATION: (Full Building, Partial, Other)			
FLOORS EVACUATED:			
AGENCIES EVACUATED:			
ESTIMATED # OCCUPANTS EVACUATED:			
PERSONNEL USED IN EVACUATION:			
OUTSIDE AGENCIES USED IN EVACUATION:			
FIRE ALARM SYSTEM:			
ELEVATORS / FIREMAN'S KEY:			
OBSERVATIONS DURING EVACUATION:			

REMARKS / RECOMMENDATIONS:	
OTHER:	

Unification Theological Seminary

Sexual Harassment Prevention Policy

Introduction

Unification Theological Seminary (UTS) is committed to maintaining a workplace free from sexual harassment. Sexual harassment is a form of workplace discrimination. UTS has a zero-tolerance policy for any form of sexual harassment, and all employees are required to work in a manner that prevents sexual harassment in the workplace. This Policy is one component of UTS's commitment to a discrimination-free work environment.

Sexual harassment is against the law. All employees have a legal right to a workplace free from sexual harassment, and employees can enforce this right by filing a complaint internally with UTS, or with a government agency or in court under federal, state or local antidiscrimination laws.

Policy:

1. UTS Policy applies to all employees, applicants for employment, interns, whether paid or unpaid, contractors and persons conducting business with UTS.
2. Sexual harassment will not be tolerated. Any employee or individual covered by this policy who engages in sexual harassment or retaliation will be subject to remedial and/or disciplinary action, up to and including termination.
3. Retaliation Prohibition: No person covered by this Policy shall be subject to adverse employment action including being discharged, disciplined, discriminated against, or otherwise subject to adverse employment action because the employee reports an incident of sexual harassment, provides information, or otherwise assists in any investigation of a sexual harassment complaint. UTS has a zero-tolerance policy for such retaliation against anyone who, in good faith complains or provides information about suspected sexual harassment. Any employee of UTS who retaliates against anyone involved in a sexual harassment investigation will be subjected to disciplinary action, up to and including termination. Any employee, paid or unpaid intern, or non-employee¹ working in the workplace who believes they have been subject to such retaliation should inform a supervisor, manager, or the Vice President. Any employee, paid or unpaid intern or non-employee who believes they have been a victim of such retaliation may also seek compensation in other available forums, as explained below in the section on Legal Protections.

¹ A non-employee is someone who is (or is employed by) a contractor, subcontractor, vendor, consultant, or anyone providing services in the workplace. Protected non-employees include persons commonly referred to as independent contractors, "gig" workers and temporary workers. Also included are persons providing equipment repair, cleaning services or any other services provided pursuant to a contract with the employer.

4. Sexual harassment is offensive, is a violation of our policies, is unlawful, and subjects UTS to liability for harm to victims of sexual harassment. Harassers may also be individually subject to liability. Employees of every level who engage in sexual harassment, including managers and supervisors who engage in sexual harassment or who knowingly allow such behavior to continue, will be penalized for such misconduct.
5. UTS will conduct a prompt, thorough and confidential investigation that ensures due process for all parties, whenever management receives a complaint about sexual harassment, or otherwise knows of possible sexual harassment occurring. Effective corrective action will be taken whenever sexual harassment is found to have occurred. All employees, including managers and supervisors, are required to cooperate with any internal investigation of sexual harassment.
6. All employees are encouraged to report any harassment or behaviors that violate this policy. UTS will provide all employees a complaint form for employees to report harassment and file complaints.
7. Managers and supervisors are **required** to report any complaint that they receive, or any harassment that they observe to the Vice President.
8. This policy applies to all employees, paid or unpaid interns, and non-employees and all must follow and uphold this policy. This policy must be posted prominently in all work locations and be provided to employees upon hiring.

What is “Sexual Harassment”?

Sexual harassment is a form of sex discrimination and is unlawful under federal, state, and (where applicable) local law. Sexual harassment includes harassment on the basis of sex, sexual orientation, gender identity and the status of being transgender.

Sexual harassment includes unwelcome conduct which is either of a sexual nature, or which is directed at an individual because of that individual’s sex when:

- Such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile or offensive work environment, even if the complaining individual is not the intended target of the sexual harassment;
- Such conduct is made either explicitly or implicitly a term or condition of employment; or
- Submission to or rejection of such conduct is used as the basis for employment decisions affecting an individual’s employment.

A sexually harassing hostile work environment consists of words, signs, jokes, pranks, intimidation or physical violence which are of a sexual nature, or which are directed at an individual because of that individual’s sex. Sexual harassment also consists of any unwanted verbal or physical advances, sexually explicit derogatory statements or sexually discriminatory remarks made by someone which are offensive or objectionable to the recipient, which cause the recipient discomfort or humiliation, which interfere with the recipient’s job performance. Sexual harassment also occurs when a person in authority tries to trade job benefits for sexual favors. This can include hiring, promotion, continued employment or any other terms, conditions or privileges of employment. This is also called “quid pro quo” harassment.

Any employee who feels harassed should complain so that any violation of this policy can be corrected promptly. Any harassing conduct, even a single incident, can be addressed under this policy.

Examples of sexual harassment

The following describes some of the types of acts that may be unlawful sexual harassment and that are strictly prohibited:

- Physical assaults of a sexual nature, such as:
 - Touching, pinching, patting, grabbing, brushing against another employee's body or poking another employees' body;
 - Rape, sexual battery, molestation or attempts to commit these assaults.
- Unwanted sexual advances or propositions, such as:
 - Requests for sexual favors accompanied by implied or overt threats concerning the victim's job performance evaluation, a promotion or other job benefits or detriments;
 - Subtle or obvious pressure for unwelcome sexual activities.
- Sexually oriented gestures, noises, remarks, jokes or comments about a person's sexuality or sexual experience, which create a hostile work environment.
- Sexual or discriminatory displays or publications anywhere in the workplace, such as:
 - Displaying pictures, posters, calendars, graffiti, objects, promotional material, reading materials or other materials that are sexually demeaning or pornographic. This includes such sexual displays on workplace computers or cell phones and sharing such displays while in the workplace.
- Hostile actions taken against an individual because of that individual's sex, sexual orientation, gender identity and the status of being transgender, such as:
 - Interfering with, destroying or damaging a person's workstation, tools or equipment, or otherwise interfering with the individual's ability to perform the job;
 - Sabotaging an individual's work;
 - Bullying, yelling, name-calling.

Who can be a target of sexual harassment?

Sexual harassment can occur between any individuals, regardless of their sex or gender. New York Law protects employees, paid or unpaid interns, and non-employees, including independent contractors, and those employed by companies contracting to provide services in the workplace. A perpetrator of sexual harassment can be a superior, a subordinate, a coworker or anyone in the workplace including an independent contractor, contract worker, vendor, client, customer or visitor.

Where can sexual harassment occur?

Unlawful sexual harassment is not limited to the physical workplace itself. It can occur while employees are traveling for business or at employer sponsored events or parties. Calls, texts, emails, and social media usage by employees can constitute unlawful workplace harassment, even if they occur away from the workplace premises or not during work hours.

What is “Retaliation”?

Unlawful retaliation can be any action that would keep a worker from coming forward to make or support a sexual harassment claim. Adverse action need not be job-related or occur in the workplace to constitute unlawful retaliation.

Such retaliation is unlawful under federal, state, and (where applicable) local law. The New York State Human Rights Law protects any individual who has engaged in “protected activity.” Protected activity occurs when a person has:

- filed a complaint of sexual harassment, either internally or with any anti-discrimination agency;
- testified or assisted in a proceeding involving sexual harassment under the Human Rights Law or other anti-discrimination law;
- opposed sexual harassment by making a verbal or informal complaint to management, or by simply informing a supervisor or manager of harassment;
- complained that another employee has been sexually harassed; or
- encouraged a fellow employee to report harassment.

Reporting Sexual Harassment

Preventing sexual harassment is everyone’s responsibility. UTS cannot prevent or remedy sexual harassment unless it knows about it. Any employee, paid or unpaid intern or non-employee who has been subjected to behavior that may constitute sexual harassment is encouraged to report such behavior to a supervisor, manager or the Vice President. Anyone who witnesses or becomes aware of potential instances of sexual harassment should report such behavior to a supervisor, manager or the Vice President.

Reports of sexual harassment may be made verbally or in writing. A form for submission of a written complaint is attached to this Policy, and all employees are encouraged to use this complaint form. Employees who are reporting sexual harassment on behalf of other employees should use the complaint form and note that it is on another employee’s behalf.

Employees, paid or unpaid interns or non-employees who believe they have been a victim of sexual harassment may also seek assistance in other available forums, as explained below in the section on Legal Protections.

Supervisory Responsibilities

All supervisors and managers who receive a complaint or information about suspected sexual harassment, observe what may be sexually harassing behavior or for any reason suspect that

sexual harassment is occurring, **are required** to report such suspected sexual harassment to *[person or office designated]*.

In addition to being subject to discipline if they engaged in sexually harassing conduct themselves, supervisors and managers will be subject to discipline for failing to report suspected sexual harassment or otherwise knowingly allowing sexual harassment to continue.

Supervisors and managers will also be subject to discipline for engaging in any retaliation.

Complaint and Investigation of Sexual Harassment

All complaints or information about suspected sexual harassment will be investigated, whether that information was reported in verbal or written form. Investigations will be conducted in a timely manner, and will be confidential to the extent possible.

An investigation of any complaint, information or knowledge of suspected sexual harassment will be prompt and thorough, and should be completed within 30 days. The investigation will be confidential to the extent possible. All persons involved, including complainants, witnesses and alleged perpetrators will be accorded due process to protect their rights to a fair and impartial investigation.

Any employee may be required to cooperate as needed in an investigation of suspected sexual harassment. Employees who participate in any investigation will not be retaliated against.

Investigations will be done in accordance with the following steps:

- Upon receipt of complaint, the Vice President will conduct an immediate review of the allegations, and take any interim actions, as appropriate. If complaint is oral, encourage the individual to complete the “Complaint Form” in writing. If he or she refuses, prepare a Complaint Form based on the oral reporting.
- If documents, emails or phone records are relevant to the allegations, take steps to obtain and preserve them.
- Request and review all relevant documents, including all electronic communications.
- Interview all parties involved, including any relevant witnesses;
- Create a written documentation of the investigation (such as a letter, memo or email), which contains the following:
 - A list of all documents reviewed, along with a detailed summary of relevant documents;
 - A list of names of those interviewed, along with a detailed summary of their statements;
 - A timeline of events;
 - A summary of prior relevant incidents, reported or unreported; and
 - The final resolution of the complaint, together with any corrective actions action(s).
- Keep the written documentation and associated documents in the employer’s records.

- Promptly notify the individual who complained and the individual(s) who responded of the final determination and implement any corrective actions identified in the written document.
- Inform the individual who complained of their right to file a complaint or charge externally as outlined below.

Legal Protections and External Remedies

Sexual harassment is not only prohibited by UTS but is also prohibited by state, federal, and, where applicable, local law.

Aside from the internal process at UTS, employees may also choose to pursue legal remedies with the following governmental entities **at any time**.

New York State Division of Human Rights (DHR)

The Human Rights Law (HRL), codified as N.Y. Executive Law, art. 15, § 290 et seq., applies to employers in New York State with regard to sexual harassment, and protects employees, paid or unpaid interns and non-employees regardless of immigration status. A complaint alleging violation of the Human Rights Law may be filed either with DHR or in New York State Supreme Court.

Complaints with DHR may be filed any time **within one year** of the harassment. If an individual did not file at DHR, they can sue directly in state court under the HRL, **within three years** of the alleged discrimination. An individual may not file with DHR if they have already filed a HRL complaint in state court.

Complaining internally to UTS does not extend your time to file with DHR or in court. The one year or three years is counted from date of the most recent incident of harassment.

You do not need an attorney to file a complaint with DHR, and there is no cost to file with DHR.

DHR will investigate your complaint and determine whether there is probable cause to believe that discrimination has occurred. Probable cause cases are forwarded to a public hearing before an administrative law judge. If discrimination is found after a hearing, DHR has the power to award relief, which varies but may include requiring your employer to take action to stop the harassment, or redress the damage caused, including paying monetary damages, attorney's fees and civil fines.

DHR's main office contact information is: NYS Division of Human Rights, One Fordham Plaza, Fourth Floor, Bronx, New York 10458, (718) 741-8400 [appropriate other contact info], www.dhr.ny.gov.

Contact DHR at (888) 392-3644 or visit dhr.ny.gov/complaint for more information about filing a complaint. The website has a complaint form that can be downloaded, filled out, notarized and

mailed to DHR. The website also contains contact information for DHR's regional offices across New York State.

United States Equal Employment Opportunity Commission (EEOC)

The EEOC enforces federal anti-discrimination laws, including Title VII of the 1964 federal Civil Rights Act (codified as 42 U.S.C. § 2000e et seq.). An individual can file a complaint with the EEOC anytime within 300 days from the harassment. There is no cost to file a complaint with the EEOC. The EEOC will investigate the complaint, and determine whether there is reasonable cause to believe that discrimination has occurred, at which point the EEOC will issue a Right to Sue letter permitting the individual to file a complaint in federal court.

The EEOC does not hold hearings or award relief, but may take other action including pursuing cases in federal court on behalf of complaining parties. Federal courts may award remedies if discrimination is found to have occurred.

If an employee believes that he/she has been discriminated against at work, he/she can file a "Charge of Discrimination." The EEOC has district, area, and field offices where complaints can be filed. Contact the EEOC by calling 1-800-669-4000 (1-800-669-6820 (TTY)), visiting their website at www.eeoc.gov or via email at info@eeoc.gov.

If an individual filed an administrative complaint with DHR, DHR will file the complaint with the EEOC to preserve the right to proceed in federal court.

Local Protections

Many localities enforce laws protecting individuals from sexual harassment and discrimination. An individual should contact the county, city or town in which they live to find out if such a law exists. For example, employees who work in New York City may file complaints of sexual harassment with the New York City Commission on Human Rights. Contact their main office at Law Enforcement Bureau of the NYC Commission on Human Rights, 40 Rector Street, 10th Floor, New York, New York; call 311 or (212) 306-7450; or visit www.nyc.gov/html/cchr/html/home/home.shtml.

Contact the Local Police Department

If the harassment involves physical touching, coerced physical confinement or coerced sex acts, the conduct may constitute a crime. Contact the local police department.

Source: https://uts.edu/images/About_UTS/Policy/UTS_Sexual_Harassment_Prevention_Policy.pdf

Unification Theological Seminary

Complaint Form to Report Sexual Harassment

New York State Labor Law requires all employers to adopt a sexual harassment prevention policy that includes a complaint form for employees to report alleged incidents of sexual harassment.

If you believe that you have been subjected to sexual harassment, you are encouraged to complete this form and submit it to the Vice President, f.lagrotteria@uts.edu, 212-563-6647 ext. 115. This form may be submitted as hard copy or through email by using the institutional issued email address. Once you submit this form, your employer must follow its sexual harassment prevention policy and investigate any claims.

If you are more comfortable reporting verbally or in another manner, your employer is still required to follow its sexual harassment prevention policy by investigating the claims as outlined at the end of this form.

For additional resources, visit: ny.gov/combating-sexual-harassment

COMPLAINANT INFORMATION

Name:

Home Address:

Work Address:

Home Phone:

Work Phone:

Job Title:

Email:

Select Preferred Communication Method:

SUPERVISORY INFORMATION

Immediate Supervisor's Name:

Title:

Work Phone:

Work Address:

COMPLAINT INFORMATION

1. Your complaint of Sexual Harassment is made against:

Name:

Title:

Work Address:

Work Phone:

Relationship to you:

- Supervisor
- Subordinate
- Co-Worker
- Other

2. Please describe the conduct or incident(s) that is the basis of this complaint and your reasons for concluding that the conduct is sexual harassment. Please use additional sheets of paper if necessary and attach any relevant documents or evidence.

3. Date(s) sexual harassment occurred:

Is the sexual harassment continuing? Yes No

4. Please list the name and contact information of any witnesses or individuals that may have information related to your complaint:

The last two questions are optional, but may help facilitate the investigation.

5. Have you previously complained or provided information (verbal or written) about sexual harassment at Unification Theological Seminary? If yes, when and to whom did you complain or provide information?

Employees that file complaints with their employer might have the ability to get help or file claims with other entities including federal, state or local government agencies or in certain courts.

6. Have you filed a claim regarding this complaint with a federal, state or local government agency?

Yes No

Have you instituted a legal suit or court action regarding this complaint?

Yes No

Have you hired an attorney with respect to this complaint?

Yes No

I request that Unification Theological Seminary investigate this complaint of sexual harassment in a timely and confidential manner as outlined below, and advise me of the results of the investigation.

Signature: _____ Date: _____

Instructions for Employers

If you receive a complaint about alleged sexual harassment, you must follow your sexual harassment prevention policy by investigating the allegations through actions such as:

- Speaking with the employee
- Speaking with the alleged harasser
- Interviewing witnesses
- Collecting and reviewing any related documents

You should create a written document of the findings of the investigation, along with any corrective actions taken and notify the employee and the individual(s) against whom the complaint was made. This may be done via email.

Source: https://uts.edu/images/UTS_Complaint_form_Sexual_Harassment.pdf

APPENDIX E: UTS STUDENT HANDBOOK 2021-22: DISCRIMINATION AND HARASSMENT POLICY

XII. DISCRIMINATION AND HARASSMENT

A. Affirmative Action and Equal Opportunity

The Seminary fully complies with all federal, state, and local laws and executive orders, including Title VII of the Civil Rights Act of 1964, Title IX of the Educational Amendments of 1972, and Section 504 of the Rehabilitation Act of 1973. The Seminary does not discriminate in its admissions, employment, or in the administration of any of its programs or activities on the basis of race, religion, gender, age, color, disability, national origin, veteran status, marital status, or sexual orientation. In addition, the Seminary aggressively seeks and encourages applicants for admission and employment from diverse racial and ethnic backgrounds.

It is the expressed policy of the Seminary to operate all of its educational programs and activities and to administer all employee programs including compensation and promotional opportunities in such a way as to ensure that they do not discriminate against any individual on the basis of the characteristics stated above.

The Seminary does not tolerate harassment in any form based upon race, religion, gender, age, color, disability, national origin, veteran status, marital status, or sexual orientation, nor does it tolerate any type of sexual harassment. Members of the Seminary community who believe that they have been subjected to such treatment are encouraged to call the Vice-President at 212-563-6647 ext. 115.

B. Discrimination and Harassment Policy

1. Policy Statement

The Seminary is committed to providing a working and learning environment where all members feel valued and are fully empowered to claim a place in and responsibility for our shared working, living, and learning community. Members of the Seminary community, guests, and visitors have a right to be free from discrimination and harassment and to be treated with respect. The Seminary does not discriminate in the administration of its educational policies, admissions policies, scholarships and loan programs, athletic program, and other Seminary programs and activities, and does not tolerate discrimination or harassment of its faculty, administration, staff, students, or visitors.

The Seminary prohibits discrimination on the basis of race, color, religion or religious belief, citizenship status, sex, marital status, disability, pregnancy, sexual orientation, gender identity or expression, national origin, military service or affiliation, genetic information, age, and any other characteristics protected by law.

2. Scope of Policy

This Policy prohibits discrimination against or harassment of members of the Seminary community and guests. Its scope is inclusive of, but is not limited to, any individuals regularly or temporarily employed, studying, living, visiting, or with an official capacity at the Seminary (such as volunteers and contractors).

The filing of a complaint under this Policy is independent of any external investigation or court proceeding, and the Seminary will not necessarily wait for the conclusion of any external investigation or proceeding to commence its own investigation and to take immediate steps to ensure the safety and well-being of members of the Seminary community. An allegation of discrimination or harassment is not proof of prohibited conduct, and a claim will not be taken into account during performance review, promotion, reappointment, or other evaluation unless a final determination has been made that the Policy has been violated, or an agreement has been reached as part of an informal resolution process. If necessary and appropriate, decisions regarding extension, reappointment, or promotion may be deferred, in consultation with the appropriate supervisor or review committee, until the matter is resolved.

3. Relationship to Academic Freedom and Responsibility

As articulated in the Seminary statement on academic freedom, the Seminary is dedicated to freedom of inquiry in the pursuit of truth, is vigilant in defending the right of individuals to free speech, and is dedicated to the cultivation of an atmosphere in which all of its members may study, live, and work free from intolerance, discrimination, and harassment. The Policy will not be construed as undermining the principle of academic freedom, which may include the introduction of controversial and challenging matters and demanding methods of inquiry within the teaching environment. However, discrimination and harassment are not legally protected, nor are they excused by reference to academic freedom of expression. Discrimination and harassment undermine the educational

mission of the institution, its integrity, and the intellectual, working, and living environment for members of our community.

4. Definitions

a) Discrimination is any distinction, preference, advantage for, or detriment to an individual compared to others that is based on an individual's actual or perceived race, color, religion or religious belief, citizenship status, sex, marital status, disability, pregnancy, sexual orientation, gender identity or expression, national origin, military service or affiliation, genetic information, or age that adversely affects a term or condition of an individual's employment, education, living environment, or participation in a Seminary activity, or is used as the basis for or a factor in decisions affecting that individual's employment, education, living environment, or participation in a Seminary activity.

b) Discriminatory Harassment is unwelcome conduct directed toward an individual based on the individual's actual or perceived race, color, religion or religious belief, citizenship status, sex, marital status, disability, pregnancy, sexual orientation, gender identity or expression, national origin, military service or affiliation, genetic information, or age that is so severe, persistent, or pervasive that it has the purpose or effect of unreasonably interfering with an individual's employment or educational performance or creating an intimidating, hostile, offensive, or abusive environment for that individual's employment, education, living environment, or participation in a Seminary activity.

c) Retaliatory Harassment is intentional action taken by an individual or allied third party, absent legitimate nondiscriminatory reasons, that harms an individual as reprisal for filing a grievance or for participating in an investigation or grievance proceeding.

d) Sexual Harassment is a form of unlawful gender-based discrimination. It may involve harassment of women by men, harassment of men by women, and harassment between persons of the same sex. Sexual harassment is defined as unwelcome gender-based verbal or physical conduct that is sufficiently severe, persistent or pervasive that it unreasonably interferes with, limits, or deprives someone of the ability to participate in or benefit from the Seminary's educational program or activities or employment benefits or opportunities.

The unwelcome behavior may be based on power differentials (such as in quid pro quo harassment where submission to or rejection of unwelcome sexual

conduct by an individual is used as the basis for employment or academic decisions), the creation of a hostile environment, or retaliation.

The Seminary's policy on sexual misconduct may also apply when sexual harassment involves physical contact. Examples of sexual harassment may include, but are not limited to,

- Egregious, unwanted sexual attention or other verbal or physical conduct of a sexual nature
- Implied or overt threats of punitive action, a result of rejection of sexual advances
- Conditioning a benefit on an individual's acceding to sexual advances
- Unwelcome, sexually explicit messages, statements, or materials
- Attempting to coerce an unwilling person into a romantic or sexual relationship
- Sexual violence
- Intimate partner violence
- Stalking, including cyberstalking
- Gender-based bullying

These regulations apply regardless of whether the violation occurs on campus, off campus, or while studying abroad.

5. Record Retention for Discrimination and Harassment Complaints

The Vice-President is responsible for maintaining records relating to discrimination and harassment reports, investigations, and resolutions. Records will also be maintained in accordance with Seminary records policies, generally for at least seven (7) years after the date the complaint is resolved. Records may be maintained longer at the discretion of the Vice-President in cases where the parties have a continuing affiliation with the Seminary. All records pertaining to pending litigation or a request for records will be maintained in accordance with instructions from legal counsel.

6. Reporting Obligations under the Clery Act

Certain campus officials also have a duty to report sexual assault and other crimes for federal statistical reporting purposes (Clery Act). All personally identifiable information is kept confidential, but statistical information must be passed along to campus law enforcement regarding the type of

incident and its general location (on or off-campus, in the surrounding area, but no addresses are given) for publication in the annual Campus Security Report.

This report helps to provide the community with a clear picture of the extent and nature of campus crime, to ensure greater community safety. Mandated federal reporters include: student conduct administrators, safety and Campus Safety personnel, coaches, athletic directors, residence life staff, student activities staff, human resources staff, advisors to student organizations, and “any other official with significant responsibility for student and campus activities.” The information to be shared includes the date, the location of the incident (using Clery location categories), and the Clery crime category.

This reporting protects the identity of the victim and may be done anonymously. Individuals are free to report any assault or violation without fear of prosecution for unrelated activities, including but not restricted to drug and alcohol usage. All Clery reports of sexual assault and other crimes should be reported to the Vice President at 212-563-6647 ext. 115.

7. Complaint Procedure

The Seminary has two approaches for resolving complaints of alleged discrimination and harassment: informal resolution and the formal grievance processes. Informal resolution efforts and the formal grievance processes are not mutually exclusive, and neither is a prerequisite for the other. Moreover, the informal resolution process may be ended at any time in order to initiate a formal complaint.

Individuals who believe that they have been victims of sexual or some other form of harassment can reach out to the EO/AA Officer (Vice-President) who will meet with them to hear their concerns, and review available options for informal and formal resolution. Discussing a concern does not commit one to making a formal charge. However, an individual reporting harassment should be aware that the Seminary may decide that it is necessary to take action to address the harassment beyond an informal discussion.

The Seminary encourages the prompt reporting of any potential violations of this policy, so that it can take appropriate steps to maintain an

environment free of harassment, and to ensure that its procedures are effective in promoting this goal. While no fixed reporting period has been established, early reporting and intervention has proven to be the most effective method of resolving actual or perceived incidents of sexual and other forms of harassment.

a) Informal Resolution: Seeking Mediation

(1) Informal resolution procedures are intended to allow the complainant and the respondent to provide detailed information about the alleged incident(s) of discrimination or harassment and reach a mutually agreeable resolution. The mediation process aims to assure fairness, to facilitate communication, and to maintain an equitable balance of power between the parties.

(2) With consent of both the complainant and the respondent, the Office of Equal Opportunity and Affirmative Action will contact a mediator whose training is appropriate to the conflict to be resolved. The mediator is not an advocate for either the complainant or the respondent. The role of the mediator is to aid in the resolution of problems in a non-adversarial manner.

(3) The informal resolution process ends when a resolution has been reached or when the complainant or the respondent has terminated the process. At any time during the mediation process, the complainant and the respondent are free to withdraw consent. A successful informal resolution results in a binding agreement between the parties.

(4) The mediator shall notify the EO/AA officer of the result of the mediation process. If the dispute is not resolved through mediation, the EO/AA officer shall immediately inform all affected parties and discuss with the complainant other alternatives for achieving resolution. The complainant may file a formal grievance with the Office of Equal Opportunity and Affirmative Action or withdraw the informal complaint. The informal resolution process, if unsuccessful, will not prejudice the rights of either party in the dispute. Therefore, should the informal resolution be unsuccessful, neither the reasons for the failure of the mediation nor any material or statements made during the process will be used in any subsequent proceedings or forums.

No written records of the mediation process, other than the final resolution, shall be retained by the EO/AA officer. Original documents

shall be returned to their original source or to another site as agreed in the resolution by the complainant and the respondent.

8. Formal Grievance Process

A formal grievance process may be initiated in person by meeting with the EO/ AA Officer or in writing to the Office of Equal Opportunity and Affirmative Action. The Seminary strongly encourages submission of grievances in writing after meeting first with the appropriate person. The formal grievance should be hand delivered or sent by certified mail to either the attention of the EO/AA officer, as appropriate, at: Vice-President for Administration, Unification Theological Seminary, 30 Seminary Drive, Barrytown NY, 12507. A formal grievance must identify and include the following information:

- Complainant’s signature and the date signed;
- Name of the accused individual, his or her position or status, and contact information, if known;
- Clear and concise description of the alleged incident(s), when and where it occurred;
- Description of all informal efforts, if any, to resolve the issue(s) with the person involved. This includes names, dates and times of attempted or actual contact along with a description of the discussion and the manner of communication made in the course of each effort;
- Supporting documentation and evidence; and
- Names of witnesses or individuals who may have direct and relevant information about the specific allegation (with accompanying addresses, email addresses, and telephone numbers).

a) Confidentiality

The Seminary will endeavor to maintain confidentiality in all informal and formal proceedings, except as otherwise specified in these statements of procedure. All documents relating to the alleged incident of discrimination or harassment will be maintained as confidential. Participants are authorized to discuss the case only with those persons who have a genuine need to know.

b) Preliminary Review of Complaint and Notice of Receipt

(1) Upon receipt of a complaint, the EO/AA officer will review the complaint for appropriateness and timeliness. The EO/AA

officer will provide the grievant with written notice of receipt of the complaint within 5 working days and will advise the grievant of the Seminary's grievance procedures and forms of relief.

(2) Formal grievance complaints require that the respondent be advised of the allegations and the source of the complaint by the EO/AA officer. or the EO/AA officer, as appropriate, will provide the respondent with a copy of the formal grievance complaint within 5 working days of receipt of the complaint, and will advise the respondent of the Seminary grievance policy and procedures.

(3) The EO/AA officer, as appropriate, shall discuss with the grievant whether or not the alleged incidents of discrimination or harassment constitute a violation of the Seminary's nondiscrimination and non-harassment policy, and whether or not it is appropriate to convene a Grievance Hearing Panel. The decision to request a Grievance Hearing Panel rests with the grievant.

(4) If the respondent is a member of the faculty, staff, or administration, and the grievant requests a Grievance Hearing Panel, the grievance shall be transmitted to the respondent's senior administrative officer (the senior administrative officers of the Seminary include the President and the Academic Dean) who shall convene a Grievance Hearing Panel

(5) If the respondent is a student and the grievant requests a Grievance Hearing Panel, the complaint shall be transmitted to the Seminary Regulations Panel, which shall provide fair and expeditious hearing to both grievant and respondent. The rules and procedures of the hearing shall be those normally in effect for the Seminary Regulations Panel.

Detailed rules and procedures of the Seminary Regulations Panel are available from the Vice-President's office upon request.

c) Hearing

(1) The Grievance Hearing Panel, appointed and chaired by the respondent's senior administrative officer, will then conduct a hearing, including an examination of those witnesses and receipt of such documentary evidence as the panel may deem appropriate.

(2) Both parties will have the opportunity to review all other contents of the case file after the hearing. Contents of the file can only be seen in the office of the senior administrative officer in the

presence of an observer. Notes may be taken while reviewing the file.

d) Findings of the Panel

The panel will deliberate in private session and will decide by closed vote whether a violation of the Seminary's Policy Against Discrimination and Harassment and/or other Seminary policies has occurred, based on the preponderance of the evidence. The chair does not vote. A decision that a violation has occurred requires majority agreement among the members eligible to vote. In the case of the finding of a violation, the senior administrative officer, in consultation with the members of the panel, shall determine the appropriate remedy or sanction. A written summary prepared by the chair of the Grievance Hearing Panel on the basis of this judgment shall be conveyed to both the grievant and the respondent within three working days after the deliberations have been completed. If the respondent is a member of the faculty, staff, or administration and has been found to be in violation of the Seminary's nondiscrimination and non-harassment policy, a written record of the grievance and the opinion by the Grievance Hearing Panel shall be retained in the files of the respondent's senior administrative officer. If the respondent is a student, a written record shall be kept in the files of the Seminary Regulations Panel. When the complaint has been resolved through informal mediation or judged not to be well founded through formal hearing procedures, a written record shall be retained only at the request of the respondent.

e) Corrective Action

The respondent's senior officer will impose prompt remedial and/or disciplinary action against any respondent found to have violated this policy. Responsive action may include, for example, targeted educational and training programs; the development and enforcement of explicit contractual agreements about future conduct; changes in the working, learning or living environment; formal censure; reassignment or removal from an elected or appointed position; suspension or expulsion; termination of employment; or other measures as the Seminary believes will be effective in ending the misconduct and correcting the effects of the harassment.

f) Time Frame, Process, and Grounds for Filing a Request for Appeal

Either party (complainant or respondent) may appeal the findings and/or sanctions of the panel within five (5) business days of receiving the written decision by delivering a signed and dated appeal by hand or by certified mail to the Office of Equal Opportunity and Affirmative Action, Unification Theological Seminary, Barrytown NY, 12507.

(1) Appeal Process

i. For students, the final disposition may be appealed by the grievant or the respondent through the Seminary Regulations Appeals Committee. Detailed rules and procedures of the Seminary Regulations Appeals Committee are available from the Vice-President's office upon request.

ii. For faculty and staff, the final disposition may be appealed to the President by the grievant or the respondent within 30 days of the final ruling. The appeal process for faculty and staff is initiated by filing a written request for review with the EO/AA officer. The written request must specify one or more of the following criteria: 1) evidence of alleged procedural errors which impaired the ability of either party to adequately present herself or himself, or 2) the imposition of excessive penalty. Appeals may not be based on general dissatisfaction with the proposed disposition. The EO/AA officer will forward the appeal to the president. The president shall have the authority to affirm the finding or remand the finding to the senior administrative officer for reconsideration. A copy of the President's written decision may be expected within 30 days of the filing of the appeal and shall be sent to all parties and the senior administrative officer whose authority will be needed to carry out the disposition. The deadline may be extended by the President for good cause. The decision of the president on the appeal is final.

iii. Sanctions will take effect immediately, notwithstanding an appeal. A request may be made to the panel chair to defer the effective date of sanctions in exigent circumstances. In cases where the appeal results in reinstatement to the institution or of privileges, all reasonable attempts will be

made to restore the individual to his or her prior status, recognizing that some opportunities may be irretrievable in the short term.

(2) Retaliation

Retaliation against any person, including the accuser or person accused, for making a complaint, cooperating with an investigation, or participating in a grievance procedure is a violation of Seminary policy. Retaliation includes, but is not limited to, intimidation, coercion, harassment, making of threats, and any other adverse educational or employment action. Retaliation should be reported promptly to the Office of Equal Opportunity and Affirmative Action for investigation, which may result in disciplinary action independent of any sanction or interim measures imposed in response to the underlying allegations of discrimination and/or harassment.

(3) False and Malicious Complaints

False and malicious accusations of sexual or other harassment, as opposed to complaints, which, even if erroneous, are made in good faith, may be the subject of appropriate disciplinary action.

(4) Record Retention for Discrimination and Harassment Complaints

The Office of Equal Opportunity and Affirmative Action is responsible for maintaining records relating to discrimination and harassment reports, investigations, and resolutions. Records will also be maintained in accordance with Seminary records policies, generally for at least seven (7) years after the date the complaint is resolved. Records may be maintained longer at the discretion of the EO/AA officer in cases where the parties have a continuing affiliation with the Seminary. All records pertaining to pending litigation or a request for records will be maintained in accordance with instructions from legal counsel.

(5) Support Resources

- i. **Confidential Support and Counseling:** Individuals are encouraged to contact on-campus and off-campus counselors, or chaplains for confidential counseling regarding any harassment matter. Employees and faculty members are encouraged to contact UTS's Provost, Dr. Thomas Ward, at 212-563-6647 x108, to access off-campus counseling resources, or contact members of the clergy and chaplains for confidential counseling regarding any harassment matter. Seeking counseling is not meant to take the place of instituting the informal or formal complaint process described above.
- ii. **Support Person:** The complainant and the accused individual each may have a support person present with them during the informal and formal resolution process to provide moral support. The support person cannot be a party to the grievance or serve as a potential witness (character or factual). This support person must be a member of the Seminary community. Except as directed by the chair, a support person will limit his/her role in a hearing to that of a support person to the accused or the complainant/alleged victim. That is, a support person will have no speaking role at a hearing. A request may be made to the EO/AA officer(s) for special consideration to bring a support person who is not a member of the Seminary community in extraordinary circumstances. Witnesses and others involved in an investigation are not entitled to have a support person. Support persons must be identified to the EO/AA officer at least two (2) business days before the date of the meeting with the EO/AA officer or the hearing.
- iii. **Legal Counsel:** It is the complainant's and the respondent's decision whether to seek the advice and assistance of an attorney at their own expense if they need legal advice. Although anyone has the right to seek legal advice, neither the complainant nor the respondent may be represented by legal counsel at investigatory interviews, informal resolution processes, or a Seminary administrative hearing.

FOR IMMEDIATE HELP

To report a sexual assault on a New York college campus to the State Police, call the dedicated 24-hour hotline at 1-844-845-7269. In an emergency, call 911. For

confidential support resources, call the New York State Domestic and Sexual Violence Hotline at 1-800-942-6906. In New York City, call 1-800-621-HOPE (4673) or dial 311.