

ANNUAL SECURITY AND FIRE SAFETY REPORT 2025



This report was issued on October 1, 2026, with information and statistics regarding calendar year 2025, by the SUNY Geneseo University Police Department, a department in the Division of Student 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 [SUNY Geneseo Annual Security Report](#).

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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THE STATE UNIVERSITY OF NEW YORK

TABLE OF CONTENTS

THE JEANNE CLERY DISCLOSURE ACT	4
LAW ENFORCEMENT JURISDICTION	4
University Police Department	4
Accreditation	4
Jurisdiction	4
Memorandum of Understanding	4
REPORTING OF CRIMINAL ACTIVITY	5
Reporting Locations	5
Accurate & Prompt Reporting	5
Campus & Personal Reporting Responsibility	5
Third-Party Reporting	7
Pastoral & Professional Counselors	7
Confidential Reporting	7
EMERGENCY RESPONSE	7
Timely Warnings	7
Emergency Notifications	8
Emergency Response & Evacuation Procedures	8
Shelter-in-Place	8
Lockdown	8
Evacuation	9
Missing College Student	9
SECURITY AWARENESS AND CRIME PREVENTION	10
Standard Building Access	10
Facilities Services	10
Residence Life	10
Security Awareness & Crime Prevention Programs	11
HAZING	12
Definitions	12
Reporting Incidents of Hazing	13
Private & Confidential Reporting	13
Amnesty Related to Hazing Reports	13
Investigation Process	14
Retaliation	14
Hazing Prevention and Awareness Programs	14
Hazing Transparency Report	14
Reports of Hazing Incidents	15
DRUGS, ALCOHOL & SUBSTANCE ABUSE	15
Drug-Free Schools	15
Alcohol Policy	15
Illegal Drug Policy	16
Drug & Alcohol Services	16
Education & Support Resources	16
DATING VIOLENCE, DOMESTIC VIOLENCE, SEXUAL ASSAULT & STALKING	17
Sexual & Interpersonal Violence Policy & Procedure	17
Preservation of Evidence	17
Victims Resources	18
Victims Bill of Rights	18
Options in Brief	18
Bystander Intervention	19
Incident Disclosure	19
Understanding Trauma	20
Risk Reduction Tips	20
Orders of Protection & No-Contact Orders	21

Disciplinary Procedures	21
Confidentiality	21
Written Notification	21
Prevention & Awareness Programs	21
Sex Offender Registration Act	24
WEAPONS POLICY	24
CLERY ACT CRIMES	24
Hate Crimes	25
Violence Against Women Act (VAWA) Crimes	25
Campus Crime Statistics Chart	27
Unfounded Crimes	27
FIRE SAFETY	28
Residence Hall Fire Safety Equipment	28
Appliances in Residence Halls	28
Open Flame Policy	29
Plans for Future Improvements	29
Fire Procedures	29
Fire Safety Training & Prevention	29
Residence Hall Reported Fires Chart	30
Fire Evacuation Drills Log	31
APPENDIX A – DVSAS VICTIMS/SURVIVORS FACT SHEET	32
APPENDIX B – DVSAS DISCIPLINARY PROCESS	35
APPENDIX C – DVSAS NYS PL DEFINITIONS	67
APPENDIX D – RESOURCES FOR STUDENTS AND EMPLOYEES	71

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.

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 was recertified in 2025.

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. University Police Officers have full police powers and arrest authority when acting within their geographical area of employment.

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.

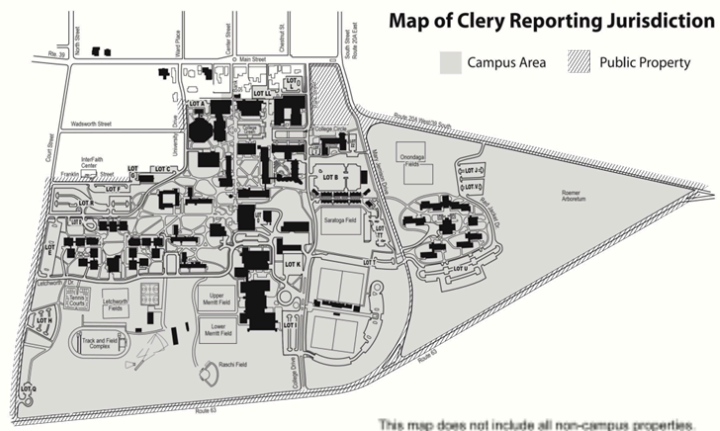
The Clery Act requires all public, private, community colleges and universities in New York to have a formal plan that provides for the investigation of missing students and violent felony offenses on campus. This involves written agreements between university and college authorities and the municipal 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 signed a 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. There is no MOU in place the purpose of investigating criminal offenses because the jurisdictions of the investigating police agencies is spelled out in the New York State Criminal Procedure Law which states that the Geneseo Village Police will handle all crimes within the boundaries of the Village of Geneseo and the New York State University Police at SUNY Geneseo will handle all crimes inside the campus boundaries and the roadways that adjoin or abut the 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 even when the victim elects to or is unable to make such a report.. 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 Life
Doty Hall Room, Room 314
(585) 245-5618
scilife@geneseo.edu
- Coordinator of Health Promotion
Lauderdale Health Center, Room 208A
(585) 245-5747
- Dean of Students
MacVittie College Union Room 354
(585) 245-5706
deanstu@geneseo.edu
- Fraternal Life & Off-campus Living
MacVittie College Union, Room 353B
(585) 245-5968
- Intercollegiate Athletics & Recreation
Merritt Athletic Center, Room 213
(585) 245-5343
- Residence Life
MacVittie College Union, Room 32
(585) 245-5726
reslife@geneseo.edu
- Student Conduct
MacVittie College Union, Room 354
(585) 245-5714
conduct@geneseo.edu
- Title IX
Doty Hall, Room 303
(585) 245-5023
titleix@geneseo.edu
- University Police Department
Schrader Hall Room 19
Emergency: (585) 245-5222
Administrative: (585) 245-5651
police@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. ([Silent Witness Report Form](#))
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. ([SUNY Geneseo Alcohol and Drug Policies](#))
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). ([Title IX 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. Students may also self-refer or contact the Dean of Students directly. ([CARES Team Referral](#))

6. The *Advisory Committee on Campus Safety* is a requirement 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.

7. Geneseo Police Department responses to noncampus locations involving Geneseo students, or Geneseo Student organizations, whether those responses are criminal or noncriminal in nature, are reported to the University Police Department which in turn will forward them to the student conduct officer for recording and monitoring.

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 authority 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 medical professionals at Lauderdale Health Center authority on a voluntary and confidential basis at any time. This includes the licensed mental health counselors and psychologists as well as doctors, nurses, nurse practitioners and health center staff. 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 [Information on Campus 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 in any Clery geography, specifically, on-campus student housing, on-campus academic and administrative buildings, 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. The issuing of the timely warning will be completed by the marketing and communications director or their designee, or the Chief of Police or their designee should marketing and communications staff be unavailable. The type of information released should be considered if it 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 using a single push-button system specific to a variety of pre-programmed emergency events. More detailed messaging would then be developed and disseminated specific to the event and location by the UPD command staff and the communications and marketing staff.

C. EMERGENCY RESPONSE AND EVACUATION PROCEDURES

Under the direction of University Police, the campus' Incident Management team manages the campus emergency operation plans and publicizes emergency response and evacuation procedures on an annual basis.

Procedures for emergency response and evacuation may be found here: <https://www.geneseo.edu/emergencies/>. These are reviewed and updated annually. Additionally the entrance of every building on campus also has a book of emergency response and evacuation procedures. This ASR which is distributed to every member of the campus community also serves as a publication of that same information. The history of the test may be found here: <https://www.geneseo.edu/ny-alert/faq/>. This includes a date and time of each test, a description of the test, and an indication of whether it was an announced test or an unannounced test.

D. 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.

E. 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 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.



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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.

F. EVACUATION

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.

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. SUNY Geneseo conducts regular campus-wide emergency drills, including mandatory fire and evacuation drills in academic buildings and residence halls, with at least one conducted at night. The college conducts both announced and unannounced drills. These drills test the college's preparedness and are required by New York State law. Additionally, the IMT and UPD conduct table top exercises and drill each year.

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.

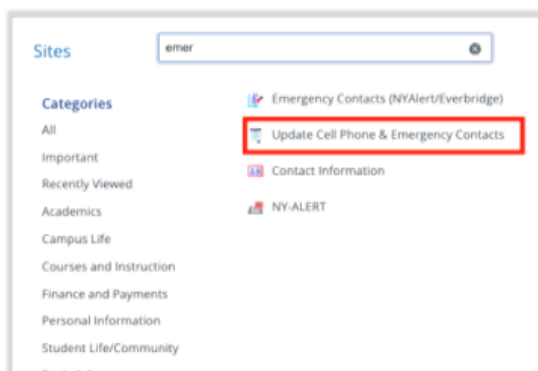
If a fire has made it unsafe to return to your building, Residence Life staff will immediately begin working to find alternate housing for students. In such a case we want to make sure everyone is accounted for, so if you wish to leave the area make sure you check-in with staff that is set up for emergency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

G. 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 [MyGeneseo](#) 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.



Regardless of how long an on-campus resident student is missing, a report should be made to the University Police if the student is believed to be missing. For a missing on-campus student, University Police will conduct an initial investigation. The university police will confirm the existence of an emergency situation by searching the location the person is missing from and other places on campus the individual is known to frequent. Checking for a vehicle on campus. The police will interview persons on campus known to associate with the missing party as well as listed emergency contacts. UPD will also try to make contact with the missing party. If the student has not been located within a reasonable period of time (no more than 24-hours), University Police will proceed with sending without delay 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. A notification could be delayed if in the professional judgement of the Chief of Police or their designee that sending such notification might compromise efforts to assist the victim or to contain, respond to, or otherwise mitigate the emergency.

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. SECURITY AWARENESS AND CRIME PREVENTION

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 keys. 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 ([Facilities Services Web Page](#))

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 ([Residence Life Web Page](#))

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 puts one in harm's way. These programs are designed to train and encourage the campus community to become responsible for their own safety and security and that of others.

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) – Offered twice a year (Spring and Fall)
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 – Available on request
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 – Available on request
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 – Available on request
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 – Offered twice a year (Spring and Fall)
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) – Offered once a year (Spring)
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 – Available on request
This program is information-based, with the Officer providing tips on how to stay safe and how to keep your property safe.
- Civilian Response to Active Shooter Events (CRASE) – Offered twice a year (Spring and Fall)

The University Police Department has certified instructors to teach the Civilian Response to Active Shooter Events (CRASE) program to the community in the event of an active shooter on campus.

CRASE teaches students, faculty, and staff to learn the following:

- "Run, Hide, Fight" steps to take in an active shooter situation
 - Situational Awareness – the ability to identify, process and comprehend information to survive in an emergency
 - Mental scripting (the process of identifying and considering potentially dangerous scenarios, and working through the best response to them) and how it relates to a crisis
 - Looking for warning signs of potentially aggressive behavior
 - What to expect when police, EMS, and other first responders arrive
 - How you can help police and other first responders
- Coffee With a Cop – Offered twice a year (Spring and Fall)
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.
 - Dean of Students Programs – Offered twice a year
The Dean of Students office provides a variety of training topics each year, including:
 - Code of Conduct
 - Bystander Skills & Living Well Together
 - Your First Year, Your Choices
 - BAC Education
 - Bystander Decision Making
 - Performance and Substances
 - Adulting and Alcohol
 - Gambling and Sports Betting
 - Safe Party Tips
 - Residence Life Programs – Offered twice a year (Start of each semester)
Mandatory floor meeting topics include safety and security of buildings, property and individuals.

VI. HAZING

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

A. DEFINITIONS

- Hazing: Any intentional, knowing, or reckless act committed by a person (whether individually or in concert with other persons) against another person or persons regardless of the willingness of such other person or persons to participate, that:
 - Is committed in the course of an initiation into, an affiliation with, or the maintenance of membership in, a student organization; and
 - Causes or creates a risk, above the reasonable risk encountered in the course of participation in the institution of higher education or the organization (such as the physical preparation necessary for participation in an athletic team), of physical or psychological injury. The following are non-exhaustive examples of conduct that causes or creates such a risk:
 - Whipping, beating, striking, electronic shocking, placing of a harmful substance on someone's body, or similar activity;
 - Causing, coercing, or otherwise inducing sleep deprivation, exposure to the elements, confinement in a small space, extreme calisthenics, or other similar activity;
 - Causing, coercing, or otherwise inducing another person to consume food, liquid, alcohol, drugs, or other substances;
 - Causing, coercing, or otherwise inducing another person to perform sexual acts;
 - Any activity that places another person in reasonable fear of bodily harm through the use of threatening words or conduct;
 - Any activity against another person that includes a criminal violation of applicable local, New York State, Tribal, or Federal law; and

- Any activity that induces, causes, or requires another person to perform a duty or task that involves a criminal violation of local, State, Tribal, or Federal law.
 - Any activity that can reasonably be expected to have the effect of, humiliating, intimidating or demeaning the student or endangering the mental or physical health of the student, regardless of the person's willingness to participate.
- This definition is compliant with New York State law. Under New York State Penal Law, a person may be charged with hazing if, during another person's initiation into or affiliation with any organization, they intentionally or recklessly engage in conduct that creates a substantial risk of and/or causes physical injury to another person. A criminal charge of hazing may result in a violation or misdemeanor.
 - NYS Penal Law - § 120.17 Hazing in the second degree. A person is guilty of hazing in the second degree when, in the course of another person's initiation or affiliation with any organization, he intentionally or recklessly engages in conduct, including, but not limited to, making physical contact with or requiring physical activity of such other person, which creates a substantial risk of physical injury to such other person or a third person. Hazing in the second degree is a violation.
 - NYS Penal Law - § 120.16 Hazing in the first degree. A person is guilty of hazing in the first degree when, in the course of another person's initiation into or affiliation with any organization, he intentionally or recklessly engages in conduct, including, but not limited to, making physical contact with or requiring physical activity of such other person, which creates a substantial risk of physical injury to such other person or a third person and thereby causes such injury. Hazing in the first degree is a class A misdemeanor.
- **Student Organization:** An organization at an institution of higher education (such as a club, society, association, varsity or junior varsity athletic team, club sports team, fraternity, sorority, band, or student government) in which two or more of the members are students enrolled at the institution of higher education, whether or not the organization is established or registered by the institution.

B. REPORTING INCIDENTS OF HAZING

SUNY Geneseo encourages the reporting of incidents of hazing and takes every such report seriously. It will investigate all reports diligently and thoroughly in accordance with the Student Code of Conduct and/or other applicable policies and procedures. Individuals found responsible for committing, soliciting, encouraging, directing, aiding, or recklessly permitting hazing to occur will be subject to disciplinary sanctions that could include suspension or expulsion.

Any person may report hazing in person, by mail, telephone or electronic mail, using the contact information listed for the Dean of Students office, or by utilizing the online reporting forms.

- Dean of Students Office
 - Office: MacVittie College Union, Room 354
 - Phone: (585) 245-5706
 - Email: deanstu@geneseo.edu
- [Hazing Incident Report Form](#)
- [Anti-Hazing Transparency Report](#)

C. PRIVATE AND CONFIDENTIAL REPORTING

SUNY Geneseo will respect the privacy of reporters but cannot guarantee confidentiality for hazing reports. The information you provide to a non-confidential resource will be relayed only as necessary to investigate and/or seek a resolution and/or to comply with other appropriate SUNY Geneseo policies and procedures, and any federal, state and/or local laws, rules and regulations. SUNY Geneseo will limit the disclosure as much as possible, even if the institution determines that the request for confidentiality cannot be honored.

Offices and officials who are confidential resources will not report to law enforcement or university officials without a complainant/reporting party's permission, except for extreme circumstances, such as a health and/or safety emergency. SUNY Geneseo offices that are considered confidential are as follows:

- Counseling Services ([Geneseo Counseling Services Web Page](#))
 - Office: Lauderdale Health Center
 - Phone: (585) 245-5716
- Physicians, licensed medical professionals or supervised interns when they are engaged in a physician/patient relationship:
 - Health Services ([Geneseo Health Services Web Page](#))
 - Office: Lauderdale Health Center
 - Phone: (585) 245-5736
- College advocate from RESTORE: (800) 527-1747 (24/7 hotline)

- College advocate from Chances & Changes: (888) 252-9360 (24/7 hotline)

D. AMNESTY RELATED TO HAZING REPORTS

SUNY Geneseo recognizes that students are sometimes reluctant to report hazing activity, due to a fear of potential consequences for their own conduct. For this reason, the University has adopted an amnesty policy which states that a student who acts in good faith to report activity that may fall within the definition of hazing and/or a victim who cooperates fully as a witness in the investigation and disciplinary process may not be subject to student conduct sanctions related to their own participation in hazing behavior, as determined by the University in its sole discretion.

In the event amnesty is granted for self-reported behaviors, if evidence is presented that the student has continued to engage in hazing behaviors or has knowledge of hazing activity that was not reported, they may be held accountable for past behavior. Students who choose to report and request amnesty for their own conduct should know that amnesty does not apply to any criminal or civil action that may be taken by any law enforcement agencies, including University Police.

E. INVESTIGATION PROCESS

After a report is received, SUNY Geneseo will quickly review the submission and determine the next appropriate actions. If a report is criminal in nature, University Police and/or local law enforcement will be contacted. SUNY Geneseo will also conduct its own investigation to prevent a recurrence of the alleged hazing and to determine if there are potential violations of the Student Code of Conduct and/or any other applicable processes, depending upon the nature of the complaint. A designated College staff member, or contracted party, will take the lead on investigations that are not criminal in nature. The University Police Department or local PD will take the lead on criminal investigations. It is possible that both investigations could take place concurrently.

- **Receive the Report** - Document the allegation and assess for any immediate safety concerns.
- **Conduct an Initial Review** - Determine whether the reported conduct, if determined to be true, could meet SUNY Geneseo's definition of hazing and identify involved individuals, organizations, and potential policy or legal violations.
- **Implement Interim Measures** - If necessary, interim suspend organization activities, issue no-contact orders, restrict recruitment, or take other steps to protect students while the investigation is ongoing.
- **Develop an Investigation Plan** - Identify witnesses, evidence, policy violations, and investigative steps.
- **Gather Evidence** - Collect relevant documents, text messages, social media posts, photos, videos, organizational records, and other available evidence.
- **Conduct Interviews** - Interview complainants, witnesses, organization members, advisors, and accused individuals to establish facts and gather corroborating information.
- **Prepare an Investigative Report** - Document the allegations, evidence collected, and interviews conducted.
- **Conduct Adjudication** - Refer the matter to the appropriate student conduct, organizational conduct, or employee disciplinary process for sanctions if violations are substantiated. **Decision makers apply** the standard of proof "preponderance of the evidence" to determine whether hazing occurred. If a party is found responsible, the appropriate sanctions/outcomes are determined respective to the process being followed.
- **Complete Compliance Reviews** - Determine whether Clery Act reporting, state hazing reporting requirements, or other regulatory obligations apply.
- **Follow-Up** - Monitor for retaliation, provide support services, review organizational practices, and implement prevention and educational measures.

F. RETALIATION

No person may intimidate, threaten, coerce or discriminate against any individual because the individual made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this Hazing Policy and Procedure. Complaints alleging retaliation may be filed with the Office of Student Conduct and/or Human Resources. Any reports of retaliation involving an employee covered by a Collective Bargaining Agreement will be addressed through the appropriate processes.

G. HAZING PREVENTION AND AWARENESS PROGRAMS

Geneseo Students are enrolled in a required hazing training course that must be completed as part of campus policy. Students involved in Greek life and clubs, as well as student athletes, will be required to complete additional training courses. Faculty and staff will receive mandatory training on hazing prevention. SUNY Geneseo uses Prevent Zone which is an evidence-based, research-informed online program that reflects best practices established by leading academics and researchers.

This course teaches learners how to recognize, prevent, and report hazing. The goal of the training is to inform learners of the dangers of hazing so they can prevent hazing. Primary prevention strategies include training, and bystander intervention education. Athletes and Fraternity and Sorority Members are required to attend additional training to make them better advocates against hazing and therefore better bystanders by teaching strategies for building group cohesion without hazing.

H. CAMPUS HAZING TRANSPARENCY REPORT

Per the SCHAs, SUNY Geneseo will compile and publish relevant and pertinent information regarding each incident of hazing for which a recognized student organization was found responsible. Beginning July 1, 2025; this information will be collected and subsequently published (and updated) twice a year. The most current report can be found here [Campus Hazing Transparency Report](#)

I. SUNY GENESEO REPORTS OF HAZING INCIDENTS

The statistics concerning the occurrence of hazing incidents which were reported to campus security authorities or police agencies on or off-campus which reportedly took place in (or on) on-campus, or non-campus buildings or property or public property can be found on the campus crime statistics chart below.

VII. DRUGS, ALCOHOL AND SUBSTANCE ABUSE ([Substance Use Education Resources](#))

[Geneseo - Drug Free Schools](#)

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 ([Geneseo Student Code of 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 ([Geneseo Student Policy 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.

College policy states that Students and employees under the age of 21 who are found to be using, possessing or selling alcoholic beverages 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.

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.

College policy states that 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 [Alcohol Usage Assessment Tool](#). 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 [Cannabis Usage Screening Tool](#). 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 ([Have the Conversation](#))

- The Safe Party Initiative ([Safe Party Initiative Web Page](#)) – 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. \(Harm Reduction for Alcohol\)](#) ([HAMS Web Page](#))
HAMS is a peer-led support and informational group for anyone who wants to change their drinking habits for the better.
- [Start Your Recovery](#) ([Start your Recovery Web Page](#))
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: [Substance Use Resources](#)

VIII. DATING VIOLENCE, DOMESTIC VIOLENCE, SEXUAL ASSAULT AND STALKING ([Title IX Office Web Page](#))

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. Evidence preservation is very important and may assist in criminal prosecution, conduct, and in obtaining an order of protection.

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.

B. PRESERVATION OF EVIDENCE- DOMESTIC VIOLENCE, SEXUAL ASSAULT, DATING VIOLENCE, STALKING OR ASSAULT

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. This information may be found on the resources for title IX incident reporters page, linked here: [preservation of evidence](#).

- 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

C. VICTIMS RESOURCES

All victim/survivors who report an incident of dating violence, domestic violence, sexual assault or stalking will receive a packet of resources which includes a guide for victims/survivors from the Livingston County District Attorneys office, a sexual assault victim bill of rights, a SUNY student bill of rights, a packet from NYS the office of victim services outlining rights and options, contact information and resource material from chances & changes for DV resources, contact information and resource material from RESTORE for sexual assault, a resource guide for victims of gender-based violence, a guide for securing an order of protection, and all the information contained in Appendixes A and B from this report.

D. VICTIMS 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, and will receive a written copy of these rights, regardless of whether the crime or violation occurs on-campus, off-campus or while studying abroad. All of these protective measures are available to any victim regardless of whether they choose to report the crime to campus police or local law enforcement.

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 Victim's 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.

E. OPTIONS IN BRIEF

All victims/survivors who reports being a victim of domestic violence, dating violence, sexual assault, or stalking shall receive a written explanation of their rights and options in the form of a resources packet, including reporting procedures, available

resources, protective measures, disciplinary procedures, confidentiality protections, and accommodation options, whether the incident occurred on or off campus.

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 ([Title IX Incident Report Form](#));
- 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
 - Should an employee elect to report to the above personnel, they can assist the survivor in notifying the appropriate law enforcement agency should they choose to do so.
- 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

F. 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.

G. 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:

1. 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.

2. 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.

3. 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

H. 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.

I. 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

J. 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.

K. DISCIPLINARY PROCEDURES – TITLE IX GRIEVANCE POLICY (SEE Appendix B)

"All materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process. A recipient must make these training materials publicly available on its website, or if the recipient does not maintain a website the recipient must make these materials available upon request for inspection by members of the public."
The State University of New York at Geneseo is a member of SUNY's Student Conduct Institute (SCI), and individuals who are required to receive training must complete SCI trainings prior to investigating and hearing cases.

All training [materials](#) can be found on the SUNY website.

L. 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.

M. WRITTEN NOTIFICATION

1. **VICTIMS** – The College provides written notification to victims regarding their rights and options, including 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, or whether the incident took place on or off campus. (**See Appendix A**)
2. **COLLEGE COMMUNITY** – The College provides written notification to students, faculty and staff 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.
3. **DISCLOSURE OF RESULTS** – Upon request, the college will disclose the results of any disciplinary proceeding conducted by the institution against a student who is the alleged perpetrator of any crime of violence or a non-forcible sex offense to the alleged victim or the next of kin if that victim is deceased.

N. DATING VIOLENCE, DOMESTIC VIOLENCE, SEXUAL ASSAULT, SEXUAL HARASSMENT AND STALKING PREVENTION AND AWARENESS PROGRAMS

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 [Title IX Email link](#) or (585) 245-6490.

SUNY Geneseo is committed to maintaining a campus environment free from domestic violence, dating violence, sexual assault, and stalking. The College prohibits these offenses and provides comprehensive prevention, education, and awareness programs for students and employees.

All incoming students and new employees receive primary prevention and awareness programming that includes information regarding:

- The prohibition of domestic violence, dating violence, sexual assault, and stalking;
- Definitions of these offenses under New York State law;
- The definition of consent under New York State law and College policy;
- Safe and positive bystander intervention strategies;
- Risk reduction information designed to recognize warning signs and reduce the likelihood of victimization;
- Reporting options, victim rights, available resources, and institutional response procedures.

The College also conducts ongoing prevention and awareness campaigns for students and employees throughout the academic year which cover in parts or entirely the above listed information. A description of our ongoing prevention and awareness programs may be found below.

The training that new students and new employees receive are mandatory and are done through online training.

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. Employees receive the above described training on an annual basis.

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

2. PRIMARY PREVENTION AND AWARENESS PROGRAMS

• New Students

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 resources created by the working group or used by permission that address these important issues in a clear manner.

• New Employees

Every new employee is required to complete new employee training through Biz Library that defines dating violence, domestic violence sexual assault, stalking and consent. The class reviews the SUNY Geneseo prohibition of those crimes. The training reviews bystander intervention including safe and positive options and risk reduction strategies. The training covers the procedures the institution follows when one of those crimes are reported including both the HR process and the criminal process.

3. ONGOING PREVENTION AND AWARENESS PROGRAMS

The Title IX Office has created a catalog of prevention and awareness programs for students, faculty, staff, and/or organizations to choose from. These are optional programs available upon request:

- Coping with Trauma (45 - 60 minutes) – Join the Title IX Office in a deep dive into how trauma might affect a person and discuss beyond the typical “fight or flight” response explanation. Trauma is unique to each person and everyone’s healing process may look different, but this session aims to create a safe space to learn from one another and provide tools, resources, and support.

- Construction of Virginity (30 - 45 minutes) – Join the Title IX Office to talk about the myths surrounding Virginity and deconstruct them. We will also get into how gender norms may affect societal views surrounding virginity and sex.
- Queer Sexversations (45 - 60 minutes) – Using a game-style, conversational approach, join the Title IX Office in an honest and open conversation about the narratives surrounding queer sex, engaging in healthy intimate partner relationships, and learning how to communicate and set boundaries around sex.
- How to Start and End a Relationship (45 - 60 minutes) – Navigating relationships in college can be tricky, especially because students are coming onto campus with varying degrees of experience. This program dives into how to express romantic interest in someone, reject interest, end a relationship, and accept that a relationship is over. We also discuss healthy relationships, how unhealthy relationships can become abusive, and campus-specific resources. This program is recommended for any interested student.
- Neurobiology of Trauma (60 minutes) – This program takes a concrete, scientific approach to the often abstract concept of trauma. The majority of the program focuses on the impact trauma has on the physical and chemical components of the brain and how it impacts survivors' experience during the medical and legal systems in our country. We recommend this program for social work, psychology, nursing, pre-med majors, and student organizations interested in spreading awareness and educating their members.
- Sexual Violence and White Supremacy (60 minutes) – Join us to discuss the historical intersection of white supremacy and sexual violence, learn how white supremacy uses sexual violence as a tool of oppression, and how we can create change in our society.
- Let's Talk About Sugaring (60 minutes) – This program will cover the realities of new-age online sex work and inform participants of various risk factors and safety tips. This program does not shame sex work, nor does it seek to encourage or discourage the behavior. This program is designed solely to provide a safe space for students to speak candidly about this topic in relation to preventing sexual violence in our community.
- Roses or Red Flags? (60 minutes) – Join us for an interactive session analyzing the popular phenomenon of the Bachelor/ Bachelorette franchise. We will utilize different clips of the shows and discuss the “red flags”, “green flags”, and “beige flags”. We will also discuss how the media and the producers of the show depict relationships and what is considered “love”. Who will you end up giving your rose to?
- A World Created by AI: Understanding Deep Fakes and Revenge Porn (60 minutes) – Interested in exploring the world of Artificial intelligence (AI) and how it can lead to internet threats? Join RESTORE, UPD, and the Title IX Office to talk about these emerging threats and how they can lead to sexual violence. We will also be providing precautions and safety tips for when you are on the internet!
- The Red Zone (60 minutes) – The “Red Zone” denotes a period in which sexual violence on college campuses is prevalent and is statistically heightened. This program is designed to teach students about affirmative consent, setting healthy boundaries, and how to engage in healthy intimate partner relationships.
- Annual Title IX Training
- Bystander intervention Training – Alteristic Green Dot Training
 - 4-Ds of bystander intervention: Delegate, Direct, Distract, Delay
 - Alteristic Bystander Intervention Programs for Colleges and Universities have been shown to reduce domestic/dating violence, sexual assault, and stalking by equipping students and university employees with the skills needed to intervene in high-risk situations and model behaviors that support safety and student achievement. The program includes (1) workshops, (2) social marketing campaigns, and (3) evaluation.
 - Workshops have been developed for students and employees. They are highly interactive and use a bystander-framework to equip participants to (1) intervene in high-risk situations, and (2) do their part to ensure safety and maximize student achievement.
 - Depending on capacity and resources, campuses can expand their program by: (1) implement the multi-year strategy delivering a different workshop each year for up to four-years, and/or (2) incorporate a four-hour bystander workshop to strengthen the skillsets of key groups.
 - Social Marketing Campaigns are designed to reinforce and strengthen prevention-related skills. Providing multiple doses of key content helps ensure new behaviors are sustained long enough to make a difference that lasts.
 - Evaluation helps to maximum impact. All prevention programs include (1) pre- and post-surveys for every workshop, and (2) follow-up surveys that can be distributed throughout the year. Alteristic also offers campus-specific data analysis and reports that include recommendations for next steps. For institutions interested in a more nuanced picture of prevention efforts, evaluation focus groups and key-stakeholder interviews can be included.

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: [New York State Sex Offender Registry](#).

IX. **WEAPONS 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.

X. **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**: Intentional touching of clothed or unclothed body parts without the consent of the victim; or the actor forcing the victim to touch the actor's clothes or unclothed body parts without the consent of the victim; In both cases, the purpose is sexual degradation, sexual gratification, or sexual humiliation
- **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.) Campus safety reporting follows federal crime reporting guidelines, which classify any self-propelled vehicle running on a land surface—including e-bikes and e-scooters—as a motor vehicle.
- **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.

- **Sexual Harassment**: Under Title IX, covered sexual harassment includes the following:
 1. Quid pro quo
 2. Hostile environment sexual harassment
 3. Criminal offenses of sexual assault, dating/domestic violence, and stalking
 - Sexual Harassment falling under types 1 and 2 listed above must be **severe, pervasive, and objectively offensive** under the statute.
 - Conduct falling under any of the offenses outlined in type 3 must only meet the Clery/VAWA (Violence Against Women Act) and FBI NIBRS definitions.
- **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 of the following murder; sex offenses, forcible or nonforcible; robbery; aggravated assault; burglary; motor vehicle theft; manslaughter; arson; destruction/damage/vandalism of property; intimidation; larceny (except motor vehicle theft), and simple assault, only 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.

New York State does not have a dating violence statute. Each crime committed would need to stand alone as a charge, such as assault, murder, criminal mischief, etc.

- **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.

Under New York law there is no single standalone criminal charge called "domestic violence." Instead, the term describes specific criminal offenses and family offenses when committed by a family or household member.

- **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.
- See Appendix C for full definitions of New York State Penal Laws related to VAWA crimes.

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	2023	2024	2025	2023	2024	2025	2023	2024	2025	2023	2024	2025
AGGRAVATED ASSAULT	0	0	0	0	0	0	1	0	0	0	0	0
ARSON	1	0	0	1	0	0	0	0	0	0	0	0
BURGLARY	2	0	6	2	0	6	1	0	2	0	0	0
CRIMINAL HOMICIDE – MANSLAUGHTER BY NEGLIGENCE	0	0	0	0	0	0	0	0	0	0	0	0
CRIMINAL HOMICIDE – MURDER AND NONNEGLIGENT MANSLAUGHTER	0	0	0	0	0	0	0	0	0	0	0	0
FONDLING	1	0	1	1	0	1	2	2	2	0	0	0
INCEST	0	0	0	0	0	0	0	0	0	0	0	0
MOTOR VEHICLE THEFT	0	0	1	0	0	0	0	0	0	0	0	0
ROBBERY	0	0	0	0	0	0	0	0	0	0	0	0
RAPE	9	8	2	7	7	2	3	0	0	0	0	0
STATUTORY RAPE	0	0	0	0	0	0	0	0	0	0	0	0
VIOLATIONS REPORTED	2023	2024	2025	2023	2024	2025	2023	2024	2025	2023	2024	2025
LIQUOR LAW – ARREST	2	0	0	2	0	0	0	0	0	1	0	0
LIQUOR LAW – CONDUCT	21	64	56	21	64	56	0	0	0	0	1	0
DRUG LAW – ARREST	0	0	0	0	0	0	0	0	0	0	0	0
DRUG LAW – CONDUCT	8	1	3	8	1	3	0	0	0	0	0	0
WEAPONS – ARREST	1	0	0	0	0	0	0	0	0	0	0	0
WEAPONS – CONDUCT	0	0	0	0	0	0	0	0	0	0	0	0
VAWA CRIMES REPORTED	2023	2024	2025	2023	2024	2025	2023	2024	2025	2023	2024	2025
DATING VIOLENCE	13	3	2	13	3	2	1	2	0	0	0	0
DOMESTIC VIOLENCE	4	0	1	3	0	1	0	0	0	0	0	0
STALKING	9	10	10	7	6	5	1	0	0	0	0	0
HAZING INCIDENTS REPORTED	2023	2024	2025	2023	2024	2025	2023	2024	2025	2023	2024	2025
HAZING INCIDENTS	N/A	N/A	0	N/A	N/A	0	N/A	N/A	3	N/A	N/A	0
HATE CRIMES REPORTED												
2023	There were zero (0) hate crimes reported.											
2024	There were zero (0) hate crimes reported.											
2025	There were zero (0) hate crimes reported.											

D. UNFOUNDED CRIMES

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 zero (0) unfounded reports in 2025.
 There were zero (0) unfounded reports in 2024.
 There were four (4) unfounded reports in 2023.

XI. 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. All fires, regardless of size, location, or whether they have been extinguished must be immediately reported to University Police. 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. The campus is code compliant at this time and there are no major updates planned at this time. However, fire systems are inspected on a monthly, semi-annual, or annual basis, (depending on the system) and that updates are implemented as issues are identified. 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 ([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 Office of Fire Prevention and Control 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, blocked 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 dried plants, untreated curtains, combustible 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, non-rated multi-plug adaptors and extension cords. Note: rated cords and equipment will be UL-approved, ETL approved or CSA 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 ([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. An open flame permit must be issued

D. PLANS FOR FUTURE IMPROVEMENTS – NONE AT THIS TIME

E. 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 away from the building and response vehicles.
- 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.
- Any fire on campus must be reported to the University Police, or the Director of EH&S.
- 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

F. 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.



G. RESIDENCE HALL REPORTED FIRES CHART

Residence Hall Reported Fires																	
	A L L E G A N Y	E R I E	G E N E S E E	J O N E S	L I V I N G S T O N	M O N R O E	N A S S A U	N I A G A R A	O N O N D A G A	O N T A R I O	P U T N A M	S A R A T O G A	S E N E C A	S T E U B E N	S U F F O L K	W A Y N E	W Y O M I N G
2023	1	0	0	0	0	0	0	0	0	1	0	0	1	0	1	0	0
2024	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2025	0	0	0	0	0	0	0	0	0	1	0	1	0	0	0	0	0
Reported Residence Hall Fire Details																	
Year		Location			Cause		Related Injuries		Related Deaths		Property Damage Cost						
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						
2024		None			-		-		-		-						
2025		Ontario			Electrical		0		0		\$100 - \$999						
2025		Saratoga			Electrical		0		0		\$100 - \$999						

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

H. 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	1/24/2025	4/11/2025	8/27/2025	11/24/2025		
ERIE	1/27/2025	4/9/2025	8/27/2025	11/24/2025		
GENESEE	1/24/2025	4/11/2025	8/28/2025	11/24/2025		
JONES	1/23/2025	4/18/2025	8/28/2025	11/24/2025		
LIVINGSTON	CLOSED	CLOSED	CLOSED	CLOSED		
MONROE	1/27/2025	4/18/2025	8/29/2025	11/24/2025		
NASSAU	CLOSED	CLOSED	7/7/2025	8/27/2025		
NIAGARA	CLOSED	CLOSED	8/27/2025	11/24/2025		
ONONDAGA	1/23/2025	4/9/2025	8/28/2025	11/24/2025		
ONTARIO	1/23/2025	4/9/2025	8/27/2025	11/24/2025		
PUTNAM	1/27/2025	4/11/2025	8/28/2025	11/24/2025		
SARATOGA	1/27/2025	4/11/2025	8/27/2025	11/24/2025		
SENECA	1/24/2025	4/18/2025	8/29/2025	11/24/2025		
STEUBEN	10/28/2024	1/24/2025	8/26/2025	11/24/2025		
SUFFOLK	1/23/2025	4/9/2025	7/8/2025	8/28/2025		
WAYNE	1/24/2025	4/11/2025	8/27/2025	11/24/2025		
WYOMING	1/23/2025	4/11/2025	8/27/2025	11/24/2025		

APPENDIX A: DVSAS VICTIMS/SURVIVORS FACT SHEET

Available Options for Victims and Survivors of Domestic Violence, Dating Violence, Sexual Assault and Stalking (DVSAS)

PRESERVATION OF EVIDENCE

In New York, you do not have to report to police to receive a forensic sexual assault examination. If you do not report, an evidence collection kit may be stored by the New York State Office of Victim Services for up to 20-years while you decide what you want to do.

Victims of sexual, 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. This information may be found on the resources for title IX incident reporters page, linked here: [preservation of evidence](#).

- 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

REPORTING OPTIONS

Any person may report domestic violence, dating violence, sexual assault, stalking, sex discrimination, including sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment), in person, by mail, by telephone, or by email, using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report.

The Title IX online reporting form can be found here: [Title IX Incident Report Form](#).

Such a report may be made at any time (including during non-business hours) by using the telephone number, email address, or by mail to the office address listed for the Title IX Coordinator.

CONFIDENTIAL DISCLOSURE

The following resources will provide privacy, but not confidentiality, upon receiving a report of conduct prohibited under this policy:

- Office of the Dean of Students , MacVittie College Union Room 354, (585) 245-5714
- Student Conduct , MacVittie College Union Room 354, (585) 245-5714
- Title IX Office , Doty Hall Room 303, (58) 245-5023
- Office of Human Resources & Payroll Services, Doty Hall Room 318, (585) 245-5616
- University Police , Schrader Hall Room 19, (585) 245-5222

The following resources may provide confidentiality:

- Counseling Services ([Geneseo Counseling Services](#))

- Office: Lauderdale Health Center
- Phone: (585) 245-5716
- Physicians, licensed medical professionals or supervised interns when they are engaged in a physician/patient relationship:
- Health Services ([Geneseo Health Services](#))
 - Office: Lauderdale Health Center
 - Phone: (585) 245-5736
- College advocate from RESTORE: (800) 527-1747 (24/7 hotline)
- College advocate from Chances & Changes: (888) 252-9360 (24/7 hotline)

All of the above resources can assist a survivor in accessing law enforcement should they choose to do so, or a survivor may reach out to law enforcement on their own behalf using the contact information below.

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
 - NYS 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

VICTIMS 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, and will receive a written copy of these rights, regardless of whether the crime or violation occurs on-campus, off-campus or while studying abroad.

All of these protective measures are available to any victim regardless of whether they choose to report the crime to campus police or local law enforcement.

1. Make a report to University Police, 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 Victim's 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.

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, RESTORE, or Chances & Changes 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.

VICTIM/SURVIVOR CONFIDENTIALITY PROTECTIONS

- SUNY Geneseo is committed to protecting the privacy, confidentiality, and safety of victims, complainants, witnesses, and other involved parties to the fullest extent permitted by law. The College will complete all publicly available recordkeeping, including Clery Act crime statistics, the Daily Crime Log, Timely Warnings, Emergency Notifications, Annual Security Reports, and other required disclosures, without the inclusion of personally identifiable information (PII) that could directly or indirectly identify a victim.
- The College will maintain as confidential any accommodations, supportive measures, protective measures, or safety-related actions provided to a victim to the extent that maintaining such confidentiality does not impair the College's ability to provide those services. Information regarding victims will be shared only with College officials and external agencies who have a legitimate educational, safety, legal, or operational need to know the information in order to fulfill their responsibilities.
- Clery Act reporting and disclosures do not require the release of personally identifying information about victims, and SUNY Geneseo will ensure that all statistical reporting, public disclosures, and community notifications are completed in a manner that protects victim confidentiality while meeting federal and state reporting obligations.

ACCOMMODATIONS

- All requests for accommodation are handled through the Title IX office, Doty Hall Room 303, (585) 245-5023, shebert@geneseo.edu
- Whether or not you choose to file a formal complaint, or make a report to law enforcement, students and faculty are entitled to supportive measures. These include:
 - Academic Accommodations: Modifications to class schedule for either party, granting extensions for coursework, or granting a leave of absence. Title IX works with the Dean of Students to secure these accommodations without revealing specific details regarding the student's situation.
 - Housing Accommodations: Relocation of either party. The reporter may choose to move, but in certain circumstances, the responder may be required to move.
 - Protective Measures
 - Transportation accommodation:
 - No-Contact Orders: Prohibits all contact between reporter and responder, including in person, over the phone, through social media, and/or through others. If the No-Contact Order is violated, the student(s) will be subject to the Student Code of Conduct.
 - Counseling Services: Through our community partner, RESTORE, students have access to free, confidential counseling services. Students may also be connected to counseling services through Lauderdale Health and Counseling or to off-campus therapists in Livingston County.
 - Work schedule modifications: In the case that both parties work together on campus, alternate work schedules may be arranged.
 - Emergency Removal: In the case that an accused party poses an immediate threat to the physical health or safety of an individual on campus, SUNY Geneseo may justify their immediate removal.
 - Other: Each case is unique and may require different accommodations to ensure that all parties feel safe and comfortable on campus. The Title IX Coordinator may make accommodation on a case-by-case basis.

VICTIM/SURVIVOR RIGHTS AND OPTIONS

The contents of this packet contain written material the rights and options available to any student or employee who is the victim of dating violence, domestic violence, sexual assault or stalking regardless of whether the incident took place on or off campus.

INSTITUTIONAL PROCEDURES FOR DISCIPLINARY ACTIONS

Written procedures for disciplinary action for cases involving dating violence, domestic violence, sexual assault and stalking are included in this packet. This includes the disciplinary process for both students and employees.

APPENDIX B: DVSAS DISCIPLINARY PROCESS

Disciplinary Process

Domestic Violence, Dating Violence, Sexual Assault and Stalking (DVSAS)

I. Definitions

- A. *Burden of Proof Standard* - The standard used in all domestic violence, dating violence, sexual assault and stalking cases it is "preponderance of the evidence." The term "preponderance of the evidence" means that the evidence, considered as a whole, indicates that it is more likely than not that the alleged behavior did violate policy. This is the standard for both students and staff.

The burden of proof rests with the institution. The charged individual is presumed to be not in violation, and their responsibility must be established by a preponderance of the evidence.

- B. *Covered Sexual Harassment* - Any conduct on the basis of sex that satisfies one or more of the following:
1. An employee conditioning the provision of an aid, benefit, or service of the institution on an individual's participation in unwelcome sexual conduct (i.e., quid pro quo);
 2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the institution's education program or activity (i.e. hostile environment harassment). In evaluating whether a hostile environment exists, the institution will consider a number of factors, including, but not limited to: the frequency, nature, and severity of the conduct; whether the conduct was physically threatening; the effect of the conduct on the Complainant's mental or emotional state; how the conduct affected the terms, conditions or privileges of employment or education; whether the conduct was directed at more than one person; whether the conduct arose in the context of other discriminatory conduct; whether there is a power differential between the parties; and whether the conduct implicates concerns related to academic freedom or protected speech;
 3. Sexual assault (as defined in the Clery Act), which includes any sexual act directed against another person, without the consent of the victim including instances where the victim is incapable of giving consent. This includes the forcible sex offenses of rape and criminal sexual contact and the non-forcible sex offenses of incest and statutory rape. The applicable offenses are defined below:
 - a. 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;
 - b. Criminal Sexual Contact: the intentional touching of the clothed or unclothed body parts without consent of the victim for the purpose of sexual degradation, sexual gratification, or sexual humiliation, or the forced touching by the victim of the actor's clothed or unclothed body parts, without consent of the victim for the purpose of sexual degradation, sexual gratification, or sexual humiliation;
 - c. Incest: sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law;
 - d. Statutory rape: sexual intercourse with a person who is under the age of consent in New York State.
 4. Dating violence (as defined in the Violence Against Women Act (VAWA) amendments to the Clery Act), which includes any violence committed by a person: (A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (B) where the existence of such a relationship shall be determined based on a consideration of the following factors: (i) The length of the relationship; (ii) The type of relationship; and (iii) The frequency of interaction between the persons involved in the relationship.

5. Domestic violence (as defined in the VAWA amendments to the Clery Act and the Violence Against Women Act (VAWA) Reauthorization of 2022), which includes any felony or misdemeanor crimes of violence committed by a person who: (A) is a current or former spouse or intimate partner of the victim under the family or domestic violence laws of New York, (B) who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, (C) shares a child in common with the victim; or (D) commits acts against a youth or adult victim who is protected from those acts under the family or domestic violence laws of New York.
6. Stalking (as defined in the VAWA amendments to the Clery Act), meaning engaging in a course of conduct directed at a specific person that would cause a reasonable person to: (A) fear for their safety or the safety of others; or (B) suffer substantial emotional distress.

Note that conduct that does not meet one or more of these criteria may still be prohibited and subject to discipline under other campus policies, procedures, or contractual obligations.

- C. *Disciplinary Procedures* – SUNY Geneseo has three policies that govern our disciplinary procedures for incidents involving domestic violence, dating violence, sexual assault and stalking:
 1. Discrimination Complaint Procedure (DCP) for complaints against employees or students accused of discrimination or harassment;
 2. Title IX Grievance Policy for Title IX complaints against students; and
 3. Sexual Violence Response Policy (SVRP) for any Title IX complaint not covered by the Greivance Policy due to geography.
- D. *Education Program or Activity* - Any locations, events, or circumstances over which the Campus exercises substantial control over both the Respondent and the context in which the Sexual Harassment occurs, and includes:
 1. any on-campus premises;
 2. any off-campus premises that the Campus has substantial control over, including buildings or property owned or controlled by a recognized student organization; and
 3. activity occurring within computer and internet networks, digital platforms, and computer hardware or software owned or operated by, or used in the operation of the Campus's programs and activities over which the Campus has substantial control.
- E. *Fair and Impartial* - All proceedings will be prompt, fair and impartial from the initial investigation to the final result.
- F. *Notifications* - Regardless of the disciplinary system, once a final determination is made, all parties will be notified in writing of the results.

II. **Discrimination Complaint Procedure (DCP)** – Title IX complaints against employees or students accused of discrimination or harassment

- A. Procedures for complaints not governed by Section II or the Student Title IX Grievance Policy:

This procedure provides a mechanism through which Campuses may identify, respond to, and prevent incidents of illegal discrimination. SUNY recognizes and accepts its responsibility in this regard and believes that the establishment of this internal grievance process will benefit students, faculty, staff, and administration, permitting investigation and resolution of violations of law or policy. All Parties involved in the investigation are expected to cooperate and provide truthful information throughout the investigation. Failure to do so may compromise the integrity of the investigation or cause delays. All members of the campus community are expected to cooperate with this procedure.

SUNY will keep investigations confidential to the extent possible. During any portion of the procedures detailed hereafter, neither the Complainant, Respondent(s), nor any witnesses employ audio or video taping devices.

Retaliation against a person who files a complaint, serves as a witness, or assists or participates in any manner in this procedure is strictly prohibited and may result in disciplinary action up to and including termination or expulsion.

Participants who experience Retaliation should contact the Campus DCA (or designee) or other appropriate official and may file a complaint pursuant to this procedure.

Unless prohibited by applicable law, SUNY will comply with law enforcement requests for cooperation, and such cooperation may require the campus to temporarily delay the fact-finding aspect of an investigation while the law enforcement agency is in the process of gathering evidence. The Campus will resume its investigation as soon as law enforcement notifies it that such investigation will not interfere with the criminal investigation or prosecution. The Campus will implement appropriate Interim Measures during the law enforcement agency's investigation to provide for the safety of the victim(s) and the campus community.

If a parallel or overlapping complaint has been filed with an outside enforcement agency (e.g., SDHR, ED OCR, HHS OCR, EEOC), the Campus may modify the deadlines and process described in this procedure to avoid interference with that agency's investigation. If litigation is initiated, the Campus may pause or continue the investigation in a manner that avoids conflict with litigation counsel, court procedures, and judicial rulings.

1. Consultation and Review

Any student, employee, or Third Party may consult with the DCA regarding potential Discrimination or Harassment. This initial contact may occur by telephone, email, videoconference, or in person.

The DCA will respond to all such inquiries, reports, and requests as promptly as possible and in a manner appropriate to the circumstances. The DCA's response may include Interim Measures to protect the Parties during the investigation process and information on filing a complaint using this procedure and/or with an outside enforcement agency.

Administrators, managers, and supervisors must immediately refer to the DCA any complaint or concern regarding potential Discrimination or Harassment that is reported to them or that they observe or otherwise become aware of.

2. Time Limitations – Filing a complaint under Section I

Reports of Discrimination, Harassment, or Retaliation may be made at any time by any person and should be made as promptly as practicable. A Complainant seeking a formal investigation under this Procedure ordinarily should file within one year of the most recent alleged act of Discrimination, Harassment, or Retaliation.

In instances involving a complaint by a student against a faculty or staff member arising from a supervisory, evaluative, teaching, advising, thesis or dissertation supervision, coaching, clinical supervision, or similar relationship, a complaint ordinarily may be filed until one year after that relationship ends or three years after the most recent alleged act, whichever is earlier.

The DCA may accept a complaint filed outside the applicable period for good cause or when the Campus determines that review is otherwise warranted. Relevant considerations may include the nature and severity of the allegations; any ongoing effects or continuing conduct; evidence of a pattern; whether the alleged conduct arose in a supervisory, evaluative, or other relationship involving authority over the Complainant; circumstances affecting the Complainant's ability to file earlier; institutional safety or compliance concerns; and the availability of relevant evidence.

Delay may limit the Campus's ability to investigate the allegations, make findings, impose discipline, or provide particular remedies, but it does not prevent the Campus from reviewing the information and taking other appropriate action. Filing a complaint under this Procedure does not extend any deadline for filing with an outside agency or court.

B. Conflicts of Interest

In the event that the DCA cannot conduct an investigation due to a conflict of interest, the Campus will ensure that the report of discrimination is investigated by individuals with experience and training in discrimination compliance.

The DCA who receives any complaint of alleged discrimination shall:

1. Inform the complainant about the complaint process and other internal options to resolve the issue;
2. Assist the complainant in the use of the complaint form; and

3. Provide the complainant with information about various external agencies with which the complaint may be filed, including where to find applicable time limits for filing with each agency.

Although in limited circumstances, verbal complaints may be acted upon, the procedures set forth here rest upon the submission of a written complaint submitted by paper or electronically that will enable there to be a full and fair investigation of the facts.

All complaints must be submitted on the forms provided by the Campus (see Forms below). A Campus may use a local form that differs from Form A below, provided that the local form includes at least all the required fields that are in Form A.

As soon as reasonably practicable after the filing of the complaint, the DCA will provide a copy of the complaint, along with a copy of this procedure, to the Respondent(s).

C. Informal Resolution

No party will be required to participate in informal resolution, and the Campus may never condition enrollment, employment, or enjoyment of any other right or privilege upon agreeing to informal resolution.

The DCA may attempt to resolve the underlying issue with the agreement of Complainant and Respondent. The time limitations for investigating a complaint shall be tolled (paused) during the pendency of the informal resolution process. Any party or the DCA may elect to end the informal resolution process and proceed to the formal resolution procedure at any time after the Charge of Discrimination form is filed. If the Respondent is an employee, the campus human resources or employee/labor relations office must be involved prior to the DCA making any attempts to informally resolve the complaint.

If a resolution satisfactory to both the complainant and the respondent is reached, the DCA shall close the case, sending a written notice to that effect to the complainant and respondent(s). The written notice, a copy of which shall be attached to the original complaint form in the DCA's file, shall contain the terms of any agreement reached by complainant and respondent, and shall be signed and dated by the complainant, the respondent(s) and the DCA. (See Form B below)

If the DCA is unable to resolve the complaint to the mutual satisfaction of the Complainant and Respondent(s), the DCA shall notify the parties and initiate the investigation process.

D. Formal Investigation and Resolution

The formal complaint proceeding is commenced by the filing of a complaint form as described above and/or by a Party's decision to discontinue the informal resolution process. The outcome of the process is a report describing the relevant evidence and making findings.

The investigatory process is guided by the need to balance the need to remedy unlawful Discrimination and Harassment with principles of fairness, due process, and confidentiality. Accordingly, Parties to an investigation are afforded the following rights and protections:

1. SUNY will maintain the confidentiality of discrimination reports to the fullest extent possible and requests the same of Parties to the investigation and third-party witnesses. Records of conversations with parties or witnesses will not be released outside of the Campus unless required by law (e.g., outside investigation, FERPA, FOIL), court order, or as needed to pursue available remedies such as student/employee discipline.
2. The Respondent is entitled to due process, including knowledge of the specific allegation(s) and an opportunity to respond prior to imposition of sanctions or an adverse employment or education action. No finding or presumption of wrongdoing will be made absent factual evidence that supports the finding.
3. Complainants and Respondents will each have notice of the evidence presented during the investigation, as well as an opportunity to explain and respond to the evidence. The investigator will keep the Parties informed of the progress of the investigation and any actions taken that may affect their rights.
4. Individuals are protected against retaliation for reporting discrimination or participating in an investigation. If an individual feels that any negative action has been taken as a result of reporting discrimination or participating in a complaint investigation, this allegation will be investigated separately.

At the outset of any complaint, the DCA must consult with the human resources and/or employee/labor relations office if the Respondent is an employee. In conducting investigations, the DCA will consider relevant laws, policies and procedures, documentation, and information obtained from the complainant, respondent(s), and third-party witnesses. The standard of proof in complaints made under this Procedure is a preponderance of the evidence (more likely than not) regardless of whether or not the allegations would also constitute a crime. The timeframe for investigating a report of discrimination will depend upon the complexity of the investigation but should not exceed sixty days absent good cause as determined by the DCA. At the conclusion of an investigation, the DCA will reduce their findings to a written report, including findings of fact and a determination as to whether the preponderance of the evidence supports a finding that a violation of law or policy occurred.

E. Potential Outcomes of the Complaint Investigation

1. The matter is resolved between the Parties and no other issues require campus involvement;
2. The Complainant elects to withdraw the complaint or requests that there be no further investigation, and there are no other factors which require continuation of the investigation;
3. There is insufficient evidence to support a finding of a violation of the SUNY and/or Campus policies against Discrimination and Harassment;
4. The preponderance of the evidence supports a finding of a violation of the SUNY and/or Campus policies against Discrimination and Harassment.

The parties to a complaint will receive notice of the outcome of the investigation.

When the evidence supports a finding that a violation of law or policy occurred, the DCA may recommend appropriate action to the Campus president (or designee) to remedy such violation(s). If the Campus president is the Respondent, the findings and recommendation shall be submitted to the SUNY Chancellor (or designee), who will act in place of the Campus president.

1. *For employees (including student employees) not in a collective bargaining unit:* The president (or designee) may take such administrative action as they deem appropriate under their authority as the chief administrative officer of the campus, including but not limited to, termination, demotion, reassignment, suspension, reprimand, or training.
2. *For students:* The president (or designee) may determine that sufficient information exists to refer the matter to the student conduct office or another appropriate disciplinary body for review and appropriate action under the applicable student conduct code. The potential outcomes may include reprimand, suspension, expulsion, or restriction of access to educational courses or activities.
3. *For employees in collective bargaining units:* The president (or designee) may determine that sufficient information exists to refer the matter to their designee for disciplinary action, or other action as may be appropriate under the applicable collective bargaining agreement. Potential outcomes of that process may include a reprimand, suspension, termination, training, fine, demotion, or informal or formal counseling.

The action of the Campus president (or designee) shall be final unless further proceedings under the student code of conduct or applicable collective bargaining agreement are implicated. If the Campus president is the respondent, the Chancellor (or designee) shall issue a written statement indicating what action the Chancellor (or designee) proposes to take. The decision of the Chancellor (or designee) shall be final for purposes of this discrimination procedure.

F. Notice of Outcome

Following final determination and/or action, the president (or designee) 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, the notice of outcome will include the sanctions, as appropriate. All parties are notified simultaneously.

III. Title IX Grievance Policy – Title IX complaints against students

A. Filing a Formal Complaint

The timeframe for this Title IX grievance procedure begins with the filing of a Formal Complaint. This grievance procedure will be concluded within a reasonably prompt timeframe after the filing of the Formal Complaint, provided that the process may be extended for a good reason, including but not limited to the absence of a Party, a Party's

advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities.

To file a Formal Complaint, a Complainant must provide the Title IX Coordinator with a written, signed Formal Complaint describing the facts alleged. Complainants may file a Formal Complaint under this Procedure only if they are currently participating in, or attempting to participate in, SUNY Geneseo's Education Programs or Activities, including as an employee. For Complainants/Reporting Individuals who do not meet these criteria, SUNY Geneseo will utilize existing policy in the Student Code of Conduct, the Discrimination Complaint Procedure, other applicable SUNY Geneseo policies and/or procedures, or the employee disciplinary process as described in the applicable collective bargaining agreement, as appropriate.

If a Complainant does not wish to file a Formal Complaint, the Title IX Coordinator may determine a Formal Complaint is necessary and sign one. If so, SUNY Geneseo will inform the Complainant of this decision in writing. The Complainant need not participate further in the process but will receive all notices issued under this Procedure. When the Title IX Coordinator signs a Formal Complaint, the Title IX Coordinator does not become a Complainant or Party to this Procedure.

Nothing in the Title IX Grievance Procedure, Student Code of Conduct or SUNY Discrimination Complaint Procedure prevents a Complainant or Reporting Individual from seeking the assistance of state or local law enforcement alongside the appropriate on-campus process.

B. Initial Assessment

Upon receipt of a report of alleged prohibited conduct, the Title IX Coordinator will make an initial assessment of the reported information and respond to any immediate health or safety concerns raised by the report. The steps in an initial assessment vary based on whether the identity of the Complainant is known.

In the initial assessment and meeting or correspondence with the Complainant, the Title IX Coordinator will:

1. Assess the Complainant's safety and well-being and offer SUNY Geneseo's support and assistance through available resources;
2. Inform the Complainant that the Title IX Coordinator will maintain the Complainant's privacy to the greatest extent possible and disclose information only as necessary pursuant to this Procedure;
3. Inform the Complainant of their right to seek medical treatment (including a sexual assault forensic examination) and explain the importance of obtaining evidence and preserving forensic and other evidence;
4. Inform the Complainant of their right to contact law enforcement, be assisted by SUNY Geneseo officials in contacting law enforcement, or decline to contact law enforcement, and their right to seek a protective order;
5. Inform the Complainant that the criminal justice system uses different standards of proof and evidence than this Procedure and that any questions about whether the reported prohibited conduct constitutes a penal law violation should be addressed by law enforcement;
6. Inform the Complainant about SUNY Geneseo and community resources, including counseling, health, and mental health services; victim advocacy; procedural advocacy; legal resources; visa and immigration assistance; student financial aid; and other resources both on campus and in the community, and how to request or contact such resources;
7. Inform the Complainant of the right to seek appropriate and available Supportive Measures and how to request such measures and consider the Complainant's wishes with respect to Supportive Measures with or without the filing of a Formal Complaint;
8. Ensure the Complainant is aware of their right to an advisor of their choice, who may be, but is not required to be, an attorney;
9. Inform the Complainant of the right to file a Formal Complaint and seek resolution under this grievance procedure; provide the Complainant with an overview of this procedure, including Supportive Measures; and inform the Complainant of the right to withdraw a Formal Complaint at any time prior to resolution and to decline or discontinue resolution under this procedure at any time, including that declining to participate in an investigation and/or hearing under these procedures may limit SUNY Geneseo's ability to investigate meaningfully and respond to a report of prohibited conduct;
10. As possible and appropriate, ascertain the Complainant's preference for pursuing a Formal Complaint, Supportive Measures, or neither under this Procedure, and discuss with the Complainant any concerns or barriers to participating in any investigation and resolution process under this Procedure;
11. Explain that SUNY Geneseo prohibits retaliation, that retaliation constitutes prohibited conduct under these procedures, and that SUNY Geneseo will take appropriate action in response to any act of retaliation;

12. Inform the Complainant of their rights afforded under the Student Bill of Rights; and
13. Communicate with appropriate SUNY Geneseo officials to determine whether the report triggers any Clery Act obligations, including the issuance of a timely warning or emergency notification, and take steps to meet those obligations.

C. Determining Jurisdiction

The Title IX Coordinator or designee will determine if the procedure should apply to a Formal Complaint. This procedure will apply when all the following elements are met, in the reasonable determination of the Title IX Coordinator:

1. The conduct is alleged to have occurred on or after August 14, 2020;
2. The conduct is alleged to have occurred in the United States;
3. The conduct is alleged to have occurred in SUNY Geneseo's Education Program or Activity; and
4. The alleged conduct, if true, would constitute Covered Sexual Harassment as defined in this Procedure.

If all of the elements are met, SUNY Geneseo will investigate the allegations according to this procedure.

D. Multi-Party Situations and Consolidation of Complaints

SUNY Geneseo may consolidate Formal Complaints alleging Covered Sexual Harassment against more than one Respondent, by more than one Complainant against one or more Respondents, or by one Party against the other Party, where the allegations of Covered Sexual Harassment arise out of the same facts or circumstances.

E. Allegations Potentially Falling Under More Than One Policy or Procedure

If the alleged conduct, if true, includes conduct that would constitute Covered Sexual Harassment and conduct that would not constitute Covered Sexual Harassment, this Title IX grievance procedure will be applied in the investigation and adjudication of all of the allegations.

F. Mandatory Dismissal

SUNY Geneseo will investigate the allegations in a Formal Complaint. If the conduct alleged in the Formal Complaint would not constitute Covered Sexual Harassment as defined in federal law, even if proved; did not occur in SUNY Geneseo's Education Program or Activity; or did not occur against a person in the United States, then SUNY Geneseo must dismiss the Formal Complaint regarding that conduct for purposes of Sexual Harassment under Title IX. Such a dismissal does not preclude action under another provision of the institution's Student Code of Conduct, the Discrimination Complaint Procedure, any other appropriate SUNY Geneseo policy and/or procedure, or the employee disciplinary process as described in the applicable collective bargaining agreement. Each Party may appeal a dismissal using the procedure outlined in "Appeals" below.

G. Discretionary Dismissal

The Title IX Coordinator or designee may dismiss a Formal Complaint brought under the Title IX Grievance Procedure, or any specific allegations raised within that Formal Complaint, at any time during the investigation or hearing, if:

1. Complainant notifies the Title IX Coordinator in writing that they would like to withdraw the Formal Complaint or any allegations raised in the Formal Complaint;
2. The Respondent is no longer enrolled or employed by SUNY Geneseo; or
3. Specific circumstances prevent SUNY Geneseo from gathering evidence sufficient to reach a determination regarding the Formal Complaint or allegations within the Formal Complaint.

Any Party may appeal a dismissal determination using the process set forth in "Appeals" below.

H. Notice of Dismissal

Upon reaching a decision that the Formal Complaint will be dismissed, SUNY Geneseo will promptly send written notice of the dismissal of the Formal Complaint or any specific allegation within the Formal Complaint and the reason

for the dismissal, simultaneously to the Parties through their institutional email accounts. It is the responsibility of the Parties to maintain and regularly check their institutional email accounts.

When a Formal Complaint is dismissed, SUNY Geneseo will, at a minimum, offer Supportive Measures to the Complainant as appropriate and to the Respondent as appropriate (if the Respondent has been notified of the allegations), and take other prompt and effective steps, as appropriate, through the Title IX Coordinator to ensure that sex discrimination does not continue or recur within SUNY Geneseo's Education Program or Activity.

I. Notice of Removal

Upon dismissal for purposes of Title IX, SUNY Geneseo retains discretion to address the allegations under the Student Code of Conduct, the Discrimination Complaint Procedure, another applicable SUNY Geneseo policy or procedure, or the employee disciplinary process, as appropriate. If SUNY Geneseo refers the allegations to another process, it will promptly provide written notice that the Formal Complaint has been dismissed under this Title IX grievance procedure and that the allegations have been removed from that procedure and referred to the other applicable process.

J. Notice of Allegations

The Title IX Coordinator will draft and provide the Notice of Allegations to each Party. Such notice will occur as soon as practicable upon receipt of a Formal Complaint, if there are no extenuating circumstances.

The Parties will be notified through their institutional email accounts if they are a student or employee and by other reasonable means if they are neither.

SUNY Geneseo will provide sufficient time for the Parties to review the Notice of Allegations and prepare a response before any initial interview.

The Title IX Coordinator or designee may determine that the Formal Complaint will be dismissed on the grounds identified above and will issue a Notice of Dismissal. If such a determination is made, any Party identified in the Formal Complaint will receive the Notice of Dismissal in conjunction with, or in separate correspondence after, the Notice of Allegations.

K. Contents of Notice

1. The Notice of Allegations will include the following:

- a) Notice of the institution's Title IX Grievance Procedure and a hyperlink to a copy of the process.
- b) Notice of the allegations potentially constituting Covered Sexual Harassment and sufficient details known at the time the notice is issued, such as the identities of the Parties involved in the incident, if known, including the Complainant; the conduct allegedly constituting Covered Sexual Harassment; and the date and location of the alleged incident, if known.
- c) A statement that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of this grievance procedure.
- d) A statement that the Parties may have an advisor of their choice, who may be, but is not required to be, an attorney.
- e) A statement that before the conclusion of the investigation, the Parties may inspect and review evidence obtained as part of the investigation that is directly related to the allegations raised in the Formal Complaint, including the evidence upon which the institution does not intend to rely in reaching a determination regarding responsibility, and evidence that both tends to prove or disprove the allegations, whether obtained from a Party or other source;
- f) Students are prohibited from knowingly making false statements or knowingly submitting false information during the grievance process as is provided in the Student Code of Conduct.

2. Ongoing Notice

If during an investigation, SUNY Geneseo decides to investigate allegations about the Complainant or Respondent that are not included in the Notice of Allegations and would otherwise constitute Covered Sexual Harassment falling within the Title IX Grievance Procedure, the institution will notify the Parties whose identities are known of the additional allegations through their institutional email accounts or other

reasonable means. The Parties will be provided sufficient time to review the additional allegations to prepare a response before any initial interview regarding those additional allegations.

3. Notice of Meetings and Interviews

SUNY Geneseo will provide, to a Party whose participation is invited or expected, written notice of the date, time, location, participants and purpose of all hearings, investigative interviews or other meetings with a Party, with sufficient time for the Party to prepare to participate.

L. Advisors of Choice

SUNY Geneseo will provide the Parties equal access to advisors and support persons and will not limit the choice or presence of advisor for either Party. Any restrictions on advisor participation will be applied equally.

Individuals participating as a Complainant or Respondent in this process may be accompanied by an advisor of choice to any meeting or hearing they are required or are eligible to attend. The advisor of choice is not an advocate. Except where explicitly stated by this procedure, advisors of choice shall not participate directly in the process, consistent with standard policy and practice of SUNY Geneseo, except for required cross-examination by such advisor during a live hearing. SUNY Geneseo may establish Rules of Decorum and otherwise establish restrictions regarding the extent to which advisors may participate in the proceedings.

SUNY Geneseo will not intentionally schedule meetings or hearings on dates when the advisors of choice for all Parties are not available, provided that the advisors act reasonably in providing available dates and work collegially to find dates and times that meet all schedules within a reasonable timeframe.

SUNY Geneseo's obligations to investigate and adjudicate in a prompt timeframe under Title IX and other SUNY Geneseo policies apply to matters governed under this procedure, and SUNY Geneseo cannot agree to extensive delays solely to accommodate the schedule of an advisor of choice. The determination of what is reasonable shall be made by the Title IX Coordinator or designee. SUNY Geneseo will not be obligated to delay a meeting or hearing under this process more than five (5) business days due to the unavailability of an advisor of choice, and may offer the Party the opportunity to obtain a different advisor of choice or utilize one provided by SUNY Geneseo.

M. Investigation

1. General Rules of Investigations

The Title IX Coordinator and/or an investigator designated by the Title IX Coordinator will perform an investigation of the conduct alleged to constitute Covered Sexual Harassment in a reasonably prompt timeframe after issuing the Notice of Allegations. The investigation will generally include individual interviews of the Complainant/Reporting Individual, the Respondent, and relevant witnesses. The Parties may submit in writing the names of witnesses they would like the investigator to interview and proposed questions or topics for the investigator to address with witnesses, themselves, and the other Party. The investigator has the discretion to determine the relevance of any proffered witnesses and, accordingly, will determine which witnesses to interview.

SUNY Geneseo, and not the Parties, has the burden of proof and the burden of gathering evidence sufficient to reach a determination, i.e., the responsibility of showing that a violation of this procedure has occurred. This burden does not rest with either Party, and either Party may decide not to share their account of what occurred or may decide not to participate in an investigation or hearing. This does not shift the burden of proof away from SUNY Geneseo and does not indicate responsibility.

SUNY Geneseo cannot access, consider, disclose, or otherwise use a Party's medical records without a voluntary, written consent from the Party to whom the records belong or about whom the records contain information. SUNY Geneseo will provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence, (i.e., evidence that tends to prove and disprove the allegations) as described below.

All deadlines and time requirements in this procedure may be extended for good cause as determined by the Title IX Coordinator or their designee. The Respondent and the Complainant, as well as their advisors,

will be notified in writing of the delay, the reason for the delay, and the date of the new deadline or event. Extensions requested by one Party will not typically be longer than five (5) business days.

2. Inspection and Review of Evidence

Prior to the completion of the investigation, the Parties will have an equal opportunity to inspect and review the evidence obtained through the investigation in an electronic format or a hard copy. The purpose of the inspection and review process is to allow each Party an equal opportunity to respond meaningfully to the evidence prior to the conclusion of the investigation. The Parties will have at least ten (10) business days to submit a written response, which the investigator will consider prior to completion of the investigative report.

Evidence available for inspection and review by the Parties will include any evidence that is Relevant or directly related to the allegations raised in the Formal Complaint, including:

- a. Evidence that is related, even if that evidence does not end up being relied upon by SUNY Geneseo in making a determination regarding responsibility;
- b. Inculpatory or exculpatory evidence (i.e. evidence that tends to prove or disprove the allegations) that is directly related to the allegations, whether obtained from a Party or other source.

All Parties must submit any evidence they would like the investigator to consider before the Parties' time to inspect and review evidence begins.

SUNY Geneseo will provide each Party and each Party's advisor, if any, with the evidence made available for inspection and review. SUNY Geneseo is not obligated to use any specific process or technology to provide the evidence and has sole discretion to determine the format and any restrictions or limitations on access.

Any evidence deemed relevant after inspection and review will be available at any hearing, including for purposes of cross-examination.

The Parties and their advisors must sign an agreement not to disseminate any of the evidence subject to inspection and review or use such evidence for any purpose unrelated to this Title IX grievance procedure.

The Parties and their advisors agree not to photograph or otherwise copy the evidence.

3. Inclusion of Evidence Not Directly Related to the Allegations

Evidence obtained in the investigation that is determined, in the reasoned judgment of the Title IX Coordinator or their designee, not to be directly related or Relevant to the allegations in the Formal Complaint will be included in the appendices to the investigative report. These appendices will be made available exclusively to both Parties unless an appeal is filed.

4. Investigative Report

The Title IX Coordinator or their designee will create an investigative report that fairly summarizes relevant evidence and, at least ten (10) business days prior to a hearing, will send the investigative report, in electronic format or hard copy format, to each Party and the Party's advisor. The investigative report is not intended to catalog all evidence obtained by the Title IX Coordinator or their designee, but only to provide a fair summary of that evidence. Only relevant evidence (including both inculpatory and exculpatory, i.e., tending to prove and disprove the allegations) will be referenced in the investigative report. The Title IX Coordinator or their designee may redact irrelevant information from the investigative report when that information is contained in documents or evidence that are otherwise Relevant.

5. General Rules of Hearings

SUNY Geneseo will not issue a disciplinary sanction arising from an allegation of Covered Sexual Harassment without holding a live hearing.

The live hearing may be conducted with all Parties physically present in the same geographic location, or, at the request of either Party, SUNY Geneseo will provide for the live hearing to occur with the Parties located in separate rooms with technology enabling the Decision-maker(s) and Parties to simultaneously see and hear the Parties or the witnesses answering questions. At the discretion of SUNY Geneseo, any or all witnesses and other participants may appear at the live hearing virtually. At its discretion, SUNY Geneseo may delay or adjourn a hearing based on technological errors not within a Party's control.

Prior to obtaining access to any evidence, the Parties and their advisors must sign an agreement not to disseminate any of the testimony heard or evidence obtained in the hearing or use such testimony or evidence for any purpose unrelated to this Title IX grievance procedure. Once signed, this agreement may not be withdrawn.

6. Continuances or Granting Extensions

SUNY Geneseo may determine that multiple sessions or a continuance (i.e., a pause on the continuation of the hearing until a later date or time) is needed to complete a hearing. If so, SUNY Geneseo will notify all participants and endeavor to accommodate all participants' schedules and complete the hearing as promptly as practicable.

7. Newly Discovered Evidence

As a general rule, no new evidence or witnesses may be submitted during the live hearing.

If a Party identifies new evidence or witnesses that were not reasonably available prior to the live hearing and could affect the outcome of the matter, the Party may request that such evidence or witnesses be considered at the live hearing.

The Decision-maker will consider this request and make a determination regarding:

- a. whether such evidence or witness testimony was unavailable despite reasonable efforts prior to the hearing; and
- b. whether such evidence or witness testimony could affect the outcome of the matter.

The Party offering the newly discovered evidence or witness has the burden of establishing these questions by the preponderance of the evidence.

If the Decision-maker answers in the affirmative to both questions, then the Parties will be granted a reasonable pause in the hearing to review the evidence and/or prepare for questioning of the witness.

8. Participants in Live Hearings

Live hearings are not public, and the only individuals permitted to participate in the hearing are as follows:

- a. Complainant and Respondent (the Parties)
 - The Parties cannot waive the right to a live hearing, though they are not required to participate.
 - SUNY Geneseo may still proceed with the live hearing in the absence of a Party and may reach a determination of responsibility in their absence.
 - SUNY Geneseo will not threaten, coerce, intimidate or discriminate against the Party in an attempt to secure the Party's participation.
 - The Decision-maker cannot draw an inference about the determination regarding responsibility based solely on a Party's absence from the live hearing or refusal to answer cross-examination or other questions.
 - The Parties shall be subject to SUNY Geneseo's Rules of Decorum, which can be found on SUNY Geneseo's website and will be provided in advance of any live hearing.
- b. The Decision-maker

- The Decision-maker will be a hearing body that will consist of three faculty or staff members, one of which acts as the Hearing Chair.
- No member of the hearing body will also have served as the Title IX Coordinator, Title IX investigator or advisor to any Party in the case, nor may any member of the hearing body serve on the appeals body in the case.
- No member of the hearing body will have a conflict of interest or bias in favor of or against Complainants or Respondents generally, or in favor of or against the Parties to the particular case.
- The hearing body will be trained on topics including how to serve impartially, issues of relevance, including how to apply the rape shield protections provided for Complainants, and any technology to be used at the hearing.
- The Parties will have an opportunity to raise any objections regarding a Decision-maker's actual or perceived conflicts of interest or bias at the commencement of the live hearing.

c. Advisor of Choice

- The Parties have the right to select an advisor of their choice, who may be, but does not have to be, an attorney. If a Party does not have an advisor present at the live hearing, SUNY Geneseo will provide, without fee or charge to that Party, an advisor of SUNY Geneseo's choice, who may be, but is not required to be, an attorney, to conduct cross-examination on behalf of that Party.
- The advisor of choice may accompany the Parties to any meeting or hearing they are permitted to attend, but may not speak for the Party, except for the purpose of cross-examination at a live hearing.
- The Parties are not permitted to conduct cross-examination; it must be conducted by the advisor. As a result, if a Party does not select an advisor, SUNY Geneseo will select an advisor to serve in this role for the limited purpose of conducting the cross-examination at no fee or charge to the Party.
- If a Party does not attend the live hearing, the Party's advisor may appear and conduct cross-examination on their behalf.
- If neither a Party nor their advisor appear at the hearing SUNY Geneseo will provide an advisor to appear on behalf of the non-appearing Party.
- Advisors must follow SUNY Geneseo's Rules of Decorum applicable to advisors, which are available on SUNY Geneseo's website and will be provided to all advisors prior to the live hearing.

d. Witnesses

- Witnesses cannot be compelled to participate in the live hearing and have the right not to participate in the hearing free from retaliation.

9. Hearing Procedures

Title IX hearings are not civil or criminal proceedings and are not designed to mimic formal trial proceedings. They are primarily educational in nature, and SUNY Geneseo will not permit any advisor or Decision-maker to question witnesses or Parties in an abusive, intimidating, or disrespectful manner. All Parties, advisors of choice, institutional staff, and witnesses must treat others who are engaged in the process with respect. These standards apply equally to all Parties and their advisors regardless of sex, gender, or other protected class, and regardless of whether they are in the role of Complainant or Respondent.

For all live hearings conducted, the administrative hearing officer will open and establish rules and expectations for the hearing. The Parties will each be given an opportunity to provide opening statements. Questioning of the Parties and witnesses will occur according to the procedures below.

10. Live Cross-Examination Procedure

Each Party's advisor will conduct live cross-examination of the other Party or Parties and witnesses. During this live cross-examination the advisor will ask the other Party or Parties and witnesses relevant questions and follow-up questions, including those challenging credibility directly, orally, and in real time. Before any cross-examination question is answered, the Hearing Chair will determine if the question is Relevant and

explain any decision to exclude a question as not Relevant. Cross-examination questions that are duplicative of those already asked, including by the Hearing Chair, may be deemed irrelevant if they have been asked and answered.

If the Hearing Chair determines that an advisor's question is Relevant and not otherwise impermissible, then the question will be asked unless such question is unclear or harassing of the Party or witness being questioned.

The Hearing Chair must give an advisor an opportunity to clarify or revise a question that the Hearing Chair has determined is unclear or harassing and, if the advisor sufficiently clarifies or revises a question so that it is no longer unclear or harassing, the question will be asked.

Questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not Relevant, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.

11. Rules of Decorum

When a Party's advisor is removed from a hearing due to violation(s) of the Rules of Decorum, the hearing will continue in the absence of that advisor. The Party may select a different advisor of their choice, or accept an advisor provided by SUNY Geneseo for the limited purpose of cross-examination at the hearing. Reasonable delays, including the temporary adjournment of the hearing, may be anticipated should an advisor be removed. A Party cannot serve as their own advisor in this circumstance.

Where an advisor asks a relevant question in a manner that violates the Rules, such as yelling, screaming, badgering, or leaning-in to the witness or Party's personal space, the question may not be deemed irrelevant by the Decision-maker simply because of the manner it was delivered. Under that circumstance, the Decision-maker will notify the advisor of the violation of the Rules, and, if the question is Relevant, will allow the question to be re-asked in a respectful, non-abusive manner by the advisor (or a replacement advisor, should the advisor be removed for violation of the Rules).

12. Review of Transcript/Recording

The institution will create an audio or audiovisual recording, or transcript, of any live hearing and make it available to the Parties for inspection and review.

13. Determination Regarding Responsibility

a. Standard of Proof

SUNY Geneseo presumes that the Respondent is not responsible for the alleged Covered Sexual Harassment until a determination is made at the end of this Procedure. SUNY Geneseo uses the preponderance of the evidence standard for investigations and determinations of responsibility for Formal Complaints covered under the Title IX Grievance Procedure. This means that the investigation and hearing determine whether it is more likely than not that a violation of the Procedure occurred.

b. General Considerations for Evaluating Testimony and Evidence

While the opportunity for cross-examination is required in all Title IX hearings, determinations regarding responsibility may be based in part, or entirely, on documentary, audiovisual and digital evidence, as warranted in the reasoned judgment of the Decision-maker.

The Decision-maker shall not draw inferences regarding a Party's or witness's credibility based on the Party's or witness's status as a Complainant, Respondent, or witness, nor shall the Decision-maker base their judgments in stereotypes about how a Party or witness would or should act under the circumstances.

Generally, credibility judgments should rest on the demeanor of the Party or witness, the plausibility of their testimony, the consistency of their testimony, and its reliability in light of corroborating or conflicting testimony or evidence.

Still, credibility judgments should not rest on whether a Party's or witness's testimony is non-linear or incomplete, or whether the Party or witness is displaying stress or anxiety.

The Decision-maker will afford the highest weight relative to other testimony to first-hand testimony by Parties and witnesses regarding their own memory of specific facts that occurred. Both inculpatory and exculpatory (i.e., tending to prove and disprove the allegations) evidence will be weighed in equal fashion.

Except where specifically barred by the Title IX Final Rule, a witness's testimony regarding third-party knowledge of the facts at issue will be allowed but will generally be accorded lower weight than testimony regarding direct knowledge of specific facts that occurred.

The Decision-maker cannot draw an inference about the determination regarding responsibility based solely on a Party's or witness's absence from the live hearing or refusal to answer cross-examination or other questions.

The Final Rule requires that SUNY Geneseo allow Parties to call expert witnesses and character witnesses and present testimony regarding polygraph tests and other procedures that are outside of standard use in academic and non-academic conduct processes. While these witnesses, testimony, and evidence are allowed by the Title IX Final Rule, the Decision-maker will be instructed to afford lower weight to such evidence relative to the testimony of fact witnesses.

Where a Party's or witness's conduct or statements demonstrate that the Party or witness is engaging in retaliatory conduct, including but not limited to witness tampering and intimidation, the Decision-maker may draw an adverse inference as to that Party's or witness's credibility.

c. Components of the Determination Regarding Responsibility

The written Determination Regarding Responsibility will be issued simultaneously to all Parties through their institutional email accounts or other reasonable means, as necessary. The Determination will include:

- i. Identification of the allegations potentially constituting Covered Sexual Harassment;
- ii. A description of the procedural steps taken from the receipt of the Formal Complaint through the determination, including any notifications to the Parties, interviews with Parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
- iii. Findings of fact supporting the determination;
- iv. Conclusions regarding the application of the Code of Conduct or other applicable policy to the facts;
- v. For each allegation:
 - A statement of, and rationale for, a determination regarding responsibility;
 - A statement of, and rationale for, any disciplinary sanctions from the Student Code of Conduct the recipient imposes on the Respondent; and
 - A statement of, and rationale for, whether remedies designed to restore or preserve equal access to SUNY Geneseo's Education Program or Activity will be provided by SUNY Geneseo to the Complainant/Reporting Individual; and
- vi. SUNY Geneseo's procedures and the permitted reasons for the Complainant and Respondent to appeal (described below in "Appeals").

d. Timeline of Determination Regarding Responsibility

For cases involving student respondents, if there are no extenuating circumstances, the determination regarding responsibility will be issued by SUNY Geneseo within ten (10) business days of the completion of the hearing body deliberation.

14. Sanctions for Students

For cases with a student Respondent who was determined to be responsible, the written Determination Regarding Responsibility will also include a statement of the sanctions. In determining sanctions, the Panel will consider the severity of the prohibited conduct; the circumstances of the prohibited conduct; the impact of the prohibited conduct and sanctions on the Complainant and remedies for the Complainant; the impact of the prohibited conduct and sanctions and remedies on the community; the impact of the prohibited conduct and sanctions and remedies on the Respondent; prior misconduct by the Respondent, including the Respondent's previous school disciplinary record, both at the institution and elsewhere, and any criminal convictions; the goals of this policy and procedure; and any other mitigating, aggravating, or compelling factors.

The possible sanctions for student Respondents are as follows, in accordance with SUNY Geneseo's Student Code of Conduct:

a. Sexual Harassment

- Quid pro quo harassment or Hostile environment harassment:
 - College Dismissal
 - College Suspension (Conditions for readmission may be specified. The maximum term, which may be imposed [per adjudication], is one (1) calendar year [posted to the end of the semester of the term of the suspension [i.e., December 31 or May 31]).
 - Deferred Suspension (The maximum term, which may be imposed is one (1) academic year [posted to the end of the semester of the term of the sanction [i.e., December 31 or May 31]).
 - Conduct Probation (Maximum term is one academic year [posted to the end of the semester of the term of probation [i.e., December 31 or May 31])
 - 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
 - Discretionary Sanctions – Work assignments, alcohol or drug-related programs, evaluations, or treatment, service to the College, or other related discretionary assignments.
 - Deferred Removal from College Residence Halls
 - Residence Hall Suspension
 - Residence Hall Dismissal
 - Withholding a degree
 - Written Warning

b. Sexual Assault

- Sexual Assault 1 (Rape)
 - Any student who has been found responsible through this procedure or the student conduct process for committing the act of Rape shall be issued the sanction of suspension or expulsion from SUNY Geneseo. For any such Respondent, if the Rape was forcible, meaning that the Rape was accomplished by physical force, threat, or drugging by the Respondent, the Respondent shall be issued the sanction of expulsion from SUNY Geneseo. All decisions must be in writing and must include the rationale for findings of responsibility and sanctions imposed in accordance with this procedure.
 - College Dismissal
 - College Suspension (Conditions for readmission may be specified. The maximum term, which may be imposed [per adjudication], is one (1) calendar year [posted to the end of the semester of the term of the suspension [i.e., December 31 or May 31])
- Sexual Assault 2 (Criminal Sexual Contact)

- College Dismissal
 - College Suspension (Conditions for readmission may be specified. The maximum term, which may be imposed [per adjudication], is one (1) calendar year [posted to the end of the semester of the term of the suspension [i.e., December 31 or May 31]]).
 - Deferred Suspension (The maximum term, which may be imposed is one (1) academic year [posted to the end of the semester of the term of the sanction [i.e., December 31 or May 31]]).
 - Conduct Probation (Maximum term is one academic year [posted to the end of the semester of the term of probation [i.e., December 31 or May 31]])
 - 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
 - Discretionary Sanctions – Work assignments, alcohol or drug-related programs, evaluations, or treatment, service to the College, or other related discretionary assignments.
 - Deferred Removal from College Residence Halls
 - Residence Hall Suspension
 - Residence Hall Dismissal
 - Withholding a degree
 - Written Warning
- Sexual Assault 3 (Statutory Rape/Incest)
 - College Dismissal
 - College Suspension (Conditions for readmission may be specified. The maximum term, which may be imposed [per adjudication], is one (1) calendar year [posted to the end of the semester of the term of the suspension [i.e., December 31 or May 31]]).
 - Deferred Suspension (The maximum term, which may be imposed is one (1) academic year [posted to the end of the semester of the term of the sanction [i.e., December 31 or May 31]]).
 - Conduct Probation (Maximum term is one academic year [posted to the end of the semester of the term of probation [i.e., December 31 or May 31]])
 - 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
 - Discretionary Sanctions – Work assignments, alcohol or drug-related programs, evaluations, or treatment, service to the College, or other related discretionary assignments.
 - Deferred Removal from College Residence Halls
 - Residence Hall Suspension
 - Residence Hall Dismissal
 - Withholding a degree
 - Written Warning

c. Dating Violence

- College Dismissal
- College Suspension (Conditions for readmission may be specified. The maximum term, which may be imposed [per adjudication], is one (1) calendar year [posted to the end of the semester of the term of the suspension [i.e., December 31 or May 31]]).
- Deferred Suspension (The maximum term, which may be imposed is one (1) academic year [posted to the end of the semester of the term of the sanction [i.e., December 31 or May 31]]).
- Conduct Probation (Maximum term is one academic year [posted to the end of the semester of the term of probation [i.e., December 31 or May 31]])

- 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
 - Discretionary Sanctions – Work assignments, alcohol or drug-related programs, evaluations, or treatment, service to the College, or other related discretionary assignments.
 - Deferred Removal from College Residence Halls
 - Residence Hall Suspension
 - Residence Hall Dismissal
 - Withholding a degree
 - Written Warning

d. Domestic Violence

- College Dismissal
- College Suspension (Conditions for readmission may be specified. The maximum term, which may be imposed [per adjudication], is one (1) calendar year [posted to the end of the semester of the term of the suspension [i.e., December 31 or May 31]]).
- Deferred Suspension (The maximum term, which may be imposed is one (1) academic year [posted to the end of the semester of the term of the sanction [i.e., December 31 or May 31]]).
- Conduct Probation (Maximum term is one academic year [posted to the end of the semester of the term of probation [i.e., December 31 or May 31]])
- 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
 - Discretionary Sanctions – Work assignments, alcohol or drug-related programs, evaluations, or treatment, service to the College, or other related discretionary assignments.
 - Deferred Removal from College Residence Halls
 - Residence Hall Suspension
 - Residence Hall Dismissal
 - Withholding a degree
 - Written Warning

e. Stalking

- College Dismissal
- College Suspension (Conditions for readmission may be specified. The maximum term, which may be imposed [per adjudication], is one (1) calendar year [posted to the end of the semester of the term of the suspension [i.e., December 31 or May 31]]).
- Deferred Suspension (The maximum term, which may be imposed is one (1) academic year [posted to the end of the semester of the term of the sanction [i.e., December 31 or May 31]]).
- Conduct Probation (Maximum term is one academic year [posted to the end of the semester of the term of probation [i.e., December 31 or May 31]])
- 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
 - Discretionary Sanctions – Work assignments, alcohol or drug-related programs, evaluations, or treatment, service to the College, or other related discretionary assignments.
 - Deferred Removal from College Residence Halls
 - Residence Hall Suspension
 - Residence Hall Dismissal
 - Withholding a degree
 - Written Warning

Parties may appeal a dismissal of a Formal Complaint, any included allegations and/or a determination regarding responsibility by submitting a written appeal to the Dean of Students Office within five (5) business days after receiving the written decision. For student Respondents, appeals will be heard by the Title IX Appeals Panel. Except as required to explain the basis of new evidence, an appeal shall be limited to review of the verbatim record of the proceedings and/or supporting documents.

Such appeals shall be in writing and shall be delivered to the Dean of Students Office. Each Party may appeal the dismissal of a Formal Complaint or any included allegations and/or a determination regarding responsibility on the following bases:

- a. Procedural irregularity that affected the outcome of the matter;
- b. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
- c. The Title IX Coordinator, investigator(s), or decision-maker had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that affected the outcome of the matter.

The other Party will be notified in writing when an appeal is filed, and SUNY Geneseo will implement appeal procedures equally for both Parties.

The Office of Student Conduct will administer the appeal process, including notifying the Parties, transmitting the appeal materials to the Appeals Panel, and coordinating applicable deadlines. The Decision-makers for the appeal will not be the same people as the Decision-makers that reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator. Both Parties will be provided a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome.

Within fourteen (14) business days following the conclusion of the Appellate Panel's review of the appeal(s), the institution will issue a written decision describing the result of the appeal and the rationale for the result and provide the written decision simultaneously to both Parties.

The filing of an appeal stays any sanctions during the pendency of an appeal. Supportive Measures and remote learning opportunities remain available during the pendency of the appeal.

a. Composition of Panel

The Title IX Appeals Panel will review all student appeals brought forward by either Party in cases involving Title IX. It shall be composed of at least two individuals appointed by the Dean of Students Office who have been trained in accordance with state and federal law. The Panel shall be trained annually on Title IX processes and decision-making.

In the event that a member of the Title IX Appeals Panel cannot hear the case or must recuse themselves, the Dean of Students Office may appoint another panel member to review the case.

b. Finality

The determination regarding responsibility becomes final either on the date that SUNY Geneseo provides the Parties with the written determination of the result of the appeal, if an appeal is filed consistent with the procedures and timeline outlined in "Appeals" above, or if an appeal is not filed, the date on which the opportunity to appeal expires. All parties are notified simultaneously.

c. Transcript Notations

For crimes of violence, including, without limitation, sexual violence, defined as crimes that meet the reporting requirements pursuant to the Clery Act (20 U.S.C. 1092(f)(1)(F)(i)(I)-(VIII)), SUNY Geneseo is required to make a notation on the transcript of a student found responsible for suspension or expulsion.

d. Retaliation

No person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX of the Education Amendments of 1972 or its implementing regulations, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under Title IX. Complaints alleging Retaliation involving a student may be filed under SUNY Geneseo's Student Code of Conduct; complaints involving an employee may be referred to the Human Resources Office.

- e. Sexual Violence Response Policy (SVRP) – Any Title IX complaint not covered by the Discrimination Complaint Procedure due to geography

IV. Title IX Grievance Policy – Title IX complaints against students

A. Policy

All students have the right to:

- make a report to local law enforcement and/or state police;
- have disclosures of domestic violence, dating violence, stalking, and sexual assault treated seriously;
- make a decision about whether or not to disclose a crime or violation and participate in the judicial or conduct process and/or criminal justice process free from outside pressures from the institution;
- participate in a process that is fair, impartial, and provides adequate notice and a meaningful opportunity to be heard;
- be treated with dignity and to receive from the institution courteous, fair, and respectful health care and counseling services where available;
- be free from any suggestion that the reporting individual or victim/survivor is at fault when these crimes and violations are committed, or should have acted in a different manner to avoid such crimes or violations;
- describe the incident to as few institutional representatives as practicable and not to be required to unnecessarily repeat a description of the incident;
- be free from retaliation by the institution, the accused and/or the respondent, and/or their friends, family and acquaintances within the jurisdiction of the institution;
- access to at least one level of appeal of a determination;
- be accompanied by an advisor of choice who may assist and advise a reporting individual, accused or respondent throughout the judicial or conduct process including during all meetings and hearings related to such process; and
- exercise civil rights and practice of religion without interference by the investigative, criminal justice, or judicial or conduct process of the College.

1. Options in Brief

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

- receive resources, such as counseling and medical attention; confidentially or anonymously disclose a crime or violation (for detailed information on confidentiality and privacy, visit <https://www.geneseo.edu/titleix>)
- make a report to:
 - an employee with the authority to address complaints Including:
 - the Title IX Coordinator, 585-245-5023, Doty Hall 303
 - the Student Conduct Office, 585-245-5714, MacVittie College Union 354
 - the Office of Human Resources, 585-245-5616, Doty Hall 318
 - Make a report to law enforcement:
 - University Police Department, 245-5222, Schrader Hall 19
 - local law enforcement agencies in Geneseo:
 - Geneseo Police Department, 585-243-2420, 119 Main Street, Geneseo, NY 14454
 - Livingston County Sheriff's Police Department, 585-243-7100, 4 Court Street, and/or
 - NYS Police Troop E Geneseo, 585-658-9480, 5831 Groveland Station Road, Route 63, Mt. Morris, NY14510
 - Contact Family Court or Civil Court
 - Speak with the District Attorney's Office, 585-243-7020

Copies of this Bill of Rights shall 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 shall include links or information to access the Sexual Violence Response Policy and the Options for Confidentially Disclosing Sexual Violence.

2. Sexual and Interpersonal Response Policy

- In accordance with the Students' Bill of Rights, reporting individuals shall have the right to pursue more than one of the options below at the same time, or to choose not to participate in any of the options below:
 - To report confidentially the incident to one of the following college officials, who by law may maintain confidentiality, and can assist in obtaining services (more information on confidential report is available in the Options for Confidentially Disclosing Sexual Violence Policy:
 - Anonymously via an internet or telephone anonymous reporting system:
http://www.geneseo.edu/police/silent_witness
 - Student Health Services: 585-245-5736
 - Counseling Services: 585-245-5716
- To disclose confidentially the incident and obtain services from the New York State, New York City or county hotlines: [Office for the prevention of Domestic Violence](#). Additional disclosure and assistance options are catalogued by the Office for the Prevention of Domestic Violence and presented in several languages (or by calling 1-800-942-6906), and assistance can also be obtained through:
 - Legal Momentum: <https://www.legalmomentum.org/>
 - Chances & Changes (dating/domestic violence services): 888-252-9360
 - RESTORE (sexual assault services): 800-527-1757
 - NYSCASA
 - NYSCADV: <http://www.nyscadv.org/>
 - Pandora's Project: <https://pandys.org/>
 - Gay Alliance of Genesee Valley: 585-244-8640, www.gayalliance.org
 - RAINN: <https://www.rainn.org/get-help>
 - Safe Horizons: <http://www.safehorizon.org/>

These hotlines are for crisis intervention, resources, and referrals, and are not reporting mechanisms, meaning that disclosure on a call to a hotline does not provide any information to the campus. Victims/survivors are encouraged to additionally contact a campus confidential or private resource so that the campus can take appropriate action in these cases.

- To disclose the incident to the following college officials who can offer privacy and can provide information about remedies, accommodations, evidence preservation, and how to obtain support services. These officials will also provide the information contained in the Students' Bill of Rights, including the right to choose when and where to report, to be protected by SUNY Geneseo from retaliation, and to receive assistance and resources from college officials. These college officials will disclose that they are private and not confidential resources, and they may still be required by law and college policy to inform one or more college officials about the incident, including but not limited to the Title IX Coordinator. They will notify reporting individuals that the criminal justice process uses different standards of proof and evidence than internal procedures, and questions about the penal law or the criminal process should be directed to law enforcement or district attorney:
 - Title IX Coordinator
Doty 303
585-443-6458 (24/7 cell)
585-245-5023 (office)
Shebert@geneseo.edu
 - Dean of Students
354 MacVittie College Union
585-245-5706
Kmach@geneseo.edu
 - Associate Vice President for Human Resources

318 Doty Hall
585-245-5616
briggsja@geneseo.edu

- Assistant Dean of Students for Student Conduct & Community Standards
354 MacVittie College Union
585-245-5714
conduct@geneseo.edu
- University Police
19 Schrader Hall
585-245-5222
police@geneseo.edu
 - To file a criminal complaint with the University Police and/or with state or local law enforcement and/or the state police;
 - SUNY Geneseo's University Police Department, 585-245-5222, 19 Schrader Hall
 - Geneseo Police Department, 585-243-2320, 119 Main Street, Geneseo, NY 14454
 - Livingston County Sheriff's Office, 585-243-7100, Court Street, Geneseo, NY 14454
 - NYS Police Troop E Geneseo Station, 585-658-9480, 5831 Groveland Station Road, Route 63, Mt Morris, NY 14510
 - NYS Police 24-hour hotline (844-845-7269) to report sexual assault or an act of interpersonal violence
 - To receive assistance from the Title IX Coordinator, 585-245-5023, Doty Hall 303
 - To file a report of sexual assault, domestic violence, dating violence, and/or stalking, and/or talk to the Title IX Coordinator for information and assistance. Reports will be investigated in accordance with SUNY Geneseo policy. If the reporting individual wishes to keep the identity private, they may call the Title IX Coordinator (585-245-5023) anonymously to discuss the situation and available options.
- When the accused (respondent) is an employee, the reporting individual may also report the incident to the SUNY Geneseo Office of Human Resources (318 Doty Hall; 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 in accordance with applicable collective bargaining agreements.
- When the accused is an employee of an affiliated entity or vendor of the college, college officials will, at the request of the 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.
- You may withdraw your complaint or involvement from SUNY Geneseo's process at any time.
- The college shall ensure that, at a minimum, at the first instance of disclosure by a reporting individual to a college representative, the following information shall be presented to the reporting individual: "You have the right to make a report to University Police, local law enforcement, and/or State Police or choose not to report; to report the incident to SUNY Geneseo; to be protected by SUNY Geneseo from retaliation for reporting an incident; and to receive assistance and resources from SUNY Geneseo."
- The Title IX Coordinator will conduct a timely review of all complaints of sexual assault, interpersonal violence, sexual harassment, and gender discrimination.

3. Resources

- a. To obtain effective intervention services:
 - i. Counseling Services, Lauderdale, 585-245-5716. There is no charge to a student when seeking assistance at Counseling Services.
 - ii. Student Health Services, Lauderdale, 585-245-5736. There are fees associated with testing a student for STIs. The charges for the tests are set at a reasonable cost. Charges for the tests can

be charged to Student Accounts and would be listed as lab work on the bill or the charge can be billed to the student's personal insurance. Sexual contact can transmit Sexually Transmitted Infections (STI) and may result in pregnancy. Testing for STIs and emergency contraception is available. Students can also receive services and testing information from Livingston County Reproductive Health – available at Student Health and Counseling.

- iii. Employees are encouraged to use their health care provider or contact Geneseo's EAP (Employee Assistance Program) for more information on available services call 585-245-5740 or visit the website <https://www.geneseo.edu/eap> or the NYS EAP Hotline at 1-800-822-0244.

- b. Within 120 hours of an assault, you can get a Sexual Assault Forensic Examination (commonly referred to as a rape kit) at a hospital. While there should be no charge for a rape kit, there may be a charge for medical or counseling services off campus and, in some cases, insurance may be billed for services. You are encouraged to let hospital personnel know if you do not want your insurance policyholder to be notified about your access to these services. The New York State Office of Victim Services may be able to assist in compensating victims/survivors for health care and counseling services, including emergency funds. More information may be found by calling 1-800-247-8035. Options are explained on the NYS website.
- c. To best preserve evidence, the reporting individual should avoid showering, washing, changing clothes, combing hair, drinking, eating, or doing anything to alter physical appearance until after a physical exam has been completed.

4. Interim Measures and Accommodations

- a. 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.
- b. 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.
- c. 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).
- d. 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 Hebert at 585-245-5023 or shebert@geneseo.edu for assistance.
- e. 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.
- f. 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.
- g. 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.

- h. 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.
- i. 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 following office can serve as a point to assist with these measures:

Sara Hebert, Title IX Coordinator
Doty 303
585-245-5023 (office)
Shebert@geneseo.edu

5. Student Conduct Process

- a. To request that student conduct charges be filed against the accused/respondent. Conduct proceedings are governed by the procedures set forth in the SUNY Geneseo handbook, <https://www.geneseo.edu/handbook>, as well as federal and New York State law, including the due process provisions of the United States and New York State Constitutions.
- b. Throughout conduct proceedings, the accused/respondent and the reporting individual will have:
 - the same opportunity to be accompanied by an advisor of their choice who may assist and advise the parties throughout the conduct process and any related hearings or meetings. Participation of the advisor in any proceeding is governed by federal law and the Student Code of Conduct;
 - the right to a prompt response to any complaint and to have their complaint investigated and adjudicated 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;
 - the right to an investigation and process conducted in a manner that recognizes the legal and policy requirements of due process (including fairness, impartiality, and a meaningful opportunity to be heard) and is not conducted by individuals with a conflict of interest;
 - the right to receive advance written or electronic notice of the date, time, and location of any meeting or hearing they are required to or are eligible to attend. Accused/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;
 - the right to have a conduct process run concurrently with a criminal justice investigation and proceeding, except for temporary delays as requested by external municipal entities while law enforcement gathers evidence. Temporary delays should not last more than 10 days except when law enforcement specifically requests and justifies a longer delay;
 - the right to offer evidence during an investigation and to review available relevant evidence in the case file (or otherwise held by SUNY Geneseo);
 - the right to present evidence and statements at a hearing, where appropriate;
 - the right to a range of options for providing statements via alternative arrangements, including telephone/videoconferencing or having with a room partition;
 - the right to exclude prior sexual history with persons other than the other party in the conduct process or their own mental health diagnosis or treatment from admittance in 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);
 - the right to ask questions of the decision maker and via the decision maker indirectly request responses from other parties and any other witnesses present;
 - the right to make an impact statement during the point of the proceeding where the decision maker is deliberating on appropriate sanctions;

- the right to simultaneous (among the parties) written or electronic notification of the outcome of a conduct proceeding, including the decision, any sanctions, and the rationale for the decision and any sanction(s);
- 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 (PDF);
- 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;
- 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;
- the right to choose whether to disclose or discuss the outcome of a conduct hearing; and
- 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.

6. Options for Confidentiality Disclosing Sexual Violence

The State University of New York and SUNY Geneseo are committed to getting you the information and support you need regardless of whether you would like to move forward with a report of sexual violence to campus officials or to police.

You may want to talk with someone about something you observed or experienced, even if you are not sure that the behavior constitutes sexual violence. A conversation where questions can be answered is far superior to keeping something to yourself. Confidentiality varies, and this document is aimed at helping you understand how confidentiality applies to different resources that may be available to you.

a. Privileged and Confidential Resources

Individuals who are confidential resources will not report crimes to law enforcement or college officials without your permission, except for extreme circumstances, such as a health and/or safety emergency. At SUNY Geneseo, this includes:

- i. Counseling Services: 585-245-5716, Lauderdale Health Center, https://www.geneseo.edu/health/counseling_services_home
- ii. Physicians, licensed medical professionals or supervised interns when they are engaged in a physician/patient relationship: Health Services: 585-245-5736, Lauderdale Health Center, <https://www.geneseo.edu/health/>

b. Off-campus Disclosure Options

Off-campus community partner options to disclose sexual violence confidentially include (note that these outside options do not provide any confidential information to the campus):

- RESTORE (sexual assault specialist), Blake C 111, 800-527-1757, <https://restoresas.org>. Crisis services offices will generally maintain confidentiality unless you request disclosure and sign a consent or waiver form. More information on an agency's policies on confidentiality may be obtained directly from the agency.
- Chances & Changes (dating/domestic violence & stalking specialist), Doty 303C, (585) 245-6492, 888-252-9360. Crisis services offices will generally maintain confidentiality unless you request disclosure and sign a consent or waiver form. More information on an agency's policies on confidentiality may be obtained directly from the agency.
- Local Sexual Assault Nurse Examiner (SANE) hospitals and programs:
- Strong Memorial Hospital, 585-275-4551

- Wyoming County Community Hospital, 585-786-8890
- Off-campus healthcare providers:
- Strong Memorial Hospital, 585-275-4551
- Wyoming County Community Hospital, 585-786-8890
- Noyes Urgent Care (Geneseo), 585-243-9395

- c. Medical office and insurance billing practices may reveal information to the insurance policyholder, including medication and/or examinations paid for or administered. The New York State Office of Victim Services may be able to assist in compensating victims/survivors for health care and counseling services, including emergency compensation. More information may be found by calling 1-800-247-8035. Options are explained on the NYS website.

Even individuals who can typically maintain confidentiality are subject to exceptions under the law, including when an individual is a threat to themselves or others and the mandatory reporting of child abuse.

- d. Non-Professional Counselors and Advisors

Non-professional counselors and advisors can also assist you without sharing information that could identify you. At SUNY Geneseo, this includes: Health Services, 585-245-5736, Lauderdale Health Center. These individuals will report the nature, date, time, and general location of an incident to SUNY Geneseo's Title IX Coordinator, but will consult with you to ensure no personally identifying details are shared without your consent. These individuals are not considered confidential resources as discussed above.

- e. Privacy vs. Confidentiality

Even SUNY Geneseo offices and employees who cannot guarantee confidentiality will maintain your privacy to the greatest extent possible. The information you provide to a non-confidential resource will be relayed only as necessary to investigate and/or seek a resolution and to notify the Title IX Coordinator or designee, who is responsible under the law for tracking patterns and spotting systemic issues. SUNY Geneseo will limit the disclosure as much as possible, even if the Title IX Coordinator determines that the request for confidentiality cannot be honored.

- f. Requesting Confidentiality: How SUNY Geneseo Will Weigh the Request and Response

If you disclose an incident to a SUNY Geneseo employee who is responsible for responding to or reporting sexual violence or sexual harassment, but wish to maintain confidentiality or do not consent to the institution's request to initiate an investigation, the Title IX Coordinator must weigh your request against our obligation to provide a safe, non-discriminatory environment for all members of our community, including you.

We will assist you with academic, housing, transportation, employment, and other reasonable and available accommodations regardless of your reporting choices. While reporting individuals may request accommodations through several college offices, the following office can serve as a primary point of contact to assist with these measures is the Title IX Coordinator (585-245-5023) or the Dean of Student (585-245-5706). We also may take proactive steps, such as training or awareness efforts, to combat sexual violence in a general way that does not identify you or the situation you disclosed.

We may seek consent from you prior to conducting an investigation. You may decline to consent to an investigation, and that determination will be honored unless SUNY Geneseo's failure to act does not adequately mitigate the risk of harm to you or other members of the SUNY Geneseo community. Honoring your request may limit our ability to meaningfully investigate and pursue conduct action against an accused individual (respondent). If we determine that an investigation is required, we will notify you and take immediate action as necessary to protect and assist you.

When you disclose an incident to someone who is responsible for responding to or reporting sexual violence or sexual harassment, but wish to maintain confidentiality, SUNY Geneseo will consider many factors to determine whether to proceed despite that request. These factors include, but are not limited to:

- whether the accused has a history of violent behavior or is a repeat offender;

- whether the incident represents escalation, such as a situation that previously involved sustained stalking,
- the increased risk that the accused will commit additional acts of violence;
- whether the accused used a weapon or force;
- whether the reporting individual is a minor; and
- whether we possess other means to obtain evidence and
- whether the report reveals a pattern of perpetration at a given location or by a particular group.

If SUNY Geneseo determines that it must move forward with an investigation, the reporting individual will be notified and SUNY Geneseo will take immediate action as necessary to protect and assist them.

g. Public Awareness/Advocacy Events

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

h. Anonymous Disclosure

- Silent Witness Form, https://www.geneseo.edu/police/silent_witness
- RESTORE (sexual assault), 800-527-1757
- Chances & Changes (dating/domestic violence and stalking), 888-252-9360

i. Institutional Crime Reporting

Reports of certain crimes occurring in certain geographic locations will be included in the SUNY Geneseo’s Clery Act Annual Security Report in an anonymized manner that neither identifies the specifics of the crime or the identity of the reporting individual or victim/survivor. Contact Sara Mahoney, Title IX Coordinator, (585-245-5023) for more information.

SUNY Geneseo is obligated to issue timely warnings of Clery Act crimes occurring within relevant geography that represent a serious or continuing threat to students and employees (subject to exceptions when potentially compromising law enforcement efforts and when the warning itself could potentially identify the reporting individual or victim/survivor). A reporting individual will never be identified in a timely warning.

j. Family Education Rights and Privacy Act (FERPA)

The Family Education Rights and Privacy Act (FERPA) allows institutions to share information with parents/families when (1) there is a health or safety emergency, or (2) when the student is a dependent on either parents/families’ prior year federal income tax return. Generally, SUNY Geneseo will not share information about a report of sexual violence with parents/families without the permission of the reporting Individual.

Reporting aggregate data to New York State Education Department (NYSED):

- SUNY Geneseo shall annually report to the department the following information about reports of domestic violence, dating violence, stalking and sexual assault:
- the number of such incidents that were reported to the Title IX Coordinator;
- of those incidents in paragraph a of this subdivision, the number of reporting individuals who sought action through the SUNY Geneseo’s conduct process;
- of those reporting individuals in paragraph b of this subdivision, the number of cases processed through the SUNY Geneseo’s conduct process;
- of those cases in paragraph c of this subdivision, the number of respondents who were found responsible through the SUNY Geneseo’s conduct process;
- Of those cases in paragraph c of this subdivision, the number of respondents who were found not responsible through the SUNY Geneseo’s conduct process;
- A description of the final sanctions imposed by SUNY Geneseo for each incident for which a respondent was found responsible, as provided in paragraph d of this subdivision, through the conduct process;

- viii. The number of cases in the SUNY Geneseo's conduct process that were closed prior to a final determination after the respondent withdrew from the College and declined to complete the disciplinary process; and
- ix. The number of cases in the SUNY Geneseo's conduct process that were closed because the complaint was withdrawn by the reporting individual prior to a final determination.
- x. The department shall create a reporting mechanism for institutions to efficiently and uniformly provide the information outlined in subdivision one of this section.

7. Amnesty in Sexual and Interpersonal Violence Cases

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

8. How Parties can Review Case File/Evidence

SUNY Geneseo ensures that every student be afforded the following rights. Throughout proceedings involving such an accusation of sexual assault, domestic violence, dating violence, stalking, or sexual activity that may otherwise violate SUNY Geneseo's Code of Conduct, the right to review and present available evidence in the case file, or otherwise in the possession or control of the College, and relevant to the conduct case, consistent with college policies and procedures.

9. Review of Interim Measures and Accommodations

- a. When the accused (respondent) is a student, to have the college issue a "No Contact Order," meaning that continuing to contact the reporting individual is a violation of college policy subject to additional conduct charges; if the accused (respondent) and the 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 the reporting individual may request a prompt review of the need for and the terms of a No Contact Order, this request should be submitted to the Title IX Coordinator or Dean of Students.
- b. To have assistance from the University Police Department, NYS 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.
- c. To receive a copy of the Order of Protection or equivalent and have an opportunity to meet or speak with the police or the Title IX Coordinator 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 reporting individual; that burden does not rest on the reporting individual.
- d. 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 (o: 585-245-5023, c: 585-443-6458) or law enforcement for assistance.
- e. To have assistance from the University Police Department 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, if outside of the jurisdiction to call on and assist local law enforcement in effecting an arrest for violating such an order.
- f. 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 Dean of Students (585-245-5706) or the Vice President for Student and Campus Life (585-245-5618).
- g. 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.

- h. 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.
- i. 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. While victims/survivors may request accommodations through any of the offices referenced in this policy, Sara Mahoney, Title IX Coordinator's office (Doty 303, 585-245-5023, c: 585-443-6458) will serve as the point of contact to assist with these measures.

10. Transcript Notations Policy

Generally, conduct actions are not noted on academic transcripts. 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.

11. Sexual Harassment Policy

Sexual harassment is a form of sex discrimination which is unlawful in the workplace under Title VII of the Civil Rights Act of 1964, as amended, and the New York State Human Rights Law. Under Title IX of the Educational Amendments of 1972, sexual harassment also is prohibited in the provision of educational services and protects students and employees from sexual harassment.

Sexual harassment is prohibited and will not be tolerated at SUNY Geneseo (the College). The College has implemented measures to address and prevent sexual harassment and is taking additional affirmative steps to increase awareness of, and sensitivity to, all forms of sexual harassment in order to maintain a workplace and learning environment free of its harmful effects. SUNY Geneseo will provide annual mandatory training to all employees, in order to provide pertinent definitions, reporting options, grievance procedures, and strategies for prevention.

Sexual harassment is a form of workplace discrimination and employee misconduct, as well as a form of discrimination in the academic setting, and all employees and students are entitled to work and learn in a campus environment that prevents sexual harassment. All employees and students have a legal right to a workplace and a campus free from sexual harassment, and employees and students can enforce this right by filing a complaint internally with the College, or with a government agency, or in court under federal or state anti-discrimination laws, as detailed in the University's Discrimination and Sexual Harassment Complaint Procedure.

- a. In accordance with applicable law, sexual harassment is generally described as unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature when:
 - Submission to such conduct is made either explicitly or implicitly a term or condition of employment or academic benefit; or
 - Submission to or rejection of the conduct is used as the basis for an employment or academic decision affecting the person rejecting or submitting to the conduct; or
 - The conduct has the purpose or effect of unreasonably interfering with an affected person's work or academic performance, or creating an intimidating, hostile or offensive work or learning environment.

- b. Sexual harassment can include physical touching, verbal comments, non-verbal conduct such as leering or inappropriate written or electronic communications, or a combination of these things. Examples of sexual harassment may include, but are not limited to:
- Seeking sexual favors or a sexual relationship in return for the promise of a favorable grade or academic opportunity;
 - Conditioning an employment-related action (such as hiring, promotion, salary increase, or performance appraisal) on a sexual favor or relationship; or
 - Intentional and undesired physical contact, sexually explicit language or writing, lewd pictures or notes, and other forms of sexually offensive conduct by individuals in positions of authority, co-workers or student peers, that unreasonably interferes with the ability of a person to perform their employment or academic responsibilities.
 - Physical acts of a sexual nature, such as:
 - Touching, pinching, patting, kissing, hugging, grabbing, brushing against, or poking another person's body;
 - Sexual assault and rape, sexual battery, molestation or attempts to commit these assaults.
 - Unwanted sexual advances or propositions, such as:
 - Requests for sexual favors accompanied by implied or overt threats concerning a target's job performance evaluation, a promotion or other job benefits or detriments, or an educational benefit or detriment;
 - Subtle or obvious pressure for unwelcome sexual activities.
 - Sexually oriented gestures, noises, remarks, jokes or comments about a person's sexuality or sexual experience, which create a hostile environment. Sex stereotyping occurs when conduct or personality traits are considered inappropriate simply because they may not conform to other people's ideas or perceptions about how individuals of a particular sex should act or look.
 - Sexual or discriminatory displays or publications, such as:
 - Displaying pictures, posters, calendars, graffiti, objects, promotional material, reading materials or other materials that are sexually demeaning or pornographic. This includes such sexual displays on computers or cell phones and sharing such displays while in the workplace or classroom.
 - Hostile actions taken against an individual because of that individual's sex, sexual orientation, self-identified or perceived sex, gender expression, and gender identity (including transgender and gender non-binary), such as:
 - Interfering with, destroying or damaging a person's workstation, tools or equipment, or otherwise interfering with the individual's ability to perform their employment or academic duties;
 - Sabotaging an individual's work;
 - Bullying, yelling, name-calling.
- c. Such behavior can constitute sexual harassment regardless of the self-identified or perceived sex, gender identity, gender expression, or sexual orientation of any of the persons involved. Sexual harassment is considered a form of employee and student misconduct which may lead to disciplinary action. Further, supervisors and managers will be subject to discipline for failing to report suspected sexual harassment or otherwise knowingly allowing sexual harassment to continue. Employees and students who believe they have been subjected to sexual harassment may use the [University's Discrimination and Sexual Harassment Complaint Procedure](#) for more details on how to have their allegations reviewed, including a link to a [complaint form](#).
- d. Retaliation against a person who files a complaint, serves as a witness, or assists or participates in any manner in this procedure, is unlawful, is strictly prohibited and may result in disciplinary action. Retaliation is an adverse action taken against an individual as a result of complaining about or provides information regarding unlawful discrimination or harassment, exercising a legal right, and/or participating in a complaint investigation as a third-party witness. Adverse action includes being discharged, disciplined, discriminated against, or otherwise subject to adverse action because the individual reports an incident of sexual harassment, provides information, or otherwise assists in any investigation of a sexual harassment complaint. Participants who experience retaliation should contact the campus Chief Diversity Officer, and may file a complaint pursuant to these procedures.
- e. The College shall take the necessary steps to ensure that this Sexual Harassment Response and Prevention Policy Statement is distributed, implemented, and enforced in accordance with our respective policies.

f. Procedure

- i. Report of alleged incidents of sexual harassment are appropriately addressed through the SUNY Discrimination and Sexual Harassment Complaint Procedure and through the Student Code of Conduct process. Complaints can be submitted to Human Resources, Office of Diversity and Equity, the Dean of Students, and the Title IX Coordinator.
- ii. Should disciplinary/conduct action be found necessary, the appropriate procedures in current collective bargaining agreements or student conduct regulations will be followed.
- iii. Use of the complaint procedure internally does not deprive any complainant of the right to pursue the complaint with University Police or an outside enforcement agency. See the SUNY Discrimination and Sexual Harassment Complaint Procedure for a listing of outside enforcement agencies.
- iv. The deadline for filing a complaint is consistent with the timeframes outlined in the SUNY Discrimination and Sexual Harassment Complaint Procedure. Employees who wish to discuss the grievance procedure in more detail may contact The Office of Diversity and Equity, Title IX Coordinator, or the Office of Human Resources. Students who wish to discuss the complaint procedure in more detail may contact the Title IX Coordinator or the Dean of Students.
- v. A person who knowingly and/or intentionally files a false complaint under this policy may be subject to disciplinary/conduct action.

12. Sexual Misconduct Policy

Sexual misconduct is the term used by the College to encompass non-consensual sexual behavior, including sexual assault, nonconsensual sexual contact, non-consensual sexual intercourse, and sexual exploitation. These are all forms of unwanted actual or attempted sexual activity and are violations of the College's Student Code of Conduct. Sexual assault is defined as a physical sexual act or acts committed against a person's will and consent, or when a person is incapable of giving active affirmative consent, incapable of appraising the nature of the conduct, or incapable of declining participation in, or communicating unwillingness to engage in, a sexual act or acts. Sexual assault is an extreme form of sexual harassment. * Sexual assault includes what is commonly known as "rape," whether forcible or non-forcible, including what is commonly called "date rape" and "acquaintance rape," fondling, statutory rape, and incest. For statutory rape, the age of consent in New York State is 17 years old. Sexual assault can be committed by anyone, regardless of sex, sexual orientation, gender identity or gender expression. Nothing contained in this definition shall be construed to limit or conflict with the sex offenses enumerated in Article 130 of the New York State Penal Law, which shall be the guiding reference in determining if alleged conduct is consistent with the definition of sexual assault.

- a. Affirmative consent is a knowing, and voluntary and mutual decision among all participants to engage in sexual activity. Affirmative 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.

Affirmative consent to any sexual act or prior consensual sexual activity between or with any party does not necessarily constitute consent to any other sexual act. Affirmative consent is required regardless of whether the person initiating the act is under the influence of drugs and/or alcohol. Affirmative consent may be initially given but withdrawn at any time. Affirmative 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. Incapacitation may be caused by the lack of consciousness or being asleep, being involuntarily restrained, or if an individual otherwise cannot consent.

Depending on the degree of intoxication, someone who is under the influence of alcohol, drugs, or other intoxicants may be incapacitated and therefore unable to consent. Affirmative consent cannot be given when it is the result of any coercion, intimidation, force, or threat of harm. When affirmative consent is withdrawn or cannot be given, sexual activity must stop. Affirmative consent may be withdrawn at any time without fear of retaliation. Retaliation is defined as any intimidating, harassing, or retributive action including but not limited to violence, threats of violence, property destruction, adverse educational or employment consequences, and bullying of any person for reporting a violation or for participating in any way in the investigation or conduct process.

- b. Non-consensual sexual contact means the deliberate touching of another person's intimate body parts, however slight, with any body part or object, by any person that is without active affirmative consent and/or by physical force, violence, threat of violence, intimidation, or coercion. Using force, violence, threat, intimidation or coercion to cause a person to touch their own or another person's intimate body parts is also considered non- consensual sexual contact.

Non-consensual sexual intercourse means any sexual penetration, however slight, with any body part or object by a person upon another person that is without active affirmative consent and/or by force. Intercourse includes: vaginal penetration, anal penetration, and oral sex (mouth to genital contact or genital to mouth contact), no matter how slight the penetration or contact. Sexual exploitation means taking non-consensual sexual advantage of another person, and includes causing or attempting to cause the incapacitation of another person in order to gain a sexual advantage over that person; prostituting another person; recording, photographing, or transmitting identifiable images of private sexual activity and/or intimate body parts of another person; allowing third parties to observe the sexual acts of others without the actors' active affirmative consent; engaging in voyeurism; and/or knowingly or recklessly exposing another person to significant risk of sexually transmitted infection. Incapacitation means the physical and/or mental inability to make informed, rational judgments about participating in sexual activity. Persons who are not merely under the influence of drugs or alcohol but incapacitated as a result of the consumption of alcohol or other drugs, persons who are unconscious, asleep or otherwise physically helpless, and persons under the legal age of consent (17) can never give active affirmative consent. Persons who do not have the capacity to understand the act, its nature, and possible consequences of the act can never give active affirmative consent.

13. Student Onboarding and Ongoing Education

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

All new first-year and transfer students will, during the course of their onboarding to a SUNY State-operated or community college, receive training on the following topics, using a method and manner appropriate to the institutional culture of each campus:

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

The onboarding process is not limited to a single day of orientation, but recognizes that students enroll at different times at different SUNY campuses and gives campuses the flexibility to best educate students at a time and manner that can most effectively bring these points to light. SUNY will conduct these trainings for all new students, whether first-year or transfer, undergraduate, graduate, or professional. Each campus shall use multiple methods to educate students about sexual violence prevention. Each SUNY institution will also share information on sexual violence prevention with parents of enrolling students.

Students at SUNY State-operated and community college campuses shall be offered general and specialized training in sexual violence prevention. Each institution will conduct a campaign, compliant with the requirements of the Violence Against Women Act, to educate the student population. Further, institutions will, as appropriate, provide or expand specific training to include groups such as international students, students that are also employees of the campus, leaders and officers of registered/ recognized student organizations, online and distance education students. Institutions will also provide specific training to members of groups identified as likely to engage in high-risk behavior.

Beginning in the 2015-2016 academic year, SUNY State-operated and community colleges will require that student leaders and officers of registered/recognized student organizations and those seeking recognition complete training on domestic violence, dating violence, sexual assault, or stalking prevention as part of the approval process and require student-athletes to complete training in domestic violence, dating violence, sexual assault, or stalking prior to participating in intercollegiate athletics.

Methods of training and educating students may include, but are not limited to:

- President's welcome messaging;
- Peer theater and peer educational programs;
- Online training;
- Social media outreach;
- First-year seminars and transitional courses;
- Course syllabi;
- Faculty teach-ins;
- Institution-wide reading programs;
- Posters, bulletin boards, and other targeted print and email materials;
- Programming surrounding large recurring campus events;
- Partnering with neighboring SUNY and non-SUNY colleges to offer training and education; Partnering with State and local community organizations that provide outreach, support, crisis intervention, counseling and other resources to victims/survivors of crimes to offer training and education.
- Partnerships can also be used to educate community organizations about the resources and remedies available on campus for students and employees seeking services; and
- Outreach and partnering with local businesses attract students to advertise and educate about these policies.

APPENDIX C: DVSAS NEW YORK STATE PENAL LAW DEFINITIONS

New York State Penal Law Definitions Domestic Violence, Dating Violence, Sexual Assault and Stalking (DVSAS)

STALKING LAWS PER NYS PENAL LAW

§ 120.45 Stalking in the fourth degree. A person is guilty of stalking in the fourth degree when he or she intentionally, and for no legitimate purpose, engages in a course of conduct directed at a specific person, and knows or reasonably should know that such conduct:

1. is likely to cause reasonable fear of material harm to the physical health, safety or property of such person, a member of such person's immediate family or a third party with whom such person is acquainted;
- Or
2. causes material harm to the mental or emotional health of such person, where such conduct consists of following, telephoning or initiating communication or contact with such person, a member of such person's immediate family or a third party with whom such person is acquainted, and the actor was previously clearly informed to cease that conduct; or
3. is likely to cause such person to reasonably fear that his or her employment, business or career is threatened, where such conduct consists of appearing, telephoning or initiating communication or contact at such person's place of employment or business, and the actor was previously clearly informed to cease that conduct.

For the purposes of subdivision two of this section, "following" shall include the unauthorized tracking of such person's movements or location through the use of a global positioning system or other device.

Stalking in the fourth degree is a class B misdemeanor.

§ 120.50 Stalking in the third degree. A person is guilty of stalking in the third degree when he or she:

1. Commits the crime of stalking in the fourth degree in violation of section 120.45 of this article against three or more persons, in three or more separate transactions, for which the actor has not been previously convicted; or
 2. Commits the crime of stalking in the fourth degree in violation of section 120.45 of this article against any person, and has previously been convicted, within the preceding ten years of a specified predicate crime, as defined in subdivision five of section 120.40 of this article, and the victim of such specified predicate crime is the victim, or an immediate family member of the victim, of the present offense; or
 3. With intent to harass, annoy or alarm a specific person, intentionally engages in a course of conduct directed at such person which is likely to cause such person to reasonably fear physical injury or serious physical injury, the commission of a sex offense against, or the kidnapping, unlawful imprisonment or death of such person or a member of such person's immediate family; or
 4. Commits the crime of stalking in the fourth degree and has previously been convicted within the preceding ten years of stalking in the fourth degree.
- Stalking in the third degree is a class A misdemeanor.

§ 120.55 Stalking in the second degree. A person is guilty of stalking in the second degree when he or she:

1. Commits the crime of stalking in the third degree as defined in subdivision three of section 120.50 of this article and in the course of and in furtherance of the commission of such offense: (i) displays, or possesses and threatens the use of, a firearm, pistol, revolver, rifle, shotgun, machine gun, electronic dart gun, electronic stun gun, cane sword, billy, blackjack, bludgeon, plastic knuckles, metal knuckles, chuka stick, sand bag, sandclub, slingshot, slungshot, shuriken, throwing star, dagger, dangerous knife, dirk, razor, stiletto, imitation pistol, dangerous instrument, deadly instrument or deadly weapon; or (ii) displays what appears to be a pistol, revolver, rifle, shotgun, machine gun or other firearm; or
 2. Commits the crime of stalking in the third degree in violation of subdivision three of section 120.50 of this article against any person, and has previously been convicted, within the preceding five years, of a specified predicate crime as defined in subdivision five of section 120.40 of this article, and the victim of such specified predicate crime is the victim, or an immediate family member of the victim, of the present offense; or
 3. Commits the crime of stalking in the fourth degree and has previously been convicted of stalking in the third degree as defined in subdivision four of section 120.50 of this article against any person; or
 4. Being twenty-one years of age or older, repeatedly follows a person under the age of fourteen or engages in a course of conduct or repeatedly commits acts over a period of time intentionally placing or attempting to place such person who is under the age of fourteen in reasonable fear of physical injury, serious physical injury or death; or
 5. Commits the crime of stalking in the third degree, as defined in subdivision three of section 120.50 of this article, against ten or more persons, in ten or more separate transactions, for which the actor has not been previously convicted.
- Stalking in the second degree is a class E felony.

§ 120.60 Stalking in the first degree. A person is guilty of stalking in the first degree when he or she commits the crime of stalking in the third degree as defined in subdivision three of section 120.50 or stalking in the second degree as defined in section 120.55 of this article and, in the course and furtherance thereof, he or she:

1. intentionally or recklessly causes physical injury to the victim of such crime; or
2. commits a class A misdemeanor defined in article one hundred thirty of this chapter, or a class E felony defined in section 130.25, former section 130.40 or section 130.85 of this chapter, or a class D felony defined in former section 130.45 or section 130.30 of this chapter.

Stalking in the first degree is a class D felony.

SEXUAL ASSAULT LAWS PER NYS PENAL LAW

In New York, state law does not use the exact phrase "sexual assault" as a single legal charge, but instead defines and punishes these acts under Article 130 of the New York Penal Law as specific nonconsensual sex offenses.

§ 130.20 Sexual misconduct. A person is guilty of sexual misconduct when:

1. He or she engages in vaginal sexual contact with another person without such person's consent; or
2. He or she engages in oral sexual contact with another person without such person's consent; or
3. He or she engages in anal sexual contact with another person without such person's consent; or
4. He or she engages in sexual conduct with an animal or a dead human body.

Sexual misconduct is a class A misdemeanor.

§ 130.25 Rape in the third degree. A person is guilty of rape in the third degree when:

1. He or she engages in vaginal sexual contact with another person who is incapable of consent by reason of some factor other than being less than seventeen years old;
2. He or she engages in oral sexual contact with another person who is incapable of consent by reason of some factor other than being less than seventeen years old;
3. He or she engages in anal sexual contact with another person who is incapable of consent by reason of some other factor other than being less than seventeen years old;
4. Being twenty-one years old or more, he or she engages in vaginal sexual contact with another person less than seventeen years old;
5. Being twenty-one years old or more, he or she engages in oral sexual contact with another person less than seventeen years old;
6. Being twenty-one years old or more, he or she engages in anal sexual contact with another person less than seventeen years old;
7. He or she engages in vaginal sexual contact with another person without such person's consent where such lack of consent is by reason of some factor other than incapacity to consent;
8. He or she engages in oral sexual contact with another person without such person's consent where such lack of consent is by reason of some factor other than incapacity to consent; or
9. He or she engages in anal sexual contact with another person without such person's consent where such lack of consent is by reason of some factor other than the incapacity to consent.

Rape in the third degree is a class E felony.

§ 130.30 Rape in the second degree. A person is guilty of rape in the second degree when:

1. being eighteen years old or more, he or she engages in vaginal sexual contact with another person less than fifteen years old;
2. being eighteen years old or more, he or she engages in oral sexual contact with another person less than fifteen years old;
3. being eighteen years old or more, he or she engages in anal sexual contact with another person less than fifteen years old;
4. he or she engages in vaginal sexual contact with another person who is incapable of consent by reason of being mentally disabled or mentally incapacitated;
5. he or she engages in oral sexual contact with another person who is incapable of consent by reason of being mentally disabled or mentally incapacitated; or
6. he or she engages in anal sexual contact with another person who is incapable of consent by reason of being mentally disabled or mentally incapacitated.

It shall be an affirmative defense to the crime of rape in the second degree as defined in subdivisions one, two and three of this section that the defendant was less than four years older than the victim at the time of the act.

Rape in the second degree is a class D felony.

§ 130.35 Rape in the first degree. A person is guilty of rape in the first degree when:

1. he or she engages in vaginal sexual contact with another person:
 - (a) By forcible compulsion; or
 - (b) Who is incapable of consent by reason of being physically helpless; or
 - (c) Who is less than eleven years old; or
 - (d) Who is less than thirteen years old and the actor is eighteen years old or more;
2. he or she engages in oral sexual contact with another person:
 - (a) By forcible compulsion; or
 - (b) Who is incapable of consent by reason of being physically helpless; or

- (c) Who is less than eleven years old; or
 - (d) Who is less than thirteen years old and the actor is eighteen years old or more; or
 - 3. he or she engages in anal sexual contact with another person:
 - (a) By forcible compulsion; or
 - (b) Who is incapable of consent by reason of being physically helpless; or
 - (c) Who is less than eleven years old; or
 - (d) Who is less than thirteen years old and the actor is eighteen years old or more.
- Rape in the first degree is a class B felony.

§ 130.52 Forcible touching. A person is guilty of forcible touching when such person intentionally, and for no legitimate purpose:

1. forcibly touches the sexual or other intimate parts of another person for the purpose of degrading or abusing such person, or for the purpose of gratifying the actor's sexual desire; or
2. subjects another person to sexual contact for the purpose of gratifying the actor's sexual desire and with intent to degrade or abuse such other person while such other person is a passenger on a bus, train, or subway car operated by any transit agency, authority or company, public or private, whose operation is authorized by New York state or any of its political subdivisions.

For the purposes of this section, forcible touching includes squeezing, grabbing or pinching.
Forcible touching is a class A misdemeanor.

§ 130.53 Persistent sexual abuse. A person is guilty of persistent sexual abuse when he or she commits the crime of forcible touching, as defined in section 130.52 of this article, sexual abuse in the third degree, as defined in section 130.55 of this article, or sexual abuse in the second degree, as defined in section 130.60 of this article, and, within the previous ten year period, excluding any time during which such person was incarcerated for any reason, has been convicted two or more times, in separate criminal transactions for which sentence was imposed on separate occasions, of forcible touching, as defined in section 130.52 of this article, sexual abuse in the third degree as defined in section 130.55 of this article, sexual abuse in the second degree, as defined in section 130.60 of this article, or any offense defined in this article, of which the commission or attempted commission thereof is a felony.
Persistent sexual abuse is a class E felony.

§ 130.55 Sexual abuse in the third degree. A person is guilty of sexual abuse in the third degree when he or she subjects another person to sexual contact without the latter's consent; except that in any prosecution under this section, it is an affirmative defense that

- (a) such other person's lack of consent was due solely to incapacity to consent by reason of being less than seventeen years old, and
- (b) such other person was more than fourteen years old, and
- (c) the defendant was less than five years older than such other person.

Sexual abuse in the third degree is a class B misdemeanor.

§ 130.60 Sexual abuse in the second degree. A person is guilty of sexual abuse in the second degree when he or she subjects another person to sexual contact and when such other person is:

1. Incapable of consent by reason of some factor other than being less than seventeen years old; or
2. Less than fourteen years old.

Sexual abuse in the second degree is a class A misdemeanor.

§ 130.65 Sexual abuse in the first degree. A person is guilty of sexual abuse in the first degree when he or she subjects another person to sexual contact:

1. By forcible compulsion; or
2. When the other person is incapable of consent by reason of being physically helpless; or
3. When the other person is less than eleven years old; or
4. When the other person is less than thirteen years old and the actor is twenty-one years old or older.

Sexual abuse in the first degree is a class D felony.

§ 130.65-a Aggravated sexual abuse in the fourth degree. A person is guilty of aggravated sexual abuse in the fourth degree when:

- (a) He or she inserts a foreign object in the vagina, urethra, penis, rectum or anus of another person and the other person is incapable of consent by reason of some factor other than being less than seventeen years old; or
- (b) He or she inserts a finger in the vagina, urethra, penis, rectum or anus of another person causing physical injury to such person and such person is incapable of consent by reason of some factor other than being less than seventeen years old.

1. Conduct performed for a valid medical purpose does not violate the provisions of this section.

Aggravated sexual abuse in the fourth degree is a class E felony.

§ 130.66 Aggravated sexual abuse in the third degree. A person is guilty of aggravated sexual abuse in the third degree when he or she inserts a foreign object or a finger in the vagina, urethra, penis, rectum or anus of another person:

- (a) By forcible compulsion; or
- (b) When the other person is incapable of consent by reason of being physically helpless;
- (c) When the other person is less than eleven years old; or
- (d) When the other person is less than thirteen years old and the actor is eighteen years of age or older.

1. A person is guilty of aggravated sexual abuse in the third degree when he or she inserts a foreign object in the vagina, urethra, penis, rectum or anus of another person causing physical injury to such person and such person is incapable of consent by reason of being mentally disabled or mentally incapacitated.
2. Conduct performed for a valid medical purpose does not violate the provisions of this section.

Aggravated sexual abuse in the third degree is a class D felony.

§ 130.67 Aggravated sexual abuse in the second degree. A person is guilty of aggravated sexual abuse in the second degree when he or she inserts a finger in the vagina, urethra, penis, rectum or anus of another person causing physical injury to such person:

- (a) By forcible compulsion; or
- (b) When the other person is incapable of consent by reason of being physically helpless; or
- (c) When the other person is less than eleven years old.

1. Conduct performed for a valid medical purpose does not violate the provisions of this section.

Aggravated sexual abuse in the second degree is a class C felony.

§ 130.70 Aggravated sexual abuse in the first degree. A person is guilty of aggravated sexual abuse in the first degree when he or she inserts a foreign object in the vagina, urethra, penis, rectum or anus of another person causing physical injury to such person:

- (a) By forcible compulsion; or
- (b) When the other person is incapable of consent by reason of being physically helpless; or
- (c) When the other person is less than eleven years old.

1. Conduct performed for a valid medical purpose does not violate the provisions of this section.

Aggravated sexual abuse in the first degree is a class B felony.

§ 130.90 Facilitating a sex offense with a controlled substance. A person is guilty of facilitating a sex offense with a controlled substance when he or she:

- 1. knowingly and unlawfully possesses a controlled substance or any preparation, compound, mixture or substance that requires a prescription to obtain and administers such substance or preparation, compound, mixture or substance that requires a prescription to obtain to another person without such person's consent and with intent to commit against such person conduct constituting a felony defined in this article; and
- 2. commits or attempts to commit such conduct constituting a felony defined in this article.

Facilitating a sex offense with a controlled substance is a class D felony.

APPENDIX D: RESOURCES FOR STUDENTS AND EMPLOYEES

Resources for Students and Employees

At SUNY Geneseo, we are committed to supporting the well-being, success, and growth of our campus community. Below is a collection of resources available both on campus and within the local community to provide assistance, guidance, and support for students and employees. This list of resources is provided to all students, faculty and staff.

HEALTH SERVICES

Geneseo Student Health Services offers confidential medical care to Geneseo students. This care is similar to the services received from your primary care provider (PCP) at home. Our goal is to help you maintain a healthy lifestyle both at Geneseo and beyond.

Phone: 585-245-2736 Email: health@geneseo.edu Website: <https://www.geneseo.edu/health/contact>

Rochester Regional Health – Geneseo Medical Campus - We believe that every health care need should be treated with a reliable expertise that's available when and where you need it. In delivering on our commitment, we're excited to provide a more convenient way for people living in the Southern Tier to access the primary care and specialty care they need, all under one roof.

Phone: 585-642-6000 Website: [Rochester Regional Health](https://www.rochesterregional.org)

COUNSELING SERVICES/MENTAL HEALTH

SUNY Geneseo Counseling Center - Counseling Services provides confidential behavioral health services to SUNY Geneseo students. Our experienced mental health professionals are highly qualified to address a wide variety of concerns, and we take an individualized approach to your needs. We strive to make our services accessible and equitable to all students. Services for enrolled students are free of charge as covered by the [Student Health Fee](#).

Phone: 585-245-5716 Email: health@geneseo.edu Website: <https://www.geneseo.edu/health/counseling>

Livingston County Mental Health Services - Is a county-operated outpatient clinic licensed by the New York State Office of Mental Health. We provide services to children and adults with mental health needs. These issues may be the result of stress, significant changes in a person's/family's life, or may be more chronic in nature. Our staff includes psychiatrists, therapists (social workers and counselors), nurses, nurse practitioners, and care managers. We provide both tele-therapy and in-person therapy. Staff are available in the office for crisis needs.

Phone: 585-243-7250 Website: [Livingston County Mental Health](https://www.livingstoncountymentalhealth.org)

VICTIM ADVOCACY

Sexual Assault Victim Advocacy - RESTORE is committed to empowering survivors of sexual violence through compassion, validation, and healing. Leading our community on education, advocacy, and social justice, RESTORE provides steadfast and confidential support to all survivors of sexual assault.

Phone (24-HOUR HOTLINE): 585-546-2777 Website: <https://restoresas.org/>

Domestic Violence Victim Advocacy – Chances & Changes Inc. provides confidential assistance to victims of domestic violence in Livingston County, New York, including emergency safety services such as shelter and a 24-hour hotline.

Phone: 585-658-2660 Website: <https://chancesandchanges.org/>

LEGAL ASSISTANCE

Legal Assistance of Western New York, Inc.® (LawNY®) provides free legal aid to people with civil legal problems. If you are having a legal problem with a person or agency, and it is not a criminal matter, LawNY® may be able to give you help or advice.

Phone: (866) 781-5235 Website: <https://www.lawny.org/>

Residents of Livingston County seeking visa and immigration assistance can find support from regional organizations with offices in nearby Rochester and through a directory of non-profits.

Journey's End is a non-profit organization that offers a range of services for immigrants and refugees in the Western New York region, including the Finger Lakes area.

Phone: (716) 352-9818 Email: immigration@jersbuffalo.org

Website: <https://www.jersbuffalo.org>

The Legal Aid Society of Rochester is designated as [Legal Counsel](#) through the [NYS Office for New Americans](#). The office provides free immigration legal consultations and support to ONA Opportunity Centers as well as other legal services. LASROC assists with humanitarian and family-based immigration matters as well as removal defense.

Phone: 585-232-4090 Website: <https://www.lasroc.org/immigration>

STUDENT FINANCIAL AID

Office of Financial Aid - We help students and families navigate federal and state financial aid at every stage of the process, from application to graduation. We also provide counseling on budgeting, eligibility criteria, financial aid for study abroad, loans and available aid programs.

Phone: 585-245-5731 Email: financialaid@geneseo.edu Website: https://www.geneseo.edu/financial_aid

FOOD INSECURITY

Geneseo Emergency Food Pantry - The mission of the Geneseo Groveland Emergency Food Pantry is to offer food assistance to those in need in the Geneseo Central School District. Our goal is to provide nutritious food to our clients in an effort to improve the overall health of the community.

Phone: 585-991-8220 Email: ggefoodpantry@gmail.com

Website: <https://ggefoodpantry.org/about-us/>

SUNY Geneseo – Knights' Harvest Pantry - Our mission is to ensure all students have access to basic food and hygiene essentials, with no questions asked. We prioritize anonymity and strive to remove the stigma around food insecurity.

Email: knightsharvest@geneseo.edu

Website: https://www.geneseo.edu/student_life/knights-harvest-pantry/