

**APEX TECHNICAL SCHOOL  
ANNUAL SECURITY REPORT INCLUDING CLERY ACT DISCLOSURES OF  
CAMPUS SECURITY POLICY AND CRIME STATISTICS  
(Long Island City, New York)**

**October, 2019**

The Crime Awareness & Campus Security Act of 1990, known as the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act), requires educational institutions to publish and distribute an annual security report containing campus security policies and procedures, as well as campus crime statistics.

Apex Technical School (the School) compiles statistics for crimes on an on-going basis. The School includes the statistics for Clery Act reportable crimes in its annual security report (“Report”). Each year prior to October 1, the School attempts to obtain current crime statistics from the local police department to include in the Report. The School includes in its statistics crimes that occur within its main building as well as public property within or immediately adjacent to the building including Queens Plaza South (Crescent to 24<sup>th</sup> Street), 24<sup>th</sup> Street to 42<sup>nd</sup> Road and 42<sup>nd</sup> Road to Crescent Street including the sidewalks that surround the School. Any questions about this Report should be directed to the School Director at (212) 645-3300.

Security problems and violations cannot be handled in a constructive manner unless School management knows of their occurrences. Accurate and prompt reports of all criminal activity or other emergencies should be made to School officials (Vice Presidents, School Director, Department Managers, Instructors and Department Directors) and the appropriate police agency should be notified by dialing 911. School officials promptly respond to all reported criminal activity or other emergencies and take investigative, disciplinary or corrective action when necessary.

**As expeditiously as possible after the report of criminal activity, the School posts notices of the occurrence on bulletin boards located on each floor of the building so that all students and employees are on notice.**

Apex Technical School is located in a one building facility with no on or off campus housing. We have one front door that provides direct access into the reception area. This also serves as the employee entrance. There is one side and back door entrance which mainly serve as the student entrance. All doors to the building are locked when the School is closed at night. The building hours are as follows:

Classrooms & Shops: Monday through Thursday: 8:00AM to 10:00PM  
Friday: 8:00 AM to 6:00PM

Administration: Monday through Thursday: 8:00AM to 7:00PM  
Friday: 8:00AM to 5:00PM

When the building is closed for a holiday, notices are posted on all access entrances. School personnel secure all areas of the campus when such areas are not in use. They ensure that such areas are vacated by all students and that no unauthorized individuals are in the area. After being checked, each room is locked.

Apex Technical School is committed to providing its students with a safe learning environment. In furtherance of this commitment, the School only allows access to its facilities by students, personnel and authorized visitors. Visitors should report to the Main Reception Desk, which is located on the ground floor via the main entrance, in order to determine if they will be allowed access to the remainder of the building. Any visitor found in the building without permission or unaccompanied by School personnel will either be directed to the Main Reception Desk or be escorted from the building by School personnel. If they resist or refuse to leave, School personnel will notify the local police and trespassing charges may be filed against the individual by the School.

Upon enrollment at the School, students are informed of the rules and regulations regarding security to which they must adhere. Each student receives a copy of the current Report at the time of enrollment and for each year of enrollment. These rules and regulations are further reinforced during the orientation session prior to the first day of class. In addition, on or before October 1 of each year, the school prepares the new Report and makes them available to all students and staff. The new annual campus crime statistics are distributed by each Manager to staff and each instructor for distribution to their students. Also, a notice is given to all staff and students informing them that the Report, as well as other School disclosures, are available at <http://www.apextechnical.com>. Ultimately, the responsibility for enforcing the School's security and safety policies and procedures lies with the School Director, who makes all decisions regarding school security and discipline for all students not complying with the rules.

Employees, at the time of hire, are informed of the rules and regulations regarding security procedures and practices. Employees and students are encouraged to be responsible for their own security and that of other employees and students. School personnel and students are encouraged to report to any Manager, Director or Executive of the School any purported criminal activity and to offer their assistance to any state or local police or other law enforcement agencies. With regard to reported crimes that may involve sexual misconduct, including sexual harassment and sexual violence, School personnel will refer the information to the Title IX Coordinator for purposes of determining whether the School will initiate an investigation.

School personnel only have such arrest authority as any private citizen. If requested, School personnel will assist a victim of a crime in contacting local police. Students and employees should contact the School Director for procedures that allow for a victim or witness to report crimes on voluntary, confidential basis that will be included in the annual disclosure of crime statistics. The School does not employ professional counselors or others who hold a professional privilege that ensures confidentiality. The School will make best efforts, to the extent permitted by law, to maintain confidentiality and privacy of information provided by victims. When the School is under an obligation to report the crime to the police or take other action that would compromise the request for confidentiality, the victim will be informed in advance of the disclosure.

Since the School does not recognize any student organizations, which maintain off-campus locations or off-campus housing facilities, there is no need to monitor and record student criminal activity at such locations.

Apex Technical School does not have a security policy regarding off campus locations of student organizations because we are in a one building facility and have no off campus locations.

Apex Technical School property is “drug free” and the school is committed to full compliance with the Drug Free Workplace Act, Drug-Free Schools and Communities Act and applicable U.S. Department of Education regulations. The school enforces all state and federal laws regarding the possession, use and sale of alcoholic beverages and illegal drugs and regarding underage drinking. The School has a drug and alcohol abuse advisor, Zelda Cuesta, Agency Coordinator, who provides students and employees desiring treatment (i.e. counseling, treatment, or rehabilitation) with referrals to outside treatment programs and centers. The School encourages any student or employee who suspects that they may be at risk or who knows of someone who is at risk to seek services which can help. The School’s drug free workplace and drug free schools policy containing its policy on possession, use and sale of alcoholic beverages and illegal drugs is available upon request from the School Director. The School’s Drug Abuse Prevention Program, which is available by contacting the School Director, Agency Coordinator or BPI Department, is accessible to any officer, employee or student at the School. The Drug and Alcohol Prevention policies and documents are distributed annually to all students and employees.

### **Non-Discrimination and Sexual Offenses**

**Non-Discrimination:** Apex does not discriminate on the basis of race, color, creed, religion, national origin, ancestry, sex, age, sexual orientation, disability, genetic marker or any other characteristic protected by state, local or federal law in the administration of any of its educational programs or activities, or with respect to admission or employment.

Apex Technical School is committed to providing a School atmosphere where all of our students and staff can operate in a safe and secure environment. The working and learning environment should be free from sexual misconduct of any form, including but not limited to domestic violence, dating violence, stalking and sexual assault. This Report includes information about the School’s policies and procedures required with respect to Title IX of the Education Amendments of 1972, as amended, as well as the Campus Sexual Violence Elimination Act (Campus SaVE Act), which is contained in the Violence Against Women Reauthorization Act of 2003. The School has established a Title IX Coordinator and Assistant Title IX Coordinator who are responsible for the School’s compliance with these laws. The Title IX Coordinator, School Director, Stuart Markowitz and Assistant Title IX Coordinator, Agency Coordinator, Zelda Cuesta can be reached at the school’s facility, 24-02 Queens Plaza South, Long Island City, NY 11101 or by calling (212) 645-3300 or by email at [stuartmarkowitz@apexschool.net](mailto:stuartmarkowitz@apexschool.net) and [zcuesta@apexschool.net](mailto:zcuesta@apexschool.net).

Students, applicants, employees, or other persons who wish to present a grievance regarding gender-based, other discrimination or sexual offenses of any nature or have any questions or concerns are encouraged to contact the Title IX Coordinator and/or Assistant Title IX Coordinator.

If a sex offense or discrimination incident occurs on campus, the victim should contact the Title IX Coordinator or Assistant Coordinator immediately thereafter to report the incident and to better preserve necessary evidence to prove a criminal offense has occurred. If requested by the victim, who retains the option of having the police notified, the school official shall notify the police and seek medical attention for the victim.

The School advises victims of these crimes of their rights when allegations of these crimes are made to the institution. Specifically, the School will give the victim the option to, or not to, seek assistance from law enforcement and campus authorities and the victims' rights and institutional responsibilities regarding judicial no-contact, restraining, and protective orders. The Title IX Coordinator and/or Assistant Coordinator will provide victims with referrals to off-campus counseling centers. If requested and reasonably available, the option for the victim of transferring between day and evening schedules or between concurrent sections of a segment will be provided by the School.

The School regards the confidentiality of the victim of utmost importance and will protect that confidentiality during the entire investigation to the extent requested by the victim and permitted by law. When the School is under an obligation to report the crime to the policy or take other action that would compromise the request for confidentiality, the victim will be informed in advance of the disclosure.

The School takes accusations of sexual misconduct very seriously. Sexual harassment and acts of sexual violence, including sexual assault, domestic violence, dating violence, stalking, harassment and rape are prohibited by the School and will not be tolerated. **If you are a victim of sexual misconduct of any kind, you should immediately report the offense to the school's Title IX Coordinator, School Director, Stuart Markowitz or the Assistant Title IX Coordinator, Agency Coordinator, Zelda Cuesta at the school's facility, 24-02 Queens Plaza South, Long Island City, NY 11101 or by calling (212) 645-3300 or by email at [stuartmarkowitz@apexschool.net](mailto:stuartmarkowitz@apexschool.net) or [zcuesta@apexschool.net](mailto:zcuesta@apexschool.net) as well as preserve necessary evidence to assist in proving a criminal offense has occurred.**

No student, faculty or staff will be subjected to retaliation, threats, intimidation, coercion, or otherwise discriminated against by members of the School community as a result of reporting sexual misconduct of any kind.

#### **Definitions of these crimes are:**

**Domestic violence:** a felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim, a person with whom the victim shares a child in common, a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

**Dating violence:** violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim; and where the existence of such a relationship shall be determined based on a consideration of the length of the relationship, the type of relationship; and the frequency of interaction between the persons involved in the relationship.

**Stalking:** engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others or suffer substantial emotional distress.

**Sexual Assault:** is defined as any type of sexual contact or behavior that occurs without the explicit consent of the recipient. Falling under the definition of sexual assault are sexual activities as forced sexual intercourse, forcible sodomy, child molestation, incest, fondling, and

attempted rape.

**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 the consent of the victim.”

**Harassment:** to subject another to hostile or prejudicial remarks or actions; pressure or intimidate.

Warning signs of abusive behavior include: controlling behavior, being afraid of your partner, extreme jealousy and any combination of verbal, emotional or physical abuse.

You can help reduce your risk of abuse by looking for signs of abusive behavior, considering filing an order of protection or no contact order, seeking out support groups and support services and trusting your instincts. Bystander intervention can prevent harm and intervene with safe and positive options before a situation gets worse.

In all cases of alleged sex offenses, the school shall convene a Board of Inquiry to determine what disciplinary action will be taken, if any. The accuser and the accused are entitled to have other concerned individuals present at this hearing. The accuser and the accused shall be informed simultaneously of the final determination of the Board and any appeal option. The Board may impose sanctions, such as, but not limited to, suspension and termination, upon the accused.

Evidence presented such as victim and accused testimony, physical, written or electronic evidence as well as eye witness accounts will allow the School Officials to provide a fair, prompt and impartial investigation the allegations. During the investigation, the accuser and the accused are entitled to the same opportunities to have others present during an institutional disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by an advisor of their choice. The School will use a preponderance of the evidence standard in reaching a final determination.

After the allegations are investigated, the proper and appropriate sanctions, outcomes and/or protective measures will be imposed by the School upon review and investigation of all facts. Possible outcomes, sanctions and protective measures could include change of academic schedules, probation, suspension and/or termination from the School. The accuser and accused will be notified simultaneously, in writing, of the outcome of the investigation. The School Director will advise the victim as well as the accused of their right to appeal the outcome of the investigation. They will also be informed of any new information that has been provided or discovered prior to the appeal. The conclusion of the appeal is final.

Upon written request, the School will disclose to the alleged victim of a crime of violence (as that term is defined in Section 16 of Title 18, United States Code), or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by such institution against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph.

The School provides information via brochures, pamphlets and literature on domestic violence, dating violence and stalking. Additional resources and assistance to victims of domestic violence, dating violence and stalking can be found at: <http://nownyc.org/service-fund/get-help/domestic-violence/> , <http://www.nyscadv.org/> and <http://www.opdv.ny.gov/>.

The School provides all new students during orientation with information regarding this policy. At least biennially, the School invites a speaker from the New York City Police Department to make a presentation to students and School personnel to discuss the issues of personal safety, crime prevention, crime rules, sexual harassment, sex offenses and domestic violence. The sexual offense information is designed to promote the awareness of rape, acquaintance rape, and other forcible and non-forcible sex offenses. The presentation also includes information about campus security procedures and practices.

Information regarding sex offenders may be obtained at [www.criminaljustice.NY.gov/NSOR/Index.htm](http://www.criminaljustice.NY.gov/NSOR/Index.htm) or by calling the sex offender registry at 1-900 288-3838.

### **Emergency Evacuation Procedures and Timely Warnings**

Apex utilizes the Campus Text Alert System, which is a text message alert system that will be used to notify staff and students of an emergency. Should there be an emergency at the School that represents a threat to the health or safety of students or employees, they will be provided a timely warning by several methods. These methods include: initiating the Text Alert System, pulling the School's fire alarms, utilizing the telephone public address system (administrative offices), dispatching Department Heads throughout the facility and/or postings on bulletin boards to notify students and staff. The emergency response and evacuation will occur after the Office of the School Director has conferred to confirm that a significant emergency or dangerous situation is occurring that involves an immediate threat to the health and safety of students or employees at the School. The School may confer with the local police authorities. The Office of the School Director will determine the appropriate segments of the School to receive a notification; determine the content of the notification; and initiate the notification system, unless a notification will, in the professional judgment of the responsible authorities, compromise efforts to assist the victim or to contain or otherwise mitigate the emergency. On an annual basis, the School will test the procedures for the emergency response and evacuation either through an announced or unannounced test. The School will document each test and will maintain a description of the exercise the date and time, and whether the test was announced or unannounced. Safety is everyone's responsibility, but it must start with you. By following all security policies and using common sense safety practices, you can help promote a crime free campus environment. The following security considerations are offered to assist both students and school personnel in the prevention of crime:

## **GENERAL PRECAUTIONS:**

- BE ALERT:** Be aware of any suspicious persons or activities. Be conscious of areas such as entrances/exits, stairwells, parking areas and walkways. Trust your instincts and react to any signs that make you uneasy.
- REDUCE YOUR RISK:** If you have any doubt as to what you should or shouldn't be doing, put yourself in the place of the potential criminal. From that viewpoint, does your appearance, attitude or presence increase your chances of being a potential victim?
- THINK AHEAD:** Get into the habit of asking yourself if you are going about your business safely.
- AVOID ALCOHOL & DRUGS:** People under the influence are more likely to be victims of crimes.
- AVOID ISOLATION:** After dark, try to be with others. Use well-lit areas when leaving the school.

**NOTIFY THE SCHOOL DIRECTOR AT (212) 645-3300 OR ANY SCHOOL OFFICIAL  
IF ANY PERSON OR ACTIVITY AROUSES YOUR SUSPICION!**

## **IN ELEVATORS:**

- Get on with a group of people; always stand near the control panel, where you have access to the alarm and floor buttons.
- If you're on the elevator with someone who makes you feel uncomfortable, get off at the next floor.
- If while waiting for an elevator with someone who makes you feel uncomfortable, do not get on.

## **PUBLIC TRANSPORTATION:**

- SUBWAYS & TRAINS:** Wait in well lit areas near other people. Stay alert. If someone bothers you, make noise so that other passengers know.
- BUSES:** Wait near others. Sit in an aisle seat, near the driver, if possible.
- TAXIS:** Have the driver wait until you're safely inside your destination.

**IF YOU ARE FOLLOWED:**

- ACT SUSPICIOUS: Turn to look at the person. This gives you time to plan your strategy and lets the person know you won't be taken by surprise.
  
- CHANGE DIRECTIONS: If someone is following you on foot, cross the street and vary your pace. If the person is in a car, turn and walk in the opposite direction.  
GO INTO THE NEAREST PUBLIC PLACE & ASK TO USE THE PHONE TO CALL THE POLICE.

**RESPONDING TO AN ATTACK:**

- EVALUATE THE SITUATION: Look around; are there sources of help available? What state of mind is the attacker in?
  
- STAY ALERT: Listen and observe carefully so you can make the best decision at the time and provide important evidence later.
  
- DECIDE HOW YOU WANT TO RESPOND: All situations & people are different. Be realistic about your ability to protect yourself. Screaming, hitting or biting may give you a chance to escape, but these actions can expose you to greater harm.
  
- GIVE UP YOUR VALUABLES: If the attacker only wants your valuables, give them up. Valuables can be replaced--your life cannot.

**MOTOR VEHICLES:**

Although we do not have a parking facility, we offer some suggestions when dealing with motor vehicle safety:

- Keep your vehicle locked and the windows rolled up tight. Take your key with you.
  
- Never leave your vehicle running when it is unattended.
  
- All valuables should be locked in the trunk.
  
- Park in well lit areas.
  
- When returning to your vehicle, hold keys in your hand so that you can open the door as quickly as possible.
  
- Check the back seat and the immediate area to see if anyone is hiding.





Below are the statistics for Apex Technical School (Long Island City, New York) for the 2016 – 2018 calendar years:

**Crime Occurrences:**

	Campus			Non Campus			Public Property		
	2016	2017	2018	2016	2017	2018	2016	2017	2018
<b>Criminal Homicide:</b>									
Murder	0	0	0	0	0	0	0	0	0
Manslaughter (Negligent)	0	0	0	0	0	0	0	0	0
Manslaughter (Non-negligent)	0	0	0	0	0	0	0	0	0
<b>Sexual Offenses:</b>									
Forcible	0	0	0	0	0	0	0	0	0
Non-Forcible	0	0	0	0	0	0	0	0	0
<b>Robbery:</b>	0	0	0	0	0	0	0	0	0
<b>Aggravated Assault:</b>	0	0	0	0	0	0	0	0	0
<b>Hate Crimes:</b>	0	0	0	0	0	0	0	0	0
<b>Burglary:</b>	0	0	0	0	0	0	0	0	0
<b>Motor Vehicle Theft:</b>	0	0	0	0	0	0	0	0	0
<b>Arson:</b>	0	0	0	0	0	0	0	0	0
<b>Arrests:</b>									
Liquor Law Violations	0	0	0	0	0	0	0	0	0
Drug Abuse Violations	0	0	0	0	0	0	2	0	0
Weapons Possessions	0	0	0	0	0	0	0	0	0
<b>Referrals for Campus Disciplinary Action:</b>									
Liquor Law Violations	0	1	0	0	0	0	0	0	0
Drug Abuse Violations	0	1	0	0	0	0	0	1	0
Weapons Possessions	0	0	0	0	0	0	0	0	0
<b>Violence Against Women Act (VAWA):</b>									
Domestic Violence	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0

Hate Crime \*:

\* None of the criminal occurrences, arrests, or referrals for campus disciplinary action listed above or the crimes of larceny-theft, simple assault, intimidation, destruction/damage/vandalism of property, national origin and gender intimidation that have been reported to local police agencies or to a crime security authority have manifested any evidence that the victim was intentionally selected because of the victim’s actual or perceived race, gender, religion, sexual orientation, ethnicity, or disability.

There are no non-campus buildings or property.

(Effective October 2019)