

# 2018 Annual Security & Fire Safety Report

Syracuse Campus Statistics for 2015, 2016 and 2017



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## The SUNY-ESF Annual Security & Fire Report

In accordance with the “Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act”, institutions of higher education are required to prepare an annual report containing information on campus security policies and campus statistics. The following information provides a summary of SUNY-ESF’s safety and security policy. Crime and judicial referral statistics gathered for this report are based on information obtained from the offices of University Police and the Dean for Student Affairs.

### Student Affairs

The Office for Student Affairs fosters an open door policy.

To schedule an appointment, students may call Student Affairs at 315.470.6660, or can e-mail [stuhelp@esf.edu](mailto:stuhelp@esf.edu), or can stop in to make an appointment in person with our secretary.

Student Affairs will strongly encourage the victim of crime to report the incident to police unless it is their express desire to keep the information confidential. Staff will assist victims with the on-and off-campus reporting process and provide support.



### General Security & Access Information

In 2017, approximately **2,399** full and part-time undergraduate and graduate students were enrolled at SUNY-ESF. The College employs approximately **568** full-time and part-time faculty and staff. Students, faculty, and employees have access to academic, recreational, and administrative facilities on campus during regular hours of operation. The public can attend cultural and recreational events on campus with their access limited only to the facilities in which these events are held. To report any violations of this or to report suspicious persons, dial campus extension 6666 for the University Police. The University Police Chief is the designated campus security authority for the purposes of this report, and can be reached at (315) 470-6667. ([www.esf.edu/univpolice/contact.htm](http://www.esf.edu/univpolice/contact.htm))

### Residence Life & Housing

The Centennial Hall staff is committed to providing a safe environment for students within the residence hall. Students are made aware of safety concerns as well as prevention tactics and personal responsibility through an intensive orientation process. The residence hall is supervised by a Community Manager and a live-in Residence Director with the assistance of Resident Advisors.

Residence hall students are educated on security practices in place within the facility; they are issued an electronic access fob and an individual bedroom key (if applicable). All visitors are screened at the front desk after 8PM and must be accompanied by a resident host. Access within and without is controlled via an electronic security system which restricts movement based on an assigned access level. The residence hall is equipped with a fire alarm system that is directly addressable to the Onondaga County 911 Center. The residence hall is also equipped with a video surveillance system.

## Authority & Responsibilities of University Police

The University Police Department has a force of nine sworn police officers with full arrest powers. University Police officers respond to all emergencies on the campus 24 hours a day, 365 days a year. The mission of University Police is



to provide a safe environment for teaching, research, and social endeavors and to protect the lives and property of the students, employees, and visitors of SUNY-ESF. University Police officers have full law enforcement authority on campus grounds and adjoining roadways. They receive specialized training in emergency response, first aid, defensive tactics, diversity issues, ethics, and other topics. Officers

meet with students to discuss crime prevention, safety awareness, self-defense, substance abuse, cultural awareness, and other community policing concerns.

## Relationships with Other Police Departments

The University Hill area in Syracuse consists of a number of facilities that have their own security forces. Those incidents that affect one facility tend to affect us all. To assure the rapid transfer of information and the best usage of available resources, we use the HILLNET radio system. The HILLNET system links the University Police Department at SUNY-ESF with public safety and police departments at Syracuse University, Veterans Administration Hospital, Crouse-Irving Memorial Hospital, SUNY Upstate Medical University, and the Hutchings Psychiatric Center. Information about criminal activity is immediately broadcast to all HILLNET participants so they can take precautionary measures. Periodic meetings among the HILLNET facilities, area merchant representatives, and the Syracuse Police Department allow for the free flow of information among all concerned groups. SUNY-ESF receives copies of Syracuse Police Department's daily bulletins to keep abreast of criminal activity in the University Hill area.

Criminal activity at off-campus locations is monitored by the police agency having jurisdiction for that area. Agencies in the Syracuse area share information and assist University Police as needed. Students involved in off-campus situations involving alcohol/drug offenses or other criminal activities may be referred to the campus judicial program.

## Memorandums of Understanding

SUNY-ESF University Police has signed memorandums of understanding (MOU's) with the Syracuse Police Department and the St. Lawrence County Sheriff's Department. These MOU's define what each department's jurisdiction will be in the investigation of violent felony and missing student cases.

## Reporting Crimes

All members of the campus community are strongly urged to report criminal incidents, emergencies, and suspicious activity. The campus emergency number is 6666 which is answered by University Police. The off-campus emergency number is 911. Crimes in progress and any other emergency on campus can be reported directly by any student or employee to University Police who can also be reached by activating a campus blue light help phone. Officers are dispatched immediately to the site of the complaint. Incident reports are prepared and kept on file.

Members of the campus community are urged to secure their valuables and be aware of their surroundings. A variety of methods are available to disseminate information about criminal activity in the University Hill area that may affect students or staff at SUNY- ESF: *Crime Alerts* are distributed throughout SUNY- ESF's student e-mail system and via Campus News. Crime news and prevention tips are published in the SUNY-ESF student newspaper, *The Knothole*, as well as in the SU student newspaper, *The Daily Orange*. Crime prevention materials are available in various areas on the SUNY-ESF and SU campuses.

## Campus Reporting Agents

Crimes may be reported on a voluntary or confidential basis to the following campus offices:

**ESF University Police x 6666**  
19 Bray Hall

**ESF Chief of Police x 4992**  
06 Bray Hall

**Dean for Student Affairs / Student Support x 6660**  
110 Bray Hall

**Student Involvement & Leadership x 6658**  
14 Bray Hall

**Human Resources x 6611**  
216 Bray Hall

## Confidential Crime Reporting

If you are the victim of a crime and do not want to pursue campus judicial action or criminal prosecution, you may still want to consider making a confidential report. With your permission, the University Police Chief or his designee can file a report on the details of the incident without revealing your identity. The purpose of the confidential report is to comply with your wish to keep the matter confidential, while taking steps to ensure the safety of yourself and others. This information will enable University Police to keep an accurate account of the number of incidents involving students, determine where there is a pattern of crime and alert the campus community to potential danger. These reports will be counted and disclosed in the annual crime statistics for this institution.

## Criminal Activity Off-Campus

When a SUNY-ESF student is involved in an off-campus incident, ESF Police may assist with the investigation in cooperation and at the direction of local, state or federal Law enforcement. The Syracuse Police and Syracuse University Public Safety Departments routinely work and communicate with SUNY-ESF Police on any serious incidents occurring on-campus or in the immediate vicinity surrounding the campus. Incidents that present an imminent or continuing threat to the campus community will be publicized via Timely Warnings or Emergency Notifications.

## Daily Log

University Police maintains a daily log of crimes and incidents that occur on campus that is available to the public to view. This information is recorded by date, time and general location, and disposition of the complaint. This daily log is available at the University Police Department, room 19 Bray Hall. Please note that entries or updates are generally made within two business days after the event occurs. Incidents or situations deemed to pose a threat to the campus community are logged as soon as possible.

While most events are logged, the University Police Chief may determine that an incident be classified as "confidential" in order not to jeopardize a criminal investigation or the identity of a victim.

## Emergency Notification

If an emergency were to occur that impacted SUNY-ESF the campus community would be notified in a number of ways. If the incident poses an imminent threat a "SUNY NY-Alert" would be issued. Commonly known as the



New York State All-Hazards Alert and Notification system, once activated it will notify students, faculty, and staff through a number of messaging gateways; email, voice phone, text messaging, or fax. The campus will also utilize Campus email broadcasts, SUNY-ESF Homepage, person to person contact as well as local media coverage to communicate an emergency. The SUNY NY-Alert system is tested periodically via a test group as well as annually campus wide.

## Emergency Response Procedures

SUNY-ESF has developed an all hazards Emergency Response Plan which incorporates the Incident Command System for organizing, coordinating, and directing available resources toward the control of an emergency. The Emergency Response Plan designates University Police as the initial contact for reporting all emergency situations and as the central point of communication during the response and resolution of all emergencies. Upon receiving the initial contact, the University Police Officer in Charge (OIC) will make an initial judgment about the level of response necessary and communicate with the appropriate personnel as outlined in the plan.

## Evacuation Procedures

### Authorizing an Evacuation

University Police, in consultation with the Vice President for Administration, the College President, or officials from the law enforcement or emergency response agencies, will determine when to authorize a campus evacuation. All building and campus evacuations will be conducted in a safe and orderly fashion.

### Communication

While campus communication methods will vary depending on the nature of the emergency, methods of notifying employees, students, and others.

### Evacuation Routes

SUNY-ESF has a limited access roadway system. Presently there are three entrances to campus. One public entrance is located at the intersection of Irving and Raynor Avenues. There is another entrance at the intersection of Forestry and Sims Drive and one located at the intersections of Oakland Street and Stadium Place. The Carrier Dome, managed by Syracuse University, is a landmark that borders one of our main roadways. This roadway (Forestry Drive) allows traffic to flow in an easterly and westerly direction. Campus Drive provides an alternate exit to both east and west sides of the campus.

There are several alternative routes that can be easily opened to allow traffic to exit from the upper area of campus, in the event the roadway behind Bray and Marshall Halls becomes impassable.

Directly adjacent to the Old M&O Building is a footpath into Oakwood Cemetery that can be utilized without any modifications. It may be difficult to use this footpath during snowy winter conditions.

The other emergency evacuation route is located between Bray and Walters. Oak Leaf Drive flows to the north providing access to Sims and Forestry Drives. The two public entrances as well as the back entrance off of Stadium Place are the other escape routes.

### Drills

Unannounced evacuation drills are coordinated three times a year by the University Police and Environmental Health and Safety (EHS) Departments by activation of individual building fire alarms.

Faculty, staff, and students learn the locations of the emergency exits and general routes to follow. Evacuation routes are posted on each floor of each building.

The purpose of evacuation drills is to prepare building occupants for an organized evacuation in the event of an

## Shelter-In-Place Procedures

The term, **Shelter-In Place**, means to seek immediate shelter and remain there during an emergency rather than evacuate the area. **It is always preferable to evacuate. Shelter-In-Place should only be used when an evacuation is not safe.** In-place sheltering usually lasts no more than a few minutes to a few hours and preparations, made in advance, can ensure that the event is as comfortable as possible. Each department should determine its sheltering location prior to an incident occurring.

The preferred Shelter-In-Place location would be an interior room or hallway, with limited or no windows. The location would have access to restroom facilities as well as drinking water.

### Shelter-In-Place (weather) Recommendations

There may be situations when it's best to stay where you are to avoid any uncertainty outside. There are other circumstances, such as during a tornado or a chemical incident, when specifically **how** and **where** you take shelter is a **matter of survival**.

Determine where you will take shelter if instructed to do so.

1. Storm cellars or basements provide the best protection.
2. If underground shelter is not available (or not advisable due to the situation), go into an interior room or hallway on the lowest floor possible.
3. In a high-rise building, go to an interior stairwell, small interior room, or hallway on the lowest floor possible.
4. Stay away from windows, doors, and outside walls. Go to the center of the room. Stay away from corners because they attract debris.

### Stay in the shelter location until the danger has passed.

### Shelter-In-Place (violent person) Procedures

Upon the recommendation of public safety officials, or when there is a significant security concern, the safest course of action may be to shelter-in-place. Everyone shall stay as calm as possible and follow these procedures:

1. First, ensure your own safety
  - a. Move to the nearest location that can be secured by a locked door .
  - b. If a lockable door is not available, move as far away from the threat as is safely possible. Isolate yourself and restrict entry anyway that is possible.
  - c. Remain quiet and do not do anything that will draw attention to you.
2. Notify University Police
  - a. Campus Phone: ext. 6666
  - b. Cell Phone: 315-440-6615
3. Assist others
  - a. Allow other trusted individuals into your secure location.
  - b. Instruct them to remain calm and quiet
  - c. If you know where the intruder (or source of the security threat) is, contact University Police immediately.

When the security threat is over, University Police will move through the entire building and notify everyone that the threat is gone.

## Timely Warnings

In the event that a situation arises, either on or off-campus, that, in the judgment of the Chief of University Police, constitutes an ongoing or continuing threat, a campus-wide "timely warning" will be issued. The warning will be issued to all students, faculty, and staff and depending on severity will be delivered either through campus email or the SUNY NY-ALERT system. SUNY-ESF participates in the New York State All-Hazards Alert and Notification system, commonly called SUNY NY-Alert. In the case of an emergency, the College will use SUNY NY-Alert to notify students, faculty, and staff through one or more of the following messaging gateways: email, voice phone, text messaging, or fax.

Warnings sent will contain incident-specific emergency messages and detailed instructions on how to respond to them. The SUNY NY-Alert system is maintained by the New York State Emergency Management Office that can be found at: [www.semo.state.ny.us](http://www.semo.state.ny.us).

## Security Awareness Programs

**Everfi Online Training:** at the start of each semester new students (undergraduate and graduate students) are assigned a mandatory online educational training program that covers alcohol and healthy habits (AlcoholEDU) and/or sexual assault prevention (SAP). Student are provided several weeks to complete these online courses at the start of each semester.

SUNY ESF partners with Vera House, the local non-profit agency in Onondaga County dedicated to ending domestic and sexual violence, to provides primary prevention education and bystander intervention programming to first year students and transfer students. SUNY ESF values the expertise and skills of Vera House as well as community collaborations.

**First Year Orientation Presentation:** During the orientation prior to the fall semester, first year students participate in a presentation called A is for Awkward. This is a 'musical chairs' inspired activity where students begin by walking around the room to music. When the music is paused, students are to find the person closest to them, lock eyes and maintain eye contact until the music plays. This continues for several rounds after which the Vera House educators prompt a discussion on defining awkward including how various dynamics such as height, physicality, gender, and connection to a person influence one's ability to communicate verbally and non-verbally. Facilitators further explore how this relates to having conversations about preventing and intervening on instances of domestic/dating violence, sexual violence and stalking which can be awkward.

**First Year Seminar Presentations:** Each first year student (including transfers) participate in a semester long orientation seminar within their respective academic departments. During one of the class times, Vera House educators expand on the knowledge presented during orientation with a presentation called Deep Roots. This presentation examines gender roles, stereotypes and expectations that affect individual lives and relationships. The power dynamics that are created from this are discussed as one of the root causes for domestic/dating violence and stalking.



The presentation concludes with a discussing the connection to these issues and prevention, stressing the importance of understanding and creating changes within our culture to address this. Student Affairs staff finish the presentation by explaining the Title IX process at ESF including the reporting process and support services available to students.

**Rape Aggression Defense (RAD) training:** is offered by University Police once per semester. This program promotes awareness of rape, acquaintance rape, and other sex offenses.

**New Employee Orientation:** a follow up orientation for new employees includes in person review of the Sexual Harassment, Assault, and Violence Prevention Policy.

**We Comply:** employees are annually assigned online training modules that cover sexual harassment, assault, and violence prevention, Title IX, and domestic violence.

**Twilight Review:** The College-wide Personal Safety Committee hosts annually an on foot walking tour of the campus ground. Its purpose is to invite comment on current safety measures such as lighting, help phones, escort services, etc. in order to recommend modifications and improvements. This tour occurs at dusk during November and welcomes all employees and students to accompany University Police, Physical Plant, and other members of the Personal Safety Committee.



## Crime Prevention Programs

**University Police General Services:** Services available through the University Police Department throughout the year include emergency services, parking information, motorist assistance, and lost and found. University Police are highly-training professionals whose job is to protect and serve the campus community. You'll see officers walking through campus buildings, checking on students working late in classrooms, labs, or studios, and even stopping in at campus events. During non-business hours, University Police serves as a point of contact for facilities emergencies.

**Escort Service:** Available 24 hours a day, 7 days a week to anyone on-campus. Contact University Police to make arrangements.



### Parking and Accessibility Map

University Police 470-6667

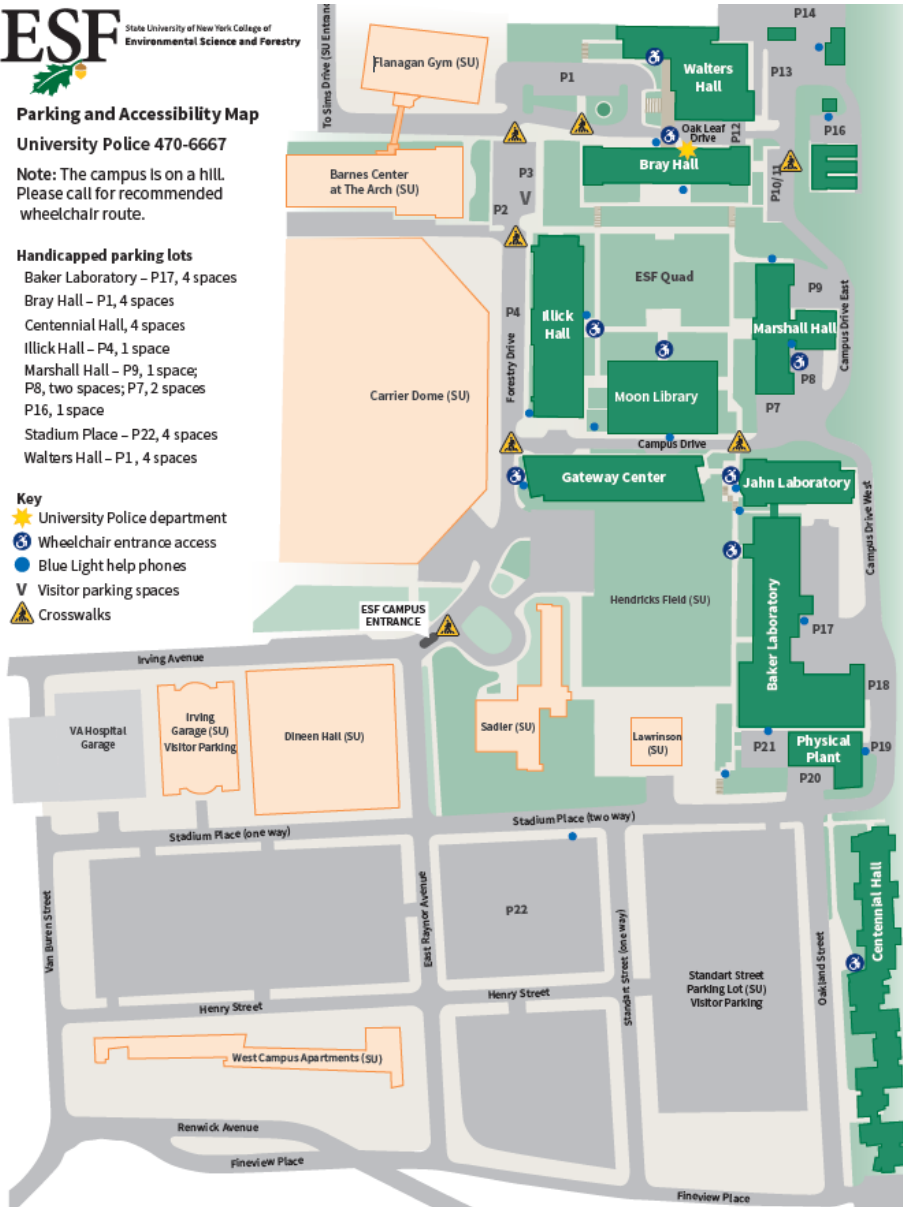
Note: The campus is on a hill. Please call for recommended wheelchair route.

#### Handicapped parking lots

Baker Laboratory – P17, 4 spaces  
 Bray Hall – P1, 4 spaces  
 Centennial Hall, 4 spaces  
 Illick Hall – P4, 1 space  
 Marshall Hall – P9, 1 space;  
 P8, two spaces; P7, 2 spaces  
 P16, 1 space  
 Stadium Place – P22, 4 spaces  
 Walters Hall – P1, 4 spaces

#### Key

- University Police department
- Wheelchair entrance access
- Blue Light help phones
- Visitor parking spaces
- Crosswalks



**Emergency Telephone:** University Police Communications Center is staffed 24 hours a day. There are usually officers on foot and/or in vehicle patrol in radio contact with the Communications Center at all times. The Communications Center has six emergency phone lines that roll over from one in house line by simply dialing 6666 from on-campus phones or 315-470-6666 from off campus phones. The Center also answers the emergency phones located in all elevators and the Blue Light “help” phones located at 79 exterior and interior sites throughout campus. A map of the campus Blue Light system can be found at [www.esf.edu/psc/map.htm](http://www.esf.edu/psc/map.htm).

## Drug, Alcohol, and Substance Abuse

### ESF Drug-Free Workplace Policy (Students)

The ESF Alcohol and Other Drug Use Policy is intended to articulate, affirm, and maintain community-wide norms that support abstinence and encourage low-risk choices regarding alcohol and other drugs; choices that will not compromise positive living, learning, and/or working experiences for each member of our community. This policy provides a framework for the College's approach to prevention and intervention, and defines acceptable and unacceptable behaviors with regard to alcohol and other drugs.

#### Guiding Principles:

**College as a Community:** ESF is an educational institution dedicated to pursuing excellence, promoting academic achievement, and advancing knowledge. The College takes a demonstrable interest in the intellectual, physical, and psychological wellbeing of its members. Ultimately, the College seeks a proper balance between individual freedom to learn from experience and the need to accept and live within the standards of conduct set by the community. The College expects all its members and guests to share in the responsibility for adhering to and enforcing this policy.

**Proactive Approach:** Federal, state, and local laws and other mandates require the College to promulgate policies and procedures that stipulate sanctions for violating standards for misusing alcohol and other drugs; however, the College's efforts go beyond rules and sanctions. The College aims to institute policies and procedures that develop and sustain healthy community-wide norms to facilitate the prevention of problems while providing resources for intervention and assistance.

**Prevention, Education, and Intervention:** ESF seeks to provide an environment in which drug and alcohol abuse is not tolerated and does not interfere with the goals of the College as an educational institution and workplace. In order to provide an environment that does not tolerate the illegal and harmful use of alcohol and other drugs and helps to prevent problems related to those substances, the College engages in proactive efforts including the following:

- Educating members of the community about policies related to alcohol and other drugs and sanctions used to enforce these policies;

- Intervening and providing assistance to those with problems while creating an atmosphere in which those with problems are encouraged to seek help; and

- Offering low-risk social options that support institutional initiatives fostering health and wellness.

**Values Regarding Substances and Education:** Taking into account the public health and safety concerns expressed above, ESF supports the following values with regard to substances and education:

*Alcohol:* Abstinence is supported as a primary option. Consuming alcoholic beverages legally and in moderation is acceptable. Drinking alcohol excessively is not. Unlawful behaviors involving alcohol are prohibited. Disruptive behavior that creates potential for harm or infringes on the rights of others is prohibited.

*Illegal and Other Drugs:* There is zero-tolerance for the unlawful possession and use of illegal drugs. This zero-tolerance also applies to improperly using prescription medications, controlled substances, or other legal drugs. Possessing drug paraphernalia is prohibited.

*Education:* The College supports and utilizes alcohol and drug education and early intervention programs where appropriate. Self-referral to such programs is strongly encouraged and participation is strictly confidential. Community members are expected to be aware of the risks associated with abuse of alcohol and other drugs and the education and early intervention programs available to the community.

## Health Risks and Information:

Health risks associated with the use of alcohol include, but are not limited to, memory loss, depression, seizures, falls and accidents, heart and lung diseases, frequent infection, and sudden death.

Social risks associated with the use of alcohol include, but are not limited to, damaged relationships, academic failure, and family problems.

Grain alcohol is very dangerous when consumed. It is usually in a concentration of approximately 95 percent (185-190 proof), is highly toxic, and physically damages body cells, including causing burn injuries to the mouth and esophagus. Possession of grain alcohol by any person, regardless of age, is a violation of New York State Law.

For further information and assistance regarding alcohol and other drug related matters, community members may consult the Office of Student Affairs, and or the Office of Human Resources.

## Use of Alcohol and Other Drugs:

Jurisdiction: The College's Alcohol and Other Drug Use Policy applies to the activities of all ESF students, ESF-sanctioned student clubs and organizations, staff, faculty, guests, and visitors as follows. This policy applies to:

All activities occurring on College-owned, operated, and/or associated properties, and in ESF-designated housing facilities;

All College-sponsored events occurring at any location;

All activities sponsored by College-affiliated, not-for-profit organizations, corporations and foundations including, but not limited to, the College Foundation, the SUNY-ESF Alumni Association, the Ranger School Alumni Association, and the Syracuse Pulp and Paper Foundation;

All individuals while representing the College at any location;

All students as detailed in the Code of Student Conduct; and

All ESF-sanctioned student clubs and organizations as detailed in the Student Organization/Club Manual.

Student conduct related to the use of alcohol and other drugs is regulated by the *Code of Student Conduct*, primarily in section 10, which reads: Illegal manufacture, purchase, sale, use, possession, being in the presence of, or distribution of alcohol, drugs, or controlled substances and/or violation of the ESF Alcohol and Other Drug Use Policy. ESF complies with the policies and sanctions of the Drug-Free Schools and Communities Act Amendments of 1989 (PL 101-226).

Per the Alcohol and Other Drug Use Policy, any College official shall have the authority to take action regarding any violation of this policy occurring on College-owned, operated, and/or associated properties, in ESF designated housing facilities, or at any College-sponsored or College-affiliated event. Any member of the College community may file a complaint pursuant to established College disciplinary procedures against any individual, ESF-sanctioned club or student organization, department, or affiliated organization, corporation, or foundation he/she knows or believes to have violated this policy. Complaints may be filed through established College processes, and, if it is determined a violation has been committed by the accused individual or ESF sanctioned student club or organization, department, or affiliated organization, corporation, or foundation, appropriate sanctions will be determined using criteria identified below. All students and ESF sanctioned student clubs and organizations are governed by this policy. Allegations that one or more students or ESF-sanctioned student clubs and organizations have committed a violation of this policy are handled through the College Conduct Process. College sanctions are described below. Students may also be subject to external sanctions.

Complaints may be filed through established College processes, and, if it is determined a violation has been committed by the accused individual or ESF sanctioned student club or organization, department, or affiliated organization, corporation, or foundation, appropriate sanctions will be determined using criteria identified below. All students and ESF sanctioned student clubs and organizations are governed by this policy. Allegations that one or more students or ESF-sanctioned student clubs and organizations have committed a violation of this policy are handled through the College Conduct Process. College sanctions are described below. Students may also be subject to external sanctions.

### Sanctioning Guidelines for Alcohol & Drug Violations of the Code of Student Conduct

Listed below are the general sanctioning guidelines for alcohol, marijuana, and other drug offenses.

Code of Student Conduct Section #	Violation Examples	For a First Violation, a student should expect <sup>1</sup> :	For a Second Violation, a student should expect <sup>1</sup> :
#15 – <i>Violation of College policies, rules, or regulations that are published in the Student Handbook, or other official College publications or agreements pertaining to the educational mission of the institution.</i>	Examples include violations of residence hall policies related to alcohol, being in the presence of alcohol if underage, possessing empty alcohol bottles/cans if underage, etc. <sup>2,3</sup>	A written reprimand A minimum of 5 hours community restitution	6-9 months of disciplinary probation An educational project A minimum of 10 hours community restitution Parental/guardian notification
#10 – <i>Illegal manufacture, purchase, sale, use, possession, or distribution of alcohol, drugs, or controlled substances, or any other violation of the ESF Alcohol and Other Drug Use Policy.</i>	Examples include underage consumption, use or possession of alcohol under prohibited circumstances, supplying alcohol to underage person (s), use or possession of marijuana or drug paraphernalia, etc.	6-9 months of disciplinary probation An educational project A minimum of 20 hours community restitution Parental/guardian notification	9-12 months of disciplinary probation An educational intervention program (such as OPTIONS) A minimum of 50 hours community restitution Parental/guardian notification
#10	Examples of more serious violations include the manufacture, sale, purchase, or distribution of illegal drugs or controlled substances	A minimum of one semester suspension <sup>4,5</sup> An alcohol and/or drug assessment by an approved provider and completion of any/all recommended treatment A minimum of 50 hours community restitution to be completed prior to applying for readmission to ESF Disciplinary probation for duration of ESF career upon return	Expulsion from SUNY-ESF

<p><b>#4 – Conduct which threatens the mental health, physical health, or safety of any person or persons including defamation, hazing, drug or alcohol abuse, and other forms of destructive behavior.</b></p>	<p>Examples include intoxication or other substance abuse-related behavior posing a substantial risk to the health and wellbeing of self and/or others, transport to a health-care facility due to intoxication, etc.</p>	<p>9-12 months of disciplinary probation An educational intervention program (such as OPTIONS) A minimum of 20 hours community restitution Parental/guardian notification</p>	<p>A minimum of one semester suspension<sup>4,5</sup> An alcohol and/or drug assessment by an approved provider and completion of any/all recommended treatment A minimum of 50 hours community restitution to be completed prior to applying for readmission to ESF Disciplinary probation for duration of ESF career upon return</p>
<p><b>#4</b></p>	<p><b>Examples of more serious violations</b> include driving any motor vehicle while intoxicated or while under the influence of drugs</p>	<p>A minimum of one semester suspension<sup>4,5</sup> An alcohol and/or drug assessment by an approved provider and completion of any/all recommended treatment A minimum of 50 hours community restitution to be completed prior to applying for readmission to ESF Disciplinary probation for duration of ESF career upon return</p>	<p>Expulsion from SUNY-ESF</p>
<p>All sanctions listed above are provided as guidelines only. Stricter sanctions may result in any case due to the severity of the behavior and/or the presence of aggravating circumstances association with alcohol, marijuana, and/or drug use and/or consumption.</p> <p>Administration of all sanctions will follow policies and procedures for enforcement, as defined in the ESF Student Handbook.</p>			

## Drug, Alcohol, and Substance Abuse

### ESF Drug-Free Workplace Policy (Employees)

The Federal Drug Free Workplace Act, a part of the Anti-Drug Abuse Act of 1988, and The Drug Free Schools and Communities Act of 1989 imposed significant responsibilities on recipients of federal grants and contracts, including funds for campus-based financial aid programs. As a recipient of such funds, SUNY-ESF is subject to the requirements of the Acts. Among those requirements is the adoption of a campus Drug-Free Workplace Policy and a drug prevention program.

#### Policy:

ESF is committed to the development and maintenance of a drug-free environment and, in accordance with the Federal Drug-Free Workplace Act of 1988, and other applicable laws, rules and regulations, the College will not tolerate the unlawful possession or use of a controlled substance(s)\* and alcohol in and on its premises. The unlawful manufacture, distribution, dispensation, possession or use of a controlled substance is prohibited in and on property owned by or under the control of the College (all ESF work locations). No employee will report for work or will work impaired by any substance, drug or alcohol, lawful or unlawful. "Impaired," for the purposes of this policy, shall mean under the influence of a substance such that the employee's work performance, senses or judgment either are affected, or there is reasonable suspicion that they are so affected.

#### Procedures:

- A. Compliance with the provisions of this policy is a condition of employment at ESF.
- B. Employees who violate this policy will be subject to the disciplinary procedures provided by the collective bargaining agreements or such other corrective action as the President or the President's designee may deem appropriate. Other corrective action may include satisfactory participation in an approved drug or alcohol rehabilitation program. Student employees will be subject to the judicial procedures specified in the "Rules and Regulations for Governing Student Conduct and Behavior" (revised January 2003).

\*The term "controlled substance" means a controlled substance in Schedule I through V of Section 202 of the Federal Controlled Substances Act (21 USC812). To assist you in understanding the policy, go to the following web site: <http://www.deadiversion.usdoj.gov> and then click on "Controlled Substance Schedules".

#### Policies and Procedures

Any employee convicted of ANY CRIMINAL DRUG VIOLATION occurring in the workplace, or at a work site owned or controlled by ESF is required to give a signed written notice of the conviction to the Director of Human Resources no later than five (5) working days after such conviction. The College will make a good faith effort to maintain a drug-free workplace. The effort will include drug awareness education programs, the Employee Assistance Program (EAP) to assist employees seeking treatment and rehabilitation programs, and the implementation and strict enforcement of this policy.

The Employee Assistance Program is available for employees who wish to seek assistance in dealing with drug or alcohol related problems. Please call the EAP Coordinator, at extension 6847, for information. Both the State and Research Foundation health insurance programs provide coverage for rehabilitation programs. Questions concerning this policy should be referred to the Director of Human Resources.

## Sexual Assault, Domestic Violence, Dating Violence, and Stalking

### Domestic Violence and the Workplace Policy (students)

In June 2015, Governor Andrew Cuomo signed the sexual and interpersonal violence prevention bill. The standards and expectations contained in this law apply to all public and private colleges and universities in New York.

The following is regard to ESF's policies and processes specifically related to allegations of sexual and interpersonal violence. Sexual violence, as used in College policy, the ESF *Student Handbook*, and this Appendix, refers to physical sexual acts perpetrated against a person's will or where a person is incapable of providing affirmative consent (as defined herein). A number of different acts fall into the category of sexual violence, including rape, sexual assault, sexual battery, sexual abuse, sexual coercion, dating/domestic violence, and stalking. Sexual and interpersonal violence can be carried out by other students, by College employees, or by third parties. All such acts of sexual violence are forms of sex discrimination prohibited by law and by College policy.

Staff members in the Division of Student Affairs are available to help students and others with additional questions. Contact the Division of Student Affairs at 315-470-6660, 110 Bray Hall, or [stuenthelp@esf.edu](mailto:stuenthelp@esf.edu) to speak with someone.

#### *Important Note about Confidentiality*

Even ESF offices and employees who cannot guarantee confidentiality will maintain your privacy to the greatest extent possible. The information you provide to a non-confidential resource will be relayed only as necessary for the Title IX Coordinator to investigate and/or seek a resolution. The ESF Division of Student Affairs is not a *confidential* reporting option for individuals wishing to disclose an incident of or file a formal complaint related to allegations of sexual violence. When Student Affairs receives a report of sexual violence, it is required to report the incident to the College's Title IX Coordinator. Information shared will be limited to information needed for investigation, safety, and appropriate follow-up.

### Sexual Harassment, Assault, and Violence Prevention Policy

The College of Environmental Science and Forestry is committed to maintaining a learning and working environment free from all forms of harassment, discrimination, and/or intimidation, including those of a sexual nature. Every member of the College community should be aware that the College does not tolerate sexual harassment and that such behavior is prohibited by law and by the College.

To help insure that this type of environment is present at ESF, the College has developed the Sexual Harassment, Assault, and Violence Prevention Policy. Alleged violations of this policy will be fully investigated and resolved. It is the responsibility of the College to prevent sexual harassment if possible, to address it when it occurs, and to take appropriate action against behavior that is a violation of this policy. The scope of this policy applies to all students, employees, applicants in the admission or employment processes, the Board of Trustees, and visitors.

### Students' Bill of Rights

The State University of New York and the College of Environmental Science and Forestry are committed to providing options, support, and assistance to victims/survivors of sexual assault, domestic violence, relationship/dating violence, and/or stalking to ensure that they can continue to participate in College-wide and campus programs, activities, and employment. All victims/survivors of these crimes and violations, regardless of race, color, national origin, religion, creed, age, disability, sex, gender identity or expression, sexual orientation, familial status, pregnancy, predisposing genetic characteristics, military status, domestic violence victim status, or criminal conviction, have the following rights, regardless of whether the crime or violation occurs on campus, off campus, or while studying abroad:

All students have the right to:

- Make a report to local law enforcement and/or state police;
- Have disclosures of domestic violence, dating violence, stalking, and sexual assault treated seriously;

- Make a decision about whether or not to disclose a crime or violation and participate in the student conduct process and/or criminal justice process free from pressures from the institution;
- Participate in a process that is fair, impartial, and provides adequate notice and a meaningful opportunity to be heard;
- Be treated with dignity and receive from the institution courteous, fair, and respectful health care and counseling services, where available;
- Be free from any suggestion that the reporting individual is at fault when these crimes and violations are committed or should have acted in a different manner to avoid such crimes or violations;
- Describe the incident to as few College representatives as practicable and not be required to unnecessarily repeat a description of the incident;
- Be free from retaliation by the institution, the accused and/or the respondent, and/or their friends, family, and acquaintances within the jurisdiction of the College;
- Access to at least one level of appeal of a determination;
- Be accompanied by an advisor of choice who may assist and advise a reporting individual, accused individual, or respondent throughout the student conduct process, including during all meetings and hearings related to such processes; and
- Exercise civil rights and practice of religion without interference by the investigative, criminal justice, or student conduct process of the College.

### Reporting Options

In accordance with the Students' Bill of Rights, reporting individuals have the right to pursue more than one of the options below at the same time or to choose not to participate in any of the options below:

To disclose *confidentially* an incident to one of the following officials, who by law maintains confidentiality, and who can assist in obtaining services:

ESF Counseling Services, 315-470-4716, 110A Bray Hall  
Syracuse University Hendricks Chapel, 315-443-2901

To disclose *confidentially* an incident and obtain services from the Vera House 315-468-3260.

Additional disclosure and assistance options are catalogued by the Office for the Prevention of Domestic Violence and presented in several languages: <http://www.opdv.ny.gov/help/index.html> or by calling 1-800-942-6906. New York State or county hotlines: <http://www.opdv.ny.gov/help/dvhotlines.html>

Assistance and contact information for resources can also be obtained through: [response.suny.edu](http://response.suny.edu)

To disclose an incident to one of the following ESF officials who can offer *privacy* and provide information about remedies, accommodations, evidence preservation, and how to obtain resources. These officials will also provide the information contained in the Students' Bill of Rights, including the right to choose when and where to report, to be protected by the College from retaliation, and to receive assistance and resources from the College. These College officials will disclose that they are private and not confidential resources and that they may be required by law and College policy to inform one or more College officials about an incident, including, but not limited to, the Title IX Coordinator. They will notify reporting individuals that the criminal justice process uses different standards of proof and evidence than internal processes and that questions about the penal law or criminal process should be directed to law enforcement or the district attorney.

Title IX Coordinator, 315-565-3012, 221 Baker Laboratory:  
ESF University Police, 315-470-6667, 19 Bray Hall  
Additional ESF Contacts

ESF shall ensure that, at a minimum, at the first instance of disclosure by a reporting individual to a College representative, the following information shall be presented to the reporting individual: "You have the right to make a report to University Police, local law enforcement, and/or State Police or choose not to report; to report to the College; to be protected by the College from retaliation for reporting an incident; and to receive assistance and resources from the College."



To file a criminal complaint with ESF University Police and/or with local law enforcement and/or State Police:



ESF University Police, 19 Bray Hall, 315-470-6667

Syracuse Police Department Abused Persons Unit  
511 S. Main Street  
315-435-3016

Onondaga County Sheriff's Office, Abused Persons Unit  
315-435-3092



State police 24-hour hotline to report sexual assault on a NY college campus: 1-844-845-7269



To receive assistance from the Title IX Coordinator in initiating legal proceedings in family court or civil court.

To file a report of sexual assault, domestic violence, dating violence, and/or stalking and/or talk to the College's Title IX Coordinator (or designee) for information and assistance. Reports will be investigated in accordance with College policy and the reporting individual's identity shall remain private at all times if the reporting individual wishes to maintain privacy.

To file student conduct charges against the accused. Conduct proceedings are governed by the procedures set forth in this Handbook as well as federal and New York State law, including the due process provisions of the United States and New York State Constitutions. Reporting individuals may withdraw their complaint or involvement from the College process at any time.

When the accused is an employee, a reporting individual may also report the incident to ESF's Office of Human Resources (216 Bray Hall, 315-470-6611) or may request that one of the above referenced confidential or private employees assist in reporting to Human Resources. Disciplinary proceedings will be conducted in accordance with applicable collective bargaining agreements. When the accused is an employee of an affiliated entity or vendor of the College, College officials will, at the request of the reporting individual, assist in reporting to the appropriate office of the vendor or affiliated entity and, if the response of the vendor or affiliated entity is not sufficient, assist in obtaining a Persona Non Grata letter, subject to legal requirements and College policy.

## **Domestic Violence and the Workplace Policy (Employees)**

Domestic violence permeates the lives and compromises the safety of thousands of New York State employees each day, with tragic, destructive, and often fatal results. Domestic violence occurs within a wide spectrum of relationships, including married and formerly married couples; couples with children in common; couples who live together or have lived together; gay, lesbian, bisexual and transgender couples; and couples who are dating or who have dated in the past. Domestic violence is defined as a pattern of coercive tactics which can include physical, psychological, sexual, economic and emotional abuse perpetrated by one person against an adult intimate partner, with the goal of establishing and maintaining power and control over the victim. In addition to exacting a tremendous toll from the individuals it directly affects, domestic violence often spills over into the workplace, compromising the safety of both victims and co-workers and resulting in lost productivity, increased health care costs, increased absenteeism, and increased employee turnover. SUNY-ESF, to the fullest extent possible without violating any existing rules, regulations, statutory requirements, contractual obligations or collective bargaining agreements, will take all appropriate actions to promote safety in the workplace and respond effectively to the needs of victims of domestic violence.

### **Definitions:**

For purposes of this policy, the following terms will be defined as follows.

**Domestic Violence:** A pattern of coercive tactics, which can include physical, psychological, sexual, economic and emotional abuse, perpetrated by one person against an adult intimate partner, with the goal of establishing and maintaining power and control over the victim.

**Intimate Partner:** Includes persons legally married to one another; persons formerly married to one another; persons who have a child in common, regardless of whether such persons are married or have lived together at any time; couples who are in an intimate relationship, including but not limited to, couples who live together or have lived together, or persons who are dating or who have dated in the past, including same sex couples.

**Abuser:** A person who perpetrates a pattern of coercive tactics which can include physical, psychological, sexual, economic, and emotional abuse against an adult intimate partner, with the goal of establishing and maintaining power and control over the victim.

**Victim:** The person against whom an abuser directs coercive and/or violent acts.

### **Guidelines:**

#### **Employee Awareness**

SUNY-ESF shall take all reasonable actions to educate employees regarding the effects of domestic violence, ways to prevent and curtail violence, and methods to report such violence to authorities. It is the policy of SUNY-ESF that information on domestic violence and available resources shall be posted and, if necessary, replaced or reposted annually in areas where other employment policies and information are traditionally posted. This information shall include the topics addressed in the appendix.

## **II. Non-Discriminatory and Responsive Personnel Policies for Victimized Employees**

SUNY-ESF shall ensure that personnel policies and procedures do not discriminate against victims of domestic violence and are responsive to the needs of victims of domestic violence.

New York State law makes it a crime for employers to penalize an employee who, as a victim or witness of a criminal offense, is appearing as a witness, consulting with a district attorney, or exercising his/her rights as provided in the Criminal Procedure Law, the Family Court Act, and the Executive Law. This law requires employers, with prior day notification, to allow time off for victims or subpoenaed witnesses to exercise his/her rights as provided in the Criminal Procedure Law, the Family Court Act, and the Executive Law [Penal Law §215.14]. If there are any questions or concerns regarding the leave that must be granted to victims or subpoenaed witnesses, contact the Director of Human Resources or the Attendance and Leave Unit at the Department of Civil Service.

SUNY-ESF, upon request, will assist the employee in determining the best use of his/her attendance and leave benefits when an employee needs to be absent as a result of being a victim of domestic violence. If an employee requests time off to care for and/or assist a family member who has been a victim of domestic violence, SUNY-ESF will evaluate the employee's request for leave for eligibility under existing law and collective bargaining agreements applicable to the employee and the attendance rules.

### **Policies and Procedures**

SUNY-ESF understands that victims of domestic violence may lack the required documentation or have difficulty obtaining the required documentation to justify absences without compromising their safety. Therefore, the Director of Human Resources will consult with the employee to identify what documentation she/he might have, or be able to obtain, that will not compromise his/her safety-related needs and will satisfactorily meet the documentation requirement of the employer. Because there are confidentiality issues associated with the submission of documentation in these instances, SUNY-ESF may choose to consult with the Attendance and Leave Unit at the Department of Civil Service when questions arise.

Employees who are victims of domestic violence and who separate from a spouse (or terminate a relationship with a domestic partner, if covered), shall be allowed to make reasonable changes in benefits at any time during the calendar year where possible, in accordance with statute, regulation, contract and policy.

NYS has established that victims of domestic violence are now a protected class in the employment provisions of the NYS human rights law. This law prevents an employer from firing or refusing to hire any individual based on their status as a victim of domestic violence and prevents discrimination in compensation or in the terms, conditions or privileges of employment. SUNY-ESF will not make inquiries about a job applicant's current or past domestic violence victimization, and employment decisions will not be based on any assumptions about or knowledge of such exposure.

In cases in which it is identified that an employee's work performance difficulties are a result of being a victim of domestic violence, said employee shall be afforded all of the proactive measures outlined in this policy, and shall be provided clear information about performance expectations, priorities, and performance evaluation. If a disciplinary process is initiated, special care will be taken to consider all aspects of the victimized employee's situation. SUNY-ESF shall utilize all reasonable available options to resolve work-related performance problems, and may make a referral to the Employee Assistance Program, consistent with existing collective bargaining unit agreements, statute, regulations and agency policy.

If reasonable measures have been taken to resolve domestic violence-related work performance problems of victimized employees, but the performance problems persist and the employee is terminated or voluntarily separates from employment due to these domestic violence related issues, and the employee conveys to SUNY-ESF that the separation is due to these domestic violence issues, SUNY-ESF shall inform the employee of his or her potential eligibility for unemployment insurance and respond quickly to any requests for information that may be needed in the claims process. New York State law provides that a victim of domestic violence who voluntarily separates from employment may, under certain circumstances, be eligible for unemployment insurance benefits. [§593 of NYS Labor Law.]

Additional information may be found here:

<http://www.labor.ny.gov/ui/claimantinfo/domesticviolenceanduibenefits.shtm>

### **Workplace Safety Plans**

By means of a domestic violence workplace safety response plan, SUNY-ESF shall make employees aware of their options and available resources and help employees safeguard each other and report domestic violence to designated officials.

The designated liaison between SUNY-ESF and SUNY System Administration is Marcia Barber, Director of Human Resources. This liaison will ensure campus wide implementation of this policy, and serve as the primary liaison with System Administration regarding this policy. The System Administration designated liaison will communicate with the Office for the Prevention of Domestic Violence (OPDV) on behalf of campuses as it relates to reporting.

Additionally, the following individuals are designated as available to support those in need of assistance concerning domestic violence: Tim Blehar, Assistant Director of Human Resources and Bev Gracz, Senior Personnel Associate, 315-470-6611.

SUNY-ESF complies and assists with enforcement of all known court orders of protection, particularly orders in which abusers have been ordered to stay away from the work site. If requested by the victim of domestic violence or law enforcement, the agency shall provide information in its possession concerning an alleged violation of an order of protection. Employees are encouraged to bring their orders of protection (OP) to the attention of Marcia Barber, Director of Human Resources, Tim Blehar, Assistant Director of Human Resources, or Bev Gracz, Senior Personnel Associate. Once the OP has been brought forward, a copy will be provided to Scott Becksted, Chief of Police, and the document will be kept in a locked file in the Director of Human Resources Office. In the case of a workplace emergency requiring the presentation of the OP to law enforcement, if Marcia Barber, Director of Human Resources is unavailable to obtain the document, Tim Blehar, Assistant Director of Human Resources and/or Bev Gracz, Senior Personnel Associate will have access to the cabinet where the document is locked. The Director of Human Resources (or the Assistant Director of Human Resources or Senior Personnel Associate, as per above paragraph) will discuss with the employee a plan on how to best proceed to ensure the safest possible work environment for the employee and the rest of the staff. With the permission of the employee, this may include: detail options that may be available in the workplace, for example, providing a copy of the OP and/or photo of perpetrator to University Police or front desk personnel; discussion of who should be told if there is not front desk staff, such as identifying supervisor/colleagues who would be able to assist with the identification of the perpetrator; blocking the subject, perpetrator; and creating a personal workplace safety plan as outlined in "f" below. The employee is responsible to notify the Director of Human Resources if there are any changes to the OP. SUNY-ESF maintains an emergency security response plan, available online at <http://www.esf.edu/ehs/epm.htm>, which includes procedures for contacting University Police and possibly other appropriate law enforcement agencies, and which provides employees with clear instructions about what to do and who to contact if they observe anyone engaging in threatening behavior.

SUNY-ESF will discuss with a known victim of domestic violence the limitations on confidentiality under New York State Law (See Section VII h; NYS Agencies Responsibility d–g).

As part of an emergency security response plan, SUNY-ESF shall take actions to assist in mitigating reoccurrence of domestic violence in an effort to protect all employees including the victim. These actions may include, but are not limited to, advising co-workers and, upon request, the employee's bargaining representative, of the situation; setting up procedures for alerting University Police; temporary relocation of the victim to a secure area; options for voluntary transfer or permanent relocation to a new work site; change of work schedule, reassignment of parking space; escort for entry to and exit from the building; responding to telephone, fax, email or harassment; and keeping a photograph of the abuser and/or a copy of any existing court orders of protection in a confidential on-site location and providing copies to University Police. SUNY-ESF will address any additional concerns raised by a situation in which both the victim and offender are employed by SUNY-ESF.

This policy shall be reviewed annually. Any substantive policy revisions and updates shall be forwarded to the SUNY System-wide Affirmative Action Officer.

### Accountability for Employees Who Are Offenders

SUNY-ESF will hold employees accountable for engaging in the following behavior: (1) using state resources to commit an act of domestic violence; (2) committing an act of domestic violence from or at the workplace or from any other location while on official state business; or (3) using their job-related authority and/or state resources in order to negatively affect victims and/or assist perpetrators in locating a victim and/or in perpetrating an act of domestic violence.

### Policies and Procedures

In cases in which SUNY-ESF has found that an employee has threatened, harassed, or abused an intimate partner at the workplace using state resources such as work time, workplace telephones, fax machines, mail, e-mail or other means, said employee may be subject to corrective or disciplinary action in accordance with existing collective bargaining unit agreements, statutes and regulations.

In cases in which SUNY-ESF has verification that an employee is responsible for a domestic violence-related offense, or is the subject of any order of protection, including temporary, final or out-of-state order, as a result of domestic violence, and said employee has job functions that include the authority to take actions that directly impact victims of domestic violence and/or actions that may protect abusers from appropriate consequences for their behavior, SUNY-ESF shall determine if corrective action is warranted, in accordance with existing collective bargaining unit agreements, statutes and regulations.

In cases in which any employee intentionally uses his/her job-related authority and/or intentionally uses state resources in order to negatively impact a victim of domestic violence, assist an abuser in locating a victim, assist an abuser in perpetrating acts of domestic violence, or protect an abuser from appropriate consequences for his/her behavior, said employee maybe subject to corrective or disciplinary action, in accordance with existing collective bargaining unit agreements, statutes and regulations.

### Firearms

Pursuant to New York State and federal law, a person convicted of a domestic violence-related crime or subject to an order of protection, under certain circumstances, forfeits the right to legally possess a firearm or long gun. Additionally, federal law contains prohibitions relating to shipping, transportation, or receiving firearms or ammunition.

In addition to complying with the law, employees who are authorized to carry a firearm as part of their job responsibilities are required to notify the campus if they are arrested on a domestic violence-related offense and/or served with an order of protection. Under certain circumstances, such employees are responsible for surrendering their firearms to the firearm issuing agency or to the appropriate police agency.

Should an employee fail to comply with the requirements set forth in Section V.a., said employee may be subject to corrective or disciplinary action, in accordance with existing collective bargaining unit agreements, statute or regulations. In addition, the appropriate law enforcement agency shall be notified for possible criminal action.

### Training

The Director of Human Resources and all personnel designated to provide support for those in need of assistance shall complete OPDV's one-day training on Domestic Violence and the Workplace. All appropriate managers, supervisors, employee assistance professionals, human resources personnel, union and labor representatives and security staff will be encouraged to attend OPDV's training on Domestic Violence and the Workplace. Additionally, SUNY-ESF shall make available for staff training on domestic violence and its impact on the workplace using materials provided by OPDV through the campus, OPDV and/or a local domestic violence service provider when scheduling permits.

## **SUNY-ESF Responsibility**

SUNY-ESF believes that domestic violence is behavior that cannot be tolerated and, to that end, will actively provide information and support to employees who are victims of such abuse.

SUNY-ESF will disseminate copies of this Domestic Violence and the Workplace Policy to all employees upon implementation and to all new employees upon hiring or appointment.

SUNY-ESF encourages all employees to review and follow this policy and the procedures set forth herein.

SUNY-ESF will, consistent with applicable law and campus policy, document all incidents of domestic violence that happen in the workplace. Such documents should be provided to the designated liaison to System Administration as soon as practicable. Such documents shall be kept confidential to the extent permitted by law and campus policy and the provisions of section g detailed below.



All SUNY-ESF employees providing domestic violence information and support services shall document, consistent with applicable law and agency policy, the number of employees who report domestic violence, the number of employees that request information/services, and the number of referrals made to domestic violence service providers. All information about employees who seek assistance shall be kept confidential to the extent permitted by law and campus policy and the provisions of section g detailed below, and documentation should not include any personal information. The number of employees seeking assistance as outlined above shall be reported to the designated liaison to System Administration.

The designated liaison to System Administration shall, consistent with applicable law and SUNY-ESF policy, provide information about the number and general nature of domestic violence incidents that happen in the workplace, the number of employees who report domestic violence, the number of employees that request information/services, and the number of referrals made to domestic violence service providers, with no personally identifying information, to OPDV at the time and in a manner determined by OPDV.

Information related to an employee being a victim of domestic violence shall be kept confidential, to the extent permitted by law and campus policy, and shall not be divulged without the written consent of the victimized employee, unless the campus determines that maintaining said confidentiality puts the victim or other employees at risk of physical harm, is required by law, or is deemed necessary to enforce an order of protection. In such circumstances where a determination has been made that maintaining confidentiality puts the victim or other employees at risk of physical harm, only those individuals deemed necessary by the campus to protect the safety of the victim and/or other employees or to enforce an order of protection shall be given such information. SUNY-ESF shall disclose only the minimum amount of information necessary to protect the safety of the victim and/or other employees or enforce an order of protection. Where possible, SUNY-ESF will provide to the victim of domestic violence notice of the intent to provide information to other employees and/or safety personnel. Nothing herein shall prevent SUNY-ESF from investigating an act or acts of domestic violence occurring in the workplace. Some examples of situations where confidentiality cannot be maintained include the following:

- 1) Supervisors/managers may be informed about a domestic violence incident that happens in the workplace, or a report of domestic violence, if it is necessary to protect the safety of the employee or the employee's co-workers.
- 2) First aid and safety personnel may be informed about a domestic violence incident that happens in the workplace or a report of domestic violence, if it is necessary to protect the safety of the employee or the employee's co-workers.
- 3) Government officials investigating a domestic violence incident that occurs in the workplace, or a report of domestic violence, shall be provided relevant information upon request and in accordance with legal requirements.
- 4) While reported information is kept private to the greatest extent possible by Federal law, State law, and campus policy, New York State law includes clear limitations on legal confidentiality. Information reported to anyone not in a position listed below may have to be disclosed pursuant to a subpoena, where otherwise required by law or in accordance with Section VII, paragraph g above. Such confidentiality exists in certain (but not all) instances for certain medical personnel and counselors, social workers, clergy, attorneys, and rape crisis counselors and may in fact be required to be turned over in these cases through a subpoena or court order. Please note that where medical information is received from an employee who is the victim of domestic violence, such medical information shall be kept confidential to the extent required by and permitted by New York State and Federal laws including, but not limited to, the Americans with Disabilities Act and the Family and Medical Leave Act, if they apply to the employee's situation. **See Appendix A.**

## What is Title IX?

Title IX is the federal anti-discrimination law that states: *"No person in the U.S. shall, on the basis of sex be excluded from participation in, or denied the benefits of, or be subjected to discrimination under any educational program or activity receiving federal aid."* (Title IX 1972 Education Amendments).

Title IX bans discrimination throughout our college and campus community in all programs and activities including, but not limited to, academic and athletic programs, financial aid and student records and accounts, health and counseling services, and housing and residence life programs.

Title IX also prohibits sexual harassment, including sexual violence, which is a crime.

All students, employees and visitors should be aware these people have key Title IX responsibilities at SUNY-ESF:

### Name/Title/Contact Information

#### **Amy McLaughlin**

*Title IX Coordinator & Affirmative Action Officer*

**Oversees Title IX issues and reporting for the campus**

221 Baker Laboratory

(315) 565-3012

aimclaug@esf.edu

#### **Thomas LeRoy**

*Chief of University Police*

### **Law enforcement and criminal complaints**

19 Bray Hall

(315) 470-4992 (or x6667)

tjleroy@esf.edu

#### **Anne Lombard**

*Vice Provost and Dean for Student Affairs*

**Complaints of student-to-student violations of Code of Student Conduct & athletics equity complaints**

110 Bray Hall

(315) 470-6660

aelombard@esf.edu

#### **Marcia Barber**

*Director of Human Resources*

**Discrimination-related complaints including sexual harassment (employee against another employee or employee against a student)**

216 Bray Hall

(315) 470-6611

mabarber@esf.edu

**SUNY ESF**

**Title IX**



## Reporting an Incident

### Complaint Process

1. If you experience or observe an incident of sexual discrimination, harassment, violence, or exploitation on or off-campus, report the incident to:  
University Police (24/7) at 315-470-6666; University Police officers have received specialized training to attend to the needs and concerns of victims of sexual offenses and relationship violence; AND/OR
2. One of the individuals responsible for Title IX that may be reached during College business hours, Monday through Friday, 8am-4:30pm
3. You will be asked to make a written acknowledgement describing (1) the College employee or representative who spoke to or worked with you as well as the date; (2) which options you would like to pursue, if any including the criminal justice system and the student judicial system; and (3) that you received information about resources (medical, counseling, environmental relief).
4. If you file a complaint, you have a right to adequate, reliable, and impartial investigation of your complaint, the right to present evidence and witnesses, and the right to appeal the conclusions of investigators or hearing officers. If you do not file a complaint, the College is obligated by federal mandate to investigate the incident in order to seek further understanding for the protection of recurrences.
5. The College will issue a “No Contact” order to the accused (with a copy to you) that prohibits any contact – personal, written, electronic – by the accused or his/her associates acting on behalf of the accused with or without their knowledge.
6. The College can address conditions in your living, learning, or working environment to reduce the level of hostility in your environment, such as room assignment changes, class changes, work location changes, or limits on access for the accused.
7. You will be notified of the time frame within which the College will conduct a full investigation related to the report or complaint.
8. The College will decide outcomes of the complaint, the sanctions imposed upon the accused, and all aspects of the complaint that relate to you and may affect your learning, living, or working environment.
9. You will be notified of the outcome of a complaint that you submit and any conditions of the outcome that may affect you.
10. If you or your witnesses are subjected to retaliation (pressure, intimidation, or coercion by the accuser or his/her associates, with or without the accuser’s knowledge), you should immediately report the incident so the College can investigate and take action.
11. You may opt for a voluntary informal method of resolving the complaint (i.e., mediation, alternative dispute resolution, etc.) if the College deems the incident to warrant an informal approach. You may choose to end such informal resolution methods at any time and choose to proceed with formal stages of this complaint process.

## Reporting a Sexual Assault

### Steps To Take If You or a Friend are the Victim of Sexual Assault

1. It is recommended that you DO NOT:
  - change clothing, comb hair, brush teeth, shower or bathe;
  - disturb the area where the crime occurred until medical or police investigation can be accomplished.
2. If you want to report the crime, notify the police immediately at 315-470-6666 or call 911. Reporting the crime can help you regain a sense of personal control and can also help to ensure the safety of other potential victims.
3. Call a friend, family member, or someone else you trust and ask her or him to stay with you.
4. Preserve all physical evidence of the assault. Do not shower, bathe, douche, or brush your teeth. Save all of the clothing you were wearing at the time of the assault and do not wash it. Place each item of clothing in a separate paper bag. Do not use plastic bags. Do not disturb anything in the area where the assault occurred.
5. Go to a hospital emergency department for medical care and evidence gathering. You or University Police can contact SUNY ESF Counseling Center at 315-470-4716 for a sexual assault advocate to meet you at the hospital emergency room. Even if you think that you do not have any physical injuries, you should still have a medical examination and discuss with a health care provider the risk of exposure to sexually transmitted diseases and the possibility of pregnancy resulting from the sexual assault. The Crouse Hospital Health Center can also provide follow up health care and support.
6. If you suspect that you may have been given a date rape/predatory drug, ask the hospital or clinic where you receive medical care to take a urine sample immediately. Date rape/predatory drugs, such as Rohypnol, GHB, and Ketamine are more likely to be detected in the urine than in the blood.
7. Write down as much as you can remember about the circumstances of the assault, including a physical description of the assailant.
8. Talk with a counselor who is trained to assist rape victims about the emotional and physical impacts of the assault. You can contact the SUNY ESF Counseling Center at 315-470-4716 for help and support.

### How to Avoid Unwanted Sexual Contact

- Know your values and personal limits related to consensual sex and communicate them properly.
- Trust your instincts about situations and people.
- Be clear and responsible in your communications with others.
- Be firm and assertive.
- Remember, silence is not consent. Say no loudly and repeatedly.
- Accept the idea that you may have to make noise, yell, physically defend yourself, or be rude to remove yourself from a possible bad situation.
- Alcohol and other drugs affect your judgment and control. Over 90% of sexual assault cases involve the use of alcohol on both parties' part.
- Watch your beverages and other foods to insure that no tampering has occurred.
- Do not assume that if you are with a friend or an acquaintance, nothing bad will happen. In over 90% of cases of sexual assault, the victim knew the assailant.
- Devise an action plan in advance in case you are in a situation of possible sexual violence.
- Remove yourself from the area at the first sign that you feel uncomfortable or unsafe.

## Sexual Discrimination, Exploitation, Harassment, or Sexual Violence and the Law

New York State Education Law and Penal Law contain the following legal provisions defining the crimes related to sexual harassment and violence: NYS Education Law Article 129-A Section 6432 - Sexual Assault Prevention Information. Each college shall inform incoming students about sexual assault prevention measures and available resources and services.

## Encouraging Prompt Reporting

Campus policy encourages every member of the campus community to report a crime promptly to UPD if the victim wants to or is unable to report.

## Institutional Response to Reports of VAWA Crimes

The institution has programs to prevent domestic violence, dating violence, sexual assault, and stalking. When an incident of domestic violence, dating violence, sexual assault, or stalking is reported, the College will provide victims with written notice of available options, remedies, and services. If the accused individual is a student, the standard of evidence used in an institutional disciplinary hearing will be preponderance of the evidence.

## Education Programs Regarding VAWA Crimes

The College has education programs to promote the awareness of rape, acquaintance rape, dating violence, domestic violence, sexual assault, and stalking. These education programs include primary prevention and awareness programs for all incoming students and new employees. These education programs will include: A statement that these crimes are prohibited at the College; definitions of consent, domestic violence, dating violence, sexual assault, and stalking in the College's jurisdiction; safe and positive bystander intervention when there's a risk of one of those incidents; information on risk reduction to recognize warning signs of abusive behavior and avoiding potential attacks; and information about the institutional disciplinary procedures.

## Sanctions for VAWA Crimes

Following a final determination of an institutional disciplinary procedure for cases of rape, acquaintance rape, dating violence, domestic violence, sexual assault, or stalking, the following sanctions or protective measures may be imposed: for example: suspension, expulsion, education programs, community restitution, probation, and/or No Contact order.

## Procedures for Survivors of Domestic Violence, Dating Violence, Sexual Assault, or Stalking

Survivors/victims of these crimes will be provided written information about evidence preservation, how and to whom to report these crimes, options about involvement of law enforcement and campus authorities, and assistance in notifying law enforcement if the victim chooses, as well as the option to decline to notify authorities. Victims will also be provided information in writing about rights and institutional responsibilities regarding No Contact orders, orders of protection, or other available applicable options.

**Evidence preservation:** In order to best preserve evidence, victims should avoid showering, washing, changing clothes, combing hair, drinking, eating, or doing anything to alter physical appearance until after a physical exam has been completed.

**Reporting:** Victims should report to - Anne Lombard Vice Provost and Dean for Student Affairs, (315) 470-6660, [aelombard@esf.edu](mailto:aelombard@esf.edu)

**Notifying Law Enforcement:** Victims have the right to notify law enforcement, and the campus can assist in notifying law enforcement if victims choose. Victims may also choose to decline to notify authorities.

## Student Disciplinary Proceedings

When the College receives a formal complaint alleging sexual assault dating/domestic violence or stalking, the College's Title IX Coordinator will be notified and an investigation may be launched. The College's primary goal is the facilitation of a fair and transparent process for all involved parties that gathers the facts and results in appropriate decisions. Students involved in this process will have equal opportunity to present relevant witnesses and information, and to obtain assistance from the advisor of their choice, at any stage in ESF's student conduct process. Both the reporting individual and the respondent will be notified of the outcome of any subsequent student conduct hearings simultaneously and in writing, and will have equal opportunity to appeal any outcomes. If an appeal is filed by either party, both parties will be notified in writing of the outcome of the appeal.

When a reporting individual does not wish to move forward with a formal complaint through ESF's student conduct process, every consideration will be given to their wishes. When considering a request from a reporting individual to not move forward with the formal conduct process, the College will consider this in light of the entire College community. However, the College reserves the right to move forward with cases should it determine that it is in the best interest of the College community. The College is committed to providing a reasonably safe and non-discriminatory environment and will take action it believes appropriate to protect the community.

If the ESF determines that an investigation is required, it shall notify the reporting individuals and take immediate action as necessary to protect and assist them. The College should seek consent from reporting individuals prior to conducting an investigation. Declining to consent to an investigation shall be honored unless the institution determines in good faith that failure to investigate does not adequately mitigate a potential risk of harm to the reporting individual or other members of the community. Honoring such a request may limit the institution's ability to meaningfully investigate and pursue conduct action against an accused individual. Factors used to determine whether to honor such a request include, but are not limited to:

- a. Whether the accused has a history of violent behavior or is a repeat offender;
- b. Whether the incident represents escalation in unlawful conduct on behalf of the accused from previously noted behavior;
- c. The increased risk that the accused will commit additional acts of violence;
- d. Whether the accused used a weapon or force;
- e. Whether the reporting individual is a minor; and
- f. Whether the institution possesses other means to obtain evidence such as security footage, and whether available information reveals a pattern of perpetration at a given location or by a particular group.

In cases where the allegation is received from a third party such as a friend, roommate, or faculty/staff member, the reporting individual will be notified that a report has been received. Before an investigation begins, every effort will be made to meet with the reporting individual to discuss his/her options and resources within the College and the local community.

In all cases, individuals participating in an investigation or the ESF student conduct process are urged to maintain the privacy of the process in order to assist the College in conducting a thorough, fair, and accurate investigation and student conduct process.

### Amnesty

The health and safety of every student at ESF is of utmost importance. ESF recognizes that students who have been drinking and/or using drugs (whether such use is voluntary or involuntary) at the time that violence, including, but not limited to, domestic violence, dating violence, stalking, or sexual assault occurs may be hesitant to report such incidents due to fear of potential consequences for their own conduct. ESF strongly encourages students to report domestic violence, dating violence, stalking, or sexual assault to College officials. A bystander acting in good faith or a reporting individual acting in good faith who discloses any incident of domestic violence, dating violence, stalking, or sexual assault to ESF officials or law enforcement will not be subject to ESF *Code of Student Conduct* action for violations of alcohol and/or drug use policies occurring at or near the time of the commission of the domestic violence, dating violence, stalking, or sexual assault.

### Retaliation

Retaliation against any person involved in an investigation, including the complainant/reporting individual, accused/respondent, witnesses, hearing board or appeals committee members, advisors, or investigators, is strictly prohibited. Failure to abide by this could result in disciplinary action. Reports of retaliation should be directed to the Division of Student Affairs or the College's Title IX Coordinator. All allegations of retaliation will be thoroughly reviewed and may result in administrative and/or student conduct action.

## Student Disciplinary Proceedings continued

### Timeframe

All students have the right to file student conduct charges against the accused. Student conduct proceedings are governed by the procedures set forth in ESF's *Student Handbook* as well as federal and New York State law, including the due process provisions of the United States and New York State Constitutions.

The College does not limit the timeframe for filing a formal complaint of sexual violence. Complaints may be submitted at any time following an incident. However, the College's ability to take action may be limited by the matriculation/employment of the accused and/or the availability of information. ESF's student conduct process extends only to currently enrolled students.

When a disclosure or formal complaint is received by the College, every effort is made to complete the investigative phase within 60 days of receipt of the report. The time to resolution can be affected by many things including the details of the specific case and when the incident occurred. Certain periods of the academic year, such as during break periods, exam periods, and the summer, make resolution of a student conduct case more challenging.

Both the reporting individual and the respondent have the right to have a student conduct process run concurrently with a criminal justice investigation and proceeding, except for temporary delays as requested by external municipal entities while law enforcement gathers evidence. The decision to delay rests with the Vice Provost and Dean for Student Affairs (or designee). Both parties may request a single delay, not to exceed 5 business days, during the student conduct process.

### Investigation

Allegations of sexual violence will be investigated in an unbiased, thorough, and prompt fashion in order to insure the rights of all involved. In most cases, the accused will be notified that a report has been filed and will be given written notice of the allegations. These allegations generally include the date, time, location, and name of the reporting individual as well as a list of the College policies that are alleged to have been violated.

The College has designated the Coordinator of Student Conduct as the investigator of allegations of sexual assault, dating violence, domestic violence, or stalking involving students as the responding party/accused. The first step of an investigation is generally a preliminary interview with the reporting individual and the accused. Both parties have the right to offer evidence during the investigation and to review relevant evidence in the case file. The investigator will attempt to seek other relevant information as well. This may include, but is not limited to, interviewing the accused and any other individuals who may have information relevant to the situation, and the gathering of any available physical and/or medical evidence. An investigation may also include consideration of prior allegations of, or findings of responsibility for, sexual misconduct by the accused.

All investigative meetings will be recorded.

An investigation will typically be completed within 60 days from the time of the report, but this time frame may be extended as necessary to achieve a thorough and reliable gathering of the relevant facts. Information gathered during the investigation will be used to evaluate the appropriate course of action, provide for the safety of the individuals involved and the College community, and impose remedies as necessary to address the effects of the alleged misconduct.

The investigator will prepare a written report detailing the relevant content from the interviews and the documentation materials that have been gathered. Both the reporting individual and the accused will be given the opportunity to review the report and to provide written responses to the investigator within three (3) business days. Both the reporting individual and the accused will receive a copy of the final investigative report and any written responses.

### How Charges are Determined

The investigator will provide the written investigative report to the Division of Student Affairs, along with any alleged violations of ESF's *Code of Student Conduct*. The Vice Provost and Dean for Student Affairs (or designee) will review the report received from the investigator and will prepare a charge letter for the accused outlining the specific alleged violations, if applicable. This letter will also include information about the student conduct process. All letters sent by the College as part of the ESF student conduct process will be sent via email to the students' College syr.edu email addresses as this is the method the College uses for official communication with students.

## Student Disciplinary Proceedings continued

### The Hearing Process

The Vice Provost and Dean for Student Affairs (or designee) will determine the composition of the College Hearing Board. The Board is generally comprised of three (3) voting members of the College's faculty/staff and/or student body who have been appointed by the Provost and Executive Vice President and who have received annual training relative to the student conduct process. For cases involving sexual assault, domestic violence, dating violence, and stalking, a select group of board members will receive further training on federal/state laws, the effects of trauma, and other issues related to allegations of sexual violence.

A Chairperson, who is appointed by the Vice Provost and Dean for Student Affairs in consultation with the Provost and Executive Vice President, will preside at each meeting of the Board. The Board will not include individuals with a conflict of interest based on Board member disclosure and consent of the respective parties. Also present is the Coordinator of Student Conduct (or designee) as Board Advisor to insure that all College policies and processes are followed. The Board Advisor does not participate in any of the Board's deliberations.

The members of the Board will have the opportunity to thoroughly review all documentation submitted by the complainant and other involved parties.

The format of the hearing generally includes:

- Complainant statement (optional)
- Witness(es) presented by the Complainant (optional)
- Respondent statement (optional)
- Witness(es) presented by the Respondent (optional)
- Questions by the Board
- Complainant closing statement (optional)
- Respondent closing statement (optional)

The Board may impose time limits on any stage of ESF's student conduct process including, but not limited to, the duration of breaks. The Board may determine the relevance of, and may place restrictions on, any witnesses or information presented.

In cases where the complainant and/or respondent choose not to participate in the hearing, the hearing will proceed as scheduled and the Board will hear from the party who has chosen to participate in the process, if applicable.

Hearings shall be conducted by the hearing officer/hearing board according to the following guidelines:

- Admission of any person to the hearing shall be at the discretion of the hearing officer/hearing board and/or the Board Advisor.
- If the hearing involves more than one respondent, the hearing officer/hearing board may permit the hearings to be conducted separately for each respondent.
- Pertinent records, exhibits, and/or written statements may be accepted as evidence for consideration by a hearing officer/hearing board at the discretion of the hearing officer/hearing board.
- Procedural questions are subject to the final decision of the hearing officer/chair of the hearing board, in consultation with the Board Advisor. Hearings may be conducted without a Board Advisor present.
- A conduct hearing shall not be bound by technical rules of evidence, but may hear and receive any testimony or evidence which is relevant to the issues presented by the charge(s) and which will contribute to a full and fair disposition of the charge(s). All members of College hearing boards must be present during hearings and the disposition of charges.
- If any party repeatedly disrupts a hearing (including, but not limited to, shouting, repeatedly interrupting others, or verbally or physically threatening individuals involved in the hearing), the Board Advisor has the right to remove the disruptive individual(s) from the hearing after he/she fails to heed a warning from the Board Advisor. The hearing shall continue in the absence of any removed disruptive party.
- If the respondent chooses not to attend a scheduled hearing, the hearing will be held in the student's absence. The respondent will be assumed to have entered a claim of Not Responsible to each allegation but forfeited his/her ability to present information on his/her behalf. Finding and sanctions (if applicable) will be based on the evidence and not upon the respondent's failure to appear.

## Student Disciplinary Proceedings continued

Any decisions that result from a conduct hearing shall be sent to the student-complainant and respondent in writing (via email to the student's respective College email addresses), and a copy of the disposition letter shall be kept on file in the Division of Student Affairs. The file may be used as a disciplinary record in any future proceedings involving the student-respondent. While significant elements of the adjudication process for conduct cases related to sexual assault, domestic/dating violence, and stalking mirror the behavioral misconduct processes, additional aspects specific to sexual and interpersonal violence cases are noted here.

Both parties will receive electronic notice via their College email address of any meetings or hearings they are eligible to attend, including an optional pre-hearing meeting with a staff member in the Division of Student Affairs to review ESF's student conduct process should they wish to participate.

Both parties have the right to a range of options for providing testimony via alternative arrangements, including telephone/videoconferencing or testifying with a room partition.

Both parties have the right to present evidence and testimony during the Board hearing. Both parties have the right to ask questions of the decision maker and via the decision maker, and request responses from other parties and other witnesses.

Both the reporting individual and the respondent have the right to submit an impact statement within 48 hours of the completion of the hearing for consideration by the Board during the sanctioning phase. The impact statement(s) should be submitted in writing to the Division of Student Affairs. The impact statement(s) will only be opened in the event that the respondent is determined to be responsible.

All parties may provide the Board with character statements, though character witnesses are not permitted in person at the hearing. The Board will not generally accept statements aimed at defaming the character of either the reporting individual or the respondent. The Board may also set limits regarding the number of character statements it will consider.

All parties have the right to exclude prior sexual history with persons other than the other party in the conduct process or exclude their own mental health from admittance during the stage where responsibility is determined. Past findings and conduct history may be admissible during the sanctioning phase.

### Possible Outcomes/Sanctions:

All parties have the right to know the sanction(s) that may be imposed on the respondent based upon the outcome of ESF's student conduct process proceeding as well as the reason for the actual sanction imposed. The Board may impose sanctions up to and including expulsion from the College, and may impose sanctions that are educational and/or remedial specific to the facts of a given case.

A range of sanctions are available for cases involving domestic violence, dating violence, stalking, and sexual assault:

For students who are found responsible for domestic violence, the available sanctions are disciplinary probation with additional requirements, suspension with additional requirements, and expulsion.

For students who are found responsible for dating violence, the available sanctions are disciplinary probation with additional requirements, suspension with additional requirements, and expulsion.

For students who are found responsible for stalking, the available sanctions are disciplinary probation with additional requirements, suspension with additional requirements, and expulsion.

For students who are found responsible for sexual assault, the available sanctions are suspension with additional requirements, and expulsion.

The Board will render a decision on all alleged violations of the ESF *Code of Student Conduct* listed in the charge letter.

Both parties will receive simultaneous electronic notification via their College email address of the outcome of the Board hearing, including the sanction(s) and rationale for the Board's decision within 24 hours of receipt and confirmation of the Board's decision. The notification will also include pertinent information regarding the appeals process.

### Appealing an Outcome:

Both the reporting individual and the respondent have the right to appeal the decision of the Board or to provide a statement of support for the decision to the College. A written appeal must be submitted to the Division of Student Affairs within five (5) business days of receiving notification of the hearing outcome.

For a complete description of the appeals process, including a description of the four appeals criteria, refer to Appealing an Outcome.

## Student Disciplinary Proceedings continued

### After a Decision is Made:

Both the reporting individual and the respondent have the right to choose whether to disclose or discuss the outcome of the student conduct process. Additionally, students have the right to have all information obtained during the course of the student conduct process be protected from public release until the Vice Provost and Dean for Student Affairs makes a final determination unless otherwise required by law.

However, this does not allow students to unreasonably share private information in a manner intended to harm or embarrass another individual or in a manner that would recklessly do so regardless of intention. Sharing in this way may be viewed as retaliation and this may result in separate, additional student conduct charges. Students alleged to have violated the ESF *Code of Student Conduct*, to be referred to as respondents, have the right to a prompt response to any formal complaint and to have their complaint investigated and adjudicated in an impartial and thorough manner. Both the investigation and the conduct process will be conducted in a manner that recognizes the legal and policy requirements of due process and will not be conducted by individuals with a conflict of interest.



Respondents will receive electronic notice via their College (@syr.edu) email address of charge letters as well as any meetings or hearings they are required to or are eligible to attend. This is the official means of communication the College uses with students.

Respondents and complainants are permitted to have an advisor of their choice present during the entirety of the student conduct process and any related meetings or hearings.



## Employee Disciplinary Proceedings

### Complaint Procedure for Review of Allegations of Unlawful Discrimination (Employees)

The State University of New York College of Environmental Science and Forestry (SUNY-ESF), in its continuing effort to seek equity in education and employment and consistent with Federal and State anti-discrimination legislation, has adopted a complaint procedure for the prompt and equitable investigation and resolution of allegations of unlawful discrimination on the basis of age, race, ethnicity, creed, religion, color, national origin, sexual orientation, military status, sex, gender identity, disability, veteran status, marital status, familial status, pregnancy, pre-disposing genetic characteristics, domestic violence victim status, criminal conviction or retaliation. Harassment, on the basis of the above-protected categories, is a form of unlawful discrimination. Sex discrimination includes sexual harassment and sexual violence. Conduct that may constitute harassment is described in Appendix A.

This SUNY ESF complaint procedure provides a mechanism through which the college may identify, respond to, prevent, and eliminate incidents of illegal discrimination, and to remedy the discriminatory effects on the victim(s) and others, if appropriate. The college recognizes and accepts its responsibility in this regard and believes that the establishment of this internal, non-adversarial complaint procedure will benefit student faculty, staff and administration by permitting prompt investigation and resolution of problems.

This procedure has been developed in accordance with guidelines and recommendations provided by the SUNY Chancellor's Office of Diversity Equity and Inclusion. The policy is administered by Tim Blehar, Assistant Director of Human Resources and Anne Lombard, Dean of Students, Student Affairs Office. Here forward both will be referred in this document as Discrimination Complaint Administrator (DCA).

The Vice President of Administration serves as the Title IX Coordinator for the college. These procedures are intended to balance the rights of those bringing complaints of discrimination, harassment, and retaliation (the "Complainant") with those against whom such claims are brought (the "Respondent.") Throughout these procedures the term "parties" shall refer to the Complainant, Respondent, and witnesses involved in the complaint.

This procedure may be used by any SUNY ESF student, employee, as well as third-parties who are participating in a college-sponsored program or affiliated activity. Employee grievance procedures established through negotiated contracts, academic grievance review committees, student disciplinary grievance boards and any other procedures defined by contract will continue to operate as before. This procedure does not in any way deprive a Complainant of the right to file with outside enforcement agencies, such as the New York State Division of Human Rights, the Equal Employment Opportunity Commission, The Office of Civil Rights of the Department of Education and the Office of Federal Contract Compliance of the Department of Labor. Contact information for these agencies is listed in Appendix B. More detailed information may be obtained from SUNY-ESF's Office of Human Resources. Upon filing with one of these outside enforcement agencies, or upon the initiation of litigation, the SUNY ESF internal complaint procedure may be terminated and the matter will be referred to the Office of the General Counsel for review and supervision.

The DCA will be Tim Blehar when either the complainant or the Respondent is an employee of the college. Anne Lombard will be the DCA when both the complainant and the Respondent are students or when one party is a student and the other is a third party (i.e. not a student or an ESF employee.)

The DCA receives all complaints of alleged discrimination, shall assist the Complainant in the procedure and use of the complaint form and shall provide the Complainant with information about various internal and external mechanisms through which the complaint may be filed, including applicable time limits for filing with each agency.

## Employee Disciplinary Proceedings continued

### GENERAL PRINCIPLES

#### Jurisdiction of the DCA

Complaints of illegal discrimination should be made to the DCA. Complaints or concerns that are reported to an administrator, manager, or supervisor concerning an act of discrimination or harassment or acts of discrimination or harassment that administrators, managers or supervisors observe or become aware of shall be immediately referred to the DCA. Employees with Title IX compliance responsibilities and/or employees who have the authority to take action to redress the harassment must report any complaints to the DCA. Employees who observe or become aware of sex discrimination, including sexual harassment and sexual violence, should report this information to the DCA. Complaints may also be made directly to the DCA by anyone who experiences, observes or becomes aware of discrimination or harassment. The DCA will also receive initial inquiries, reports and requests for consultation. DCA will respond as appropriate in a timely manner.

SUNY ESF is responsible for providing a learning and working environment free from discrimination. The College reserves the right to pursue any complaint of discrimination about which it becomes aware. Based on information received by the DCA, he/she may exercise his/her own discretion and initiate a complaint on behalf of the College Community, regardless of complainant cooperation or involvement.

In addition, the DCA may determine that a specific complaint of unlawful discrimination or harassment is of such a serious or potentially criminal nature that the investigative steps outlined in this process should be accelerated or eliminated. This determination, if made, shall be communicated to the President or his/her designee for appropriate action, which may include the initiation of disciplinary and/or other action.

The DCA is available to assist in preparing the complaint. The DCA will ensure that complainants are aware of the Title IX rights and available resources on and off campus, and the right if any to file a complaint with local law enforcement. SUNY ESF will comply with law enforcement's request for cooperation and such cooperation may require the campus to temporarily suspend fact-finding aspect of the investigation while the law enforcement agency is in the process of gathering evidence. The campus will resume its Title IX investigation as soon as its notified by the law enforcement agency that has completed the evidence gathering process. SUNY ESF will implement appropriate, reasonable, and available interim steps during the law enforcement agency's investigation period to provide for the safety of the complainant and the campus community. If, at any time during the course of resolving or investigating a complaint of discrimination, the DCA determines that a complaint is not within the jurisdiction of the office, the complaint shall be referred to the appropriate office and the matter shall be considered concluded for purposes of the Office of the Discrimination Complaint Procedure.

#### B. Election of Venue for filing complaint

The Complainant is not required to pursue the SUNY ESF internal complaint procedure before filing a complaint with a State or Federal agency. In addition, if the Complainant chooses to pursue the SUNY ESF internal procedure, the Complainant is free to file a complaint with the appropriate State or Federal agency at any point during the process. Upon filing with an external agency, however, the SUNY ESF internal complaint procedure may be terminated and the matter referred to the Office of the General Counsel for review and involvement as may be in the interests of the College. During any portion of the procedure detailed hereafter, the parties shall not employ audio or video taping devices.

#### Confidentiality

In accordance with existing policies and laws, including (III)(B) of this policy, every effort will be made to protect the privacy of all individuals throughout all phases of the complaint and resolution process. Information about complaints or inquiries will be maintained in confidence to the fullest extent possible. However, an investigation will generally include interviewing necessary parties and coordination when necessary with offices such as the relevant Department or Unit, and/or Student Affairs.

All affected parties shall cooperate fully in the investigation and shall maintain and preserve the confidentiality of the investigation.

## Crime Definitions

The Campus Security Act also delineates what violations need to be reported. The offense definitions are excerpted from the Uniform Crime Reporting Handbook. The definitions of sex offenses are excerpted from the national incident based reporting edition of the Uniform Crime Reporting Handbook (FBI Uniform Crime reporting (UCR) National Incident Based Reporting System (NIBRS) definitions.

### Definitions

**Robbery:** taking or attempting to take anything of value from the care, custody, or control of a person(s) by force or threat of force or violence and/or by putting the victim in fear.

**Aggravated Assault:** an unlawful attack by one person upon another to inflict severe or aggravated bodily injury. This is usually accompanied by the use of a weapon or by means likely to produce great bodily harm or death, although it is not necessary that injury result when a weapon is used.

**Burglary:** unlawful entry of a structure to commit a crime, including, but not limited to, larceny, arson, sexual assault, criminal mischief, and all attempts to do so.

**Motor Vehicle Theft:** the taking (or attempt) or use of a motor vehicle by persons not having lawful access.

**Drug Abuse Violations:** violations of state and local laws related to possession, sale, use, growing or manufacturing of narcotic drugs, marijuana, or other controlled substances.

**Liquor Law Violations:** violations and attempted violations of laws or ordinances prohibiting manufacturing, selling, transporting, furnishing, or possessing intoxicating liquor including, but not limited to: maintaining unlawful drinking places; furnishing liquor to a minor or intoxicated person; and drinking on a common carrier.

**Arson:** willful or malicious burning or attempting to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle, personal property of another, etc.

**Weapons Law Violations:** violations of laws or ordinances dealing with weapon offenses, regulatory in nature, such as manufacture, sale or possession of deadly weapons and all attempts to commit any of the aforementioned.

**Sexual Abuse and Aggravated Sexual Abuse:** Sexual abuse is the touching of the private body parts of another person for the purpose of sexual gratification forcibly and/or against that person's will or in circumstances where the victim is incapable of giving consent because of his/her youth or mental defect or mental or physical incapacity.

**Aggravated sexual abuse** is sexual abuse by use of an object that is inserted (no matter how slightly) into the genital or anal cavity of the victim forcibly or in circumstances where the victim is incapable of giving consent because of his/her youth or mental defect or mental or physical incapacity. The crime is compounded when injury occurs.

**Sex Offenses (forcible):** any sexual act directed against another person, forcible and/or against that person's will; or not forcibly against the person's will the victim is incapable of giving consent.

**Forcible Rape:** the carnal knowledge of a person forcibly and/ or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity or because of his/her youth.

**Forcible Sodomy:** oral or anal sexual intercourse with another person forcibly and/or against that person's will or not forcibly or against the person's will where the victim is incapable of giving consent or because of his/her youth or because of his/ her temporary or permanent mental or physical incapacity.

**Sex Offenses (non-forcible):** unlawful, non-forcible sexual intercourse. Incest: non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

**Statutory Rape:** Nonforcible sexual intercourse with a person who is under the statutory age of consent.

**Criminal Homicide, Manslaughter by Negligence:** the killing of another person through gross negligence.

**Criminal Homicide, Murder and Non-Negligent Manslaughter:** the willful killing of one human being by another.

## New York State Penalties for Sex Offenses—Article 130

The New York State definitions for sex offenses differ slightly from those required for the Annual Security Report (ASR) as they are based on two structures, the FBI Uniform Crime reporting (UCR)/National Incident based reporting system (NIBRS) definitions. The following is a summary of some of the sexual crimes as defined in the state statutes and the associated summary of penalties for these crimes. For the complete series of sex offenses refer to the New York State Penal Law - Article 130 - Sex Offenses.

**Section 130.20 – Sexual Misconduct** This offense includes sexual intercourse without consent and deviate sexual intercourse without consent or when a person engages in oral or anal sexual conduct with another person without that person's consent or when a person engages in sexual conduct with an animal or a dead human body. The penalty for violation of this section includes imprisonment for a definite period to be fixed by the court up to one year. A class A misdemeanor.

**Section 130.25/30/35 – Rape in the Third Degree, Rape in the Second Degree, Rape in the First Degree** This series of offenses includes sexual intercourse with a person incapable of consent because of the use of forcible compulsion or because the person is incapable of consent due to a mental defect, mental incapacity, or physical helplessness. This series of offenses further includes sexual intercourse with a person under the age of consent. The penalties for violation of these sections range from imprisonment for a period not to exceed four years up to imprisonment for a period not to exceed 25 years. A Class D Felony for sections 130.25, 130.30./A Class B Felony for Rape in the first degree punishable by 9-25 years in prison.

**Section 130.40/45/50 – Criminal Sexual Act** This series of offenses includes oral or anal sexual conduct with a person incapable of consent because of the use of forcible compulsion or because the person is incapable of consent due to a mental defect, mental incapacity, or physical helplessness. This series of offenses further includes oral or anal sexual conduct with a person under the age of consent. The penalties for violation of these sections range from imprisonment for a period not to exceed four years up to imprisonment for a period not to exceed 25 years. Class E - B Felony punishable by 1-25 years in prison.

**Section 130.52 - Forcible Touching** This offense involves the forcible touching of the sexual or other intimate parts of another person for the purpose of degrading or abusing such person; or for the purpose of gratifying the actor's sexual desire. Forcible touching includes the squeezing, grabbing, or pinching of such other person's sexual or other intimate parts. The penalty for violation of this section includes imprisonment for a period of up to one year in jail. A class A misdemeanor punishable by up to one year in prison.

**Section 130.55/60/65 – Sexual Abuse** This series of offenses includes sexual contact with a person by forcible compulsion, or with a person who is incapable of consent due to physical helplessness, or due to the person being under the age of consent. The penalties for violation of these sections range from imprisonment for a period not to exceed three months up to imprisonment for a period not to exceed seven years. Class B and A Misdemeanor and Class D Felony punishable by 1-7 years in prison.

**Section 130.65-a/66/67/70 – Aggravated Sexual Abuse** This series of offenses occurs when a person inserts a finger or a foreign object in the vagina, urethra, penis or rectum of another person by forcible compulsion, when the other person is incapable of consent by reason of being physically helpless, or when the other person is under the age of consent. The level of this offense is enhanced if the insertion of a finger or foreign object causes injury to the other person. The penalties for violation of these sections range from imprisonment for a period not to exceed seven years up to imprisonment for a period not to exceed 25 years. A class E Felony - D felony - C Felony - B Felony punishable by 1-25 years in prison.

**Persistent Sexual Abuse** When a person stands convicted of sexual abuse in the third degree or sexual abuse in the second degree (and within the previous ten year period) has been convicted of two or more times, in separate criminal transactions for which sentence was imposed on separate occasions of sexual abuse in the second degree. A Class E Felony punishable by 1-3 years in prison.

**Section 130.95/96 Predatory Sexual Assault - Predatory Sexual Assault against a child** When a person commits the act of rape first degree and other sex offenses and in the course of the commission of the crime or the immediate flight there from causes serious physical injury to the victim or uses or threatens the use of a dangerous instrument or has previous convictions under this series of offenses or article 255.25 or 263.05 (use of a child in a sexual performance) or the victim is a child less than 13 years of age. Predatory sexual assault is a Class A-II Felony punishable by a minimum sentence of 10- 25 years in prison

## New York State Penalties for Sex Offenses—Article 130 continued

**Section 130.80/130.75 - Course of Sexual Conduct Against a Child Second and First Degree** When a person engages in two or more acts of sexual conduct with a child less than 11 years old, when a person being 18 or more engages in two or more a period of time not less than three months or when a person engages in sexual intercourse, oral or anal sexual conduct with a child less than 11 years old or being 18 or older has sexual intercourse or oral or anal sexual conduct with a child less than 13 years old. A Class D and B Felony punishable by 4-25 years in prison.

**Section 130.90 Facilitating a sex offense with a controlled substance** When a person knowingly and unlawfully possesses a controlled substance or any preparation, compound mixture or substance that requires a prescription to obtain and administers such substance without such person's consent with the intent to commit a sex offense against such person or commits or attempts to commit such conduct constituting a felony sex offense. A Class D Felony punishable by 4-7 years in prison.

### The following are New York State definitions for select laws determined to be of importance to the campus community.

**Dating violence** The term “dating violence” means violence committed by a person—  
 (A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and  
 (B) where the existence of such a relationship shall be determined based on a consideration of the following factors:

- (i) The length of the relationship.
- (ii) The type of relationship.
- (iii) The frequency of interaction between the persons involved in the relationship.

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

**Stalking** The term “stalking” means engaging in a course of conduct directed at a specific person that would cause a reasonable person to;

- (A) Fear for his or her safety or the safety of others, or
- (B) Suffer substantial emotional distress.

**Sexual assault** Offense classified as a forcible or non-forcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation

### Hate Crimes

When a person is victimized intentionally because of his/her actual or perceived race, gender, sexual orientation, ethnicity, or disability as well as national origin and gender identity.

When a hate crime is reported, it will be labeled with the following categories of prejudice: Race, Gender, Religion, Sexual Orientation, and/or Ethnicity, National Origin, Gender Identity. In addition to the above categories, the following crimes need to be reported if they are hate crimes: larceny-theft; simple assault; intimidation; destruction, damage, vandalism of property, domestic violence, dating violence, stalking or any other crime involving bodily injury.

- For Calendar year **2015** there were no reported Hate Crimes.
- For Calendar year **2016** there were no reported Hate Crimes.
- For Calendar year **2017** there were no reported Hate Crimes.

## Domestic Violence and the Workplace

SUNY-ESF, to the fullest extent possible without violating any existing rules, regulations, statutory requirements, contractual obligations, or collective bargaining agreements, will take all appropriate actions to promote safety in the workplace and respond effectively to the needs of victims of domestic violence. The complete policy is available at the following link:

<http://www.esf.edu/au/documents/violence.12.19.13.pdf>

## Violence in the Workplace Policy

The State University of New York College of Environmental Science and Forestry (ESF) is committed to creating and maintaining a working, learning, and social environment that is safe and free from violence.

Civility, understanding and mutual respect toward all members of the SUNY-ESF community are intrinsic to excellence in teaching and learning, to the existence of a safe and healthful workplace, and to the maintenance of a campus culture environment that serves the needs of the many constituencies which support it.

Accordingly, SUNY-ESF prohibits acts of violence or threats of violence in the workplace. This prohibition extends to persons conducting business with or visiting ESF, even though such persons are not directly affiliated with SUNY-ESF.

Any violation of this College policy will be met with the strongest possible action appropriate for the circumstance.

The complete policy is available at the following link:

<http://www.esf.edu/au/documents/ViolenceRevisedSpring2009.pdf>

## Sexual Crimes Information

Rape and sexual assault, such as sexual abuse, constitute crimes. Such behavior is prohibited by New York state law (see Section 130 of the New York State Penal Law) and the Code of Student Conduct. The College also strongly condemns sexual harassment in any form. Allegations of sexual assault or rape should be reported to the University Police Department at (315) 470-6666.

## On/Off Campus Sex Offender Victim Services

### Abused Persons Unit

(Syracuse Police Department & Onondaga County Sheriff's Office)  
(315) 435-3092

### Vera House, Inc.

(315) 468-3260

### New York State Domestic & Sexual Violence Hotline

(800) 942-6906

### SUNY ESF Counseling Center

(315) 470-4716

### SUNY-ESF Office for Student Affairs

(315) 470-6660

### New York State Police Campus Sexual Assault Victims Unit

(844) 845-7269

## Sexual Assault Information (Aid to Victims of Violence)

Allegations of sexual assault or rape occurring off-campus should be reported to local law enforcement. Efforts will be made to ensure the confidentiality of all reports, except as necessary and required to investigate the alleged offenses. College authorities may issue a safety alert to those areas of the ESF College community where the alert occurred. The issuance of this alert will depend on the particular circumstances of the crime.

Victims can provide information to University Police and choose criminal prosecution and/or a referral to the on-campus discipline system administered by the Office of Student Affairs. Procedures and possible sanctions related to on-campus discipline are discussed in the Code of Student Conduct.

<https://www.esf.edu/students/handbook/documents/handbook.pdf>

Victims of sex crimes as well as domestic violence, dating violence or stalking should contact the Office of Student Affairs (ext. 6660) for additional information. It is important to note that the accuser and the accused are entitled to the same opportunities to have others present during a disciplinary proceeding for support. Both the accuser and the accused will be informed of the outcome of any campus disciplinary action including any sanctions that may be imposed. Such sanctions can include suspension and expulsion from the institution.

## Statement of Victims' Rights

- Victims have the right to choose counseling and medical treatment, and to prosecute and report their case through the campus judicial system and/or the off-campus court system. They also have the right to refuse all these options without reproach from any campus personnel. Victims have the right to be treated with dignity and seriousness by campus personnel.
- Victims of crimes against an individual have the right to be reasonably free from intimidation and harm.
- Campus personnel are encouraged to inform all victims that victims are not responsible for crimes committed against them; victims should always report the crime, despite the possibility of adverse publicity for the College.
- Victims will be made aware of appropriate student services, including counseling.
- Victims are entitled to the same support opportunities available to the accused in a campus disciplinary proceeding.
- If the accused is prohibited from contacting the victim or entering the victim's residence, the victim will be notified that the ban is in effect.
- Any victim who does not wish to remain in his/her present residence hall or class section may be granted a transfer to other housing or another class section if available.
- The victim has the right to information regarding the status of his/her case.

## Sex Offender Registration

In accordance to the "Campus Sex Crimes Act" of 2000, which amends Wetterling Crimes Against Children and Sexually Violent Offender Registration Act of 1974, the SUNY-ESF University Police Department is providing a link to the New York State Sex Offender Registry. This act requires institutions of higher education to issue a statement advising the campus community where law enforcement information provided by a State concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a State to provide notice of each institution of higher education in that State at which the person is employed, carries a vocation, or is a student. In the State of New York, convicted sex offenders must register with the Sex Offender Registry maintained by the New York State Department of Criminal Justice Services.

The Sex Offender Registration Act (SORA) is available via Internet pursuant to New York State Correction Law Article 168. Registry information provided under this section shall be used for the purposes of the administration of criminal justice or otherwise for the protection of the public in general and children in particular. Unlawful use of the information for the purposes of intimidating or harassing another is prohibited and intentional violation shall be punishable as a Class B Misdemeanor.

The New York State Sex Offender Registry can be accessed by the following link:  
<http://www.criminaljustice.ny.gov/nsor/>



## Missing Persons



It is the policy of the University Police at SUNY-ESF to expeditiously investigate any reports of missing students/persons on campus and to coordinate and cooperate with any law enforcement agency called in to assist in such investigations. There will be no waiting period to report a person is missing. Missing person incidents are investigated immediately by the SUNY-ESF Police and reported to the Chief of Police as soon as they are received. Once all local investigative options have been exhausted and the person remains missing, SUNY-ESF Police will notify and turn the case over to the Syracuse Police Department.

If a student is under 18 years of age the campus is required to notify a custodial parent or guardian within 24 hours of such student being determined to be missing.

In keeping with the close affiliation shared by Syracuse University and SUNY-ESF, all students may register a Missing Person Contact to be notified in the event of a missing persons report. The Missing Person Contact is confidential and may only be accessed by College officials when appropriate. You may register a Missing Person Contact through your MySlice account.



## SUNY-ESF Clery Act Fire Safety Policies & Fire Statistics for Student Housing

SUNY-ESF's "Fire Log" is maintained and available by contacting the Community Manager of Centennial Hall. The below attached chart is a "Fire Log" of fires that occurred at campus student housing.

Entries into the "Fire Log" will be made within two days of the receipt of the information. The log will be open to public inspection at the Centennial Hall office and the Environmental Health & Safety Office during normal business hours, and submitted to the campus community annually.

The following is a description of each on-campus student housing facility fire safety system:

- Centennial Hall alarm system– Edwards EST-3: 1 main fire alarm control panel; 1 remote enunciator panel; 1 dialer/connection to monitoring; 11 booster power supplies; 25 pull stations; 582 smokes; 4 heat; 9 duct detectors; 5 carbon monoxide detectors; 7 supervisory switches; elevator recalls; audio visual devices, including smoke detector sounder bases; 1 tamper switch; 1 flow switch; 22 batteries. Centennial Hall sprinkler system - Reliable 4 inch main wet system with pump. The number of fire drills held at on-campus student housing in the previous calendar years was 4.

For the safety of all residents, use or possession of the following appliances is not allowed in any student housing:

- Heaters
- Sun lamps
- Halogen lamps
- Multi-headed lamps
- Extension cords that do not possess a 15 amp circuit breaker
- Cooking appliances with open heating sources not located in a designated kitchen area
- Coffee pots with an open heating plate

Smoking is not permitted in or within 25 feet of any campus building. Candles or incense of any type, or any type of open flame are not permitted in any campus building due to the fire risk.

In all campus buildings, all occupants including students must evacuate the building immediately after the alarm is activated. Occupants are instructed not to use elevators during an alarm. Staff members and other occupants are asked to report to Centennial Hall staff or the Fire Department any important information or special needs observed while evacuating. Centennial Hall building occupants are to assemble outside the ESF Physical Plant to relay such information and to confirm complete evacuation.

All faculty, staff, and students are expected to familiarize themselves with the evacuation routes of the buildings they occupy. At the beginning of the fall semester, new staff and students are instructed in evacuation and fire safety procedures, receive a room safety inspection, and practice fire drill evacuation. Problems occurring during fire drills are discussed with all occupants, and prohibited items are confiscated during inspections. Students that repeatedly violate safety procedures are referred to the Office of Student Affairs.

Centennial Hall maintenance staff complete a fire safety inspection report that includes monthly check of extinguishers, exit signs, emergency lights, and carbon monoxide detectors. Needed corrective action is taken by the maintenance staff.

All faculty, staff, and students should report fires to the Fire Department and:

- Centennial Hall staff: 315-741-3067

Any plans for future improvements in fire safety will be added to this plan.

### SUNY-ESF Fire Log for Student Housing

Date/Time	Location	Type/Cause	Number of Related Injuries Treated at Medical Facility	Related Deaths	Property Damage	Value of Damaged Property
4/2/2017	Room 366 Centennial Hall	Kitchen Stove Top (burnt food) Fire Extinguisher.	0	0	No damage	0

## Campus Crime Statistics

In accordance with recent updates to the “Clery Act,” the following data are presented to review crime activity both on campus and on streets adjacent to campus property. Reported on-campus offenses include all offenses reported on campus property and in campus buildings.

Two other categories are presented in this chart: “Non-campus buildings or property” and “public property.”

The first category, non-campus buildings or property, includes properties owned by student organizations officially recognized by the institution, properties owned by the College Foundation and those owned or controlled by the university outside the campus boundaries. “Public property” includes thoroughfares, streets, sidewalks and parking facilities immediately adjacent to the campus.

This section on campus crime statistics also includes arrests and disciplinary referrals made to campus authorities for alcohol, drugs, and weapons possession. As defined by the Campus Safety Act, a disciplinary referral is an instance when a student is formally reported in writing to a university officer for possible sanction.

As required by the Campus Safety Act, SUNY-ESF is required to report hate crimes in this report. A hate crime occurs when a person is victimized intentionally because of his or her actual or perceived race, gender, religion, sexual orientation, ethnicity, or disability. The crimes presented are based on reports filed with the following offices: Chief of University Police and Dean for Student Affairs. Formal requests for crime statistics for areas defined as “public property” and “non-campus buildings and property” are made with the Syracuse Police Department and the Onondaga County Sheriff’s Department.



## Crime Statistics

\*By regulation residential totals must be counted twice. "Residential facility" and "on-campus property." Totals reflect accurate information.

Crime Statistics Offense	Year	Residential Facilities	On Campus Property	Non Campus Property	Public Property	#Total	Unfounded
Murder/Non-negligent	2015	0	0	0	0	0	0
Manslaughter	2016	0	0	0	0	0	0
	2017	0	0	0	0	0	0
Manslaughter by	2015	0	0	0	0	0	0
Negligence	2016	0	0	0	0	0	0
	2017	0	0	0	0	0	0
Sex Offenses( Forcible) Rape	2015	0	0	0	0	0	0
	2016	3*	3*	0	0	3	0
	2017	2*	2*	0	0	2*	0
Non-Forcible Sex Offenses	2015	0	0	0	0	0	0
	2016	0	0	0	0	0	0
	2017	0	0	0	0	0	0
Robbery	2015	0	0	0	0	0	0
	2016	0	0	0	0	0	0
	2017	0	0	0	0	0	0
Aggravated Assault	2015	0	0	0	0	0	0
	2016	0	0	0	0	0	0
	2017	0	0	0	0	0	0
Burglary	2015	0	0	0	0	0	0
	2016	0	0	1	0	1	0
	2017	0	0	0	0	0	0
Arson	2015	0	0	0	0	0	0
	2016	0	0	0	0	0	0
	2017	0	0	0	0	0	0
Motor Vehicle Theft	2015	0	0	0	0	0	0
	2016	0	0	0	0	0	0
	2017	0	0	0	0	0	0
Weapons Possession Arrests	2015	0	0	0	0	0	0
	2016	0	0	0	0	0	0
	2017	0	0	0	0	0	0

## Crime Statistics

\*By regulation residential totals must be counted twice. "Residential facility" and "on-campus property." Totals reflect accurate information.

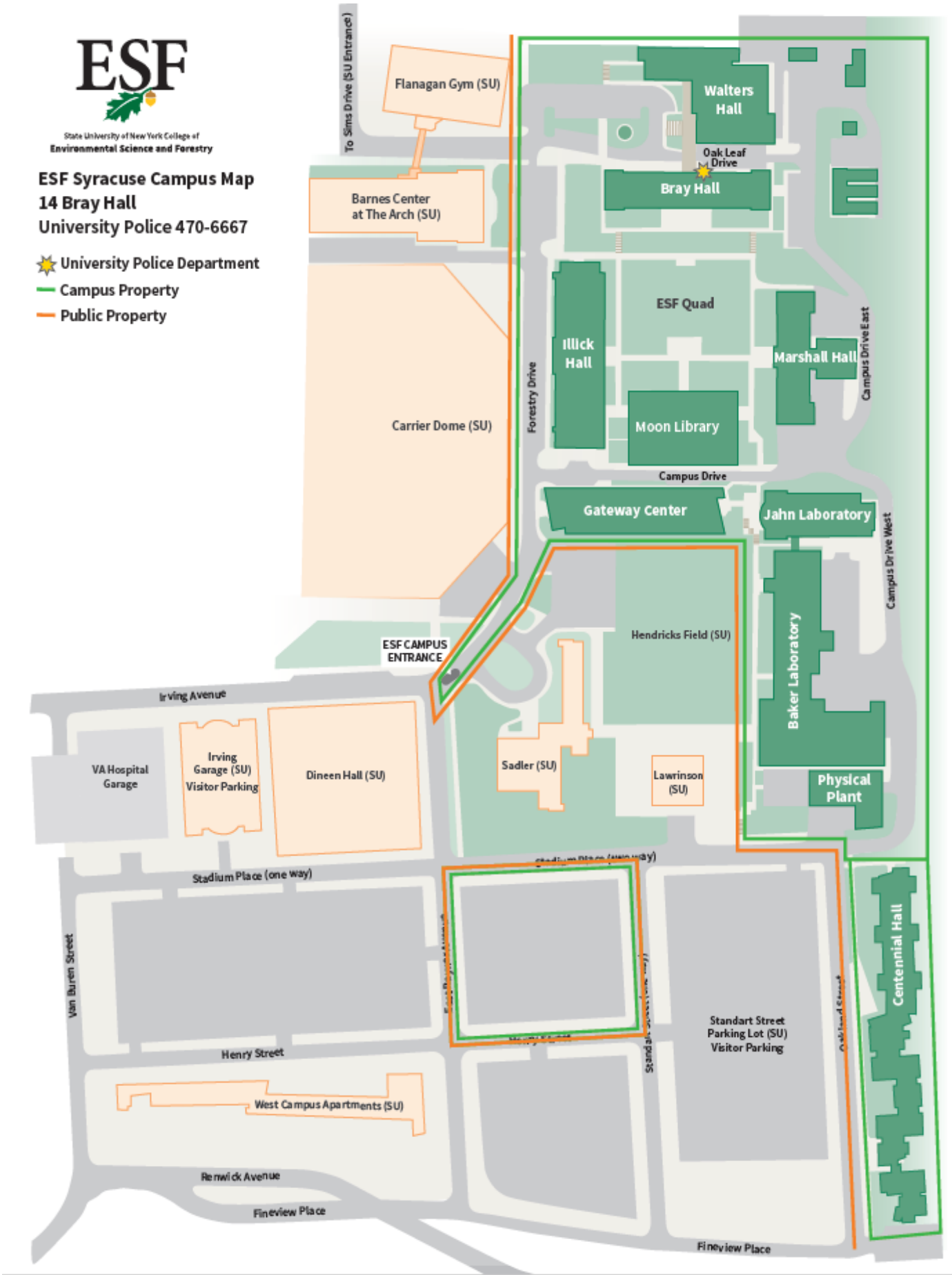
Crime Statistics	Offense	Year	Residential Facilities	On Campus Property	Non Campus Property	Public Property	#Total	Unfounded
Drug Law Arrests		2015	0	1	0	0	1	0
		2016	0	21	0	0	21	0
		2017	0	1	0	0	1	0
Liquor Law Arrests		2015	0	0	0	0	0	0
		2016	0	0	0	0	0	0
		2017	0	12	0	0	12	0
Weapons Possession Referrals		2015	0	0	0	0	0	0
		2016	0	0	0	0	0	0
		2017	1*	1*	0	0	1*	0
Drug Law Referrals		2015	37*	41*	3	0	44*	0
		2016	23*	24*	3	0	24*	0
		2017	21*	21*	0	0	21*	0
Liquor Law Referrals		2015	92*	92*	2	5	99*	0
		2016	30*	31*	1	0	32*	0
		2017	117*	117*	0	0	117*	0
<b>Violence Against Women Act (VAWA)</b>								
Domestic Violence		2015	0	0	0	0	0	0
		2016	0	0	0	0	0	0
		2017	0	0	0	0	0	0
Dating Violence		2015	0	0	0	0	0	0
		2016	1*	1*	0	0	1*	0
		2017	0	0	0	0	0	0
Stalking		2015	0	0	0	0	0	0
		2016	0	0	0	0	0	0
		2017	1*	1*	0	0	1*	0



State University of New York College of Environmental Science and Forestry

**ESF Syracuse Campus Map**  
**14 Bray Hall**  
 University Police 470-6667

- University Police Department
- Campus Property
- Public Property



## APPENDIX A

### (Employee Sect 9)

Information to be Included in Campus Postings Regarding Domestic Violence and the Work-place  
At a minimum, the following information shall be provided to current employees and new employees and included in posters posted in areas where employment information is ordinarily posted:

- Information regarding domestic violence and available resources in the work site. Such information shall include available sources of assistance such as Employee Assistance Program, local domestic violence service providers, the NYS Domestic Violence and Sexual Assault hotline, and/or human resources personnel who are trained and available to serve as confidential sources of information, support, and referral. Additionally, the posters may include information regarding domestic violence programs located on the OPDV website [http://www.opdv.state.ny.us/about\\_dv/fss/resource.html](http://www.opdv.state.ny.us/about_dv/fss/resource.html)
- A statement informing employees that New York State law prohibits insurance companies and health maintenance organizations from discriminating against domestic violence victims or designation of domestic violence as a pre-existing condition [§2612 of the Insurance Law]. Additionally, SUNY-ESF shall integrate information on domestic violence and this domestic violence and the workplace policy into existing materials and literature, policies, protocols, and procedures, including the Public Employer Workplace Violence Prevention Programs as appropriate.



College of Environmental Science & Forestry  
University Police Department  
19 Bray Hall  
(315) 470-6666  
<http://www.esf.edu/univpolice/>