

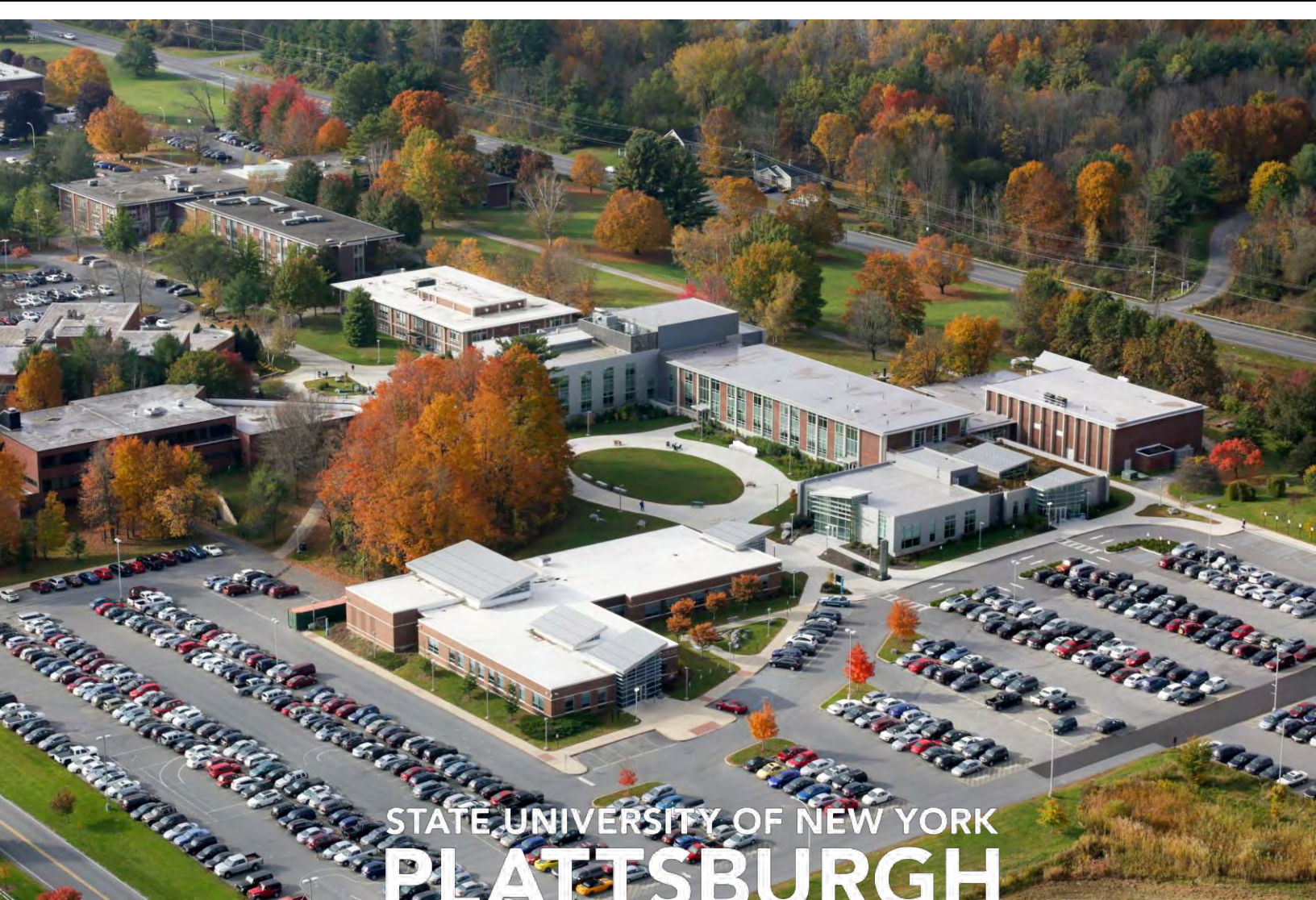
# SUNY PLATTSBURGH Branch Campus at Queensbury

## 2023 ANNUAL SECURITY & FIRE REPORT

### CAMPUS CRIME and FIRE STATISTICS

(Year 2020, 2021, and 2022)

Published at <https://www.plattsburgh.edu/plattslife/health-safety/university-police/statistics-and-resources.html> 2023 Annual Security and Fire  
Safety Report (Queensbury)



STATE UNIVERSITY OF NEW YORK  
**PLATTSBURGH**

QUEENSBURY CAMPUS

# **SUNY PLATTSBURGH at QUEENSBURY**

## **ANNUAL SECURITY and FIRE REPORT**

### **Reporting Year 2022**

The SUNY Plattsburgh Branch Campus at Queensbury (also referred to as SUNY Plattsburgh at Queensbury) is located on the campus of SUNY Adirondack (also referred to as ACC), in Queensbury, NY. Under lease and service contracts between SUNY Plattsburgh and SUNY Adirondack, SUNY Plattsburgh offers its Queensbury Campus degree programs in facilities owned and operated by SUNY Adirondack. SUNY Plattsburgh at Queensbury also operates under, and complies with, all of SUNY Adirondack's campus safety rules and regulations, including the reporting of possession and use of alcohol and controlled substances and the reporting of any criminal acts or behavior. Campus crime, arrests and referral statistics, along with any incidents and/or violations of SUNY Adirondack's campus safety rules and regulations, are reported to SUNY Adirondack, to the designated SUNY Plattsburgh officials listed below as a "Campus Security Authority," and to local law enforcement agencies.

This report is prepared by SUNY Adirondack's Public Safety Office in cooperation with local law enforcement agencies surrounding the SUNY Adirondack campus and is edited, as appropriate, by the Director and Assistant Director of the SUNY Plattsburgh at Queensbury to include the Queensbury campus and is filed, as required, by Federal Law *"to comply with the **Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act**. The law mandates that institutions receiving Title IV federal funds disseminate crime statistics for certain serious offenses that occurred on campus and in adjacent areas for the current and previous two calendar years. This report is prepared in cooperation with local law enforcement agencies surrounding our main campus and extension centers, Campus Authorities, and Public Safety. The purpose of this report is to provide our current and prospective faculty, staff, and students with campus safety information, including crime statistics and procedures to use when reporting a crime."* SUNY Plattsburgh will not retaliate or allow any retaliation toward a person(s) who reports alleged violations of this act.

Each year, an e-mail notification is sent to all enrolled SUNY Plattsburgh Queensbury Campus students, faculty, and staff that provides the web site to access this report. Paper copies of this report may also be obtained in the Office of the Director of the Queensbury Campus, located in the J. Buckley Bryan, Jr. Regional Higher Education Center. A copy may also be obtained from the Public Safety Office Room 164 of the Residence Life building.

According to federal law, SUNY Plattsburgh's Queensbury Campus is also required to identify those officials who are defined as a "Campus Security Authority" to whom the occurrence of certain criminal offenses are to be reported. Those officials at the Queensbury Campus, for the purposes of "timely warning" reports and the annual criminal statistical disclosures, include the following individuals:

- Director of the Queensbury Campus: (518) 792-5425, Ext. 105.
- Assistant Director of the Queensbury Campus: (518) 792-5425, Ext. 104.

Please note that the Queensbury Campus offices allow victims and witnesses to report crime on a voluntary, confidential basis. Judicial charges may be filed when criminal incidents occur on or off campus which have a nexus to the safety of our campus community and, thereby, potentially impede the educational mission of the campus.

## **GENERAL SECURITY & SAFETY INFORMATION**

The safety of students and college personnel is a top priority on our campus, and both SUNY Adirondack and SUNY Plattsburgh continuously strive to make improvements. Security and safety systems that are in place on the Campus include:

- Building and room card access systems
- Security alarms
- Surveillance systems
- Public Safety personnel patrolling campus 24/7
- Facilities and landscaping designed to minimize hazards
- Emergency telephones in parking lots and building corridors
- MOU's with local Sheriff's Departments
- MOU's with our partner Institutions who share our campus buildings
- SUNY Adirondack Emergency Notification System
- Fully automatic fire detection systems in all buildings
- Emergency telephones in building corridors
- Emergency telephones (Blue Light) located at;
  - East entrance sidewalk to the Residence Hall
  - North of the west door of the Regional Higher Education Building (Bryan Hall)
  - West of Washington Hall, on the upper Quad
  - North of the Gymnasium
  - South of Regional Higher Education Building, west of parking lot #4

### **Standard Access Policy**

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

Authorized College functions that take place during non-business hours are scheduled through the Facilities Office and appropriate access to required facilities will be provided for.

Over extended breaks, the doors of all halls will be secured around the clock. Some facilities may have individual hours, which may vary at different times of the year. Examples are the Gym, the Library, and the Student Center. In these cases, the facilities will be secured according to schedules developed by the department responsible for the facility.

### **Law Enforcement Authority of Campus Safety Personnel**

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

Foot and vehicle patrols are conducted on campus 24 hours per day, 365 days per year. The SUNY Adirondack Office of Public Safety's objective is to provide a safe environment and protect the lives and property of students, employees, and visitors pursued within the framework of both SUNY Adirondack and SUNY Plattsburgh College's policies, rules, and regulations and all local, state, and federal laws.

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

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

Investigation of crimes committed on campus falls under the jurisdiction of the SUNY Adirondack Public Safety Office. SUNY Adirondack Public Safety works closely with our fellow law enforcement agencies, including the Warren County Sheriff's Office, Saratoga County Sheriff's Office, Glens Falls Police Department and the New York

State Police to assist with incidents that occur on and off campus involving SUNY Adirondack and/or SUNY Plattsburgh campus students or employees.

If SUNY Adirondack Public Safety finds that a serious crime or felony has been committed, Public Safety will refer the case to Warren County Sheriff's Office; Saratoga County Sheriff's Office; and/or the New York State Police and will assist in the completion of the investigation.

## **Memorandum of Understanding (MOU)**

SUNY Adirondack and the Warren County Sheriff's Office, Saratoga County Sheriff's Office and Glens Falls Police Department have a Memorandum of Understanding (MOU) which recognizes the SUNY Adirondack Public Safety Office. Each MOU designates the respective Sheriff's Offices and Police Department as having primary law enforcement jurisdiction on all property owned, leased or under the control of the college and will provide police services on said property. A copy of these MOU's is available for review in the SUNY Adirondack Facilities Office during normal business hours.

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

## **Emergency Notifications**

If a situation arises that poses an immediate threat to the health and safety of students or employees, a SUNY Adirondack Emergency Alert will be issued to expedite emergency response and/or evacuation procedures. The goal of an Emergency Alert is to notify as many people as possible, as rapidly as possible, with adequate follow-up information as needed. Information will be disseminated via a variety of channels: The Office of Public Safety and the Marketing and Communications Department distributes information via the SUNY Adirondack Emergency Alert system broadcasts alerts via text message, recorded message via phone or email. An emergency siren is located on Scoville Hall. (The only time the siren is activated is for a situation necessitating a lockdown of the campus.) Some or all of these methods of communication will be used to provide follow-up information to the SUNY Adirondack and SUNY Plattsburgh at Queensbury community.

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

## **Timely Notifications**

In the event that a crime is reported to Public Safety or local police authorities that poses a serious or continuing threat to the SUNY Adirondack community, a timely warning (called an ADK Safety Bulletin) will be issued to the entire campus community.

The Office of Public Safety and the Marketing and Communications Department personnel will typically develop the content and will issue the warning using some or all of the systems listed below.

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

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

SUNY Adirondack will use some or all of the following systems to distribute timely warning notices: campus e-mail, internal CCTV system, building main entrances and bulletin boards, email, and text notification.

## **Daily Crime/Fire Log**

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

## **Reporting a Crime**

SUNY Adirondack encourages anyone who witnessed or has been a victim of a crime to immediately report the incident by dialing 911 or for a non-emergency, (518) 743-7233. Crimes can be reported on a voluntary, confidential basis for inclusion in the Annual Security Report. The SUNY Adirondack Office of Public Safety can file a report on the details of an incident without revealing your identity. The purpose of a confidential report is to maintain anonymity, yet it allows the Office of Public Safety to take steps to ensure your future safety and that of others. With such information, SUNY Adirondack can keep an accurate record of the number of incidents involving students, employees and visitors and alert the campus community to potential danger if necessary. Reports filed on a confidential basis are counted and disclosed in the annual crime statistics for the college.

## **Campus Reporting Agents**

SUNY Adirondack Public Safety (non-emergency)	(518) 743-7233 (SAFE) or ext. SAFE (7233)
Director of the Queensbury Campus	(518) 792-5425 ext. 105
Assistant Director of the Queensbury Campus	(518) 792-5425 ext. 104
SUNY Adirondack Dean of Students Affairs (Warren Hall)	(518) 743-2200 ext. 2277
SUNY Adirondack Counseling Center (Washington Hall)	(518) 743-2200 ext. 2278
SUNY Adirondack Residence Life & Housing Office	(518) 832-7785
SUNY Adirondack Human Resources (Washington Hall)	(518) 743-2257
SUNY Adirondack Saratoga Administrative Suite	(518) 584-3959



## **Incapacitated or Unable to Report**

Lacking a request not to prosecute, in cases where the victim of a crime is incapacitated or otherwise unable to report a crime, the SUNY Adirondack Office of Public Safety will act upon the investigation as if the victim requested a full investigation. Until otherwise advised by the victim.

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

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

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

## **OFF CAMPUS ORGANIZATION**

Neither SUNY Adirondack nor SUNY Plattsburgh at Queensbury operates off-campus housing or off-campus student organization facilities.

## **CRIME PREVENTION PROGRAMS**

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

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

SUNY Plattsburgh assists students and employees in creating an environment that supports intellectual, social, personal growth, and promotes health and safety. The College offers many opportunities for campus-wide programming at various times throughout the year. These education programs include primary prevention and awareness programs for all incoming students and new employees to promote the awareness of criminal behavior, rape, dating violence, domestic violence, sexual assault, and stalking.

These education programs include: a statement that these crimes are prohibited at the College; definitions of consent, domestic violence, dating violence, sexual assault, and stalking in the College's jurisdiction; safe and positive bystander intervention when there's a risk of one of those incidents; information on risk reduction to recognize warning signs of abusive behavior and avoiding potential attacks; and information about disciplinary procedures. Educational programs provide information on College policies and regulations, procedures and practices for when violence occurs, and how to prevent future violence.

### **Examples of Educational Programs**

The Title IX Office provides a variety of programming and training for SUNY Plattsburgh annually. Training topics include, but are not limited to, Title IX as a Resource, Sexual Assault/Harassment Services, LGBTQ Rights and Resources, Bystander Intervention, Social Justice and Diversity Reform and Healthy Communication. Title IX provides trainings for students, faculty, staff and visitors of the campus. Educational sessions such as bystander intervention and healthy communication helps to reframe violence and promote a community that is accountable for their own security and security of others.

### **Onboarding Education**

Onboarding education is provided annually to first year students, transfer, and graduate students. These programs provide information on a wide variety of topics to prospective students, parents, and residence hall staff. Part of

orientation consists of presentations on sexual assault, domestic violence, alcohol abuse, and bystander intervention utilizing various aspects of the above described curriculums.

## **EMERGENCY RESPONSE PLANNING**

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

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

### **Evacuation**

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

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

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

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

Public Safety and Facilities staff is trained on an annual basis in regard to evacuation procedures.

## **BIAS CRIMES PREVENTION**

It is a SUNY Adirondack and SUNY Plattsburgh mandate to protect all members of the campus community by preventing and prosecuting bias or hate crimes that occur within the campus' jurisdiction.

Hate crimes, also called bias crimes or bias-related crimes, are criminal activity motivated by the perpetrator's bias or attitude against an individual victim or group based on perceived or actual personal characteristics, such as their race, color, national origin, religion, creed, age, disability, sex, gender identity or expression, sexual orientation, familial status, pregnancy, predisposing genetic characteristics, military status, domestic violence victim status, or criminal conviction. Hate/bias crimes have received renewed attention in recent years, particularly since the passage of the Federal Hate/Bias Crime Reporting Act of 1990 and the New York State Hate Crimes Act of 2000 (Penal Law Article 485). Copies of the New York law are available from SUNY Adirondack's Office of the Dean for Student Affairs or the Office of the Director of SUNY Plattsburgh at Queensbury.

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

In addition to preventing and prosecuting hate/bias crimes, SUNY Adirondack and SUNY Plattsburgh also assist in addressing bias-related activities that do not rise to the level of a crime. These activities, referred to as bias incidents and defined by SUNY Adirondack as acts of bigotry, harassment, or intimidation directed at a member or group within the SUNY Adirondack campus community based on national origin, ethnicity, race, age, religion, gender identity or expression, sex, sexual orientation, disability, military status, color, creed, or familial status, pregnancy, predisposing genetic characteristics, domestic violence victim status, or criminal conviction may be addressed through the State University's Discrimination Complaint Procedure or the Campus Code of Conduct. Bias incidents can be reported to

SUNY Adirondack's Dean for Student Affairs, Director of Human Resources, or the Office of the Director of SUNY Plattsburgh at Queensbury.

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

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

For general information on SUNY Adirondack security procedures, contact the Office of Public Safety at 518-793-7233. Further information about bias-related and bias crimes, including up-to-date statistics on bias crimes is available from the Office of SUNY Adirondack's Dean for Student Affairs at (518) 743-2200 ext.2277 or the Office of the Director of SUNY Plattsburgh at Queensbury (518) 792-5425.

## CAMPUS CRIME STATISTICS

### Campus Locations

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

On Campus: includes all offenses reported on the SUNY Adirondack campus property and in campus buildings used or leased by the SUNY Plattsburgh Queensbury campus.

Non-Campus: includes property owned or leased by SUNY Adirondack outside campus boundaries. These properties include properties used or leased by SUNY Plattsburgh at Queensbury. Such property includes the Saratoga Center located at 696 State Rt. 9, Wilton NY, the Culinary Center located at 14 Hudson Ave, Glens Falls NY and Crockwell Pond located on East Sanford Street in the City of Glens Falls.

SUNY Plattsburgh at Queensbury will also, from time-to-time, hold classes at the following locations:

- The Career and Technical Education Center of the Washington-Saratoga-Warren-Hamilton-Essex BOCES (Board of Cooperative Educational Services), located at 15 Henning Road, Saratoga Springs, NY 12866.

Judicial charges may be filed when criminal incidents occur on or off campus which have a nexus to the safety of our campus community and thereby, potentially impede the educational mission of the campus. Judicial charges may also be filed if recognized SUNY Plattsburgh at Queensbury student groups, organizations, etc. are involved in criminal incidents, which occur off campus.

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

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

### Campus Crime Report

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

OFFENSE	YEAR	GEOGRAPHIC LOCATION				
		ON-CAMPUS PROPERTY	ON- CAMPUS STUDENT HOUSING FACILITIES	NON- CAMPUS PROPERTY	PUBLIC PROPERTY	UNFOUNDED
	2020	0	0	0	0	0



MURDER AND NON-NEGLIGENT MANSLAUGHTER	2021	0	0	0	0	0
	2022	0	0	0	0	0
MANSLAUGHTER BY NEGLIGENCE	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
ARSON	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
ROBBERY	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
AGGRAVATED ASSAULT	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
BURGLARY	2020	0	0	0	0	0
	2021	1	0	0	0	0
	2022	0	0	0	0	0
MOTOR VEHICLE THEFT	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	1	0	0	0	0
SEX OFFENSES (RAPE)	2020	0	0	0	0	0
	2021	1	1	0	0	0
	2022	1	1	0	0	0
SEX OFFENSES (FONDLING)	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	3	3	0	0	0
SEX OFFENSES (INCEST)	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
SEX OFFENSES (STATUTORY RAPE)	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
DATING VIOLENCE	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
DOMESTIC VIOLENCE	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
STALKING	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0

## ARRESTS

LIQUOR LAW VIOLATIONS	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	1	0
DRUG RELATED	2020	0	0	0	0	0

	2021	0	0	0	0	0
	2022	1	1	0	0	0
WEAPONS VIOLATIONS	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0

### DISCIPLINARY REFERRALS

LIQUOR LAW VIOLATIONS	2020	1	1	0	0	0
	2021	5	5	0	0	0
	2022	48	48	0	0	0
DRUG RELATED	2020	6	6	0	0	0
	2021	1	1	0	0	0
	2022	15	14	0	0	0
WEAPONS VIOLATIONS	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	3	2	0	0	1

### ADDITIONAL HATE CRIME RELATED OFFENSES

LARCENY-THEFT	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
SIMPLE ASSAULT	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
INTIMIDATION	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
DESTRUCTION/DAMAGE/VANDALISM OF PROPERTY	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0

2022 Weapons Violation Disciplinary Referral: 1 Weapons violation deemed unfounded by SUNY Adirondack Public Safety (Sworn NYS Peace Officer Status). 2022: 2 additional weapons violation disciplinary referrals: Weapon determined to be pellet handgun by Warren County Sheriff's Office.

### DEFINITIONS OF THE ABOVE CRIMINAL ACTIONS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**Stalking** - When a person intentionally, and for not 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.

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

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

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

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

## **STATEMENT OF PUBLIC ORDER**

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

## **Students' Bill of Rights**

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

All students have the right to:

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

## **Options in Brief**

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

- Receive resources, such as counseling and medical attention;

- Confidentially or anonymously disclose a crime or violation (for more detailed information on confidentiality and privacy, see *Options for Confidentially Disclosing Sexual Violence*);
- Make a report to:
  - An employee with the authority to address complaints, including SUNY Plattsburgh's Title IX Coordinator, the SUNY Adirondack Dean for Students and/or the Director of Human Resources;
  - Campus Public Safety;
  - Local law enforcement; and/or
  - Family or Civil Court.

SUNY Plattsburgh will not wait for the conclusion of the criminal investigation or criminal proceedings to begin its own sexual assault investigation and, if needed, will take immediate steps to protect the victim in the education setting (i.e., classroom section change if available, issue a 72-hour no contact order, housing relocation, etc.).

Copies of this Bill of Rights will be distributed annually to students, made available on SUNY Adirondack's and SUNY Plattsburgh's websites, and posted in the Residence Hall, Dining Hall, Student Center, Student Activities Office, Counseling Office, Athletics Office, Human Resources, Public Safety Office, President's Office, with all Faculty Secretaries, the Saratoga Center, and the Culinary Center. This Bill of Rights provides direction to additional resources with more detailed information, including the Sexual Violence Response Policy and the Options for Disclosing Sexual Violence.

## **College's Code of Conduct**

A student enrolling at SUNY Adirondack or SUNY Plattsburgh assumes an obligation to conduct oneself in a manner compatible with the functions of the College as an educational institution. All conduct which adversely affects the student's suitability as a member of the academic community shall result in appropriate disciplinary action. (See Code of Conduct: <https://www.plattsburgh.edu/current-students/queensbury/student-conduct-policy.html>).

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

The College's disciplinary procedures will provide a fair, prompt, and impartial process from investigation to final result. The investigation and any hearing will be conducted by those who receive annual training on issues related to crimes related to dating violence, domestic violence, sexual assault, and stalking, how to conduct an investigation, and a hearing process that protects the rights of all students involved promotes accountability. The standard of proof in these cases is preponderance of the evidence.

The disciplinary process for individuals accused of domestic violence, dating violence, sexual assault, stalking, and bias/hate crimes is as follows:

## **SUNY Plattsburgh Student Conduct System Procedures (excerpted from the Student Conduct Manual)**

### **V. STUDENT CONDUCT SYSTEM PROCEDURES:**

#### **A. STUDENT CONDUCT REFERRAL**

1. Any member of the University community may submit a conduct referral for a student when it is believed that the student has violated the Student Conduct Manual.
2. Student Conduct referrals must be submitted through the Director of Student Conduct online referral system. Members of the University Community who do not have direct access to this system must submit the referral via the Director of Student Conduct.

#### **B. CONDUCT CHARGES**

1. The Director of Student Conduct, upon receiving a referral, reviews the charges and sends notice (Review of Conduct Charges) via email, of the reported violation to the student who has been referred.
2. If the Director of Student Conduct feels that a referral does not warrant charges, the case may be dismissed after a review with the Vice President for Enrollment and Student Success (designee).
3. The Review of Conduct Charges includes the following information:
  - a. a listing and summary of the charges which includes the name of the person who submitted the charges

- b. the time, date, and location of their appointment
  - c. and a list of their rights when charged with a violation
4. Charges are forwarded to the student by the Student Conduct Office. While an academic semester is in session, the appointment for the review is generally set within 2-3 business days of receipt by the student who is being charged.

### C. REVIEW OF CONDUCT CHARGES

1. The Director of Student Conduct or designee reviews the charge(s) against the student and reviews the rights of the student. Failure to appear for the review without an attempt to reschedule within 24 hours after the scheduled appointment will result in the University proceeding in absentia.
2. The student may offer a plea of Responsible to any or all charge(s), at the time of the review. In this case, the Director of Student Conduct (designee) accepts the plea and determines the sanction that will be applied. (Except in instances referenced in Section IV, B, 2, f)
3. The student may offer a plea of Not Responsible to any or all charge(s) at the review.
  - a. The Director of Student Conduct or designee may determine that if the sanction for a violation is to be no greater than Probation with conditions, a hearing may not be justified. In such a case the Director of Student Conduct or designee will conduct an Internal Review. The Internal Review process will include the following:
    - The Respondent will be provided supervised access to the evidence presented against them.
    - The Respondent will have the ability to respond to the evidence in writing or verbally.
    - The Director of Student Conduct or designee will determine if they are Responsible or Not Responsible.

### D. ADMINISTRATIVE HEARING

1. An **Administrative Hearing**, in most cases, will be held for a student who offers a plea of Not Responsible and whose sanction would not be subject to a sanction involving relocation.
2. An **Administrative Hearing** differs from a Student Conduct Board Hearing in that only the Director of Student Conduct (designee) hears the case rather than a panel of board members. Both Administrative and Student Conduct Board Hearings are hearings with full presentation of evidence and witnesses, when applicable.
  - a. A list of intended Advisors/Witnesses along with any special accommodations (i.e. Audio/Video needs) to be considered must be submitted to the Student Conduct Office no later than **5 business days prior** to the hearing in order to be permitted at the hearing unless otherwise authorized by the Director of Student Conduct (designee).
  - b. Relevant evidence possessed by the Complainant, Respondent, and Reporting Individual that is to be used at the hearing must be submitted to the Student Conduct Office no later than **5 business days** prior to the time of the hearing in order for it to be admissible, unless authorized by the Director of Student Conduct (designee). All determinations regarding evidence presented after the deadline will be made and explained by the Director of Student Conduct (designee) to all parties.
    - i. Evidence may consist of but is not limited to: Investigative Reports, photos, various digital media, (to be submitted as agreed upon by the Student Conduct Office) written witness statements, etc.
    - ii. In order to be considered at the hearing, witness statements must include the following: date the document is signed, printed name of author, and signature of the author. Witness statements may also be emailed directly to the Student Conduct Office via the student's campus email account.
    - iii. In-person and verbal witness testimony can be presented at the time of the hearing.



- iv. All documents presented at the hearing will be retained by the Student Conduct Office as case documents and will become part of the case file.
3. In an **Administrative Hearing**, the Director of Student Conduct or designee will weigh the evidence as presented, will make a **final decision of Responsible or Not Responsible based on a preponderance of the evidence presented**, and will levy a sanction if responsibility is adjudged.

#### **E. STUDENT CONDUCT BOARD HEARING**

1. A **Student Conduct Board Hearing**, in most cases, will be held for a student who offers a plea of Not Responsible to a violation which could involve a sanction that includes relocation. A student who offers a plea of Not Responsible to an allegation that might result in relocation may request an Administrative Hearing. The sole discretion lies with the Director of Student Conduct (designee) to determine whether an Administrative Hearing may be held rather than a Student Conduct Board Hearing.
2. Both Administrative and Student Conduct Board Hearings are hearings with full presentation of evidence and witnesses (when applicable).
  - a. A list of intended Advisors/Witnesses along with any special accommodations to be considered must be submitted to the Student Conduct Office no later than **5 business days prior** to the hearing in order to be permitted at the hearing unless otherwise authorized by the Director of Student Conduct (designee).
  - b. Relevant evidence possessed by the Complainant, Respondent, and Reporting Individual that is to be used at the hearing must be submitted to the Student Conduct Office no later than **5 business days** prior to the time of the hearing in order for it to be admissible, unless authorized by the Director of Student Conduct (designee). All determinations regarding evidence presented after the deadline will be made and explained by the Director of Student Conduct (designee) to all parties.
    - i. Evidence may consist of but is not limited to: Investigative Reports, photos, various digital media, (to be submitted as agreed upon by the Student Conduct Office) written witness statements, etc.
    - ii. In order to be considered at the hearing, witness statements must include the following: date the document is signed, printed name of author, and signature of the author. Witness statements may also be emailed directly to the Student Conduct Office via the student's campus email account.
    - iii. In-person and verbal witness testimony can be presented at the time of the hearing.
    - iv. All documents presented at the hearing will be retained by the Student Conduct Office as case documents and will become part of the case file.
3. In the case of a student who offers a plea of Not Responsible, the Student Conduct Board makes a **final decision of Responsible or Not Responsible based on a preponderance of the evidence presented**.
4. A consensus decides the issue.
5. Once responsibility has been determined by the Student Conduct Board, the Board recommends appropriate sanction(s) to the Director of Student Conduct (designee). The sanction will be determined as soon as reasonably possible after the adjournment of the hearing.
6. In cases where a student has been found Responsible for a violation of any of the following sections: **6, Dating and Domestic Violence, 22, Sexual Violence, and 23, Stalking, Sexual Harassment, Sexual Exploitation**; the Respondent, Complainant and the Reporting Individual have the right to submit an Impact Statement prior to the Director of Student Conduct (designee) deciding appropriate sanctions. The Complainant, Respondent, and Reporting Individual shall also receive simultaneous notice of the results and sanctions imposed (and the rationale for the result and sanctions), as well as notice of the procedures for submitting an

appeal, any possible changes to the result that may occur before it becomes final, and when the result becomes final.

## F. STUDENT CONDUCT APPEALS

An appeal is the process to request a review of the original student conduct outcome. The Respondent has the right to submit one request for appeal to the Student Conduct Office. An appeal does not rehear a student conduct case, but rather, determines if the conclusion reached in the original case is valid based on substantiation of a procedural error, new evidence, or the severity of the sanction. Note: Per the definition of “Reporting Individual” in Section I of this document, cases involving Sexual Misconduct (Stalking, Sexual Harassment, Sexual Exploitation, Sexual Violence, Dating Violence, and Domestic Violence) are the only cases where a Reporting Individual may request an appeal.

There is only one level of appeal permitted for each case.

### 1. Appeal Grounds

An application for appeal may only be filed on the grounds below and must meet at least one of the four standards to qualify for appeal.

- a) **Procedural Error:** Procedural error occurs when the policies outlined in Student Conduct Manual are not followed, and as a result, the outcome of the case was significantly impacted. A procedural error and its impact on the case outcome must be clearly described in the appeal.
- b) **New Evidence:** This refers to new evidence that was unavailable during the original hearing or investigation that could significantly affect the original finding or sanction. A summary of the new evidence and its potential impact must be included. This does not include information available but not disclosed at the Student Conduct Board Hearing by choice (i.e., opting not to disclose information for any reason).
- c) **Sanction Involves Relocation:** Any case where the Respondent has been found Responsible (via a plea or as a result of a hearing) and the sanction involves their relocation, loss of residence license, Suspension, or Dismissal may have their sanction reviewed.
- d) **Sanction Severity: (For cases involving charges of Stalking, Sexual Harassment, Sexual Exploitation, Sexual Violence, Dating Violence, and Domestic Violence only)** A sanction imposed as a result of the original Student Conduct hearing that is significantly outside of the parameters of the Sanction Guidelines may be appealed. Evidence must show that the sanction is inappropriate based on the infraction, according to the Sanction Guidelines per the link in Section VI of this document.

### 2. Appeal Procedure

- a) A request for appeal must be submitted electronically as an attachment within **5 business days** of when the Outcome Letter was sent. Requests for an appeal may not be submitted by anyone other than the Respondent (e.g., Advisors cannot submit a request for an appeal on the Respondent’s behalf). Appeals may be no longer than (2,500) words or (10) pages (including attachments). Appeals should be submitted in electronic form using ARIAL or TIMES NEW ROMAN, 12 point font, and double-spaced.
- b) Requests for an appeal are reviewed by the Vice President for Enrollment and Student Success (designee) who will determine if the appeal was submitted within the permitted time and if it meets the grounds for an appeal. The original decision and sanction will stand if the appeal is not timely or does not meet the grounds for appeal, and would thus mean the initial decision is final.
- c) If the request is timely AND meets the grounds, an Appeal Board will convene to review the appeal.

- d) Appeal outcomes are determined based on a comprehensive review of the following: the Respondent's submitted application for appeal and a review of the original case along with the rationale of the original Student Conduct hearing. A consensus will determine the Appeal Board's decision.
- e) The Appeal Board may send the case back to the Student Conduct Office for a new hearing if it is determined that there was a procedural error or if significant new evidence was presented as part of the appeal.
- f) The Appeal Board may uphold or amend the original decision.
- g) The appeal decision will be communicated to all necessary parties via campus email. This decision is final.

### 3. Appeals of Cases of Sexual Misconduct

- a) In cases of Stalking, Sexual Harassment, Sexual Exploitation, Sexual Violence, Dating Violence, and Domestic Violence, the Respondent, Complainant, and Reporting Individual (when applicable) will receive written notification detailing the outcome of the Student Conduct hearing and will have the option to submit a request for appeal or a statement of support of the hearing outcome within five business days according to the procedures described above under "Student Conduct Appeals."
- b) All submitted documentation related to the appeal will be considered concurrently. The appeal(s) shall be considered as outlined in this Section. All parties will be notified of the appeal decision within thirty days of when the appeal review took place. The decision is final.

## VI. SANCTIONS:

- A. **REPRIMAND** – A written or oral reprimand is an official statement from the Director of Student Conduct or designee to a student that a University regulation has been violated. This reprimand officially advises the student of a violation and warns that further violations may result in a more severe disciplinary action.
- B. **REPRIMAND WITH CONDITIONS** – Where appropriate, this level of written reprimand may include any or all of the following conditions:
  - a) Educational program or task – Assignment of educational program and/or appropriate task.
  - b) Loss of privileges – Removal of privileges or restriction of activities for a designated period of time.
  - c) Restitution – Reimbursement by the student to cover the cost of damage or loss or property or services. Reimbursement may be partial or complete depending on circumstances, e.g. number of people involved or degree of responsibility.
  - d) Referral – A student may be referred for an assessment or other appropriate professional help if it is believed that this can assist in avoiding further violations.
- C. **DISCIPLINARY PROBATION** – This is an official written notice that advises that the student may risk separation from the University if there are any further violations. Where appropriate, probation may include any or all of the following conditions:
  - a) Educational program or task – Assignment of educational program and/or appropriate task during the period of probation.
  - b) Loss of privileges – Removal of privileges or restriction of activities for a designated period of time, not to exceed the period of probation.

- c) Restitution – Reimbursement by the student to cover the cost of damage or loss of property or services. Reimbursement may be partial or complete depending on circumstances, e.g. number of people involved or degree of responsibility.
  - d) Referral – A student may be referred to interact with a faculty/staff member from another office or agency during the period of probation if it is believed that this can assist in avoiding further violations.
- D. **PROBATION WITH ACADEMIC CONDITION** *(This sanction can only be applied in cases of Academic Dishonesty.)* Loss of good standing as a member of the University community for a specified period. This is an official written notice that advises that the student may risk separation from the University if there are any further violations. Where appropriate, this probation may include any or all of the following conditions:
  - a) Reduction of a grade in a Course or academic activity in which the incident occurred.
  - b) Failure of the Course or academic activity in which the incident occurred.
- E. **PROBATION WITH DISMISSAL FROM AN ACADEMIC PROGRAM** *(This sanction can only be applied in cases of Academic Dishonesty.)* Loss of good standing as a member of the University community for a specified period. This is an official written notice that advises that the student may risk separation from the University if there are any further violations.
- F. **JUDICIAL REGISTRATION RECORD HOLD** – If a student fails to complete the conditions of a sanction e.g. Reflection Paper, a Judicial Registration Record Hold may be placed on their registration account. With this hold in place, the student is prohibited from participating in registration and course adjustment, requesting transcripts, and from receiving a diploma. The Student Conduct Office will remove the hold after the student has met the conditions of the sanction.
- G. **RELOCATION** – Relocation to another room on campus
- H. **LOSS OF HOUSING LICENSE** – Removal of a student from campus residence. A student removed from campus residence will be continued on probation for a specified period. A student removed from campus residence will generally forfeit the privilege of visiting the residence halls. In cases resulting in loss of Residence License, all policies, conditions, refunds, and cancellation charges as outlined in the Housing Manual will apply.
- I. **“SANCTION” HELD IN ABEYANCE** – This action can be applied to any sanction. It signifies that the sanction that has been held in abeyance will likely go into effect if the student is found to be Responsible of any additional violation of the Student Conduct Manual.
- J. **SUSPENSION** – Temporary separation from the University for a specified period. At the end of the specified period the student may apply for readmission to the University. Special conditions affecting eligibility for readmission or special conditions to be in effect upon readmission may be designated. Restitution, where appropriate, may be required of a suspended student. Suspended students may not visit the campus unless prior permission by the Director of Student Conduct has been granted. Suspended students will not receive academic credit for the semester in which the suspension occurred.
- K. **DISMISSAL** – Permanent separation from the University. Dismissed students are not welcome on the SUNY Plattsburgh campus and may not visit the campus unless prior permission by the Director of Student Conduct has been granted. If found on campus without such permission, the dismissed student will be subject to arrest for Trespass. Dismissed students will not receive academic credit for the semester in which the dismissal occurred.

#### **Resolution Agreement:**

May be an option when students are referred to the Student Conduct Office as a result of a dispute. It is generally reserved for first time and less serious violations. A Resolution Agreement is a voluntary

process that requires the commitment of all parties. The goal is to reach a written agreement to resolve the dispute and to prevent it from recurring. The Student Conduct Office will retain a record of the mediation efforts and the mediation agreement. The Student Conduct Process will proceed as it normally would if the parties fail to live up to the agreed settlement, or if resolution attempts fail to reach an agreement.

Students should be aware that while the Student Conduct actions are listed in order of severity they are not necessarily applied in that order. All actions are communicated to the student in writing. A copy of all correspondence is placed in the student's Student Conduct file. In the event that a student is found to be Responsible, a copy of the written notification is sent to appropriate University personnel. If a student is found to be Responsible for violating a University regulation pertaining to violence or non-violent sex offense, the following information will be released upon request: name of student, offense, and sanction imposed.

## **SANCTIONING ACADEMIC DISHONESTY CASES**

In Academic Dishonesty cases, the Dean of the faculty where the course was held or the incident occurred, in consultation with the Director of Student Conduct and the Dean of the Faculty of the student's major, determines the sanction to be applied if the student is found responsible. In determining sanctions, this group must take into account any previous cases of academic dishonesty by the student in question, as evidenced by records held in the Student Conduct Office.

Please see appendix C for more information: "Student Conduct Sanctioning Guideline." This information can also be found on our homepage:

<https://www.plattsburgh.edu/about/offices-divisions/student-affairs/student-conduct/index.html>

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

SUNY Adirondack and SUNY Plattsburgh consider domestic violence, dating violence, sexual assault, sexual harassment, and stalking to be extremely serious violations of our Codes of Conduct. In cases where an accused individual is found responsible, they may be subject to suspension or dismissal from the College.

Per New York State legislation (129-B), when Code of Conduct violations involve incidents of violence that meet the reporting requirements for the Clery Act (including, but not limited to, domestic violence, dating violence, sexual assault and stalking), a transcript notation will be issued to any student suspended or dismissed from the College after a finding of responsibility, as well as to any student who withdraws from the institution with such conduct charges pending. The full Transcript Notation Policy can be found at:

<http://catalog.sunyacc.edu/content/transcript-notation-policy>.

## **Retaliation**

- A. No member of the SUNY Adirondack or SUNY Plattsburgh community may retaliate against, intimidate, threaten, coerce, or otherwise discriminate against persons involved in a sexual misconduct investigation and/or disciplinary proceeding, including the reporting individual, the accused person, and/or any witnesses.
- B. Both the reporting individual and the accused person have the right to choose whether to disclose or discuss the outcome of a conduct hearing. However, it should be noted that this does not allow students to unreasonably share private information in a manner intended to harm or embarrass another individual, or in

a manner that would recklessly do so regardless of intention. Such sharing may be retaliation, which can result in separate charges under the Code of Conduct.

- C. If you feel you have experienced retaliation related to an incident of sexual misconduct, please contact the SUNY Adirondack Title IX Coordinator, or the SUNY Plattsburgh Interim Title IX Coordinator, William Boerner at (518) 564-3281, [Title.IX@plattsburgh.edu](mailto:Title.IX@plattsburgh.edu).

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

The health and safety of every student at the State University of New York and its state-operated and community colleges is of utmost importance. SUNY Adirondack and SUNY Plattsburgh recognize that students who have been drinking and/or using drugs (whether such use is voluntary or involuntary) at the time that an incident of violence (including but not limited to domestic violence, dating violence, stalking, or sexual assault) occurs may be hesitant to report such incidents due to fear of potential consequences related to their conduct. SUNY Adirondack and SUNY Plattsburgh strongly encourage students to report any incidents of sexual or interpersonal violence to campus officials.

A bystander or reporting individual (including but not limited to the victim of violence) acting in good faith that discloses any incident of sexual or interpersonal violence to SUNY Adirondack officials or local law enforcement will not be subject to SUNY Adirondack Code of Conduct action for violations of alcohol and/or drug use policies occurring at or near the time that the violence was committed.

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

Additionally:

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

## **Policy on Sexual Misconduct**

Rape and sexual assault, including sexual abuse and sexual misconduct, constitute serious crimes. Such behavior is prohibited by New York State law (see section 130 of the New York State Penal Law) and the Student Code of Conduct. SUNY Plattsburgh also strongly condemns and prohibits sexual harassment in any form.

### **New York State “Enough is Enough” Legislation (129-B)**

New York State signed into law the most aggressive policy in the nation to fight against sexual assault on college campuses. “Enough is Enough” establishes a uniform sexual assault policy to protect New York’s college students and standardizes campus response to sexual assault. By standing up and saying “Enough is Enough,” the College makes a clear and bold statement that sexual violence is a crime, and you can be assured you have a right to have it investigated and prosecuted as such. The “Enough is Enough” legislation requires all New York State colleges to adopt a set of comprehensive procedures and guidelines, including a uniform definition of affirmative consent, a statewide amnesty policy, and expanded access to law enforcement. Students and employees have the right to report



an incident of sexual assault to University Police, local law enforcement, and/or the State Police, or choose not to report; to report the incident to the College; to be protected by the College from retaliation for reporting an incident; and to receive assistance and resources from the College. Additionally, students, faculty, and staff have the right to request concurrent investigations through the College for potential campus adjudication while also seeking support through the criminal justice system.

## **Sexual Violence Response Policy**

In accordance with the Students' Bill of Rights, reporting individuals (including but not limited to the victim) shall have the right to pursue one of the options below, more than one of the options below at the same time, or choose not to participate in any of the options below.

### **I. Reporting**

*SUNY Plattsburgh is committed to preventing sexual and interpersonal violence on campus.* Regardless of your sex, gender identification or expression, race, national origin, religion, creed, age, disability, sexual orientation, or economic class, you have a right to equal treatment on SUNY Plattsburgh Campus. If you experience or witness sexual and/or interpersonal violence, there are resources both on and off campus.

***You matter and deserve to be heard, supported, and empowered to make choices.*** If someone is in danger, call 911 or SUNY Adirondack Security at (518) 796-1344

### **Reporting Resources**

**Anonymously** report to:

- Title IX: <https://www.plattsburgh.edu/plattslife/health-safety/title-ix/report.html>

(**Note:** this is not monitored 24/7, if you need immediate help, please call 911 or law enforcement)

Disclose *confidentially* the incident to one of the following college officials, who by law maintain confidentiality, and can assist in obtaining services (more information on confidential reporting is available in the *Options for Confidentially Disclosing Sexual Violence* section of this policy):

- Holly Irion-Sweet, Licensed Mental Health Counselor 518-681-5620; [irionh@sunyacc.edu](mailto:irionh@sunyacc.edu); Washington Hall Rm 118
- Beth Braxton, Licensed Mental Health Counselor 518-743-2249; [braxtone@sunyacc.edu](mailto:braxtone@sunyacc.edu); Washington Hall Rm 113

Disclose *confidentially* an incident and obtain services from the county, state, or national hotline.

Local to SUNY Adirondack:

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

New York state:

List of New York State Hotlines by County

- New York State Police 24-Hour Hotline for Reporting Sexual Assault on a College Campus: 1-844-845-7269 (<https://www.suny.edu/violence-response/>)
- SUNY Sexual Assault & Violence Response (SAVR) Resources: Search by proximity to campus or by geographic region. (<https://www.suny.edu/violence-response/>)

- Disclosure and Assistance Options in Multiple Languages: Cataloged by the Office for Prevention of Domestic Violence 1-800-942-6906 for assistance

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

**Officially report to:**

o <i>Interim Title IX Coordinator, William Boerner:</i>	<a href="mailto:Title.IX@plattsburgh.edu">Title.IX@plattsburgh.edu</a>	(518) 564-3281
o <i>SUNY Adirondack Public Safety:</i>	(24-hr support)	(518) 796-1344
o <i>City of Glens Falls Police:</i>	(24-hr support)	(518) 761-3840
o <i>Warren County Sheriff's Department:</i>	(24-hr support)	(518) 743-2500
o <i>New York State Police:</i>	(24-hr support)	(844) 845-7269

*Reporting does not take away a person's choice to make decisions about what steps are best for them next. Whether or not someone makes the choice to move forward with campus and/or criminal charges, they have the right to access resources and accommodations. For specific information in regards to your rights, resources, current definitions, and support on campus, please visit: <https://www.plattsburgh.edu/plattslife/health-safety/title-ix/index.html>*

#### **Medical Resources (including STI or pregnancy screening)**

- **Glens Falls Hospital**, Sexual Assault Nurse Examiners (SANE), 100 Park St., Glens Falls, NY 12801 (518) 926-1000, 518-926-3147, or 911

An **evidence kit** can be completed here.

- **Planned Parenthood of Queensbury**, 543 Bay Road, Queensbury, NY 12801 (518) 792-0994

For education on topics such as consent, healthy/unhealthy relationships, **please contact our Violence Prevention Education & Outreach Coordinator:** [diversity@plattsburgh.edu](mailto:diversity@plattsburgh.edu)

**Assistance can also be obtained through:**

- Legal Momentum: <https://www.legalmomentum.org>
- NYSCASA (New York State Coalition Against Sexual Assault): <http://nyscasa.org/get-help>
- NYSCADV (New York State Coalition Against Domestic Violence): <https://www.nyscadv.org/find-help/>
- Pandora's Project: <http://www.pandys.org>
- GLBTQ Domestic Violence Project: <https://www.bwjp.org/resource-center/resource-results/glbqt-domestic-violence-project.html>
- RAINN (Rape, Abuse & Incest National Network): <http://www.rainn.org/get-help>
- Safe Horizons: <http://www.safehorizon.org>
- Note that 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 SUNY Adirondack or SUNY

Plattsburgh with any information. Reporting individuals are encouraged to additionally contact a campus confidential or private resource so that the College can take appropriate action in these cases.

- Disclose the incident to one of the following college officials who can offer *privacy* and can provide information about remedies, accommodations, evidence preservation, and how to obtain resources. These officials will also provide the information contained in the *Students' Bill of Rights*, including the right to choose when and where to report, the right to be protected by the College from retaliation, and to receive assistance and resources from the College.
- These individuals will disclose that they are private and not confidential resources; they will nevertheless protect a reporting individual's privacy to the very best of their ability. 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 officials (Warren County Sheriff's Office: (518) 743-2500; Saratoga County Sheriff's Office: (518) 885-6761.
  - Title IX Coordinator: Lottie Jameson, 518-743-7741, [jamesonl@sunyacc.edu](mailto:jamesonl@sunyacc.edu), Scoville Hall Rm 326
  - Campus Public Safety, (518) 743-7233, Residence Hall 164-166, available 24 hours a day
  - William Boerner, SUNY Plattsburgh Interim Title IX Coordinator, 110 Angell College Center (SUNY Plattsburgh Main Campus), (518) 564-3281, ([Title.IX@plattsburgh.edu](mailto:Title.IX@plattsburgh.edu))
- File a criminal complaint with SUNY Adirondack Public Safety and/or with local law enforcement and/or state police:
  - Campus Public Safety: (518) 743-7233, Residence Hall 164-166, available 24 hours a day;
  - Warren County Sheriff's Office: (518) 743-2500, 1400 State Route 9, Lake George, NY 12845;
  - Saratoga County Sheriff's Office: (518) 885-6761, 6010 County Farm Road, Ballston Spa, NY 12020; and/or
  - New York State Police 24-Hour Hotline to report sexual assault on a New York college campus: 1-(844)845-7269.
- Receive assistance from the Title IX Coordinator and/or Director of Public Safety in initiating legal proceedings in family or civil court.
- File a report of sexual assault, domestic violence, dating violence and/or stalking, and/or talk to the Title IX Coordinator for information and assistance. Reports will be investigated in accordance with SUNY Adirondack and SUNY Plattsburgh policies and the reporting individual's identity shall remain private at all times if said reporting individual wishes to maintain privacy. If a reporting individual wishes to keep his/her identity anonymous, he or she may call the Title IX Coordinator anonymously to discuss the situation and available options:
  - Lottie Jameson, 518-743-7741, [jamesonl@sunyacc.edu](mailto:jamesonl@sunyacc.edu), Scoville Hall Rm 326;
  - William Boerner, SUNY Plattsburgh Interim Title IX Coordinator, SUNY Plattsburgh Main Campus, (518) 564-3281, [Title.IX@plattsburgh.edu](mailto:Title.IX@plattsburgh.edu))
- When the accused is an employee, a reporting individual may also report the incident to the SUNY Adirondack or SUNY Plattsburgh Office of Human Resources or may request that one of the above referenced confidential or private employees assist in reporting to Human Resources. Disciplinary proceedings will be conducted in accordance with applicable collective bargaining agreements. When the accused is an employee of an affiliated entity or vendor of the College, college officials will, at the request of the reporting individual, assist in reporting to the appropriate office of the affiliated entity or vendor, and, if the response is not sufficient, assist in obtaining a persona non grata letter, subject to legal requirements and College policy.
  - Associate VP of Human Resources: Mindy Wilson, (518) 743-2252, [wilsonm@sunyacc.edu](mailto:wilsonm@sunyacc.edu), Washington Hall Rm 105
  - Sarah Reyell, SUNY Plattsburgh Director, Human Resource Services, Kehoe 0912 (Plattsburgh Main Campus), (518) 564-5062, [sarah.reyell@plattsburgh.edu](mailto:sarah.reyell@plattsburgh.edu))
- You may withdraw your complaint or involvement from the SUNY Adirondack or SUNY Plattsburgh process at any time.
- Every 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 individual:

- **“You have the right to make a report to Campus Public Safety, local law enforcement, and/or state police; to choose not to report; to report the incident to the College; to be protected by the College from retaliation for reporting an incident; and to receive assistance and resources from the College.”**

## II. Resources

- To obtain effective intervention services:
  - Counseling Office: Washington Student Services Wing of Warren Hall, (518) 743-2278 <http://www.sunyacc.edu/student-life/counseling-center> . Seeing a SUNY Adirondack counselor is always free of charge to students. Additionally, the SUNY Adirondack Counseling Office can help you make arrangements to see an off-campus counselor free of charge for up to eight (8) sessions.
  - Sexual contact can transmit Sexually Transmitted Infections (STIs) and may result in pregnancy. Testing for STIs is available through Warren and Washington County Public Health and/or Rape Crisis Services free of charge (Saratoga County Wellspring also offers STI testing free of charge but you *must* be a Saratoga County resident). Students can receive Emergency Contraceptive from Planned Parenthood Glens Falls at (518) 792-0994; 543 Bay Road, Queensbury, NY 12804.
  - Additional resources to assist victims:
    - Warren County Rape Crisis 24-Hour Hotline: 1-888-307-4086 (through the Warren County Victim Assistance Program at the Warren County Municipal Center, 1340 State Route 9, Lake George, NY 12845);
    - Warren County Victim Assistance Program: (518) 761-6475 (Warren County Victim Assistance Program at the Warren County Municipal Center, 1340 State Route 9, Lake George, NY 12845)
    - Warren County Domestic Violence 24-Hour Hotline: (518) 793-9496 (through the Warren County Victim Assistance Program at the Warren County Municipal Center, 1340 State Route 9, Lake George, NY 12845);
    - Warren County Public Health: (518) 761-6580 (Warren County Public Health at the Warren County Municipal Center, 1340 State Route 9, Lake George, NY 12845)
    - Washington County Public Health: (518) 746-2400 (Washington County Public Health, 415 Lower Main Street, Hudson Falls, NY 12839)
    - Saratoga County Wellspring Victim Services 24-hour Hotline: (518) 584-8188
    - Wellspring: (518) 583-0280 (Wellspring Services for Victims of Domestic Violence and Sexual Assault, 2816 US-9, Malta, NY 12020)
    - Glens Falls Hospital SANE (Sexual Assault Nurse Examiner) in the Emergency Department at GFH: (518) 926-3000 (Glens Falls Hospital, 100 Park Street, Glens Falls, NY 12801)
    - List of NYS SANE Services by County  
<https://www.criminaljustice.ny.gov/ofpa/sanepage.htm>
  - Within 96 hours of an assault, you can get a Sexual Assault Forensic Examination (commonly referred to as a “rape kit”) at a hospital. The Glens Falls Hospital SANE Program offers these exams. While there should be no charge for a sexual assault forensic exam, 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 (OVS) may be able to assist in compensating victims/survivors for health care and counseling services, including emergency funds. More information may be found here: <https://ovs.ny.gov/forensic-rape-examination-free-direct-reimbursement-program>, or by calling OVS at 1-800-247-8035. A list of OVS services can be found here: <https://ovs.ny.gov/help-crime-victims>.
  - To best preserve evidence, victims/survivors 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.

### III. Protections and Accommodations

The following protections and accommodations are available through SUNY Adirondack and SUNY Plattsburgh.

- When the accused is a student, SUNY Adirondack or SUNY Plattsburgh can issue a “No Contact Order,” consistent with college policy and procedure, meaning that for the accused to continue contacting the protected individual is a violation of college policy subject to additional conduct charges.
- If the accused and a protected person observe each other in a public place, it is the responsibility of the accused to leave the area immediately and without directly contacting the protected person.
- If appropriate, the College may establish a schedule for parties seeking to use the same facilities without running afoul of the No Contact Order.
- Both the accused/respondent and reporting individual may request a prompt review, reasonable under the circumstances and consistent with SUNY Adirondack or SUNY Plattsburgh policies and procedures, of the need for and terms of a No Contact Order, including requests to modify the terms of or discontinue the Order. Parties may submit evidence in support of their request to the SUNY Adirondack Dean for Student Affairs or the Director of SUNY Plattsburgh at Queensbury.
- Assistance from SUNY Adirondack Public Safety and the SUNY Adirondack or SUNY Plattsburgh Title IX Coordinator in initiating legal proceedings in family or civil court, including but not limited to obtaining an Order of Protection or, if outside of New York State, an equivalent protective or restraining order.
- A copy of the Order of Protection or equivalent, and an opportunity to meet or speak with a SUNY Adirondack or SUNY Plattsburgh college official, or to be connected with an outside resource, who can explain the order and answer questions about it, including an explanation of the consequences for violating these orders (including but not limited to arrest, additional conduct charges, and temporary suspension) and information from the Order about the accused’s responsibility to stay away from the protected person(s), as that burden does not rest on the protected person(s).
  - Assistant Director of Public Safety Wendell Vaisey: 518-832-7791; [vaiseyw@sunyacc.edu](mailto:vaiseyw@sunyacc.edu)
  - SUNY Adirondack Title IX Coordinator: 518-832-7741; [jamesonl@sunyacc.edu](mailto:jamesonl@sunyacc.edu)
  - To speak to a SUNY Plattsburgh official, please contact Emma Bartscherer, Director of SUNY Plattsburgh at Queensbury (518) 792-5425, or [ebart004@plattsburgh.edu](mailto:ebart004@plattsburgh.edu). Please have a copy of your Order of Protection for reference.
- Assistance from SUNY Adirondack Public Safety in effecting an arrest when an individual violates an Order of Protection or, if outside New York State, an equivalent protective or restraining order within the jurisdiction of SUNY Adirondack Public Safety or, if outside of the jurisdiction of SUNY Adirondack Public Safety, to call on and assist local law enforcement in effecting an arrest for violating such an order.
- When the accused is a student and presents a continuing threat to the health and safety of the community, to have the accused subject to temporary suspension pending the outcome of a conduct process.
- Both the accused/respondent and reporting individual may request a prompt review, reasonable under the circumstances and consistent with SUNY Adirondack or SUNY Plattsburgh policies and procedures, of the need for and terms of a temporary suspension, including requests to modify the terms of or discontinue the suspension. Parties may submit evidence in support of their request to the SUNY Adirondack Dean for Student Affairs or the Director of SUNY Plattsburgh at Queensbury.
- When the accused is not a student but is a member of the college community and presents a continuing threat to the health and safety of the community, to subject the accused to interim measures in accordance with applicable collective bargaining agreements, employee handbooks, and SUNY Adirondack or SUNY Plattsburgh policies and rules.
- When the accused is not a member of the college community, to have assistance from SUNY Adirondack Public Safety, or other college officials, in obtaining a persona non grata letter subject to legal requirements and SUNY Adirondack or SUNY Plattsburgh college policy.
- To obtain reasonable and available interim protective measures and accommodations that effect a change in academic, housing, employment, transportation, or other applicable arrangements in order to ensure safety, prevent retaliation, and avoid an ongoing hostile environment.
- Both the accused/respondent and reporting individual may request a prompt review, reasonable under the circumstances and consistent with SUNY Adirondack or SUNY Plattsburgh policies and procedures, of the need for and terms of any interim measure and accommodation that directly affects him or her. Parties may

submit evidence in support of their request to the SUNY Adirondack Dean for Student Affairs or Title IX coordinator.

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:

- SUNY Adirondack Title IX Coordinator, 518-743-7741
- William Boerner, SUNY Plattsburgh Interim Title IX Coordinator, SUNY Plattsburgh Main Campus, (518) 564-3281, [Title.IX@plattsburgh.edu](mailto:Title.IX@plattsburgh.edu))

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

## **Affirmative Consent**

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

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

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



## Options for Confidentially Disclosing Sexual Violence

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

In this Policy:

- I. Privileged and Confidential Resources
- II. Non-Professional Counselors and Advocates
- III. Privacy vs. Confidentiality
- IV. Requesting Confidentiality: How the College Will Weigh the Request and Respond
- V. Public Awareness/Advocacy Events
- VI. Anonymous Disclosure
- VII. Institutional Crime Reporting

### I. 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 Adirondack and SUNY Plattsburgh, this includes:

- SUNY Adirondack Counseling Center: **Holly Irion-Sweet**, Licensed Mental Health Counselor (518-681-5620; [irionh@sunyacc.edu](mailto:irionh@sunyacc.edu); Washington Hall 118);
- **Beth Braxton**, Licensed Mental Health Counselor (518-743-2249; [braxtone@sunyacc.edu](mailto:braxtone@sunyacc.edu); Washington Hall Rm 113)
- SUNY Plattsburgh: William Boerner, SUNY Plattsburgh Interim Title IX Coordinator, SUNY Plattsburgh Main Campus, (518) 564-3281, [Title.IX@plattsburgh.edu](mailto:Title.IX@plattsburgh.edu))

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

- Off-campus counselors and advocates: 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.
  - Planned Parenthood 24-Hour Rape Crisis Hotline: 866-307-4086
  - Domestic Violence Project 24-Hour Hotline: 518-793-9496
  - Saratoga County Wellspring Victim Services 24-Hour Hotline: 518-584-8188
- Off-campus health care providers:
  - Glens Falls Hospital SANE Program in the Emergency Department: 518-926-3000; 100 Park St.; Glens Falls, NY 12801
  - Saratoga Hospital SANE Program in the Emergency Department: 518-583-8313; 211 Church St., Saratoga Springs, NY 12866
  - Planned Parenthood Mohawk Hudson, Glens Falls Center: 518-792-0994; 135 Warren St., Glens Falls, NY 12801
  - Warren County Public Health: 518-761-6580; Warren County Municipal Center, 1340 state Route 9, Lake George, NY 12845

- Washington County Public Health: 518.746.2400; Washington County Annex Building, 415 Lower Main St., Hudson Falls, NY 12839
- Saratoga County Public Health: 518-584-7460, ext. 8365; Saratoga Community Health Center, 24 Hamilton St., Saratoga Springs, NY 12866
- You MUST be a Saratoga County resident to utilize this clinic. Otherwise, please contact Warren or Washington County Public Health Services who will assist any SUNY Adirondack student regardless of county of residence. Note that medical office and insurance billing practices may reveal information to the insurance policyholder, including medication and/or examinations paid for or administered.
- In the event that you choose to have a sexual assault forensic exam, we strongly encourage calling the Planned Parenthood Victim Advocacy Services 24-Hour Hotline (866-307-4086) or Saratoga County Wellspring Victim Services 24-Hour Hotline (518-584-8188). One of their trained staff members can attend the exam with you as your advocate, offer support and advise you through the process, including making sure your health insurance is not billed.
- If you do not utilize advocacy services, you are encouraged to let hospital personnel know if you do not want your insurance policyholder to be notified about your access to these services.
- The New York State Office of Victim Services (OVS) may be able to assist in compensating victims/survivors for health care and counseling services, including emergency compensation. More information may be found on OVS's webpage for the Forensic Rape Examination (FRE) Direct Reimbursement Program (<https://ovs.ny.gov/forensic-rape-examination-fre-direct-reimbursement-program>), or by calling OVS at 800-247-8035.
- A list of additional services offered by OVS: <https://ovs.ny.gov/>

\*Note that even individuals who can typically maintain confidentiality are subject to exceptions under the law, including the mandatory reporting of child abuse.

## II. Non-Professional Counselors and Advocates

Non-Professional counselors (those who are not licensed mental health counselors) and advocates can also assist you without sharing information that could identify you. At SUNY Adirondack, this includes members of the Counseling Center, Washington Hall 117, (518) 743-2278; or [counseling@sunyacc.edu](mailto:counseling@sunyacc.edu) to schedule an appointment. At SUNY Plattsburgh at Queensbury, this includes the Director and the Assistant Director (518) 792-5425. These individuals will report the nature, date, time and general location of an incident to SUNY Adirondack's or SUNY Plattsburgh's Title IX Coordinators, 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.

## III. Privacy vs. Confidentiality

SUNY Adirondack and SUNY Plattsburgh offices and employees that cannot guarantee *confidentiality* will maintain your *privacy* to the greatest extent possible. The information you provide to a non-confidential resource will be relayed to the Title IX Coordinator or designee (who is responsible for tracking patterns and spotting systemic issues) and will be used only as necessary to investigate and/or seek a resolution. SUNY Adirondack and SUNY Plattsburgh will limit the disclosure, as much as possible, even if the Title IX Coordinator determines that a request for confidentiality cannot be honored due to unsafe or discriminatory circumstances. For more information on how SUNY Adirondack or SUNY Plattsburgh weigh requests for confidentiality, see below.

## IV. Requesting Confidentiality: How the College Will Weigh the Request and Respond

If you disclose an incident to a SUNY Adirondack or a SUNY Plattsburgh employee who is responsible for responding to or reporting sexual violence or sexual harassment, but wish to maintain confidentiality or do not consent to SUNY Adirondack or SUNY Plattsburgh'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 Title IX Coordinator (Lottie Jameson, 518-743-7741, [jamesonl@sunyacc.edu](mailto:jamesonl@sunyacc.edu), or Scoville Hall Rm 326) can serve as a primary point of contact to assist with these measures.

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 the College's failure to act does not adequately mitigate the risk of harm to you or other members of the SUNY Adirondack community. Honoring your request for confidentiality may limit our ability to meaningfully investigate and pursue conduct action against an accused individual.

When you disclose an incident to someone who is responsible for responding to and/or reporting sexual violence or sexual harassment but wish to maintain confidentiality, SUNY Adirondack will consider many factors to determine whether the College must proceed despite your 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 such as security footage; and
- Whether the report reveals a pattern of perception at a given location or by a particular group.

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

## **V. Public Awareness/Advocacy**

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

## **VI. Anonymous Disclosure**

- If a reporting individual wishes to keep his/her identity anonymous, he or she may call the Title IX Coordinator anonymously to discuss the situation and available options: Lottie Jameson, 518-743-7741, SUNY Adirondack, SUNY Plattsburgh, William Boerner, 518-564-3281 or online: <https://www.plattsburgh.edu/plattslife/health-safety/title-ix/report.html>
- You may also call the New York State Hotline for Sexual Assault and Domestic Violence: 1-800-942-6906. Note that the Hotline is for crisis intervention, resources, and referrals and is *not* a mechanism for reporting an incident.

## VII. Institutional Crime Reporting

Reports of certain crimes occurring in certain geographic locations will be included in the SUNY Adirondack and SUNY Plattsburgh Clery Act Annual Security Report in an anonymous manner that neither identifies the specifics of the crime nor the identity of the reporting individual and/or victim/survivor. You may contact the campus Title IX Coordinator, at any time, with questions about this reporting (Lottie Jameson; SUNY Adirondack, (518) 518-743-7741; [titleix@sunyacc.edu](mailto:titleix@sunyacc.edu); Washington Hall Rm 105); William Boerner, SUNY Plattsburgh Interim Title IX Coordinator, SUNY Plattsburgh Main Campus, (518) 564-3281, [Title.IX@plattsburgh.edu](mailto:Title.IX@plattsburgh.edu))

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

The Family Educational Rights and Privacy Act (FERPA) allows the College the option to share information with parents when:

- There is a health or safety emergency; or
- When the student is a dependent on either parents' prior year federal income tax return.

Generally, SUNY Adirondack or SUNY Plattsburgh will not share information about a report of sexual violence with parents without the permission of the reporting individual.

## Student Onboarding and Ongoing Education

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

All new first-year and transfer students will receive training on the following topics:

- SUNY Adirondack and SUNY Plattsburgh prohibit sexual harassment, including: sexual violence, domestic violence, dating violence, stalking, or other violence or threats of violence. The SUNY Adirondack and SUNY Plattsburgh 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;
- These policies apply equally to all students regardless of sexual orientation, gender identity, or gender expression;
- The role of the Title IX Coordinator, SUNY Adirondack Campus Public Safety, and other relevant offices that address violence prevention and response;
- Awareness of violence, its impact on victims/survivors, and their friends and family and its long term impact;
- The Students' Bill of Rights and the Sexual Violence Response Policy, including:
  - How to report sexual violence and other crimes confidentially, to SUNY Adirondack, and/or to College SUNY Plattsburgh officials, campus public safety, and local law enforcement; and
  - How to obtain services and support;
  - Bystander intervention and the importance of taking action, when one can safely do so, to prevent violence;

- The protections of the Policy on Alcohol and/or Drug Use Amnesty in Sexual and Interpersonal Violence Cases;
- Risk assessment and reduction, including but not limited to steps that potential victims/survivors and potential assailants and bystanders to violence can take to lower the incidence of sexual violence; and
- Consequences and sanctions for individuals who commit these crimes. Beginning in the 2015-2016 academic year, SUNY Adirondack and all SUNY state-operated and community colleges will require that student leaders and officers of registered/recognized student organizations, as well as those seeking recognition, complete training on domestic violence, dating violence, sexual assault or stalking prevention as part of the approval process.

SUNY Adirondack and SUNY Plattsburgh require that student leaders and officers of registered/recognized student organizations, as well as those seeking recognition, complete training on domestic violence, dating violence, sexual assault or stalking prevention as part of the approval process. Additionally, SUNY Adirondack requires student-athletes to complete training in domestic violence, dating violence, sexual assault, or stalking prior to participating in intercollegiate athletics.

For information about upcoming events regarding sexual violence prevention and awareness, please visit the Student Activities homepage (<https://www.sunyacc.edu/student-life/activities>).

## SEX OFFENDER REGISTRATION

In Accordance with the "Campus Sex Crimes Prevention Act" of 2000, which amends the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, The Jeanne Clery Act and Family Educational Rights and Privacy Act of 1974, the Office of Public Safety of SUNY Adirondack is providing a Link to the New York State Sex Offender Registry. This act requires institutions of higher education to issue a statement advising the campus community where law enforcement information, provided by a State concerning registered sex offenders, may be obtained. It also requires sex offenders, already required to register in a State, to provide notice to each institution of higher education in that State at which the person is employed, carries a vocation, or is a student. In the State of New York, convicted sex offenders must register with the New York State Department of Criminal Justice Services.

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

Follow the link to access the Registry web site: <http://criminaljustice.state.ny.gov/nsor/>

## SEXUAL ASSAULT AND DOMESTIC VIOLENCE LAWS

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

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

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

Section 130.40/.45/.50 – Criminal Sexual Act. This series of offenses includes oral or anal sexual conduct with a person incapable of consent because of the use of forcible compulsion or because the person is incapable of consent due to being mentally disabled, mentally incapacitated, or physically helpless. This series of offenses further includes oral or anal sexual conduct with a person under the age of consent. The penalties for violation of these sections could result in imprisonment for a period of up to 25 years.

Section 130.52 – Forcible Touching. This offense involves the forcible touching of the sexual or other intimate parts of another person for the purpose of degrading or abusing such person; or for the purpose of gratifying the actor's sexual desire. Forcible touching includes the squeezing, grabbing, or pinching of such other person's sexual or other intimate parts. The penalty for violation of this section could result in imprisonment for a period of up to 1 year.

Section 130.55/.60/.65 – Sexual Abuse. This series of offenses includes sexual contact with a person by forcible compulsion, or with a person who is incapable of consent due to being physically helpless, or due to the person being under the age of consent. The penalties for violation of these sections could result in imprisonment for a period of up to 7 years.

Section 130.65-a/.66/.67/.70 – Aggravated Sexual Abuse. This series of offenses occurs when a person inserts a finger or a foreign object in the vagina, urethra, penis, or rectum of another person by forcible compulsion, when the other person is incapable of consent by reason of being mentally disabled, mentally incapacitated, or physically helpless, or when the other person is under the age of consent. The level of this offense is enhanced if the insertion of a finger or foreign object causes injury to the other person. The penalties for the violation of these sections could result in imprisonment for a period of up to 25 years.

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

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

## **MISSING STUDENT/PERSONS POLICY**

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

### **Policy**

- A. A student will be considered missing, if the college receives a report that the student has not been seen in a reasonable amount of time. A reasonable amount of time may vary with the time of day and information



available regarding the missing person's daily schedule, habits, punctuality, and reliability. A reasonable amount of time will not exceed 24 hours. Individuals will also be considered missing immediately, if their absence has occurred under circumstances that are suspicious or cause concerns for their safety.

- B. The Warren County Sheriff's Office is responsible for investigating reports of missing person(s). The Public Safety Office may assist the Sheriff's Office by providing it with information on the missing person(s).
- C. This policy pertains to all current students of SUNY Adirondack or SUNY Plattsburgh living in the Residence Hall.

## Definitions

- A. Missing Person – An individual whose whereabouts are unknown to the reporting party. A reporting party may be a:
  - 1. parent
  - 2. guardian
  - 3. roommate
  - 4. employer/employee
  - 5. person who should reasonably know the missing person's whereabouts
- B. Missing Person's "At Risk" – Those who fall into any one of the following categories:
  - 1. victims of foul play
  - 2. persons who need medical attention
  - 3. persons physically or mentally impaired and unable to care for themselves
  - 4. victims of abduction

## Notifications

- A. A reporting party may contact one of the following offices to report a person missing:
  - 1. SUNY Adirondack Public Safety 518-743-7233
  - 2. SUNY Adirondack Residence Life 518-832-7785
  - 3. SUNY Adirondack Dean of Student Affairs 518-743-2277
  - 4. SUNY Plattsburgh at Queensbury Director 518-792-5425
- B. The Office of Public Safety shall be notified immediately. The Public Safety Officer receiving the report call must first try and determine the risk status. Persons found to be "At Risk" will require an immediate response and investigation by the local police. The Public Safety Officer will take all information from the person reporting to include a description of the student, the last time he/she was seen, and the type/color of clothing worn. The Officer will provide this information to Law Enforcement, contact the Director or Assistant Director of Public Safety and begin an Incident Report.
- C. If the missing student is found not to be "At Risk," a Public Safety Officer will take all information from the caller to include a description of the student, the last time he/she was seen, the type/color of clothing worn, complete an Incident Report and notify the Director or Assistant Director of Public Safety for further instruction.
  - 1. Upon receiving notification of a student missing who resides on campus, the Public Safety Officer will:
    - a. Respond to the missing student's room, knock and attempt to make contact with the student. If no answer, using the master key, unlock the door while announcing "Public Safety is there anyone here"? No entry will be made to the student's room/apartment without at least one of the following present: a Resident Assistant, or Resident Director, another officer or another student. If the

room/apartment is empty, note the date and time of entry and who was present at that time for recording later in the Incident Report.

- b. Talk to the neighbors next to and across from the missing student's room, to determine when was the last time they saw the missing student or heard her/him in the room.
  - c. Attempt to locate the student via telephone, Twitter, Facebook, social media or other means of electronic communications.
  - d. If the above actions are unsuccessful in locating the student within twenty four hours of the report or it is apparent immediately that the student is a missing person (e.g., witnessed abduction), the Director of Public Safety and/or Assistant Director of Public Safety will contact the Warren County Sheriff's Office to report the student as a missing person and the local law enforcement agency will take over the investigation.
- D. Notification to Key Campus Personnel – Upon receiving notification of a student missing, Campus Public Safety will make notification by phone, campus email or in person to the following key personnel on the SUNY Adirondack Campus:
1. President
  2. Dean of Student Services
  3. Vice Presidents
  4. If a Plattsburgh student, the Director of SUNY Plattsburgh at Queensbury
- E. No later than 24 hours after determining that a residential student is missing, the Dean of Student Services, or their designee, will notify the emergency contact (for students 18 and older) or the parent/guardian (for students under the age of 18) that the student is believed to be missing.
- F. In all cases of a missing student, the law enforcement agency conducting the investigation will provide information to the media that is designed to obtain public assistance in the search for any missing student. The Director of Marketing & Communications, or their designee, is available to provide consultation on communication with the investigating law enforcement agency. Any media requests to the college will be directed to the Director of Marketing & Communications.

SUNY Plattsburgh provides students with the opportunity to register a confidential missing person contact through the Queensbury Campus Office. Contact information is kept confidential only to be accessed by authorized campus officials and not disclosed except to law enforcement in cases of missing person reports.

If a faculty/staff member, student, or parent believe a student is missing they should contact one of these offices:

- The Queensbury Campus Office (518) 792-5425
- SUNY Adirondack Public Safety (518) 796-1344

Please be prepared to provide a description of the person, if possible, a photo, their local address, length of time missing, and any other pertinent information.

SUNY Plattsburgh will, within 24 hours of receiving a report of any missing student, take certain steps to locate students reported missing for 24 hours. These steps include, but are not limited to:

- Attempting to reach student via phone, twitter, Facebook, social media or other means of electronic communication;
- Contact friends, teachers, and acquaintances for any additional information that might help located missing person;
- Conduct a search, coordinated by SUNY Adirondack Campus Safety on campus; and
- If search is unsuccessful, the college may, on a case by case basis, determine to prepare a statement to be distributed to the local media

Reports of students determined to be missing will immediately be shared with SUNY Adirondack Campus Safety and then, within 24 hours, contact made with the local law enforcement.

SUNY Plattsburgh will contact the confidential contact person designated by residential students within 24 hours of the student being reported missing if student is not found. If a student is under the age of 18, the College will contact the parent or guardian, as well as the confidential contact, if the student reported missing is not found within 24 hours.

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

### **Statement of Purpose**

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

It is the College's policy that Illegal sale or possession of, or using controlled drugs or drug paraphernalia, as defined in the New York State Penal Law or Federal laws, is prohibited and will be enforced. In addition, knowingly being in the presence of illegal drugs and/or paraphernalia is also prohibited. In addition, the Drug Free Schools and Campuses Acts prohibits the unlawful possession, use, or distribution of alcohol and illicit drugs including cannabis.

The Alcohol Policy of SUNY Plattsburgh is in compliance with all State, Federal, and local laws, which prohibit the following:

- Sale of alcohol without a license;
- Sale or giving alcohol to any person under the age of 21;
- Purchase of any alcoholic beverage by any person under the age of 21;
- Possession of alcohol with the intent to consume any alcoholic beverage by any person under the age of 21; and
- Possession of an open alcohol container in a public place

The College will enforce all State, Federal, and Local laws and College policies related to the possession, use, and sale of alcohol.

All State, Federal, and local laws regarding alcohol and other drugs apply to all employees at the College. Employees will be subject to criminal, civil, and disciplinary penalties if they distribute, sell, attempt to sell, possess, or purchase controlled substances while at the workplace, while performing in a work-related capacity, or at any campus activity. Employees are also prohibited from on-the-job use or impairment from alcohol or illicit drugs.

Employees are prohibited from personally catering alcohol at events on campus. The College's policy on alcohol and dangerous drug use/abuse is described on the Human Resource Services Department Web Page (<https://www.plattsburgh.edu/about/offices-divisions/administration-finance/management-services/campus-handbook/section-iv-employment-benefits/drug-alcohol-free-workplace-policy.html>).

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

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

### **A. Alcohol Consumption**

Alcohol consumption causes a number of marked changes in behavior. Even low doses can significantly impair the judgment and coordination required to drive a car safely, increasing the likelihood that the driver will be involved in an accident. Low to moderate doses of alcohol also increase the incidence of a variety of aggressive acts, including spousal and child abuse. Moderate to high doses of alcohol cause marked impairments in higher mental functions, severely altering a person's ability to learn and remember information. Very high doses cause respiratory depression and death. If combined with other depressants of the central nervous system, much lower doses of alcohol will produce the effects just described.

Repeated use of alcohol can lead to dependence. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms, including severe anxiety, tremors, hallucinations, and convulsions. Alcohol withdrawal can be life-threatening. Long-term consumption of large quantities of alcohol, particularly when combined with poor nutrition, can also lead to permanent damage to vital organs such as the brain and the liver. Mothers who drink alcohol during pregnancy may give birth to infants with fetal alcohol syndrome. These infants have irreversible physical abnormalities and mental retardation. In addition, research indicates that children of alcoholic parents are at greater risk than other youngsters of becoming alcoholics.

Studies show that alcohol is involved in:

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

### **B. Controlled Substances**

There is overwhelming evidence that illegal drug use leads to academic failure, failure to get a job, failure to keep a job and maintenance of good health, as well as creating other problems.

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

## **Assistance in Matters Related to Drug and Alcohol Abuse**

SUNY Adirondack and SUNY Plattsburgh have a commitment to help students succeed academically, vocationally, and socially. We can assist you with drug or alcohol related problems or can refer you to someone who can. Please see your advisor, a counselor, or the SUNY Adirondack Dean for Student Affairs or the Director of SUNY Plattsburgh at Queensbury, if you wish to discuss a problem with drugs or alcohol. We can help you find assistance off-campus through individuals or agencies. Also, to help in maintaining an environment that does not permit the possession or use of illicit drugs and alcohol, SUNY Adirondack and SUNY Plattsburgh have established an awareness program to provide education for students, faculty and staff regarding the following aspects of the use of illicit drugs and alcohol: standards of conduct, disciplinary sanctions by the College, health risks, legal sanctions by local, state and federal laws and rehabilitation, counseling and re-entry. Such education may include (1) inclusion of this statement in the Student Handbook; (2) video tape and print materials made available to students in class, the

Student Center and the Counseling Offices; (3) the distribution of lists of those agencies and individuals who can assist students in coping with drug and alcohol abuse problems.

This policy and program will be reviewed at least biennially by a SUNY Adirondack representative committee of students and staff selected and chaired by the Dean for Student Affairs. The committee's purpose will be to determine the program's effectiveness and ensure that disciplinary sanctions are consistently enforced.

## **Legal Sanctions Imposed for Illicit Drug and Alcohol Abuse**

Articles 220 and 221 of the New York State Penal Law set criminal penalties for possession or sale of drugs considered harmful or subject to abuse. The seriousness of the offense, and penalty imposed upon conviction, depend upon the individual drug and amount held or sold.

Examples include but are not limited to:

### **Marijuana**

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

### **Paraphernalia**

Possession of, or sale of scales or balances for the purpose of weighing or measuring marijuana is a misdemeanor punishable by up to one year in jail.

### **Hashish**

The penalties for sale or possession of hashish are more severe. Possession of any amount, no matter how small, is a misdemeanor punishable by up to one year in county jail and/or up to \$1000 fine. Possession of one-quarter ounce or more is a felony. Sale of any amount of hashish, no matter how small, is a felony.

### **Cocaine, Crack, and Heroine**

Possession of any amount, no matter how small, is the most serious class of misdemeanor punishable by up to 12 months in a county jail. Possession of 500 milligrams or more is a class D felony punishable by 2.3 to 7 years in a State correctional facility. Sale of any amount is a felony.

Federal Trafficking Penalties can be found at: <https://www.dea.gov/drug-information>

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

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

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

### **Alcoholic Beverage Control Law, Section 65 – C (1 and 2) (Unlawful Possession)**

Except as hereinafter provided no person under the age of 21 years shall possess any alcoholic beverage, as defined in this chapter, with the intent to consume such beverage. A person under the age of 21 years may possess any alcoholic beverage with intent to consume if the alcoholic beverage is given:

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

### **Alcoholic Beverage Control Law, Section 65 – B (2)(a) (Fraudulent Identification)**

No person under the age of 21 years shall present or offer to any license under this chapter, or to the agent or employee of such license, any written evidence of age which is false, fraudulent or not actually his own for the purpose of purchasing or attempting to purchase any alcoholic beverage.

### **Alcoholic Beverage Control Law, Section 65 – B (3) (Fraudulent Use of Driver's License)**

In addition to the penalties otherwise provided in subdivision one of this section, if a determination is made sustaining a charge of illegally purchasing or attempting to illegally purchase an alcoholic beverage, the court may suspend such person's license to drive a motor vehicle for 90 days if it is found that it was the written evidence of age used for the purpose of such illegal purchase or attempt to illegally purchase.

### **General Obligations Law: Article 11---100 (Known as the Social Host Law)**

Any person who shall be injured in person, property, means of support, or otherwise, by reason of the intoxication or impairment of ability of any person under the age of 21 years, whether resulting in his death or not, shall have a right of action to recover actual damages against any person who knowingly causes such intoxication or impairment of ability by unlawfully furnishing to, or unlawfully assisting in, procuring alcoholic beverages for such person with knowledge or reasonable cause to believe that such person was under the age of 21 years.

### **General Obligations Law: Article 11---101 (Known as the Dram Shop Act):**

Any person who shall be injured in person, property, means of support, or otherwise by any intoxicated person, or by reason of the intoxication of any person, whether resulting in his death or not, shall have a right of action against any person who shall, by unlawful selling to or unlawfully assisting in procuring liquor for such intoxicated person have caused or contributed to such intoxication; and in any such action such person shall have a right to recover actual and exemplary damages.

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

[Amended 5-24-1991 by L.L. No. 6-1991]

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

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

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

# **TOBACCO POLICY**

## **Tobacco Free Campus Resolution**

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

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

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

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

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

### **Responsibility**

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

### **Definitions**

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

### **Scope**

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

### **Enforcement**

SUNY Adirondack’s goal is to achieve 100% voluntary compliance with the tobacco-free policy by educating students, faculty, staff, and visitors about the policy.

Members of the campus community who see individuals using tobacco on college grounds are asked to politely inform these individuals that college policy prohibits tobacco use anywhere on campus grounds. Faculty and staff who do not feel comfortable approaching someone violating the policy should contact a public safety officer, or designated administrator. We expect all members of the college community to treat each other with dignity and respect, support each other, and embrace a spirit of having a healthy living, learning, and working environment.

### **Sanctions for Students**

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

## **CRIME PREVENTION TIPS FOR STUDENTS AND EMPLOYEES**

These offices allow victims and witnesses to report crime on a voluntary, confidential basis, and there is no formal investigation of an incident unless the victim so chooses.

SUNY Adirondack Public Safety (non-emergency) (518) 796-1344  
Director of the Queensbury Campus (518) 792-5425 ext. 105

### **Suspicious Person**

A suspicious person is an individual who should be reported to the SUNY Adirondack Public Safety office by any member of the campus community. Act on your intuition; if the person does not seem to "fit" into the environment, she/he may not belong on campus. Based on your information, a crime may be prevented.

The following are examples of what may constitute a suspicious person.

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

When reporting a suspicious person, provide descriptors such as:

- What they are wearing and the color of their clothing. Their physical appearance such as skin color, hair color, and style, height (tall or short), weight (thin or heavy).
- Distinguishing features such as scars, beards, mustaches, etc.
- Direction of travel and mode of travel such as walking or driving...include a description of their vehicle (color, license plates, type).

Never expose yourself to any danger by following or approaching the person. Remember the above descriptions and report it to the SUNY Adirondack Public safety officer or the closest employee of the college.

### **Suspicious Activities**

Suspicious activities, and/or findings, should be reported to SUNY Adirondack's Public Safety Office or any campus employee of SUNY Adirondack or SUNY Plattsburgh at the time of discovery.

Suspicious activities include:



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

## **PROTECTING YOURSELF**

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

### **Plan Ahead for Personal Protection**

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

### **Escort Service Program**

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

### **Residence Quarters**

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

- Have your house/room keys in your hand and the proper key ready to unlock the door prior to your arrival at the door. If you believe you are being followed or watched, go to a friend's or neighbor's.
- When you enter your house/room, lock the door behind you.
- Be sensible with your keys. Do not leave them outside or in hiding places.

- Shut and lock your windows when you are not home or sleeping.
- Know your neighbors and which ones you can trust in an emergency.
- Know who is at the door before opening it.
- Demand identification from anyone you do not know, especially sales and repair persons.
- If a stranger requests the use of your phone to call for help, offer to place the call for him/her without letting them into your home.
- If you live off campus, use only your first initials on your mailbox and telephone directories.
- Do not prop a door open for someone who does not belong in the building.
- Never let anyone wait alone in your room for your roommates return.
- Keep emergency numbers handy.
- Never loan your keys to anyone.

## **Driving**

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

## **Parking**

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

## **Walking or Running**

- Walk with someone else. Two is good, but three or more is better.
- Be alert, observant and aware of your surroundings and any other people on the street with you.
- Never assume a parked car is empty.
- Listen for footsteps or voices.
- Plan your route before you go out and know where to find emergency telephones.
- Avoid dark or deserted streets, alleys, parking lots, parks, cemetery grounds, or areas known to have crime issues.
- Conceal jewelry.
- If you carry a purse, briefcase, or backpack, keep only a small amount of cash in it.
- Carry your keys, your identification and anything else of value concealed on your person.
- Write down or leave word of your route, time leaving, and returning.
- Do not use headphones. Use your hearing to be aware of your surroundings.
- Wear reflective material if you are walking or running before dawn or after dark.

## **Protecting your Property**

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

### **General Guidelines**

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

### **Textbooks and Laptops**

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

### **From Automobiles**

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

## **NIGHTLIFE**

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

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

## **Nightlife tips**

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

## **Threatening - Harassing - Obscene Telephone Calls**

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

- Hang up immediately. If you stay on the line or express emotion, you will only feed the callers obsession. If the calls persist, report it immediately to the duty officer, on-duty Resident Dean, or other employee of the College.
- If you are off campus and the calls persist, call local law enforcement.
- If any of the calls are recorded on your voice-mail or answering machine, do not erase the message.
- In order to assist the law enforcement agency keep a written record including the following information:
  - Date and time of the call
  - Exact conversation or action, no matter how embarrassing.
  - Description of voice: gender, tone, age group, dialect, style of enunciation, overall tone, or other distinctive qualities.
  - Description of background noises.

## **ANNUAL FIRE SAFETY REPORT Year 2022**

### **Fire System Information Specifically for Student Housing**

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

SUNY Adirondack's Student Housing facility has an automatic sprinkler system of piping and appurtenances designed and installed in accordance with generally accepted standards so that heat from a fire will automatically cause water to be discharged over the fire area to extinguish it or prevent its further spread.

The Student Housing Facility also has a fire safety system which includes automatic fire detection devices (smoke alarms, heat detectors) installed throughout the building and is monitored 24/7 for any activation. Devices that alert one to the presences of a fire such as horns, bells, and strobe lights are also installed throughout the building. All systems are installed in accordance with generally accepted practices.

## Fire Safety Log

Year	Total Fires	Fire Number	Cause of Fire	Number of Injuries that Required Treatment at a Medical Facility	Number of Deaths	Value of Property Damage Caused by Fire In Dollars
2020	0	0	N/A	0	0	0
2021	0	0	N/A	0	0	0
2022	0	0	N/A	0	0	0

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

The Office of Public Safety works closely with the Facilities and Residence Life staff at SUNY Adirondack to develop and submit an annual fire safety report. This data is shared with the New York State Office of Fire Protection and Control (OFPC) for their review and comments.

The information in the Annual Fire Safety Report describes the overall organization and management of the fire safety activities in the one Residence Hall on campus.

FIRE SAFETY SYSTEMS (Student Housing Facilities) 2022						
Building	Assembly Space	Detection Type	Fire Sprinklers (Fully, * partially, or Not Sprinklered)	Fire Alarm Sound (Horn or voice)	Horn/Strobe (Yes or No)	Number of Fire drills (Does not include Summer Session)
Residence Life Building, 28 Campus Drive	South and East parking Lots	Heat/Smoke	Full	Horn	Yes	3

## Fire Drills

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

- Three Drills Annually
  - 1-during hours of darkness
  - 1-between January 1 and May 1
  - 1 between September 1 and December 1
- The number of residence hall fire drills held in calendar year 2022: 3

## Fire Procedures

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

If you discover or suspect a fire:

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

## To Report a Fire:

Numbers 24-Hour Emergency 911

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

## Fire Safety Inspections

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

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

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

- Air conditioning equipment
- Multi-arm floor lamps
- Refrigerators (except those validated by the residence hall staff)
- Smoking -Smoking is prohibited on the Campus of SUNY Adirondack. SUNY Adirondack's smoking policy is in accordance with all SUNY guidelines. Breaches of College Smoking Policy will be dealt with, as appropriate, and if necessary through the formal disciplinary process.
- Coffee makers, toasters, toaster ovens, and other cooking devices are to be used in the kitchenette area only.
- Appliances may not be left unattended while in use.

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

## **False Reporting of a Fire**

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

## **Evacuating Student Housing Residents**

Campus building evacuations are initiated when it is no longer safe for occupants to remain within the building. The campus fire alarm systems are a very important and effective means of alerting people to safely evacuate Residence Halls during an emergency.

After fire alarms are activated, all residents must evacuate. Failure to evacuate will result in disciplinary action. Exit the building using the stairs, elevators should not be used. Residents should move to one of the two designated assembly points (south parking lot or east parking lot) and remain at a safe distance, at least 100 feet from the building until a signal to reenter has been given by Public Safety or Resident Assistants/Resident Directors.

Resident Assistants that are on duty should, if possible, remember to take the Duty Keys with them when exiting the building. Resident Assistants are expected to respond to any requests from Public Safety and Queensbury Central Fire Department. Resident Assistants are not expected to fight the fire or linger in the building. They are to evacuate the building immediately.

Once outside, Resident Assistants are required to check to see if building occupants evacuated and are to assess how many students are present in case Public Safety or the fire department requests that information. Based on the number of Resident Assistants available, they should walk the perimeter of the building and notify Public Safety or the fire department of any students that are in the building.

## **Faculty/Staff/Visitors**

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

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

Once outside, gather at a predetermined assembly area at least 100 feet away (south and east parking lots), so Emergency Personnel have clear access to the building. The designated areas should be communicated by the

faculty instructor, staff member, and/or building contacts. Try to account for the people in your work/class areas to ensure all occupants have left the building. Never reenter a building without instructions from Public Safety or Residence Life staff.

## **Fire Safety Education and Training**

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

Students are reminded about fire evacuation procedures during hall meetings or after problems occur during fire drills and accidental activations of the alarm.

Work requests are submitted to address items that require corrective action. Student rooms are inspected during Thanksgiving, winter and spring break. Unannounced room inspections occur throughout the year.

Incidents such as misuse of extension cords, candles, and small appliances without automatic shut-off devices are scrutinized. Any prohibited item found during an inspection is confiscated and, in some instances, students shall be referred to the judicial process.

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

## **Non-Emergency Reporting**

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

SUNY Adirondack Office of Public Safety (518) 743-7233 (SAFE)

SUNY Adirondack Residence Life Office (518) 832-7785

Facilities Office (518) 743-2200 ext. 2240

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

## **DAILY CRIME/FIRE LOG**

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

- **Source URL:** <http://www.sunyacc.edu/annual-security-report>
- **Links:** <http://www.criminaljustice.ny.gov/nsor/>