

MILDRED ELLEY COLLEGE — ALBANY, NY CAMPUS

Annual Security Report

Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act

855 Central Avenue, Albany, NY 12206 | (518) 786-0855

Reporting period: Calendar years 2023, 2024, and 2025

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Office of the Campus President — Belinda Green, Campus President, (518) 786-0855 x 1351

Introduction

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, 20 U.S.C. § 1092(f), and its implementing regulation at 34 C.F.R. § 668.46, require Mildred Elley College to publish this annual security report disclosing campus crime statistics for the three most recent calendar years together with the institution's security policies and reporting procedures. This report also satisfies the campus safety disclosure obligations of New York State Education Law Article 129-A and Article 129-B.

Mildred Elley College — Albany, NY Campus is the college's main campus. The college also operates a branch campus at 25 Broadway, Floor 16, New York, NY 10004, and the Amsterdam, NY Extension Site at 27 Wall Street, Amsterdam, NY 12010. The Albany campus occupies a three-story, 55,000 square-foot facility at 855 Central Avenue in a commercial office park approximately one mile from downtown Albany, containing classrooms, a library, computer, medical assisting, and nursing laboratories, faculty and staff offices, student lounges, and a massage therapy clinic. Campus hours are 8:00 a.m. to 10:00 p.m. Monday through Friday and 8:00 a.m. to 8:00 p.m. Saturday and Sunday.

This report is prepared by the Office of the Campus President from reports made to Campus Security Authorities, from institutional incident reports, and from statistics requested annually from the Albany Police Department for the college's Clery geography. It is distributed by October 1 each year by email to all enrolled students and current employees, is published at <https://www.mildred-elley.edu/disclosures/>, and is available in paper on request from the Office of the Campus President. Prospective students and prospective employees receive notice of its availability, a description of its contents, and an opportunity to request a copy. The statistics in this report are also submitted annually to the U.S. Department of Education and are available at <https://ope.ed.gov/campussafety/>.

Clery Geography

- On-Campus: the college facility at 855 Central Avenue, Albany, NY 12206, together with the contiguous parking lot made available to students, faculty, and staff by the landlord, and the common areas of the office park the college controls or that its students use in support of institutional purposes.
- On-Campus Student Housing Facilities: None. The college does not own, operate, or control any student housing, and no students reside in college-controlled property.
- Non-campus Buildings or Property: the Amsterdam, NY Extension Site, 27 Wall Street, Amsterdam, NY 12010, which the college controls and uses for educational purposes and which is not reasonably contiguous to the Albany campus. No officially recognized student organization owns or controls any

off-site property. [Confirm the Amsterdam site's Clery classification and its geography and obtain crime statistics for it from the Amsterdam Police Department.]

- **Public Property:** the sidewalks, streets, and roadways of Central Avenue immediately adjacent to and accessible from the campus, and, for the extension site, the sidewalks and roadways of Wall Street immediately adjacent to 27 Wall Street.

The campus is served by the Albany Police Department, Center Station, 536 Western Avenue, Albany, NY 12203, (518) 458-5660. The Amsterdam Extension Site is served by the Amsterdam Police Department, 1 Guy Park Avenue Extension, Amsterdam, NY 12010, (518) 842-1100.

Reporting Crimes and Emergencies

In an emergency or when a crime is in progress, call 911 first, then notify the Office of the Campus President or any Mildred Elley College employee. An employee who receives such a report must notify the Office of the Campus President as soon as practical. To report a crime after the fact, or a crime not involving an immediate threat, notify any official listed below. Students and employees are advised through the Academic Catalog and Employee Handbook, to report all crimes and emergencies promptly and accurately so they can be assessed for a timely warning and included in these statistics. Criminal offenses reported to the college are referred to the Albany Police Department as appropriate.

Office or Official	Role	Contact
Office of the Campus President — Belinda Green	Campus safety and security, Clery compliance, maintenance of public order under § 6430, § 6434 designated official Title IX confidential	(518) 786-0855 x 1351; bgreen@mildred-elley.edu
Dean of Academic Affairs — Dr. Kaweeda G. Adams	Title IX Coordinator, Title VI Coordinator, and Section 504 Compliance Officer for the Albany Campus and the Amsterdam Extension Site; student conduct	(518) 786-0855 x 1464; kadams@mildred-elley.edu
Human Resources Office	Employee-involved incidents; custodian of incident report forms	(518) 786-0855 x 1425
Office of Academic Support and Advising	Accommodations, advising, support referrals	(518) 786-0855 x 1332
Registrar's Office	Student records and emergency contact information	(518) 786-0855 x 1351
Albany Police Department	Local law enforcement	911; (518) 458-5660
Facilities and building management - George Chakmakas	Building alarms, evacuation, facility access	518-786-0855 x1444 gchakmakas@mildred-elley.edu

Law Enforcement Authority

The college does not operate a campus police department and does not employ sworn or commissioned law enforcement officers. Personnel assigned to campus safety functions have no power of arrest; their role is to secure the premises, coordinate with the landlord's facilities staff and the Albany Police Department, document incidents, and support the campus community. The college maintains a cooperative working relationship with the Albany Police Department and relies on that agency for the investigation of criminal offenses occurring within its Clery geography. As required by New York State Education Law § 6434, the Campus President is the

official designated to coordinate the investigation of hate crimes, violent felony offenses, and reports of missing students with the Albany Police Department, and the college has adopted a written plan for the investigation of any hate crime or violent felony offense occurring at or on the grounds of the campus and of any report of a missing student.

Campus Security Authorities

A Campus Security Authority is any campus police or security department, any individual with responsibility for campus security, any official of the institution with significant responsibility for student and campus activities, and anyone identified by the college as a person to whom crimes should be reported. At this campus, Campus Security Authorities include the Campus President, the Dean of Academic Affairs, the academic advisors, program directors, and any employee designated to supervise students at a college-sponsored activity. Faculty without responsibilities beyond the classroom, clerical staff, and licensed professional and pastoral counselors acting within the scope of their license are not Campus Security Authorities. Any licensed professional counselor the college employs, when acting within the scope of that license, is treated as an exempt counselor rather than a Campus Security Authority; when performing any other institutional function, that individual is a Campus Security Authority. At this campus, Campus Security Authorities also include the Site Director of the Amsterdam Extension Site. Campus Security Authorities receive annual training on their identification and reporting obligations and must report all Clery-reportable crimes they receive to the Office of the Campus President without screening them for credibility.

Voluntary and Confidential Reporting

A person who does not wish to pursue institutional or criminal action may still make a report, so the incident can be assessed for a timely warning and counted in these statistics. Requests for confidentiality are honored to the extent permitted by law, and statistics are recorded without identifying the victim or the accused. Reports may be made in person, by telephone, or in writing to the Office of the Campus President, or anonymously by mail to 855 Central Avenue, Albany, NY 12206.

Licensed professional counselors and pastoral counselors acting within the scope of their license or religious assignment are not required to report crimes for inclusion in these statistics. The college refers students to the community resources in Appendix B; where a counselor is engaged, that counselor will be informed of the procedures for voluntarily and confidentially reporting a crime for statistical purposes.

Off-Campus Student Organizations and Off-Campus Conduct

The college does not recognize any student organization that owns or controls off-campus property, and there is therefore no non-campus location subject to monitoring under 34 C.F.R. § 668.46(b)(7). Should the college recognize such an organization in the future, the Office of the Campus President will monitor and record, through the Albany Police Department, criminal activity in which students engaged at that off-campus location.

Criminal activity by students at off-campus locations that comes to the attention of a Campus Security Authority is reviewed by the Office of the Campus President for a timely warning where the location falls within the college's Clery geography, is referred to the Albany Police Department as appropriate, and may be addressed under the student code of conduct where it has a reasonable connection to the institution. Consistent with New York State Education Law § 6440, all institutional services and protections afforded to

reporting individuals under Article 129-B are available to all students and apply to conduct that has a reasonable connection to the college, whether that conduct occurs on or off campus.

Maintenance of Public Order

As required by New York State Education Law § 6430, the college has adopted written rules for implementing the policies required by Article 129-A and for the maintenance of public order on campus and on other college property used for educational purposes and maintains a program for their enforcement. The rules govern the conduct of students, faculty, and other staff, as well as visitors, licensees, and invitees on campus and on college property. They are published in the Academic Catalog and the Employee Handbook, are provided to all enrolled students in the course syllabus, are posted at <https://www.mildred-elley.edu/disclosures/>, and are filed with the New York State Education Department.

The rules prohibit, among other conduct: any action or situation that recklessly or intentionally endangers mental or physical health, and any action or situation involving the forced consumption of liquor or drugs for the purpose of initiation into or affiliation with any organization, which the college prohibits absolutely as hazing; disorderly, threatening, intimidating, or violent conduct; obstruction or disruption of teaching, administration, or other institutional activities; unauthorized entry to or occupation of college premises; damage to or theft of college or personal property; possession of weapons; the unlawful possession, use, or distribution of alcohol or controlled substances; and failure to comply with the lawful direction of a college official or of building management during an emergency.

Penalties for violation of the rules are set out in the rules themselves and include ejection of the violator from the campus and college property; in the case of a student, suspension, expulsion, or other appropriate disciplinary action; in the case of a faculty member or other employee, suspension, termination, or other appropriate disciplinary action; and, in the case of an organization that authorizes prohibited conduct, rescission of permission for that organization to operate on college property. These penalties are in addition to any penalty under the Penal Law or any other law to which a violator or organization may be subject. Any organization operating on campus is required to maintain by-laws consistent with these rules and to review those by-laws annually with individuals affiliated with the organization.

Advisory Committee on Campus Security

As required by New York State Education Law § 6431, the President and CEO appoints an Advisory Committee on Campus Security. The committee reviews current campus security policies and procedures and makes recommendations for their improvement. Its review specifically covers educating the campus community, including security personnel and those who advise or supervise students, about sexual assault, domestic violence, and stalking offenses, and about bias-related and hate crimes; educating the campus community about personal safety and crime prevention; reporting sexual assault, domestic violence, stalking incidents, and hate crimes and assisting victims during investigations; referring complaints to appropriate authorities; counseling victims; and responding to inquiries from concerned persons.

The committee reports in writing to the President and CEO on its findings and recommendations at least once each academic year. That report is available upon request from the Office of the Campus President at (518) 786-0855 x 1351. As required by New York State Education Law § 6433, the college indicates on its website

how to access the campus crime statistics it files annually with the United States Department of Education, including the Department's website address for campus crime statistics at <https://ope.ed.gov/campussafety/> and a direct link to the statistics for this college, and reports and posts incidents of hate crime offenses as a separate, clearly designated category at <https://www.mildred-elley.edu/disclosures/>. The Campus President, working with the Advisory Committee on Campus Security, informs students and prospective students of the existence of the campus crime statistics and of the college's campus safety policies and procedures as part of the college's onboarding process.

Security of and Access to Campus Facilities

The campus is open only during posted hours of operation and only to enrolled students, employees, and authorized visitors. All students, faculty, and staff must display a photo identification badge, worn on a lanyard or lapel clip so that it is plainly visible to any employee or college official, while in the building. All visitors must sign in and register at the front desk reception and are not permitted in instructional or laboratory space without authorization. The contiguous parking lot, which is owned and maintained by the landlord, is under video surveillance 24 hours a day, seven days a week. Doors and interior spaces are secured at the close of business. Employees report burned-out lighting, defective locks, malfunctioning doors, and other conditions affecting safety to the Office of the Campus President, which coordinates repair with building management under the lease. The college reviews the physical security of the premises, including access control and lighting, as part of its annual review of this report. Mildred Elley College is a tenant of 855 Central Ave, Albany, NY. The building has ample exterior lighting for security. The building has ample security cameras along the exterior of the building and inside each floor. If access to security footage is needed, a request is made to the building management company.

Information and Electronic Security

Mildred Elley College maintains an Information Security Policy governing the confidentiality, integrity, and availability of student and employee records. Access to institutional systems is limited to authorized users by unique credential, records are maintained in secured physical and electronic locations, and employees are instructed that student records are disclosed only as permitted by the Family Educational Rights and Privacy Act (FERPA). Suspected loss, theft, or unauthorized disclosure of personal information must be reported immediately to the Office of the Campus President.

Timely Warning Notices

The Campus President, or the Campus President's designee, issues a timely warning to the campus community upon receiving a report of a Clery Act crime occurring within the college's Clery geography that is determined to represent a serious or continuing threat to students or employees. Reports may come from a Campus Security Authority, a student or employee, or a law enforcement agency.

The decision is made on a case-by-case basis considering the nature of the crime, the continuing danger to the community, and the risk of compromising law enforcement efforts. Warnings are issued as soon as the pertinent information is available, by institutional email to all students and employees and by posted notice at the campus entrance and on institutional information boards. A warning describes the nature of the incident, its general location, the date and time, and steps individuals can take to protect themselves, and withholds the names of victims and any information that would identify a victim. The college withholds only information that

would compromise its response or efforts to investigate the crime and issues the warning without delay once the threat is confirmed.

A timely warning is distinct from an emergency notification. A timely warning addresses a Clery crime that has already occurred and presents a continuing threat; an emergency notification addresses a significant emergency or dangerous situation that is occurring now.

Emergency Response and Evacuation Procedures

The President and CEO has authority to declare a campus state of emergency, to close the campus, and to initiate emergency notification. In the President's absence, the Chief Operating Officer and Chief Financial Officer assumes that authority. The Emergency Operations Center for this campus is the Office of the Campus President. The college's Emergency Response and Disaster Recovery Plan governs the institutional response and is coordinated with the emergency procedures of building management, which controls building alarms and elevator systems.

Confirming an Emergency and Initiating Notification

Upon report of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on campus, the Campus President or designee confirms the emergency by verifying it with a credible source such as a first responder, building management, a law enforcement or public health authority, or direct observation by an employee. Confirmation means verifying that a legitimate emergency exists; it does not mean waiting for full information about the incident. Once confirmed, the college determines the segment or segments of the community to receive notification, determines the content of the notification, and initiates the notification system immediately and without delay, unless issuing a notification would in the professional judgment of responsible authorities compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

The officials authorized to confirm an emergency, determine its scope, and release a notification are the President and CEO, in the President's absence, the Chief Operating Officer and Chief Financial Officer. Notification is issued by institutional email and text message to students and employees, by public address and verbal direction within the premises, by posting at the campus entrance, and by notice on the college website. The college will notify the entire campus community when the threat is to the campus as a whole, and a defined segment when the threat is limited to that segment; if the initial notification reaches only part of the community, the remainder is notified as soon as the college determines it is safe to do so.

Information about a campus emergency is disseminated to the larger community, including neighboring institutions and the news media, by the Office of the President and CEO through the college website, direct media contact, and coordination with the Albany Police Department and with the college's corporate office. Campus closings and delayed openings are announced by email, text message, the college website, and local media.

Students and employees are responsible for maintaining current telephone and email contact information with the Registrar's Office and the Human Resources Office so that they can be reached by emergency notification.

Evacuation

Evacuation routes, the locations of the nearest exits and stairwells, and assembly points are posted in each classroom, laboratory, and corridor. On an alarm or an instruction to evacuate, occupants leave by the nearest marked exit and stairwell, do not use elevators, and proceed to the designated assembly point, where instructors and supervisors account for their students and staff. No one re-enters the building until building management or emergency responders authorize re-entry. Where shelter in place is directed rather than evacuation, occupants move away from windows and exterior doors into interior rooms, secure the doors, and await further instruction.

Students and employees who may need assistance evacuating should notify the Deans and Campus President's Office (Room 200), the Office of Academic Support and Advising, or the Human Resources Office in advance so staff can prepare an individual assistance plan. Building management is advised of the number and location of individuals requiring assistance. During an evacuation, individuals unable to use stairs are directed to the designated area of rescue assistance, and their location is reported to responders.

Testing

The college tests its emergency response and evacuation procedures at least once each calendar year. Tests may be announced or unannounced and include drills, exercises, and appropriate follow-through activities. Each test is documented with a description of the exercise, the date, the time, and whether it was announced or unannounced. In conjunction with at least one test each calendar year, the college publicizes its emergency response and evacuation procedures to students and employees. Documentation is retained by the Office of the Campus President for at least seven years.

Calendar Year	Date of Test	Time of Test	Description	Announced or Unannounced	Procedures Publicized
2023	06/30/23	10:00 AM	Fire Drill	Announced	Yes
2024	12/01/24	12:15 PM	Fire Drill	Announced	Yes
2025					

Missing Student Notification

The missing student notification requirements of 34 C.F.R. § 668.46(h) apply to institutions that maintain on-campus student housing facilities. Mildred Elley College — Albany, NY Campus has no student housing, and those requirements therefore do not apply.

The college nonetheless responds to reports of missing students. A report that a student is missing should be made immediately to the Office of the Campus President at (518) 786-0855 x 1351. As required by New York State Education Law § 6434, the college will notify the Albany Police Department as soon as practicable and in no event later than 24 hours after receiving a report of a hate crime, a violent felony offense occurring at or on the grounds of the campus, or a report that a student is missing, and will cooperate in the investigation, and will provide the Albany Police Department with the student's emergency contact and enrollment information as permitted by law.

Security Awareness and Crime Prevention Programs

The college informs students and employees about campus security procedures and encourages them to be responsible for their own security and the security of others; separately, it informs them about crime prevention. Programs are delivered upon enrollment, at new employee onboarding, through the Academic Catalog and Employee Handbook, and through periodic notices and postings during the academic year.

Program	Audience	Frequency	Content
New student orientation safety briefing	All incoming students	Each start date	Reporting procedures and whom to contact; emergency and evacuation procedures; timely warning and emergency notification; this report and how to obtain it; sexual misconduct policy and resources; bias-related crime; alcohol, drug, and weapons policy
New employee onboarding	All new employees	On hire	Campus Security Authority obligations; incident reporting; emergency response; Title IX and sexual misconduct reporting; alcohol and drug policy
Annual Campus Security Authority training	All designated CSAs	Annually	Identification of CSAs; which crimes must be reported; how and when to report; confidentiality
Crime prevention notices and postings	All students and employees	Ongoing	Personal safety in the building and in transit; securing personal property; recognizing and reporting suspicious activity
Emergency drill and follow-through	All occupants	At least annually	Evacuation routes, assembly points, shelter-in-place

Crime prevention guidance provided to the community emphasizes securing personal property and never leaving belongings unattended in classrooms, laboratories, the library, or lounges; remaining aware of surroundings when entering and leaving the building and when traveling to and from transit; using well-lit and populated routes; reporting suspicious persons or activity in the building to the Office of the Campus President and to building management; and not admitting unauthorized persons through controlled doors.

Alcohol, Drugs, and Weapons

Alcoholic Beverages

The possession, use, sale, or distribution of alcoholic beverages on campus or at any college-sponsored activity is prohibited. New York State law prohibits the sale or provision of alcoholic beverages to anyone under 21 years of age and prohibits the possession of alcohol with intent to consume by anyone under 21. The college

enforces these laws and refers violations for disciplinary action and, where appropriate, to law enforcement. Students and employees are prohibited from being on campus under the influence of alcohol.

Illegal Drugs

The unlawful possession, use, manufacture, distribution, or dispensing of controlled substances on campus or at any college-sponsored activity is prohibited. Federal law and New York State law prohibit these activities and impose penalties including fines and imprisonment. The college enforces these laws, refers violations for disciplinary action up to and including expulsion or termination, and refers violations to law enforcement as appropriate. Marijuana remains a controlled substance under federal law, and its use and possession are prohibited on campus regardless of State law.

Drug and Alcohol Abuse Education

As required by the Drug-Free Schools and Communities Act, the college annually distributes to each student and employee a written notice containing the standards of conduct prohibiting the unlawful possession, use, or distribution of drugs and alcohol; a description of the applicable legal sanctions under local, State, and federal law; a description of the health risks associated with the use of illicit drugs and the abuse of alcohol; a description of available counseling, treatment, and rehabilitation programs; and a statement of the disciplinary sanctions the college will impose. The college conducts a biennial review of its drug and alcohol prevention program to determine its effectiveness, to implement changes if needed, and to ensure that disciplinary sanctions are consistently enforced. Referrals to counseling and treatment resources are available through the Office of Academic Support and Advising and are listed in Appendix B.

Weapons

The possession of firearms, ammunition, explosives, knives, and any other weapon on campus is prohibited, whether or not the possessor holds a license. New York Penal Law § 265.01(3) makes possession of a firearm, rifle, or shotgun on school grounds without written authorization a criminal offense, and § 265.01-a makes possession of a weapon on school grounds a class E felony. Violations are reported to the Albany Police Department and result in disciplinary action up to and including expulsion or termination.

Bias-Related and Hate Crime

The college prohibits bias-related and hate crime and any act of harassment, intimidation, or violence directed at a person because of that person's actual or perceived race, color, national origin, ancestry, gender, gender identity or expression, religion, religious practice, age, disability, or sexual orientation. Such conduct violates the college's rules for the maintenance of public order and, where it meets the elements of an offense under New York Penal Law Article 485, constitutes a hate crime subject to enhanced criminal penalties.

Bias-related incidents and hate crimes should be reported to the Office of the Campus President at (518) 786-0855 x 1351 and, where a crime may have been committed, to the Albany Police Department at 911. Reports are reviewed for a timely warning, referred to the Albany Police Department as appropriate, investigated under the student code of conduct or the Employee Handbook, and counted in the hate crime statistics in Appendix A. A person who reports a bias-related incident is protected from retaliation.

Sanctions for a student found responsible include the full range of penalties set out under Maintenance of Public Order above, up to and including expulsion; an employee found responsible is subject to sanctions up to and including discharge. Counseling and support are available to any person affected by a bias-related incident through the Office of Academic Support and Advising at (518) 786-0855 x 1332 and through the community resources in Appendix B.

As required by New York State Education Law § 6436, the college informs incoming students about bias-related and hate crime prevention through programming that disseminates information about bias-related and hate crimes, promotes discussion, encourages reporting, and facilitates prevention, and maintains that information on a prominently displayed campus information board. Consistent with § 6433, the college reports and posts incidents of hate crime offenses as a separate, clearly designated category on its website. As required by § 6436-a, the college has designated the Dean of Academic Affairs, Dr. Kaweeda G. Adams, 855 Central Avenue, Albany, NY 12206, (518) 786-0855 x 1464, kadams@mildred-elley.edu, as its Title VI coordinator, responsible for receiving and addressing complaints of discrimination on the basis of race, color, or national origin, including shared ancestry.

Sexual Assault, Dating Violence, Domestic Violence, and Stalking

Mildred Elley College prohibits sexual assault, dating violence, domestic violence, and stalking, and prohibits discrimination on the basis of sex in its programs and activities as required by Title IX of the Education Amendments of 1972. Inquiries and reports may be directed to the Title IX Coordinator, Dr. Kaweeda G. Adams, Dean of Academic Affairs, 855 Central Avenue, Albany, NY 12206, (518) 786-0855 x 1464, kadams@mildred-elley.edu, or to the Office for Civil Rights of the U.S. Department of Education. The college's Title IX policy and its Annual New York State Notification of Sexual Misconduct Policy, both published in the Academic Catalog and at <https://www.mildred-elley.edu/about/disclosures/title-ix/>, govern the response to these offenses.

Definitions

Sexual assault is an offense classified as a forcible or nonforcible sex offense under the FBI Uniform Crime Reporting program, comprising rape, fondling, incest, and statutory rape.

Rape is the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. Fondling is the touching of the private body parts of another person for the purpose of sexual gratification without consent, including where the victim is incapable of giving consent because of age or a temporary or permanent mental incapacity. Incest is sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law. Statutory rape is sexual intercourse with a person who is under the statutory age of consent, which in New York is 17.

Dating violence is violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim, where the existence of such a relationship is determined by its length, its type, and the frequency of interaction between the persons involved.

Domestic violence is a felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child, by a person cohabiting with or who has cohabited with the victim as a spouse or intimate partner, by a person similarly situated to a spouse

of the victim under New York domestic or family violence law, or by any other person against an adult or youth victim protected from that person's acts under New York domestic or family violence law.

Stalking is engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for their safety or the safety of others, or to suffer substantial emotional distress.

Affirmative Consent

As required by New York State Education Law § 6441, the college has adopted the following definition of affirmative consent as part of its code of conduct:

Affirmative consent is an assessment of whether alleged sexual activity was consensual. Consent must be affirmative to be considered consensual. Affirmative consent is the knowing, voluntary, and mutual decision among all participants to engage in sexual activity. Consent can be given by words or actions if those words or actions create clear permission regarding willingness to engage in sexual activity. Silence or lack of resistance, in and of itself, does not demonstrate consent. The definition of consent does not vary based upon a participant's sex, sexual orientation, gender identity, or gender expression

The code of conduct reflects the following principles as guidance for the campus community:

- Consent to any sexual act or prior to consensual sexual activity between or with any party does not necessarily constitute consent to any other sexual act.
- Consent is required regardless of whether the person initiating the act is under the influence of drugs or alcohol.
- Consent may be initially given but withdrawn at any time.
- Consent cannot be given when a person is incapacitated, which occurs when an individual lacks the ability to knowingly choose to participate in sexual activity. Incapacitation may be caused by lack of consciousness or being asleep, being involuntarily restrained, or if an individual otherwise cannot consent. Depending on the degree of intoxication, someone who is under the influence of alcohol, drugs, or other intoxicants may be incapacitated and therefore unable to consent.
- Consent cannot be given when it is the result of any coercion, intimidation, force, or threat of harm.
- When consent is withdrawn or can no longer be given, sexual activity must stop.

Separately, under New York Penal Law the age of consent is 17.

What to Do After an Incident

Go to a safe place and, if you are in danger, call 911. Seek medical attention as soon as possible, even if you do not have visible injuries, for treatment of injury, screening for sexually transmitted infection and pregnancy, and collection of evidence. To preserve evidence, do not bathe, shower, douche, brush your teeth, use the toilet, or change or wash clothing or bedding before you are examined; if clothing has been changed, place each item in a separate paper bag. A forensic examination is available at no cost and does not obligate you to file a police report. Preserve text messages, call logs, photographs, social media content, and any other electronic record, which may be relevant to an order of protection or a disciplinary proceeding.

How and to Whom to Report

An incident may be reported to the Title IX Coordinator, Dr. Kaweeda G. Adams, Dean of Academic Affairs, (518) 786-0855 x 1464; to the Office of the Campus President, (518) 786-0855 x 1351; to the campus Confidential Resource under Article 129-B, [name and title], [telephone]; or to the Albany Police Department by calling 911. A report may be made to the college, to law enforcement, to both, or to neither, and a reporting individual has the right to decline to notify law enforcement. At the request of the reporting individual, college officials will assist in notifying the Albany Police Department. The college will also assist a reporting individual in obtaining a court-issued order of protection, in understanding its terms, and in responding to a violation, and will enforce a no-contact directive of its own on campus.

Reporting individuals have the right to be free from retaliation by the college, any student, the accused or respondent, or their friends, family, and acquaintances within the jurisdiction of the college, and the college will take prompt action if retaliation is reported.

The reporting individual is also advised of the right to notify local law enforcement or the state police; to have emergency access to the Title IX Coordinator or another official trained in interviewing victims of sexual assault, available upon the first instance of disclosure, to explain the options to proceed, the importance of preserving evidence and obtaining a sexual assault forensic examination as soon as possible, and that the criminal justice process uses different standards of proof and evidence, with questions about whether an incident violated the Penal Law directed to law enforcement or the district attorney; to be told whether that official can offer confidentiality or privacy and what other reporting options exist; to disclose the incident confidentially to college representatives who may offer confidentiality and can assist in obtaining services; to disclose the incident confidentially to and obtain services from state or local government; to file a report with the college and consult the Title IX Coordinator for information and assistance, with the reporting individual's identity kept private if they wish; where the accused is an employee, to disclose to Human Resources or to request that a confidential or private employee assist in making that report; to receive assistance from college representatives in initiating proceedings in family court or civil court; and to withdraw a complaint or involvement from the college process at any time.

Alcohol and Drug Use Amnesty

As required by New York State Education Law § 6442, the college has adopted the following amnesty policy as part of its code of conduct:

Students should not be afraid to report an incident of sexual misconduct merely because they were drinking alcohol or using drugs at the time of the incident, whether they were a victim, witness, or bystander. Mildred Elley has adopted an amnesty policy for alcohol and/or drug use regarding incidents of sexual misconduct. The health and safety of every student at Mildred Elley is of utmost importance. Mildred Elley recognizes that students who have been drinking and/or using drugs (whether such use is voluntary or involuntary) at the time that violence, including but not limited to domestic violence, dating violence, stalking, or sexual assault occurs may be hesitant to report such incidents due to fear of potential consequences for their own conduct. Mildred Elley strongly encourages students to report domestic violence, dating violence, stalking, or sexual assault to college associates. A bystander acting in good faith or a reporting individual acting in good faith that discloses any incident of domestic violence, dating violence, stalking, or sexual assault to the College associates or law enforcement will not be subject to the College's code of conduct action for violations of alcohol and/or drug use policies occurring at or near the time of the commission of the domestic violence, dating violence, stalking, or sexual assault.

Nothing in this policy limits the college's ability to grant amnesty in additional circumstances.

Confidentiality and Options for Confidential Disclosure

As required by New York State Education Law § 6446, the college provides reporting individuals with information about privileged and confidential resources and about counselors and advocates they may contact regarding domestic violence, dating violence, stalking, or sexual assault. On campus, the Campus President is the designated Confidential Resource. The Dean of Academic Affairs is the Title IX Coordinator and cannot serve as a Confidential Resource. Off campus, the confidential hotlines, counselors, and advocates listed in Appendix B — including the Albany County Crime Victim and Sexual Violence Center, Equinox, Inc., Albany Medical Center, and the New York State Domestic and Sexual Violence Hotline — are available at no cost and are not required to report to the college.

If a reporting individual discloses an incident to a college employee who is responsible for responding to or reporting domestic violence, dating violence, stalking, or sexual assault but wishes to maintain confidentiality or does not consent to the college's request to initiate an investigation, the Title IX Coordinator must weigh that request against the college's obligation to provide a safe, non-discriminatory environment for all students, including the reporting individual. The Title IX Coordinator will consider factors such as whether the accused has a history of violent behavior or is a repeat offender, whether the incident represents escalation, the increased risk that the accused will commit additional acts of violence, whether the accused used a weapon or force, whether the reporting individual is a minor, and whether the college possesses other means to obtain evidence. The college will inform the reporting individual if it cannot honor the request, will not require a reporting individual to participate in any investigation or disciplinary proceeding, and will assist the reporting individual with academic, housing, transportation, employment, and other reasonable accommodations regardless of the reporting choice made.

The college maintains as confidential any accommodation or protective measure provided to a victim, to the extent that maintaining confidentiality would not impair its ability to provide that accommodation or protective measure. Reports are shared only with those who have a legitimate need to know in order to respond, investigate, or provide services. Publicly available recordkeeping, including the crime statistics in this report and the incident records, does not include personally identifying information about a victim.

Written Notification of Rights, Options, and Services

Any student or employee who reports being the victim of sexual assault, dating violence, domestic violence, or stalking, whether the offense occurred on or off campus, receives a written explanation of their rights and options. That written notification includes the procedures the victim should follow; information about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available on campus and in the community, with contact information; the victim's options regarding notification of law enforcement and the college's assistance in doing so; rights regarding orders of protection and how the college will enforce them; the available academic, living, transportation, and working accommodations and protective measures and how to request them; the college's disciplinary procedures; and the Students' Bill of Rights required by Article 129-B. Resources referenced in that notification appear in Appendix B.

Accommodations and Protective Measures

Whether or not the victim chooses to report to law enforcement or to pursue a disciplinary proceeding, the college will provide reasonable accommodations and protective measures if the victim requests them and they are reasonably available. These include changes in class schedule or section, changes in work schedule or assignment, alternative arrangements for completing coursework, extensions of deadlines, escorts within the building, no-contact directives, restrictions on the respondent's access to specified areas, and referrals to counseling and to the community resources in Appendix B. Requests should be made to the Office of the Campus President or the Dean of Academic Affairs.

Prevention and Awareness Programs

The college provides primary prevention and awareness programming to all incoming students and all new employees, and ongoing prevention and awareness campaigns for current students and employees. That programming states that the college prohibits dating violence, domestic violence, sexual assault, and stalking; provides the definitions of those offenses and of consent under New York law set out above; provides safe and positive options for bystander intervention that an individual may take to prevent harm or intervene when there is a risk to another person; provides information on risk reduction to recognize warning signs of abusive behavior and how to avoid potential attacks; and describes the reporting procedures and disciplinary procedures in this report. Consistent with New York State Education Law § 6432 and § 6436, the college also provides incoming students with information on the applicable laws and penalties governing sexual assault and bias-related crime, the campus procedures for addressing them, the availability of counseling and support services for victims, the nature and common circumstances of these offenses on college campuses, and how students are advised of security procedures, and maintains a permanent exhibit of this information on a prominently displayed campus information board.

Campus Climate Assessment

As required by New York State Education Law § 6445, the college conducts a campus climate assessment no less than every other year to ascertain general awareness and knowledge of the provisions of Article 129-B, including student experience with and knowledge of reporting and college adjudicatory processes, developed using standard and commonly recognized research methods. The assessment covers the Title IX Coordinator's role; campus policies and procedures addressing sexual assault; how and where to report domestic violence, dating violence, stalking, or sexual assault as a victim, survivor, or witness; the availability of resources on and off campus such as counseling, health, and academic assistance; whether reporting individuals disclosed to the college or to law enforcement, their experiences with reporting and college processes, and the reasons they did or did not report; general awareness of the difference, if any, between college policy and the Penal Law; and general awareness of the definition of affirmative consent. The college takes steps to ensure that responses remain anonymous and that no individual is identified and publishes the results at <https://www.mildred-elley.edu/disclosures/>.

Students' Bill of Rights

As required by New York State Education Law § 6443, the college has adopted the following Students' Bill of Rights as part of its code of conduct. It is distributed annually to students, made available on the college website, and posted in campus common areas. Information on filing a report and seeking a response appears under How and to Whom to Report above, and the options for confidential disclosure appear under Confidentiality and Options for Confidential Disclosure above.

All students have the right to:

- Make a report to local law enforcement and/or state police;
- Have disclosures of domestic violence, dating violence, stalking, and sexual assault treated seriously;
- Make a decision about whether or not to disclose a crime or violation and participate in the judicial or conduct process and/or criminal justice process free from pressure by the institution;
- Participate in a process that is fair, impartial, and provides adequate notice and a meaningful opportunity to be heard;
- Be free from any suggestion that the reporting individual is at fault when these crimes and violations are committed, or should have acted in a different manner to avoid such crimes or violations;
- Describe the incident to as few institution representatives as practicable and not be required to unnecessarily repeat a description of the incident;
- Be protected from retaliation by the institution, any student, the accused and/or the respondent, and/or their friends, family and acquaintances within the jurisdiction of the institution;
- Access to at least one level of appeal of a determination;
- Be accompanied by an advisor of choice who may assist and advise a reporting individual, accused, or respondent throughout the judicial or conduct process including during all meetings and hearings related to such process; and

Disciplinary Procedures

Allegations of dating violence, domestic violence, sexual assault, and stalking are resolved through a proceeding that provides a prompt, fair, and impartial process from the initial investigation to the final result, completed within reasonably prompt timeframes with written notice to both parties of any extension and the reason for it. The proceeding is conducted by officials who receive annual training on these offenses and on how to conduct an investigation and hearing that protects victim safety and promotes accountability, and who do not have a conflict of interest or bias for or against either party. Both the reporting individual and the respondent receive timely notice of meetings, timely and equal access to information that will be used at the proceeding, and the same opportunity to be accompanied by an advisor of their choice, whose participation may be restricted only by restrictions that apply equally to both parties. The college applies the preponderance of the evidence standard consistently to both parties, provides at least one level of appeal available to both parties, and issues simultaneous written notification to both parties of the result, the appeal procedures, any change to the result, and when the result becomes final.

Sanctions that may be imposed on a student found responsible include warning, censure, educational or reflective assignment, mandated assessment or counseling referral, restrictions on access to specified areas or persons, a no-contact directive, loss of privileges, removal from a clinical or internship placement, disciplinary probation, suspension, and expulsion, together with the transcript notation required by New York State Education Law Article 129-B for a student found responsible for a crime of violence, including a student who withdraws while charges are pending. An employee found responsible is subject to sanctions up to and including discharge. Protective measures that may be offered include those listed under Accommodations and Protective Measures above, and interim measures including interim suspension where the respondent's continued presence poses a risk to the community or to the integrity of the process.

Sex Offender Registry

The Campus Sex Crimes Prevention Act requires institutions to advise the campus community where information concerning registered sex offenders may be obtained, and requires registered sex offenders to notify the State of each institution at which they are employed, carry on a vocation, or are a student. A listing of registered sex offenders in New York State is maintained by the New York State Division of Criminal Justice Services at <https://www.criminaljustice.ny.gov/nsor/>, which also operates an information line at 1-800-262-3257. Information regarding notices received by the college concerning registered sex offenders is available from the Office of the Campus President at (518) 786-0855 x 1351.

Daily Crime Log

The college does not operate a campus police department and does not maintain a campus security department. Under 34 C.F.R. § 668.46(f)(1), the daily crime log requirement applies only to an institution that maintains a campus police or a campus security department, and the college is therefore not required to maintain a daily crime log.

The college nonetheless documents every crime and emergency reported to it. Each report received by a Campus Security Authority is recorded on an incident report form recording the nature of the report, the date it was reported, the date, time, and general location of the incident, the referral made to the Albany Police Department, and the disposition of the matter if known. Incident reports are maintained by the Office of the Campus President, are reviewed for timely warning and emergency notification decisions, are used to compile the crime statistics disclosed in this report and are retained for at least seven years following the publication of the last annual security report to which they apply. A person seeking information about a reported incident may request it from the Office of the Campus President at (518) 786-0855 x 1351.

Preparation, Distribution, and Annual Review

This report is prepared annually by the Office of the Campus President, which compiles statistics from reports made to Campus Security Authorities, from institutional incident and disciplinary records, and from a written request made each year to the Albany Police Department for crimes reported to it within the college's Clery geography. The request for this reporting period was made in writing; the Department had not responded by the publication date, and that circumstance is noted in Appendix A. Each policy statement in this report is reviewed each year against 34 C.F.R. § 668.46 and New York State Education Law Articles 129-A and 129-B and updated where institutional practice or the law has changed.

The completed report is distributed by September 30 each year to all enrolled students and current employees by institutional email containing a direct link to the report, is posted at <https://www.mildred-elley.edu/disclosures/>, and is available in paper on request from the Office of the Campus President at (518) 786-0855 x 1351. Prospective students and prospective employees are given notice of the report's availability, a description of its contents, and an opportunity to request a copy. This single annual distribution also satisfies the college's obligations to provide students with the rules for the maintenance of public order under New York State Education Law § 6430, the Article 129-B rules and policies under § 6440, and the Students' Bill of Rights under § 6443, each of which is reproduced in this report and posted on the college website. The college files its annual certificate of compliance with Articles 129-A and 129-B with the New York State Education Department by July 1 each year, files the full written rules and policies on the Department's ten-year cycle, and

submits the Article 129-B annual aggregate data report for the prior calendar year to the Department by October 1. The statistics are submitted to the U.S. Department of Education through the annual Campus Safety and Security Survey and are available at <https://ope.ed.gov/campussafety/>. Supporting documentation, including Campus Security Authority reports, Albany Police Department statistics requests and responses, the incident records, emergency test records, and timely warning and emergency notification records, is retained by the Office of the Campus President for at least seven years.

Why the Federal and State Disclosures Appear in One Report

Federal law fixes the date of this distribution but does not prescribe the New York State content, and New York State Education Law fixes an annual frequency for the State disclosures but does not prescribe a date. Section 6440 expressly permits an institution to provide the Article 129-B rules and policies to enrolled students "using a method and manner appropriate to its institutional culture." A single dated annual distribution to all enrolled students and current employees therefore discharges the federal requirement of 34 C.F.R. § 668.41(e) and the State requirements of §§ 6430, 6440, and 6443 together, and produces one auditable distribution record rather than several. Presenting the disclosures in one document also ensures that the policies New York requires the college to adopt verbatim appear in identical form wherever a student encounters them.

Obligations that are triggered by an event rather than by the calendar are satisfied separately and are described elsewhere in this report. These include the onboarding notice required by § 6433, the student onboarding and ongoing education required by § 6447, the statement presented at the first instance of disclosure required by § 6444, and the continuous website posting required by §§ 6433, 6440, 6443, and 6445.

Appendix A — Crime Statistics, 2023–2025

Statistics are compiled using the FBI Uniform Crime Reporting definitions for homicide, robbery, aggravated assault, burglary, motor vehicle theft, arson, and liquor, drug, and weapons law violations; the National Incident-Based Reporting System definitions for rape, fondling, incest, and statutory rape; the FBI Hate Crime Data Collection Guidelines definitions for larceny-theft, simple assault, intimidation, and vandalism; and the definitions at 34 C.F.R. § 668.46(a) for dating violence, domestic violence, and stalking. Statistics are recorded for the calendar year in which the crime was reported, the Hierarchy Rule is applied except that arson is always counted and a sex offense occurring with a murder is counted with it, and no statistic identifies a victim or an accused person. Crimes reported only to a licensed professional or pastoral counselor are not included. The college has no on-campus student housing, so no housing statistics are reported.

In compiling these statistics, the college made a written good-faith request to the Albany Police Department for crimes reported to it as having occurred on public property immediately adjacent to and accessible from the campus during each of the calendar years covered by this report. As of the publication date of this report, the Department had not provided the requested data. The statistics reported for public property therefore reflect only crimes reported to the college and to its Campus Security Authorities. Should the requested data be received, the college will update these statistics and publish the revised figures at <https://www.mildred-elley.edu/disclosures/>.

Subject to the public property limitation described above, no Clery-reportable offense, arrest, or disciplinary referral was reported to the college, to a Campus Security Authority, or to campus safety personnel within the college's Clery geography during calendar years 2023, 2024, or 2025. No report was withheld from these statistics, and no report was determined to be unfounded.

Criminal Offenses

In the tables below, on means on-campus property, non means non-campus buildings or property, and Pub means public property.

Offense	2023 On	2023 Non	2023 Pub	2024 On	2024 Non	2024 Pub	2025 On	2025 Non	2025 Pub
Murder / Nonnegligent Mansl.	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0

Violence Against Women Act Offenses

Offense	2023 On	2023 Non	2023 Pub	2024 On	2024 Non	2024 Pub	2025 On	2025 Non	2025 Pub
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Domestic Violence	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0

A stalking report is recorded for each calendar year in which the course of conduct was reported and at only the first location within the Clery geography where the conduct occurred or where the victim first became aware of it.

Arrests and Disciplinary Referrals

Category	2023 On	2023 Non	2023 Pub	2024 On	2024 Non	2024 Pub	2025 On	2025 Non	2025 Pub
Arrests: Weapons	0	0	0	0	0	0	0	0	0
Arrests: Drug	0	0	0	0	0	0	0	0	0
Arrests: Liquor	0	0	0	0	0	0	0	0	0
Referrals: Weapons	0	0	0	0	0	0	0	0	0
Referrals: Drug	0	0	0	0	0	0	0	0	0
Referrals: Liquor	0	0	0	0	0	0	0	0	0

Disciplinary referrals are persons not included in the arrest counts who were referred for campus disciplinary action for a liquor, drug, or weapons law violation.

Hate Crimes

There were no hate crimes reported for calendar year 2023. There were no hate crimes reported for calendar year 2024. There were no hate crimes reported for calendar year 2025.

Hate crime reporting covers each offense listed above, and additionally larceny-theft, simple assault, intimidation, and destruction, damage, or vandalism of property, when the offense is determined to have been motivated by bias on the basis of the victim's actual or perceived race, gender, gender identity, religion, sexual orientation, ethnicity, national origin, or disability.

Unfounded Crimes

No crime report was unfounded during calendar year 2023, 2024, or 2025. Statistics are also made available to any person on request, with a copy provided within ten days of the request. A reported crime may be withheld from these statistics as unfounded only where sworn or commissioned law enforcement personnel have fully investigated the report and formally determined it to be false or baseless. Recovery of property, the value of property, a victim's refusal to cooperate, and the absence of an arrest do not unfound a report.

Timely Warnings and Emergency Notifications

No timely warning was issued, and no emergency notification was made during calendar year 2023, 2024, or 2025.

Appendix B — Resources

On Campus

Resource	Contact
Office of the Campus President — Belinda Green; campus safety, security, and Clery compliance Title IX Confidential Resource	(518) 786-0855 x2224; bgreen@mildred-elley.edu
Dean of Academic Affairs — Dr. Kaweeda G. Adams; Title IX, Title VI, and Section 504 Coordinator	(518) 786-0855 x 1464; kadams@mildred-elley.edu
Office of Academic Support and Advising — accommodations, advising, referrals	(518) 786-0855 x 1128
Human Resources Office — employee matters	(518) 786-0855 x 1425
Registrar's Office — records and emergency contact information	(518) 786-0855 x 1361
Office of Financial Aid — financial aid effects of enrollment changes	(518) 786-0855 x 1149

Emergency and Law Enforcement

Resource	Contact
Police, fire, emergency medical services	911
Albany Police Department, Center Station	(518) 458-5660; 536 Western Avenue, Albany, NY 12203
Albany Police Department, main number	(518) 438-4000; 165 Henry Johnson Boulevard, Albany, NY 12210
Amsterdam Police Department — Amsterdam Extension Site	(518) 842-1100; 1 Guy Park Avenue Extension, Amsterdam, NY 12010
New York State Police, Troop G	(518) 783-3211
New York State Domestic and Sexual Violence Hotline, 24 hours	1-800-942-6906
New York State Sex Offender Registry Information Line	1-800-262-3257

Counseling, Health, Advocacy, and Legal Services

Resource	Contact
Albany County Crime Victim and Sexual Violence Center	(518) 447-7100; 112 State Street, Room 1010, Albany, NY 12207
Albany County Sexual Assault Hotline, 24 hours	(518) 447-7716
Equinox, Inc. — domestic violence hotline, 24 hours	(518) 432-7865; https://www.equinoxinc.org
Equinox, Inc. — domestic violence services office	(518) 434-6135; 526 Central Avenue, Albany, NY 12206
Albany County District Attorney, Victims Services Unit	(518) 694-8445
Albany Medical Center Emergency Department — forensic examination	(518) 262-3131; 43 New Scotland Avenue, Albany, NY 12208
St. Peter's Hospital Emergency Department	(518) 525-1550; 315 South Manning Boulevard, Albany, NY 12208
Catholic Charities of Fulton and Montgomery Counties — crime victims advocacy, serving the Amsterdam Extension Site	(518) 842-3384; 1 Kimball Street, Amsterdam, NY 12010
RAINN National Sexual Assault Hotline	1-800-656-HOPE (4673); https://www.rainn.org
National Domestic Violence Hotline	1-800-799-7233; https://www.thehotline.org
Legal assistance for crime victims	Legal Aid Society 833-628-0087
Visa and immigration assistance	The Legal Project – 518-435-1770

Mental Health and Substance Use

Resource	Contact
988 Suicide and Crisis Lifeline — free, confidential support, 24 hours	988; https://988lifeline.org
Capital District Psychiatric Center crisis services	(518) 549-6500; 75 New Scotland Avenue, Albany, NY 12208
SAMHSA National Helpline	1-800-662-HELP (4357); https://www.samhsa.gov/find-help/national-helpline
Referral through the Office of Academic Support and Advising	(518) 786-0855 x 1332