

ANNUAL SECURITY AND FIRE SAFETY REPORT

2023



This report was issued on October 1, 2024, with information and statistics regarding calendar year 2023, by the SUNY Geneseo University Police Department, a department in the Division of Student and Campus Life.

Published in compliance with United States Code §1092(f), the Jeanne Clery Disclosure of Campus Security Policy and Campus Statistics Act and the Code of Federal Regulations (CFR).

This report is accessible online at www.geneseo.edu/police. Printed copies are available at the University Police Department in Schrader Hall, Room 19 and the Office of Admissions in Doty Hall, Room 200.



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I. THE JEANNE CLERY DISCLOSURE OF CAMPUS SECURITY POLICY AND CAMPUS STATISTICS ACT

The 'Student Right-to-Know and Campus Security Act' was signed into law in 1990 and was amended and renamed in 1998 to "The Jeanne Clery Disclosure of Campus Security Policy and Campus Statistics Act" (hereinafter referred to as "Clery Act"). Further amendments were made in 2013 to add additional reportable crimes regarding the Violence Against Women Reauthorization Act (VAWA).

This law mandates that institutions receiving Title IV federal funds disseminate crime statistics for certain serious offenses that occur on-campus and in campus-adjacent areas for the current and two previous calendar years. The purpose of this report is to provide current and prospective faculty, staff and students with campus safety information, including crime statistics and procedures to follow to report a crime.

The University Police Department (hereinafter referred to as "UPD") prepares the Annual Security Report (hereinafter referred to as "ASR") to comply with the Clery Act. The report is prepared in consultation with local law enforcement agencies and other offices on-campus including Environmental Health & Safety, Student Conduct & Community Standards, Student Life, The Office of Diversity, Equity & Inclusion and Title IX. Campus crime, arrests and referral statistics include those reported to University Police and Campus Security Authorities, in addition to those reported to other local law enforcement agencies including the Geneseo Police Department, Livingston County Sheriff's Office and New York State Police. This information is then tallied and included in the ASR. Report preparation begins over the summer months with report requests, shared information, policy reviews, employee agreements and a review of the current U.S. Department of Education requirements prior to compiling the ASR.

II. LAW ENFORCEMENT AND JURISDICTION

A. UNIVERSITY POLICE DEPARTMENT

The University Police Department is responsible for coordinating campus safety and all law enforcement activities at SUNY Geneseo. University Police is a fully staffed, equipped and accredited law enforcement agency. University Police Officers are sworn police officers whose authority is specifically listed in the New York State Criminal Procedure Law §1.2, subsection 34(s) and the New York Education Law § 355, subsection 2.

All University Police Officers must meet the highest standards in New York State for law enforcement. Officers have successfully completed the basic course for police training program administered local regional academies. Once hired Officers undergo continuous training to upgrade their skills, advance their professional development and form additional specialized areas of expertise. SUNY Geneseo University Police officers are duly sworn and certified. As such, per the New York State Criminal Procedure Law § 140.10, they may affect an arrest for violations and crimes pursuant to that section of the law.

Officers have been trained in emergency medical procedures and first aid including CPR/AED and Naloxone administration. They conduct foot, bike and vehicular patrols on the campus and residence hall areas 24-hours a day, 365 days a year. The objective of the University Police Department is to provide a safe environment for teaching, research, learning, social endeavors and to protect the lives and property of the students, employees and visitors of the college. This objective is pursued within the framework of the State University rules and regulations and all local, state, and federal laws.

B. ACCREDITATION

In 2015, the SUNY Geneseo University Police Department became the 9th New York State University Police Department to achieve accreditation from the NYS Department of Criminal Justice Services; and recertified in 2020.

Law enforcement accreditation is a method, and ongoing process, that recognizes police departments in compliance with national best practices in policing, covering all aspects of law enforcement policies, procedures and operations. Accreditation ensures that the SUNY Geneseo University Police Department meets the highest standards of professionalism.



C. JURISDICTION

Per the New York State Criminal Procedure Law § 1.20, subsection 34(d), the geographical area of employment of a police officer appointed by the state university is the campuses and other property of the state university, including any portion of a public highway which crosses or abuts such property. University Police Officers respond to all emergency calls for service within the geographical area.

The investigation of crimes committed on campus falls under the jurisdiction of University Police. A log of crimes that occur within University Police jurisdiction is available for the public to view on the University Police website or you can request a hardcopy by contacting University Police. The log includes the date, time, incident type, general location and disposition of the case. Information may be withheld from the log only if there is clear and convincing evidence that the release of information would jeopardize an on-going investigation or the safety of an individual, cause a suspect to flee or evade detection, or result in the destruction of evidence.

D. MEMORANDUM OF UNDERSTANDING

University Police works closely with the Geneseo Police Department, the Livingston County Sheriff's Office and the New York State Police who assist with incidents that may occur off-campus but involve campus students or employees. These relationships include UPD having regular radio communications with local law enforcement and emergency services. Radio frequency inter-operability with the Geneseo Police Department and Livingston County Sheriff's Office allow for constant monitoring of radio traffic for real-time awareness of calls that could affect the life and safety of the campus community.

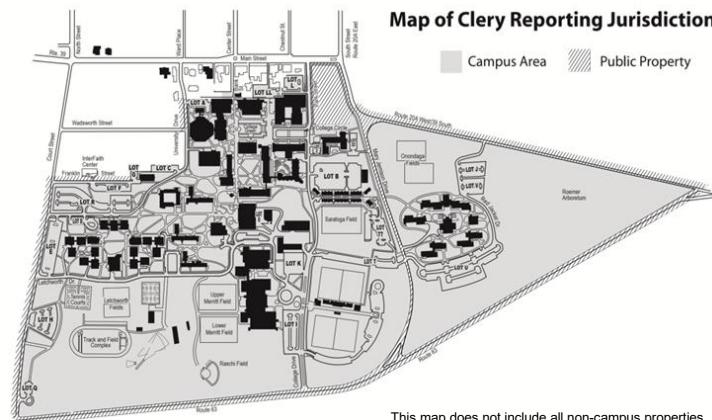
The Clery Act requires all public, private, community colleges and universities in New York to have a formal plan that provides for the investigation of missing students and violent felony offenses on campus. This involves written agreements between university and college authorities and the municipal law enforcement agencies having concurrent jurisdiction that could be called upon to assist in a complete investigation should such a report be received. UPD has a signed Memorandum of Understanding (MOU) with the Village of Geneseo Police Department, which is the primary responding agency for SUNY Geneseo non-campus property. They provide UPD with regular daily reports for situations involving or affecting SUNY Geneseo students, student groups or housing. The MOU states that the Geneseo Police Department will promptly notify UPD upon the determination of certain crimes or dangerous situations occurring on-campus or in the immediate vicinity of campus.

III. REPORTING CRIMINAL ACTIVITY

A. REPORTING LOCATIONS

The Clery Act requires that the College report specific criminal activities that occur in specific areas. Please note that crimes occur in the community beyond what is required to be reported in this document. All members of the College community are advised to exercise caution in ALL locations.

- On-campus locations include the main campus property and buildings.
- Non-campus locations include property owned by student organizations officially recognized by the College and those owned by the College outside of campus boundaries.
- Public property locations include thoroughfares, streets, sidewalks, parking facilities and public park settings immediately adjacent to and accessible from campus.



B. ACCURATE AND PROMPT REPORTING

All members of the campus community are urged to promptly and accurately report criminal incidents, emergencies and suspicious activity. All crimes in-progress, medical and fire emergencies should be reported promptly using one of the methods listed below and officers will be dispatched to the scene immediately:

- Calling (585) 245-5222 or 911 for on-campus emergencies
- Calling 911 for off-campus emergencies
 - New York State Police, 5831 Groveland Station Road, Mt. Morris, NY 14510; (585) 468-3800
 - Livingston County Sheriff's Office, 4 Court Street, Geneseo, NY 14454; (585) 245-7100
 - Village of Geneseo Police Department, 119 Main Street, Geneseo, NY 14454; (585) 243-2420
- Using the campus emergency blue light phones
- Using the residence hall door phones (red University Police emergency button)
- In-person in the University Police Department located in Schrader Hall Room 19

C. CAMPUS AND PERSONAL REPORTING RESPONSIBILITIES

All other incidents can be reported using the same methods listed above, in addition to reporting via one of the options described below. All reports are classified, logged and responded to thoroughly. Reported crimes handled by UPD are forwarded to Student Conduct and Community Standards for potential judicial action. Completed incident reports are kept on file according to retention schedules from both New York State and the Division of Criminal Justice Services.

1. *Campus Security Authorities (CSA)* are individuals or organizations that have significant responsibility for student and campus activities. CSA's assist victims with the reporting process and provide appropriate support and/or support resources. CSA's are also responsible for reporting any Clery Act reportable crime information they receive to University Police as soon as possible without delay for data collection purposes. Names or other identifying features do not need to be disclosed when reporting the incident.

The offices below will accept reports of criminal behavior in a voluntary, respectful manner.

Vice President for Student & Campus Life Doty Hall, Room 314 Phone: (585) 245-5618 Email: sclife@geneseo.edu	Intercollegiate Athletics & Recreation Merritt Athletic Center, Room 213 Phone: (585) 245-5343	Title IX Doty Hall, Room 303 Office Phone: (585) 245-5023 Cell Phone: (585) 502-4581 Email: titleix@geneseo.edu
Coordinator of Health Promotion Lauderdale Health Center, Room 208A Phone: (585) 245-5747	Residence Life MacVittie College Union, Room 321 Phone: (585) 245-5726 Email: reslife@geneseo.edu	University Police Department Schrader Hall, Room 19 Emergency Phone: (585) 245-5222 Administrative Phone: (585) 245-5651 Email: police@geneseo.edu
Dean of Students MacVittie College Union, Room 354 Phone: (585) 245-5706 Email: deanstu@geneseo.edu	Student Conduct MacVittie College Union, Room 354 Phone: (585) 245-5714 Email: conduct@geneseo.edu	NOTE: All club advisors are also CSA's that will accept reports.
Fraternal Life & Off-Campus Living MacVittie College Union, Room 353B Phone: (585) 245-5968	Student Life MacVittie College Union, Room 305 Phone: (585) 245-5851 Email: life@geneseo.edu	

2. The *Silent Witness* program is a way to anonymously provide University Police with information regarding suspicious or criminal activity that has occurred either on-campus or off-campus. The program serves as the voluntary, confidential reporting option for the community. DO NOT use Silent Witness to report emergencies or crimes in-progress – those should be reported by calling University Police at (585) 245-5222 or 911. (www.geneseo.edu/police/silent_witness)
3. The health, safety and wellbeing of every member of the College community is the highest priority of the College. The College aims to provide assistance and support to members of its community and our *students are expected to "stand up" for each other* and take action by seeking assistance in the event of a medical emergency or when they perceive that a member of the community may be in danger. Contacting College authorities or emergency medical responders for others in good faith will exempt the reporting student from student conduct sanctions for the possession and/or use of alcohol and/or drugs. (www.geneseo.edu/handbook/policies_procedures)
4. A *bystander* is someone other than the victim who is present when an act of dating violence, domestic violence, stalking or sexual assault is occurring or when a situation is occurring in which a reasonable person feels as though some protective action is required to prevent sexual assault, dating violence, domestic violence or stalking. Bystanders, if active, can prevent harm or intervene with safe and positive options before a situation gets worse. Examples of active bystander intervention include not leaving an overly intoxicated person in a bar or party alone, walking a classmate to their car after class, calling police when a potentially violent situation is unfolding or not leaving an unconscious person alone (alerting an RA or calling for medical help). (www.geneseo.edu/titleix/bystander-intervention)
5. The purpose of the *CARE(S) Team*, which stands for Campus Assessment Response and Evaluation, is to have a multi-behavioral assessment committee related to the identification of and services provided to students who are at-risk or distressed in any area – mental or physical health, behavioral or academic. These are students whose behavior does not rise to the level sufficient to initiate a Code of Conduct review, yet whose behavior is worrisome to one or more members of the College community.

The Team consists of College employees identified as key to the effective sharing of information about at-risk students and positioned in roles that can contribute to the clarification and evaluation of relevant situations. They provide advocacy and offer guidance and consultation to help students navigate challenges and connect to appropriate resources both on- and off-campus. The Team meets weekly during the academic year.

Referrals can be made online by students or employees who notice unusual changes in a student's behavior or have concerns about a student's well-being. Student may also self-refer or contact the Dean of Students directly. (www.geneseo.edu/dean_students/geneseo-cares)

6. The *Advisory Committee on Campus Safety* is a required of each state university campus by the State University of New York Board of Trustees with the purpose of reviewing policies and procedures pertaining to the maintenance of a safe and secure campus environment and to make recommendations for improvement.

The committee is co-chaired by the Vice President for Student and Campus Life and the Chief of University Police. They submit an annual report and recommendations to the College President. One of the yearly charges is for the Office of the President and the committee to host a Campus Safety Review, which is open to everyone within the College community. The group meets near dusk and walks campus to assess factors related to campus safety such as lighting, landscaping, pavement conditions, construction sites and recent physical improvements.

D. THIRD-PARTY REPORTING

Third persons may report for a victim who is unwilling or unable to report. Reporting allows University Police to assist victims of those crimes to access medical assistance, support services, and in some instances apply for financial assistance. These reports will be included in the University Police Daily Crime Log and the annual disclosure of crime statistics in the following year's Annual Security Report when required. Victim identity information will not be revealed in either report.

E. PASTORAL AND PROFESSIONAL COUNSELORS

Pastoral counselors and campus professional counselors, when acting as such, are not considered to be a campus security authorities and are not required to report crimes for inclusion in the annual disclosure of crime statistics. As a matter of policy, they are encouraged, if and when they deem it appropriate, to inform persons being counseled of the procedures to report crimes voluntarily and confidentially for inclusion in the annual crime statistics.

F. CONFIDENTIAL REPORTING

Crime victims who do not wish to pursue action within the college judicial system or the criminal justice system may want to consider making a confidential report. A University Police officer can file a report on the details of an incident without revealing the victim's identity. Victims and witnesses may report crimes to the University Police or another campus security authority on a voluntary and confidential basis at any time. Without compromising the victim's identity, a confidential report can alert the campus to the fact that an incident has occurred and can assist University Police in detecting patterns and preventing future crimes from occurring. This information can help determine if there is a pattern with regard to a particular location, method, or assailant, alert the campus community to potential dangers, and help the college keep an accurate record of the number of criminal incidents. Reports filed in this manner are counted and disclosed in the annual crime statistics for the institution. When they involve allegations of sexual harassment or sexual or interpersonal violence, they are made available to the college's Title IX Coordinator. Personally identifiable information about victims will not be included in any publicly available record-keeping, including the reporting and disclosing crime statistics.

IV. EMERGENCY RESPONSE

The College's leadership is trained in assessing and responding to emergencies, as well as initiating necessary communication with those immediately impacted by the event and the greater College community.

The Chief of University Police, in consultation with the Vice President for Student and Campus Life, is responsible for determining the level of an incident. In the absence of the Chief, the appropriate determinations will be made by the Assistant Chief, Inspector, Lieutenants or Officer-in-Charge.

SUNY Geneseo tests its entire emergency notification system on a regular basis throughout the year. Testing may be announced or unannounced. Fire alarm drills are done on a regular basis and are not announced. Blue light emergency phones are tested monthly. For more information on the emergency notification system visit www.geneseo.edu/emergencies.

Regardless of drills and preparations, emergency situations will always have an element of chaos. Your cooperation with anyone who is organizing an emergency response will help keep everyone safe. While it is important that we all watch out for each other, you should never jeopardize your own safety in an attempt to assist others. Make sure you are safe and ask what you can do to help.

The college conducts numerous emergency response exercises each year, including regularly scheduled drills, tabletop exercises, appropriate follow-through activities, and tests of the emergency notification systems on campus to assess and evaluate the emergency plans and capabilities of the college.

A. TIMELY WARNINGS

Timely warnings will be issued whenever a Clery Act reportable crime that is considered to represent a serious or continuing threat to students or employees is reported to University Police, a local law enforcement agency or any campus security authority and has occurred on-campus, on public property on-campus or on non-campus property. Timely warnings are sent to ALL students and employees.

The Chief of Police or their designee will make the decision to issue a timely warning after reviewing with campus leadership the pertinent facts of the incident on a case-by-case basis, considering the nature of the crime, continuing danger to the campus community and whether issuing a timely warning could impede law enforcement efforts. Once the decision has been made to issue a timely warning, the issuing official will determine its content. The timely warning will include enough pertinent information to promote safety and prevent similar crimes. Timely warnings will not contain the victims' names or other information that could identify them.

Timely warnings are disseminated to ALL students and employees using one, or a combination of, the following communication methods: NY-Alert, large screen messaging on closed-circuit displays, email distribution, text messages, phone calls, posting to the campus web pages, social media posts and audible broadcasts over public address systems (Big Voice), as well as local and regional news media outlets.

B. EMERGENCY NOTIFICATIONS

Emergency notifications will be issued when a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurs on the campus. Emergency response protocols appropriate to the situation will be enacted without delay. Emergency notification content and system initiation will be determined while taking into account the safety of the community, unless doing so would compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency. As appropriate, emergency notifications may be targeted to only a segment(s) of the College community that is at risk.

Members of the campus community, including staff, students or employees who learn of information that may warrant the issuance of an emergency notification, should notify University Police at (585) 245- 5222 as soon as possible. UPD will assign police officers to take immediate investigative steps to confirm the report and scope of the emergency.

The Chief of Police or their designee and other campus senior leadership have the authority to make the decision to issue an emergency notification, choose the mode of dissemination, determine notification content and decide which segments of the community the notification targets – all of which will be determined on a case-by-case basis considering the scope of the emergency and those who may be affected or in danger. When the decision to issue a notification has been made, the Chief of Police or their designee will decide what should be included in the message based on what information would provide recipients with steps to provide for their safety and who should receive it taking into consideration the circumstances of the emergency and what will best safeguard the campus community. University Police and other campus senior leadership, including the College Communications and Marketing Department and the Vice President for Student and Campus Life, will coordinate additional notifications that may be necessary to update the campus community about what steps they can take for their safety and to confirm when the campus has returned to normal operation.

Emergency notifications may be disseminated using one, or a combination of, the following communication methods depending upon the emergency and what segments of the community will be targeted: campus-wide PA system (Big Voice), NY-Alert, large screen messaging on closed-circuit displays or the SUNY Geneseo website homepage. Notification to the greater College community is coordinated between University Police and College Communications pursuant to policies and agreements with local law enforcement agencies and media outlets. For time-sensitive emergency situations, the University Police dispatch desk can send immediate notifications using NY-Alert and Big Voice while more detailed messaging is being developed.

C. SHELTER-IN-PLACE

Shelter-in-place events occur when it is unsafe for people to be exposed to the elements or atmosphere, such as during a tornado warning or chemical spill. Shelter-in-place means to take shelter wherever you are. In a residence hall, you should seek a secure interior space away from windows. If windows are in the area, lock them if possible. If other people arrive seeking shelter, you should let them in.

D. LOCKDOWN

On a college campus, lockdown means something different than it might mean for a K-12 school where a building and rooms can literally be completely locked. During a lockdown on campus, students and employees should go to rooms that lock securely – preferably with few windows and some means of communication.

Make sure all windows and doors are locked and stay away from windows.

Most Residence Hall lounges do not lock; therefore, residents will not be able to gather in one place. Lockdowns are distinguished from shelter-in-place events in that – once locked in, you should not unlock the door for anyone until word is received from University Police that the event has concluded. For this reason, it is essential that keys and ID cards are carried with you at all times.

University Police will call for a lockdown during emergencies when people need to secure themselves from a threatening situation such as a person wielding a gun, bomb, explosives or other weapon.



It is important to note that if a fire alarm sounds during a lockdown, occupants should not exit the secure room they are in unless they clearly perceive threatening smoke or fire. Pulling a fire alarm during a lockdown could be a ruse by an active shooter to gain access to a building or to lure people out of safe spaces.

E. EVACUATION

All students and employees are expected to familiarize themselves with the evacuation plan for the buildings which they occupy, including the designated areas to assemble after evacuating a building. It is essential that all students and employees are prepared in case of an extraordinary event such as a fire, wide-spread power outage, extreme weather event, toxic spill or

violent person on campus. Evacuation signs are posted in the hallway at the entrances of every building. The College trains personnel in emergency preparedness, but it is essential that students also know what to do in case of an extraordinary event.

If you observe a fire, pull the nearest fire alarm and head to the nearest safe exit. All fires must be reported to University Police by calling (585) 245-5222 or 911.

If you hear a fire alarm sounding or observe a fire alarm strobing, leave the building immediately using the nearest safe exit, regardless of if you believe the alarm is a drill or false alarm. While you should not hesitate to exit the building, in most cases it is reasonable to stop and grab your shoes and coat. Wait for University Police to declare that it is safe to return to the building. During inclement weather, move to a sheltered area or building and wait for further directions.

If a fire has made it unsafe to return to your building, Residence Life staff will immediately begin working to find alternate housing for students. In such a case we want to make sure everyone is accounted for, so if you wish to leave the area make sure you check-in with staff that is set up for emergency response prior to leaving.

F. MISSING COLLEGE STUDENT

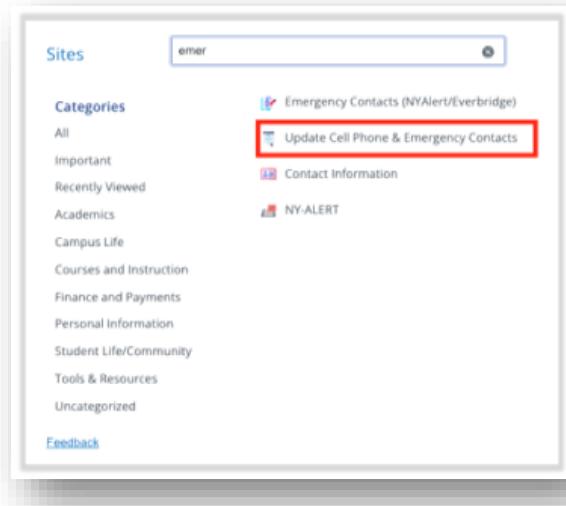
If you have reason to believe a student is missing, notify University Police immediately at (585) 245-5222. DO NOT WAIT.

A missing college student is defined, pursuant to the New York State Campus Safety Act (1999), as any person who is “a student of an institution (college or university) ...who resides in a facility owned or operated by such institution and who is reported missing from his or her residence.” There is no age limit specified in these laws. Any reports of missing students who have not been located will be shared with other law enforcement agencies, as necessary, within 24-hours.

In addition to registering a general emergency contact, students have the option to identify an individual to be contacted in the event that the student is determined to be missing. This can be done by launching my.genesee.edu and navigating to the service titled “Update Cell Phone & Emergency Contacts” by scrolling the list or entering a search. A student’s confidential “Missing Student” contact information will be accessible only by authorized campus officials and law enforcement during the course of a missing person investigation. Contact with listed individuals will be made within the first 24-hour period of a missing person investigation.

For a missing on-campus student, University Police will conduct an initial investigation. If the student has not be located within a reasonable period of time (no more than 24-hours), University Police will proceed with sending the required notifications to: 1) local law enforcement agencies pursuant to Memorandums of Understanding, 2) the student’s designated missing person emergency contact, if listed and 3) the student’s parent/guardian if the student is under 18 years of age AND not considered emancipated.

For a missing off-campus student, University Police will assist the reporting individual with determining the appropriate law enforcement agency to report to and will assist the local law enforcement agency investigating.



V. PREVENTION AND AWARENESS

A. STANDARD BUILDING ACCESS

Apart from residence halls, most campus facilities are open to the public during the day and evening hours when classes are in session. The public is welcome to attend cultural and recreational events on campus. During non-operational hours, campus facilities are locked and only students and employees with proper authorization are admitted by utilizing campus ID cards to electronically enter buildings. Employees with assigned offices are issued brass keys, which they are responsible for reporting missing or stolen.

Residence halls are locked 24-hours a day and require a campus ID card to use a card access system to gain entry to exterior doors. From 7:30 a.m. to 7:30 p.m., residential students can access any residence hall, but from 7:30 p.m. to 7:30 a.m. they can only access their own residence hall. Individual student room locks may be electronic, mechanical or brass key. No matter which types of locking devices are utilized, it is essential that students lock their rooms and suites routinely. When necessary, this system allows University Police to track an individual’s access to buildings. All guests to residence halls, which is any person who is not a resident of a particular hall, must be accompanied by a host who is a resident of that hall at all times.

UPD monitors the College through regular patrols of campus. The College has also installed more than 80 closed-circuit television cameras in campus buildings and outdoor locations. Academic and administrative buildings are on a set schedule for opening and closing to keep those buildings secure during off hours. UPD provides a year-round, 24-hour-a-day, on-

campus escort service. This service is available to any student, employee or visitor by calling University Police at (585) 245-5651. Any Blue Light emergency phone may also be used to request a campus escort.

B. FACILITIES SERVICES (www.geneseo.edu/facilities_services)

Facilities Services maintains the campus buildings and grounds with a priority on safety and security. Facilities personnel inspect campus facilities regularly and promptly make repairs on safety or security hazards, such as broken windows, doors and lighting fixtures. They also respond to inspect safety or security hazards reported by students, faculty and staff. Issues can be reported to Facilities Monday – Friday 7:00 a.m. to 3:00 p.m. at (585) 245-5661. Outside of regular business hours, issues can be reported to the Heating Plant at (585) 245-5656 or University Police at (585) 245-5651.

Safety and security systems are monitored and maintained by a combination of Facilities Services and outside vendors (i.e. elevator inspectors). Documentation regarding maintenance and in-progress issues is tracked and randomly audited by Environmental Health and Safety and Facilities Services Management.

Additionally, UPD personnel conduct regular light surveys, documenting nonfunctioning exterior lights needing repair. College personnel also conduct regular checks of Emergency Blue Light phones, documenting any non-working blue lights or phones. Copies of these reports are provided to Facilities Services.

C. RESIDENCE LIFE (www.geneseo.edu/residence-life)

Residence Life staff are committed to providing a safe environment for students within residence halls. Students are made aware of safety concerns, as well as prevention tactics and personal responsibility through a variety of in-hall mediums (See Security Awareness & Crime Prevention Programs). In addition, each residence hall is paired with a University Police Officer each year to collaborate within areas of community policing, hall programming, resources and ongoing issues.

Full time, live-in residence directors (RD) and area coordinators (AC) supervise students and facilities in each residence hall and are responsible for the well-being of their residents. In addition, undergraduate resident advisors (RA), who are also trained in emergency preparedness and fire safety, watch over residence halls through nightly rounds and frequent interactions with residents. During emergencies, RA's contact University Police and the RD or AC on duty. For all serious events, such as the hospitalization of a student, appropriate notifications will be made that may ultimately reach the Dean of Students.

D. SECURITY AWARENESS AND CRIME PREVENTION PROGRAMS

SUNY Geneseo is committed to raising awareness and knowledge about personal safety and responsibility on campus. Awareness programs are offered to enhance the understanding of related topics. Prevention programs are aimed at helping avert personal physical injury or property damage before it occurs and personal risk reduction efforts to help identify and reduce at-risk behavior that put one in harm's way.

Onboarding education is provided annually for first-year students, new transfer students, new graduate students and new employees regarding campus safety, personal safety, how to report a crime, NY-Alert, crime prevention and use of risk reduction options such as the blue light emergency phones, the campus shuttle and more.

Additional risk reduction programs are offered through annual student awareness programming and regular hall meetings. Students are informed of safety programs and risk reduction behaviors such as fire safety, Rape Aggression Defense (RAD) training, securing personal items, the "buddy system," protecting your drink, sexual assault awareness, locking vehicles and parking in well-lit areas.

Students and employees should notify University Police or their RD/AC/RA on-duty immediately of any person who does not appear to have legitimate business in a building or on campus grounds.

Courses are also scheduled upon request for students, faculty and staff on the following topics:

- Rape Aggression Defense (RAD)



This self-defense program offers realistic defensive tactics and techniques. The program's focus is two-fold: to teach techniques to recognize and reduce risk and to increase awareness in potentially dangerous situations and to provide hands-on defense training.

- **On-Line Safety**
The popularity and availability of social media continues to increase, especially among young adults. The convenient nature of these sites promotes sharing contacts, pictures, messages and other information but also includes security risks. This program addresses how to reduce safety risks associated with social media, on-line dating and blogs.
- **Distracted Driving**
The distracted driving program offers a presentation with sobering photos and video of accidents that were caused by distracted driving. A simple driving simulator is also used to show the dangers of distracted driving.
- **Identity Theft**
Identity theft occurs when personal information, like Social Security numbers, is stolen to obtain goods, services or open fraudulent accounts. Victims are left with poor credit and the complicated task of restoring it. This program looks in depth at identity theft and introduces ways to reduce the risks of becoming a victim.
- **Personal Safety Programs**
Personal safety programs are delivered to a variety of faculty, staff and student groups and organizations. The 'How to Avoid Being a Victim' program provides real world personal safety tips for a wide variety of situations.
- **Alcohol Awareness\DWI (Beer Goggles)**
This program is information based with students physically participating at the end. The program is team taught, with the Resident Assistant (RA) providing information on Campus Alcohol policy. The Officer would then provide information on both New York State Penal Law and Vehicle & Traffic Law. The Officer will provide Fatal Vision Goggles that mimic varied levels of intoxication. Students are guided through Standardized Field Sobriety Tests as if the student were pulled over for driving while intoxicated.
- **Staying Safe on Campus: Keeping You and Your Property Safe**
This program is information-based, with the Officer providing tips on how to stay safe and how to keep your property safe.
- **Coffee With a Cop**
This is an open forum Q&A with University Police Officer(s). If available, a Geneseo Police Officer from the village can also be present. Students can ask all the questions they have ever wanted to ask a police officer. This event is held annually on National Coffee with a cop day, but is held upon request of groups, clubs, organizations and departments.

VI. DRUGS, ALCOHOL AND SUBSTANCE ABUSE (www.geneseo.edu/health/ACP)

The campus strictly enforces its policies with regard to alcohol and other drug violations. Policy violations will be addressed through the College's conduct system and/or University Police. Examples of misconduct that may lead to conduct action are illegal use, sale or possession of stimulants, intoxicants or other illicit drugs and accidents or injuries related to the use of such items. Examples of sanctions include loss of privileges, specified conduct requirements or separation from the College. Please note, the behavior of a visitor may result in sanctions placed on both the visitor and the student host.

Article IV § B8 of the Student Code of Conduct (www.geneseo.edu/handbook/student-code-conduct) lists the "illegal use, sale, distribution, manufacturing, or possession of alcohol, intoxicants or drugs (including but not limited to controlled substances and prescription medication)" as an example of a type of conduct that may result in disciplinary action.

Members of the College community in need of assistance with a question or personal problem related to alcohol or other drugs should contact the Addiction Counseling and Prevention Program for a variety of resources. Available services include evidence-based practice in the treatment of addictive disorders, education on trauma and addiction psychopathology, enhancing understanding of addictive family systems, education using the harm reduction model, personalized addiction plans, prevention programming and support services for persons impacted by a friend or loved one's addiction.

A. DRUG-FREE SCHOOLS

The State University of New York College at Geneseo certifies it is in compliance with Public Law 101-226, The Drug-Free Schools and Communities Act of 1989. To this end, the College has adopted and implemented a program to prevent the illicit use of drugs and the abuse of alcohol by students and employees.

As mandated by Public Law 101-226 § 22, the College will distribute annually to its students and employees the following information:

1. standards of conduct that clearly prohibit, at a minimum, the unlawful possession, use, or distribution of drugs and alcohol by students and employees on College property or as any part of Geneseo's activities;

2. a description of the applicable legal sanctions under local, New York State, and Federal law for unlawful possession, use, or distribution of illicit drugs and alcohol;
3. a description of the health risks associated with the use of illicit drugs and the abuse of alcohol;
4. a description of any drug and alcohol counseling, treatment, or rehabilitation programs that are available to students and employees; and
5. a clear statement that SUNY Geneseo will impose sanctions on students and employees (consistent with local, New York State and Federal law and collective bargaining agreements) and a description of these sanctions, up to and including expulsion or termination of employment and referral for prosecution for violations of the standards of conduct. A disciplinary sanction may include the completion of an appropriate rehabilitation program.

In addition, the College will conduct a biennial review of its program to (1) determine its effectiveness and (2) ensure that the sanctions developed by the College are consistently enforced.

B. ALCOHOL POLICY

SUNY Geneseo permits the use of alcoholic beverages on campus by persons 21 years of age or older who comply with state law and adhere to the guidelines established by the College. The guidelines can be found online in the Student Handbook (www.geneseo.edu/handbook). Students are expected to accept responsibility for the welfare of themselves and to avoid infringing upon the rights of other members of the College community. Possession, sale or consumption of alcoholic beverages is prohibited for persons under the age of 21.

Students and employees under the age of 21 who are found to be using, possessing or selling alcoholic beverages maybe be subject to arrest and will face discipline from either the office of Student Conduct & Community Standards or Human Resources, subject to the respective collective bargaining agreements of the employee, if applicable.

C. ILLEGAL DRUG POLICY

Illegal possession, sale or use of marijuana, barbiturates, amphetamines, hallucinogenic compounds, narcotics and other controlled substances are violations of College policy, in addition to state and federal law and are therefore prohibited. In 2021, New York State revised its marijuana laws, but it is important to note that even though state law allows for marijuana to be consumed in New York – federal law prevents ALL consumption of cannabis (including medicinal use) on college campuses.

Students and employees who are found to be using, possessing or selling drugs deemed to be illegal by New York State or the U.S. Federal Government may be subject to arrest and will face discipline from either the office of Student Conduct & Community Standards or Human Resources, subject to the respective collective bargaining agreements of the employee, if applicable.

D. DRUG AND ALCOHOL SERVICES

Health & Counseling provides urgent and non-urgent care to students who have difficulties with alcohol and other drugs. Health and Counseling staff also have information about area treatment and support resources, including chapters of Alcoholics Anonymous (AA), Narcotics Anonymous (NA) and SMART Recovery. Health and Counseling is located in the Lauderdale Health Center.

- Provide evidence-based practice in the treatment of addictive disorders
- Offer education on trauma and addiction psychopathology
- Enhance understanding of addictive family systems
- Educate students using a harm reduction model
- Create personalized addiction plans for students to address patterns and create safer strategies
- Implement and evaluate prevention programming and outreach on campus
- Offer support services for students impacted by a friend or loved one's addiction
- Facilitate outreach programming

Health and Counseling offers a wide range of services for students who are concerned about alcohol and other drugs. These services include:

- **Addiction Evaluations**
Students may be seen by a specialized therapist for an evaluation of their alcohol/drug use and related problems. Evaluations include recommendations for further assessment, treatment and education as indicated. Students can schedule an alcohol evaluation by calling Counseling Services at (585) 245-5716.
- **Addiction Counseling**
Students may voluntarily participate in individual or group counseling to address issues related to their use of alcohol and other drugs. Students in need of substance abuse rehabilitation services are referred for treatment off-campus.

Counseling Services does not provide mandated (including court-referred) treatment. Students can schedule a counseling appointment by calling Counseling Services at (585) 245-5716.

- **Alcohol Screening**
Students can complete an anonymous, on-line screening of their alcohol use by visiting www.alcoholscreening.org/#/quiz. Students who complete the screening will receive recommendations based on their individual responses.
- **Cannabis Screening**
Students can complete an anonymous, on-line screening of their cannabis use by visiting www.americanaddictioncenters.org/self-assessment/marijuana-addiction-quiz. Students who complete the screening will receive recommendations based on their individual responses.

E. EDUCATION AND SUPPORT RESOURCES

SUNY Geneseo's commitment to student welfare extends to its concern for how you and your friends socialize. Training can be requested through the Addiction and Counseling Prevention Program office to cover topics like:

- Alcohol's Interaction with Other Drugs
- Everything You Need to Know About Cannabis
- The Truth – Vaping Nicotine
- For Parents: Talking with College Students About Alcohol
- For Parents: Additional helpful information from College Parents Matter (www.collegeparentsmatter.org)
- The Safe Party Initiative (www.geneseo.edu/safeparty) – Make sure you're well informed about the effects of alcohol with tips for the party goer and the party thrower including what to do in an emergency, after party transportation and legal information. Learn more tips to help keep you safe from substance use and sexual assault.

Support resources offered through the Addiction and Counseling Prevention Program office include:

- **L.O.T.U.S. (Living Optimally Through Understanding and Support)**
LOTUS is a walk-in support group for students impacted by someone else's (family member, friend, etc.) substance abuse. This is a safe space for students to connect, relate over shared experiences and begin to heal. Meetings are on Tuesdays from 11:00am – 12:00pm in Onondaga South Room 203, with a virtual attendance option available.
- **S.M.A.R.T. (Self-Management and Recovery Training)**
SMART is a walk-in group designed to provide support and assistance to students who have struggled with their substance use – currently or in the past. Meetings are on Fridays from 2:30pm – 3:30pm in Onondaga South Room 203, with a virtual attendance option available.
- **H.A.M.S. (Harm Reduction for Alcohol (<https://hams.cc/>)**
HAMS is a peer-led support and informational group for anyone who want to change their drinking habits for the better.
- **Start Your Recovery (www.startyourrecovery.org)**
Start Your Recovery aims to offer a single source of relatable, reliable information at any stage of a recovery journey and provide tailored experience supporting you or someone you care about in recovery.
- For a full list of addiction counseling and prevention resources, please visit: www.geneseo.edu/health/acp-resources.

VII. DATING VIOLENCE, DOMESTIC VIOLENCE, SEXUAL ASSAULT AND STALKING (www.geneseo.edu/titleix)

As required by The Violence Against Women Act (VAWA), colleges and universities are required to: (1) report dating violence, domestic violence, sexual assault and stalking, beyond crime categories The Clery Act already mandates; (2) adopt certain student discipline procedures, such as for notifying purported victims of their rights; and (3) adopt certain institutional policies to address and prevent campus sexual violence, such as to train in particular respects pertinent institutional personnel.

A. SEXUAL AND INTERPERSONAL VIOLENCE POLICIES AND PROCEDURES

SUNY Geneseo strictly prohibits the crimes of dating violence, domestic violence, sexual assault and stalking.

SUNY Geneseo is committed to providing options, support and assistance to victims/survivors of sexual assault, domestic violence, dating violence, gender discrimination, sexual harassment and/or stalking to ensure that they can continue to participate in SUNY Geneseo-wide and campus programs, activities and employment.

Anyone who experiences these types of crimes and/or violations, regardless of race, color, national origin, religion, creed, age, disability, sex, gender identity or expression, sexual orientation, familial status, pregnancy, predisposing genetic characteristics, military status, domestic violence victim status or criminal conviction, have the following rights, regardless of whether the crime or violation occurs on campus, off campus or while studying abroad.

SUNY Geneseo encourages disclosing and/or reporting acts of sexual and interpersonal violence because this behavior is particularly harmful to the reporting person and creates a hostile learning environment. Therefore, the college encourages reporting incidents of sex discrimination, including sexual and interpersonal violence, so that the college can respond and maintain a safe learning environment through both prevention education and vigorous pursuit of a resolution to such a report.

NOTE: Your safety is most important. If there seems to be an emergency or someone is in immediate danger, call University Police (585) 245-5222 or 911.

1. BYSTANDER INTERVENTION

As members of the SUNY Geneseo campus community, we encourage you to be active bystanders. This means you pay attention if it seems like someone needs help, and you are willing to step in and provide that help, whether or not the person is a friend or someone you know. Notice when someone looks to be uncomfortable, scared, or unsafe. By intervening, you could stop or prevent an act of sexual harassment, sexual assault, stalking, or relationship violence. Being an active bystander is one of the ways that you can create a climate on this campus that is free of sexual harassment and interpersonal violence. Remember the 3 D's of bystander intervention:

- **Direct**
Be direct. Step in by calling out the behavior or asking if someone is okay. "Do you need help?" "Are you okay?" "Is this person bothering you?"
- **Distract**
Create a diversion to interrupt the situation. "Can you show me where the bathroom is?" "There you are! I've been looking everywhere for you. Let's go."
- **Delegate**
Recruit others to help with the situation. Power in numbers can be extremely effective. "Something seems wrong over there; let's say something."

Other Tips for Bystanders:

- Educate yourself about issues of interpersonal violence and sexual misconduct and share this information with your friends.
- Talk to your friends openly and honestly about issues of interpersonal violence and sexual assault.
- Never accept or tolerate excuses for abusive behavior.
- Call out discriminatory comments and jokes that perpetuate racism, sexism, and homophobia.
- Don't doubt your gut feeling that something may be wrong. Trust your instincts.
- Notice and pay close attention to your friends who may have had too much to drink or taken drugs and help them get home safely.
- Avoid using violence and call the police if the situation escalates and becomes violent.
- Never place blame on the victim.

2. INCIDENT DISCLOSURE: HOW TO HELP A FRIEND

These tips below should be used when a friend personally discloses their experience to you. DO NOT use this resource to respond to an immediate threat. What to do if a friend discloses an incident to you:

a. Listen

- Make them feel heard and let them know that you believe them.
- Provide a comfortable private space for them to express their emotions and tell their stories.
- Don't ask too many questions, especially those that imply fault (i.e., "What were you wearing?" or "Why did you drink so much?" or "Why would you go there?").
- Avoid investigating or probing for more information and allow them to share what they're comfortable with.

b. Validate

- Using trauma-informed language, let them know that what happened to them was NOT their fault. Any form of sexual harassment is not normal and should not be excused for any reason.



- Use phrases that acknowledge the pain they are experiencing, like, "I am so sorry this has happened to you," "I believe you," and "What can I do to help you?"
 - Remind and reassure them that you are here to support them through their entire healing process.
- c. Connect to Resources
- Be familiar with the on-campus and off-campus resources and offer to accompany them when seeking support:
 - Title IX
 - RESTORE Sexual Assault Services
 - Chances and Changes Domestic Violence Program
 - Lauderdale Health and Counseling Center
 - University Police Department
 - Respect their choice to report or not report

3. UNDERSTANDING TRAUMA

Sexual harassment, sexual assault, rape, stalking, and domestic or dating violence can be extremely traumatic and trigger emotional responses that may seem irrational or drastic. Under the circumstances, however, these behaviors are completely normal. This can be confusing both for you and for the survivor, so being trauma-informed can help you be prepared and know what to expect during the healing process. Some signs to look out for when someone is experiencing the effects of trauma are:

- Isolating themselves
- Depression/anxiety
- Anger
- Shame, guilt or self-blame
- Denial
- Shock
- Confusion
- Memory loss or memory confusion
- Difficulty trusting others
- Emotional numbness
- Irritability
- Flashbacks and nightmares

The healing process is different for everyone. It may take a long time for a survivor to come to terms with what happened to them and be willing to reach out for support. In order for you to best support your friend, be patient and recognize that the pain they are feeling may be impacting their choices and behaviors so that they can feel a sense of normalcy. Although you may want them to seek help, let them set the pace for their process and be there for support whenever they are ready.

4. RISK REDUCTION TIPS

SUNY Geneseo is committed to maintaining a safe campus for all members of the community. Risk reduction tips can often take a victim-blaming tone, even unintentionally. With no intention to victim-blame and with the recognition that only those who commit Sexual Misconduct are responsible for those actions, these suggestions may nevertheless help you to reduce your risk of experiencing a non-consensual sexual act. With this in mind, SUNY Geneseo suggests the following tips in campus programming and messaging to help keep our community safe and reduce personal risk.

Obtain Affirmative Consent from your partner for all sexual activity.

- Engaging in any sexual activity without first obtaining Affirmative Consent to the specific activity is Sexual Misconduct, whether or not the conduct violates any civil or criminal law.
- Affirmative Consent means an informed, affirmative, conscious, voluntary, and mutual agreement to engage in sexual activity.
- Affirmative Consent can be withdrawn or revoked at any time.
- Affirmative Consent to sexual activity in the past does not mean consent in the present or the future – there must be voluntary consent for all sexual activity.
- Lack of protest, resistance, or mere silence does not equal Affirmative Consent.
- Sexual activity with a minor (under 17 years old) is never consensual because a minor is considered incapable of giving legal consent due to age.

Do not engage in sexual activity if your partner is incapacitated.

- A person who is incapacitated by alcohol or drugs cannot give Affirmative Consent.
- A person who is unconscious or asleep cannot give Affirmative Consent.

- A person's own intoxication or incapacitation does not diminish their responsibility to obtain Affirmative Consent from their partner.

B. WRITTEN NOTIFICATION

The College will provide written notification to reporting individuals regarding their rights and options, including available and existing on and off-campus services such as advocacy, counseling, health, legal assistance, visa and immigration assistance and student financial aid; available and applicable institutional disciplinary procedures, and an explanation of those procedures; orders of protection and College no contact orders; confidentiality in protective measures and Clery reporting and disclosure; and reasonable and available options and assistance with changing academic, living, transportation and working situations, regardless of whether the reporting individual chooses to report the crime to law enforcement. A separate checklist will be provided to an accused student ("Respondent").

C. ORDERS OF PROTECTION AND NO-CONTACT ORDERS

To better protect victims/survivors of domestic violence, dating violence, sexual assault and stalking, the college can assist in securing these mechanisms of protection.

Orders of protection are issued by the courts and are legally enforceable. If a survivor is pursuing criminal charges, the police can assist the survivor in obtaining an order of protection by working with the criminal court and the district attorney's office. If a survivor is not pursuing criminal charges, the Title IX office and RESTORE can assist a survivor in obtaining an order of protection through the county family court.

No-Contact orders are issued by the Title IX office and are administratively enforceable by the college office of conduct and community standards. The Title IX office can issue no-contact orders.

D. VAWA PROCEEDINGS

Victims of sexual assault or other assault should be treated by medical personnel as soon as possible. When an incident of domestic violence, dating violence, sexual assault or stalking occurs (DVSAS), it is critical to preserve evidence of the crime for use in criminal or disciplinary proceedings or in securing an order of protection.

- Do not shower, bathe or wash
- Do not change clothes
- Do not launder clothing or bedding
- Do not comb hair
- Do not drink, eat or do anything to alter physical appearance until a physical examination has been completed
- Do not throw away other physical evidence such as condoms, towels, etc.
- Do not disturb the area where the crime occurred until a police investigation occurs
- DO preserve all physical evidence
 - If clothing has already been changed, save all of what was worn during the assault (do not wash items)
 - Place each item in a separate paper bag, if possible - plastic bags are not recommended
- DO preserve electronic messages and other related records
- DO bring a complete change of clothes if visiting a medical facility - items worn during the incident may be kept as evidence

E. STUDENTS BILL OF RIGHTS

The State University of New York and SUNY Geneseo 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 SUNY Geneseo-wide and campus programs, activities and employment. All victims/survivors of these crimes and violations, regardless of race, color, national origin, religion, creed, age, disability, sex, gender identity or expression, sexual orientation, familial status, pregnancy, predisposing genetic characteristics, military status, domestic violence victim status or criminal conviction, have the following rights, regardless of whether the crime or violation occurs on-campus, off-campus or while studying abroad.

1. Make a report to local 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 judicial or conduct process and/or criminal justice process free from pressure by the institution;
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 institution courteous, fair, and respectful health care and counseling services, where available;

6. Be free from any suggestion that the Reporting Individual is at fault when these crimes and violations are committed, or should have acted in a different manner to avoid such crimes or violations;
7. Describe the incident to as few institution representatives as practicable and not be required to unnecessarily repeat a description of the incident;
8. Be protected from Retaliation by the institution, any Student, the Accused and/or the Respondent, and/or their friends, family and acquaintances within the jurisdiction of the institution;
9. Access to 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 or Complainant, Accused, or Respondent throughout the judicial or conduct process including during all meetings and hearings related to such process; and
11. Exercise civil rights and practice of religion without interference by the investigative, criminal justice, or judicial or conduct process of the institution.

Copies of the Students' Bill of Rights will be distributed annually to students, made available on the College's website and posted in each campus residence hall, dining hall and college union and includes links and information to access the Sexual Violence Response Policy and the Options for Confidentially Disclosing Sexual Violence.

F. 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 (www.geneseo.edu/titleix);
- Make a report to an employee with the authority to address complaints including:
 - Title IX Coordinator, Doty Hall Room 303, (58) 245-5023
 - Student Conduct, MacVittie College Union Room 354, (585) 245-5714
 - Human Resources, Doty Hall Room 318, (585) 245-5616
- Make a report to law enforcement including:
 - University Police Department, Schrader Hall Room 19, (585) 245-5222
 - Additional local law enforcement agencies in Geneseo:
 - Geneseo Police Department, 119 Main Street, Geneseo 14454, (585) 243-2420
 - Livingston County Sheriff's Office, 4 Court Street, Geneseo 14454, (585) 243-7100
 - NYSP Troop E, 5831 Groveland Station Road, Mt. Morris 14510, (585) 658-9480
 - Contact Family or Civil Court
 - Speak with the District Attorney's Office, (585) 243-7020

G. PROCEDURES FOR STUDENT COMPLAINTS

1. Any member of the College community may file a complaint against any student for misconduct. A complaint shall be prepared in writing and directed to the Dean of Students or their designee. Any complaint should be submitted as soon as possible and no later than six months after the event takes place. The Dean of Students may waive the six-month limitation when a late submission is reasonable.
2. The Dean of Students or their designee may conduct an investigation to determine if the charges have merit and/or they can be disposed of administratively by mutual consent of all parties involved, including the Conduct Administrator. Such disposition shall be final, and there shall be no subsequent proceedings.
3. The Dean of Students or their designee will review the results of the investigation to determine the severity of the charges. A case will then be designated as Level I or Level II based on the severity of the charges and/or conduct history. Level I cases are those in which the resultant action is expected to be less than suspension and are adjudicated by a Student Conduct Administrator. Level II cases are more severe cases where suspension or dismissal from the College is a possible outcome. A Student Conduct Board hears Level II cases.
4. All charges shall be presented to the accused student in written form within five (5) business days of receipt of a written complaint. The written charges will outline the specific rule(s), regulation(s), or law(s) violated. Written notice also includes a brief description of the incident and, when possible, the date, time, and location where the alleged infraction occurred and directs students to a copy of the Conduct Procedures.

Maximum time limits for notification may be extended at the discretion of the Dean of Students. For Level I cases, a review shall be scheduled in not fewer than 24 hours and not more than ten (10) business days after the student has been notified. For Level II cases, a review shall be scheduled in not fewer than five (5) business days and not more than ten (10) business days after the student has been notified. Maximum time limits for scheduling of a review may be extended at the discretion of the Dean of Students. In sexual and interpersonal violence cases, charges shall be presented to both the reporting individual and the respondent.

5. In Level II cases, the complainant and the accused student, or the reporter and the respondent in sexual and interpersonal violence cases, are given the opportunity to meet with the Dean of Students or their designee prior to the convening of the Student Conduct Board to discuss the board procedures.
6. The College allows students accused of violating the Student Code of Conduct, and complainants in sexual and interpersonal violence cases, to have the benefit of counsel or a conduct advisor at all Level II conduct proceedings, and in those cases where a student is facing coexistent criminal and intramural charges stemming from the same incident. Counsel or the conduct advisor's role shall be passive, and it is limited to advising the student as to whether the student should or should not answer questions. Counsel or the conduct advisor is not allowed to question members of the conduct board or witnesses or conduct a traditional defense. Should counsel or the conduct advisor attempt to participate beyond this defined role, the chairperson and procedural officer may disqualify counsel or the conduct advisor from further participation in the proceeding and direct their removal from the room.
7. Conduct proceedings shall be conducted by a conduct body according to the following guidelines:
 - a. Proceedings shall be conducted in private.
 - b. In Level I proceedings, persons in attendance shall be limited to the accused student and the conduct administrator.
 - c. In Level II proceedings, persons in attendance shall be limited to: the complainant, the accused student, the conduct board, witnesses (for the duration of their statement), and counsel and/or the conduct advisor as described above. In Level II cases only, participants may also include the complainant (or a representative of the College if the College is the complainant), and counsel or conduct advisor of both the accused student and the complainant.
 - d. In student conduct proceedings involving sexual and interpersonal violence, the campus will allow both parties to review available materials and documents held by the campus in accordance with college policy. Parties can also present available materials and documents as appropriate under campus policies.
 - e. The complainant and the accused shall have the privilege of presenting witnesses, subject to the right of questioning by the conduct board, the complainant, and the accused. Any question asked by the complainant or the accused to a witness, the accused, or the complainant must be directed to the chairperson of the Conduct Board, who will then ask the question. This method is used to preserve the educational tone of the review and to avoid the creation of an adversarial environment. Questions of whether potential information will be received shall be resolved at the discretion of the chairperson of the Student Conduct Board.
 - f. Pertinent records, exhibits, and written statements may be accepted as evidence for consideration by a conduct board at the discretion of the chairperson or conduct administrator.
 - g. All procedural questions are subject to the final decision of the chairperson of the conduct board or the conduct administrator.
 - h. At the conclusion of the review, the conduct board or conduct administrator shall determine (by majority vote if the conduct body consists of more than one person) whether the student has violated each section of the Student Code of Conduct, which the student is charged with violating.
 - i. The conduct body's determination shall be made on the basis of whether it is more likely than not that the accused student violated the Student Code of Conduct (preponderance of evidence).
 - j. Upon determination of whether the accused student or respondent has violated any section of the Student Code of Conduct, which the student is charged with violating, a written notice of outcome will be sent to the student. In cases involving sexual and interpersonal violence, both the reporter and the respondent will be simultaneously informed in writing of the outcome, essential findings, and sanctions within 10 business days of the review. Maximum time limits for notification may be extended at the discretion of the Dean of Students.
 - k. Depending on the circumstances, in cases involving more than one student, the conduct body will hear each case either separately or as part of a group. For issues of group or organizational misconduct, refer to the procedures outlined in "Conduct Procedures for Recognized Student Groups." (amendment approved October 1, 2021)
 - l. A member of a conduct body who is unable to be impartial shall disqualify themselves. If the accused student challenges the impartiality of a conduct board member, a final determination as to the ability to serve on the conduct board will be made by the Dean of Students or their designee.
 - m. There shall be a single verbatim recording made of all Level II (Student Conduct Board) proceedings. Deliberations shall not be recorded. This recording shall be the property of the College.

- n. If an accused student, with notice, does not appear before a Student Conduct Board, the information in support of the charges shall be presented and considered even if the accused student is not present. No student may be found to have violated the Student Code of Conduct solely because the student failed to appear before a conduct body.
- o. The Student Conduct Board, for good cause, may accommodate concerns for the personal safety, well-being, and/or fears of confrontation of the complainant, accused student, and/or other witness during the review by providing separate facilities, by using a visual screen, and/or permitting participation by telephone, videotape, or other means, where and as determined by the Dean of Students or their designee.
- p. A student charged with any violation of this Student Code of Conduct may choose to waive, in writing, any of the rights and/or procedures provided to them under the Student Code of Conduct. When a student waives their right to a conduct procedure, the conduct body will be convened to review the case and determine appropriate sanctions. The decisions of the body will be binding, pending the normal appeal process.

H. STUDENT CONDUCT PROCESS (www.geneseo.edu/handbook)

- 1. To request that student conduct charges be filed against the accused/respondent. Conduct proceedings are governed by the procedures outlined in the SUNY Geneseo handbook, as well as Federal and New York State law, including the due process provisions of the United States and New York State Constitutions.
- 2. Throughout conduct proceedings, the accused/respondent and the reporting individual will have:
 - a. 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;
 - b. the right to a prompt response to any complaint and to have their complaint investigated, adjudicated, and if needed, appealed in an impartial, timely, and thorough manner by individuals who receive annual training in conducting investigations of sexual and interpersonal violence, the effects of trauma, impartiality, the rights of the accused/respondent, including the right to a presumption that the accused/respondent is "not responsible" until a finding of responsibility is made, and other issues related to sexual assault, domestic violence, dating violence, and stalking;
 - c. 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;
 - d. 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/respondent individual 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;
 - e. 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;
 - f. the right to offer evidence during an investigation and to review available relevant evidence in the case file (or otherwise held by SUNY Geneseo);
 - g. the right to present evidence and statements at a hearing, where appropriate;
 - h. the right to a range of options for providing statements via alternative arrangements, including telephone/videoconferencing or having with a room partition;
 - i. 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 college conduct stage that determines responsibility. Past findings of domestic violence, dating violence, stalking, or sexual assault may be admissible in the conduct process and that determines a conduct sanction(s);
 - j. 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;
 - k. the right to make an impact statement during the point of the proceeding where the decision maker is deliberating on appropriate sanctions;
 - l. the right to simultaneous (among the parties) written or electronic notification of the outcome of a conduct proceeding, including the decision, any sanctions, and the rationale for the decision and any sanction(s);

- m. the right to written or electronic notice about the sanction(s) that may be imposed on the accused/respondent based upon the outcome of the conduct proceeding. Students who are found responsible for sexual assault will be suspended (with possibly additional requirements) or dismissed. Students found in violation of dating violence, domestic violence, sexual harassment or stalking will be either placed on disciplinary probation, placed on deferred suspension, suspended or dismissed. Students that are placed on disciplinary probation, deferred suspension or suspended may be sanctioned intervention services, restrictions from accessing college or community buildings, and educational programs. For more information, review the Student Code of Conduct. Details of sanctions are outlined in the Geneseo's Annual Fire and Security Report;
- n. access to at least one level of appeal of a determination before the Dean of Students or Appellate Board, which may include one or more students, that is fair and impartial and does not include individuals with a conflict of interest;
- o. the right to have access to a full and fair record of a student conduct hearing, which shall be preserved and maintained in the Student Conduct office for at least five years;
- p. the right to choose whether to disclose or discuss the outcome of a conduct hearing; and
- q. 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.

I. STUDENT CONDUCT SANCTIONS

The following sanctions (multiple sanctions may be utilized for a single violation) may be imposed upon any student found to have violated the Student Code of Conduct. A student's past conduct record shall be considered in the determination of appropriate sanctions. The following is not an exhaustive list of sanctions:

- **Written Warning**
A notice in writing to the student that the student is violating or has violated College regulations and is cautioned that there will be further consequences if the Code of Conduct is violated again.
- **Conduct Probation**
A written reprimand for violation of specified College regulations in effect for a designed period of time, during which there is a probability of a more severe conduct sanction if there is any further violation of the Code of Conduct. Maximum term of Conduct Probation is one academic year (posted to end of semester of the term of the probation – i.e. December 31 or May 31).
- **Deferred Suspension**
A period of time of observation in which a suspension is placed on hold. During this time the student remains enrolled with the understanding that any subsequent violation of the Student Code of Conduct could result in suspension or dismissal. Deferred Suspension is imposed for a specific period of time (no more than one academic year (posted to end of semester of the term of the suspension – i.e. December 31 or May 31).
- **College Suspension**
Separation of the student from the College for a definite period of time, after which the student is eligible to return. Conditions for readmission may be specified. The maximum term, which may be imposed (per adjudication), is one (1) calendar year (posted to end of semester of the term of the suspension – i.e.: December 31 or May 31).

NOTE: The following actions may be applied in conjunction with Conduct Probation, Deferred Suspension and Suspension:

- Loss of Privileges - Denial of specified privileges for a designated period of time.
- Restitution - Compensation for loss, damage, or injury. This may take the form of appropriate service and/or monetary or material replacement.
- Discretionary Sanctions - Work assignments, service to the College or other related discretionary assignments.
- Deferred Removal from College Residence Halls - Notice to a student that if there is subsequent violation of the Student Code of Conduct, the privilege of living in College residence halls will be terminated immediately with no refund.
- Residence Hall Suspension - Separation of the student from the residence halls for definite period of time, after which the student is eligible to return. Conditions for readmission may be specified. No refund of housing charges.
- Residence Hall Dismissal - Permanent separation of the student from College residence halls. No refund of housing charges.

- Withholding a degree – Geneseo may withhold awarding a degree otherwise earned until the completion of the process set forth in this Student Code of Conduct, including the completion of any sanction imposed.
- Revocation of Admission
Admission to Geneseo may be revoked for fraud, misrepresentation, or other violation of Geneseo standards.
- Conditional Discharge
Dismissal of charges on conditions established by a conduct board or conduct administrator.
- College Dismissal (expulsion)
Permanent separation of the student from the College.

Other than dismissal, revocation or withholding of a degree, hazing or other serious violations which lead to the death or serious physical injury of another student (as defined previously), or crimes of violence, including but not limited to sexual violence, conduct sanctions shall not be made part of the student's permanent academic record, but shall become part of the student conduct record maintained by the Dean of Students Office.

For students found responsible for hazing, sexual assault, and other serious offenses that may have resulted in the death or severe injury of another person, or crimes of violence, including but not limited to sexual violence as it is defined in the federal Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, and who were subsequently suspended or dismissed from the College as a result of their conduct, a notation (either 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) will be made on the student's Geneseo academic transcript. Students may appeal to the Dean of Students for the removal of such suspension notation provided that such notations shall not be removed prior to one year after the conclusion of the suspension, while notations for dismissal shall not be removed. Further, students found responsible for such violations shall not receive credit for the semester in which the suspension or dismissal occurred and will be liable for all tuition and fees for that semester.

For students who withdraw from Geneseo prior to conduct charges being issued, and decline to complete the conduct process, Geneseo will make a notation on the transcript that the student "withdrew with conduct charges pending."

J. INTERIM MEASURES AND ACCOMMODATIONS

1. When the accused/respondent is a student, to have the college issue a "No Contact Order," consistent with college policy and procedure, meaning that continuing to contact the protected individual is a violation of college policy subject to additional conduct charges; if the accused/respondent and a reporting individual observe each other in a public place, it is the responsibility of the accused/respondent to leave the area immediately and without directly contacting the reporting individual. Both the accused/respondent and reporting individual may request a prompt review of the need for and terms of a No Contact Order, consistent with SUNY Geneseo's policy. Parties may submit evidence in support of their request.
2. To have assistance from University Police or the Title IX Coordinator in initiating legal proceedings in family court 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.
3. To receive a copy of the Order of Protection or equivalent and have an opportunity to meet or speak with the Title IX Coordinator or University Police who can explain the order and answer questions about it, including information from the Order about the accused/respondent's responsibility to stay away from the protected person(s); that burden does not rest on the protected person(s).
4. To an explanation of the consequences for violating these orders, including but not limited to arrest, additional conduct charges, and interim suspension. Contact the Title IX Coordinator, Sara Mahoney at (585) 245-5023 or smahoney@geneseo.edu for assistance.
5. To have assistance from University Police in effecting an arrest when an individual violates an Order of Protection or, if outside of New York State, an equivalent protective or restraining order within the jurisdiction of University Police or, if outside of the jurisdiction to call on and assist local law enforcement in effecting an arrest for violating such an order.
6. When the accused/respondent is a student and presents a continuing threat to the health and safety of the community, to have the accused/respondent subject to interim suspension pending the outcome of a conduct process. Parties may request a prompt review of the need for and terms of an interim suspension by contacting the Vice President for Student and Campus Life at (585) 245-5618. The Title IX Coordinator can also assist with this request.
7. When the accused/respondent 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/respondent to interim measures in accordance with applicable collective bargaining agreements, employee handbooks, and SUNY Geneseo's policies and rules.

8. When the accused/respondent is not a member of the college community, to have assistance from University Police or the Title IX Coordinator in obtaining a persona non grata letter, subject to legal requirements and college policy.
9. To obtain reasonable and available interim 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. Parties may request a prompt review of the need for and terms of any interim measures and accommodations that directly affect them. While reporting individuals may request accommodations through any of the offices referenced in this policy, the Title IX Office can serve as a point to assist with these measures.
10. In certain circumstances, the President or their designee may impose an interim College or residence hall suspension prior to a Student Conduct review or Administrative Resolution with the Dean of Students or designee. (Approved Oct. 16, 2020)
 - a. Interim suspension may be imposed only if a student poses a direct threat:
 - i. to ensure the safety and well-being of members of the College community;
 - ii. to the student's own physical or emotional safety and well-being; or
 - iii. of disruption of, or interference with, the normal operations of the College.

NOTE: By direct threat it is meant that, in the view of the College, there is a high probability of substantial harm.

11. During the interim suspension, the student shall be denied access to the residence halls and/or to College premises (including classes) and/or all other College activities or privileges for which the student might otherwise be eligible, as the College official effecting the suspension may determine to be appropriate.
12. If suspended in this manner, the student is entitled to an interview with the Vice President for Student and Campus Life or their designee, within five (5) business days from the effective date of the interim suspension in order to discuss the following issues only:
 - a. the reliability of the information concerning the student's conduct, including the matter of their identity; and
 - b. whether the conduct and surrounding circumstances reasonably indicate that the continued presence of the student on the College campus poses a substantial threat to themselves or to others or the stability and continuance of normal College functions; and
 - c. to outline the process through which the student's actions will be adjudicated through the Student Conduct Process or to establish the conditions under which a student may return to campus.
13. If an interim suspension is enacted as a result of a report of sexual and interpersonal violence, the respondent and the reporting individual are entitled to an interview with the Vice President for Student and Campus Life to review the items listed above.

K. APPEALS

A decision or sanction reached by the Student Conduct Board, or a conduct administrator, may be appealed. A student's written appeal must be received in the Dean of Students Office within five (5) business days of receipt of written notification of the decision. Signed and dated appeals shall be delivered in person, via US Mail, via fax, or from a student's Geneseo email account.

Generally, the Dean of Students will serve as the Appellate Administrator in Level I cases, and an Appellate Board hears appeals in Level II cases. In cases where the Dean of Students is the Conduct Administrator for the Level I case, or is unable to hear the Level I appeal, the Vice President for Student and Campus Life or their designee will serve as the Appellate Administrator. All appeals of sexual assault or interpersonal violence cases shall be heard by an Appellate Board.

In cases of sexual and interpersonal violence, including sexual harassment, the accused/respondent and the reporting individual may both file a written appeal following a conduct administrator/board's written notice of outcome. If only one of the parties submits an appeal, the non-requesting party will receive notice of the appeal and may submit either their own appeal or a written response to the requesting party's appeal within five (5) business days of receipt of notification, which the Appellate Board/Administrator will consider together.

When a student appeals a conduct decision, any action based on that decision shall be suspended until the appeal process is completed.

Written petitions of appeal must be based upon the circumstances listed below. The decision of the Appellate Administrator/Appellate Board is final and binding.

In cases involving appeals of violations of the Student Code of Conduct by accused students, review of the sanction by the Appellate Administrator/Appellate Board may not result in more severe sanction(s) for the accused student. Instead, following an appeal, the Appellate Administrator/Appellate Board may, upon review of the case, decrease, but not increase, the sanctions imposed by the Conduct Administrator or Student Conduct Board. The Appellate Administrator/Appellate Board may also remand the case for a new review.

In cases involving appeals of violations of the Student Code of Conduct by reporting individuals in sexual and interpersonal violence cases, review of the sanction by the Appellate Board may not result in less severe sanction(s) for the accused student. Instead, following an appeal, the Appellate Board may, upon review of the case, increase, but not decrease, the sanctions imposed by the Student Conduct Board. The Appellate Board may also remand the case for a new review.

When both the accused and the complainant appeal in sexual and interpersonal violence cases, the Appellate Board, upon review of the case, may increase, decrease, or maintain sanctions, as appropriate, or remand the case for a new review.

Except as required to explain new evidence, an appeal shall be limited to review of the verbatim record of the initial review (in Level II cases – Student Conduct Board) and supporting documents for one or more of the following purposes:

1. Incorrect conclusion as to the extent of wrongdoing.
2. Failure of a conduct board/administrative officer to follow College procedural policy.
3. Extremely and unfairly punitive or lenient sanction(s). (In this case, it is necessary to distinguish between severe or mild action, which does not constitute grounds for appeal, and extremely punitive or lenient action, i.e., out of all proportion to the misconduct, which occurred.)
4. An appeal may be based on the unfairness of the rule, which was violated, in which case a decision on the appeal is made after the rule itself is reviewed by appropriate College personnel.
5. To consider new evidence, sufficient to alter a decision, or other relevant facts not brought out in the original hearing, because the person appealing did not know such evidence and/or facts at the time of the original hearing.

L. PROCEDURES FOR FACULTY/STAFF COMPLAINTS

It is the responsibility of the Title IX coordinator to respond to all such inquiries, reports and requests as promptly as possible, and in a manner appropriate to the particular circumstances. This response may include interim measures to protect the parties during the investigation process. Interim measures will not disproportionately impact the complainant. Interim measures involving employees in collective bargaining units should be determined in consultation with campus employee relations departments.

Complaints or concerns that are reported to an administrator, manager or supervisor concerning an act of discrimination or harassment, or acts of dating violence, domestic violence, sexual assault, and stalking that administrators, managers or supervisors observe or become aware of shall be immediately referred to the Title IX coordinator. Employees with Title IX compliance responsibilities and/or employees who have the authority to take action to redress the complaint must report any complaints to the Title IX Coordinator. Employees who observe or become aware of an incident should report this information to the campus Title IX Coordinator. Complaints may also be made directly to the Title IX Coordinator by anyone who experiences, observes, or becomes aware of discrimination or harassment.

The formal complaint proceeding commences with the filing of a complaint form, as described above.

When the accused (respondent) is an employee, the reporting individual may also report the incident to the SUNY Geneseo Office of Human Resources (Doty Hall Room 318; (585) 245-5616) or may request that one of the above-referenced confidential or private employees assist in reporting to Employee Relations or Human Resources. Disciplinary proceedings will be conducted following applicable collective bargaining agreements. When the accused is an employee of an affiliated entity or vendor of the college, college officials will, at the request of the victim/survivor, assist in reporting to the appropriate office of the vendor or affiliated entity and, if the response of the vendor or affiliated entity is not sufficient, assist in obtaining a *persona non grata* letter, subject to legal requirements and college policy.

1. NOTICE TO PARTIES

Upon receipt of a complaint, the Title IX Coordinator will provide an initialed, signed, date-stamped copy of the complaint to the Complainant. As soon as reasonably possible after the date of filing of the complaint, the Title IX Coordinator will mail a notice of complaint and a copy of the complaint to the Respondent(s). Alternatively, such notice with a copy of the complaint may be given by personal delivery, provided such delivery is made by the Title IX Coordinator (or designee) and that proper proof of such delivery, including the date, time, and place where such delivery occurred, is entered in the records maintained by or for the Title IX Coordinator.

2. TRIPARTITE PANEL SELECTION

Within seven (7) calendar days of receipt of the complaint, the chairperson of the campus affirmative action committee shall send a notification to the Complainant, the Respondent and the campus president that a review of the matter shall take place by a tripartite panel to be selected by the Complainant and the Respondent from a pre-selected pool of eligible participants.

The tripartite panel shall consist of one member of the pre-selected pool chosen by the complainant, one member chosen by the respondent and a third chosen by the other two designees. The panel members shall choose a chair among themselves. Selection must be completed, and written notification of designees submitted to the chairperson of the campus affirmative action committee no later than seven (7) calendar days after the complainant, the respondent and the campus president received notice under paragraph four above. If the President is the Respondent, then the third member of the panel shall be selected by the Chancellor or designee at System Administration.

In the event that the procedural requirements governing the selection of the tripartite panel are not completed within seven (7) calendar days after notification, the chairperson of the campus affirmative action committee shall complete the selection process.

3. PANEL REVIEW

The tripartite panel shall review all relevant information, interview pertinent witnesses, and, at their discretion, hear testimony from the complainant and the respondent, if desirable. Both the complainant and the respondent(s) shall be entitled to submit written statements and/or other relevant material evidence and witnesses, and to provide rebuttal to the written record compiled by the tripartite panel. The complainant and respondent have the right to request alternative arrangements if the complainant does not want to be in the same room as the other party. These alternative arrangements must be consistent with the rights of the accused and must enable both parties and the panel to hear each other during any hearing.

4. FINDINGS AND RECOMMENDATIONS

Within 15 calendar days from the completion of the selection of the panel, the chairperson of the tripartite panel shall submit a summary of its findings and the panel's recommendation(s) for further action, on a form to be provided by the Title IX Coordinator, to the President. The burden of proof in cases of discrimination is preponderance of the evidence. If the President is the respondent, the findings and recommendation shall be submitted to the Chancellor or their designee. When the panel transmits the summary of its Findings and the panel's recommendations to the President, the panel will also send, concurrently, copies of both the summary of its findings and recommendation(s) to the Complainant, Respondent and the Title IX Coordinator.

Within ten (10) calendar days of receipt of the written summary, the President or designee shall issue a written statement to the complainant and respondent, indicating what action the President proposes to take. The President or designee will use the preponderance of the evidence standard. The action proposed by the President or designee, may consist of:

- a. A determination that the complaint was not substantiated; or
- b. A determination that the complaint was substantiated.
 - i. For employees (including student employees) not in a collective bargaining unit: The President may take such administrative action as he/she deems appropriate under his/her authority as the chief administrative officer of the college, including but not limited to, termination, demotion, reassignment, suspension, reprimand or training.
 - ii. For employees in a collective bargaining unit: The President may determine that sufficient information exists to refer the matter to his/her designee for investigation and disciplinary action, or other action as may be appropriate under the applicable collective bargaining agreement. The disciplinary process and potential outcomes are described in the applicable collective bargaining agreements.

The action of the President shall be final. If the President is the respondent, the Chancellor or his/her designee shall issue a written statement indicating what action the Chancellor proposes to take. The Chancellor's decision shall be final for purposes of this discrimination procedure.

- iii. For students: The president may determine that sufficient information exists to refer the matter to the student judiciary, or other appropriate disciplinary panel for review, and appropriate action under the appropriate student conduct code. For examples of sanctions, please see the relevant section of the applicable student code of conduct.

5. NOTICE OF OUTCOME

No later than seven calendar days following the issuance of the statement by the President or the Chancellor, as the case may be, the Title IX Coordinator shall issue a letter to the complainant and to the respondent(s) advising them that the matter, for purposes of this discrimination procedure, is closed. In cases of sex discrimination, notice of outcome will include the sanctions, as appropriate.

6. ADMINISTRATIVE LEAVE

SUNY Geneseo retains the authority to place a non-student employee Respondent on administrative leave during the Grievance Procedure, consistent with the Relevant employee handbook and/or collective bargaining agreements.

7. STUDENT EMPLOYEES

When a Complainant or Respondent is both a student and an employee of SUNY Geneseo, SUNY Geneseo must make a fact-specific inquiry to determine whether this procedure applies to that student employee. SUNY Geneseo will consider if the Complainant or Respondent's primary relationship with SUNY Geneseo is to receive an education and whether the alleged incident occurred while the Party was performing employment-related work.

M. CONFIDENTIALITY

Personally identifiable information about victims will not be included in any publicly available record-keeping, including the reporting and disclosure of crime statistics. Personally identifiable information about victims contained in records is only available to staff directly involved with the incident reporting, investigation and proceedings. When a formal investigation is requested through Title IX, parties are sent a non-disclosure agreement to sign which outlines confidentiality. SUNY Geneseo will maintain as confidential any accommodations or protective measures provided to the victims, so long as it does not impair the ability to provide such services.

N. PREVENTION AND AWARENESS

The Title IX Office works to decrease the prevalence of sexual harassment, including sexual assault, domestic/dating violence and stalking while promoting healthy relationships and responsible decision-making among Geneseo students on campus and in the surrounding community.

Through prevention education programming, the Title IX Office works to decrease sexual harassment prevalence by shifting cultural norms, addressing issues specific to high-risk populations, reducing barriers to survivor services and increasing reporting of alleged incidents. Training for faculty, staff and students includes the explanation of the institutional prohibition on domestic violence, dating violence, sexual assault and stalking. Training also provides definitions for the above listed terms as well as affirmative consent as it relates to sexual activity.

The Title IX Office is always looking to work with faculty, staff and students to raise awareness of interpersonal violence and provide a safe space for community members to seek support. Title IX staff and other collaborators facilitate workshops that are open to all members of the campus community. They can also provide educational programs upon request. If you are interested in hosting or partnering in an upcoming workshop, please contact them at titleix@geneseo.edu or (585) 245-6490.

1. EMPLOYEES

Title IX of the Education Amendments of 1972 prohibits gender discrimination and sexual harassment in programs or activities receiving federal financial assistance. The Final Rule, which was updated on April 19, 2024, requires employers to train employees annually on the topics covered in the Title IX regulations, including gender discrimination, sexual harassment, sexual assault, dating/domestic violence, and stalking.

The majority of Geneseo employees are mandated reporters; this means that when we receive actual knowledge of gender discrimination, sexual harassment, sexual assault, dating/domestic violence, and stalking that occur on campus, we are legally obligated to make a report. Additionally, the SUNY Geneseo bystander intervention policy and risk reduction strategies are covered elements of the training.

Student-Athletes, Greek Organization members, and most student employees receive the above training on an annual basis.

2. INCOMING STUDENT

Every new student is required to take SPARC (Sexual & Interpersonal Violence Prevention and Response Course). The course is designed to ensure that important training requirements under Title IX, the Clery Act as amended by the Violence Against Women Act, and (for New York State colleges and universities) Education Law 129-B are covered. Further, the content includes cutting-edge use of education and training techniques, and well as resources created by the working group or used by permission that address these important issues in a clear manner.

3. ON-GOING PROGRAMS

The Title IX Office has created a catalog of prevention and awareness programs for students, faculty, staff, and/or organizations to choose from:

- Coping with Trauma
- Construction of Virginity

- Queer Sexversations
- How to Start and End a Relationship
- Neurobiology of Trauma
- Sexual Violence and White Supremacy
- Let's Talk About Sugaring
- Roses or Red Flags?
- A World Created by AI: Understanding Deep Fakes and Revenge Porn
- The Red Zone

O. SEX OFFENDER REGISTRATION ACT

This act requires the NYS Division of Criminal Justice Services (DCJS) to maintain a Sex Offender Registry. The registry contains information on sex offenders classified according to their risk of re-offending, which are: Level 1 (low risk), Level 2 (moderate risk) and Level 3 (high risk).

In New York State, registered sex offenders are required to notify DCJS of any institution of higher education at which he or she is, or expects to be, whether for compensation or not, enrolled, attending or employed, and whether such sex offender resides or expects to reside in a facility operated by the institution. Changes in status at the institution of higher education must also be reported to DCJS no later than ten (10) days after such change. Once notified by DCJS that a Level 2 or Level 3 sex offender is enrolled or employed at the College, University Police will follow procedures to notify the College community.

The NYS Sex Offender Registry can be found at: www.criminaljustice.ny.gov/nsor.

VIII. WEAPONS POLICY (www.geneseo.edu/policy/firearms-weapons-and-explosives-policy)

Firearms and dangerous weapons of any type are not permitted on campus. Intentional use, possession or sale of firearms or other dangerous weapons by anyone is a violation of state law and college policy.

IX. CLERY ACT CRIMES

The Clery Act delineates which violations need to be reported annually. The offense definitions are excerpted from the National Incident-Based Reporting System (NIBRS) edition of the FBI Uniform Crime Reporting (UCR) Handbook. Please note that the New York State Penal Law definitions for criminal offenses may differ slightly from those required for this report. The following are the current reportable offense definitions:

- **Aggravated Assault:** An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. (It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could and probably would result in serious personal injury if the crime were successfully completed.)
- **Arson:** Any willful or malicious burning or 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 of a structure to commit a felony or a theft. For reporting purposes this definition includes unlawful entry with intent to commit a larceny or felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.
- **Criminal Homicide – Manslaughter by Negligence:** The killing of another person through gross negligence.
- **Criminal Homicide—Murder and Nonnegligent Manslaughter:** The willful (nonnegligent) killing of one human being by another.
- **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 his/her age or because of his/her temporary or permanent mental incapacity.
- **Incest:** Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Motor Vehicle Theft:** The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned—including joyriding.)
- **Robbery:** The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

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

A. HATE CRIMES

A hate crime is a crime reported to local police agencies or to a campus security authority that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. For the purposes of this section, the categories of bias include the victim's actual or perceived race, religion, gender, gender identity, sexual orientation, ethnicity, national origin and disability. For the purpose of this section, the categories of bias include the victim's actual or perceived race, religion, gender, gender identity, sexual orientation, ethnicity, national origin and disability.

For Clery purposes, hate crimes include any above defined offenses in addition to the following if they include an element of bias/hate:

- **Destruction/Damage/Vandalism of Property:** To willfully or maliciously destroy, damage, deface or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.
- **Intimidation:** To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.
- **Larceny-Theft (Except Motor Vehicle Theft):** The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Attempted larcenies are included. Embezzlement, confidence games, forgery, worthless checks, etc., are excluded.
- **Simple Assault:** An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor 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.

B. VIOLENCE AGAINST WOMEN ACT (VAWA) CRIMES

- **Affirmative Consent:** New York State has clarified what "affirmative consent" by all parties involved in sexual activity requires. 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 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 to one sexual act, or prior consensual act, does not necessarily constitute consent to any other sexual act. Consent is required regardless of whether the person initiating the act is under the influence of drugs and/or alcohol. Consent may be initially given but withdrawn at any time. Consent cannot be given when a person is incapacitated, which occurs when an individual lacks the ability to knowingly choose to participate in sexual activity (i.e. asleep, intoxication, involuntarily restrained). Consent cannot be given when it is the result of any coercion, intimidation, force or threat of harm. When consent is withdrawn or can no longer be given, sexual activity must stop.
- **Dating violence:** Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. (i) The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. (ii) For the purposes of this definition (A) Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. (B) Dating violence does not include acts covered under the definition of domestic violence. (iii) For the purposes of complying with the requirements of this section and § 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.
- **Domestic violence:** A felony or misdemeanor crime of violence committed (A) By a current or former spouse or intimate partner of the victim; (B) By a person with whom the victim shares a child in common; (C) By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner; (D) By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or (E) By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred. For the purposes of complying with the requirements of this section and § 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.
- **Stalking:** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to (A) Fear for the person's safety or the safety of others; or (B) Suffer substantial emotional distress. For the purposes of this definition (A) Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property. (B) Reasonable

person means a reasonable person under similar circumstances and with similar identities to the victim. (C) Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling. For the purposes of complying with the requirements of this section and § 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

C. CAMPUS CRIME STATISTICS CHART

CAMPUS CRIME STATISTICS (REPORTED FROM: UPD, GPD, LCSO, NYSP AND TITLE IX)													
REPORTING LOCATION		ON-CAMPUS			RESIDENCE HALL			NON-CAMPUS			PUBLIC PROPERTY		
CRIMES REPORTED		2021	2022	2023	2021	2022	2023	2021	2022	2023	2021	2022	2023
AGGRAVATED ASSAULT		0	0	0	0	0	0	0	0	1	0	0	0
ARSON		0	1	1	0	1	1	0	0	0	0	0	0
BURGLARY		0	4	2	0	3	2	1	0	1	0	0	0
CRIMINAL HOMICIDE – MANSLAUGHTER BY NEGLIGENCE		0	0	0	0	0	0	0	0	0	0	0	0
CRIMINAL HOMICIDE – MURDER AND NONNEGIGENT MANSLAUGHTER		0	0	0	0	0	0	0	0	0	0	0	0
FONDLING		2	4	1	2	3	1	1	4	2	0	0	0
INCEST		0	0	0	0	0	0	0	0	0	0	0	0
MOTER VEHICLE THEFT		0	0	0	0	0	0	0	0	0	0	0	0
ROBBERY		0	0	0	0	0	0	0	0	0	0	0	0
RAPE		1	3	9	1	3	7	1	0	3	0	0	0
STATUTORY RAPE		0	0	0	0	0	0	0	0	0	0	0	0
VIOLATIONS REPORTED		2021	2022	2023	2021	2022	2023	2021	2022	2023	2021	2022	2023
LIQUOR LAW – ARREST		0	0	2	0	0	2	0	0	0	0	1	1
LIQUOR LAW – CONDUCT		94	91	21	94	91	21	0	0	0	0	0	0
DRUG LAW – ARREST		0	0	0	0	0	0	0	0	0	0	0	0
DRUG LAW – CONDUCT		14	3	8	12	3	8	0	0	0	0	0	0
WEAPONS – ARREST		0	0	1	0	0	0	0	0	0	0	0	0
WEAPONS – CONDUCT		1	0	0	1	0	0	0	0	0	0	0	0
VAWA CRIMES REPORTED		2021	2022	2023	2021	2022	2023	2021	2022	2023	2021	2022	2023
DATING VIOLENCE		1	6	13	1	6	13	0	0	1	0	0	0
DOMESTIC VIOLENCE		0	1	4	0	1	3	0	0	0	0	0	0
STALKING		1	2	9	0	2	7	0	0	1	0	0	0
HATE CRIMES REPORTED													
2021	There were zero (0) hate crimes reported.												
2022	There were zero (0) hate crimes reported.												
2023	There were zero (0) hate crimes reported.												

D. UNFOUNDED CRIMES

The College will not retaliate or allow any retaliation toward a person(s) who reports alleged violations. A crime can only be unfounded if the report is found to be false or baseless. A crime is not considered unfounded if someone is found not guilty, not arrested or not charged. Unfounding is an extreme and rare measure to be used when, using a reasonable investigative standard, sworn law enforcement determine that the reported crime did not happen. Only sworn/commissioned law enforcement can "unfound" a crime. This does not include a district attorney.

There were four (4) unfounded reports in 2023.

X. FIRE SAFETY

The safety of everyone who resides in campus residence halls is of paramount importance. Ensuring fire safety is a shared responsibility borne to those who either live within or visit residence halls. The following will highlight important policies which have been established to reduce the opportunity for fire to occur.

A. RESIDENCE HALL FIRE SAFETY EQUIPMENT

SUNY Geneseo is committed to your safety and well-being. New York State Education Law § 6438 requires notification of fire safety standards and measures in all college-owned or college-operated housing. To that end, please note all of SUNY Geneseo's residence halls are equipped with the following fire safety equipment:

- Sprinklers in every residence hall
- Fire alarms in every residence hall (which are relayed directly to UPD)
- Smoke detectors in every residence hall bedroom and common area
- Carbon Monoxide (CO) detectors in bedrooms and common spaces on any level in residence halls where there is gas-fired equipment
- Portable fire extinguishers that are routinely inspected and maintained

RESIDENCE HALL FIRE SAFETY EQUIPMENT CHART				
RESIDENCE HALL	FIRE DETECTION ALARM SYSTEM	FULL SPRINKLER IMPLEMENTATION	FIRE EXTINGUISHER DEVICES	EVACUATION SIGNS IN STUDENT ROOMS
ALLEGANY	Yes	Yes	Yes	Yes
ERIE	Yes	Yes	Yes	Yes
GENESEE	Yes	Yes	Yes	Yes
JONES	Yes	Yes	Yes	Yes
LIVINGSTON	Yes	Yes	Yes	Yes
MONROE	Yes	Yes	Yes	Yes
NASSAU	Yes	Yes	Yes	Yes
NIAGARA	Yes	Yes	Yes	Yes
ONONDAGA	Yes	Yes	Yes	Yes
ONTARIO	Yes	Yes	Yes	Yes
PUTNAM	Yes	Yes	Yes	Yes
SARATOGA	Yes	Yes	Yes	Yes
SENECA	Yes	Yes	Yes	Yes
STEUBEN	Yes	Yes	Yes	Yes
SUFFOLK	Yes	Yes	Yes	Yes
WAYNE	Yes	Yes	Yes	Yes
WYOMING	Yes	Yes	Yes	Yes

B. APPLIANCES IN RESIDENCE HALLS (www.geneseo.edu/residence-life/fire-safety-and-prohibited-items)

Residential housing is subject to mandated life safety codes by New York State and the NYS Office of Fire Preventing and Control (OFPC). The College is required to support these expectations to protect our students and community and thus have developed policies and procedures to comply with State expectations. Guidelines are, for the most part, decided on by the New York State Fire Inspector and SUNY Geneseo's Environmental Health and Safety office.

Prohibited actions include tampering with the fire alarm system, hanging items from the alarm or sprinkler system, not leaving the building during a fire alarm, egress (items blocking paths or exits in hallways or rooms), cooking in any bedroom (each hall has at least one community kitchen) and hanging cords from ceilings, affixed to walls or crossing hallways. Note: smoking is prohibited in all campus buildings.

Prohibited items include candles or incense (even unburnt), wax warmers, cooking appliances with induction cook tops (i.e. George Foreman grills), toasters, hot plates, crock pots, cut trees or plants, curtains, decorations larger than 20% of the wall or 50% of the door or touching the ceiling or fire equipment, personal items closer than 18" from any sprinkler head, tapestries, flammable materials (i.e. lighter fluid, propane), items powered by combustible fuels (i.e. motorcycles), fireworks, explosives, corrosive or poisonous chemicals, halogen bulbs or lights, non-UL approved electronics, space heaters, air conditioners, multi-plug adaptors and extension cords. Note: UL-approved power strips with an on/off switch and ability to be reset are permitted but cannot be plugged into each other. Some items are permitted but have restrictions including heating pads and blankets, humidifiers, personal furniture, pets, refrigerator, microwave, string lights.

C. OPEN FLAME POLICY (www.geneseo.edu/policy/open-flame-policy)

To reduce the risk of injury to people or destruction of property, the use of fire is prohibited in all campus buildings except for: commercial cooking in areas operated by Campus Auxiliary Service (CAS), votive decorations used by CAS during catering

events, for religious purposes in residence hall lounge areas, in theatrical performances, Physics metal working shop, Heating Plant tool room, Facilities garage and welding shop, CIT audio-visual shop and ISC zone shop. NYS Fire Code requirements must be met for these exceptions, and in some cases, prior approval is required.

D. FIRE PROCEDURES

If a fire occurs in your room or office, do the following:

- Do not fight the fire.
- Exit the room and close the door behind you.
- Quickly but safely exit the building by the nearest emergency exit.
- Activate a fire alarm pull box if the building alarm has not sounded.
- Do not use elevators, exit using emergency exits and stairwells.
- Once outside, move to a safe area at least 50-feet from the building.
- Based on available Residence Life staff, RAs/ACs should walk the perimeter of the building.
- Call 911 or UPD (585) 245-5222.
- Do not return to an evacuated building until notified that it is safe by UPD.
- If you are unable to evacuate the building:
 - Call 911 with your location
 - Remain in the room
 - Close the door to the room
 - If possible, block the bottom of the door with a wet towel
 - If possible, identify your location by hanging clothing outside a window
 - Keep low where air is less toxic



E. FIRE SAFETY TRAINING AND PREVENTION

Fire safety education programs are held at the beginning of each semester for all students living in on-campus residence halls and all employees that have any association with on-campus student housing. These programs are designed to familiarize everyone with the fire safety system in each housing facility, train everyone on the procedures to follow in case there is a fire and communicate information on the College's fire safety policies. During these programs, trainers emphasize that participating in fire drills is mandatory. Students with disabilities who self-disclose are given the opportunity to discuss evacuation options with Residence Life or Accessibility Services staff members.

Fire safety education programs for students are taught by Residence Life staff. Fire safety programs for Residence Life and other staff members are taught by the Environmental Health and Safety Office, local fire authorities or the New York State Office of Fire Prevention and Control. Residence Life staff receive hands-on fire extinguisher training each year but are not expected to fight fires.

F. RESIDENCE HALL REPORTED FIRES CHART

RESIDENCE HALL REPORTED FIRES																	
	ALLEGANY	ERIE	GENESEE	JONES	LIVINGSTON	MONROE	NASSAU	NIAGARA	ONONDAGA	ONTARIO	PUTNAM	SARATOGA	SENECA	STEUBEN	SUFFOLK	WAYNE	WYOMING
2021	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
2022	0	0	1	0	0	0	0	0	0	0	1	0	0	0	0	1	0
2023	1	0	0	0	0	0	0	0	0	1	0	0	1	0	1	0	0

REPORTED RESIDENCE HALL FIRE DETAILS						
YEAR		LOCATION	CAUSE	RELATED INJURIES	RELATED DEATHS	PROPERTY DAMAGE COST
2021		WYOMING	ELECTRICAL	0	0	NONE
2022		GENESEE	OPEN FLAME	0	0	\$0 - \$99
2022		PUTNAM	COOKING	0	0	\$100 - \$999
2022		WAYNE	COOKING	0	0	\$100 - \$999
2023		ALLEGANY	MACHINERY	0	0	\$100 - \$999
2023		ONTARIO	OPEN FLAME	0	0	NONE
2023		SENECA	ELECTRICAL	0	0	\$100 - \$999
2023		SUFFOLK	ELECTRICAL	1	0	\$100 - \$999

Cause categories: arson, cooking, electrical, hazardous material, heating equipment, machinery, natural, open flame, other, smoking material.

G. FIRE EVACUATION DRILLS LOG

RESIDENCE HALL FIRE EVACUATION DRILL LOG						
RESIDENCE HALL	DRILL #1	DRILL #2	DRILL #3	DRILL #4	DRILL #5	DRILL #6
ALLEGANY	02/20/2023	03/08/2023	10/01/2023	10/02/2023		
ERIE	03/05/2023	03/07/2023	10/01/2023	10/02/2023		
GENESEE	03/05/2023	03/07/2023	10/01/2023	10/02/2023		
JONES	02/20/2023	03/08/2023	10/01/2023	10/02/2023		
LIVINGSTON	02/20/2023	03/08/2023	10/01/2023	10/02/2023		
MONROE	02/20/2023	03/08/2023	06/28/2023	07/06/2023	10/01/2023	10/02/2023
NASSAU	02/20/2023	03/08/2023	09/27/2023	10/04/2023		
NIAGARA	02/20/2023	03/08/2023	09/27/2023	10/04/2023		
ONONDAGA	02/20/2023	03/08/2023	09/27/2023	10/04/2023		
ONTARIO	03/05/2023	03/07/2023	10/01/2023	10/02/2023		
PUTNAM	03/06/2023	03/08/2023	06/28/2023	10/01/2023	10/02/2023	
SARATOGA	03/06/2023	03/08/2023	10/02/2023	10/04/2023		
SENECA	03/05/2023	03/07/2023	10/01/2023	10/02/2023		
STEUBEN	02/20/2023	03/08/2023	10/01/2023	10/02/2023		
SUFFOLK	02/20/2023	03/08/2023	09/27/2023	10/04/2023		
WAYNE	02/20/2023	03/08/2023	09/27/2023	10/04/2023		
WYOMING	03/06/2023	03/08/2023	10/01/2023	10/02/2023		