

# **Campus Security Annual Report**

In accordance with the Clery Act – 34 CFR 668.46



*Lincoln Technical Institute  
Queens Campus*

15-30 Petracca Place  
Whitestone, NY 11357

September 30, 2019

For your information, a copy of Lincoln Technical Institute's Campus Security Annual Report is attached. This report is being distributed in compliance with the "Crime Awareness and Campus Security Act of 1990." It will be updated and redistributed by October 1 of each operating year.

The Campus Safety and Security Report provides crime and safety information, policies, and procedures to Lincoln Technical Institute's students, faculty, and staff. The school provides this information in accordance with the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act* or "*the Clery Act*." The history of campus crime statistics and security information reporting started with the *Crime Awareness and Campus Security Act of 1990*, which amended the *Higher Education Act of 1965*. The *Crime Awareness and Campus Security Act of 1990* was renamed to "*the Clery Act*" by the 1998 amendment.

This report includes statistics for the previous three years concerning reported crimes that occurred on-campus; and on public property within, or immediately adjacent to and accessible from, the campus. The report also includes institutional policies concerning campus security, such as policies concerning sexual assault, and other matters.

Every year, Lincoln Technical Institute (LTI) distributes a copy of this report via the portal for all LTI students, faculty, and staff. It can be obtained at [www.lincolntech.edu/campus/queens-ny](http://www.lincolntech.edu/campus/queens-ny) Prospective employees and prospective students are notified that this report exists and of the reports content. Individuals may receive information regarding this report by contacting the Education Department at (718) 640-9800 ext. 41802.

Lincoln Technical Institute's ***commitment to security includes:***

- Providing a secure and crime free workplace for students, faculty, and staff.
- Performing regular evaluation of security programs.
- Monitoring and following up on each crime reported at LTI.

We believe that faculty, staff and student behavior which promotes security awareness is important in all aspects of our lives, and we encourage all faculty, students and staff to accept responsibility for their own security as well as the security of other members of the LTI community.

The Sentinel security officers would like to see every member of the LTI community work together to make the College a safer place. The following information will inform you of various policies and procedures, which could affect you.

The security officers are here to serve you. If you have any questions concerning Security, please contact Kelly Mendez, Director of Education, at (718)640-9800 ext. 41802 or stop by the Education Department located at on the second floor, room 226.

**STATEMENT OF CURRENT POLICIES REGARDING PROCEDURES AND FACILITIES FOR STUDENTS AND OTHERS TO REPORT CRIMINAL ACTIONS AND POLICIES CONCERNING THE INSTITUTION'S RESPONSE TO SUCH REPORTS -- 34 CFR 668.46(b)(2)**

All crimes or other emergencies occurring on the Lincoln Technical Institute campus are reported to the LTI Education Department. Lincoln Technical Institute's policy designates the Education Department as the law enforcement unit for the institution. Faculty, staff or students who wish to report criminal actions should immediately contact the Director of Education or other responsible supervisory personnel. The criminal action should then be immediately reported to the local authorities for assistance and /or investigation. The Lincoln Technical Institute Accident/Incident Investigation Report Form is completed with the assistance of the person reporting the criminal action. The report should be filed as soon as possible with the Campus President, who will either follow-up on the report personally or assign responsibility to another appropriate supervisor to follow-up and report on the outcome as well as any preventative or other actions taken to insure the safety and security of all staff, faculty and students. Additional copies of the Lincoln Technical Institute Accident / Incident Report Form may be requested from the Director of Education.

The Director of Education is responsible for compiling the annual report for the institution. The Campus President is responsible for ensuring the overall accuracy of the report. The campus community can report crimes anonymously by submitting details to the Director of Education via his/her mailbox.

*In the event that a situation arises, either on or off campus, that, in the judgment of the Director of Education, constitutes an on-going or continuing threat, a campus wide "security update" will be issued. This "security update" will be distributed to students, staff, and faculty in the form of a flyer through the student portal web alert system and through the Lincoln LincAlert system. The flyer and/or alert will clearly describe the "security update" situation. The Education Department distributes this information in order to give the campus necessary awareness to promote personal safety.*

Report all emergencies involving a crime in process, a medical emergency, and/or fire to 911 in a timely manner (via cell phone only). After calling 911, contact the Director of Education at (718) 640-9800 ext. 41802. To report non-emergency incidents occurring on campus, contact the Auto Supervisor at (718) 640-9800 ext. 41809 or 41815. Any time there is a reason to believe that a security problem has occurred or is in

progress, students or college staff should call to report the incident to security immediately. Reporting crimes or other public safety incidents in a timely manner helps protect others. The Education Department will assist students with notification of proper authorities as needed.

*Listed below is information for additional officials:*

**On Campus Numbers**

Director of Education.....	(718) 640-9800, ext 41802
Automotive Supervisor .....	(718) 640-9800, ext 41815
Campus President.....	(718) 640-9800, ext 41801
Evening Automotive Supervisor.....	(718) 640-9800, ext 41809

**Off-Campus Numbers**

Emergency (via cell phone only) .....	911
Police Department .....	(718) 321-2250
Fire Department .....	311

*Current crime statistics for reported offenses are as follows:*

LINCOLN TECHNICAL INSTITUTE-QUEENS CRIME STATISTICS FOR 2016 - 2018				
CRIMINAL OFFENSE	YEAR	ON	NONCAMPUS	PUBLIC
		CAMPUS	PROPERTY	PROPERTY
MURDER/NON-NEGLIGENT MANSLAUGHTER	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
NEGLIGENT MANSLAUGHTER	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
SEX OFFENSES, FORCIBLE	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
RAPE	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
FONDLING	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
SEX OFFENCES - NON FORCIBLE	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
INCEST	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
STATUTORY RAPE	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
ROBBERY	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
AGGRAVATED ASSAULT	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
BURGLARY	2016	1	0	0
	2017	0	0	0
	2018	0	0	0
MOTOR VEHICLE THEFT (Do not include theft from a motor vehicle)	2016	1	0	0
	2017	0	0	0
	2018	0	0	0
ARSON	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
ARRESTS WEAPONS: Carrying, Possessing, Etc.	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
ARRESTS DRUG ABUSE VIOLATIONS	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
ARRESTS LIQUOR LAW VIOLATIONS (Do not include drunkenness or driving under the influence)	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
DISCIPLINARY ACTIONS WEAPONS: Carrying, Possessing, Etc.	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
DISCIPLINARY ACTIONS DRUG ABUSE VIOLATIONS	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
DISCIPLINARY ACTIONS LIQUOR LAW VIOLATIONS (Do not include drunkenness or driving under the influence)	2016	0	0	0
	2017	0	0	0
	2018	0	0	0

LINCOLN TECHNICAL INSTITUTE-QUEENS HATE CRIME STATISTICS FOR 2016 - 2018						
OFFENSE	YEAR	BIAS	ON CAMPUS	NONCAMPUS	PUBLIC	COMMENT (indicate category of Bias Crime) Race / Religion / Sexual Orientation / Gender / Gender Identity / Disability / Ethnicity / National Origin
			PROPERTY	PROPERTY	PROPERTY	
MURDER/NON-NEGLIGENT MANSLAUGHTER	2016	N/A	0	0	0	
	2017	N/A	0	0	0	
	2018	N/A	0	0	0	
NEGLIGENT MANSLAUGHTER	2016	N/A	0	0	0	
	2017	N/A	0	0	0	
	2018	N/A	0	0	0	
SEX OFFENSES, FORCIBLE	2016	N/A	0	0	0	
	2017	N/A	0	0	0	
	2018	N/A	0	0	0	
RAPE	2016	N/A	0	0	0	
	2017	N/A	0	0	0	
	2018	N/A	0	0	0	
FONDLING	2016	N/A	0	0	0	
	2017	N/A	0	0	0	
	2018	N/A	0	0	0	
SEX OFFENCES - NON FORCIBLE	2016	N/A	0	0	0	
	2017	N/A	0	0	0	
	2018	N/A	0	0	0	
INCEST	2016	N/A	0	0	0	
	2017	N/A	0	0	0	
	2018	N/A	0	0	0	
STATUTORY RAPE	2016	N/A	0	0	0	
	2017	N/A	0	0	0	
	2018	N/A	0	0	0	
ROBBERY	2016	N/A	0	0	0	
	2017	N/A	0	0	0	
	2018	N/A	0	0	0	
AGGRAVATED ASSAULT	2016	N/A	0	0	0	
	2017	N/A	0	0	0	
	2018	N/A	0	0	0	
BURGLARY	2016	N/A	0	0	0	
	2017	N/A	0	0	0	
	2018	N/A	0	0	0	
MOTOR VEHICLE THEFT (Do not include theft from a motor vehicle)	2016	N/A	0	0	0	
	2017	N/A	0	0	0	
	2018	N/A	0	0	0	
ARSON	2016	N/A	0	0	0	
	2017	N/A	0	0	0	
	2018	N/A	0	0	0	
SIMPLE ASSAULT	2016	N/A	0	0	0	
	2017	N/A	0	0	0	
	2018	N/A	0	0	0	
LARCENY THEFT	2016	N/A	0	0	0	
	2017	N/A	0	0	0	
	2018	N/A	0	0	0	
INTIMIDATION	2016	N/A	0	0	0	
	2017	N/A	0	0	0	
	2018	N/A	0	0	0	
DESTRUCTION/DAMAGE/VANDALISM OF PROPERTY EXCEPT ARSON	2016	N/A	0	0	0	
	2017	N/A	0	0	0	
	2018	N/A	0	0	0	

<b>LINCOLN TECHNICAL INSTITUTE-QUEENS VAWA CRIME STATISTICS FOR 2016-2018</b>				
VAWA AMENDMENTS	YEAR	ON CAMPUS	NONCAMPUS	PUBLIC
		PROPERTY	PROPERTY	PROPERTY
DOMESTIC VIOLENCE	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
DATING VIOLENCE	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
STALKING	2016	0	0	0
	2017	0	0	0
	2018	0	0	0

<b>LINCOLN TECHNICAL INSTITUTE-QUEENS UNFOUNDED CRIME STATISTICS FOR 2016-2018</b>		
Were there any reported crimes that were investigated by law enforcement authorities and found to be false or baseless and subsequently deemed "Unfounded?" Only sworn or commissioned law enforcement personnel may unfind a crime.		
Count unfounded crimes in the year in which they were originally reported		
TOTAL UNFOUNDED CRIMES	2016	0
	2017	0
	2018	0



**A STATEMENT OF CURRENT POLICIES REGARDING INSTITUTIONAL POLICY ON SECURITY AND ACCESS TO FACILITIES AND MAINTENANCE -- 34 CFR 668.46(b)(3)**

Lincoln Technical Institute has installed approximately 25 security cameras across the campus. Along with monitoring common areas of campus, cameras monitor access points on the first floor. Campus buildings are maintained by their respective building managers and are unlocked and locked daily by supervisors.

All students, faculty and staff are required to display the Lincoln Technical Institute ID badge at all times while on campus. Security officers are instructed to escort anyone not displaying their ID badge off of the campus immediately.

Lincoln Technical Institute provides security personnel from 7:30am-11pm Monday through Friday and on Saturday as needed. They are responsible for documenting and investigating incidents of all types, enforcing parking regulations, and responding to a variety of requests for assistance. Additional security measures include electronic access keys to staff and faculty only offices. Security lighting around campus provides consistent illumination throughout the campus area. Access to all campus floors requires a student identification card displayed at all times.

The following guidelines and procedures are set forth to help insure a safer campus:

- Report lost or stolen ID/access cards to the Education Department.
- If you do not recognize a person, or suspect suspicious behavior, contact Security and the Director of Education.

**A STATEMENT OF CURRENT POLICIES CONCERNING CAMPUS LAW ENFORCEMENT, INCLUDING THE ENFORCEMENT AUTHORITY OF INSTITUTIONAL SECURITY PERSONNEL AND POLICIES THAT ENCOURAGE PROMPT REPORTING OF ALL CAMPUS CRIME TO THE CAMPUS POLICE AND LOCAL POLICE -- 34 CFR 668.46(b)(4)**

Lincoln Technical Institute – Queens is essentially a non-residential school, and does not have a campus police force. It employs security officers that promote a positive working relationship with the 109<sup>th</sup> Precinct of the New York Police Department. Lincoln Technical Institute cooperates with outside agencies in the investigation of any criminal offense. However, there is no formal investigatory agreement established with these agencies. We encourage all students, faculty, and staff, to report accurately and immediately all emergency incidents to these authorities.

The Sentinel security officers *are not police*. Uniforms and security tools do not mean security officers are sworn Police Officers. Security officers are private citizens; they have no specially conferred powers of arrest, other than those that New York statutes confer on every private citizen.

The focus of the security is prevention and deterrence. The primary role of a Campus Safety Officer after a crime has been committed is observation and reporting. Our security officers are professionals, with special knowledge, training, and resources to assist most campus security issues. The security officers are responsible for enforcing the policies of Lincoln Technical Institute. They have the authority to ask for identification and determine whether the individuals have lawful business at the school. Security Officers have the authority to detain individuals who are a danger to themselves, the officers, or others as well as those individuals who break state laws according to New York Statute.

**A STATEMENT OF THE DESCRIPTION OF TYPE AND FREQUENCY OF PROGRAMS DESIGNED TO INFORM STUDENTS AND EMPLOYEES ABOUT PROCEDURES AND PRACTICES TO ENCOURAGE RESPONSIBILITY FOR PERSONAL AND COMMUNITY SAFETY -- 34 CFR 668.46(b)(4)**

The Education Department disseminates information about campus safety policies and procedures through class announcements and via the student portal. Faculty and staff are informed of these policies and procedures during new employee orientation through the Department of Human Resources. Crime Prevention programs are regularly scheduled throughout the year and are also given as requested.

**A STATEMENT OF THE DESCRIPTION OF PROGRAMS DESIGNED TO INFORM STUDENTS AND EMPLOYEES ABOUT CRIME PREVENTION -- 34 CFR 668.46(b)(5)**

The Lincoln Technical Institute Education Department has programs designed to educate the institution's community about drug and alcohol abuse, sexual assault, general crime prevention efforts, pedestrian safety, traffic safety tips, etc.

**A STATEMENT OF THE POLICY WITH RESPECT TO POSSESSION, USE, AND SALE OF ALCOHOLIC BEVERAGES AND/OR THE ILLEGAL DRUGS AND ENFORCEMENT OF FEDERAL AND STATE DRINKING AND/OR DRUG LAWS -- 34 CFR 668.46(b)(8&9)**

Lincoln Technical Institute will comply with all federal, state, and local laws and policies on the abuse of alcohol and other drugs by its students. Lincoln Technical Institute does not permit or condone the illegal possession and/or use of controlled substances.

Controlled substances means any drug, substance, or immediate precursor included in the definition of controlled substance in Schedule I through V of Section 202 of the Federal Controlled Substance Act [21 United States Code 812].

Each member of the LTI community should be involved in the implementation of and compliance with this policy. Unless otherwise stated by law, each individual retains responsibility for his or her actions at all times regardless of his or her mental state, even if altered by alcoholic beverages or other drugs.

Lincoln Technical Institute students must refrain from the possession, use, or distribution of non-medical drugs in any form. In addition, students must refrain from the possession or use of any alcoholic or tobacco products. The unlawful possession, use, or

distribution of illicit drugs is prohibited on LTI property and in connection with college activities. The possession, use, or distribution of alcohol is also prohibited on the institution's property and in conjunction with the institution's activities.

Lincoln Technical Institute states in the school catalog that alcohol and drugs will not be permitted and/or used in the school. Persons under the influence of alcohol or drugs are subject to immediate disciplinary action. The possession, sale, manufacture or distribution of any controlled substance is illegal under both state and federal laws. Any individual found to be in possession of illegal substances or engaging in underage consumption of alcohol will be subject to disciplinary action at the school as well as reported to the local law enforcement authorities for potential criminal prosecution.

#### **A STATEMENT OF THE DESCRIPTION OF DRUG OR ALCOHOL-ABUSE EDUCATION PROGRAMS AS REQUIRED UNDER 120(a) THRU (d) OF THE HIGHER EDUCATION ACT -- 34 CFR 668.46(b)(10)**

Students with alcohol- or drug-related problems may be referred to or seek assistance from the Education Department. The Registrar maintains a directory of services that are available, within the community, to assist those who may seek trained professional and paraprofessional counseling for drug and alcohol abuse prevention, education, and counseling. The Director of Education conducts a biennial review of Lincoln Technical Institute's compliance with the Drug Free Schools and Campuses Act.

LTI provides in the campus library a copy of the Lincoln Technical Institute Drug Prevention Program, as well as providing it on the student and faculty portal at <http://campus.lincolnedu.com>.

#### **A STATEMENT OF POLICY REGARDING DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT AND STALKING**

##### **Student Disciplinary Procedures**

Lincoln Technical Institute will, upon written request, disclose to the alleged victim of a crime of violence, or a non-forcible sex offense, the results of any disciplinary hearing conducted by the Institute against the student who is the alleged perpetrator of the crime or offense. If the alleged victim is deceased as a result of the crime or offense, Lincoln Technical Institute will provide the results of the disciplinary hearing to the victim's next of kin, if so requested.

Individuals who are found to have violated any the Student Code of Conduct or any of the following policies will be disciplined by Lincoln Technical Institute in accordance to the severity of the incident. Sanctions may include suspension from classes or expulsion from the Institute. For employees, disciplinary action may include suspension with or without compensation, or termination of employment.

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## **Disclosure to Victims of Crimes of Violence or Non-forcible Sex Offense**

Lincoln Technical Institute is committed to providing a place of learning and work that is free of violence, including all forms of sexual violence, harassment, intimidation or exploitation. The Institute does not tolerate any sexual assault or gender-based violence or misconduct or any behavior that puts the community at greater risk for such behaviors. Gender-based misconduct includes domestic violence, dating violence, stalking and any type of gender-based harassment or intimidation. The following sections address the Institute's policies and resources for prevention, education, and response services regarding these behaviors.

### **Sexual Assault**

Sexual assault includes any sexual act directed against another person, forcibly and/or against that person's will, or not forcibly or against the person's will where the victim is incapable of giving consent, including forcible rape, forcible sodomy, sexual assault with an object and forcible fondling. Sexual assault includes unlawful, non-forcible sex offenses, including incest (non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law) and statutory rape (non-forcible sexual intercourse with a person who is under the statutory age of consent).

### **Consent**

Consent is based on choice. Consent is an intelligent, voluntary, informed decision by someone capable of making such a decision. In order for there to be consent in a sexual situation, there must be an affirmative statement or action by each participant. Consent does not exist if coercion, threats, intimidation, or physical force are used. If someone is mentally or physically incapacitated or impaired such that they are temporarily or permanently incapable of appraising the sexual situation or controlling their own conduct, there can be no consent in the situation. This includes such impairment or incapacitation resulting from the consumption of alcohol or other drugs. Whether a person has used a position of authority or influence to take advantage of another person will be a consideration in determining whether consent exists in a sexual situation.

A person is legally incapable of giving consent if he or she is:

- Under 18 years of age;
  - Incapacitated or impaired as describe above by alcohol or other drugs;
  - Developmentally disabled; or
  - Temporarily or permanently mentally or physically unable to do so
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## **Steps to take if you have been Sexually Assaulted**

**Get to a safe place**

Your immediate safety is your first priority. If you are in danger, you should call 911. Stay on the phone as long as you can until help arrives.

Remember that the police will help you whether or not you choose to prosecute the assailant. Call a trusted friend or family member for support and/or the victim-assistance services offered by community or law enforcement agencies.

**Get medical attention**

A medical examination is to check for physical injury, the presence of sexually transmitted diseases, or pregnancy as a result of the assault. A medical examination will also aid in the police investigation and legal proceedings.

**If the assault was recent, don't bathe or douche**

Bathing or douching might be the first thing you want to do, but you may be washing away evidence needed to prosecute the assailant. Wait until you have a medical examination. Also, do not change or alter the crime scene.

**Save your clothing**

Changing your clothes is alright, but save the clothing you were wearing at the time of the assault. Place each item of clothing in a separate paper bag and give them to the police. Your clothing could be used as evidence for prosecution.

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**Relationship Abuse and Domestic Violence**

**Relationship abuse** consists of a pattern of abusive or coercive behaviors used to exert power and control over a current or former intimate partner. Abuse can be emotional, psychological, financial, sexual, or physical, and can include threats, isolation and intimidation.

**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 in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies under the Violence Against Women Act, or 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.

**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. The existence of such a relationship is determined based on statements given by the person reporting the violence and consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Note that for Clery purposes, an incident fitting the description of domestic violence or dating violence is considered a crime regardless of whether the incident qualifies as a crime in the local jurisdiction. Lincoln Technical Institute prohibits any domestic violence on any of our campuses, property controlled by the Institute, or at any Institute-sponsored event.

**Sexual harassment** includes unwelcome sexual advances, requests for sexual favors, and other visual, verbal or physical conduct of a sexual nature when It is implicitly or explicitly suggested that submission to or rejection of the conduct will be a factor in academic or employment decisions or evaluations or permissions to participate in a Institute activity OR the conduct has the purpose or effect of unreasonably interfering with an individual's academic or work performance by creating an intimidating or hostile academic, work or student living environment.

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Could you be in an Abusive Relationship?

- Are you afraid of your partner?
- Does your partner frequently lose his or her temper or have unpredictable outbursts of anger?
- Do you avoid saying certain things for fear that it will make your partner angry?
- Does your partner destroy your belongings?
- Does your partner humiliate or belittle you?
- Does your partner seem unusually jealous or possessive?
- Does your partner try to keep you isolated from friends or family?
- Does your partner ask you to account for your whereabouts when you are not together?

If the answer to any of these questions is yes, you may be in an abusive relationship. If so, understand that you are not at fault! A romantic partner should treat you with dignity and respect. It is a fact that emotional abuse often precedes physical abuse. If you are dealing with domestic violence or relationship abuse and are unsure of what to do, know that there are many resources for you to get help. One of your best options is the criminal justice system. The first priority of the police and legal system is to provide safety for survivors of violence and lead them to additional resources in the community, including temporary living accommodations if needed.

Another good immediate option is a temporary injunction for protection (commonly known as a restraining order). The police can help you obtain information on how to obtain a temporary injunction for protection. Call 911 and tell the dispatcher that you are in danger and need help immediately. You may call the police any time, even days or months, after being abused.

Lincoln Technical Institute honors all injunctions for protection in which the Institute is listed as a restricted area for the defendant.

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## Stalking

Stalking is a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others; or suffer substantial emotional distress. A “reasonable person” under the definition of stalking means a reasonable person under similar circumstances. Acts of stalking may include acts in which the stalker, either directly, indirectly, or through a third party, follows, monitors, observes, threatens, communicates to or about a person, or interferes with a person’s property. Stalking may include communication through electronic communication such as text messages or social media (“cyberstalking”).

Stalking is a violation of Lincoln Technical Institute policy and a reportable offence under the Clery Act.

If you believe you are being stalked:

- Report the stalking to the police, Campus Safety, Institute official as soon as possible.
- If the person communicates with you, be clear that you wish to be left alone.
- Document the date, time, location, and a detailed description of each incident. For evidence, save any communications such as text messages, emails, letters, notes and gifts or other objects sent to you.

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## Reporting Sexual Assault and Gender-based Violence and Misconduct

We encourage you to report the incident to police. This is entirely your choice. You have rights and will receive help from the Institute regardless of whether or not you make a police report.

But keep in mind that reporting the incident to the police will help the Institute to conduct a more effective response and investigation. Victims of sexual assault may feel embarrassed, guilty, or fear retaliation or possible humiliation. These are normal emotions. But know that law enforcement officers are trained to handle such situations with sensitivity and compassion. Please also keep in mind that making a report with the police is not the same thing as prosecution. Prosecution can be determined later. If you decide not to notify law enforcement, please secure medical attention and contact any of the victim support resources listed in this guide.

If you know who your attacker is, you are also encouraged to pursue an injunction for protection order with court officials. If you choose to pursue this option, list Lincoln Technical Institute as a restricted location and provide a copy to the Campus Safety Office on any campus location. The Institute will comply with all court-ordered injunctions (restraining orders) that involve Lincoln Technical Institute.

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## **Rights of Survivors of Sexual Assault, Domestic Violence, Dating Violence and/or Stalking**

Survivors of sexual assault, domestic violence, dating violence, and stalking have rights under federal law. Note that survivors have these rights regardless of whether or not they wish to remain anonymous or report the crime to police.

### **Upon receiving a report of a sexual assault or incident of domestic violence, dating violence or stalking:**

- We will ensure that your immediate safety and medical needs are addressed by contacting the appropriate emergency services.
- We will notify you of your options for contacting law enforcement. (Campus Safety Officers do not have law enforcement authority and are not sworn law enforcement officers.) These options include the right not to make a report to law enforcement. If you request, we will contact law enforcement on your behalf and provide information to them on your behalf.
- We will fully investigate your case and keep you informed with information we can legally disclose. Preservation of the crime scene will be maintained until an investigation is completed. We will notify and instruct you about the importance of preserving evidence.
- You will be treated with courtesy, respect, dignity and sensitivity.
- We will ensure that a Institute victims' advocate is available throughout the process to address your concerns as well as those of significant others.
- You may have your own advocate present at any stage of the process.
- You will be notified of and, upon request, assisted with contacting available counseling and community victims' advocacy services. Students who report a sexual assault that has occurred off campus or at a prior time on campus will be assisted in contacting the appropriate legal authorities and/or service agencies.
- We will act thoughtfully without prejudging.
- We will maintain your confidentiality including redacting your identifying information from records to the extent permissible by law.
- We will continue to serve your needs and be available to answer your questions. You may contact us at any time.
- If you wish to be interviewed, you will be interviewed in a private location. You can request to be interviewed by a person of the same gender.
- You have the right to change your academic and (if applicable) living and transportation arrangements with Lincoln Technical Institute.

### **Rights associated with a Lincoln Technical Institute disciplinary proceedings:**

- Accuser and accused will both have the same opportunity to have others present.
- Both accuser and accused will be notified in writing of the outcome of any disciplinary proceedings.
- Each survivor will be notified of their options for reasonable accommodations, including changes to his or her academic, residence and transportation situation.

## **Resources for Survivors of Sexual Assault and Gender-based Violence and Misconduct**

We strongly encourage survivors of sexual assault and gender-based violence and misconduct to consider the following resources.

### **Counseling Services Information**

Lincoln Technical Institute does not provide on-campus counseling services. However we do share information regarding organizations that provide such services. Below are links to local community mental health professionals for counseling, treatment, or therapeutic intervention. Counselors are licensed and experienced mental health professionals. Services include assessment, crisis stabilization, and community referral.

### **Just for Lincoln Students**

- StudentLinc – Provides confidential and professional guidance for concerns that may affect you personally or impact your school performance. 1-888-893-LINC (5462)
  - Addictive Behaviors
  - Anxiety
  - Depression
  - Diversity Issues
  - Grief
  - Stress Management
  - Substance Abuse
  - Transition Concerns

### **Resources**

- NotAlone – A national program launched to protect students from sexual assault. NotAlong.gov offers references to several local, state, and national resources. <https://www.notalone.gov/>
  - National Sexual Assault Hotline – (800) 656-4673 (HOPE) <https://www.rainn.org/get-help/national-sexual-assault-hotline> (Live chat available online)
  - National Domestic Violence Hotline – (800) 799-7233 <http://www.thehotline.org/> (Live chat available online)
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## **Investigation of Sexual Assault, Sexual Harassment and Gender-Based Violence and Misconduct**

An allegation of sexual assault and/or sexual harassment that occurred on campus, at a Institute-owned or operated facility off the main campus, or in conjunction with a Institute sponsored activity may be investigated by various departments including: the

local law enforcement jurisdiction, the Campus Safety Department, the Judicial Affairs Department, Human Resources, the Institute attorney and the Title IX Office.

The department or persons having responsibility for conducting an investigation will depend on the circumstances of the case, for example, the relationship that the victim and the alleged perpetrator have to the Institute (i.e. faculty, staff, student, no affiliation). The type of investigation (criminal, disciplinary, or administrative) will depend on the circumstances of the case and the entity conducting the investigation. Multiple investigations may take place. The standard of evidence for a disciplinary investigation conducted by the Institute is a preponderance of the evidence.

For assistance in determining reporting options, students should contact Campus Safety and/or the Title IX Coordinator. Faculty and staff may contact the Campus Safety, the Title IX Coordinator, and/or Human Resources. These offices may be a resource for students and employees even if the incident took place off campus.

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## **Education and Ongoing Awareness**

Lincoln Technical Institute promotes education and awareness of safety and security in the Institute community through comprehensive range of presentations, programs, and events.

These programs include education and awareness to prevent sexual assault, sexual harassment, and gender-based violence and misconduct.

The Human Resources Department presents all employees of Lincoln Technical Institute with mandatory sexual harassment training.

New continuing campaigns for awareness and prevention of sexual assault and gender-based violence and misconduct including online presentations, print media distributed on campus, and live presentations from representatives of community agencies are made available at various times throughout the year.

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## **Bystander Intervention**

Bystanders are often the largest group of people involved in incidents of sexual assault and gender-based violence and misconduct; they outnumber both the perpetrators and the victims. There are different circumstances in which we can be considered bystanders. A bystander might have knowledge that an incident of sexual violence will occur or is occurring, or a bystander may witness sexual assault or misconduct firsthand. A bystander could have knowledge about an assault that has already occurred. Regardless of the circumstances, we all have a choice whether we will be passive bystanders, standing by and taking insufficient or no action, or whether we will be active bystanders

who are engaged and take the necessary action to prevent sexual violence. An active bystander has the power to prevent sexual violence from occurring and to assist survivors of assault in getting the help they need. A passive bystander is someone who stands by and fails to take the necessary safe action to prevent sexual assault and gender-based violence and misconduct. An active bystander is someone who commits to making a choice to become involved. The first and foremost thing to remember as an active bystander is that you don't do anything that puts your safety at risk! Many, if not most of the actions you will take as an active bystander will be calling on others, such as Campus Safety or the police, for help. Always remember that if you or someone else is in immediate danger, call 911. The goal is to promote a culture of accountability that helps prevent sexual assault and misconduct without causing additional threat or harm to others.

**A STATEMENT ADVISING THE CAMPUS COMMUNITY WHERE LAW ENFORCEMENT AGENCY INFORMATION PROVIDED BY THE STATE AND COUNTY CONCERNING REGISTERED SEX OFFENDERS MAY BE OBTAINED -- 34 CFR 668.46(b)(12)**

In accordance to the "Campus Sex Crimes Prevention Act" of 2000, which amends the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, the Jeanne Clery Act and the Family Educational Rights and Privacy Act of 1974, The New York State Division of Criminal Justice Services is responsible for maintaining a state-wide registry.

Information about registered sex offenders living within the State of New York can be accessed at <http://criminaljustice.state.ny.us/nsor/>. The national sex offender registry is located at [www.nsopr.gov](http://www.nsopr.gov).

This act requires institutions of higher education to issue a statement advising the campus community where law enforcement information provided by a State concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a State to provide notice of each institution of higher education in that State at which the person is employed, carries a vocation, or is a student. In the State of New York, convicted sex offenders must register with the New York Sex Offender Registry which is maintained by the New York State Division of Criminal Justice Services.

The Sex Offender and Crimes Against Minors Registry (SOR) for VIOLENT SEX OFFENDERS is available via Internet Registry information provided under this section shall be used for the purposes of the administration of criminal justice, screening of current or prospective employees, volunteers or otherwise for the protection of the public in general and children in particular. Unlawful use of the information for purposes

of intimidating or harassing another is prohibited and willful violation shall be punishable as a Class 1 misdemeanor.

### **A STATEMENT OF POLICY REGARDING EMERGENCY RESPONSE AND EVACUATION PROCEDURES**

Upon detecting an emergency situation, the Security Officers adhere to the emergency responses as outlined in the LTI Emergency Response Plan. Upon confirmation of an emergency or dangerous situation the on duty LTI Education Department director, supervisors, and administrators are authorized to use emergency communication methods to notify the campus community of an emergency situation that would jeopardize their health and safety.

The institution will test the emergency response and evacuation procedures on at least an annual basis.

In the event of an emergency on campus and evacuation of the facilities is required, the following procedures are recommended:

- Identify the location of the emergency. It is essential that students and staff avoid evacuating into the area involved in the emergency.
- Identify the type of emergency, if possible, which will determine the evacuation process and the order of evacuation.
- Identify students and staff that may need assistance in evacuating the premises.
- Students and staff should proceed to designated meeting areas. Instructors should immediately take attendance to ensure everyone assigned to his/her class have evacuated the building and is accounted for.
- Instructors should immediately report any absence(s) of students not at the meeting point as identified by the local emergency response team, to emergency personnel at the scene or to the Campus President or the Director of Education.
- Students should not be permitted to leave the meeting area without notifying their instructor of their intention to leave the premises and their destination.
- Reentry of the facility is not permitted unless approved by the Campus President or the Director of Education after consultation with emergency personnel at the scene.