# SUNY ADIRONDACK
# SECURITY and FIRE REPORT

## Reporting Year 2025
## QUEENSBURY CAMPUS
## SARATOGA CAMPUS
## SEASONED CULINARY FACILITY

This report is prepared by the Public Safety Office to comply with the Jeanne Clery Campus Safety Act (December 2024). The law mandates that institutions receiving Title IV federal funds disseminate crime statistics for certain serious offenses that occurred on campus and in adjacent areas for the current and previous two calendar years. This report is prepared in cooperation with local law enforcement agencies surrounding our main campus and extension centers, Campus Authorities and Public Safety. The purpose of this report is to provide our current and prospective faculty, staff and students with campus safety information, including crime statistics and procedures to use when reporting a crime. The College will not retaliate or allow any retaliation toward a person(s) who reports alleged violations of this act. Each year, an email notification is sent to all enrolled student, faculty and staff that provides the website to access this report. Paper copies of this report may be obtained in the Public Safety Office, Room 164 of the Residence Hall. All prospective employees may obtain a copy from the Human Resource Office.

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## GENERAL SECURITY AND SAFETY INFORMATION

SUNY Adirondack enjoys a full and part-time student population of more than 2,600 students. The campus employs a workforce of over 300 full and part-time faculty and staff. The safety of students and college personnel is a top priority on our campus and the College continuously strives to make improvements. Security and safety systems that are in place on the Campus include:

- Building and room card access systems
- Security alarms
- Surveillance systems
- Peace Officer personnel patrolling campus 24/7
- Facilities and Landscaping designed to minimize hazards
- Emergency telephones in parking lots and academic building corridors
- Strong relationship with area law enforcement agencies
- SUNY Adirondack Emergency Notification System - RAVE
- Fully automatic fire detection systems in all buildings
- Emergency telephones in building corridors
- Emergency telephones (Blue Light) located on the Queensbury campus:
    - East entrance sidewalk to the Residence Hall;
    - North of the west door of the Regional Higher Education Building;
    - West of Washington Hall, on the upper Quad;
    - North of the Gymnasium;
    - South of Regional Higher Education Building, west of parking lot#4
    - East of Eisenhart Hall near the bus stop

### Standard Access Policy

During business hours, the College is open to students, parents, employees, contractors, guests and invitees. During non-business hours, access to all college facilities is by card access, if authorized, or by admittance via Public Safety.

Authorized College functions that take place during non-business hours are scheduled through the Facilities Office and appropriate access to required facilities will be provided. Over extended breaks, the doors of all halls will be secured around the clock. Some facilities may have individual hours, which may vary at different times of the year. Examples are the Gym, the Library, and the Student Center. In these cases, the facilities will be secured according to schedules developed by the department responsible for the facility.

**Law Enforcement Authority of Campus Safety Personnel**

Campus safety and law enforcement is coordinated by your campus Public Safety Office. Public Safety is recognized by the State of New York as a law enforcement agency. The office has a force of sworn officers with full arrest powers. The officers must meet the high standards of training administered by New York State's Division of Criminal Justice Services. They also undergo continuous training to upgrade their skills.

Foot and vehicle patrols are conducted on the Queensbury campus 24 hours per day, 365 days per year. The Saratoga Campus is patrolled by personnel of the Saratoga County Sheriff's and the NYSP, Wilton Office. The Culinary Department is patrolled as necessary by the SUNY Adirondack Public Safety Office and at all other times by the Glens Falls Police Department. The Public Safety Office is the sole entity monitoring and overseeing the campus security surveillance system.

The office of Public Safety's objective is to provide a safe environment and protect the lives and property of students, employees, and visitors, pursued within the framework of the College's policies, rules and regulations, and all local, state and federal laws.

Public Safety Officers have the authority to ask persons for identification and to determine whether individuals have lawful business at the College. Public Safety Officers have the authority to enforce state and local laws including; Vehicle & Traffic, Alcohol Beverage Control, and Penal Law violations. They enforce college policies and rules such as those found in the Student and Resident Handbooks and parking regulations.

The geographical area of jurisdiction encompasses the Queensbury campus, Saratoga campus, and facilities owned, operated or maintained by SUNY Adirondack, and those public highways which cross or about the campus properties.

The investigation of crimes committed on campus falls under the jurisdiction of the Public Safety Office. Public Safety works closely with our fellow law enforcement agencies, including the Warren County Sheriff's Office, Saratoga County Sheriff's Office, Glens Falls Police Department, and the New York State Police to assist with incidents that occur on and off campus involving campus students or employees.

If Public Safety finds that a serious crime or felony has been committed, Public Safety will refer the case to the appropriate local law enforcement agency and/or the New York State Police and will assist in the completion of the investigation.

**Local Law Enforcement Relationship:**

SUNY Adirondack Public Safety maintains an excellent working relationship with the New York State Police (NYSP), Warren County Sheriff's Office (WCSO), Saratoga County Sheriff's Office (SCSO) and Glens Falls Police Department (GFPD), among other Law Enforcement Agencies around the capital region. NYSP, WCSO, SCSO and GFPD are responsible for investigating allegations of criminal offenses on our campuses and in facilities within their jurisdictions. We do not currently have a written MOU on hand for these law enforcement agencies. We continue working with our local law enforcement agencies to finalize MOUs with them in the 2026-2027 reporting year. In the meantime, we will continue to maintain frequent and open communication, including membership on joint teams, close cooperation on investigations and periodic meetings to exchange and follow up information.

While the College is private property, and Constitutional protections apply, law enforcement officers may enter the campus to conduct business as needed. Additionally, the officers are invited to patrol the campus to assist Public Safety in deterring crime.

**Emergency Notifications**

If a situation arises that poses an immediate threat to the health and safety of students or employees, a SUNY Adirondack Emergency Alert will be issued to expedite emergency response and/or evacuation procedures. The goal of an Emergency Alert is to notify as many people as possible, as rapidly as possible, with adequate follow-up information as needed. Information will be disseminated via a variety of channels.

The Office of Public Safety and the Marketing and Communications Department distributes information via the SUNY Adirondack Emergency Alert system which broadcasts alerts via text message, recorded message via phone or email, and through the RAVE Guardian app.

An emergency siren is located on Scoville Hall on the Queensbury Campus. (The only time the siren is activated is for a situation necessitating a lockdown of the campus.) Some or all of these methods of communication will be used to provide follow-up information to the SUNY Adirondack community.

SUNY Adirondack Emergency Alerts are issued for incidents such as an active threat/shooter, major hazardous materials release, major fire, extended power outage, or a weather incident that would directly impact the college community. SUNY Adirondack has implemented a process that gives the Director of Public Safety or designee the authority to confirm a significant emergency or dangerous situation; to develop the content; and to initiate the Emergency Alert System to send an emergency message to the campus community. The process also stipulates that an immediate emergency message will be sent to the SUNY Adirondack community without delay, unless notification will, n the professional judgment of responsible authorities, compromise efforts to assist a victim, or to contain, respond to or otherwise mitigate the emergency.

## Timely Notifications

In the event that a crime is reported to Public Safety or local police authorities that poses a serious or continuing threat to the SUNY Adirondack community, a timely warning (called an ADK Safety Bulletin) will be issued to the entire campus community. The Office of Public Safety and the Marketing and Communications Department personnel will typically develop the content and will issue the warning using some or all of the systems listed below.

Incidents are considered on a case-by-case basis after reviewing the facts and deciding whether there is a continuing danger to the campus community and the amount of information known by the Office of Public Safety. For example, if an assault occurs between two students who have a disagreement, there may be no on-going threat to other community members and a timely warning would not be distributed.

The Director of Public Safety or designee reviews all reports to determine if there is an ongoing threat to the community and if the distribution of a timely warning is warranted. Names and identifying information of victims will be held as confidential.

SUNY Adirondack will use some or all of the following systems to distribute timely warning notices: campus email, phone messages, text notification, and the RAVE Guardian app.

## Daily Crime/Fire Log

A daily log of incidents that occur on campus is kept and is available for the public to view in the Public Safety Office from 8 a.m.-3:30 p.m. Monday through Friday or by request. This log includes the date, time, general location and disposition of the complaint. If an entry is determined to be confidential by the Director of Public Safety or Assistant Director of Public Safety, it will not be made available.

## Reporting a Crime

SUNY Adirondack encourages anyone who witnessed or has been a victim of a crime to immediately report the incident by dialing 911 or for a non-emergency, 518-743-7233. Crimes can be reported on a voluntary, confidential basis for inclusion in the Annual Security Report.

The Office of Public Safety can file a report on the details of an incident without revealing your identity. The purpose of a confidential report is to maintain anonymity, yet it allows the Office of Public Safety to take steps to ensure your future safety and that of others. With such information, the college can keep an accurate record of the number of incidents involving students, employees and visitors and alert the campus community to potential danger if necessary. Reports filed on a confidential basis are counted and disclosed in the annual crime statistics for the college.

**Campus Reporting Agents**

- Public Safety (non-emergency), 518-743-7233 (SAFE) or ext. 7233
- Dean of Students Affairs (Warren Hall), 518-743-2200, ext. 2277
- Counseling Center (Washington Hall), 518-743-2200, ext. 2278
- Residence Life & Housing Office, 518-832-7785
- Human Resources (Washington Hall), 518-743-2257
- SUNY Saratoga Administrative Suite, 518-681-5639

**Incapacitated or Unable to Report**

In cases where the victim of a crime is incapacitated or otherwise unable to report a crime, the Office of Public Safety will contact local law enforcement and act as if the victim requested a full investigation. If at some point, the victim requests our staff or local law enforcement not to pursue prosecution, we will ensure that local law enforcement is notified of that request.

**Statement on College's Cooperation with Law Enforcement Officials**

When a SUNY Adirondack student is involved in an off-campus offense, Public Safety officers may assist with the investigation in cooperation with local, state, or federal law enforcement. Warren County Sheriff's Deputies, Saratoga County Sheriff's Deputies, Glens Falls Police, and State Police Officers routinely work and communicate with campus officers on any serious incidents occurring on-campus or in the immediate neighborhood and business areas surrounding campus.

The College will cooperate fully and completely with local or state authorities on any case of suspected use, possession or distribution of illicit drugs and alcohol. In the event that any student is apprehended by local, state or federal authorities for the offense of use, possession or distribution of illicit drugs or alcohol, that student will not be in any way protected by the College. Additionally, there are certain off-campus offenses that by their very nature pose a serious threat to the College community. In all such cases a student convicted of violating civil law may be subject to separation from the College.

**Off Campus Organizations**

SUNY Adirondack operates no off-campus housing or off-campus student organization facilities.

**Crime Prevention Programs**

Crime Prevention programs on personal safety and theft prevention are sponsored by Student Services throughout the year. Student Services staff facilitate programs for students providing a variety of strategies and tips on how to protect themselves from sexual assault, theft and other crimes. Security and safety related programs are also provided to students through presentations in Freshman Seminar classes.

The College educates the student community about sex discrimination, sexual assault, dating violence, domestic violence and stalking through freshman seminar and additional programming run by Student Activities each semester. Classes and literature on date rape education, risk reduction, and College response are available through the Counseling Office.

## Emergency Response Planning

The College's Executive and the Emergency Management Team(s) are responsible for formulating and writing the Emergency Operations Plan. This plan provides a frame work for assessing emergency situations, appropriately responding to said emergencies and initiating necessary communication with those immediately impacted by the event.

Public Safety Officers respond to all calls for service, with the guidance of the Director of Public Safety and the Assistant Director of Public Safety, determine whether an emergency or dangerous situation exists. If such condition exists, the protocols established in the SUNY Adirondack Emergency Operations Plan are followed.

## Evacuation

If the immediate evacuation of a building(s) is required, alarm notification (fire alarm system) will be activated. SUNY Adirondack conducts one evacuation (fire alarm) drill each semester for all facilities, one additional evacuation (fire alarm) drill is conducted for the Residence Hall. The additional Residence Hall drill is conducted in the evening/night. All evacuation (fire alarm) drills are unannounced.

Students learn the locations of the emergency exits in the buildings and are provided guidance about the direction they should travel when exiting each facility. The purpose of evacuation drills is to prepare building occupants for an organized evacuation in case of an emergency. Evacuation drills are used as a way to educate and train occupants on issues specific to their building. During the drill, occupants 'practice' drill procedures and familiarize themselves with the location of exits and the sound of the fire alarm.

The process provides the college an opportunity to test the operation of fire alarm system components. Evacuation drills are monitored by the SUNY Adirondack Facilities Department and the Office of Public Safety to evaluate egress and behavioral patterns. Deficient equipment is identified and repaired on a priority basis.

Residence Hall students receive information about evacuation and shelter-in-place procedures during their first-floor meetings and during other educational sessions that they can participate in throughout the year. The Residence Hall staff members are trained in evacuation procedures as well as emergency response procedures. Public Safety and Facilities staff are trained on an annual basis in regards to evacuation procedures.

**Bias Crime Prevention**

It is a SUNY Adirondack mandate to protect all members of the campus community by preventing and prosecuting bias or hate crimes that occur within the campus' jurisdiction. Hate crimes, also called bias crimes or bias-related crimes, are criminal activity motivated by the perpetrator's bias or attitude against an individual victim or group based on perceived or actual personal characteristics, such as their 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. Hate/bias crimes have received renewed attention in recent years, particularly since the passage of the federal Hate/Bias Crime Reporting Act of 1990 and the New York State Hate Crimes Act of 2000 (Penal Law Article 485). Copies of the New York law are available from the Office of the Dean for Student Affairs.

Penalties for bias-related crimes are very serious and range from fines to imprisonment for lengthy periods, depending on the nature of the underlying criminal offense, the use of violence, or previous convictions of the offender. Perpetrators who are students will also be subject to campus disciplinary procedures where sanctions including dismissal are possible.

In addition to preventing and prosecuting hate/bias crimes, SUNY Adirondack also assists in addressing bias-related activities that do not rise to the level of a crime. These activities, referred to as bias incidents and defined by SUNY Adirondack as acts of bigotry, harassment, or intimidation directed at a member or group within the SUNY Adirondack community based on national origin, ethnicity, race, age, religion, gender identity or expression, sex, sexual orientation, disability, military status, color, creed, or familial status, pregnancy, predisposing genetic characteristics, domestic violence victim status, or criminal conviction.

If you are a victim of, or witness to a hate/bias crime on campus, report it to Public Safety personnel by calling 518-743-SAFE (7233) or using a Blue Light phone. You can also contact the Dean for Student Affairs and/or Human Resources to make a report. Designated college personnel will investigate and follow the appropriate adjudication procedures.

Victims of bias crime or bias incidents can avail themselves of counseling and support services from the campus by contacting the Counseling Office at 518-743-2278, or stopping by the Office, located in Washington Hall.

SUNY Adirondack is required to annually report campus crime statistics to the U.S. Department of Education as required by Title 20 of the U.S. Code Section 1092(f). This information can be found on the U.S. Department of Education's website at https://ope.ed.gov/campussafety/#/.

For general information on SUNY Adirondack security procedures, contact the Office of Public Safety at 518-743-7233. Further information about bias-related and bias crimes, including up-to-date statistics on bias crimes is available from the Office of the Dean for Student Affairs at 518-743-2277.

**Policy on Returning to Campus after Medical Care**

At SUNY Adirondack, we care about our students. Therefore, we have a policy regarding student's return to campus after emergency medical care. Any student who has needed emergency medical evaluation and/or treatment, or who has been transported from the campus by emergency medical personnel, must follow specific procedures to return to campus. The College will determine the student's appropriateness to return to the academic and/or residential environments, including planning for needed follow-up care, arranging for the completion of missed academic work, and assuring the safety and well-being of the whole campus community.

- Before noon of the first business day following the student's wish to return to campus, the student must contact the Dean for Student Affairs office at (518) 743-2277/(518) 681-5649

- Release information may also be required from the attending physician/clinician in the emergency room/hospital

- On the basis of all of the above information, a determination will be made about the supportive services needed to support the student's return to campus, any special conditions on their continued attendance (i.e., part-time study only, residential status), or if a leave of absence is recommended. This decision will be made by a committee composed of the Dean for Student Affairs, a Counselor, a Public Safety Officer and (if the student lives on campus) the Director of Student and Residential Life.

# Hazing Policy

**Summary:**

SUNY Adirondack is committed to maintaining a safe, respectful, and inclusive campus environment. Hazing undermines the integrity of organizations, threatens student well-being, and violates the principles of the Student Code of Conduct.

In compliance with the Stop Campus Hazing Act, New York State law, and College policies, this document establishes guidelines to prevent hazing, hold violators accountable, promote transparency and reinforce standards of respect, integrity, and responsibility.

**Policy:**

Hazing is abusive, degrading, psychologically damaging, and may be life-threatening. It is unacceptable in all forms and has no place in the SUNY Adirondack community. Student groups, organizations, and athletic teams are important contributors to a vibrant and positive campus life and are expected to act in accordance with the Student Code of Conduct and to treat others with respect. Hazing by individuals and student organizations is prohibited in any form both on and off campus.

The College will investigate all reports diligently and thoroughly in accordance with the Student Code of Conduct and/or other applicable policies and procedures. Individuals found responsible for committing, soliciting, encouraging, directing, aiding, or recklessly permitting hazing to occur will be subject to disciplinary sanction that could include suspension or expulsion.

Any person may report hazing in person, by mail, by telephone or by electronic mail, by contacting the Dean of Student Affairs, Office of Public Safety or Director of Compliance and Risk Management.

SUNY Adirondack will respect the privacy of reporters but cannot guarantee confidentiality for hazing reports. The information provided to a non-confidential resource will be relayed only as necessary to investigate and/or seek a resolution and/or to comply with other appropriate College policies and procedures, and any federal, state and/or local laws, rules and regulations. Offices and officials who are confidential resources will not report to law enforcement or College employees without a complainant/reporting party's permission, except for extreme circumstances, such as a health and/or safety emergency. Licensed mental health counselors in the SUNY Adirondack Counseling Center are considered confidential.

Students who act in good faith to report activity that may fall within the definition of hazing and/or a victim who cooperates fully as a witness in the investigation and disciplinary process will be provided amnesty and may not be subject to student conduct sanctions related to their own participation in hazing behavior and other behavior including related to alcohol and/or drug violations. In the event amnesty is granted for self-reported behaviors, if evidence is presented that the student has continued to engage in hazing behaviors or has knowledge of hazing activity that was not reported, they may be held accountable for past behavior. Students who choose to report and request amnesty for their own conduct should know that amnesty does not apply to any criminal or civil action that may be taken by any law enforcement agencies.

No person may intimidate, threaten, coerce or discriminate against any individual because the individual made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation,

proceeding, or hearing under this policy. Complaints alleging retaliation may be filed with the Dean of Student Affairs and/or Human Resources. Any reports of retaliation involving an employee covered by a Collective Bargaining Agreement will be addressed through the appropriate processes.

The Office of Public Safety will maintain a Campus Hazing Transparency Report, that will be updated biannually in compliance with the Stop Campus Hazing Act [by January 15 and July 15]. This report will include all documented hazing incidents for five consecutive years and will be posted on the College's webpage.

The Office of Student Life, with assistance from the Office of Human Resources, will implement a research-informed campus-wide hazing prevention and awareness program for students, faculty and staff that includes:

- information related to institutional policies against hazing; and
- primary prevention strategies intended to stop hazing before it occurs, which may include skill building for bystander intervention, information on ethical leadership, and the promotion of strategies for building group cohesion without hazing.

**Definitions:**

Affiliated Entity: Per the Board of Trustees Policy Manual Section 9.1-9.3, the purpose, relationship, responsibility and agreements between the SUNY Adirondack Foundation, Faculty Student Association and the Adirondack Housing Association, are outlined.

College: Use of this term explicitly refers to Adirondack Community College and/or the College's legal acceptable short name, SUNY Adirondack.

Hazing: Any intentional, knowing or reckless act committed by a person (whether individually or in concert with other persons) against another person or persons regardless of the willingness of such other person or persons to participate, that ---

- is committed in the course of an initiation into, an affiliation with, or the maintenance of membership in, a student organization; and
- causes or creates a risk, above the reasonable risk encountered in the course of participation in the institution of higher education or the organization (such as the physical preparation necessary for participation in an athletic team), of physical or psychological injury. The following are non-exhaustive examples of conduct that causes or creates such risk:
    - whipping, beating, striking, electronic shocking, placing of a harmful substance on someone's body, or similar activity; o causing, coercing, or otherwise inducing sleep deprivation, exposure to the elements, confinement in a small space, extreme calisthenics, or other similar activity;
    - causing, coercing, or otherwise inducing another person to consume food, liquid, alcohol, drugs, or other substances;
    - causing, coercing, or otherwise inducing another person to perform sexual acts;
    - any activity that places another person in reasonable fear of bodily harm through the use of threatening words or conduct;
    - any activity against another person that includes a criminal violation of local, State, Tribal, or Federal law; and
    - any activity that induces, causes, or requires another person to perform a duty or task that involves a criminal violation of local, State, Tribal, or Federal law.

This definition is compliant with New York State law. Under New York State Penal Law, a person may be charged

with hazing if, during another person's initiation into or affiliation with any organization, they intentionally or recklessly engage in conduct that creates a substantial risk of and/or causes physical injury to another person. A criminal charge of hazing may result in a violation or misdemeanor.

Student Organization: An organization at an institution of higher education (such as a club, society, association, varsity or junior varsity athletic team, club sports team, fraternity, sorority, band, or student government) in which two or more of the members are students enrolled at the institution of higher education, whether or not the organization is established or recognized by the institution.

**Processes and Procedures:**

Educating:

The Director of Student and Residential Life, or their designee, will develop a hazing prevention program to be provided online during new/transfer student orientation. This content will also be provided to the Office of Human Resources to add to the NEOGOV training library for faculty and staff.

Reporting:

Hazing incidents can be reported to the Dean of Student Affairs, Office of Public Safety or Director of Compliance and Risk Management. If a report is criminal in nature, local law enforcement will be contacted. The College will also conduct its own investigation promptly and fairly to prevent a recurrence of the alleged hazing and to determine if there are potential violations of the Student Code of Conduct and/or any other applicable policies depending upon the nature of the complaint. Appropriate disciplinary actions will be taken against individuals or organizations found in violation.

Investigating:

Investigations will be conducted in accordance with SUNY Adirondack's Student Conduct procedures, ensuring due process. The Dean of Student Affairs will oversee proceedings, with potential escalation to the Student Disciplinary Review Board if necessary.

# CAMPUS CRIME STATISTICS

### Campus Locations

Federal law requires that campuses report specific criminal activities that occur on campus property and specific areas around those properties. Crimes occur in the community beyond what is required to be reported in this document. Students are advised to exercise caution in ALL locations.

**On Campus:** includes all offenses reported on the main campus property or inside of the Saratoga campus building.

**Non-Campus:** includes property owned or leased by the College outside campus boundaries. These properties include the Culinary Center located at 14 Hudson Ave, Glens Falls NY and Crockwell Pond located on East Sanford Street in the City of Glens Falls.

**Public Property:** includes thoroughfares, streets, sidewalks, parking facilities, and public parks or park-like settings immediately adjacent to and accessible from the campus.

**Off-Campus Jurisdiction:** SUNY Adirondack's policy allows for pursuing student conduct action against students who are involved in off-campus incidents that also violate College policy and/or federal, state, and/or local laws, statutes, or ordinances.

### Campus Crime Report

In accordance with the Campus Safety Act, the following reflects reportable crime statistics at SUNY Adirondack for the previous three (3) years. Statistics are compiled in the Public Safety Office, Residence Hall Room 164.

The statistics listed below are based on incident reports completed by PS staff throughout the calendar year. These incident reports are reviewed by the Director & Assistant Director of Public Safety for verification of accuracy and classification type. If the classification type is determined to meet Clery reporting requirements the statistics are added to the appropriate designation type within the Annual Security Report shown below.

***GEOGRAPHIC LOCATION***

| *OFFENSE* | YEAR | ON-CAMPUS PROPERTY | ON-CAMPUS STUDENT HOUSING FACILITIES | NON-CAMPUS PROPERTY | PUBLIC PROPERTY | *UNFOUNDED* |
|---|---|---|---|---|---|---|
| *MURDER AND NON-NEGLIENT MANSLAUGHTER* | 2023 | 0 | 0 | 0 | 0 | 0 |
| | 2024 | 0 | 0 | 0 | 0 | 0 |
| | 2025 | 0 | 0 | 0 | 0 | 0 |
| *MANSLAUGHTER BY NEGLIENCE* | 2023 | 0 | 0 | 0 | 0 | 0 |
| | 2024 | 0 | 0 | 0 | 0 | 0 |
| | 2025 | 0 | 0 | 0 | 0 | 0 |
| *ARSON* | 2023 | 0 | 0 | 0 | 0 | 0 |
| | 2024 | 0 | 0 | 0 | 0 | 0 |
| | 2025 | 0 | 0 | 0 | 0 | 0 |
| *ROBBERY* | 2023 | 0 | 0 | 0 | 0 | 0 |
| | 2024 | 0 | 0 | 0 | 0 | 0 |
| | 2025 | 0 | 0 | 0 | 0 | 0 |
| *AGGRAVATED ASSAULT* | 2023 | 0 | 0 | 0 | 0 | 0 |
| | 2024 | 0 | 0 | 0 | 0 | 0 |
| | 2025 | 0 | 0 | 0 | 0 | 0 |

***GEOGRAPHIC LOCATION***

| *OFFENSE* | YEAR | ON-CAMPUS PROPERTY | ON-CAMPUS STUDENT HOUSING FACILITIES | NON-CAMPUS PROPERTY | PUBLIC PROPERTY | *UNFOUNDED* |
|---|---|---|---|---|---|---|
| *BURGLARY* | 2023 | 0 | 0 | 0 | 0 | 0 |
| | 2024 | 0 | 0 | 0 | 0 | 0 |
| | 2025 | 0 | 0 | 0 | 0 | 0 |
| *MOTOR VEHICLE THEFT* | 2023 | 0 | 0 | 0 | 0 | 0 |
| | 2024 | 0 | 0 | 0 | 0 | 0 |
| | 2025 | 0 | 0 | 0 | 0 | 0 |
| *SEX OFFENSES (RAPE)* | 2023 | 6 | 6 | 0 | 0 | 0 |
| | 2024 | 0 | 0 | 0 | 0 | 0 |
| | 2025 | 1 | 1 | 0 | 0 | 1 |
| *SEX OFFENSES (FONDLING)* | 2023 | 5 | 4 | 0 | 0 | 0 |
| | 2024 | 0 | 0 | 0 | 0 | 0 |
| | 2025 | 0 | 0 | 0 | 0 | 0 |
| *SEX OFFENSES (INCEST)* | 2023 | 0 | 0 | 0 | 0 | 0 |
| | 2024 | 0 | 0 | 0 | 0 | 0 |
| | 2025 | 0 | 0 | 0 | 0 | 0 |
| *SEX OFFENSES (STATUTORY RAPE)* | 2023 | 0 | 0 | 0 | 0 | 0 |
| | 2024 | 0 | 0 | 0 | 0 | 0 |
| | 2025 | 0 | 0 | 0 | 0 | 0 |

***GEOGRAPHIC LOCATION***

| *OFFENSE* | YEAR | ON-CAMPUS PROPERTY | ON-CAMPUS STUDENT HOUSING FACILITIES | NON-CAMPUS PROPERTY | PUBLIC PROPERTY | *UNFOUNDED* |
|---|---|---|---|---|---|---|
| *DATING VIOLENCE* | 2023 | 2 | 2 | 0 | 0 | 0 |
| | 2024 | 1 | 1 | 0 | 0 | 0 |
| | 2025 | 0 | 0 | 0 | 0 | 0 |
| *DOMESTIC VIOLENCE* | 2023 | 1 | 1 | 0 | 0 | 0 |
| | 2024 | 0 | 0 | 0 | 0 | 0 |
| | 2025 | 0 | 0 | 0 | 0 | 0 |
| *STALKING* | 2023 | 3 | 2 | 0 | 0 | 0 |
| | 2024 | 1 | 0 | 0 | 0 | 0 |
| | 2025 | 1 | 1 | 0 | 0 | 0 |

***ARRESTS***

| *OFFENSE* | YEAR | ON-CAMPUS PROPERTY | ON-CAMPUS STUDENT HOUSING FACILITIES | NON-CAMPUS PROPERTY | PUBLIC PROPERTY | *UNFOUNDED* |
|---|---|---|---|---|---|---|
| *LIQUOR LAW VIOLATIONS* | 2023 | 0 | 0 | 0 | 0 | 0 |
| | 2024 | 0 | 0 | 0 | 0 | 0 |
| | 2025 | 0 | 0 | 0 | 0 | 0 |
| *DRUG RELATED* | 2023 | 0 | 0 | 0 | 0 | 0 |
| | 2024 | 0 | 0 | 0 | 0 | 0 |
| | 2025 | 0 | 0 | 0 | 0 | 0 |
| *WEAPONS VIOLATIONS* | 2023 | 0 | 0 | 0 | 0 | 0 |
| | 2024 | 1 | 1 | 0 | 0 | 0 |
| | 2025 | 0 | 0 | 0 | 0 | 0 |

***DISCIPLINARY REFERRALS***

| *OFFENSE* | YEAR | ON-CAMPUS PROPERTY | ON-CAMPUS STUDENT HOUSING FACILITIES | NON-CAMPUS PROPERTY | PUBLIC PROPERTY | *UNFOUNDED* |
|---|---|---|---|---|---|---|
| *LIQUOR LAW VIOLATIONS* | 2023 | 49 | 49 | 0 | 0 | 0 |
| | 2024 | 22 | 22 | 0 | 0 | 0 |
| | 2025 | 45 | 44 | 0 | 0 | 0 |
| *DRUG RELATED* | 2023 | 52 | 45 | 0 | 0 | 0 |
| | 2024 | 36 | 33 | 0 | 0 | 0 |
| | 2025 | 7 | 7 | 0 | 0 | 0 |
| *WEAPONS VIOLATIONS* | 2023 | 1 | 1 | 0 | 0 | 0 |
| | 2024 | 2 | 2 | 0 | 0 | 0 |
| | 2025 | 1 | 1 | 0 | 0 | 0 |

***ADDITIONAL HATE CRIME RELATED OFFENSES***

| *OFFENSE* | YEAR | ON-CAMPUS PROPERTY | ON-CAMPUS STUDENT HOUSING FACILITIES | NON-CAMPUS PROPERTY | PUBLIC PROPERTY | *UNFOUNDED* |
|---|---|---|---|---|---|---|
| *LARCENY-THEFT* | 2023 | 0 | 0 | 0 | 0 | 0 |
| | 2024 | 0 | 0 | 0 | 0 | 0 |
| | 2025 | 0 | 0 | 0 | 0 | 0 |
| *SIMPLE ASSAULT* | 2023 | 0 | 0 | 0 | 0 | 0 |
| | 2024 | 0 | 0 | 0 | 0 | 0 |
| | 2025 | 0 | 0 | 0 | 0 | 0 |
| *INTIMIDATION* | 2023 | 2 | 2 | 0 | 0 | 0 |
| | 2024 | 2 | 1 | 0 | 0 | 0 |
| | 2025 | 0 | 0 | 0 | 0 | 0 |
| *DESTRUCTION/DAMAGE/ VANDALISM OF PROPERT* | 2023 | 0 | 0 | 0 | 0 | 0 |
| | 2024 | 0 | 0 | 0 | 0 | 0 |
| | 2025 | 0 | 0 | 0 | 0 | 0 |

***HAZING RELATED INCIDENTS***

| | | | | | | |
|---|---|---|---|---|---|---|
| *HAZING (SEE 2025 NOTE BELOW)* | 2023 | N/A | N/A | N/A | N/A | N/A |
| | 2024 | N/A | N/A | N/A | N/A | N/A |
| | 2025 | 0 | 0 | 0 | 0 | 0 |

| |
|---|
| ***2023*** |
| *2023 Weapons Violation Disciplinary Referral: 1 weapons violation for martial arts throwing stars (2 stars)* |
| *2023 Intimidation (Hate Crime): 1 referral for possible Race incident, 1 referral for possible Sexual Orientation incident* |
| *2023 Stalking stats are comprised of combined Title IX and Public Safety records. Title IX stats are for reporting purposes only. No details received on individual cases.* |
| ***2024*** |
| *2024 Weapons violation: Disciplinary Referral: 2 Possession of sword - On-campus Student Housing, No threats made towards students or staff.* |
| *2024 Weapons- Arrest: Menacing 2nd (with a knife)* |
| *2024 Report of 1 On-Campus Sexual Harassment reported to Public Safety: Turned over to Title 9 staff* |
| *2024 Drug & Alcohol Referrals decrease – Significant Residence Hall population decline over previous year.* |
| *2024 Report of 1 On-Campus Stalking reported to Public Safety: Turned over to Title 9 staff* |
| *2024 Report of 1 Off-Campus Sexual Harassment reported directly to Title 9 staff, no Public Safety report. No details received regarding individual case.* |
| *2024 Report of 1 On-Campus Hate Crime - Intimidation: Turned over to Campus Judicial* |
| *2024 Report of 1 On-Campus Hate Crime - Intimidation: Disability related, Turned over to Campus Judicial* |
| ***2025*** |
| *2025 Report of Rape by unregistered residence hall quest. Investigated independently by WCSO and determined to be unfounded. No charges filed. Incident referred to Dean of Students for Guest policy violation after WCSO determination.* |
| *2025 Report of Stalking by a Residence Hall student against another residence hall student. No LEO interaction requested. Referred to Dean of Students for disciplinary action.* |
| *2025 TIX reports: None that qualify based on type and/or Geo-location* |
| *Order for Survey report: Murder/Non-negligent manslaughter, Manslaughter by Negligence, Rape, Fondling, Incest, Statutory Rape, Robbery, Aggravated Assault, Motor Vehicle Theft, Arson* |
| ***The Title IX incident related statistics are derived from incidents reported directly to the Public Safety department or the Title IX staff. Incident dates are compared to ensure that reports are only counted once within the Annual Security Report. No personal identification information for reports received directly by Title IX staff are reviewed by Public Safety personnel.*** |

**Definitions of above Criminal Actions**

THESE DEFINITIONS ALSO INCLUDE NEW YORK STATE CRIME DEFINITIONS AS REQUIRED BY THE VIOLENCE AGAINST WOMEN ACT FOR CONSENT; DATING VIOLENCE; DOMESTIC VIOLENCE; SEXUAL ASSAULT; AND STALKING.

**Aggravated Assault** — An unlawful attack by one person upon another wherein the offender displays or uses a weapon in a threatening manner, or the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.

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

**Burglary —** The unlawful entry into a building or other structure with the intent to commit a felony or a theft.

**Dating Violence —** New York state does not specifically define dating violence. However, dating violence would include the crimes listed elsewhere in this document when committed by a person in a social relationship of a romantic or intimate nature with the victim. Dating violence includes, but is not limited to, sexual or physical abuse or threat of abuse. It does not include acts covered under the definition of domestic violence.

**Domestic Violence —** An act which would constitute a violation of the penal law, including, but not limited to acts constituting disorderly conduct, harassment, aggravated harassment, sexual misconduct, forcible touching, sexual abuse, stalking, criminal mischief, menacing, reckless endangerment, kidnapping, assault, attempted murder, criminal obstruction or breaching or blood circulation, or strangulation; and such acts have created a substantial risk of physical or emotional harm to a person or a person's child. Such acts are alleged to have been committed by a family member. The victim can be anyone over the age of sixteen, any married person or any parent accompanied by their minor child or children in situations in which such person or such person's child is a victim of the act.

**Drug Abuse Violations —** violations of laws prohibiting the production, distribution, and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use.

**Family or Household Member —** Persons related by consanguinity or affinity; Persons legally married to one another; Person formerly married to one another regardless of whether they still reside in the same household; Persons who have a child in common regardless of whether such persons are married or have lived together at any time; Unrelated persons who are continually or at regular intervals living in the same household or who have in the past continually or at regular intervals lived in the same household; Persons who are not related by consanguinity or affinity and who are or have been in an intimate relationship regardless of whether such persons have lived together at any time. Factors that may be considered in determining whether a relationship is an "intimate relationship" include, but are not limited to: the nature or type of relationship regardless of whether the relationship is sexual in nature; the frequency of interaction between the persons; and the duration of the relationship. Neither a casual acquaintance nor ordinary fraternization between two individuals in business or social contexts shall be deemed to constitute an "intimate relationship"; any other category of individuals deemed to be a victim of domestic violence as defined by the office of children and family services in regulation.

**Fondling —** The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental incapacity.

**Hate Crime —** When a person is victimized intentionally because of their actual or perceived race, gender, sexual orientation, ethnicity, disability, gender identity or national origin.

**Incest —** non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

**Liquor Law Violations —** Violations of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession or use of alcoholic beverages.

**Motor Vehicle Theft —** The theft or attempted theft of a motor vehicle.

**Murder—** The willful killing of one human being by another.

**Parent —** Means natural or adoptive parent or any individual lawfully charged with a minor child's care or custody.

**Rape —** The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

**Robbery —** The taking, or attempting to take, anything of value under confrontational circumstances from the control, custody, or care of another person or persons by force or violence and/or by putting the victim in fear of immediate harm.

**Sex Offenses —** Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

**Sexual Assault —** New York state does not specifically define sexual assault. However, according to the Federal Regulations, sexual assault includes offenses that meet the definitions of rape, fondling, incest, or statutory rape as used in the FBI's UCR program.

**Stalking —** When a person intentionally, and for no legitimate purpose, engages in a course of conduct directed at a specific person, and knows or reasonably should know that such conduct (1) is likely to cause reasonable fear of material harm to the physical health, safety or property of such person, a member of such person's immediate family or a third party with whom such person is acquainted; or (2) causes material harm to the mental or emotional health of such person, where such conduct consists of following, telephoning or initiating communication or contact with such person, a member of such person's immediate family or a third party with whom such person is acquainted, and the actor was previously clearly informed to cease that conduct; or (3) is likely to cause such person to reasonably fear that their employment, business or career is threatened, where such conduct consists of appearing, telephoning or initiating communication or contact at such person's place of employment or business, and the actor was previously clearly informed to cease that conduct.

**Statutory Rape —** Non-forcible sexual intercourse with a person who is under the statutory age of consent. The statutory age of consent in New York is seventeen (17).

**Weapons Possessions —** Violations of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons.

**Suspension/Dismissal –** Students who are suspended or dismissed are NOT ALLOWED to be on campus or attend campus-sponsored events for any reason unless prior permission is given by the Director of Residence Life or the Dean of Student Affairs.

**Persona Non Grata (PNG) –** An order of exclusion from campus to non-students who have demonstrated that their presence on campus would be a threat to the campus and/or campus members. Violators can be arrested for criminal trespass.

# PUBLIC ORDER

## STATEMENT OF PUBLIC ORDER

The College is a public institution operated for the purpose of providing educational opportunities to students and to support cultural and intellectual aspects of the area. College students, faculty, staff, employees and visitors to the campus are required to conduct themselves in accordance with the law and with College rules and regulations at all times.

### Students' Bill of Rights

The State University of New York and SUNY Adirondack are committed to providing options, support and assistance to victims/survivors of sexual assault, domestic violence, 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 the victim/survivor's 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:

1. Make a report to law enforcement and/or state police;
2. Have disclosures of domestic violence, dating violence, stalking and sexual assault treated seriously;
3. Make a decision about whether or not to disclose a crime or violation and participate in the campus conduct process and/or the criminal justice process free from pressure from the College;
4. Participate in a process that is fair, impartial and provides adequate notice and a meaningful opportunity to be heard;
5. Be treated with dignity and to receive from the College courteous, fair, and respectful health care and counseling services where available;
6. Be free from any suggestion that the reporting individual (including but not limited to the victim) is at fault when these crimes and violations are committed, or should have acted in a different manner to avoid such crimes or violations;
7. Describe the incident to as few College officials as practicable and not to be required to unnecessarily repeat a description of the incident;
8. Be free from retaliation by the College, the accused and/or the respondent, and/or their friends, family and acquaintances within the jurisdiction of the College;
9. Access at least one level of appeal of a determination;
10. Be accompanied by an advisor of choice who may assist and advise a reporting individual, accused, or respondent throughout the judicial or conduct process, including all meetings and hearings related to such process;
11. Exercise civil rights and practice of religion without interference by the investigative, criminal justice or judicial or conduct process of the College.

**Options in Brief**

Victims/survivors have many options that can be pursued simultaneously, including one or more of the following:

- Receive resources, such as counseling and medical attention;
- Confidentially or anonymously disclose a crime or violation (for more detailed information on confidentiality and privacy, see Options for Confidentially Disclosing Sexual Violence);
- Make a report to:
  - an employee with the authority to address complaints, including the Title IX Coordinator, the Dean for Students, and/or the Director of Human Resources;
  - Campus Public Safety;
  - Local law enforcement; and/or
  - Family or Civil Court

Copies of this Bill of Rights will be distributed annually to students, made available on the College's website, and posted in the Residence Hall, Dining Hall, Student Center, Student Activities Office, Counseling Office, Athletics Office, Human Resources, Public Safety Office, President's Office, with all Faculty Secretaries, and at the Culinary Center.

**College's Code of Conduct**

The Code of Conduct exists as a means to protect the rights of all students and faculty while also holding individual members to the same standards of respect, courtesy, integrity and responsibility. It is in the best interest of all students to review their rights and responsibilities as laid out in the following document. In the event of a violation, students have the right to due process as defined within the code of conduct.

SUNY Adirondack recognizes that its chief responsibility to the community is education. Our Code of Conduct is designed to facilitate an awareness of this community context and to provide meaning to all our lives. Education is primary, as it should be within any educational institution. The Code provides for fair due process, and emphasizes the issuance of sanctions that are positive. Behaviors which interfere with the ongoing daily educational purposes of the college may require intervention and/or disciplinary action. With this in mind, we as a community believe that students enrolling at SUNY Adirondack assume an obligation to conduct themselves in a manner compatible with the functions of the college as an educational institution. While college may present certain stressful situations, it is expected that students will be able to maintain an adequate level of self-control.

The College Code of Conduct expects that all students will conduct themselves as responsible members of society as defined by this Code. It intends to educate individuals regarding the nature of communities and provide opportunities to learn and express positive behavior within those larger contexts. In addition, students and student organizations should always be free to support causes by orderly means which do not disrupt the regular and essential operation of the institution. Nevertheless, in any demonstrations or public expressions of opinion, students or student organizations speak only for themselves.

**Code of Conduct infractions**

Includes violations of any federal, state, or local law, where, in the judgment of the College, the person charged endangers the property or threatens the personal safety of an individual and/or the academic community. It is the intent of the College to leave disciplinary action with respect to off-campus offenses of students to the proper authorities. It must be noted, however, that there are certain off-campus offenses that by their very nature pose a serious threat to the College community. In such cases, the College reserves the right to take appropriate action. Disciplinary measures may be taken for the following reasons: (Note, however, these do not cover every single circumstance when disciplinary measures will be enacted. In general, any act that infringes upon the rights of others or that adversely affects the College is prohibited.)

a. Dishonesty, such as cheating or plagiarism.
b. Falsifying information to the College, such as forgery, alterations or intentional misuse of College documents, records, or identification.
c. Obstruction or disruption of any College activities (both in and outside of the classroom) or insult of any person authorized or assigned to address student groups.
d. Aggressive physical contact and/or physical abuse of any person; or conduct which threatens or endangers health or safety.
e. Theft of, or damage to, college or personal property.
f. Non-compliance with SUNY Adirondack's Computer Use Policy and Procedures.
g. Unauthorized or improper use of, or entry to, College facilities.
h. Violation of College policies concerning regulation of student organizations.
i. Disorderly, lewd, indecent, or obscene conduct or expression.
j. Harassment of any person, sexual or otherwise. This includes harassing electronic communication (texts, emails, Facebook posts, etc.)
k. Failure to comply with directions of College employees, including resident assistants, acting in the performance of their duties.
l. Violation of the college tobacco-free policy.
m. Gambling in any form.
n. Presence on campus under the influence of alcohol or other drugs.
o. Possession or use of alcoholic beverages on campus at other-than-approved events and under approved conditions.
p. Sale, possession, exchange, or use of narcotics or illegal drugs in any form.
q. Possession of firearms or any other weapon on campus and college-sponsored events. This includes but is not limited to, hunting rifles, hand guns, paintball guns, BB guns, airsoft guns, stun guns, very realistic looking toy guns, switchblades, gravity knives, bows and arrows, ammunition of any kind and any martial arts weapons.
r. Recklessly or intentionally endangers mental or physical health or forcing consumption of alcohol or drugs for the purpose of initiation into or affiliation with any organization.
s. Persistent acts of willful disobedience or defiance toward college staff.
t. Breach of peace on college property or at college-sponsored events.
u. Willfully inciting others to commit any of the acts herein prohibited.

v. Reckless, inappropriate or negligent behavior during an off-campus, college sponsored activity or course
w. The act or threat of retaliation, intimidation, or coercion toward another individual for participating in a College process or procedure.
x. Any other charge deemed necessary by the Dean for Student Affairs.
y. Any incident that falls under the federal Clery Act.
z. Stalking intentionally engaging in a course of conduct, directed at a specific person, which is likely to cause a reasonable person to fear for their safety or the safety of others or cause that person to suffer substantial emotional damage. Stalking does not require direct contact between the parties and can be accomplished in many ways, including through the use of electronic media such as Internet, pagers, cellphones or other similar devices.

**Infractions of Residence Hall Community Expectations and Standards**

Are defined in the ADIRONDACK HOUSING ASSOCIATION, LLC (AHA) Handbook. It should be noted that a violation of the Community Standards may also be a violation of the College Code of Conduct and students may be held accountable both by the AHA and the College for their actions in the Residence Halls depending on the level of offense.

**Violations of the Code of Conduct**

A. Academic violations of the Code of Conduct shall be referred to the Associate Vice President for Academic Affairs. All other violations shall be referred to the Dean for Student Affairs and/or the appropriate law enforcement agency.

B. The Associate Vice President for Academic Affairs and/or the Dean for Student Affairs may initiate an informal inquiry into any alleged violation of the Code of Conduct in order to determine if an incident has occurred. During the inquiry students, faculty, staff or other appropriate parties may be asked to meet with the Associate Vice President or Dean (or their designee) in order to clarify the situation.

C. The Associate Vice President for Academic Affairs and/or the Dean for Student Affairs may intervene or take disciplinary action, either when requested in writing by a faculty member, staff member, Division Chairperson, or on their/her own accord, when student behavior is disruptive to learning or to campus activity or poses a threat to person or property.

D. The Dean for Student Affairs may designate a college official to act as a conduct officer in their place regarding cases that may result in lower-level sanctions only (e.g. oral or written reprimand or appropriate education or punitive sanctions).

E. All formal academic charges of Code infraction shall be submitted in writing and in complete detail to the Associate Vice President for Academic Affairs. All other formal charges of Code infraction shall be submitted to the Dean for Student Affairs in writing and in complete detail. In the event that the Dean is a party to the charges, their duties shall be performed by some person designated by the appropriate Vice President.

F. Within 10 working days of the date of notice, the student shall be notified of the charges in electronic or written format and required to meet with either the Associate Vice President for Academic Affairs (in the case of academic/classroom violations) or the Dean for Student Affairs, or their designee (for all other violations) regarding charges. If the student does not report to the Associate Vice President's or the Dean's office or respond in writing to reschedule, the procedure will continue as follows and may result in the actions described below.

G. Pending action on charges, civil or College, the status of the student shall not be altered or their right to be present on the campus and to attend classes denied, except for reasons relating to the safety and wellbeing of students, faculty and staff, or College property. The decision to alter student status under this section shall be made by the Associate Vice President for Academic Affairs (in the case of academic/classroom violations), or the Dean for Student Affairs (for all other violations), upon consultation with the appropriate Vice President (during normal business hours), or the appropriate Public Safety Official (outside of normal business hours) and shall be final, pending action on the charges. Such decision shall be in writing and the reasons shall be set forth.

**Procedure for Action by the Dean for Student Affairs, Associate Vice President for Academic Affairs, or other designated college authority.**

A. The student will be advised of their rights in the interview and possible consequences.

B. Except in cases of sexual harassment and sexual violence (including but not limited to domestic violence, dating violence, and sexual assault and stalking), an effort will be made to resolve the issue by mutual agreement if it is deemed a violation of the Code of Conduct has occurred. An effort will be made to agree on appropriate action where warranted.

C. Within five working days of a formal meeting, the Associate Vice President for Academic Affairs (in the case of academic/classroom violations), or the Dean for Student Affairs (for all other violations) will either determine there was no violation of the Code of Conduct or take appropriate action and provide notice to the student in electronic or written format. Action can include, but is not limited to, oral or written reprimand and warning, appropriate educational or punitive sanctions determined by the Associate Vice President or Dean; removal from a course or courses with an "AW" grade; suspension or leave of absence; or permanent dismissal.

D. The following policy applies to the actions described:
   1. Oral or written reprimand and warning: no transcript record will be made but a letter will be kept on file.
   2. Appropriate education or punitive sanctions: i.e. Community service, fines, mandatory counseling etc.
   3. Administrative withdrawal: transcript will carry a record of "AW"; decision to impose an administrative withdrawal will be made by the Dean for Student Affairs or Associate Vice President for Academic Affairs. Any transcript notation will be in accordance with college

transcript notation policy.

4. Administrative Restriction: student may be restricted from student activities or individual course enrollment for a period specified by the Associate Vice President for Academic Affairs or Dean for Student Affairs; student must request approval for release of restriction; transcript will carry no record of restriction.
5. Removal: student may not attend classes for a period specified by the Associate Vice President for Academic Affairs or Dean for Student Affairs; student must request approval for resumption of schedule and is not exempt from any course work requirements; grades of "AW" or "F" may be assigned. Any transcript notation will be in accordance with college transcript notation policy.
6. Disciplinary Probation is a higher-level sanction imposed for serious violations or a pattern of violations of the conduct code. A student is placed on Disciplinary Probation through graduation and subsequent violations will likely call into question the status of the student at the College.
7. Suspension: student may be suspended for a period up to two years. Suspension can include, but is not limited to, suspension from class, activities, and campus as a whole. During suspension from class or campus, grades of "AW" or "F" will be determined by the Dean for Student Affairs or Associate Vice President for Academic Affairs and instructors; student must request permission of the Associate Vice President for Academic Affairs or the Dean for Student Affairs imposing the sanction to re-enroll; the Associate Vice President for Academic Affairs or Dean for Student Affairs may set terms for re-enrollment. Any transcript notation will be in accordance with college transcript notation policy.
8. Dismissal: student is permanently dismissed from the College and may not reenroll; grades for the semester in which the action took place may be "AW" or "F"; student may not receive a degree or certificate from SUNY Adirondack. Any transcript notation will be in accordance with college transcript notation policy.
9. Transcript Notation: When Code of Conduct violations involve incidents of violence that meet the reporting requirements for the Clery Act (including but not limited to domestic violence, dating violence, sexual assault and stalking), the College will make a notation on the transcript if a student is suspended or dismissed from the College after a finding of responsibility, as well as to any student who withdraws from the institution with such conduct charges pending. The full Transcript Notation Policy can be found at: http://catalog.sunyacc.edu/content/transcript-notation-policy.

E. Action taken by the Dean for Student Affairs or Associate Vice President for Academic Affairs shall constitute a final resolution of the case subject to appeal.

F. When either the Dean for Student Affairs or the Associate for Academic Affairs makes a determination that a conduct violation occurred, and the action taken results in removal from courses, a grade of "AW" or "F" will be applied as of the date of the determination. When applicable a transcript notation will also be made as of the date of the determination. G. Removal from courses and/or housing does not release a student from their financial obligations to SUNY Adirondack. In addition, removal does not allow for any refund of charges.

**Student Disciplinary Review Board ("Review Board")**

A. The Review Board shall consist of three students, three full-time faculty members, and the Vice President for Academic Affairs or their designee (in the case of academic violations) or the Vice President for Enrollment and Student Affairs (for all other violations) or their designee. The chairperson of the Review Board will be the Vice- President or the designee. The Associate Vice President for Academic Affairs or the Dean for Student Affairs bringing forth the appeal will attend hearings as a non-voting member. Action of the Review Board shall be determined by a simple majority vote and the board shall follow the latest edition of Robert's Rules of Order.

B. The Review Board will be impartial, and no member will be either a witness against the student or a person previously involved in formulating the charge.

**Procedure for Hearing before the Review Board**

A. The Chairperson of the Review Board shall preside at the hearing. The hearing does not follow trial court procedure.
B. The student has the following rights:
    1. to present their side of the story.
    2. to present relevant witnesses and evidence on their behalf. Character references shall not be heard.
    3. to examine witnesses and evidence against the student.
    4. to remain silent without assumption of guilt.
C. An appeal is the process to request a review of the original student conduct outcome. The Referred Party has the right to submit one application for appeal. An appeal does not rehear a student conduct case, but rather determines if the conclusion reached in the original case is valid based on substantiation of a procedural error, new evidence, or the severity of the sanction.
D. An application for appeal must be submitted electronically within seven calendar days of receiving the decision letter via campus e-mail. Instructions on how to file an application for appeal are provided in the decision letter. Applications for appeal may not be submitted by a third party.
E. Applications for appeal are reviewed by the Vice President for Enrollment and Student Affairs or their designee to determine if the appeal is timely and meets the grounds for appeal. The original decision will stand if the appeal is not timely or does not meet the grounds for appeal, and the decision is final.
F. If the application is timely and meets the grounds, the appeal will be reviewed based on the preponderance of evidence standard.
G. Appeal outcomes are determined based on the Referred Party's approved written application for appeal and the rationale of the original student conduct review.
H. A written notification of the appeal decision will be made and the decision is final.
I. The Review Board shall examine all relevant facts and circumstances without regard to the technical rules of evidence.
J. A transcript will be kept to enable review of the proceedings. This will be kept by the Office of the Vice President chairing the hearing.

K. The student shall be allowed to appear with a campus advocate of their choice if they choose. The advocate will be a member of the College's faculty or staff, and is not permitted to speak (except to the student) during the hearing.
L. If the student does not appear, the action determined by the Associate Vice President for Academic Affairs or Dean for Student Affairs bringing forth the charges shall be implemented.
M. The student will have a full opportunity to question witnesses who appear against him/her at the hearing. During the hearing the student will have the opportunity to make statements in response to written statements submitted against him/her.
N. The student shall have the right to summon witnesses to support their position, but such witnesses may be interviewed in advance of the hearing by either the Associate Vice President for Academic Affairs or the Dean for Student Affairs and/or the Chairperson of the Review Board.
O. The decision of the Review Board concerning the current sanction shall be in electronic or written format and submitted to the student within ten days of the hearing. It shall be based solely on evidence given in the hearing and shall constitute a decision which will be final.

**Extensions**

All deadlines and time requirements in the Code may be extended for good cause as determined by the Associate Vice President for Academic Affairs or Dean for Student Affairs. Both the respondent and complainant will be notified in writing of the delay, the reason for the delay, and provided the date of the new deadline or event. Extensions requested by one party will not be longer than five (5) business days.

**Burden of Proof**

The burden of proof in all alleged Code of Conduct violations (including domestic violence, dating violence, sexual assault and stalking) is "the preponderance of the evidence"—whether it is "more likely than not" that the violation occurred. If the evidence presented meets this standard, then the respondent will be found responsible.

**Disciplinary Procedures Specific to Cases of Alleged Domestic Violence, Dating Violence, Sexual Assault, Sexual Harassment and Stalking**

In addition to those policies listed above, the following disciplinary procedures will apply in all cases where incidents of domestic violence, dating violence, sexual assault, sexual harassment or stalking are reported. Reported incidents of domestic violence, dating violence, sexual assault, sexual harassment and stalking will be investigated and adjudicated in a prompt, fair, and transparent manner consistent with SUNY Adirondack's Code of Conduct policies.

**Time Frames for Case Review Process**

A. SUNY Adirondack will conduct a timely review of all reports of domestic violence, dating violence, sexual assault and stalking. Absent extenuating circumstances, review and resolution are expected to take place within sixty (60) calendar days of receiving a report.
B. If a student engages the Campus Conduct Process, any outcomes and/or sanctions related to the reported incident are typically issued within five (5) business days of a formal hearing.

C. An appeal of the outcomes and/or sanctions by either party must be submitted to the Dean for Student Affairs in writing within seven (7) business days of receiving notification of the outcomes. Appeals are heard by the Student Disciplinary Review Board (see Sections IV-V of the student handbook) and, absent extenuating circumstances, decisions on appeals are typically issued within ten (10) business days of a hearing before the Board.

**Evidence**

A. Reported incidents of domestic violence, dating violence, sexual assault, sexual harassment or stalking will be investigated by campus personnel who receive annual training on such issues, including the Title IX Coordinator, Public Safety Officials, the Dean for Student Affairs, and the Associate Vice President of Human Resources.
B. Evidence presented by the reporting individual(s) and the accused person(s) for any hearing on domestic violence, dating violence, sexual assault, sexual harassment or stalking must be submitted to the Dean for Student Affairs at least two (2) business days in advance of the scheduled hearing so the opposing party may have adequate time to review said evidence.
C. The Dean for Student Affairs or their designee hearing the case may exclude evidence that has not been shared or adjourn the hearing to afford all parties the opportunity to review any evidence to be presented during the hearing.
D. The Dean for Student Affairs or their designee hearing the case will make the final decision regarding admissibility of all evidence.

**Parties' Right to Advisors in Cases Involving Domestic Violence, Dating Violence, Sexual Assault, Sexual Harassment or Stalking**

A. Both the reporting individual and the accused person may be accompanied by an advisor of their choice who may assist and advise them through the conduct process and any related hearings or meetings.
B. Advisors may speak with their respective advisees during hearings and/or meetings, and advisees may request a brief recess from the hearing to consult with their advisor. However, advisors may not participate in the hearing or meeting process, i.e. by asking questions directly of College officials, attempting to present evidence, or speaking on behalf of their advisee.
C. Any advisor who does not abide these instructions will be asked to leave at the discretion of the Dean for Student Affairs.

**Hearings**

Both parties are allowed to attend all hearings to present their case (although the reporting individual is not required to attend). Parties can question one another through the hearing officer. Hearing officer has the ability to determine if the question is valid to ask, not ask or modify.

**Notification of Findings**

In cases of sexual misconduct, including violations involving domestic violence, dating violence, sexual assault, sexual harassment and stalking, both the reporting individual and the accused person will receive simultaneous written notice of results within five (5) business days of a formal hearing. The notice will include:

A. Finding of responsibility;
B. What sanctions (if any) have been imposed;
C. Rationale for the result and the sanctions;
D. Notice of the College's appeal process;
E. When the results become final; and
F. Any changes that may occur to the results before that time.

**Protective Accommodations**

The College is committed to ensuring the safety and well-being of reporting individuals. Following an allegation of sexual misconduct, including but not limited to domestic violence, dating violence, sexual assault or stalking, a student may request certain protective accommodations and interim safety measures. The College will work with students to meet individual requests with appropriate and reasonable accommodations as available. Possible requests include:

A. Change in academic schedule;
B. Access to academic support such as tutoring services;
C. The ability to withdraw from or retake a class without penalty;
D. Relocation of assigned campus residence;
E. Change in transportation and/or work schedules;

A scheduled time for use of public facilities (Fitness Center, Dining Hall, etc.). While we will work to mitigate the impact of these measures on both parties, it is our obligation to minimize the burden placed on the reporting individual and the College will therefore endeavor to the extent practicable to change the schedule or accommodations of the accused person prior to changing the accommodations of the reporting individual.

**Interim Measures**

In situations where it is necessary, the College will take immediate steps to protect reporting individuals pending the final outcome of an investigation and/or hearing. These steps include the accommodations listed above, as well as issuing No Contact Orders, temporary suspension from the College and/or Residence Hall, and denied access to the campus. Please refer to the Code of Conduct for disciplinary procedures related to acts of sexual misconduct, especially those specific to reports of domestic violence, dating violence, sexual assault and stalking. Interim measures may be deemed permanent by the Dean for Student Affairs following a formal hearing and a finding of responsibility.

Both the accused/respondent and reporting individual may request a prompt review, reasonable under the circumstances and consistent with SUNY Adirondack policies and procedures, of the need for and terms of any interim measure and accommodation that directly affects him or her; parties may submit evidence in support of their request. While reporting individuals may request accommodations through any of the offices referenced in this policy, the Title IX Coordinator or Deputy Title IX Coordinator can serve as a point to assist with these measures.

**Possible Sanctions for a Finding of Responsibility in Cases Involving Domestic Violence, Dating Violence, Sexual Assault, Sexual Harassment and Stalking**

SUNY Adirondack considers domestic violence, dating violence, sexual assault, sexual harassment and stalking to be extremely serious violations of our Code of Conduct. In cases where an accused individual is found responsible, s/he may be subject to suspension or dismissal from the College. Per New York State legislation (129-B), when Code of Conduct violations involve incidents of violence that meet the reporting requirements for the Clery Act (including but not limited to domestic violence, dating violence, sexual assault and stalking), a transcript notation will be issued to any student suspended or dismissed from the College after a finding of responsibility, as well as to any student who withdraws from the institution with such conduct charges pending. The full Transcript Notation Policy can be found at: http://catalog.sunyacc.edu/content/transcript-notation-policy.

**Retaliation**

A. No member of the SUNY Adirondack community may retaliate against, intimidate, threaten, coerce or otherwise discriminate against persons involved in a sexual misconduct investigation and/or disciplinary proceeding, including the reporting individual, the accused person, and/or any witnesses.
B. Both the reporting individual and the accused person have the right to choose whether to disclose or discuss the outcome of a conduct hearing. However, it should be noted that this does not allow students to unreasonably share private information in a manner intended to harm or embarrass anther individual, or in a manner that would recklessly do so regardless of intention. Such sharing may be retaliation, which can result in separate charges under the Code of Conduct.
C. If you feel you have experienced retaliation related to an incident of sexual misconduct, please contact the campus Title IX Coordinator or Deputy Title IX Coordinator.

**Policy for Alcohol and/or Drug Amnesty in Cases of Sexual and Interpersonal Violence**

The health and safety of every student at the State University of New York and its state operated and community colleges is of utmost importance. SUNY Adirondack recognizes that students who have been drinking and/or using drugs (whether such use is voluntary or involuntary) at the time that an incident of 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 related to their conduct. SUNY Adirondack strongly encourages students to report any incidents of sexual or interpersonal violence to campus officials. A bystander or reporting individual (including but not limited to the victim of violence) acting in good faith that discloses any incident of sexual or interpersonal violence to SUNY Adirondack officials or local law enforcement will not be subject to SUNY Adirondack Code of Conduct action for violations of alcohol and/or drug use policies occurring at or near the time that the violence was committed.

Please note that this amnesty specifically covers SUNY Adirondack Code of Conduct actions of a disciplinary nature. It does not limit the College from seeking help for a student who is struggling with alcohol or drug addiction or who is otherwise in danger.

Additionally:

A. This amnesty it is unrelated to off-campus adjudication such as criminal prosecution or arrest by law enforcement.
B. This amnesty is available for alcohol and/or drug use by individuals. Dealers and distributors are not shielded from adjudication, nor are those who drug others without their knowledge.
C. For those in a clinical or similar setting wherein external laws, policies, or accreditation requirements require removal or restrictions for those using drugs or alcohol, this policy does not specifically limit those actions.

## Policy Statement on Sexual Misconduct

SUNY Adirondack is committed to creating and maintaining an educational environment free from all forms of sex discrimination, including sexual misconduct. Specifically, SUNY Adirondack strictly prohibits the offenses of domestic violence, dating violence, sexual assault, stalking and all forms of sex discrimination. These acts violate a person's feelings of trust and safety and can also substantially interfere with a student's education. It is the policy of SUNY Adirondack that, upon learning that an act of sexual misconduct has taken place, immediate action will be taken to address the situation. SUNY Adirondack encourages the reporting of sexual misconduct that is prompt and accurate. This allows the college community to quickly respond to allegations and offer immediate support of the victim.

SUNY Adirondack is committed to protecting the privacy of victims and will work closely with students who wish to obtain confidential assistance regarding an incident of sexual misconduct. Certain professionals at the College are permitted by law to offer total confidentiality; those who do not maintain this privilege will nonetheless protect a student's privacy to the fullest extent possible. All allegations will be investigated promptly and thoroughly, and both the victim and the accused will be afforded equitable rights during the investigative process. It is the collective responsibility of all members of the SUNY Adirondack community to foster a safe and secure campus environment. In an effort to promote this environment and prevent acts of sexual misconduct from occurring, the college engages in ongoing prevention and awareness education programs.

All incoming students and employees are required to participate in these programs, and all members of the college community are encouraged to participate throughout the year in ongoing campaigns and trainings focused on the prevention of sexual misconduct on campus.

### Scope

**Who:** This policy applies to all members of the SUNY Adirondack community, including students, faculty, staff, visitors, independent contractors, and other third parties who are on campus and involved in an incident of sexual misconduct (i.e. someone who witnessed an incident or who wishes to report an incident on behalf of another). The policy applies to these parties regardless of sexual orientation or gender identity.

**What:** This policy prohibits all forms of sexual misconduct. This broad term includes but is not limited to acts of sexual harassment, sexual violence, sexual coercion, sexual threats or intimidation, domestic violence, dating violence, sexual assault, stalking, and cyber-stalking. Please refer to the Annual Security Report for definitions of these specific crimes.

**Where:** This policy covers conduct taking place on the college campus. This includes a building or property owned or controlled by SUNY Adirondack and used in direct support of, or in a manner related to, the school's educational purposes, including residence halls, dining halls and public property within or immediately adjacent to and accessible from campus. This also includes any building or property owned or controlled by a student organization that is officially recognized by the college and any building or property not within the same reasonably contiguous geographic area of the college that supports or relates to the school's educational purposes and is frequently used by students. This policy also covers conduct that takes place off campus that may have a nexus to the college community.

**Programs and Activities:** This policy covers all educational, extracurricular, and athletic or other campus programs, as well as all campus and school-related activities, including but not limited to student organizations, community organizations with student and/or employee participation, and all other educational or extracurricular events hosted by the college.

**Relationships:** This policy covers sexual misconduct occurring between individuals in various types of relationships. Sexual misconduct may be acts committed by an individual or collective action committed by members of a group or organization. These acts may be committed against an individual or against a group or organization. These acts may be committed by a stranger, acquaintance, or by someone with whom the victim has a social, romantic or intimate relationship. These acts may be committed by or against any individual regardless of sexual orientation or gender identity.

**Academic Accommodations:** The College is committed to ensuring the safety and wellbeing of the victim. A student who has been a victim of sexual misconduct may request an academic accommodation or change in residence after a report of sexual misconduct. Any individual who makes a request will receive appropriate and reasonable accommodation. Possible requests include the ability to change academic or work schedules, withdraw from or retake a class without penalty, access academic support such as tutoring services, and change residence hall assignments. Pursuant to Title IX, in most cases of sexual violence or sex discrimination, the College will endeavor to the extent practicable to change the schedule or accommodations of the accused student prior to changing the accommodations of the victim.

**Interim Measures:** In situations where it is necessary, the College will take immediate steps to protect victims pending the final outcome of an investigation. These steps include the accommodations listed above in addition to the issuing of no-contact orders. Pending resolution of the complaint, the accused may be prohibited from contacting the victim and may be placed on temporary suspension or denied access to the campus. The College may change the course schedule or residence assignment of the accused. Please refer to the Code of Conduct for disciplinary procedures related to acts of sexual misconduct.

**Confidentiality:** The College is committed to maintaining the privacy of all individuals involved in a report of sexual misconduct. While the College encourages victims to report an incident of sexual misconduct to College officials, there are many options available for students to speak with someone about what happened while maintaining confidentiality. Please see the SUNY Adirondack webpage on Options for Confidentially Disclosing Sexual Violence for more information on confidentiality.

**Burden of Proof:** The burden of proof in all cases is "preponderance of the evidence," whether it is "more likely than not" that the sex discrimination, dating violence, domestic violence, sexual assault, or stalking occurred. If the evidence presented meets this standard, then the respondent must be found responsible. https://www.sunyacc.edu/sexual-violence-prevention-and-support

**Sexual Violence Response Policy**

In accordance with the Students' Bill of Rights, reporting individuals shall have the right to pursue one of the options below, 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:

**Reporting**

Confidentially disclose an incident to one of the SUNY Adirondack officials below who, by law, maintain confidentiality and can also assist you in accessing resources and services.

- Holly Irion, Licensed Mental Health Counselor: 518-681-5620; irionh@sunyacc.edu Washington Hall 118
- Beth Braxton, Licensed Mental Health Counselor: 518-743-2249; braxtone@sunyacc.edu Washington Hall 113
- Tara Booth, Licensed Mental Health Counselor: 518-743-2247, bootht@sunyacc.edu Washington Hall 120
- Lindsay Farrar, Licensed Mental Health Counselor: 518-743-2245, farrarl@sunyacc.edu Washington Hall 118

**Local to SUNY Adirondack:**

- Planned Parenthood 24-Hour Survivor Support Services Hotline: 1-866-307-4086
- Domestic Violence Project 24-Hour Hotline: 518-793-9496
- Saratoga County Wellspring Victim Services 24-Hour Hotline: 518-584-8188

**New York state:**

- List of New York State Hotlines by County
- New York State Police 24-Hour Hotline for Reporting Sexual Assault on a College Campus: 1-844-845-7269
- SUNY Sexual Assault & Violence Response (SAVR) Resources: Search by proximity to campus or by geographic region.
- Disclosure and Assistance Options in Multiple Languages: Cataloged by the Office for Prevention of Domestic Violence. You can also call 1-800-942-6906 for assistance.

NOTE: Hotlines are for crisis intervention, resources and referrals, and their staff members are well-trained to help victims of sexual violence. However, they are services distinct from the College, meaning that hotlines do not provide SUNY Adirondack with any information. We strongly encourage you to additionally contact a campus resource so we are aware of your situation and can provide you with additional support and resources.

**Assistance can also be obtained from:**

• Legal Momentum: A national nonprofit organization that leads action for the legal rights of women.

• New York State Coalition Against Sexual Assault: NYSCASA's member rape crisis programs provide free, confidential services including: 24/7 emergency hotline; individual counseling; support groups; advocacy and accompaniment through medical, law enforcement and court systems; information; and referrals.

• New York State Coalition Against Domestic Violence: You can use the NYSCADV program director to find a confidential domestic violence hotline for crisis help, safety planning, emotional support, and help finding resources in your area including safe shelter, advocacy, counseling and legal assistance.

• Pandora's Project: A nonprofit organization dedicated to providing information, support and resources to survivors of rape and sexual abuse and their friends and families.

• GLBTQ Domestic Violence Project: Provides free and confidential support and services for gay, lesbian, bisexual, transgender and queer survivors of domestic and sexual violence through work to increase safety, security and empowerment through direct services, education and advocacy.

• Rape, Abuse & Incest National Network (RAINN): RAINN operates the National Sexual Assault Hotline (1-800-656-4673) in partnership with more than 1,000 local sexual assault service providers across the country.

• Safe Horizon: Provides compassionate and expert support for people who have experienced domestic and intimate partner violence, child physical and sexual abuse, human trafficking, stalking, youth homelessness, and violent crimes committed against a family member and within communities.

Disclose the incident to one of the college officials below who will offer privacy, and can provide information about remedies, accommodations, evidence preservation, and how to obtain resources.

- Counseling Center: 518-743-2278, Washington Hall, upstairs.
- Seeing a SUNY Adirondack counselor is always free of charge to students. Additionally, our counselors can help you make arrangements to see an off-campus counselor free of charge for up to eight (8) sessions and on a sliding payment scale thereafter.
- Title IX Coordinator: Chelsea Foster, 518-681-5650, lyonsc@sunyacc.edu, Warren Hall
- Campus Public Safety: 518-743-7233; Residence Hall 164-166

These resources will provide the information contained in the Students' Bill of Rights, including the right to choose when and where to report, the right to be protected by the College from retaliation, and the right to receive assistance and resources from the College.

These resources will disclose that they are private, not confidential, resources; they will nevertheless, protect your privacy to the very best of their ability. They may still be required by law and college policy to inform certain officials, like the Title IX Coordinator, about the incident.

These resources will notify you that the criminal justice process uses different standards of proof and evidence than college procedures, and any questions about the penal law or the criminal process should be directed to law enforcement officials or a district attorney.

**File a criminal complaint with SUNY Adirondack Campus Public Safety and/or with local law enforcement and/or state police:**

- Campus Public Safety: 518-743-7233, Residence Hall 164-166, available 24 hours a day
- Warren County Sheriff: 518-743-2500, 1400 state Route 9, Lake George, NY 12845
- Washington County Sheriff: 518-747-4623, 399 Broadway, Fort Edward, NY 12828
- Saratoga County Sheriff: 518-885-6761, 6010 County Farm Road, Ballston Spa, NY 12020
- New York State Police 24-Hour Hotline to Report Sexual Assault on a New York College Campus: 844-845-7269
- New York State Police Campus Sexual Assault Victims Unit Representative: Investigator Erica Rodriguez, Phone: 518-279-4427, Email: erica.rodriguez@trooper.ny.gov

**Receive assistance from the Title IX Coordinator and/or Director of Public Safety in initiating legal proceedings in family or civil court.**

File a report of sexual assault, domestic violence, dating violence and/or stalking, and/or talk to the Title IX Coordinator for information and assistance.

- Title IX Coordinator Chelsea Foster, 518-681-5650, lyonsc@sunyacc.edu, Warren Hall
- Reports will be investigated in accordance with SUNY Adirondack policies and your identity shall remain private at all times if you wish to maintain privacy.
- If you wish to keep your identity anonymous, you may call the Title IX Coordinator anonymously to discuss the situation and available options.
- If you choose to engage the Campus Conduct Process, complaints will be addressed in accordance with the policies and procedures set forth in the Student Handbook and adjudicated by the Dean for Student Affairs.

When the accused is an employee, you may also report the incident to the SUNY Adirondack Office of Human Resources 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.

- Ali Stidd, Sr. Human Resources Administrator, **PHONE:** 518-743-2202, stidda@sunyacc.edu

Complaints against an individual unaffiliated with SUNY Adirondack (i.e. an employee of an outside vendor) will be referred to the appropriate college officials who can, at your request, assist in discerning the appropriate body from which to seek disciplinary action. We will also work with you to ensure your safety on our campus and provide access to appropriate resources, including assistance in obtaining a persona non grata letter, subject to legal requirements and college policy.

You may withdraw your complaint or involvement from the SUNY Adirondack processes at any time.

At a minimum, at the first instance of your disclosure to a college official, the following information shall be presented to you:

"You have the right to make a report to Campus Public Safety, local law enforcement, and/or the NY State Police; to choose not to report; to report the incident to the College; to be protected by the College from retaliation for reporting an incident; and to receive assistance and resources from the College."

**Resources**

Visit the Resources for Support section for a thorough list of on- and off-campus resources available for immediate and ongoing support.

**Protections and Accommodations**

The following protections and accommodations are available through SUNY Adirondack. Contact the Title IX Coordinator for assistance.

- Title IX Coordinator: Chelsea Foster, 518-681-5650, lyonsc@sunyacc.edu, Warren Hall
- Director of Public Safety Jason Watters: 518-832-7795; wattersj@sunyacc.edu, Washington Hall
- When the accused is a student, the College can issue a "No Contact Order" consistent with college policy and procedure, meaning that for the accused to continue contacting the protected individual is a violation of college policy subject to additional conduct charges. • If the accused and protected person observe each other in a public place, it is the responsibility of the accused to leave the area in a reasonable time and manner without directly contacting the protected person.
- If appropriate, the College may establish a schedule for parties seeking to use the same facilities without running afoul of the No Contact Order.
- Both the accused person and the reporting individual may request a prompt review, reasonable under the circumstances and consistent with SUNY Adirondack policies and procedures, of the need for and terms of a No Contact Order, including requests to modify the terms of or discontinue the Order. Parties may submit evidence in support of their request to the Dean for Student Affairs.
- Assistance from SUNY Adirondack Public Safety and the Title IX Coordinator in initiating legal proceedings in family or civil court, including but not limited to obtaining an Order of Protection or, if outside of New York state, an equivalent protective or restraining order.

- A copy of the Order of Protection or equivalent, and an opportunity to meet or speak with a college official, or to be connected with an outside resource, who can explain the order and answer questions about it, including an explanation of the consequences for violating these orders (including but not limited to arrest, additional conduct charges, and temporary suspension) and information from the Order about the accused's responsibility to stay away from the protected person(s), as that burden does not rest on the protected person(s).
- Title IX Coordinator: Chelsea Foster, 518-681-5650, lyonsc@sunyacc.edu, Warren Hall
- Jason Watters, Director of Public Safety: 518-832-7795; wattersj@sunyacc.edu, Washington Hall
- Assistance from Campus Public Safety in effecting an arrest when an individual violates an Order of Protection or, if outside New York state, an equivalent protective or restraining order within the jurisdiction of SUNY Adirondack Public Safety or, if outside of the jurisdiction of SUNY Adirondack Public Safety, to call on and assist local law enforcement in effecting an arrest for violating such an order.
- When the accused is a student and presents a continuing threat to the health and safety of the community, to have the accused subject to temporary suspension pending the outcome of a conduct process.
- Both the accused person and the reporting individual may request a prompt review, reasonable under the circumstances and consistent with SUNY Adirondack policies and procedures, of the need for and terms of a temporary suspension, including requests to modify the terms of or discontinue the suspension. Parties may submit evidence in support of their request to the Dean for Student Affairs.
- When the accused is not a student but is a member of the college community and presents a continuing threat to the health and safety of the community, to subject the accused to interim measures in accordance with applicable collective bargaining agreements, employee handbooks and SUNY Adirondack policies and rules.
- When the accused is not a member of the college community, to have assistance from SUNY Adirondack Public Safety or other college officials in obtaining a persona non grata letter, subject to legal requirements and College policy.
- To obtain reasonable and available interim protective measures and accommodations that effect a change in academic, housing, employment, transportation, or other applicable arrangements in order to ensure safety, prevent retaliation, and avoid an ongoing hostile environment.
- Both the accused person and the reporting individual may request a prompt review, reasonable under the circumstances and consistent with SUNY Adirondack policies and procedures, of the need for and terms of any interim measure and accommodation that directly affects him or her. Parties may submit evidence in support of their request to the Dean for Student Affairs or the Title IX Coordinator.
- Title IX Coordinator: Chelsea Foster, 518-681-5650, lyonsc@sunyacc.edu, Warren Hall
- While reporting individuals may request accommodations through any of the offices referenced in this policy, the Title IX Coordinator will serve as the main point of contact to assist with these measures.

**Student Conduct Process**

You may request that student conduct charges be filed against the accused. Conduct proceedings are governed by the procedures set forth in the SUNY Adirondack 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. Throughout conduct proceedings, the respondent and the reporting individual will have:

- The same opportunity to be accompanied by an advisor of their choice who may assist and advise the parties throughout the conduct process and any related hearings or meetings.
- Participation of the advisor in any proceeding is governed by federal law and the Student Code of Conduct.
- Per SUNY Adirondack's Code of Conduct, advisors may speak with their respective advisees during hearings and/or meetings, and advisees may request a brief recess from the hearing to consult with their advisor. However, advisors may not participate in the hearing or meeting process, i.e. by asking questions directly to college officials, attempting to present evidence, or speaking on behalf of their advisee.
- Any advisor who does not abide by these instructions will be asked to leave at the discretion of the Dean for Student Affairs.
- The right to a prompt response to any complaint, and to have the complaint investigated and adjudicated in an impartial, timely, and thorough manner by individuals who receive annual training in conducting investigations of sexual violence, the effects of trauma, impartiality, the rights of the respondent (including the right to a presumption that the respondent is "not responsible" until a finding of responsibility is made) and other issues related to sexual assault, domestic violence, dating violence and stalking.
- The right to an investigation and process conducted in a manner that recognizes the legal and policy requirements of due process, including fairness, impartiality, and a meaningful opportunity to be heard, and is not conducted by individuals with a conflict of interest.
- The right to receive advance written or electronic notice of the date, time, and location of any meeting or hearing they are required to or are eligible to attend. Accused individuals will also be told the factual allegations concerning the violation, a reference to the specific Code of Conduct provisions alleged to have been violated, and possible sanctions.
- The right to have a 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.
- Temporary delays should not last more than 10 days except when law enforcement specifically requests and justifies a longer delay.
- The right to offer evidence during an investigation and to review available relevant evidence in the case file (or otherwise held by SUNY Adirondack).
- The right to present evidence and testimony at a hearing, where appropriate.
- The right to a range of options for providing testimony via alternative arrangements, including telephone/videoconferencing or testifying with a room partition.
- The right to exclude prior sexual history with persons other than the other party in the conduct process or their own mental health diagnosis or treatment from admittance in the college disciplinary stage that determines responsibility.

- Past findings of domestic violence, dating violence, stalking or sexual assault may be admissible in the disciplinary stage that determines sanction.
- The right to ask questions of the decision maker and via the decision maker indirectly request responses from other parties and any other witnesses present.
- The right to make an impact statement during the point of the proceeding where the decision maker is deliberating on appropriate sanctions.
- The right to simultaneous (among the parties) written or electronic notification of the outcome of a conduct proceeding, including the decisions, sanction(s) (if any), and rationale.
- For students found responsible for sexual assault, the available sanctions are suspension with additional requirements and dismissal.
- For crimes of violence, including but not limited to sexual violence, defined as crimes that meet the reporting requirements pursuant to the federal Clery Act, students who are suspended or dismissed from the College after a finding of responsibility of a Code of Conduct violation will have a notation made on their transcript that they were "suspended after a finding of responsibility for a Code of Conduct violation" or "dismissed after a finding of responsibility for a Code of Conduct violation." For more information, please see the full Transcript Notation Policy in the College Catalog.
- Access to at least one level of appeal of a determination before a panel, which may include one or more students, that is fair and impartial and does not include individuals with a conflict of interest.
- The right to have access to a full and fair record of a student conduct hearing, which shall be preserved and maintained for at least five years.
- These records will be kept in the office of the Dean for Student Affairs, 518-743-2277, Student Center 211.
- The right to choose whether to disclose or discuss the outcome of a conduct hearing. However, it should be noted that 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. Such sharing may be retaliation, which can result in separate charges under the Code of Conduct.
- The right to have all information obtained during the course of the conduct or judicial process be protected from public release until the appeals panel makes a final determination, unless otherwise required by law.

*Sexual assault is defined to be a Code of Conduct violation consistent with the Federal definitions of rape, fondling, incest or statutory rape adopted by the Department of Education in Final Regulations (http://www.gpo.gov/fdsys/pkg/FR-2014-10-20/pdf/2014-24284.pdf, page 62789). Consent for these purposes is defined by these policies and the NYS legislation.

**Affirmative Consent**

Affirmative Consent is a knowing, voluntary, and mutual decision among all participants to engage in sexual activity. Consent can be given by words or actions, as long as those words or actions create clear permission regarding willingness to engage in the sexual activity. Silence or lack of resistance, in and of itself, does not demonstrate consent. The definition of consent does not vary based upon a participant’s sex, sexual orientation, gender identity or gender expression.

- Consent is active, not passive. Consent to any sexual act or prior consensual sexual activity between or with any party does not necessarily establish consent for any other sexual acts.
- Consent is the responsibility of the person(s) initiating, and it's required regardless of whether the person(s) initiating sexual activity has been using drugs and/or alcohol. A student who is charged with sexual activity without consent cannot use the fact that they themselves were under the influence of drugs and/or alcohol at the time of the incident as a defense to the violation.
- Consent can be given through words or actions, as long as those words or actions create clear permission and willingness to engage in sexual activity; silence itself does not equal consent. Moreover, it is not a defense to sexual activity without consent to say that a reporting individual failed to say no or actively resist.
- Consent can be withdrawn at any time, even when it has been initially given. When consent is withdrawn, or if it can no longer be given, sexual activity must stop.
- Consent is not coerced. It cannot be given as a result of coercion, intimidation, force or the threat of harm.
- Consent cannot be given when a person is incapacitated, meaning they lack the ability to knowingly choose to participate in sexual activity. Incapacitation may be caused by:
    - Lack of consciousness or being asleep;
    - Being involuntarily restrained;
    - Use of alcohol, drugs or other intoxicants, depending on the degree of intoxication; o If any of the parties are under the age of 17; and/or
    - If an individual otherwise cannot consent.

*Consent can be given through words or actions. However, this is not to say that silence is the opposite of verbalization. The provision that, “Silence or lack of resistance, in and of itself, does not demonstrate consent,” makes clear that, if there is a charge of sexual activity without consent, it is not a defense that the other person was silent and didn’t say “No,” and so therefore they must have consented. Silence in and of itself is not proof of consent; not saying “No” is NOT the same thing as saying “Yes.”

**Options for Confidentially Disclosing Sexual Violence**

The State University of New York and SUNY Adirondack want you to have information and to get the support you need regardless of whether you want to move forward with a report of sexual violence to College officials or to police. You might want to talk with someone about something you observed or experienced, even if you aren’t sure it constitutes sexual violence. A conversation where questions can be answered is far better than keeping something to yourself. The related College Policies section and Options for Confidentially Disclosing Sexual Violence section can be found below. SUNY has created a thorough list of resources available in New York state. Visit the SUNY Sexual Assault & Violence Response (SAVR) Resources to search by proximity to campus or by geographic region.

**Privileged and Confidential Resources**

Individuals who are confidential resources will not report crimes to law enforcement or college officials without your permission, except for extreme circumstances such as a health or safety emergency. Please note that even individuals who can typically maintain confidentiality are subject to exceptions under the law, including the mandatory reporting of child abuse.

**SUNY Adirondack Confidential Resources:**

- Holly Irion, Licensed Mental Health Counselor: 518-681-5620; irionh@sunyacc.edu; Washington Hall 118
- Beth Braxton, Licensed Mental Health Counselor: 518-743-2249; braxtone@sunyacc.edu; Washington Hall 113
- Tara Booth, Licensed Mental Health Counselor: 518-743-2247, bootht@sunyacc.edu Washington Hall 120
- Lindsay Farrar, Licensed Mental Health Counselor: 518-743-2245, farrarl@sunyacc.edu Washington Hall 118

**Off-campus Counselors and Advocates:**

- Planned Parenthood 24-Hour Survivor Support Services Hotline: 866-307-4086
- Domestic Violence Project 24-Hour Hotline: 518-793-9496
- Saratoga County Wellspring Victim Services 24-Hour Hotline: 518-584-8188 Note that these outside services do not provide any information to SUNY Adirondack. They will generally maintain confidentiality unless you request disclosure and sign a consent or waiver form. More information on an agency's policies on confidentiality may be obtained directly from the agency.

**Off-campus Health Care Providers:**

- Glens Falls Hospital SANE Program in the Emergency Department: 518-926-3000;
- 100 Park St.; Glens Falls, NY 12801
- Saratoga Hospital SANE Program in the Emergency Department: 518-583-8313;
- 211 Church St., Saratoga Springs, NY 12866
- Planned Parenthood Mohawk Hudson, Glens Falls Center: 518-792-0994;
- 543 Bay Rd, Queensbury, NY 12804
- Warren County Public Health: 518-761-6580; Warren County Municipal Center, 1340 State Route 9, Lake George, NY 12845
- Washington County Public Health: 518.746.2400; Washington County Annex Building, 415 Lower Main St., Hudson Falls, NY 12839
- Saratoga County Public Health: 518-584-7460, ext. 8365; Saratoga Community Health Center, 24 Hamilton St., Saratoga Springs, NY 12866

    - You MUST be a Saratoga County resident to utilize this clinic. Otherwise, please contact Warren or Washington County Public Health Services who will assist any SUNY Adirondack student regardless of county of residence. Note that medical office and insurance billing practices may reveal information to the insurance policyholder, including medication and/or examinations paid for or administered.
- In the event that you choose to have a sexual assault forensic exam, we strongly encourage calling the Planned Parenthood Victim Survivor Support Services 24-Hour Hotline (866-307-4086) or Saratoga & Washington Counties Wellspring Victim Services 24-Hour Hotline (518-584-8188). One of their trained staff members can attend the exam with you as your advocate, offer support and advise you through the process, including making sure your health insurance is not billed.

- If you do not utilize advocacy services, you are encouraged to let hospital personnel know if you do not what your insurance policyholder to be notified about your access to these services.
- The New York State Office of Victim Services (OVS) may be able to assist in compensating victims/survivors for health care and counseling services, including emergency compensation. More information may be found on OVS's webpage for the Forensic Rape Examination (FRE) Direct Reimbursement Program, or by calling OVS at 800-247-8035.
- A list of additional services offered by OVS can be found here.

**Privacy vs. Confidentiality**

Even SUNY Adirondack 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 to investigate and/or seek a resolution and to notify the Title IX Coordinator or designee, who are responsible for tracking patterns and spotting systemic issues. SUNY Adirondack will limit the disclosure as much as possible, even if the Title IX Coordinator determines that a request for confidentiality cannot be honored. For information on how SUNY Adirondack weighs a request for confidentiality, see below.

**Requesting Confidentiality**

How the College Will Weight the Request and Respond If you disclose an incident to a SUNY Adirondack employee who is responsible for responding to or reporting sexual violence or sexual harassment, but wish to maintain confidentiality or do not consent to SUNY Adirondack's request to initiate an investigation, the Title IX Coordinator must weigh your request against our obligation to provide a safe, non-discriminatory environment for all members of our community, including you. We will assist you with academic, housing, transportation, employment, and other reasonable accommodations regardless of your reporting choices. While reporting individuals may request accommodations through several college offices, the Title IX Coordinator or Deputy Coordinator can serve as a primary point of contact to assist with these measures:

Chelsea Foster, Title IX Coordinator & Director of Student Affairs & Early College Programs, 518-681-5650, lyonsc@sunyacc.edu, Warren Hall

Ali Stidd, Deputy Title IX Coordinator & Senior Human Resources Administrator, 518-743-2202, Washington Hall

We also may take proactive steps, such as training or awareness efforts, to combat sexual violence in a general way that does not identify you nor the situation you disclosed. We may seek consent from you prior to conducting an investigation. You may decline to consent to an investigation, and that determination will be honored unless the College's failure to act does not adequately mitigate the risk of harm to you or other members of the SUNY Adirondack community. Honoring your request for confidentiality may limit our ability to meaningfully investigate and pursue conduct action against an accused individual. When you disclose an incident to someone who is responsible for responding to and/or reporting sexual violence or sexual harassment but wish to maintain confidentiality, SUNY Adirondack will consider many factors to determine whether we must proceed despite your request.

These factors include, but are not limited to:

- Title IX Coordinator:
- Whether the accused has a history of violent behavior or is a repeat offender; • Whether the incident represents escalation, such as a situation that previously involved sustained stalking;
- The increased risk that the accused will commit additional acts of violence; • Whether the accused used a weapon or force;

- Whether the reporting individual is a minor;
- Whether we possess other means to obtain evidence such as security footage; and
- Whether the report reveals a pattern of perpetration at a given location or by a particular group.

If the College determines that we must move forward with an investigation despite the request for confidentiality, the reporting individual or victim/survivor will be notified and the College will take immediate action as necessary to protect and assist them.

**Public Awareness/Advocacy Events**

If you disclose a situation through a public awareness event such as "Take Back the Night," candlelight vigils, protests, or other public event, SUNY Adirondack is not obligated to begin an investigation. The College may use the information you provide to inform the need for additional education and prevention efforts.

**Anonymous Disclosure**

If a reporting individual wishes to keep their identity anonymous, they may call the Title IX coordinator or Deputy Coordinator anonymously to discuss the situation and available options.

Chelsea Foster, Title IX Coordinator & Director of Student Affairs & Early College Programs, 518-681-5650, lyonsc@sunyacc.edu, Warren Hall

Ali Stidd, Deputy Title IX Coordinator & Senior Human Resources Administrator, 518-743-2202, Washington Hall

Reporting individuals may also call the New Your State Hotline for Sexual Assault and Domestic Violence (800-942-6906). The Hotline is for crisis intervention, resources and referrals, and is not a reporting mechanism.

**Institutional Crime Reporting**

Reports of certain crimes occurring in certain geographic locations will be included in the SUNY Adirondack Clery Act Annual Security Report in an anonymized manner that neither identifies the specifics of the crime nor the identity of the reporting individual or victim/survivor. Questions about recording crimes in the Annual Security Report can be directed to:

- Chelsea Foster, Title IX Coordinator & Director of Student Affairs & Early College Programs, 518-681-5650, lyonsc@sunyacc.edu, Warren Hall
- Jason Watters, Director of Public Safety & Facilities: 518-832-7795; wattersj@sunyacc.edu, Washington Hall

SUNY Adirondack is obligated to issue timely warnings of Clery Act crimes occurring within relevant geography that represent a serious or continuing threat to students and employees. (This is subject to exception when the warning could potentially compromise law enforcement efforts and/or when the warning itself could potentially identify the reporting individual or victim/survivor.) A reporting individual will never be identified in a timely warning. The Family Educational Rights and Privacy Act (FERPA) allows the College the option to share information with parents when (1) There is a health or safety emergency, or (2) The student is a dependent on either parents' prior year federal income tax return. Generally, SUNY Adirondack will not share information about a report of sexual violence with parents without the permission of the reporting individual.

**Student Onboarding and Ongoing Education**

The State University of New York and its state-operated and community colleges believe that sexual violence prevention training and education cannot be accomplished via a single day or single method of training. To that end, SUNY Adirondack will continue to educate all new and current students using a variety of best practices aimed at educating the entire college community in a way that decreases violence and maintains a culture where sexual assault and acts of violence are not tolerated. All new first-year and transfer students will receive training on the following:

- SUNY Adirondack prohibits sexual harassment, including: sexual violence, domestic violence, dating violence, stalking, or other violence or threats of violence, and will offer resources to any victims/survivors of such violence while taking administrative and conduct action regarding any accused individual within the jurisdiction of the institution;
- Relevant definitions, including but not limited to the definitions of sexual violence and consent;
- That policies apply equally to all students regardless of sexual orientation, gender identity, or gender expression;
- The role of the Title IX Coordinator, Campus Public Safety, and other relevant offices that address violence prevention and response;
- Awareness of violence, its impact on victims/survivors and their friends and family, and its long-term impact;
- The Students' Bill of Rights and the Sexual Violence Response Policy, including:
    - How to report sexual violence and other crimes confidentially, and/or to SUNY Adirondack officials, Campus Public Safety, and local law
    - enforcement; and
    - How to obtain services and support;
    - Bystander intervention and the importance of taking action, when one can safely do so, to prevent violence;
    - The protections of the Policy on Alcohol and/or Drug Use Amnesty in
    - Sexual and Interpersonal Violence Cases;
    - Risk assessment and reduction, including but not limited to steps that
    - potential victims/survivors and potential assailants and bystanders to
    - violence can take to lower the incidence of sexual violence; and
    - Consequences and sanctions for individuals who commit these crimes.

Beginning in the 2015-2016 academic year, SUNY Adirondack and all SUNY state-operated and community colleges will require that student leaders and officers of registered/recognized student organizations, as well as those seeking recognition, complete training on domestic violence, dating violence, sexual assault or stalking prevention as part of the approval process. Additionally, SUNY Adirondack will require student athletes to complete training in domestic violence, dating violence, sexual assault or stalking prior to participating in intercollegiate athletics. For information about upcoming educational opportunities and events regarding sexual violence prevention and awareness, please visit the Student Activities homepage.

**SEX OFFENDER REGISTRATION**

In accordance with the "Campus Sex Crimes Prevention Act" of 2000, which amends the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, The Jeanne Clery Act and Family Educational Rights and Privacy Act of 1974, the Office of Public Safety of SUNY Adirondack 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 to each institution of higher education in that State at which the person is employed, carries a vocation, or is a student. In the State of New York, convicted sex offenders must register with the New York State Department of Criminal Justice Services.

The Sex Offender Registry is available via Internet. Registry information is provided is to be used for the purposes of the administration of criminal justice, screening of current or prospective employees, volunteers or otherwise for the protection of the public in general and children in particular. Unlawful use of information for purposes of intimidating or harassing another is prohibited and willful violation shall be punishable as a Class 1 misdemeanor. Access the Registry website.

**SEXUAL ASSAULT AND DOMESTIC VIOLENCE LAWS**

Sexual assault is nonconsensual physical contact of a sexual nature. Sexual assault of others is prohibited by campus regulation and by New York state penal law. New York State Law contains the following legal provisions defining the crimes related to sexual assault:

• **Section 130.20 – Sexual Misconduct.** This offense includes sexual intercourse without consent and deviate sexual intercourse without consent. The penalty for violation of this section could result in imprisonment for a period of up to 1 year.

• **Section 130.25/.30/.35 – Rape.** 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 being mentally disabled, mentally incapacitated, or physically helpless. This series of offenses further includes sexual intercourse with a person under the age of consent. The penalties for violation of these sections could result in imprisonment for a period of up to 25 years.

• **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 being mentally disabled, mentally incapacitated, or physically helpless. 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 could result in imprisonment for a period of up to 25 years.

• **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 could result in imprisonment for a period of up to 1 year.

• **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 being physically helpless, or due to the person being under the age of consent. The penalties for violation of these sections could result in imprisonment for a period of up to 7 years.

• **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 mentally disabled, mentally

incapacitated, or 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 the violation of these sections could result in imprisonment for a period of up to 25 years.

• **Section 130.90– Facilitating a sex offense with a controlled substance.** This offense includes knowingly and unlawfully possessing a controlled substance or any preparation, compound, mixture or substance that requires a prescription to obtain and administers such substance to another person without such person's consent. The penalties for the violation of this section could result in imprisonment for a period of up to 7 years.

• **Section 120.45 – Stalking.** This offense includes intentionally, and for no legitimate purpose, engages in a course of conduct directed at a specific person, and knows or reasonably should know that such conduct is likely to cause reasonable fear of material harm to the physical health, safety or property of such person, a member of such person's immediate family or a third party with whom such person is acquainted. The penalties for the violation of this section could result in imprisonment for a period of up to 7 years.

# MISSING STUDENT

Situations involving missing students have the potential to become very complex, involving multiple agencies, occasionally having tragic endings. SUNY Adirondack is required by the Higher Education Act amended August 14, 2008, to establish protocol for students missing from campus housing. The purpose of this policy is to provide guidelines for Office of Public Safety when responding to such incidents. Though outside resources can and will be requested to respond, the initial response and investigation will fall upon Public Safety members.

**POLICY:**

Per the NYS Campus Safety Act (NYS Education Law Section 6434), a "missing student" means any student of an institution subject to the provisions of this subdivision, who resides in a facility owned or operated by such institution and who is reported to such institution as missing from his or her residence. Members of the Office of Public Safety shall immediately begin investigating upon receiving a report of a missing student and shall notify the Warren County Sheriff's Office.

The Warren County Sheriff's Office is responsible for investigating reports of person(s) missing from the Residence Hall. The Public Safety Office shall complete the initial investigation of the report and assist the Sheriff's Office in the furtherance of the search for the missing student(s).

This policy pertains to all current students of SUNY Adirondack living in the Residence Hall.

**DEFINITIONS:**

Missing Person – An individual whose whereabouts are unknown to the reporting party. A reporting party may be:

- a parent;
- a guardian;
- a roommate;
- an employer/employee;
- any person who should reasonably know the missing person's whereabouts

Missing Person's "at risk" – Those who fall into any one of the following categories:

- suspected victims of foul play

- persons who need medical attention;
- persons physically or mentally impaired and unable to care for themselves;
- victims of abduction

**PROCEDURES:**
A reporting party may contact one of the following offices to report a person missing:

- Campus Public Safety (518) 743-7233
- Residence Life (518) 743-7780
- Dean of Student Affairs (518) 743 2277

The member receiving the report shall immediately begin an initial investigation and contact the Warren County Sheriff's Office. The member shall take all information from the reporting party to include a description of the student, the last time he/she was seen, and the type/color of clothing worn. The member shall contact the Director of Public Safety and begin an incident report. A missing person's report shall be filed with the Warren County Sheriff's Office for entry into the National Crime Information Center (NCIC).

Upon receiving notification of a student missing who resides on campus, the Public Safety shall:

Respond to the missing student's room, knock and attempt to make contact with the student. If no answer, using the master key, unlock the door while announcing "Public Safety is there anyone here"? No entry will be made to the student's room/apartment without at least one of the following present: a Resident Assistant, or Resident Director, another member of Public Safety or another student. If the room/ suite is empty, note the date and time of entry and who was present at that time for recording later in the incident report.

Talk to the neighbors next to and across from the missing student's room as well as known student friends to determine when was the last time they saw the missing student or heard her/him in the room. Resident Life staff should be utilized to assist in gathering information.

Attempt to locate the student via telephone, social media or other means of electronic communications.

If initial attempts to locate the student are unsuccessful, the Office of Public Safety members shall work with the Warren County Sheriff's Office during their investigation and contact should be made as soon as possible with the Division of Criminal Justice Service (DCJS) Missing Persons Clearinghouse. The DCJS Missing Persons Clearinghouse has investigators, analysts and resources to assist in the missing persons investigation.

Notification to Key Campus Personnel – Upon receiving notification of a student missing, Public Safety Officers will notify the Director of Public Safety. The Director of Public Safety will make immediate notification by phone, campus email or in person to the following key personnel on this Campus (in no particular order):

- President;
- Dean of Student Affairs;
- Vice President for Administrative Services & Treasurer;
- Director of Student and Residential Life.

The Dean of Student Services, or designee, will notify the emergency contact (for students 18 and older) or the parent/guardian (for students under the age of 18) that the student has been reported missing and check to see if that person(s) has had contact with the student.

In all cases of a missing student, the law enforcement agency conducting the investigation shall provide information to the media that is designed to obtain public assistance in the search for any missing student. The Director of Marketing & Communications, or his designee, is available to provide consultation on communication with the investigating law enforcement agency. Any media requests will be directed to the Director of Marketing & Communications.

**EMERGENCY CONTACT INFORMATION:**

Students aged 18 and older and emancipated minors – Students will be given the opportunity during each semester registration process to designate an individual or individuals to be contacted by the college "in case of emergency." This person's identity will be kept confidential and will only be used by authorized personnel. However, if a person is reported missing, the contact information may be provided to Law Enforcement to aid in the investigation. In the event a student is reported missing, college personnel will attempt to contact their emergency designee and advise them that the student is determined to be missing in accordance with the procedures set forth above. An emergency contact designee will remain in effect until changed or revoked by the student.

Students under the age of 18 – In the event a student who is not emancipated is determined to be missing pursuant to the procedures set forth above, the college is required to notify a custodial parent or guardian immediately after the student is determined to be missing in accordance with the procedures set forth.

**COMMUTER STUDENTS:**

If a commuter student is believed missing, the member receiving the report shall immediately notify local law enforcement authorities. The Office of Public Safety will assist outside agencies with these investigation as requested.

# DRUG-FREE CAMPUS POLICY (Alcohol and Controlled Substances)

**Statement of Purpose**

SUNY Adirondack has a vital interest in ensuring safe, healthful, and efficient conditions for all students, faculty and staff, and in helping each to become optimally contributing members of society. In addition, as a federal contractor (or grantee), it has a duty to safely and efficiently provide the public with quality education. The unlawful presence of controlled substances and illicit drugs on the campus conflicts with these vital interests and constitutes a violation of the public trust. For these reasons, the College has established, as a condition of one's enrollment and continued enrollment, the following drug-free campus policy.

**Standards of Conduct Prohibiting Illicit Drug and Alcohol Abuse:**

**Prohibition against Unlawful Presence of Illicit Drugs and Alcohol On-Campus:** The possession, sale, manufacture or distribution of any controlled substance or drug paraphernalia is illegal under both state and federal laws. The use, possession, cultivation and sale of marijuana is prohibited as it remains illegal at the federal level. Such laws are strictly enforced by the SUNY Adirondack Office of Public Safety. Violators are subject to college disciplinary action, criminal prosecution, fine and imprisonment. It is unlawful to sell, furnish or provide alcohol to a person under the age of 21. The possession of alcohol by anyone less than 21 years of age in a public place or a place open to the public is illegal. It is also a violation of the SUNY Adirondack Alcohol Policy for anyone to consume, possess, or be in the presence of alcohol in any public or private area of campus without prior College approval. Individuals, organizations or groups violating alcohol/substance policies or laws may be subject to sanctions.

**College Sanctions for Violation of Drug-Free Campus Policy:** Any student who violates the foregoing drug-free campus policy shall, subject to provisions of the College's Code of Conduct found in the Student Handbook, be subject to disciplinary procedures consistent with applicable laws, rules and regulations. These sanctions may include expulsion, termination of on-campus employment, referral for prosecution, or participation in an approved drug or alcohol assistance program.

**College's Code of Conduct:** A student enrolling at SUNY Adirondack assumes an obligation to conduct oneself in a manner compatible with the functions of the College as an educational institution. All conduct which adversely affects the student's suitability as a member of the academic community shall result in appropriate disciplinary action. (See Code of Conduct)

**Statement on Public Order:** The College is a public institution operated for the purpose of providing educational opportunities to students and to support cultural and intellectual aspects of the area. College students, faculty, staff, employees and visitors to the campus are required to conduct themselves in accordance with the law and with College rules and regulations at all times.

The College rules and regulations prohibit, among other things, any action or situation which recklessly or intentionally endangers mental or physical health or involves the forced consumption of alcohol or drugs for the purpose of initiation into or affiliation with any organization. Such rules and regulations shall be deemed to be part of the bylaws of all organizations operated on campus which shall review annually such by-laws with individuals affiliated with such organizations. In addition to the penalties outlined below for individuals, an organization which authorizes such conduct will be subject to the revision of permission for the organization to operate on campus property and to continue as a sanctioned organization.

**Statement on College's Cooperation with Law Enforcement Officials:** The College will cooperate fully and completely with local or state authorities on any case of suspected use, possession or distribution of illicit drugs and alcohol. In the event that any student is apprehended by local, state or federal authorities for the offense of use, possession or distribution of illicit drugs or alcohol, that student will not be in any way protected by the College. A student convicted of violating civil law may be subject to separation from the College.

**Health Risks Associated with Illicit Drug and Alcohol**

To be informed citizens, we all need to be aware of the health risks associated with the use of illicit drugs and alcohol abuse. The following is a brief summary of some of the health hazards caused by the use of:

**Alcohol**

Alcohol consumption causes a number of marked changes in behavior. Even low doses can significantly impair the judgment and coordination required to drive a car safely, increasing the likelihood that the driver will be involved in an accident. Low to moderate doses of alcohol also increase the incidence of a variety of aggressive acts, including spousal and child abuse. Moderate to high doses of alcohol cause marked impairments in higher mental functions, severely altering a person's ability to learn and remember information. Very high doses cause respiratory depression and death. If combined with other depressants of the central nervous system, much lower doses of alcohol will produce the effects just described. Repeated use of alcohol can lead to dependence. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms, including severe anxiety, tremors, hallucinations, and convulsions. Alcohol withdrawal can be life-threatening. Long-term consumption of large quantities of alcohol, particularly when combined with poor nutrition, can also lead to permanent damage to vital organs such as the brain and the liver. Mothers who drink alcohol during pregnancy may give birth to infants with fetal alcohol syndrome. These infants have irreversible physical abnormalities and mental retardation. In addition, research indicates that children of alcoholic parents are at greater risk than other youngsters of becoming alcoholics. Studies show that alcohol is involved in:

- 95 percent of all campus violent crime
- 90 percent of rapes, in which alcohol was used by the assailant, victim or both.

**Controlled Substances**

There is overwhelming evidence that illegal drug use leads to academic failure, failure to get a job, failure to keep a job and maintenance of good health, as well as creating other problems. While alcohol remains the primary drug of choice among college students. Some of the more common date rape drugs are Special K (the street name for ketamine hydrochloride); Rohyponol (roofies, roopies, circles, the forget pills); and GHB (Grievous Bodily Harm), Liquid X, Liquid E, Liquid Ecstasy, Easy Lay, G, Vita G, G-juice, Georgia Home boy, Great Hormones, Somatomax, Bedtime Scoop, Soap, Gook Gamma 10, and Energy Drink). Molly is slang for "molecular" and refers to the pure crystalline powder form of MDMA also known as ecstasy.

## Legal Sanctions Imposed for Illicit Drug and Alcohol Abuse

The sale, use, possession, manufacture or distribution of prohibited drugs, other controlled substances, drug paraphernalia, or loitering with the intent of engaging in any of these activities, is prohibited on any College or College-related property.

The term "drug" includes all controlled substances defined in section 220.00 of the New York State Penal Law.

The term "drug paraphernalia" includes any materials, or tools used for inhaling, ingesting, or otherwise metabolizing drugs into the human body. It also includes the possession of all implements, or equipment designed for use, in growing, manufacturing, processing, storing, or concealing drugs.
Examples include but are not limited to:

• **Marijuana** — SUNY campuses are bound by the federal requirements under the Drug-Free Schools and Communities Act- use, possession, cultivation and sale of marijuana remains prohibited as it remains illegal at the federal level. New York State Law regarding recreational use of marijuana changed on March 31, 2021. A person guilty of unlawful possession of cannabis when he or she knowingly and unlawfully possesses cannabis and such cannabis weighs more than 3 ounces or concentrated cannabis and such concentrated cannabis weighs more than 24 grams. Unlawful possession of cannabis is a violation punishable by a fine or not more than $125 under New York Law.

• **Cocaine & Heroin** — crack pipes, straws, dollar bills, razor blades, mirrors, spoons, needles, syringes, tubes or hoses.

• **Other** — pill presses, capsules, crackers, whip-its, aerosol spray cans; paint, glue and other chemicals; as well as, light bulbs, aluminum cans, plastic bottles, and other makeshift devices.

The College will cooperate fully and completely with Local or State authorities on any case of suspected illegal use, possession or redistribution of State controlled drugs. Students and employees are prohibited from possessing or using alcohol or illegal drugs on campus or during any college activity. Any student or employee who is apprehended for the same will in no way be protected by the College. The offender may also face separate disciplinary action by the College.

An exception to the alcohol possession and use rule may be made by direction of the president or their designee in specific circumstances and designated campus areas. Preventing the spread of unlawful possession, use and distribution of illicit drugs and alcohol is everyone's responsibility. If you wish to report illegal drug activity, you can make a toll-free call to: 1-800-GIVE-TIP. Calls will be received in complete confidence and will be referred to the appropriate Federal, State, or local authority. Considerations regarding a few of the state legal sanctions follow:

- Articles 220 and 221 of the Penal Law are directly aimed at unlawful traffic in mind-affecting drugs. They are compatible with the Public Health Law and the provisions of the latter are often cross-referenced in the Penal Law sections that deal with the different drugs. Articles 220 and 221 set criminal penalties for possession or sale of drugs considered harmful or subject to abuse. The seriousness of the offense and penalty imposed upon conviction depend upon the individual drug and amount held or sold.
- Section 220.44 makes a sale of a controlled substance in or near school grounds, to a person less than 19 years of age, Class B felony.
- 220.45 makes criminal possession of a hypodermic instrument a Class A misdemeanor.
- 220.46 makes criminal injection of another person with a narcotic drug, with consent of that person, a Class E felony.
- 220.50 bans possession or sale of drug paraphernalia; deals with things that dilute drugs, like dextrose or mannite; and gelatin capsules, plastic envelopes, etc., considered commercial preparation materials (Class E felony).
- 220.60 makes criminal possession of certain "precursors" of controlled substances used in their preparation or manufacture but not the drugs themselves a Class E felony (for example, ergot or diethylamide).

It is important to be aware that under the Penal Law, a gift of drugs, including marijuana, is treated as a sale. New York State Penal Law defines a misdemeanor as a crime punishable by imprisonment for more than 15 days but not more than one year. A felony is a crime punishable by imprisonment for more than one year.

## Assistance in Matters Related to Drug and Alcohol Abuse

Each semester, the Counseling Division will present a workshop related to substance abuse. HRD instructors are provided with educational materials related to substance abuse.

*Alcoholic Beverage Control Law, Section 65 (Prohibited Sales)*

No person shall sell, deliver, or give away or cause or permit or procure to be sold, delivered or given away any alcoholic beverages to:

1. Any person actually or apparently younger than the age of 21 years;
2. Any visibly intoxicated person;
3. Any habitual drunkard known to be such to the person authorized to dispense any alcoholic beverages.

*Alcoholic Beverage Control Law, Section 65 – C (1 and 2) (Unlawful Possession)* Except as hereinafter provided no person under the age of 21 years shall possess any alcoholic beverage, as defined in this chapter, with the intent to consume such beverage. A person younger than the age of 21 years may possess any alcoholic beverage with intent to consume if the alcoholic beverage is given:

1. to a person who is a student in a curriculum licensed or registered by the state education department and the student is required to taste or imbibe alcoholic beverages in courses which are part of the required curriculum.
2. to the person under 21 years of age by that person's parent or guardian.

*Alcoholic Beverage Control Law, Section 65 – B (2)(a) (Fraudulent Identification)* No person under the age of 21 years shall present or offer to any license under this chapter, or to the agent or employee of such license, any written evidence of age which is false, fraudulent or not actually their own for the purpose of purchasing or attempting to purchase any alcoholic beverage.

*Alcoholic Beverage Control Law, Section 65 – B (3) (Fraudulent Use of Driver's License)* In addition to the penalties otherwise provided in subdivision one of this section, if a determination is made sustaining a charge of illegally purchasing or attempting to illegally purchase an alcoholic beverage, the court may suspend such person's license to drive a motor vehicle for 90 days if it is found that it was the written evidence of age used for the purpose of such illegal purchase or attempt to illegally purchase.

*General Obligations Law: Article 11 —100 (Known as the Social Host Law)* Any person who shall be injured in person, property, means of support or otherwise, by reason of the intoxication or impairment of ability of any person under the age of 21 years, whether resulting in their/her death or not, shall have a right of action to recover actual damages against any person who knowingly causes such intoxication or impairment of ability by unlawfully furnishing to or unlawfully assisting in procuring alcoholic beverages for such person with knowledge or reasonable cause to believe that such person was under the age of 21 years.

*General Obligations Law: Article 11 — 101 (Known as the Dram Shop Act):* Any person who shall be injured in person, property, means of support or otherwise by any intoxicated person, or by reason of the intoxication of any person, whether resulting in their death or not shall have a right of action against any Person who shall, by unlawful selling to or unlawfully assisting in procuring liquor for such intoxicated person have caused or contributed to such intoxication; and in any such action such person shall have a right to recover actual and exemplary damages.

*Possession of Open Containers Restricted: Town of Queensbury § 46-1*

No person shall have in their possession with intent to consume therefrom, any open bottle or container containing liquor, beer, wine or other alcoholic beverages while such person is on any public highway, public street, public sidewalk, public parking area or in any vehicle or public place except those premises duly licensed for sale and consumption of alcoholic beverages on the premises.

*Presumptive Evidence: Town of Queensbury § 46-1*

An open bottle or open container in any vehicle shall be presumptive evidence that the same is in possession of all occupants thereof and in violation hereof.

## SUNY Adirondack Tobacco Policy

**Tobacco Free Campus Resolution:**

WHEREAS, SUNY Adirondack is committed to provide students, employees, and visitors with a safe and healthy environment, and

WHEREAS, in the Power of SUNY Report Card, Chancellor Zimpher proclaimed, as one of the Big Ideas of "SUNY and a Healthier New York," that SUNY become the largest system to be entirely tobacco free; and

WHEREAS, in cooperation with this effort, SUNY Adirondack is committed to become a tobacco free institution, and no consumption of tobacco will be allowed on any College facility or grounds, owned, operated or leased, now and in the future.

THEREFORE, BE IT RESOLVED, that the SUNY Adirondack Board of Trustees supports SUNY Adirondack becoming a tobacco free facility in accord with the following guidelines:

- The College administration will continue to work with the College's shared governance bodies to develop policies, procedures and an implementation plan for a tobacco free campus.
- The Tobacco Free Campus policy will have an implementation date in September 2014.
- The policies, procedures and implementation plan will emphasize education and smoking cessation support over punitive measures and
- The College administration will provide policies, procedures and plans to the Board of Trustees at the November 2013 meeting for their review and approval.

**Responsibility**

Effective implementation of this policy depends on the courtesy, respect, and cooperation of all members of the SUNY Adirondack community.

**Definitions**

For the purpose of this policy, "tobacco" is defined as all tobacco-derived or containing products, including but not limited to; cigarettes (e.g., bidis, kreteks), electronic cigarettes, cigars and cigarillos, hookah smoked products, pipes and oral tobacco (e.g., spit and spit-less, smokeless, chew, snuff) and nasal tobacco. This ban includes any product intended to mimic tobacco products that contain tobacco flavoring or deliver nicotine other than for the purpose of cessation (vape pens, e-cigarettes, etc.).

### Scope

The use, distribution, or sale of tobacco or any smoking device (such as e-cigarettes), or the carrying of any lighted smoking instrument in college buildings or on college premises, at offsite College-required learning activities, at events on college premises, or in college owned, rented or leased vehicles, is prohibited. The College requires students, employees, and visitors to respect private property bordering all College locations by refraining from trespassing for purposes of consumption of tobacco products.

### Enforcement

SUNY Adirondack's goal is to achieve 100 percent voluntary compliance with the tobacco-free policy by educating students, faculty, staff and visitors about the policy. Members of the campus community who see individuals using tobacco on college grounds are asked to politely inform these individuals that college policy prohibits tobacco use anywhere on campus grounds. Faculty and staff who do not feel comfortable approaching someone violating the policy should contact a public safety officer, or designated administrator. We expect all members of the college community to treat each other with dignity and respect, support each other, and embrace a spirit of having a healthy living, learning, and working environment.

### Sanctions for Students

Violators of this policy will be subject to warnings from the college's campus safety officers and/or administrative designees, as well as respectful reminders from campus community members. Repeated offenders will be subject to the college's code of conduct and sanctions will focus on community service and educational programming, as determined by the Dean for Students Affairs.

## Crime Prevention Tips for Students and Employees

### Suspicious Person

A suspicious person is an individual who should be reported to the College by any member of the campus community. Act on your intuition, if the person does not seem too "fit" into the environment, (s)he may not belong on campus. Based on your information, a crime may be prevented. The following are examples of what may constitute a suspicious person:

- Walking around as if they are lost or looking things over.
- Acting strange as if they are guilty of something.
- Appear scared, nervous or anxious.
- Asking for directions to student's rooms, faculty or staff offices, etc.
- More concerned with who is around them than what they are working on or looking for.
- Refusing help if you offer to assist them.
- Looking in windows or open doors.
- Tampering with locks on windows, doors, vehicles, bicycles, etc.
- Entering rooms, offices, labs, with no apparent business to transact.
- Soliciting, asking for donations, etc.
- Carrying items such as college property, knives, guns, crowbars, screwdrivers, etc.

Never expose yourself to any danger by following or approaching the person. Remember the above descriptions and report it to the Security duty officer, or the closest employee of the college.

### Suspicious Activities

Suspicious activities and/or findings should be reported to the Office of Public Safety or any employee of the college at the time of discovery. Suspicious activities include:

- Sound of breaking glass
- Finding a broken window
- Hearing screams
- A vehicle continually driving in the same area of campus
- Groups of people or individuals who you suspect of being under the influence of drugs or alcohol, disturbing the peace, causing property damage or rioting
- Smoke coming from buildings, vehicles, etc.
- Finding a syringe, knife, gun or other dangerous items
- Observing individuals with drugs or alcohol on campus or using drugs or alcohol on campus
- Observing drugs or drug paraphernalia or being used or sold.
- Sound of gunshots or anything that sounds like gunshots.
- Any activity that you feel is out of the ordinary or suspicious.

## PROTECTING YOURSELF

Protecting yourself does not end at the College property line. It is important that you are just as aware of your surroundings on campus as you are off. Although the crime rate on campus and the surrounding community is low, there is always the potential for something to happen. The Office of Public Safety takes pride in providing the safest educational and living environment that it can. It is important that the students also take this same level of pride and ownership to maintain their own personal safety.

### Plan Ahead for Personal Protection

- Be alert! Know your surroundings and be aware of who is in front of and behind you.
- Be aware of who is standing around watching you or who may look suspicious to you.
- Do not take shortcuts through parks, tunnels, parking lots and alleys if you are alone or if they are known to be problem areas.
- If possible, do not carry a purse. If you must, keep your money and credit cards in a pocket or some other place. You might consider a fanny pack positioned in front of you as opposed to the side. Carry as little cash as possible.
- Walk on highly traveled streets and at night travel only in well-lit areas. If possible, walk in groups; remember there is safety in numbers.
- Carry your keys in your hand, with the proper key ready, as you approach your home so you do not have to fumble for them outside your door. If someone attacks, do not resist unless you feel your life is in danger and you believe it is in your best interest.

### Escort Service Program

An escort service is provided by Public Safety for the protection of individuals as they travel within the campus. Contact the duty officer at extension SAFE (7233) from on campus, or telephone 518-743-7233 (SAFE) from an off-campus telephone.

**Residence Quarters**

Whether you live in the residence hall or off campus please remember:

- Have your house/room keys in your hand and the proper key ready to unlock the door prior to your arrival at the door. If you believe you are being followed or watched, go to a friends or neighbors.
- When you enter your house/room, lock the door behind you.
- Be sensible with your keys. Do not leave them outside or in hiding places.
- Shut and lock your windows when you are not home or sleeping.
- Know your neighbors and which ones you can trust in an emergency.
- Know who is at the door before opening it.
- Demand identification from anyone you do not know, especially sales and repair persons.
- If a stranger requests the use of your phone to call for help, offer to place the call for them without letting them into your home.
- If you live off campus, use only your first initials on your mailbox and telephone directories.
- Do not prop a door open for someone who does not belong in the building.
- Never let anyone wait alone in your room for your roommates return.
- Keep emergency numbers handy.
- Never loan your keys to anyone.

**Driving**

- Keep doors and windows locked.
- If you feel threatened, sound the horn and drive away.
- If you are followed to your driveway or onto campus, do not leave your car; continue driving to a service station or other open public space.
- If your car breaks down raise the hood, then stay inside with the doors locked and windows up until legitimate help arrives. If someone stops to help, do not open your window or door. Ask the person to call for help.
- If you see someone in trouble, go for help instead of stopping.
- Do not pick up hitchhikers.

**Parking**

- Consider it will be dark when you return to your car and select a parking place that will be well lighted and not deserted.
- Check for loiterers before leaving and returning to your car.
- Remove keys from the ignition when you leave your car, even for a few minutes.
- Lock your car doors.
- Have keys ready when returning to your car.
- Check the back seat before getting in the vehicle.

**Walking or Running**

- Walk with someone else. Two is good, but three or more is better.
- Be alert, observant and aware of your surroundings and any other people on the street with you.
- Never assume a parked car is empty.

- Listen for footsteps or voices.
- Plan your route before you go out and know where to find emergency telephones.
- Avoid dark or deserted streets, alleys, parking lots, parks, cemetery grounds, or areas known to have crime issues.
- Conceal jewelry.
- If you carry a purse, briefcase or backpack, keep only a small amount of cash in it.
- Carry your keys, your identification and anything else of value concealed on your person.
- Write down or leave word of your route, time leaving and returning.
- Do not use headphones. Use your hearing to be aware of your surroundings.
- Wear reflective material if you are walking or running before dawn or after dark.

**Protecting your property**

The majority of all thefts occur in unlocked areas where valuables are left unattended and the thief thinks there is a minimal chance of being caught. To reduce the chances of a theft occurring make sure to keep your items locked when not in use, out of sight, and/or in your possession.

**General Guidelines**

- Record serial numbers, brand names and descriptions of valuable items
- Take photos if possible. Never leave your wallet, purse or prescription medications lying out in the open. Keep it locked up or out of sight.
- When leaving your room remove all valuables from the top of your dresser and desk. Make sure windows are shut and locked.
- Avoid leaving notes on your door stating you are out and for how long.
- Report missing room keys to your Resident Assistant immediately.

**Textbooks and Laptops**

- If you leave your textbooks or laptop in your car, leave your car locked.
- Never leave your textbooks or laptop unattended in a public area, even if only for a minute.
- If you own a backpack, store your books and computer in it and carry it with you at all times.
- Write your name or a code number/word you can remember on a page somewhere inside the book. This will help you identify your item if found.

**Automobiles**

- Lock doors and close all windows tightly each time you leave your car.
- Lock your portable valuables out of sight inside the automobile trunk or carry them with you.
- Be aware of anyone suspiciously tampering with or looking into motor vehicles.
- Be aware of persons hanging around the parking lots.
- Be aware of persons quickly walking away from parked vehicles when they see you approaching.
- At night, park in well-lighted areas where traffic flow by pedestrians and autos is frequent

**Nightlife**

Alcohol is by far the most common substance involved in sexual assaults. However, there is other less common but available substances, including Rohypnol, GHB and Ketamine, which have recently received media attention in North America for their abilities to impair individuals so they cannot adequately defend themselves. In the majority of incidents, these substances are dropped into the alcoholic beverages of unsuspecting victims. We recommend you educate yourself about these drugs and the common risk reduction strategies.

- Be observant of your surroundings.
- Drink from tamper-proof bottles or cans. Do not drink from a punch bowl.
- Do not ask someone to watch your drink while you dance, go to the bathroom, etc. Take it with you or finish it first.
- Watch while your beverage is prepared. Do not accept drinks from anyone if you did not see it being prepared.
- Keep your hand over your beverage when possible.
- Use the buddy system and take your friends.

**Nightlife tips**

- Do not accept a ride from anyone who has been drinking.
- Do not accept a ride from anyone you do not know.
- Carry with you enough money for a taxi.
- Tell an employee of the club if you are being harassed or if there are any suspicious individuals.
- Arrange a deal with a friend to watch out for each other and to leave together in a group.

**Threatening — Harassing — Obscene Telephone Calls**

If you are the recipient of a threatening, harassing or obscene telephone call, try to remain calm.

- Hang up immediately. If you stay on the line or express emotion, you will only feed the callers obsession. If the calls persist, report it immediately to the duty officer, on-duty Resident Dean, or other employee of the College.
- If you are off campus and the calls persist, call local law enforcement.
- If any of the calls are recorded on your voice-mail or answering machine, do not erase the message.

To assist the law enforcement agency, keep a written record including the following information:

- Date and time of the call
- Exact conversation or action, no matter how embarrassing.
- Description of voice: gender, tone, age group, dialect, style of enunciation, overall tone, or other distinctive qualities.
- Description of background noises.

# Annual Fire Safety Report

## Year 2025

*Fire System Information Specifically for Student Housing*

Section 6438 of New York State Education Law requires notification of fire safety standards and measures in all college-owned or college operated housing. To facilitate compliance the following information is provided:

- SUNY Adirondack's Student Housing facility has an automatic sprinkler system of piping and appurtenances designed and installed in accordance with generally accepted standards so that heat from a fire will automatically cause water to be discharged over the fire area to extinguish it or prevent its further spread.
- The Student Housing Facility also has a fire safety system which includes automatic fire detection devices (smoke alarms, heat detectors) installed throughout the building and is monitored 24/7 for any activation. Devices that alert one to the presences of a fire such as horns, bells, strobe lights are also installed throughout the building. All systems are installed in accordance with generally accepted practices.

| ***Fire Safety Log Year*** | **Total fires** | **Fire Number** | **Cause of Fire** | **Number of Injuries** | **Number of Deaths** | ***Value of Property Damage Caused by Fire in Dollars*** |
|---|---|---|---|---|---|---|
| *2023* | 0 | 0 | N/A | 0 | 0 | $ 0 |
| *2024* | 0 | 0 | N/A | 0 | 0 | $ 0 |
| *2025* | 0 | 0 | N/A | 0 | 0 | $ 0 |

Note: The Federal Register, page 55912 states: "To clarify, any student housing facility that is owned or controlled by the institution, or is located on property that is owned or controlled by the institution, and is within the reasonably contiguous geographic area that makes up the campus is considered an on-campus student housing facility."

The Office of Public Safety works closely with the Facilities and Residence Life staffs at SUNY Adirondack to develop and submit an annual fire safety report. This data is shared with the New York State Office of Fire Protection and Control (OFPC) for their review and comments. The information in the Annual Fire Safety Report describes the overall organization and management of the fire safety activities in the one Residence Hall on campus.

**Fire Detection in student living facilities**

| *Building* | Assembly Space | Detection Type | Fire Sprinklers (Fully, Partially, Not Sprinkled) | Fire Alarm Sound (Horn or Voice) | Horn/Strobe (Yes or No) | Number of Fire Drills (Does not include Summer Session) |
|---|---|---|---|---|---|---|
| *Residence Life Building, 28 Campus Dr* | South and East Parking Lots | Heat/Smoke | Full | Horn | Yes | 3 |

State Law requires fire evacuation drills be held periodically in the residence halls. All residents must evacuate the halls as per instruction provided by the residence hall staff. Failure to evacuate will result in disciplinary action.

- Three drills annually
    - 1 during hours of darkness
    - 1 between Jan. 1 and May 1
    - 1 between Sept. 1 and Dec. 1
- The number of residence hall fire drills held in calendar year 2025: 3

**Fire Procedures**

Fires can occur in any building on campus. Every building is equipped with various levels of fire protection equipment including audible and/or visual devices. Most buildings on campus, especially the residential living spaces, are tied into a monitoring system that automatically notifies the local fire department.

If you discover or suspect a fire:

- Activate the building fire alarm system. Each building as pull-stations located at the exterior doors.
- Notify occupants of the building of the fire on your way out of the building.
- Do not attempt rescue efforts if it puts your own life in jeopardy.
- Contact the Safety and Security duty officer relaying what information you have.
- Move to a safe location away from the building.

**To Report a Fire:**

- Numbers 24-Hour Emergency (Police, Fire, EMS) 911
- Office of Public Safety 518-743-7233 (SAFE)
- Main Switchboard 518-743-2200, ext. 0

**Fire Safety Inspections**

Fire safety inspections will occur at sporadic times throughout the semester by the Residence Life staff. The purpose is to educate students about how the condition of the suite could be a threat to the safety of themselves and others. Corrections will be mandated, with failure to make corrections considered a violation of the housing license.

The following are prohibited in and around the college operated residence halls:

- The use of multi-outlet plugs is prohibited, except for those with built-in surge protectors.
- Disconnecting or covering smoke/heat detectors in the rooms.
- Burning of candles or incense, any flame emitting article. Candles may be used as decoration only if the wick has never been lit.
- Microwave ovens larger than 900 watts.
- Hot pots.
- Space heaters.
- Halogen lights.
- Air conditioning equipment.
- Multi-arm floor lamps
- Refrigerators (except those validated by the residence hall staff).

Smoking — Smoking is prohibited on the Campus of SUNY Adirondack. Our smoking policy is in accordance with all SUNY guidelines. Breaches of College Smoking Policy will be dealt with as appropriate and if necessary, through the formal disciplinary process. •

Coffee makers, toasters, toaster ovens and other cooking devices are to be used in the kitchenette are only. Appliances may not be left unattended while in use.

Residence Life is fined for repeated fire code violations. These fines will be charged to students who are notified of such violations and do not remove them immediately.

**False Reporting of a Fire**

False reporting of a fire by pulling a fire alarm, tampering with fire equipment, or otherwise causing the system to go into alarm is a crime. Any person caught causing an alarm in this manner will be removed from the residence hall and will be arrested and face prosecution.

**Evacuating Student Housing Residents**

Campus building evacuations are initiated when it is no longer safe for occupants to remain within the building. The campus fire alarm systems are a very important and effective means of alerting people to safely evacuate Residence Halls during an emergency. After fire alarms are activated, all residents must evacuate. Failure to evacuate will result in disciplinary action. Exit the building using the stairs, elevators should not be used. Residents should move to one of the two designated assembly points (south parking lot or east parking lot) and remain at a safe distance, at least 100 feet from the building until a signal to reenter has been given by Public Safety or Resident Assistants/Resident Directors. Resident Assistants who are on duty, should, if possible, remember to take the Duty Keys with them when exiting the building. Resident Assistants are expected to respond to any requests from Public Safety and Queensbury Central Fire Department. Resident Assistants are not expected to fight the fire or linger in the building. They are to evacuate the building immediately. Once outside, Resident Assistants are required to check to see if building occupants evacuated and are to assess how many students are present in case Public Safety or the fire department requests that information.

Based on the number of Resident Assistants available, they should walk the perimeter of the building and notify Public Safety or the fire department of any students who are in the building.

**Faculty/Staff/Visitors**

When a fire alarm sounds, building occupants must quickly proceed to the nearest exit designated by an exit sign. If possible, faculty/staff should close doors and windows and turn off lights as the last person leaves a room or area.

If exits/stairwells are not clear or safe, occupants must go to the next closest exit/stairway. Stairwells are an important means of exiting multistory buildings; therefore, fire doors should be kept closed. Elevators should not be used. Many elevators are programmed to shut down during a fire alarm. People who walk slowly or need assistance should walk to the right side of stairwells to prevent impeding other people from exiting a building.

Once outside, gather at a predetermined assembly area at least 100 feet away (south and east parking lots), so Emergency Personnel have clear access to the building. The designated areas should be communicated by the faculty instructor, staff member, and/or building contacts. Try to account for the people in your work/class areas to ensure all occupants have left the building. Never reenter a building without instructions from Public Safety or Residence Life staff.

## Fire Safety Education and Training

Residence Hall staff and students are expected to familiarize themselves with the evacuation plan for the buildings they occupy including the identified assembly places. In the residence hall, students are instructed at the opening and floor/wing meetings on evacuation procedures. Programs are also presented in residence halls on various safety issues including fire safety.

Students are reminded about fire evacuation procedures during hall meetings or after problems occur during fire drills and accidental activations of the alarm. Work requests are submitted to address items that require corrective action. Student rooms are inspected during Thanksgiving, winter and spring break. Unannounced room inspections occur throughout the year. Incidentals such as misuse of extension cords, candles, and small appliances without automatic shut-off devices are scrutinized. Any prohibited item found during an inspection is confiscated and-in some instances students shall be referred to the judicial process.

SUNY Adirondack staff and Queensbury Central Fire Department personnel perform annual fire safety training in the building.

## Non-Emergency Reporting

In accordance with federal law, SUNY Adirondack is required to annually disclose statistical data on all fires that occur in on-campus student housing facilities. Listed below are the non-emergency numbers to call to report fires that have already been extinguished in on-campus student housing. These are fires for which you are unsure whether the Public Safety Office may already be aware. If you find evidence of such a fire or if you hear about such a fire, please contact one of the following:

- SUNY Adirondack Office of Public Safety, 518-743-7233 (SAFE)
- SUNY Adirondack Residence Life Office, 518-832-7785
- Facilities Office, 518-743-2200, ext. 2240

When calling, please provide as much information as possible about the location, date, time and cause of the fire.