

## **AAMI – 129A Policies Updated June 11, 2024**

### **129-A 6430 RULES FOR MAINTENANCE OF PUBLIC ORDER**

The Trustees of American Academy McAllister Institute (AAMI) hereby adopt the following rules for the maintenance of public order on campus and other locations used for educational purposes and a program for the enforcement of these rules, and do hereby authorize the President of AAMI to file a copy with the Regents and the Commissioner of Education as provided in section 6430 of the New York Education Law.

AAMI will not permit any intentional or reckless misconduct that endangers the mental or physical health of a member of the AAMI Community. Intentional or reckless misconduct includes, but is not limited to:

- Deliberately causing injury to another person or threatening to do so;
- Physically restraining or detaining another person or forcibly removing a person from a place where he or she has a right to remain;
- Deliberate damage to or theft of AAMI property;
- Entering private administrative, faculty, or staff offices without permission;
- Entering into or remaining in an AAMI building or facility for any purpose other than its authorized use;
- Remaining in an AAMI building or office after it has been closed;
- Refusing to leave any building or facility after being requested to do so by an authorized administrator;
- Obstructing the movement of persons in or around AAMI facilities;
- Deliberately disrupting classes, lectures or meetings ;
- Forcing another individual or participating in an effort to force another individual to ingest alcohol, drugs, or other substances for any reason;
- Violating AAMI's policy on the use and possession of weapons on campus;
- Willfully inciting another individual to engage in intentional or reckless misconduct;
- Unlawful use, sale, or distribution of controlled substances;
- Stalking, harassment, or intimidation;
- Any conduct not enumerated above which violates federal law, New York law, or local law.

This policy governs the conduct of students, faculty, and staff, as well as any individuals on premises of AAMI or facilities not owned by AAMI but used for AAMI purposes.

Visitors, including invitees and licensees, shall at all times conduct themselves in a manner that is consistent with the maintenance of order on AAMI premises, and their privilege to remain on AAMI property shall automatically terminate upon breach of this regulation. AAMI, in addition, reserves the right in its discretion to withdraw at any time the privilege of an invitee or licensee to

be on AAMI premises. A trespasser has no privilege of any kind to be on AAMI property but is nevertheless subject to these regulations governing the maintenance of order.

Any authorized member of the AAMI community, after properly identifying himself or herself, may in the course of performing his or her duties, request identification from members of the AAMI community. Refusal to identify oneself shall be considered prima facie evidence of non-AAMI status.

“Authorized” members of the AAMI community shall include:

1. Members of the AAMI administration.
2. Faculty in the performance of teaching or supervisory duties.
3. Faculty designated by the Education Council or AAMI administration.
4. Building security

### **Consequences**

The consequences for the misconduct enumerated above are:

1. Guests of members of the AAMI community or trespassers will be required to leave AAMI premises. Guests or trespassers who refuse to leave will be subject to ejection and/or prosecution for criminal trespass.
2. Students will be subject to expulsion or other disciplinary action, as provided in AAMI’s applicable Student Conduct Process.
3. Employees will be subject to disciplinary action in accordance with applicable AAMI policies, procedures, rules and regulations.
4. Organizations which authorize, permit or allow such conduct to occur may be denied permission to operate on AAMI property.
5. All consequences enumerated in this policy are in addition to any penalties imposed by federal, New York State or local law.

Nothing in this policy will be construed to limit or penalize a group or individual solely for exercising his, her or its constitutionally protected rights or assembling with others for that purpose.

### **129-A 6431 ADVISORY COMMITTEE ON CAMPUS SAFETY** **Composition of the Committee**

The President of AAMI will appoint an Advisory Committee on Campus Safety, the composition of which will be as follows:

1. The Committee will be composed of a minimum of six people; one-third appointed by the President from the roster of current students; one-third appointed from a list of faculty (such list will contain at least twice the number of faculty to be appointed),

provided by the largest faculty organization on campus; and one-third selected by the President. At least half of the Committee members must be female.

2. The President may select additional members of the committee at his/her discretion.
3. Committee members serve at the pleasure of the President. The President may replace members at his/her/their discretion.

### **Responsibilities of the Committee**

The Committee will meet as needed, but no less often than once per academic year. The Committee will review current campus security policies and procedures, and make recommendations for their improvement. It shall specifically review current policies and procedures for:

1. Educating the AAMI community about sexual assault, domestic violence, stalking prevention, applicable laws, ordinances and regulations, and the penalties for commission of those offenses pursuant to New York State Education Law §6432;
2. Educating the AAMI community about personal safety and crime prevention;
3. Reporting of sexual assaults and dealing with sexual assault victims during an investigation;
4. Referring complaints to appropriate authorities where necessary;
5. Counseling crime victims;
6. Responding to inquiries from concerned persons.

### **Reporting**

The Committee will submit a written report to the President at least once each academic year. The report will provide a summary of the Committee's findings and recommendations.

### **129-A 6432 SEXUAL ASSAULT, DOMESTIC VIOLENCE AND STALKING**

AAMI shall provide educational programs to promote the awareness of sexual assault, domestic violence, and stalking offenses. These educational and informational programs should include, but not be limited to, the following subjects:

- Applicable laws, ordinances, and regulations regarding sexual assault, domestic violence and stalking offenses.
- Penalties under applicable law for commission of sexual assault, domestic violence, and stalking offenses as well as on-campus disciplinary sanctions for the same;
- Procedures in effect at AAMI for dealing with sexual assault, domestic violence and stalking offenses;

- Availability of counseling and other support services for the victims of sexual assault, domestic violence and stalking offenses on campus and off-campus;
- The nature of and common circumstances relating to sexual assault, domestic violence and stalking offenses on college campuses; and
- The methods AAMI employs to advise and to update students about safety and security procedures.

## **129-A 6434 INVESTIGATION OF VIOLENT FELONY OFFENSES AND REPORTS OF MISSING STUDENTS**

Consistent with AAMI's commitment to maintaining a safe and secure learning environment, AAMI shall promptly, efficiently, and thoroughly investigate any Violent Felony Offense occurring on AAMI owned, operated, or controlled property. Such investigations shall be coordinated with local law enforcement agencies including, but not limited to, the NYPD. AAMI shall maintain written agreements with appropriate local law enforcement agencies providing for the prompt investigation of such crimes and reports. AAMI will notify the NYPD as soon as practicable but in no case more than twenty-four hours after a report of a violent felony. (Section 6434 defines "missing student" as "any student of an institution subject to the provisions of this section, who resides in a facility owned or operated by such institution and who is reported to such institution as missing from his or her residence". AAMI neither owns nor operates a residential facility, and accordingly receives no reports of missing students).

AAMI will also: (1) inform each victim of a sexual offense of their options to notify proper law enforcement authorities, including local police; (2) inform the victim of a sexual offense of the right to report or not to report such offense to local law enforcement agencies; and (3) offer the option to be assisted by campus authorities in notifying such authorities, if the victim of sexual assault so chooses, all in compliance with applicable federal law, including, but not limited to, the federal Campus Sexual Assault Victims' Bill of Rights under Title 20 U.S. Code Section 1092(f).

### **Definitions:**

Violent Felony Offense:

A Class B violent felony offense, Class C violent felony offense, Class D violent felony offense or Class E violent felony offense, as defined in New York State Penal Law § 70.02.

### **Procedures:**

*Violent Felony Offenses*

AAMI is committed to maintaining a safe and secure environment that supports learning and community access to facilities and services. Therefore, the Administration will aggressively pursue the prompt, efficient, and thorough investigation resolution of any violent crime on AAMI owned, operated or controlled property. AAMI Administration will take the following steps after a report of a violent felony offense:

- Responding officers or AAMI officials will determine if the circumstances require immediate intervention in order to prevent further injury to victims or to insure the apprehension of offenders.
- If the offender(s) are no longer on campus and the immediate threat has ended, officers or AAMI officials will take the appropriate measures to provide support to victims and implement established protocols for criminal investigations.
- If it is determined that the elements of the offence are consistent with any Violent Felony Crime as defined under New York State Law, the Administration will contact the NYPD pursuant to the joint Memorandum of Understanding in order to transfer responsibility for the investigation.
- The Administration will assist the NYPD in any manner requested until the completion of the investigation.

### **129-A 6436 BIAS RELATED CRIME**

AAMI shall inform incoming students about bias related crime prevention measures, in order to disseminate information about bias related crime, promote discussion, encourage reporting of incidents of bias related crime, and facilitate prevention of such incidents. Educational and informational programs should include, but not be limited to, the following subjects:

- Applicable laws, ordinances, and regulations on bias related crime, including the provisions and coverage of the hate crimes act of 2000 (Article 485 of the Penal Law).
- Penalties under applicable law for commission of bias related crimes.
- Procedures in effect at AAMI for dealing with bias related crime.
- Availability of counseling and other support services for the victims of bias related crime.
- The nature of and common circumstances relating to bias related crime on college campuses; and
- The methods AAMI employs to advise and to update students about safety and security procedures.

### **129-A 6437 PROHIBITION ON THE MARKETING OF CREDIT CARDS**

Pursuant to Article 129-A Section 6437 of the New York State Education Law, the advertising, marketing, or merchandising of credit cards to students by vendors is prohibited by American Academy McAllister Institute of Funeral Service.

Policy: AAMI prohibits the advertising, marketing, or merchandising of credit cards on the AAMI campus to students except in strict compliance with this Policy.

1. Except as otherwise permitted in this policy; credit card advertising or solicitation to students is not permitted on College campus. This includes advertising or solicitation at campus vendor tables, as well posting or distribution of applications, fliers, posters, handbills and signage (electronic and otherwise) on the AAMI premise. The College's e-mail system or web pages may not be used for advertising or solicitation of credit cards to students.

2. No campus employee, student group, or campus department may accept financial support or other goods and services from credit card issuers or vendors in exchange for allowing them to market credit cards to students.