



Berk Trade and Business School
Annual Security Report (ASR) and Campus Safety Report
Reporting Year 2025–2026

Prepared in Compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, Violence Against Women Act (VAWA), Title IX, New York State Education Law Article 129-A and Article 129-B, and Applicable New York State Regulations

Notice of Availability

Berk Trade & Business School publishes this Annual Security Report (ASR) in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (20 U.S.C. §1092(f)), as amended by the Violence Against Women Reauthorization Act (VAWA), and applicable New York State laws governing campus safety, prevention programming, and student protections.

This report contains important information regarding campus safety policies, crime prevention efforts, reporting procedures, emergency response protocols, student rights, disciplinary procedures, and campus crime statistics for the previous three calendar years.

The report is distributed annually to all currently enrolled students and employees and is made available to prospective students and employees upon request and through the institution's website.

Institutional Information

Institution Name: Berk Trade and Business School

Campus Location: 40-09 21st Street, 5th Floor, Long Island City, NY 11101

Main Telephone: 718.729.0909

Website: http://electricalandplumbingschool.com/berk_trade_school_about_us.html

Campus Security Email:

cberk@berktradeschool.com

The Berk School is located within Queens County and maintains relationships with local emergency responders and law enforcement agencies serving the Long Island City area, including the NYPD 108th Precinct.

Berk is committed to maintaining a safe, respectful, and inclusive educational environment for students, faculty, staff, visitors, and members of the surrounding community. The institution recognizes that campus safety is a shared responsibility and works collaboratively with students, employees, local law enforcement agencies, and community partners to maintain compliance with federal and New York State requirements.

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1. Campus Safety and Security Authority

The Berk School designates specific personnel as Campus Security Authorities (CSAs) in accordance with the Clery Act. CSAs include individuals and offices responsible for student services, discipline, Title IX coordination, and other institutional officials with significant responsibility for student and campus activities.

The institution encourages all students and employees to promptly report criminal actions, suspicious activity, emergencies, threats, or unsafe conditions.

The following offices may receive reports:

- * President
- * Title IX Coordinator
- * Director of Campus Operations and Student Services
- * Registrar
- * Senior Administrative Personnel

Emergency situations requiring immediate police, fire, or medical assistance should be reported directly to 911.

Security problems and violations cannot be handled in a constructive manner unless institutional officials are aware of their occurrence. Berk administration encourages accurate and prompt reporting of all criminal activity and emergencies.

2. Reporting Criminal Actions or Emergencies

Students, faculty, staff, and visitors are encouraged to report all criminal actions, emergencies, and public safety concerns immediately.

Reports may be made in person, by telephone, electronically, or through institutional reporting mechanisms.

Berk School strongly encourages accurate and prompt reporting to:

- Local law enforcement agencies;
- Campus administration;
- The Title IX Coordinator when sexual misconduct is involved;
- Appropriate school personnel.

Berk School will document, maintain, classify, and preserve reports of criminal activity, emergencies, disciplinary referrals, sexual misconduct allegations, bias-related incidents, Clery-reportable crimes, and campus safety matters in accordance with applicable federal and New York State laws and regulations, including but not limited to the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, Title IX of the Education Amendments of 1972, the Violence Against Women Act (VAWA), New York State Education Law Articles 129-A and 129-B, applicable U.S. Department of Education record retention requirements, and institutional recordkeeping policies. Records may be maintained in electronic and/or physical format and shall be retained for periods required by applicable law, regulation, audit standards, and institutional policy.

Record Category	Minimum Retention Period
Annual Security Reports (ASR) and supporting Clery documentation	7 years
Clery crime statistics worksheets and classification records	7 years
Daily Crime Logs	7 years; most recent 60 days available for inspection; older logs available within 2 business days
Timely warnings and emergency notification records	7 years
CSA reports and CSA training records	7 years
Title IX complaints and investigation files	Minimum 7 years
Title IX supportive measures records	Minimum 7 years
Title IX hearing recordings/transcripts	Minimum 7 years
Informal resolution agreements	Minimum 7 years
Appeals involving Title IX or sexual misconduct matters	Minimum 7 years
Title IX training materials	Minimum 7 years
Article 129-B annual aggregate data submissions	7 years
Student disciplinary records involving violence, drugs, weapons, or sexual misconduct	7 years after final resolution or separation
Bias incident and hate crime reports	7 years
Emergency evacuation and fire drill documentation	7 years
Threat assessment / CARE team documentation	7 years, longer if tied to discipline, litigation, or safety risk
Externship or off-site incident reports	7 years
Security camera footage	30–90 days by policy unless incident-related or subject to investigation/litigation hold
Student financial aid records — Pell, FSEOG, FWS, TEACH, etc.	3 years after end of award year for which aid was awarded and disbursed
Direct Loan borrower eligibility and participation records	3 years after end of award year in which student last attended
FISAP and supporting campus-based aid records	3 years after end of award year in which FISAP is submitted
Questioned Title IV records in audit/program review/investigation	Until final resolution or end of normal retention period, whichever is later

Institutional eligibility and Title IV participation records	Minimum 3 years unless longer required
Employee training acknowledgements	7 years
Campus climate survey data	7 years
Sexual misconduct accommodation/resource records	Minimum 7 years
Law enforcement correspondence related to Clery statistics	7 years
Emergency response and incident reports	7 years
Fire alarm testing and inspection records	7 years
Employee misconduct investigation records	7 years after resolution or separation
Student conduct hearing records	7 years after final resolution
Crime reporting forms and witness statements	7 years
Transcript notation records	Permanent notation record; supporting documentation minimum 7 years
Annual security awareness training records	7 years
Campus map and Clery geography determinations	7 years
Website publication and annual ASR distribution proof	7 years
OCR, DOE, NYSED, or law enforcement investigation files	Until final resolution plus minimum 7 years
Litigation hold records	Until released by counsel

Berk School may accept reports submitted on a voluntary or anonymous basis for purposes of assessing campus safety conditions, maintaining required statistical disclosures, evaluating potential threats to the campus community, and supporting institutional compliance obligations. While the institution will make reasonable efforts to preserve the privacy of individuals submitting anonymous reports, the ability to investigate, respond to, or take disciplinary action regarding anonymous allegations may be limited by the availability of information, the institution’s legal obligations, due process requirements, and considerations involving the health, safety, and welfare of the campus community.

3. Emergency Response and Evacuation Procedures

Berk School maintains emergency preparedness and evacuation procedures designed to protect the campus community in the event of fire, medical emergencies, criminal incidents, severe weather, environmental hazards, utility disruptions, or other emergency situations.

Emergency procedures include:

- Building evacuation protocols;
- Shelter-in-place procedures;
- Coordination with local emergency responders;
- Emergency communication systems;
- Periodic drills and exercises;
- Employee and student training.

The institution tests emergency response and evacuation procedures periodically and documents the date, time, and outcomes of exercises.

Emergency procedures may include evacuation, shelter-in-place instructions, temporary suspension of campus operations, coordination with emergency responders, or emergency campus notifications depending on the nature of the incident.

4. Timely Warnings and Emergency Notifications

Berk School will issue timely warnings to members of the campus community regarding Clery-reportable crimes that are considered to represent a serious or continuing threat. Emergency notifications may be issued upon confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees.

Notifications may be distributed through:

- Email;
- Text messaging systems;
- Website postings;
- Classroom announcements.

The Berk School may withhold or delay the dissemination of certain information relating to an emergency notification if, in the professional judgment of responsible authorities, issuing the notification would compromise efforts to assist a victim, contain the emergency, respond to the emergency, mitigate the emergency, or otherwise compromise the health or safety of members of the campus community. The institution will make reasonable efforts to protect the privacy and confidentiality of individuals involved consistent with applicable law and institutional obligations.

As expeditiously as possible following the report of criminal activity representing a serious or continuing threat, the institution may issue written notices, electronic notifications, or postings to students and employees.

5. Access to Campus Facilities

Berk School maintains reasonable access controls designed to promote safety while supporting educational operations.

Administrative offices and instructional spaces are generally accessible during normal business and academic hours. Access outside scheduled operational hours is limited to authorized individuals. The institution reserves the right to restrict access to facilities when necessary for safety, operational, or disciplinary reasons.

Visitors are required to report to a designated reception area before being granted access to instructional or administrative spaces. Unauthorized individuals may be directed to leave institutional property and law enforcement may be contacted when necessary.

6. Security Awareness and Crime Prevention Programs

Berk School provides ongoing security awareness and prevention programming for students and employees.

Programs may include:

- Campus safety orientation;
- Active shooter awareness;
- Emergency preparedness training;
- Drug and alcohol awareness;
- Sexual misconduct prevention education;
- Bystander intervention training;
- Anti-harassment and anti-discrimination training;
- Cybersecurity and fraud awareness;
- Personal safety education.

The institution encourages students and employees to remain aware of their surroundings, secure personal belongings, and promptly report suspicious activity. Berk School requires employees, supervisors, administrators, contractors, and vendors performing services on campus or interacting with members of the campus community to complete annual sexual harassment prevention training consistent with applicable New York City workplace harassment prevention requirements.

7. Alcohol, Drug, and Smoking Policies

Berk School prohibits the unlawful possession, use, manufacture, distribution, or sale of illegal drugs and unauthorized controlled substances on institutional property or during institutional activities. The institution also prohibits students and employees from being impaired while participating in academic, instructional, skills-training, externship, or workplace activities.

Smoking, vaping, and the use of cannabis products are prohibited within institutional facilities and in areas designated as smoke-free in accordance with applicable New York State laws and institutional policies. Violations may result in disciplinary action up to and including dismissal or termination, referral to law enforcement, mandatory educational intervention, or other corrective action.

Drug and alcohol counseling resources and community referrals may be made available to students and employees. The institution maintains compliance with the Drug-Free Workplace Act, Drug-Free Schools and Communities Act, and applicable U.S. Department of Education regulations. Drug and alcohol prevention materials are distributed annually to students and employees.

8. Violence Against Women Act (VAWA) Policies

Berk School prohibits all forms of sexual violence, domestic violence, dating violence, stalking, sexual harassment, sexual assault, coercion, and retaliation. The institution complies with the Violence Against Women Reauthorization Act (VAWA) and applicable Title IX regulations.

The institution will provide:

- Written notification of rights and options;
- Information regarding available support services;
- Information regarding protective measures;
- Fair and impartial investigation procedures;
- Prompt and equitable resolution processes.

The institution prohibits retaliation against any individual who reports misconduct or participates in an investigation.

9. Title IX and Sexual Misconduct Policies

Berk School maintains policies and procedures designed to comply with Title IX of the Education Amendments of 1972 and related federal and state requirements. The institution's Title IX Coordinator is responsible for overseeing institutional compliance, coordinating investigations, implementing supportive measures, and ensuring equitable resolution procedures.

Title IX Coordinator:

Christine Berk
cberk@berktradeschool.com
Tel: 718.729.0909

Reports may be made regardless of whether the complainant chooses to pursue criminal charges.

Supportive measures may include:

- Academic accommodations;
- Schedule adjustments;
- No-contact directives;
- Counseling referrals;
- Increased security measures;
- Workplace modifications.

10. Procedures for Reporting Sexual Violence

Berk School strongly encourages any individual who experiences, witnesses, or becomes aware of sexual violence, sexual misconduct, dating violence, domestic violence, stalking, harassment, retaliation, or related prohibited conduct to report the incident as promptly as possible.

Individuals reporting misconduct are encouraged to:

1. Seek immediate medical attention and emergency assistance when necessary;
2. Contact local law enforcement authorities if they wish to pursue criminal action;
3. Preserve relevant evidence, including electronic communications, photographs, clothing, messages, recordings, or other materials that may assist in an investigation;

4. Notify the Title IX Coordinator, Campus Security Authority, supervisor, administrator, instructor, or another institutional official;
5. Utilize available counseling, advocacy, medical, academic, and support resources;
6. Request supportive measures, accommodations, or protective interventions, regardless of whether a formal complaint or criminal report is pursued.

Reports may be submitted in person, by telephone, electronically, in writing, or through other institutional reporting methods made available by the institution. The institution may also accept anonymous reports to the extent possible consistent with institutional obligations, due process considerations, and campus safety responsibilities.

Berk School will respond to reports in a manner that is prompt, equitable, impartial, trauma-informed, and consistent with applicable federal and New York State law, including Title IX, the Violence Against Women Act (VAWA), the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, and New York State Education Law Articles 129-A and 129-B.

The institution will make reasonable efforts to protect the privacy of individuals involved while balancing the institution's obligation to:

- maintain campus safety;
- investigate reports;
- prevent recurrence;
- address retaliation;
- and comply with legal and regulatory obligations.

Complainants and respondents will receive equitable procedural protections, written notice of applicable procedures, information regarding available support resources, and the opportunity to participate in institutional processes consistent with applicable law and institutional policy. The institution may implement supportive measures or interim protective actions whether or not a formal complaint, disciplinary proceeding, or criminal investigation is initiated.

Formal Title IX Grievance Procedures

Berk School maintains grievance procedures for reports of sexual harassment, sexual violence, dating violence, domestic violence, stalking, retaliation, and related misconduct consistent with applicable federal and New York State law.

Institutional procedures may include:

- intake and assessment;
- supportive measures;
- formal complaint procedures;
- investigation processes;
- review of evidence;
- advisor participation;
- hearings or adjudicative proceedings where applicable;
- written determinations;
- sanctions;
- appeals;
- informal resolution processes where permitted by law.

The institution will apply grievance procedures in a manner that is equitable, impartial, reasonably prompt, and consistent with due process principles, institutional policy, Title IX regulations, the Violence Against Women Act (VAWA), New York State Education Law Articles 129-A and 129-B, and other applicable legal requirements.

Depending upon applicable law, regulatory requirements, institutional jurisdiction, and the nature of the allegations, institutional procedures may include live hearings, opportunities for advisor participation, review of evidence, submission of questions, or other procedural protections required by law at the time of the proceeding.

The institution reserves the right to modify institutional procedures as necessary to maintain compliance with changes in federal or state law, judicial decisions, regulatory guidance, or agency directives.

11. Bystander Intervention and Prevention Education

Berk School is committed to maintaining an educational and working environment that promotes safety, respect, civility, healthy relationships, and the prevention of violence, harassment, discrimination, sexual misconduct, stalking, domestic violence, dating violence, retaliation, and other prohibited conduct.

Consistent with the Violence Against Women Act (VAWA), the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, Title IX, and New York State Education Law Articles 129-A and 129-B, the institution provides ongoing prevention, awareness, and educational programming for students and employees designed to promote informed decision-making, reduce risk factors associated with misconduct and violence, encourage safe intervention strategies, and foster a culture of accountability and community responsibility.

Bystander intervention education may include instruction regarding:

- recognizing situations involving potential harm;
- understanding barriers to intervention;
- identifying safe and positive intervention options;
- safely interrupting potentially harmful behavior;
- obtaining assistance from appropriate authorities;
- supporting individuals who may be at risk;
- and promoting community accountability and prevention awareness.

The institution encourages students, employees, contractors, and members of the campus community to safely intervene, seek assistance, report concerning behavior, and take reasonable steps to help prevent violence, harassment, discrimination, intimidation, retaliation, or other conduct that may threaten the safety or well-being of another person.

Berk School provides prevention and awareness programming through orientations, workshops, seminars, online training modules, institutional communications, guest speakers, community partnerships, awareness campaigns, and periodic educational initiatives conducted throughout the academic year. The institution may also require certain employees, supervisors, contractors, vendors, or student populations to complete mandatory prevention or harassment-related training consistent with applicable federal and New York State requirements.

12. Registered Sex Offender Information

In accordance with the federal Campus Sex Crimes Prevention Act, the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, the Family Educational Rights and Privacy Act (FERPA), and applicable provisions of New York State law, registered sex offenders are required to provide notice regarding enrollment, employment, attendance, or residence at institutions of higher education.

The New York State Division of Criminal Justice Services (DCJS) maintains the New York State Sex Offender Registry and provides information concerning registered sex offenders in accordance with New York State Correction Law and applicable public notification requirements.

Students, employees, applicants, parents, and members of the public may obtain information regarding registered sex offenders through the New York State Sex Offender Registry maintained by DCJS. Information may be accessed through:

- The New York State Sex Offender Registry website:
https://www.criminaljustice.ny.gov/SomsSUBDirectory/search_index.jsp

Registry staff are available from 8 a.m. to 4 p.m. Monday through Friday, excluding legal holidays.

Phone: 518-417-3384

Registry Search Requests: 518-457-5837 or 800-262-3257

Mailing Address: New York State Division of Criminal Justice Services, Sex Offender Registry, 10th Floor, 80 South Swan St., Albany, N.Y. 12210

Email: SORRequests@dcjs.ny.gov

- The New York State public registry search portal: https://www.criminaljustice.ny.gov/SomsSUBDirectory/search_index.jsp%20

The Registry is available 24 hours a day, 7 days a week.

Contact by phone:

[1-800-262-3257](tel:1-800-262-3257)

Contact by email:

infodcjs@dcjs.ny.gov

Contact by mail:

New York State Division of Criminal Justice Services - Sex Offender Registry
Alfred E. Smith State Office Building
80 South Swan Street
Albany, NY 12210

The Registry generally includes information concerning Level 1, Level 2, and Level 3 registered sex offenders as permitted by law, including risk level classifications, photographs where available, addresses or ZIP code information as authorized by statute, crime of conviction, and other information maintained by DCJS.

Consistent with applicable law, Berk School may receive notifications from law enforcement or DCJS regarding registered sex offenders who are enrolled, employed, attending, or otherwise associated with the

institution. The institution may issue campus notifications or make information available to the campus community as permitted or required by applicable federal or New York State law.

The institution does not independently verify information contained within the New York State Sex Offender Registry and makes no representation regarding the completeness or current accuracy of information provided by external agencies. Individuals are encouraged to utilize official DCJS resources for the most current registry information.

13. Missing Student Notification Procedures

Berk School does not maintain on-campus student housing facilities, residence halls, dormitories, or institutionally operated residential housing.

Accordingly, the federal missing student notification requirements applicable to institutions maintaining on-campus housing facilities under the Higher Education Opportunity Act and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act are not applicable to Berk School at this time.

Nothing in this section shall prevent the institution from contacting law enforcement authorities, emergency contacts, family members, or appropriate governmental agencies when the institution becomes aware of circumstances involving a student that may present concerns regarding health, safety, welfare, or possible emergency conditions, consistent with applicable law and institutional policy.

14. Student Code of Conduct and Disciplinary Procedures

Berk School is committed to maintaining a safe, respectful, orderly, and professional educational environment that supports learning, institutional integrity, personal accountability, and the well-being of all members of the campus community. Students are expected to conduct themselves in a manner consistent with institutional policies, professional standards, applicable federal and New York State laws, and generally accepted standards of civility and responsible behavior.

Conduct that threatens the safety, health, rights, property, educational experience, or welfare of students, employees, visitors, patients, clients, externship partners, or members of the public may constitute a violation of institutional policy and may result in disciplinary action.

Prohibited conduct may include, but is not limited to:

- Violence or threats of violence;
- Harassment, intimidation, discrimination, or retaliation;
- Sexual misconduct, stalking, dating violence, or domestic violence;
- Disorderly, disruptive, or dangerous behavior;
- Possession, use, distribution, or impairment from drugs or alcohol while participating in institutional activities;
- Possession or use of weapons, explosives, or dangerous instruments;
- Theft, vandalism, destruction of property, or misuse of institutional resources;
- Fraud, falsification, or dishonesty;
- Cyber harassment, misuse of technology, or unauthorized recording;
- Failure to comply with directives of institutional officials acting within the scope of their responsibilities;
- Conduct that disrupts classroom instruction, instructional activities, skills training, or institutional operations;
- Violations of safety protocols, emergency procedures, or security requirements;

- Conduct occurring on campus, during institutional activities, at externship or educational sites, through electronic communication platforms, or otherwise impacting the institution or members of the campus community.

Berk reserves the right to take immediate interim action when necessary to protect the health, safety, welfare, or security of the campus community or to preserve the integrity of an investigation or institutional proceeding. Interim measures may include temporary restrictions, administrative removal, no-contact directives, schedule modifications, restricted campus access, or other protective actions deemed appropriate under the circumstances.

Berk School maintains disciplinary procedures designed to provide fair, prompt, equitable, and impartial review of alleged policy violations. Institutional procedures generally include:

- notice of alleged violations;
- an opportunity to respond;
- review of available information and evidence;
- institutional evaluation or investigation where appropriate;
- and written outcomes or determinations consistent with institutional policy and applicable law.

Depending upon the nature of the allegations and applicable legal requirements, institutional procedures may also include supportive measures, advisor participation, appeals, informal resolution processes, or additional procedural protections required by federal or New York State law.

Berk may pursue disciplinary action independently of criminal proceedings, civil proceedings, or external investigations. The institution may continue its own review, investigation, or disciplinary process regardless of whether a criminal investigation or court case has started, is ongoing, or has been completed.

Sanctions for violations of institutional policy may include, but are not limited to:

- Verbal or written warning;
- Educational or reflective sanctions;
- Mandatory training or counseling;
- Restitution for damages;
- Disciplinary probation;
- Restrictions on privileges or campus access;
- No-contact directives;
- Suspension;
- Administrative withdrawal;
- Dismissal or expulsion;
- Referral to law enforcement or governmental authorities where appropriate.

Consistent with New York State Education Law Article 129-B and other applicable laws, certain disciplinary actions involving crimes of violence, including sexual violence, may result in transcript notations or other institutional actions as permitted or required by law.

The institution reserves the right to revise or modify disciplinary procedures and sanctions as necessary to maintain compliance with applicable law, regulatory guidance, accreditation standards, institutional operations, and campus safety obligations.

15. Campus Law Enforcement Relationships

Berk School maintains professional working relationships with local law enforcement agencies and emergency responders. The institution may coordinate investigations, emergency responses, and crime prevention initiatives with local authorities when appropriate.

The institution does not maintain a sworn campus police department. Institutional personnel possess only the authority of private citizens and do not maintain arrest powers beyond those permitted by law. Institutional personnel may assist victims in contacting local law enforcement agencies when requested.

16. Confidential Reporting and Counseling Resources

Berk School recognizes the importance of providing individuals affected by sexual misconduct, violence, harassment, discrimination, stalking, domestic violence, dating violence, retaliation, or other traumatic events with access to supportive, confidential, and private resources.

Students and employees are encouraged to seek assistance, support, counseling, advocacy, medical care, or other services regardless of whether a report is made to law enforcement or the institution.

Supportive resources may include:

- Employee assistance programs, where available;
- Mental health counseling providers;
- Community counseling and crisis intervention organizations;
- Sexual assault and domestic violence advocacy organizations;
- Medical providers and emergency medical services;
- Victim assistance programs;
- Crisis hotlines and referral services;
- Community-based support agencies;
- New York State and New York City support resources.

The institution may assist students or employees in obtaining information regarding available counseling, advocacy, medical, legal, or support resources upon request.

Berk School distinguishes between confidential resources and private reporting options consistent with applicable federal and New York State law.

Confidential Resources

Certain licensed medical professionals, mental health counselors, pastoral counselors, and other confidential resources acting within the scope of their professional responsibilities may maintain legally protected confidentiality except where disclosure is required by law, court order, imminent safety concerns, abuse reporting obligations, or other legal requirements.

Individuals seeking confidential assistance are encouraged to inquire directly with providers regarding the scope and limitations of confidentiality protections.

Private Reporting

Reports made to institutional officials, supervisors, administrators, instructors, Campus Security Authorities, or other designated employees may not be confidential. Information may be shared with individuals who have a legitimate need to know in order to:

- respond to reports;
- provide supportive measures;
- investigate allegations;
- address safety concerns;
- comply with legal obligations;
- or implement institutional procedures.

The institution will make reasonable efforts to protect the privacy of individuals involved and limit disclosures to those necessary to carry out institutional responsibilities consistent with applicable law.

Certain institutional employees are considered responsible employees or mandatory reporters and may be required to report information involving sexual misconduct, harassment, violence, discrimination, child abuse, threats to safety, or other matters as required by federal law, New York State law, institutional policy, or applicable reporting obligations.

Nothing in this policy prevents the institution from taking immediate action when necessary to protect the health, safety, or welfare of members of the campus community or to comply with applicable legal obligations.

17. New York State Article 129-A and 129-B Compliance

Berk School is committed to maintaining compliance with New York State Education Law Article 129-A, Article 129-B (“Enough is Enough”), applicable federal law, and institutional obligations relating to campus safety, violence prevention, sexual misconduct prevention, reporting procedures, student rights, and institutional response obligations.

Consistent with applicable law, the institution maintains policies, procedures, educational programming, prevention initiatives, reporting mechanisms, and institutional response protocols designed to promote campus safety, reduce the risk of violence and misconduct, support affected individuals, and foster a campus environment grounded in respect, professionalism, accountability, and community responsibility. In accordance with New York State Education Law Article 129-B and related institutional obligations, Berk School may provide or maintain:

- A Student Bill of Rights;
- Affirmative consent standards and definitions;
- Sexual violence prevention and awareness programming;
- Domestic violence, dating violence, stalking, and harassment prevention education;
- Bystander intervention training and prevention initiatives;
- Risk reduction and safety awareness education;
- Amnesty protections for individuals reporting incidents in good faith where applicable;
- Information regarding confidential and private reporting options;
- Information regarding law enforcement reporting options and available resources;
- Access to supportive measures, accommodations, and protective interventions where appropriate;
- Equitable and reasonably prompt disciplinary or grievance procedures;
- Training for employees, supervisors, investigators, decision-makers, and responsible employees where required;
- Ongoing prevention and awareness campaigns for students and employees;
- Educational programming relating to consent, healthy relationships, anti-harassment expectations, and community standards;
- Information regarding transcript notation policies where applicable under New York State law;
- Climate assessment, prevention review, or policy evaluation efforts consistent with institutional obligations and operational needs.

The institution may provide educational programming through orientations, workshops, seminars, online modules, institutional communications, awareness campaigns, annual training initiatives, community partnerships, and other prevention-focused activities conducted throughout the academic year.

Berk School recognizes that individuals reporting sexual misconduct, violence, stalking, dating violence, domestic violence, harassment, discrimination, retaliation, or related prohibited conduct may require immediate support, academic accommodations, protective measures, counseling referrals, or other assistance regardless of whether a formal complaint or criminal report is pursued.

The institution shall make reasonable efforts to:

- respond promptly and equitably to reports;
- protect the privacy of individuals involved;
- prevent recurrence of prohibited conduct;
- address retaliation;
- maintain campus safety;
- and comply with applicable federal and New York State legal obligations.

The institution reserves the right to revise policies, procedures, training requirements, prevention programming, and institutional practices as necessary to maintain compliance with changes in federal law, New York State law, regulatory guidance, accreditation expectations, judicial decisions, or institutional operational requirements.

Berk School may periodically review institutional policies, prevention initiatives, reporting procedures, educational programming, training efforts, campus safety practices, and compliance obligations to support continuous improvement and ongoing compliance with applicable law and institutional standards.

18. Hate Crimes and Bias Reporting

Berk School is committed to maintaining an educational and working environment free from discrimination, harassment, intimidation, retaliation, bias-related misconduct, and hate-related conduct. The institution prohibits conduct that targets or adversely affects an individual or group based upon actual or perceived protected characteristics including, but not limited to:

- Race;
- Color;
- National origin;
- Citizenship or immigration status;
- Religion or creed;
- Age;
- Disability;
- Sex;
- Gender;
- Gender identity or expression;
- Sexual orientation;
- Marital status;
- Pregnancy or related conditions;
- Veteran or military status;
- Genetic information;
- Or any other status protected by applicable federal, New York State, or local law.

The institution prohibits hate crimes, bias-related incidents, discriminatory harassment, threatening behavior, intimidation, vandalism, retaliation, and other conduct that interferes with an individual's ability to participate in or benefit from institutional programs, activities, employment, or educational opportunities.

Students, employees, contractors, vendors, visitors, and members of the campus community are encouraged to promptly report incidents involving discrimination, bias, harassment, intimidation, retaliation, threats, or suspected hate-related conduct to institutional officials, Campus Security Authorities, the Title IX Coordinator, supervisors, and administrators.

Reports may be submitted in person, electronically, by telephone, in writing, or anonymously where permitted. The institution may review, investigate, document, and respond to reported incidents consistent with applicable law, institutional policy, campus safety considerations, and the rights of individuals involved. Depending upon the circumstances, reports may also be referred to local law enforcement agencies, governmental authorities, external agencies, or other appropriate entities.

Berk School may implement supportive measures, interim actions, educational interventions, safety planning, no-contact directives, schedule modifications, workplace adjustments, or other responsive actions where appropriate to address safety concerns, prevent recurrence, support affected individuals, and maintain the integrity of institutional processes.

Bias-related incidents and hate crimes may also be included within institutional crime statistics, campus safety reporting, Clery Act disclosures, or other institutional records where required by applicable federal or New York State law.

Retaliation against any individual who reports prohibited conduct, participates in an investigation, assists another individual in making a report, or exercises rights protected by law or institutional policy is strictly prohibited and may result in disciplinary action independent of the underlying complaint.

19. Firearms and Weapons Policy

Berk School is committed to maintaining a safe and secure educational and working environment for students, employees, visitors, contractors, and members of the campus community. Consistent with applicable federal law, New York State law, local law, institutional policy, and campus safety obligations, the possession, use, storage, display, sale, transfer, or distribution of firearms, weapons, explosives, incendiary devices, or other dangerous instruments on institutional property or during institutional activities is strictly prohibited except as expressly authorized by law or approved in writing by the institution for legitimate educational, safety, or law enforcement purposes.

Prohibited items may include, but are not limited to:

- Firearms and ammunition;
- Handguns, rifles, shotguns, or imitation firearms;
- Explosives or incendiary devices;
- Fireworks;
- Switchblades or illegal knives;
- BB guns, pellet guns, air guns, or stun devices;
- Tasers or electronic control devices;
- Martial arts weapons;
- Chemical agents or dangerous substances intended for use as weapons;
- Any object used or intended to threaten, intimidate, or cause harm to another person.

This prohibition applies to:

- classrooms;
- instructional and training areas;
- offices;
- common areas;

- institutional events;
- externship or educational activities under institutional supervision where applicable;
- and any other institutional property or controlled space.

The institution reserves the right to inspect institutional property, bags, lockers, desks, workspaces, or other areas to the extent permitted by law and institutional policy when safety concerns arise. Individuals who observe or become aware of the possession, display, use, or threatened use of a weapon or dangerous instrument are strongly encouraged to immediately notify institutional officials, security personnel, or law enforcement authorities.

Violations of this policy may result in:

- immediate removal from campus or institutional activities;
- interim safety measures;
- disciplinary action up to and including suspension, dismissal, expulsion, or termination;
- confiscation of prohibited items where appropriate;
- referral to law enforcement authorities;
- and prosecution to the fullest extent permitted by law.

Nothing in this policy limits the institution’s authority to take immediate action when necessary to protect the health, safety, welfare, or security of members of the campus community.

20. Fire Safety Policies

Berk School does not maintain on-campus student housing facilities, residence halls, dormitories, or institutionally operated residential housing.

Accordingly, the annual fire safety reporting requirements applicable to institutions maintaining on-campus residential facilities under the Higher Education Opportunity Act and related federal fire safety regulations are not currently applicable to Berk School.

Students, employees, contractors, and visitors are expected to comply with posted fire safety instructions, evacuation procedures, emergency directives, and applicable safety requirements while on institutional property or participating in institutional activities.

21. Crime Statistics

Consistent with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (“Clery Act”), Berk School collects, classifies, and publishes crime statistics for Clery-reportable offenses occurring within the institution’s Clery geography as defined by applicable federal law and guidance issued by the United States Department of Education.

For purposes of Clery reporting, Berk School’s Clery geography includes:

On-Campus Property -- On-campus property includes instructional spaces, administrative offices, classrooms, and training areas.

Berk School’s primary instructional location is:

40-09 21st Street
Long Island City, New York 11101

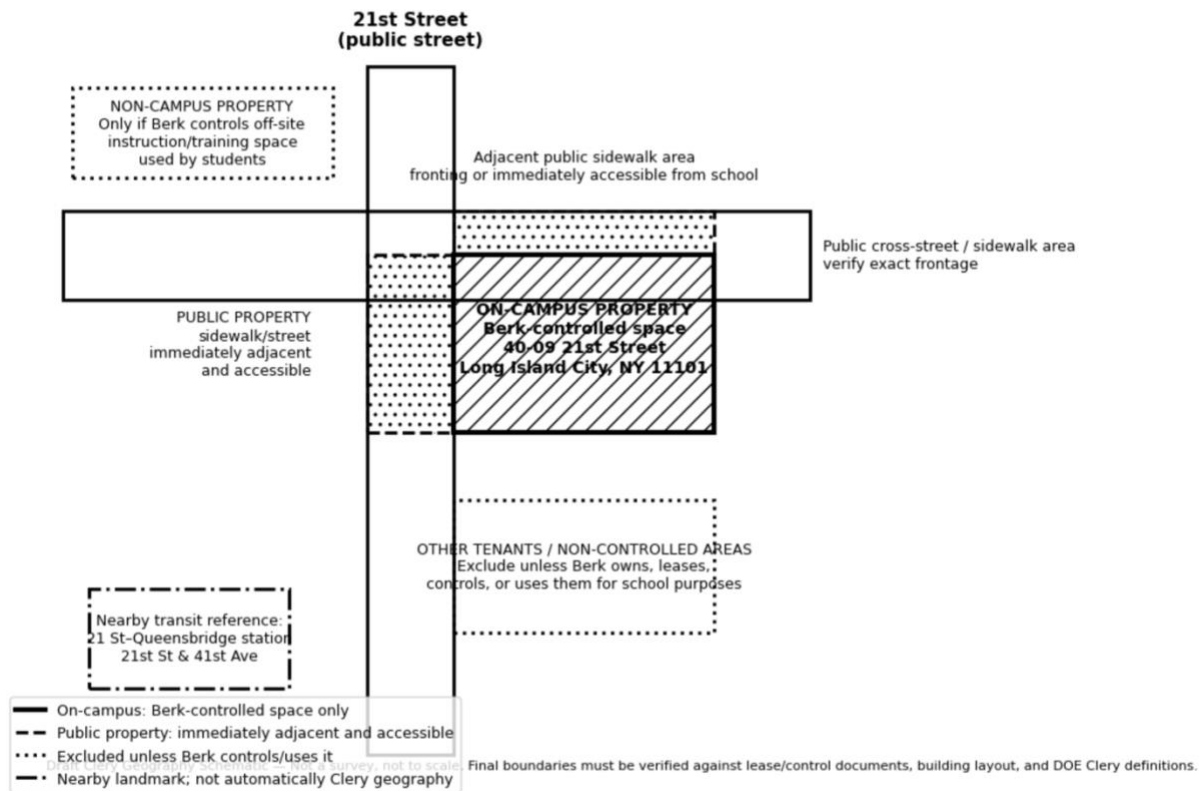
Institutional property includes:

- classrooms;
- administrative offices;
- student service areas;
- instructional and skills-training spaces;
- hallways and common areas controlled by the institution;
- reception and waiting areas;
- and other spaces utilized for institutional operations.

Public Property

Public property includes public streets, sidewalks, parking areas, transportation access points, and other public property immediately adjacent to and accessible from institutional property as defined by the Clery Act and applicable federal guidance.

Public property for Clery reporting purposes may include areas immediately adjacent to and accessible from the institution’s location on 21st Street and surrounding public access areas contiguous to institutional property.



Residential Facilities

Berk School does not maintain on-campus student housing facilities, residence halls, dormitories, or institutionally operated residential housing. Accordingly, Clery reporting categories applicable exclusively to residential facilities are not applicable to the institution at this time.

Crime Statistics Collection

Berk annually requests and reviews crime statistics and information, where appropriate, from:

- local law enforcement agencies;
- Campus Security Authorities (CSAs);
- institutional records;
- Title IX personnel;
- and other institutional officials involved in campus safety reporting and compliance activities.

Crime statistics included within the Annual Security Report are compiled in accordance with Clery Act classification standards, applicable federal reporting requirements, and guidance issued by the United States Department of Education.

The following crime statistics are reported in accordance with Clery Act requirements.

Clery Geography

Statistics include qualifying crimes occurring within Clery geography including:

- * Campus property;
- * Public property adjacent to campus;
- * Non-campus property controlled by the institution, if applicable.

The institution annually attempts to obtain crime statistics from appropriate local law enforcement agencies for inclusion within the Annual Security Report.

Offense Category	2023	2024	2025
Criminal Homicide	0	0	0
Sex Offenses	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	0
Burglary	0	0	0
Motor Vehicle Theft	0	0	0
Arson	0	0	0
Domestic Violence	0	0	0
Dating Violence	0	0	0
Stalking	0	0	0
Hate Crimes	0	0	0
Drug Law Violations	0	0	0
Liquor Law Violations	0	0	0
Weapons Violations	0	0	0

The institution collects crime statistics from campus security authorities, local law enforcement agencies, and institutional records.

22. Campus Security Authorities (CSA)

Campus Security Authorities include institutional officials who have significant responsibility for student and campus activities, campus safety oversight, disciplinary matters, student support functions, or institutional response obligations. CSAs are responsible for reporting certain crimes, incidents, and allegations for purposes of institutional assessment, Clery Act compliance, crime statistics collection, campus safety review, and timely warning evaluation.

The following categories of employees are considered Campus Security Authorities at Berk:

- Senior administrators
- Title IX Coordinator

CSA training is conducted periodically to ensure institutional compliance with federal reporting obligations.

23. Annual Disclosure Statement

Berk School is committed to maintaining compliance with applicable federal and New York State laws concerning campus safety, crime reporting, student protections, and institutional transparency.

The institution reserves the right to modify policies and procedures as necessary to maintain compliance with changes in applicable laws, regulations, or institutional operations.

Questions regarding this report may be directed to:

Berk Trade and Business School
40-09 21st Street, 5th Floor, Long Island City, NY 11101
Main Telephone: 718.729.0909
cberk@berktradeschool.com

24. Clery Crime Definitions and Record Retention Categories

For purposes of Clery Act reporting, institutional disciplinary procedures, campus safety reporting, and federally required statistical disclosures, Berk School utilizes definitions consistent with the Federal Bureau of Investigation Uniform Crime Reporting (UCR) Program, National Incident-Based Reporting System (NIBRS), Violence Against Women Act (VAWA), Title IX regulations, applicable New York State law, and guidance issued by the United States Department of Education.

Berk maintains records relating to Clery-reportable crimes, disciplinary referrals, Title IX matters, emergency notifications, crime statistics, bias-related incidents, and other campus safety matters in accordance with applicable federal and New York State record retention requirements.

Criminal Homicide

Criminal homicide includes murder, non-negligent manslaughter, and manslaughter by negligence.

Sex Offenses

Sex offenses include rape, fondling, incest, and statutory rape as defined under federal law.

Rape

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 consent.

Fondling

The touching of the private body parts of another person for the purpose of sexual gratification without consent.

Incest

Sexual intercourse between persons who are related to each other within the degrees prohibited by law.

Statutory Rape

Sexual intercourse with a person who is under the statutory age of consent.

Robbery

The taking or attempted taking of anything of value from a person through force, violence, intimidation, or threat.

Aggravated Assault

An unlawful attack upon another person for the purpose of inflicting severe bodily injury, generally involving a weapon or means likely to produce death or serious bodily harm.

Burglary

The unlawful entry of a structure to commit a felony or theft.

Motor Vehicle Theft

The theft or attempted theft of a motor vehicle.

Arson

Any willful or malicious burning or attempt to burn property.

Domestic Violence

Domestic violence includes felony or misdemeanor crimes of violence committed by:

- A current or former spouse or intimate partner;
- A person sharing a child with the victim;
- A person cohabitating with the victim as a spouse or intimate partner;
- A person similarly situated under domestic or family violence laws.

Dating Violence

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

Stalking

Stalking means 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
- Suffer substantial emotional distress.

Hate Crimes

A hate crime includes a criminal offense committed against a person or property motivated in whole or in part by bias concerning race, religion, sexual orientation, gender, gender identity, ethnicity, national origin, or disability.

Liquor Law Violations

The violation of laws or ordinances prohibiting the manufacture, sale, transporting, furnishing, possessing, or use of alcoholic beverages.

Drug Law Violations

Violations of laws prohibiting the manufacture, sale, use, possession, transportation, or distribution of controlled substances and illegal drugs.

Weapons Law Violations

Violations of laws or ordinances regulating weapons offenses including the possession, manufacture, sale, or use of firearms, explosives, knives, or other dangerous weapons.

Arrests and Disciplinary Referrals

The institution maintains records regarding arrests and disciplinary referrals involving:

- Liquor law violations;
- Drug law violations;
- Weapons violations;
- Student conduct violations;
- Workplace misconduct;
- Safety violations.

Bias-Related Incidents

The institution may maintain records relating to bias-related misconduct, discrimination, harassment, intimidation, retaliation, and hate-related incidents whether or not criminal charges are filed.

Title IX and Sexual Misconduct Records

The institution maintains records regarding:

- Sexual harassment complaints;
- Sexual assault allegations;
- Domestic violence reports;
- Dating violence reports;
- Stalking complaints;
- Supportive measures;
- Investigations;
- Appeals;
- Informal resolutions;
- Training materials.

Emergency and Safety Records

The institution maintains records relating to:

- Timely warnings;
- Emergency notifications;
- Fire drills;
- Evacuation exercises;
- Threat assessments;
- Incident reports;
- Security concerns;
- Emergency response activities.

For purposes of Clery Act reporting and institutional disciplinary procedures, Berk School utilizes definitions consistent with the Federal Bureau of Investigation Uniform Crime Reporting (UCR) Program, National Incident-Based Reporting System (NIBRS), Violence Against Women Act (VAWA), and applicable New York State law.

Sexual Assault

Sexual assault includes rape, fondling, incest, and statutory rape as defined under federal law.

Domestic Violence

Domestic violence includes felony or misdemeanor crimes of violence committed by:

- A current or former spouse or intimate partner;
- A person sharing a child with the victim;
- A person cohabitating with the victim as a spouse or intimate partner;
- A person similarly situated under domestic or family violence laws.

Dating Violence

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

Stalking

Stalking means 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
- Suffer substantial emotional distress.

Hate Crimes

A hate crime includes a criminal offense committed against a person or property motivated in whole or in part by bias.

25. Disciplinary Proceeding Timeframes

Berk School strives to complete investigations, disciplinary proceedings, grievance procedures, and institutional reviews in a prompt, fair, equitable, and reasonably timely manner consistent with the nature of the allegations, the rights of the parties involved, campus safety considerations, and applicable federal and New York State law.

The institution seeks to resolve reports as expeditiously as possible while ensuring that all parties are provided appropriate notice, an opportunity to participate in the process, and a meaningful opportunity to present relevant information consistent with institutional policy and applicable procedural requirements.

The length of an investigation or disciplinary proceeding may vary depending upon factors including, but not limited to:

- The nature, scope, and complexity of the allegations;
- The number of parties or witnesses involved;
- The availability of witnesses or evidence;
- Concurrent law enforcement activity or external investigations;
- Requests for accommodations, supportive measures, or language assistance;
- Academic calendar considerations, breaks, or institutional closures;
- The need for additional fact gathering or expert review;
- The health, safety, or welfare of individuals involved;
- Good-cause extensions or other circumstances beyond the institution's control.

Where appropriate, Berk may temporarily delay or extend portions of a proceeding for good cause while maintaining the integrity and fairness of the process.

The institution will make reasonable efforts to provide complainants and respondents with periodic status updates, notice of significant procedural developments, and written notice of delays or extensions where appropriate consistent with applicable law and institutional policy.

Nothing in this section prevents the institution from implementing interim protective measures, supportive measures, emergency actions, or administrative actions deemed necessary to address safety concerns, preserve institutional operations, or comply with legal obligations while a matter remains pending.

26. Standard of Evidence

Berk School utilizes the preponderance of the evidence standard when determining responsibility in student or employee misconduct proceedings.

Under the preponderance of the evidence standard, a determination of responsibility is made based upon whether the information available demonstrates that it is more likely than not that a violation of institutional policy occurred.

The same standard of evidence shall be applied consistently to complainants and respondents in comparable institutional proceedings involving students and employees unless otherwise required by law.

Institutional determinations are administrative in nature and are not subject to the same procedural or evidentiary standards utilized in criminal courts. A criminal investigation, criminal charge, criminal prosecution, acquittal, or conviction does not determine whether a violation of institutional policy has occurred.

In evaluating reports, the institution may consider:

- witness statements;
- documentary evidence;
- electronic communications;

- photographs, recordings, or digital evidence;
- investigative findings;
- credibility assessments;
- institutional records;
- and other relevant information permitted by institutional policy and applicable law.

Berk reserves the right to revise evidentiary standards, procedures, or related institutional processes as necessary to maintain compliance with changes in federal law, New York State law, judicial decisions, regulatory guidance, accreditation expectations, or institutional operational requirements.

27. Advisor of Choice

Consistent with applicable federal law, Title IX regulations, the Violence Against Women Act (VAWA), New York State Education Law Articles 129-A and 129-B, and institutional policy, Berk School provides complainants and respondents involved in applicable disciplinary, grievance, or misconduct proceedings the opportunity to be accompanied by an advisor of their choice throughout institutional processes to the extent permitted by law and institutional procedure.

An advisor may include, but is not limited to:

- An attorney;
- A parent, guardian, or family member;
- A support person;
- An employee representative;
- A friend or colleague;
- Or another individual selected by the party.

The advisor may provide support, guidance, and assistance to the complainant or respondent during meetings, interviews, hearings, investigations, or other institutional proceedings consistent with institutional procedures and applicable law.

The institution may establish reasonable rules regarding:

- advisor participation;
- scheduling;
- decorum;
- manner of communication;
- confidentiality expectations;
- disruptions to proceedings;
- submission of questions;
- and the role of advisors during institutional processes, provided that such limitations are applied equitably and do not unreasonably restrict the rights of either party under applicable law.

Where required by applicable Title IX regulations or institutional procedures, advisors may be permitted or required to participate in questioning or hearing processes consistent with governing legal requirements in effect at the time of the proceeding.

The institution is not obligated to delay or postpone institutional proceedings due to the unavailability of a chosen advisor beyond a reasonable period of time as determined by the institution.

Advisors are generally expected to comply with institutional policies, privacy expectations, procedural rules, and applicable standards of conduct. Berk reserves the right to remove or restrict an advisor whose behavior materially disrupts institutional proceedings, threatens the safety or rights of others, violates institutional policy, or fails to comply with established procedural requirements.

Nothing in this section limits Berk authority to implement interim measures, safety actions, supportive measures, or emergency procedures necessary to protect the health, safety, welfare, or rights of members of the campus community consistent with applicable law.

28. Transcript Notation Policy

Consistent with New York State Education Law Article 129-B, the institution may place transcript notations for suspensions, expulsions, or withdrawals while conduct charges are pending involving crimes of violence, including sexual violence.

Transcript notation procedures shall comply with applicable New York State requirements.

29. Confidential vs. Private Reporting

Berk School recognizes the importance of preserving the privacy of individuals who report sexual misconduct, violence, harassment, discrimination, stalking, retaliation, or other prohibited conduct while balancing the institution's obligations to maintain campus safety, respond to reports, investigate allegations, and comply with legal requirements.

The institution distinguishes between confidential resources and private reporting options as described below.

Confidential Reporting

Certain individuals acting within the scope of their professional responsibilities may maintain legally protected confidentiality. Confidential resources generally may not disclose personally identifying information to the institution or third parties without the consent of the reporting individual except:

- where disclosure is required by law;
- where there is an imminent threat to health or safety;
- where child abuse, abuse of a vulnerable person, or other mandatory reporting obligations apply;
- pursuant to court order, subpoena, or legal process;
- or as otherwise permitted or required by applicable law.

Confidential resources may include, where applicable:

- Licensed mental health counselors;
- Licensed medical providers;
- Professional counselors;
- Pastoral counselors;
- Community victim advocacy organizations;
- External confidential support services.

Individuals seeking confidential assistance are encouraged to inquire directly with the individual responding regarding the scope and limitations of confidentiality protections.

Private Reporting

Reports made to institutional officials, administrators, supervisors, instructors, personnel, Campus Security Authorities (“CSAs”), the Title IX Coordinator, or other designated institutional employees are generally considered private rather than confidential.

Private reporting means that information will be shared only with individuals who have a legitimate educational, safety, operational, investigative, supervisory, compliance, or legal need to know in order to:

- assess and respond to reports;
- provide supportive measures;
- investigate allegations;
- address safety concerns;
- implement interim measures;
- conduct disciplinary or grievance procedures;
- comply with institutional obligations;
- maintain accurate records;
- issue timely warnings or emergency notifications where required;
- or comply with applicable federal, state, or local law.

Berk will make reasonable efforts to limit the disclosure of information to the extent practicable and consistent with institutional responsibilities and applicable law.

Responsible Employees and Mandatory Reporting Obligations

Certain institutional employees are considered responsible employees, mandatory reporters, or Campus Security Authorities under applicable federal or New York State law and may be required to promptly report information concerning:

- sexual harassment;
- sexual assault;
- dating violence;
- domestic violence;
- stalking;
- discrimination;
- retaliation;
- threats to health or safety;
- child abuse;
- Clery-reportable crimes;
- or other reportable misconduct

These reports must be submitted to designated institutional officials including, but not limited to:

- the Title IX Coordinator;
- President;

Employees with mandatory reporting obligations are generally not able to guarantee complete confidentiality to individuals making reports.

Anonymous Reporting

Berk may accept anonymous reports to the extent possible consistent with campus safety obligations, due process requirements, the institution's ability to investigate allegations, and applicable law. Anonymous reporting may limit the institution's ability to fully investigate, respond to, or resolve reported concerns.

Privacy of Records

Institutional records relating to reports, investigations, disciplinary matters, supportive measures, accommodations, and campus safety incidents may be maintained in electronic and/or physical format consistent with applicable record retention requirements, FERPA, Title IX obligations, Clery Act reporting obligations, New York State law, litigation preservation requirements, and institutional policy. Nothing in this section prevents the institution from taking immediate action when necessary to:

- protect the health, safety, or welfare of members of the campus community;
- comply with legal obligations;
- address emergency circumstances;
- prevent ongoing threats;
- or otherwise fulfill institutional responsibilities under applicable law.

30. Medical, Counseling, and Advocacy Resources

Individuals affected by sexual violence may seek assistance from:

- Hospitals;
- Sexual Assault Nurse Examiner (SANE) programs;
- Rape crisis organizations;
- Mental health providers;
- Employee assistance programs;
- Community advocacy organizations.

The institution may assist individuals in obtaining transportation or referrals to appropriate resources.

New York City Sexual Harassment Policy

https://www.nyc.gov/assets/cchr/downloads/pdf/materials/SexHarass_Notice8.5x14-English.pdf

The following are New York State Department of Health-approved rape crisis centers provide free and confidential services for sexual assault victims, survivors, and their close family and friends. Services at most centers include:

- Free, confidential sexual assault hotline
- Information about sexual assault
- Referral to other community service providers as needed
- Crisis intervention and ongoing support
- Medical and legal advocacy
- Community awareness, outreach, and prevention activities

Most crisis hotlines are available 24 hours a day, 7 days a week. Please, don't hesitate to call if you need help.

New York State Hotline for Sexual Assault and Domestic Violence: 1-800-942-6906.

*****If you have been sexually assaulted, call the New York State Hotline for Sexual Assault and Domestic Violence.*****

1-800-942-6906

Anti-Violence Project

Address: 116 Nassau Street, 3rd Floor, New York, NY 10038 Website: <https://avp.org/get-help>

Hotline: (212) 714-1141

Safe Horizon

- Address: 100 East 122nd Street, Bronx, NY 10035
- Website: <https://www.safehorizon.org>
- Hotline: (212) 227-3000

Crime Victims Treatment Center

- Address: 40 Exchange Place, Suite 510, New York, NY 10005
- Website: <https://www.cvtcnyc.org>
- Hotline: (212) 523-4728

Columbia Health, Sexual Violence Response

- Address: 29020 Broadway, Columbia University, 301 Lerner Hall, New York, NY 10027
- Website: <https://health.columbia.edu/content/sexual-violence-response>
- Hotline: (212) 854-4357

New York-Presbyterian/Columbia University Medical Center, DOVE Program

- Address: 622 West 168th Street, New York, NY 10032
- Website: <https://www.nyp.org/social-work/domestic-and-other-violence-emergencies>
- Hotline: (212) 305-5130

Mount Sinai Adolescent Health Center, Violence Prevention and Intervention Services

- Address: 320 East 94th Street, New York, NY 10128
- Website: <https://www.mountsinai.org/locations/adolescent-health-center/services/violence-prevention-and-treatment>
- Hotline: (212) 227-3000

Mount Sinai Sexual Assault and Violence Intervention (SAVI) Program

- Address: 1 Gustave L. Levy Place, New York, NY 10029
- Website: <https://www.mountsinai.org/patient-care/service-areas/community-medicine/sexual-assault-and-violence-intervention-program-savi>
- Hotline: (212) 423-2140
- Mount Sinai Beth Israel Medical Center, Victim Services Address: 10 Nathan D Perlman Place, New York, NY 10003
- Website: <https://www.mountsinai.org/locations/beth-israel/support/social-work/victim-services>
- Hotline: 212-420-2000

NY-Presbyterian/Weill Cornell Medical Center Victim Intervention Program

- Address: 525 East 68th Street, New York, NY 10065
- Website: <https://www.nyp.org/social-work/victim-intervention-program>
- Hotline: (214) 746-9414

Rising Ground, STEPS to End Family Violence

- Address: 151 Lawrence Street, Brooklyn, 5th Floor, NY 11201
- Website: <https://www.risingground.org/program/steps>
- Hotline: 877-STEPS-94 / (877) 783-7794 or STEPShelpline@RisingGround.org

Violence Intervention Program (VIP Mujeres)

- Address: Triborough Station, P.O. Box 1161, New York, NY 10035
- Website: <https://www.vipmujeres.org/get-help>
- Hotline: (800) 664-5880 (bilingual English/Spanish)

31. Campus Climate Assessment

Berk periodically evaluates campus climate, prevention programming effectiveness, student safety concerns, and awareness initiatives through surveys, assessments, reviews, or committee processes.

32. Primary Prevention and Ongoing Awareness Programs

Berk provides primary prevention and ongoing awareness programming addressing:

- Sexual violence prevention;
- Healthy relationships;
- Consent;
- Bystander intervention;
- Drug and alcohol awareness;
- Bias prevention;
- Safety awareness.

Programming is culturally relevant, trauma-informed, and adapted for diverse populations.

33. Reporting to Law Enforcement

Individuals are encouraged, but not required, to report crimes to local law enforcement.

Berk may assist individuals in contacting law enforcement authorities upon request.

Declining to report to law enforcement shall not eliminate access to institutional support measures or grievance procedures.

34. Written Explanation of Rights and Options

Individuals reporting sexual misconduct shall receive written information regarding:

- Reporting options;
- Supportive measures;
- Counseling resources;
- Law enforcement options;
- Institutional procedures;
- Protective measures;
- Available accommodations.

Students' Bill of Rights

Consistent with New York State Education Law Article 129-B (“Enough is Enough”), Berk School is committed to maintaining an educational environment that promotes safety, dignity, respect, fairness, and support for individuals affected by sexual assault, sexual harassment, dating violence, domestic violence, stalking, retaliation, and related misconduct.

Berk School is committed to providing support, assistance, resources, accommodations, and equitable institutional processes to students and employees affected by sexual misconduct, relationship violence, stalking, and related prohibited conduct in order to help ensure continued participation in academic programs, institutional activities, externships, employment opportunities, and campus life to the extent reasonably possible.

All students, regardless of race, color, national origin, religion, creed, age, disability, sex, gender, gender identity or expression, sexual orientation, pregnancy, familial status, military status, citizenship status, domestic violence victim status, or any other protected characteristic under applicable law, are entitled to the rights set forth below.

The following Students' Bill of Rights applies to reports involving sexual assault, sexual harassment, domestic violence, dating violence, stalking, retaliation, and other sexual misconduct whether occurring:

- on institutional property;
- off campus;
- during externships or training experiences;
- through electronic or online communications;
- or while participating in institutional programs, activities, or events.

All students have the right to:

1. Make a report to local law enforcement and/or state police;
2. Have disclosures of domestic violence, dating violence, stalking, sexual assault, and related misconduct treated seriously by the institution;
3. Make decisions regarding whether or not to disclose a crime or policy violation and whether to participate in the institutional conduct process, Title IX process, criminal justice process, or all available processes free from pressure by the institution;
4. Participate in a process that is fair, impartial, reasonably prompt, and provides adequate notice and a meaningful opportunity to be heard;
5. Be treated with dignity, respect, sensitivity, and fairness throughout institutional processes;
6. Receive information regarding available counseling, medical services, mental health services, advocacy resources, protective measures, accommodations, and support services where available;
7. Be free from any suggestion that the reporting individual is at fault for the commission of a crime or policy violation or should have acted differently to avoid the incident;

8. Describe the incident to as few institutional representatives as practicable and not be required to unnecessarily repeat a description of the incident;
9. Be protected from retaliation, intimidation, harassment, coercion, or adverse action by the institution, employees, students, respondents, witnesses, or other persons within the institution's control;
10. Request reasonable supportive measures, accommodations, or protective interventions regardless of whether a formal complaint or criminal report is pursued;
11. Access at least one level of appeal from a determination in accordance with institutional policy and applicable law;
12. Be accompanied by an advisor of choice who may assist and advise the reporting individual, complainant, respondent, or accused throughout institutional proceedings, including meetings, interviews, hearings, and disciplinary processes;
13. Exercise civil rights and practice religion without interference from institutional investigative, disciplinary, or administrative processes;
14. Receive information regarding available reporting options, institutional procedures, law enforcement options, and available rights under federal and New York State law;
15. Obtain information regarding orders of protection, no-contact directives, restraining orders, or other lawful protective measures where applicable.

Students may report incidents to:

- The Title IX Coordinator;
- Institutional administration;
- Campus Security Authorities;
- Local law enforcement agencies;
- Or other designated institutional officials.

The institution may implement supportive measures, interim actions, schedule modifications, no-contact directives, safety planning, academic accommodations, workplace accommodations, or other protective measures deemed appropriate under the circumstances.

Retaliation against any individual who reports misconduct, participates in an investigation, assists another individual in making a report, or exercises rights protected under institutional policy or applicable law is strictly prohibited and may result in disciplinary action independent of the underlying complaint.

Nothing in this section limits the institution's obligation to comply with applicable federal law, Title IX regulations, the Violence Against Women Act (VAWA), the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act ("Clery Act"), New York State Education Law Articles 129-A and 129-B, or other applicable legal obligations.

35. No-Contact Orders

Berk may implement no-contact directives or other protective measures designed to reduce the likelihood of continued interaction between involved parties.

Violations of institutional no-contact directives may result in disciplinary action (up to and including dismissal without recourse).

36. False Reporting

Knowingly making materially false statements or intentionally submitting false reports may constitute a violation of institutional policy.

A determination that insufficient evidence exists to substantiate allegations shall not, by itself, establish that a false report was made.

37. Employee Reporting Obligations

Certain institutional employees are considered responsible employees or mandatory reporters and may be required to report allegations of sexual misconduct, discrimination, harassment, or threats to the President or the Title IX Coordinator.

Employees shall receive training regarding reporting responsibilities and confidentiality limitations.

38. External Reporting Agencies

Individuals may file complaints with external agencies including:

- * U.S. Department of Education Office for Civil Rights (OCR);
- * New York State Education Department (NYSED);
- * New York State Division of Human Rights;
- * Equal Employment Opportunity Commission (EEOC), where applicable.

39. Hazing Policy

Berk prohibits hazing and conduct that recklessly or intentionally endangers the mental or physical health or safety of students or employees.

Individuals are encouraged to report suspected hazing immediately.

40. Security of Campus Facilities

Berk considers physical safety and security in the maintenance of campus facilities and operations.

Security measures may include:

- * Lighting;
- * Controlled access measures;
- * Visitor monitoring;
- * Emergency communication systems;
- * Environmental safety reviews.

41. Title IX Training Materials

Berk maintains training materials utilized for Title IX personnel consistent with applicable federal regulations.

42. Annual Security Report Preparation Process

The institution prepares the ASR utilizing information obtained from:

- * Campus Security Authorities;
- * Institutional records;
- * Local law enforcement agencies;
- * Student affairs personnel;
- * Title IX personnel;
- * Administrative offices.

Crime statistics are compiled and reviewed annually prior to publication.

43. Title IX Jurisdiction

Berk may address misconduct occurring:

- On campus;
- Off campus;
- During institutional activities;
- Through online environments;
- At educational or externship locations.

The institution shall proceed consistent with applicable federal and institutional jurisdictional standards.

44. Employee-on-Student Misconduct

Berk School prohibits employees, administrators, faculty, staff, contractors, and other institutional representatives from engaging in sexual misconduct, harassment, exploitation, abuse of authority, or inappropriate relationships with students that may compromise the educational environment, create actual or perceived conflicts of interest, or violate institutional policy or applicable law.

Consistent with Title IX, New York State Education Law Articles 129-A and 129-B, and institutional policy, employees are prohibited from using their position, authority, supervisory role, instructional relationship, or institutional influence to pursue, initiate, or engage in conduct that is coercive, exploitative, retaliatory, or otherwise inappropriate in the context of the educational or professional relationship.

Alleged violations involving employee-on-student misconduct may result in:

- institutional investigation;
- interim protective measures;
- disciplinary action up to and including termination or dismissal;
- referral to law enforcement;
- and other actions deemed appropriate under the circumstances.

The institution encourages prompt reporting of concerns involving employee misconduct, boundary violations, harassment, retaliation, discrimination, or abuse of authority to the Title IX Coordinator, Human Resources, institutional administration, or other designated officials.

45. Sanctions

Violations of institutional policy may result in disciplinary action and sanctions appropriate to the nature and severity of the conduct, prior conduct history, safety considerations, and other relevant circumstances.

Potential sanctions may include:

- verbal or written warning;
- educational or corrective sanctions;
- probation;
- suspension;
- dismissal or expulsion;
- termination of employment;
- restrictions on campus access or institutional privileges;
- no-contact directives;
- mandatory training or counseling;
- referral to law enforcement or other governmental authorities where appropriate.

Berk reserves the right to implement interim measures or emergency actions when necessary to protect the health, safety, welfare, or rights of members of the campus community.

46. Appeal Procedures

Appeals may be permitted on one or more of the following grounds, where applicable:

- Procedural irregularity or material deviation from institutional procedures that may have affected the outcome;
- Newly discovered or previously unavailable evidence that could reasonably affect the determination;
- Actual conflict of interest, bias, or demonstrated lack of impartiality by an investigator, decision-maker, hearing officer, or other institutional official involved in the matter;
- The appropriateness or proportionality of sanctions imposed where permitted by institutional policy;
- Other grounds specifically authorized by institutional policy or applicable law.

Appeals shall generally be reviewed by an institutional official or designated reviewer who was not directly involved in the underlying investigation, determination, or disciplinary proceeding to the extent practicable.

The institution may establish reasonable procedures governing:

- submission deadlines;
- formatting requirements;
- grounds for appeal;
- scope of review;
- advisor participation;
- response opportunities;
- and issuance of appeal determinations.

Written notice regarding appeal rights, procedures, applicable deadlines, and the outcome of an appeal will be provided to the parties consistent with institutional policy and applicable law.

The filing of an appeal does not automatically delay, suspend, or invalidate interim measures, supportive measures, emergency actions, or institutional sanctions unless otherwise determined by the institution.

The institution reserves the right to modify appeal procedures as necessary to maintain compliance with applicable federal law, New York State law, judicial decisions, regulatory guidance, accreditation expectations, or institutional operational requirements.

47. Investigator and Decision-Maker Training

Individuals responsible for investigations, hearings, or Title IX proceedings shall receive training regarding:

- Trauma-informed practices;
- Impartial investigations;
- Institutional policies;
- Applicable legal requirements.

48. Timely Warnings and Emergency Notifications

Consistent with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (“Clery Act”), Berk School may issue Timely Warnings and Emergency Notifications to students and employees regarding certain crimes, emergencies, or dangerous situations that may pose a serious, ongoing, or continuing threat to the health or safety of the campus community.

Timely Warnings

Berk may issue a Timely Warning for Clery-reportable crimes occurring within Clery geography that are reported to institutional officials or local law enforcement agencies and are determined by the institution to represent a serious or continuing threat to students or employees.

Crimes that may require a Timely Warning include, but are not limited to:

- criminal homicide;
- sexual assault;
- domestic violence;
- dating violence;
- stalking;
- robbery;
- aggravated assault;
- burglary;
- motor vehicle theft;
- arson;
- hate crimes;
- or other serious criminal incidents as determined by the institution.

The decision to issue a Timely Warning shall generally be made by the President or Title IX Coordinator in consultation with available information from:

- institutional administration;
- Campus Security Authorities (CSAs);
- local law enforcement;
- emergency responders;
- or other appropriate officials.

Berk shall consider factors including:

- the nature and severity of the incident;
- whether the incident represents a continuing threat;
- the timing of the report;
- the availability of suspect information;
- the risk to the campus community;
- and applicable law enforcement recommendations.

Timely Warnings may be distributed through methods including:

- email;
- text messaging;
- website postings;
- public postings;
- verbal announcements;
- or other communication methods deemed appropriate under the circumstances.

The institution will make reasonable efforts to avoid identifying victims or disclosing personally identifiable information consistent with applicable law.

Emergency Notifications

Berk School may issue Emergency Notifications upon confirmation of a significant emergency, dangerous situation, or immediate threat involving the health or safety of students, employees, or members of the campus community occurring on or immediately affecting institutional property.

Emergency situations may include, but are not limited to:

- fire;
- active threat situations;
- hazardous material incidents;
- severe weather;
- explosions;
- gas leaks;
- medical emergencies;
- utility failures;
- public health emergencies;
- or other dangerous conditions.

Emergency Notifications may be issued without delay unless, in the professional judgment of responsible authorities, issuing a notification would:

- compromise efforts to assist a victim;

- compromise efforts to contain, respond to, or mitigate the emergency;
- interfere with law enforcement operations;
- or otherwise create additional safety risks.

Emergency notifications may be communicated using:

- institutional email systems;
- emergency text alerts;
- telephone communications;
- public address announcements;
- website notices;
- classroom notifications;
- social media postings;
- or other available communication methods.

The institution may provide follow-up information or updated instructions as additional information becomes available.

Emergency Response and Evacuation Procedures

Berk School may conduct periodic emergency response exercises, evacuation drills, safety reviews, or emergency preparedness activities designed to assess institutional readiness and improve emergency response procedures.

The institution may document:

- the date and time of drills or exercises;
- the nature of the exercise;
- participating offices or personnel;
- and outcomes or corrective actions where appropriate.

Students and employees are expected to comply with evacuation instructions, emergency directives, and safety procedures issued by institutional officials or emergency responders.

Crime Reporting and Notification Procedures

Students and employees are encouraged to promptly report criminal activity, emergencies, suspicious behavior, threats, safety concerns, or dangerous conditions to:

- institutional officials;
- Campus Security Authorities;
- local law enforcement agencies;
- emergency responders;
- or other designated reporting contacts.

Berk may maintain records relating to Timely Warnings, Emergency Notifications, emergency response activities, incident reports, evacuation procedures, and campus safety communications consistent with applicable federal and New York State record retention obligations, audit requirements, and institutional policy.

49. Title IV Compliance Statement

Berk recognizes that compliance with campus safety, student protection, and security reporting obligations forms part of its responsibilities as a participant in federal and state student financial aid programs including Title IV federal aid programs and New York State student assistance programs.

50. Policy Revision Authority

Berk School reserves the right to revise, supplement, interpret, or modify institutional policies and procedures as necessary to maintain operational effectiveness and legal compliance.

Applicable federal, state, or local law shall supersede conflicting institutional provisions.

Local Law Enforcement Information

Berk School is located within the jurisdiction of the New York City Police Department 108th Precinct, which serves portions of Long Island City, Sunnyside, and Woodside in Queens.

NYPD 108th Precinct

Address:

5-47 50th Avenue

Long Island City, New York 11101

Main Telephone Number:

(718) 784-5411

Emergency:

911

Non-Emergency City Services:

311

The institution encourages students, employees, contractors, and visitors to promptly report criminal activity, emergencies, suspicious behavior, threats, or other safety concerns to local law enforcement and/or institutional officials as appropriate.

Additional information regarding the NYPD 108th Precinct may be obtained through this link:

<https://www.nyc.gov/site/nypd/bureaus/patrol/precincts/108th-precinct.page>

For Crime Statistics:

[Crime Statistics](#)

