

# 2020 Annual Security and Fire Safety Report

Statistics for 2017, 2018 and 2019



Issued by the New York State University Police at SUNY Oswego  
and the SUNY Oswego Dean of Students Office  
*November 2020*



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# The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Act (originally known as the Campus Security Act) require colleges and universities to disclose information about crime on and around their campuses. More information about the Clery Act is available at: [clerycenter.org](http://clerycenter.org)

## Annual Security Report

[oswego.edu/police/annual-report](http://oswego.edu/police/annual-report)

The New York State University Police Department at SUNY Oswego (315-312-5555) is the agency responsible for public safety and the investigation of all alleged crimes and incidents on the SUNY Oswego Campus. New York State University Police are sworn police officers, and have full arrest and investigative authority for crimes that occur on campus.

As mandated by the Clery Act, colleges must prepare annual reports to the community disseminating crime statistics for specific criminal offenses that occurred in designated geographical locations and categories for the current year and the previous two calendar years to remain in full compliance with the Clery Act. The crime statistics printed in this Annual Security Report (ASR) have been collected, counted, and classified based on incidents reported to University Police by individuals, agencies or campus departments, including the Dean of Students Office, Student Affairs and the Department of Residence Life and Housing. In addition, the University Police Department has established Memorandums of Understanding (MOU's) with law enforcement agencies bordering our main campus and Oswego's Syracuse Campus. The City of Oswego Police, Oswego County Sheriff and New York State Police provide statistics to University Police for this report in areas within their jurisdiction that borders the SUNY Oswego campus in specifically required crime categories. The Syracuse Police Department provides crime statistics to University Police for this report in areas within their jurisdiction that borders Oswego's Syracuse campus.

These MOU's enable the college to share and receive information from these agencies to facilitate the investigation of alleged criminal offenses, missing persons cases and other incidents involving college community members in those aforementioned jurisdictions. These MOU's are under continual review in satisfaction with the Higher Education Opportunity Act (Public Law 110-315) (HEOA), the New York State Department of Education and the Campus Crime Act.

## Whistle-Blower Protection and Anti-Retaliation

In accordance with the Higher Education Opportunity Act (Public Law 110-315) enacted into law August 14, 2008, SUNY Oswego establishes safeguards and protections for "whistle-blowers" by prohibiting any retaliatory action against any individual "with respect to the implementation of any provision" of the Clery Act. Specifically, no "institution, officer, employee or agent participating in any program under this section of the HEOA may retaliate, intimidate, threaten, coerce or otherwise discriminate against any individual with respect to the implementation of any provision of this subsection."

## The Oswego Community

SUNY Oswego is a state-assisted comprehensive college located on 690 wooded acres along the shore of Lake Ontario in Upstate New York. The SUNY Oswego campus is directly adjacent to the port city of Oswego, NY, which has a population of approximately 17,000. In addition, classes are offered at Oswego's Syracuse campus, located in downtown Syracuse, NY. Part-time instruction for SUNY Oswego is also offered at Jefferson Community College in Watertown, NY. SUNY Oswego has an extensive international program with study abroad programs around the world in over 30 countries.

The main campus is located within Oswego County, which is a rural community with a crime rate that is one of the lowest in New York State. However, with over 6800 full-time and 950 part-time students on both campuses, crimes do occur despite our efforts to foster a safe and secure environment. In addition, as a public institution visitation is not limited to our students or employees. Approximately 7800 students enroll annually at SUNY Oswego. The 13 Residence Hall facilities along with the Village Townhouses, for a total of 14 living communities, provide housing for more than 3800 students. The Village townhouses provide housing for 348 students. Many of the remaining students live in local off-campus housing, which is privately owned, or students commute from home.



The college underwrites public transportation between on-campus buildings as well as to off-campus locations in the downtown Oswego area. These services are provided jointly by Auxiliary Services and the Student Association. In addition, many taxi services operate in the local area. Direct express shuttles transport commuters to the Marano Campus Center hub. An additional two shuttle routes provide transportation for free to students.

## Reporting Criminal Incidents and Other Emergencies at SUNY Oswego

University Police urge all students, faculty, staff and guests to immediately report all criminal offenses and critical incidents, medical and fire emergencies, injuries, vehicular accidents or suspicious activity directly to University Police by calling 315-312-5555. Campus community members are encouraged to put University Police's number into their cell phones. Reports may also be filed at the University Police Station located in the lower level of Pathfinder Hall south of Cayuga Hall. The front desk is staffed 24 hours a day, 365 days a year.

[oswego.edu/police/reporting-crime](https://oswego.edu/police/reporting-crime)

### Designated Campus Security Authorities

In addition to University Police, the Dean of Students Office at 315-312-5483 and Residence Life and Housing at 315-312-2246 (both offices are located in Culkin Hall), are able to report crimes or incidents. These offices will also work with students to report crimes or incidents on a voluntary and non-identifying basis if that is the wish of the victim.

University Police work with campus community members to assist in the reporting of crimes or incidents that may have occurred in non-campus areas and will communicate with other police agencies.

Oswego's Syracuse campus falls under the jurisdiction of the Syracuse Police Department and is supported by a dedicated downtown patrol. Incidents occurring on the campus will require their response. To report crimes or other incidents, contact the Syracuse Police Department at 315-442-5111 or dial 911.

The Office of Human Resources at SUNY Oswego (315-312-2230) will assist community members who wish to report bias-related crimes, and sexual harassment or other forms of workplace violence. Various support and referral services are available through the Employee Assistance Program at 315-312-5546.

### Title IX Coordinator and Title IX Investigators

In addition to the aforementioned Campus Security Authorities and reporting resources, the college provides Title IX/VAWA violation reporting options via the college Title IX Coordinator, Lisa Evaneski, located in room 405 Culkin Hall, 315-312-5604 (private voicemail).

Reports may be made to the Title IX Coordinator in regard to the allegations of sexual and interpersonal violence, including but not limited to: sex discrimination, sexual assault, sexual harassment, stalking, domestic violence and dating violence.

The Title IX Coordinator or Investigator will then investigate these reports and provide options and a variety of services for victims/survivors of sexual and interpersonal violence violations.

[oswego.edu/title-ix](https://oswego.edu/title-ix).

### Personal Safety Committee

The Personal Safety Committee (PSC) at SUNY Oswego was established in 1989 in accordance with state law and SUNY policy. It is composed of students, faculty and staff, and it is charged with the review of security policies, especially those related to safety education, the safety of the campus physical environment, the availability of counseling for crime victims and referral and response procedures in the instance of sexual assaults. The PSC reviews campus personal safety policies, procedures and programs, and makes recommendations for improvements to the larger campus community. For more information contact the Dean of Students Office at 315-312-5483.

### Access to Campus Facilities

Access to campus facilities and grounds is a privilege that is offered to all community members and visitors. SUNY Oswego strives to provide an accessible environment while adhering strictly to protocols and procedures that accompany access for all community members to SUNY Oswego's buildings and grounds.

Each academic building and facility has a building coordinator. All academic buildings are locked after 11 p.m. each evening and access to these areas is restricted. Staff and faculty are issued keys/access cards to their offices and to the front doors of the buildings where they work. Each residence hall has a professional Director. All residence halls are secured 24/7; access is obtained with an authorized identification card through a card access system or pin code in specific buildings. Oswego's Syracuse campus building is locked by 10 p.m. every night by JF Realty. The suite of classroom doors are manually opened and locked Monday through Friday by campus staff with issued keycards.

On the Oswego University campus, University Police and other key campus employees in Residence Life and Housing

and Facilities, Campus Life and others perform building security tours and lock doors to secure the campus facilities. Employees must report any missing or lost keys/cards immediately to the Facilities Services at 315-312-3200 or to University Police at 315-312-5555. Students who require access to academic areas after hours may be issued a pass in certain circumstances to work in labs or the Instructional Computing Center but only with the written permission of their instructor. Passes furnished to students for after hours in academic areas must have validity dates and specific locations. All college community members (faculty, staff and students) must carry, and produce upon request of any college official, their college identification card.

The Department of Campus Life at 315-312-2301 coordinates many of the student events on campus in the Marano Campus Center, Hewitt Hall as well as in other buildings and facilities. All events scheduled through the Department of Campus Life must meet college regulations regarding access to facilities. Residence Hall entrance protocols are clearly defined in the Resident Student Handbook. All residence hall exterior doors are locked 24/7.

### **Security In Residence Halls**

#### *Keys, Identification Cards, and Entry Codes*

Students are encouraged to keep their keys/access cards with them at all times and are to immediately report lost or stolen keys/access cards to their Residence Hall Director, Department of Residence Life and Housing, 303 Culkin Hall at 315-312-2246 or to University Police, Pathfinder Hall, at 315-312-5555. Students should not share their key or entry code with anyone. Students are reminded to keep their doors locked at all times.

Entry into SUNY Oswego residence halls is open to all students from 7 a.m. to 7 p.m. daily. Beginning at 7 p.m. access is restricted to on-campus residents only. After 11 p.m. building access is limited to residents of the specific building, their guests, and authorized staff members. Visitors and guests should conduct themselves in a manner consistent with the Resident Student Handbook and the Code of Student Rights, Responsibility and Conduct, the policies and procedures as stated herein or as established by units of SUNY Oswego to give guidance to the use of campus grounds, facilities or services. Overnight guests are required to register at the front desk.

The Code of Student Rights, Responsibility and Conduct are supplemented by the Regulations and Procedures for Maintaining Public Order on Campuses of the State University of New York. Guests and visitors who violate the Codes and/or Regulations may be declared persona non grata, and may be denied access to campus grounds and facilities.

### **Health and Safety**

Once a semester, an official health and safety check is conducted prior to the first break period of that semester. These health and safety checks are conducted during break periods. Staff make note of any items that may pose a threat or risk to the student. In addition, Environmental Health and Safety will conduct two unannounced fire drills each semester for each hall. New and returning professional staff in Residence Life and Housing receive training each year regarding procedures to follow if keys are misplaced or lost. The staff are also trained on emergency response and reporting procedures in case security on campus is breached. New and returning staff receive training each year regarding workplace violence and blood-borne pathogen response.

In addition, the Environmental Health and Safety Office, located at Shineman G-83 (315-312-3157 or 315-312-3150) provides services and training regarding environmental safety, fire safety, occupational safety and administers routine inspections of fire safety equipment in the buildings.

### **Service Requests**

Students, faculty and staff with urgent or emergency requests related to access, service or utilities may contact the following:

Urgent requests: 315-475-0401

Routine service request:

- Maintenance Operations: 315-312-3200 (between 7 a.m. to 4 p.m.)
- Central Heating Plant: 315-312-3117 (after hours)
- Oswego's Syracuse campus employees: Ryan Goodfellow, Building Manager, JF Realty at 315-472-2020 or Administrative Assistant at 315-475-0401.

Otherwise, a service work request form may be submitted [oswego.edu/facilities-services/service-requests](https://oswego.edu/facilities-services/service-requests)

University Police should be contacted in any circumstance wherein there is a threat to health or safety

Call 315-312-5555 University Police or 911; Oswego's Syracuse campus should call 315-442-5222 Syracuse Police or 911.

## **Educational Programs**

### **Sexual and Interpersonal Violence Awareness Programs**

Educational programs include primary prevention and awareness programs for all incoming students and new employees. These educational programs include a statement about prohibited behaviors and definition of crimes; definition of consent, domestic violence, dating violence, sexual assault, and stalking; safe and positive

bystander intervention; information on risk reduction, including ways to recognize warning signs of abusive behavior; information about disciplinary procedures; and information about campus and local resources. For the purposes of this document, the term Sexual and Interpersonal Violence includes dating violence, domestic violence, sexual assault, stalking, sex discrimination and sexual harassment.

The various programs and trainings offered by the college/university are described below:

Awareness programs are community-wide or audience-specific programs and initiatives that serve to increase knowledge and to promote shared information and awareness of resources. Specifically, at SUNY Oswego, we provide:

- Presentations and skits during new student and family orientation
- Presentations to all athletes and coaches during annual compliance meetings
- Training for Services to Aid Families advocates about Title IX and the options and remedies available for victims/survivors
- Training for hearing officers, Title IX Committee members, Residence Life and Housing and University staff, and Police on trauma-informed and victim-centered approaches, and collaboration and coordination of services
- Training for student leaders – Sexual violence prevention/response and bystander intervention training for student group officers and leaders of registered student organizations including Greek organizations and club sports
- Peer Educator training related to sexual and interpersonal violence, including identifying behaviors and reporting
- Information sessions for students and employees sexual on interpersonal violence – identifying issues and reporting logistics
- Information tabling at the Marano Campus Center and at campus events
- Bulletin boards, and use of social media, tabling events
- Programs for students in the residence halls

### **Bystander Intervention**

Bystander Intervention programs and trainings offer safe and positive options for individual(s) to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking. Training sessions include information on recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene. Specifically, at SUNY Oswego, we use the Step Up! program for Bystander Intervention Training. For more information: [stepupprogram.org](http://stepupprogram.org).

### **Ongoing Prevention and Awareness Campaigns**

Ongoing prevention and awareness campaigns include programming initiatives and strategies that are sustained over time. These efforts include:

- It's On Us pledge days: [itsonus.org](http://itsonus.org)
- T-shirt campaigns such as: Got Consent?, End Rape
- SUNY affirmative consent definition posters
- Pop up Outreach program
- Emails to students and employees

- Campus websites include updates on policy and procedures

- One Love Foundation Program: [joinonelove.org](http://joinonelove.org)

### **Primary Prevention Programs**

Primary prevention programs include programming, initiatives, and strategies informed by research that are intended to prevent sexual and interpersonal violence. The focus is on the promotion of positive and healthy behaviors that foster respectful relationships and sexuality, encourage safe bystander intervention, and seek to change behavior and social norms. The programs are culturally relevant, inclusive of diverse communities and identities. They are sustainable, responsive to community needs, and informed by research or assessed for value, effectiveness, or outcome. Discussions include environmental risk and protective factors.

Programs include:

#### **One Love Foundation Behind the Post Workshop**

The focus of this workshop is on the signs of unhealthy relationships. Participants screen several videos and participate in a discussion led by a trained facilitator (One Love training).

#### **One Love Foundation Escalation Program**

*Relationship violence: warning signs, response and impact.* Workshops led by trained facilitators that include review of videos/films and analysis of scenarios. After the film, the facilitator guides students through a meaningful discussion about relationship violence, the warning signs of an abusive relationship and how all may relate to participants' life as a student at Oswego.

### **Risk Reduction Programs**

These programs present options designed to promote bystander action and to increase empowerment for victims. One Love Foundation Escalation Program (see description above) and One Love Foundation Behind the Post Workshop (see description above) are used. For additional program offerings go to:

[www1.oswego.edu/title-ix/educational-programs](http://www1.oswego.edu/title-ix/educational-programs)

### **Employee training**

All SUNY Oswego employees complete mandatory online training: Workplace Violence Prevention, Domestic Violence in the Workplace, Child Sexual Abuse Reporting Policy, Preventing Discrimination and Harassment, Hazard Communication/Right to Know, New York State COVID-19 Response, and Information Security. University Police and the Title IX Coordinator provide Workplace Violence Training. Other topics offered during faculty and staff orientation include: Emergency Procedures, 911 and emergency numbers, emergency equipment, Active Shooter Video, evacuation routes, panic button use, Personal Safety on Campus, Distressed Student Procedure.

Many of these programs can be accessed by anyone on the Oswego University Syracuse campus. Contact [lisa.evaneski@oswego.edu](mailto:lisa.evaneski@oswego.edu) for more information.

## **Departments that offer training**

The following departments offer additional educational programs related to personal safety and crime prevention, including sexual and interpersonal violence.

### **University Police**

315-312-5555 | [oswego.edu/police](https://oswego.edu/police)

The New York State University Police Department (UPD) is a state law enforcement agency responsible for the prevention, detection, investigation and arrest authority for the SUNY Oswego campus. The New York State University Police at Oswego has 22 sworn police officers (15 patrol officers, 4 Lieutenants, 1 Investigator, 1 Assistant Chief, 1 Chief) 3 full-time civilian Communications Officers that have completed all required NY State Department of Criminal Justice Services training standards, and 2 part-time civilian Communications Officers. University Police officers receive training on a variety of specialized training throughout their careers. Police Officers at SUNY Oswego have been trained in emergency response procedures and first aid. Officers continuously patrol the campus 24 hours a day, 365 days a year employing various tactics of policing including vehicular, foot and bike patrols. The mission of the University Police Department is to provide a safe campus environment and protect the lives and property of our students, employees and visitors. University Police officers provide educational programs on the topics of alcohol, drugs, personal safety, domestic violence, sexual assault prevention, theft prevention, and fire safety. University Police provided 30 such community programs in 2019.

### **Residence Life and Housing**

315-312-2246 | [oswego.edu/reslife](https://oswego.edu/reslife)

The overall emphasis of the residential education program is to promote learning outside the classroom and to support the academic enterprise. Students are offered formal and informal sessions on personal safety topics. Residence Life staff plan and implement educational programs throughout the academic year.

Residence hall staff conduct at least one sexual health and alcohol/drug awareness program per building. In addition, each student is required to attend a mandatory floor meeting at the beginning of the year wherein staff remind students of safety procedures and best practices for maintaining a safe living environment. Information provided include reminders about prohibited access to buildings by individuals who are not members of the community, the importance of locking room doors and building security protocols. Students are also informed of additional programs and resources.

Residents are also given information on fire prevention. For instance, the Office of Fire Prevention program is repeatedly shown on the campus television stations during the first three weeks each semester. In addition, the Active Shooter SHOTS FIRED, "When Lightning Strikes" violence prevention program is shown right after each fire safety video.

### **Dean of Students - Health Promotion and Alcohol and Other Drug Education**

315-312-3208

Coordinators for the Health Promotion and Alcohol and Other Drug Education (AOD) programs are located in the Dean of Students Office, 501 Culkin Hall. These staff work with students (peer programs) to develop and maintain comprehensive and prevention programs. The peer educators present programs in residence halls, classrooms and to student groups on a variety of health topics. [oswego.edu/student-affairs/health-promotion](https://oswego.edu/student-affairs/health-promotion)

**Student Peer Educators** reach out to other students in student-centered settings in order to have brief, frank conversations about health information and to distribute materials that include social norming messages, and research informed health messages. Programs about the risk of sexual violence related to use of substances are presented at new student orientation, residence hall meetings, class sessions, and athletic team meetings. Specific topics include healthy relationships, predatory drugs, and risk factors. The Dean of Students Office collaborates with Services to Aid Families annually to conduct a Train the Trainer program to Peer Educators on sexual assault, predatory drug use, and community resources and services.



**Safe Zone** programming is facilitated by the Health Promotion Coordinator.

[oswego.edu/student-affairs/health-promotion](https://oswego.edu/student-affairs/health-promotion)

LGBTQ and Ally awareness and training sessions are offered to students, faculty and staff. A safe zone (or safe space) is a confidential place where anyone can feel safe, welcome, and included. Program elements include:

- Definition of sexual orientation, gender identity, and gender expression
- Terminology used to describe sexual orientation, and gender identity/expression
- How to create an inclusive classroom and campus space for LGBTQ+ students
- How to support LGBTQ+ people in the coming out process.

**Open Mic night** is scheduled most Thursday nights in the Penfield Library Lake Effect Café and is free to all students. The goal is to provide a safe and fun venue for students to congregate. Free coffee and food items are offered to students who attend, as well as prizes, giveaways and information on various health topics.

A **newsletter** is provided to all students. *Student Health 101* is purchased each year for first year students (and parents) is a monthly newsletter that delivers up-to-date information on the health issues that face today's college students.

### **Bystander Intervention Program-Step Up!**

Step Up! is a prosocial behavior and bystander intervention program that educates students to be proactive in helping others. The focus is on the determinants of prosocial behavior and the ways that students can be active in preventing harmful behavior. Topics covered include: academics, alcohol and other drug poisoning, anger, depression, discrimination, disordered eating, gambling, hazing, relationship abuse, sexual assault. For more information, contact [shelly.sloan@oswego.edu](mailto:shelly.sloan@oswego.edu).

**Programs in residence halls.** Coordinators for the Health Promotion and Alcohol and Other Drug Education (AOD) programs work collaboratively with Residence Life and Housing staff when planning any program in order to ensure materials and programs remain consistent, accurate and up to date.

### **Counseling Services**

315-312-4416 | [oswego.edu/csc](https://oswego.edu/csc)

The Counseling Services Center is dedicated to helping students with personal, social, emotional, educational, and vocational concerns. Training sessions are offered to students, faculty and staff on a variety of topics that relate to safety, response to incidents, and general wellbeing.

When it is reported during a counseling session that the student has been a victim of a crime, counselors provide information and resources. Counselors will also inform students about options to report crimes to the appropriate authorities. Counselors collaborate with campus and community entities, provide consultation and participate in campus-wide committees.

### **Employees Human Resources**

315-312-2230 | [oswego.edu/hr](https://oswego.edu/hr)

All employees are required to complete annual training: Workplace Violence Prevention, Preventing Discrimination and Sexual Harassment, Domestic Violence in the Workplace, Information Security Awareness Training, and HazCom Right to Know Training, and Child Sexual Abuse Reporting Policy. These are offered through an online training system. Each participant is required to complete an online quiz regarding the content of the training material. All participants are tracked to ensure compliance for this training. Follow-up reminder memos are emailed to the participants and Supervisors/Department Chairs if any employee fails to complete the training.

## **Alcohol and Other Drug Policies**

SUNY Oswego prohibits the abuse, unlawful possession and distribution of alcohol and/or unlawful use, possession, distribution or manufacture of controlled substances, drug paraphernalia and marijuana by students, faculty, staff and guests. All members of the Oswego community have the responsibility to uphold and abide by institutional policies as well as federal, state and local laws with respect to alcohol and other drugs. Any student or employee of the SUNY Oswego community or Oswego's Syracuse campus who violates institutional policies and/or federal, state or local laws involving alcohol and/or other drugs, both on and off campus, are subject to criminal and/or civil prosecution. Students may also be subject to campus disciplinary action, which may result in the disclosure of alcohol and other drug violations to parents/ guardians (for students under the age of 21).

Statement in Support of a Drug-Free Campus is available in the Dean of Student Office, 501 Culkin Hall.

[oswego.edu/student-affairs/aod-education](https://oswego.edu/student-affairs/aod-education)

### **Good Samaritan Actions**

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

A bystander acting in good faith or a reporting individual acting in good faith that discloses any incident of domestic

violence, dating violence, stalking, or sexual assault to SUNY Oswego officials or law enforcement will not be subject to SUNY Oswego code of conduct action for violations of alcohol and/or drug use policies occurring at or near the time of the commission of the domestic violence, dating violence, stalking, or sexual assault. SUNY Oswego strongly encourages students to report incidents of domestic violence, dating violence, stalking, or sexual assault to the Title IX Coordinator.

### **Good Samaritan Policy**

It is the intent of SUNY Oswego to encourage a witness or victim of an alcohol or other drug related emergency to seek timely medical assistance. Under the Good Samaritan Policy the victim or the witness of alcohol or drug overdose and who seeks medical assistance to respond to that emergency, is not subject to college formal disciplinary action. In keeping with New York State Penal Law Section 220.78 WITNESS OR VICTIM OF DRUG OR ALCOHOL OVERDOSE, Section 390.40 (3) and Section 220.03, SUNY Oswego expects members of the college community – students, faculty and staff – and visitors and guests to report any medical emergency. This policy also promotes education/intervention and postvention follow up for anyone involved in the incident.

### **Alcohol and Drug Prevention Program**

The Alcohol and Other Drug Prevention Program at SUNY Oswego is a comprehensive prevention and intervention program that uses the environmental management model to develop institutional practices and policies aimed at reducing the prevalence of alcohol and other drug related harm among the SUNY Oswego community.

[oswego.edu/student-affairs/alcohol-and-other-drug-education](https://oswego.edu/student-affairs/alcohol-and-other-drug-education)

**BASICS** (Brief Alcohol Screening and Intervention for College Students) is an evidence-based program to help students make better decisions regarding any use of alcohol or drugs, and to reduce harm related to use of alcohol or substances. This two-session intervention is confidential and designed to be supportive and nonjudgmental.

### **Everfi Substance Abuse Prevention Suite**

SUNY Oswego has partnered with EverFi, an education technology company, that assists students with critical life skills. The courses are designed to empower students to make healthy and informed choices about substance use.

- **AlcoholEDU** is a two-part online program that uses the latest evidence-based prevention methods to inspire students to make healthier decisions related to alcohol and other drugs. This course is designed to educate students on the mental and physical effects alcohol has on the body and prepare students to engage in bystander intervention. The course includes tailored

content that will engage abstainers, light to moderate drinkers, and frequent drinkers and also includes information about marijuana and vaping.

- **AlcoholEDU for Sanctions** is an online program mandated to students who have been found responsible for violating the College's alcohol and drug policies. This course is designed to help students evaluate their current choices related to alcohol. It is a science-based course designed to teach students about the effects of alcohol on the body and mind, and assist students in making safer and healthier decisions.
- **Prescription Drug Abuse Prevention** Our 30-minute Prescription Drug Abuse Prevention course is designed to empower students with the skills and knowledge needed to make safe and healthy decisions about prescription drug use. The course introduces students to the science of addiction and provides information about the proper use, storage, and disposal of opioids, stimulants, and depressants. It prepares students to identify signs of abuse and addiction and equips learners with tactics for refusal and bystander intervention. For more information contact [trisha.dewolf@oswego.edu](mailto:trisha.dewolf@oswego.edu).

Alcohol and Other Drug policies are described in the current Student Handbook available online: [oswego.edu/student-handbook](https://oswego.edu/student-handbook)

## **Sexual and Interpersonal Violence**

The college prohibits sex discrimination, sexual assault, sexual harassment, stalking, domestic violence, dating violence or any form of interpersonal violence and encourages the reporting of these instances so that the college can investigate. The reason for this is that sexual and interpersonal violence is particularly harmful to the reporting individual and creates a hostile learning environment. Therefore, the college encourages reporting incidents of sex discrimination, including sexual and interpersonal violence so that the college can respond and maintain a safe learning environment through both prevention education and vigorous pursuit of a resolution to such a report.

In recent years, "Title IX" cases have become a short-hand for any campus disciplinary process involving sex discrimination, including those arising from sexual harassment and sexual assault. But under the Final Rule, SUNY Oswego must narrow both the geographic scope of its authority to act under Title IX and the types of "sexual harassment" that it must subject to its Title IX investigation and adjudication process. Only incidents falling within the Final Rule's definition of sexual harassment will be

investigated and, if appropriate, brought to a live hearing through the Title IX Grievance Policy: [oswego.edu/title-ix/policies](https://oswego.edu/title-ix/policies). SUNY Oswego remains committed to addressing any violations of its policies, even those not meeting the narrow standards defined under the Title IX Final Rule. For cases that do not fall within the Title IX Grievance Policy, the Sexual and Interpersonal Violence Response Policy (below) will be used.

The Title IX Coordinator also coordinates compliance with intersecting laws such as NYS Article 129A, NYS Article 129B, the Clery Act, Violence Against Women Act as well as other state and federal mandates, SUNY policies and SUNY Oswego policies.

### **Sexual and Interpersonal Violence Response Policy**

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

## **1. Reporting**

**To disclose confidentially the incident to one of the following college officials, who by law may maintain confidentiality, and can assist in obtaining services** (more information on confidential report is available in the [Options for Confidentially Disclosing Sexual Violence Policy](#)):

- Online Anonymous Reporting System  
[ww1.oswego.edu/title-ix/sexual-interpersonal-violence-anonymous-report](http://ww1.oswego.edu/title-ix/sexual-interpersonal-violence-anonymous-report)
- Counseling Services Center  
315-312-4416 | [oswego.edu/counseling-services](https://oswego.edu/counseling-services)
- Health Services  
315-312-4100 | [oswego.edu/walker-health-center](https://oswego.edu/walker-health-center)

**To disclose confidentially the incident and obtain services from the New York State, New York City or county hotlines:** [opdv.ny.gov/help/dvhotlines.html](https://opdv.ny.gov/help/dvhotlines.html).

Additional disclosure and assistance options are cataloged by the Office for the Prevention of Domestic Violence and presented in several languages: [opdv.ny.gov/help](https://opdv.ny.gov/help) (or by calling 1-800-942-6906), and assistance can also be obtained through:

- Services to Aid Families confidential victim advocates:  
315-342-1600 | [oco.org/crisis-development](https://oco.org/crisis-development)
- Legal Momentum: [legalmomentum.org](https://legalmomentum.org)
- NYCASA: [nycasa.org/responding](https://nycasa.org/responding)
- NYSCADV: [nyscadv.org](https://nyscadv.org)
- RAINN: [rainn.org/get-help](https://rainn.org/get-help)
- Safe Horizons: [safehorizon.org](https://safehorizon.org)

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

**To disclose the incident to the following college officials who can offer privacy and can provide information about remedies, accommodations, evidence preservation, and how to access resources.**

These officials will also provide the information contained in the [Students' Bill of Rights](#), including the right to choose when and where to report, to be protected by SUNY Oswego from retaliation, and to receive assistance and resources from college officials.

These college officials will disclose that they are private and not confidential resources, and they may still be required by law and college policy to inform one or more college officials about the incident, including but not limited to the Title IX Coordinator. They will notify reporting individuals that the criminal justice process uses different standards of proof and evidence than internal procedures, and questions about the penal law or the criminal process should be directed to law enforcement or district attorney:

Lisa Evaneski, Title IX Coordinator\*,  
405 Culkin Hall | 315-312-5604 (private voicemail)  
[lisa.evaneski@oswego.edu](mailto:lisa.evaneski@oswego.edu)

Leah Holmes, Title IX Investigator,  
201 Culkin Hall | 315-312-2215  
[leah.holmes@oswego.edu](mailto:leah.holmes@oswego.edu)

Dr. Jennifer Knapp, Title IX Investigator  
601 Culkin Hall | 315-312-6612  
[jennifer.knapp@oswego.edu](mailto:jennifer.knapp@oswego.edu)

Amy Plotner, Title IX Investigator,  
201 Culkin Hall | 315-312-3702 (private voicemail)  
[amy.plotner@oswego.edu](mailto:amy.plotner@oswego.edu)

Daniel Roberts, Title IX Investigator,  
135 Marano Campus Center | 315-312-2930  
[daniel.roberts@oswego.edu](mailto:daniel.roberts@oswego.edu)

Michelle Sloan, Title IX Investigator  
501 Culkin Hall | 315-312-5483  
[shelly.sloan@oswego.edu](mailto:shelly.sloan@oswego.edu)

Dr. Paul Tomascak, Title IX Investigator  
601 Culkin Hall | 315-312-2285  
[paul.tomascak@oswego.edu](mailto:paul.tomascak@oswego.edu)

University Police, Pathfinder Hall (24 hours)  
315-312-5555

*\*Generally all sexual and interpersonal violence reports, investigations and interim remedies begin with the Title IX Coordinator who then assigns cases to the Title IX Investigators.*

**To file a criminal complaint with University Police and/or with local law enforcement and/or state police:**

- University Police (Pathfinder Hall) 315-312-5555
- Oswego City Police (169 West Second St.) 315-342-8120
- State police 24-hour hotline to report sexual assault on a NY college campus:  
1-844-845-7269 | [consentfirst.troopers.ny.gov](https://consentfirst.troopers.ny.gov)

**To receive assistance from Lisa Evaneski, Title IX Coordinator, 315-312-5604, 405 Culkin Hall in initiating legal proceedings in family court or civil court.**

Individuals may also contact Services to Aid Families 315-342-1600, [oco.org/crisis-development](https://oco.org/crisis-development) for assistance.

**To file a report of sex discrimination, sexual harassment, sexual assault, domestic violence, dating violence, and/or stalking, and/or individuals will need to speak to the Title IX Coordinator for information and assistance.**

Reports will be investigated in accordance with SUNY Oswego policy and the reporting individual's identity shall remain private at all times if said reporting individual requests privacy. If a reporting individual wishes to keep their identity anonymous, they may call SUNY Oswego's Title IX Coordinator anonymously to discuss the situation and available options (see section III of this document for [Protections and Accommodations](#)):

Lisa Evaneski, Title IX Coordinator, 405 Culkin Hall  
315-312-5604 | [lisa.evaneski@oswego.edu](mailto:lisa.evaneski@oswego.edu)

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

Human Resources, 315-312-2230, 201 Culkin Hall

An individual may withdraw their complaint or involvement from the SUNY Oswego process at any time.

The college shall ensure that, at a minimum, at the first instance of disclosure by a reporting individual to a college representative, the following information shall be presented to the reporting individual: "You have the right to make a report to University Police or Campus Security,

local law enforcement, and/or State Police or choose not to report; to report the incident to SUNY Oswego; to be protected by SUNY Oswego from retaliation for reporting an incident; and to receive assistance and resources from SUNY Oswego."

See the full Student's Bill of Rights for more information: [oswego.edu/title-ix/students-bill-rights](https://oswego.edu/title-ix/students-bill-rights)

The college will conduct a timely review of all complaints of sex discrimination, sexual harassment, sexual assault, domestic violence, dating violence, and/or stalking. Absent extenuating circumstances, review and resolution is expected to take place within 120 business days from receipt of the formal complaint. The preliminary review of all complaints, including any necessary interviews to be conducted and any necessary interim measures to be put in place, will usually be completed within twenty (20) days of receipt of the initial complaint. The subsequent, comprehensive review and investigation of the formal complaint, including interviews with all involved parties and gathering of evidence, is usually completed within sixty (60) days of receipt of the formal complaint. Results of the complaint, via either a formal hearing or waiver of hearing are typically issued within one hundred (100) days of receipt of the formal complaint. An appeal of the results must be submitted within five (5) days after days of receipt of the written result.

## 2. Resources

### **To obtain effective intervention services.**

**Counseling Services Center** | 315-312-4416  
Currently located in Hewitt Union.  
The resources are offered free to registered SUNY Oswego students.  
[oswego.edu/counseling-services](https://oswego.edu/counseling-services)

**Health Services** | 315-312-4100  
Currently located in Hewitt Union.  
Testing for STIs and emergency contraception is available at the Walker Health Center.  
The Mandatory Health Fee pays for the health care for registered SUNY Oswego students at Health Services. Pregnancy and urine tests are free, STD and HIV tests are provided at a reasonable cost.  
[oswego.edu/walker-health-center](https://oswego.edu/walker-health-center)

**OCO Reproductive Health** | 315-342-0888  
10 George Street, Suite 100, Oswego, N.Y.  
For more information and to access information about payment options go to:  
[oco.org/health-services/ohc](https://oco.org/health-services/ohc)

Employees are encouraged to use their health care provider or contact the College's Employee Assistance Program (EAP) for more information.  
315-312-5546 | [oswego.edu/eap](https://oswego.edu/eap)



**Within 96 hours of an assault, you can get a Sexual Assault Forensic Rape Examination** (commonly referred to as a rape kit) at a hospital. While there should be no charge for a rape kit, there may be a charge for medical or counseling services off campus and, in some cases, insurance may be billed for services. Anyone using these resources may let hospital personnel know if they do not want their insurance policyholder to be notified about access to these services. The New York State Office of Victim Services may be able to assist in compensating victims/survivors for health care and counseling services, including emergency funds. More information may be found here: [ovs.ny.gov/victim-compensation](https://ovs.ny.gov/victim-compensation), or by calling 1-800-247-8035.

**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.

### 3. Protection and Accommodations

**A request may be made to have campus officials issue a “No Contact Order” in order to protect a victim.** Any contact with the identified protected individual is a violation of college policy subject to additional conduct charges. Note: if the accused/respondent and a protected person observe each other in a public place, it is the responsibility of the accused/respondent to leave the area immediately and without directly contacting the protected person. Both the accused/respondent and reporting individual may request a prompt review of the need for and terms of a No Contact Order, consistent with SUNY Oswego policy. Parties may submit evidence in support of their request.

**University Police and/or the Title IX Coordinator may be contacted to provide information about Orders of Protection:** to receive a copy of the Order of Protection or equivalent and to have an opportunity to meet or speak with the Title IX Coordinator or University Police for an explanation of processes and procedures.

**University Police or the Title IX Coordinator may assist with issues related to initiating family court or civil court proceedings.** This may include obtaining an Order of Protection or, if outside of New York State, an equivalent protective or restraining order. Assistance is also available from Services to Aid Families 315-342-1600, [oco.org/crisis-development](https://oco.org/crisis-development)

**To request information and a copy of the Order of Protection or equivalent**, individuals may contact the Title IX Coordinator or University Police who can explain the Order and answer questions about it, including

information from the Order about the accused/respondent’s responsibility to stay away from the protected person(s); that burden does not rest on the protected person(s). Requests for assistance may also be made to Services to Aid Families 315-342-1600, [oco.org/crisis-development](https://oco.org/crisis-development)

**To receive an explanation of the consequences for violating these orders**, including but not limited to arrest, additional conduct charges, and interim suspension. Contact the Title IX Coordinator, Lisa Evaneski, 315-312-5604 or [lisa.evaneski@oswego.edu](mailto:lisa.evaneski@oswego.edu) or University Police, 315-312-5555.

**University Police may be contacted when someone violates an Order of Protection or, if outside of New York State**, an equivalent protective or restraining order. If outside of the jurisdiction, local law enforcement would need to respond to request.

**When the accused/respondent is a student and presents a continuing threat to the health and safety of the community**, parties should contact the Dean of Students, [deanofstudents@oswego.edu](mailto:deanofstudents@oswego.edu), 315-312-5483. The Title IX Coordinator can assist with this request.

**When the accused/respondent is an employee, and presents a continuing threat to the health and safety of the community**, police should be contacted. Any interim measures would be in accordance with applicable collective bargaining agreements, employee handbooks, and SUNY Oswego policies and rules.

**When the accused/respondent is not a member of the college community**, to have assistance from University Police or the Title IX Coordinator in obtaining a persona non grata letter, subject to legal requirements and college policy.

**To obtain reasonable and available interim measures and accommodations that effect a change in academic, housing, employment, transportation, or other applicable arrangements, parties may request a prompt review of any interim measures and accommodations.**

While reporting individuals may request accommodations through any of the offices referenced in this policy, the following office can serve as a point of contact:

Lisa Evaneski, Title IX Coordinator, 405 Culkin Hall  
315-312-5604 | [lisa.evaneski@oswego.edu](mailto:lisa.evaneski@oswego.edu)

#### 4. Student Conduct Process

Conduct proceedings are governed by the procedures set forth in the SUNY Oswego Student Handbook ([oswego.edu/student-handbook](http://oswego.edu/student-handbook)) as well as federal and New York State law, including the due process provisions of the United States and New York State Constitutions.

Throughout conduct proceedings, the accused/respondent and the reporting individual will have:

- The same opportunity to be accompanied by an advisor of their choice who may assist and advise the parties throughout the conduct process and any related hearings or meetings. Participation of the advisor in any proceeding is governed by federal law and the Code of Conduct: [oswego.edu/student-conduct/code-conduct](http://oswego.edu/student-conduct/code-conduct).
- The right to a prompt response to any complaint and to have their complaint investigated and adjudicated in an impartial, timely, and thorough manner by individuals who receive annual training in conducting investigations of sexual violence, the effects of trauma, impartiality, the rights of the accused/respondent, including the right to a presumption that the accused/respondent is “not responsible” until a finding of responsibility is made, and other issues related to sexual assault, domestic violence, dating violence, and stalking.
- The right to an investigation and process conducted in a manner that recognizes the legal and policy requirements of due process (including fairness, impartiality, and a meaningful opportunity to be heard) and is not conducted by individuals with a conflict of interest.
- The right to receive advance written or electronic notice of the date, time, and location of any meeting or hearing they are required to or are eligible to attend. Accused individuals (Respondent) will also be told the factual allegations concerning the violation, a reference to the specific code of conduct provisions alleged to have been violated, and possible sanctions.
- The right to have a conduct process run concurrently with a criminal justice investigation and proceeding, except for temporary delays as requested by external municipal entities while law enforcement gathers evidence. Temporary delays should not last more than 10 days except when law enforcement specifically requests and justifies a longer delay.
- The right to offer evidence during an investigation and to review available relevant evidence in the case file (or otherwise held by SUNY Oswego).
- The right to present evidence and testimony at a hearing, where appropriate.
- The right to a range of options for providing testimony via alternative arrangements, including telephone/videoconferencing or testifying with a room partition.
- The right to exclude prior sexual history with persons other than the other party in the conduct process or their own mental health diagnosis or treatment from admittance in college disciplinary stage that determines responsibility. Past findings of sex discrimination, sexual harassment, domestic violence, dating violence, stalking, or sexual assault may be admissible in the disciplinary stage that determines sanction.
- The right to ask questions of the decision maker, and via the decision maker, indirectly request responses from other parties and any other witnesses present.
- The right to make an impact statement during the point of the proceeding where the decision maker is deliberating on appropriate sanctions.
- The right to simultaneous (among the parties) written or electronic notification of the outcome of a conduct proceeding, including the decision, any sanctions, and the rationale for the decision and any sanctions.
- The right to written or electronic notice about the sanction(s) that may be imposed on the accused/respondent based upon the outcome of the conduct proceeding. The following outlines the available sanctions for cases of sexual assault, rape, dating violence, domestic violence and stalking.

##### 1. When an individual is found responsible for sexual assault or rape, the following sanctions are available:

- a. Expulsion
- b. Suspension for 1, 2, 3 or 4 semesters  
(NOTE: In cases of sexual misconduct including sexual assault and rape, when an individual is found responsible, the College will impose a minimum sanction of suspension.)
- c. If re-admitted, deferred suspension through graduation upon return
- d. If re-admitted, deferred suspension upon return for 1, 2, 3, 4, 5, 6, 7, or 8 semesters upon return
- e. If re-admitted, residence hall dismissal upon return
- f. If re-admitted, loss of privileges upon return
- g. If re-admitted and applicable, extension of no contact with the reporting individual
- h. Mandated counseling assessment while suspended

##### 2. When an individual is found responsible for dating violence or domestic violence, the following sanctions are available:

- a. Expulsion
- b. Suspension for 1, 2, 3, or 4 semesters
- c. Deferred suspension through graduation
- d. Deferred suspension for 1, 2, 3, 4, 5, 6, 7, or 8 semesters

- e. If suspended and re-admitted, deferred suspension through graduation upon return
- f. If suspended and re-admitted, deferred suspension upon return for 1, 2, 3, 4, 5, 6, 7, or 8 semesters upon return
- g. If suspended and re-admitted, residence hall dismissal upon return
- h. If suspended and re-admitted, loss of privileges upon return
- i. If suspended and re-admitted and applicable, extension of restriction of contact with the reporting individual
- j. Mandated counseling assessment

3. When an individual is found responsible for stalking, the following sanctions are available:

- a. Expulsion
- b. Suspension for 1, 2, 3, or 4 semesters
- c. Deferred suspension through graduation
- d. Deferred suspension for 1, 2, 3, 4, 5, 6, 7, or 8 semesters
- e. If suspended and re-admitted, deferred suspension through graduation upon return
- f. If suspended and re-admitted, deferred suspension upon return for 1, 2, 3, 4, 5, 6, 7, or 8 semesters upon return
- g. If suspended and re-admitted, residence hall dismissal upon return
- h. If suspended and re-admitted, loss of privileges upon return
- i. If suspended and re-admitted and applicable, extension of restriction of contact with the reporting individual
- j. Mandated counseling assessment
- k. Disciplinary probation
- l. Removal/restriction from residence halls

For more information, review the Code of Conduct, [oswego.edu/student-conduct/code-conduct](https://oswego.edu/student-conduct/code-conduct)

- Access to at least one level of appeal of a determination before the Appeal Hearing Board, which may include one or more students, that is fair and impartial and does not include individuals with a conflict of interest.
- The right to have access to a full and fair record of a student conduct hearing, which shall be preserved and maintained in the Student Conduct office for at least five years.
- The right to choose whether to disclose or discuss the outcome of a conduct hearing.

- The right to have all information obtained during the course of the conduct or judicial process be protected from public release until the appeals panel makes a final determination unless otherwise required by law.

Student Conduct - Dean of Students Office,  
501 Culkin Hall, 315-312-3378

### Options for Confidentially Disclosing Sexual Violence

SUNY Oswego encourages students to obtain information and support regardless of whether they move forward with filing reports of sexual violence with university officials or campus police. Individuals may wish to speak with someone about something that was observed or experienced, even if they are not sure if that behavior constituted sexual or interpersonal violence. Resources and policies related to use of confidential and privileged resources are listed below.

#### In this Policy:

- Privileged and Confidential Resources
- Non-Professional Counselors and Advocates
- Privacy versus Confidentiality
- Requesting Confidentiality: How the College/University Will Weigh the Request and Respond
- Public Awareness/Advocacy Events
- Anonymous Disclosure
- Institutional Crime Reporting

### Privileged and Confidential Resources

Individuals who are confidential resources will not report crimes to law enforcement or college officials without the individual's permission, except for extreme circumstances, such as a health and/or safety emergency. Confidential resources include:

SUNY Oswego's Counseling Services  
Counseling Services Center, 202 Hewitt  
315-312-4416 | [oswego.edu/csc](https://oswego.edu/csc)

SUNY Oswego Health Services licensed medical professionals or supervised interns when they are engaged in a physician/patient relationship, 213F Hewitt  
315-312-4100 | [oswego.edu/walker](https://oswego.edu/walker)

SUNY Oswego licensed medical professionals or supervised interns when they are engaged in a physician/patient relationship at Health Services  
315-312-4100, [oswego.edu/walker](https://oswego.edu/walker)

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

Off-campus counselors and advocates. Crisis services offices will generally maintain confidentiality unless individuals request disclosure and sign a consent or

waiver form. More information on an agency's policies on confidentiality may be obtained directly from the agencies.

Services to Aid Families (SAF) confidential victim advocates  
9 4th Avenue (Hillside Commons) Oswego, NY 13126  
315-342-1600, [oco.org/crisis-development](https://oco.org/crisis-development)  
*SAF can assist victims/survivors of crimes with requests for compensation through the New York State Office of Victim Services for property lost or damaged during the crime as well as medical expenses.*

Sexual Assault Victims Advocate Resource (SAVAR)  
Cayuga Counseling Services  
17 East Genesee Street Auburn, NY 13021  
Office: 315-253-9795  
Hot Line: 315-252-2112  
[cayugacounseling.org](https://cayugacounseling.org)

#### **Off-campus healthcare providers:**

Oswego Hospital  
110 West Sixth Street, Oswego, New York 13126  
[oswegohealth.org](https://oswegohealth.org)

The following hospitals have  
Sexual Assault Nurse Examiners (SANE):

Oswego Hospital  
110 West Sixth Street, Oswego, New York 13126  
[oswegohealth.org](https://oswegohealth.org)

St. Joseph's Hospital  
301 Prospect Avenue, Syracuse, NY 13203  
1-888-STJOES1 (1-888-785-6371)

SUNY Upstate Medical Center  
750 East Adams Street, Syracuse, NY 13210  
315-464-5540

Medical office and insurance billing practices may reveal information to the insurance policyholder, including medication and/or examinations paid for or administered. The New York State Office of Victim Services may be able to assist in compensating victims/survivors for health care and counseling services, including emergency compensation. More information may be found here: [ovs.ny.gov/victim-compensation](https://ovs.ny.gov/victim-compensation), or by calling 1-800-247-8035.

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

#### **Non-Professional Counselors and Advocates**

Non-professional counselors and advocates may assist without sharing identifying information. At SUNY Oswego, this includes non-licensed staff of Counseling Services Center (315-312-4416), and Health Services (315-312-4100).

For example: interns, clerical staff, student staff. These individuals will report the nature, date, time, and general location of an incident to SUNY Oswego's Title IX Coordinator, but will consult with the student in order to ensure no personally identifying details are shared without consent. These individuals are not considered confidential resources as discussed above.

#### **Privacy versus Confidentiality**

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

#### **Requesting Confidentiality: How SUNY Oswego Will Weigh the Request and Respond**

If an individual discloses an incident to a SUNY Oswego employee who is responsible for responding to or reporting sexual violence or sexual harassment, but wishes to maintain confidentiality or does not consent to the College's request to initiate an investigation, the Title IX Coordinator must weigh the request against the obligation to provide a safe, non-discriminatory environment for all members of the campus community.

SUNY Oswego will assist reporting individuals with academic, housing, transportation, employment, and other reasonable and available accommodations regardless of chosen reporting options. While reporting individuals may request accommodations through several college offices, the following office can serve as a primary point of contact to assist with these measures Lisa Evaneski, Title IX Coordinator, 405 Culkin Hall, 315-312-5604 or [lisa.evaneski@oswego.edu](mailto:lisa.evaneski@oswego.edu).

Campus authorities may seek consent from the reporting individual prior to conducting an investigation. The individual may decline to consent to an investigation, and that determination will be honored unless SUNY Oswego's failure to act does not adequately mitigate the risk of harm to the reporting individual or other members of the SUNY Oswego community. Honoring the request may limit Oswego University's ability to meaningfully investigate and pursue conduct action against an accused individual (respondent). If it is determined that an investigation is required, the reporting individual will be notified and campus authorities will take immediate action to protect reporting individuals.

When a reporting individual discloses an incident to a



campus office or entity that is responsible for responding or reporting sexual violence or sexual harassment, and states a wish to maintain confidentiality, SUNY Oswego will consider many factors to determine whether to proceed despite that request. These factors include, but are not limited to:

- Whether the accused/respondent 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 perpetration at a given location or by a particular group.

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

### **Public Awareness/Advocacy Events**

If an individual discloses a situation during a public awareness event such as “Take Back the Night,” candlelight vigils, protests, or other public events, SUNY Oswego is not obligated to begin an investigation. SUNY Oswego may use the information to inform additional education and prevention efforts.

### **Anonymous Disclosure**

Services to Aid Families (SAF) abuse and assault hotline: 315-342-1600 (24 hours). The SAF Abuse and Assault Hotline is for crisis intervention, resources and referrals and is not a reporting mechanism.

Online Anonymous Reporting System:

[www1.oswego.edu/title-ix/sexual-interpersonal-violence-anonymous-report](http://www1.oswego.edu/title-ix/sexual-interpersonal-violence-anonymous-report)

New York State Hotline for Sexual Assault and Domestic Violence: 1-800-942-6906.

### **Institutional Crime Reporting:**

Reports of certain crimes occurring in certain geographic locations will be included in the SUNY Oswego Clery Act Annual Security and Fire Report in an anonymized manner that neither identifies the specifics of the crime or the identity of the reporting individual or victim/survivor. Contact Lisa Evaneski, Title IX Coordinator, for more information: 315-312-5604.

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

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

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

- 1) SUNY Oswego shall annually report to the department the following information about reports of domestic violence, dating violence, stalking and sexual assault:
  - a) The number of such incidents that were reported to the Title IX Coordinator.
  - b) Of those incidents in paragraph a. of this subdivision, the number of reporting individuals who sought the SUNY Oswego conduct process.
  - c) Of those reporting individuals in paragraph b of this subdivision, the number of cases processed through the SUNY Oswego’s conduct process.
  - d) Of those cases in paragraph c of this subdivision, the number of respondents who were found responsible through the SUNY Oswego’s conduct process.
  - e) Of those cases in paragraph c of this subdivision, the number of respondents who were found not responsible through the SUNY Oswego’s conduct process.
  - f) A description of the final sanctions imposed by SUNY Oswego for each incident for which a respondent was found responsible, as provided in paragraph d of this subdivision, through the conduct process.
  - g) The number of cases in the SUNY Oswego’s conduct process that were closed prior to a final determination after the respondent withdrew from the College and declined to complete the disciplinary process.
  - h) The number of cases in the SUNY Oswego’s conduct process that were closed because the complaint was withdrawn by the reporting individual prior to a final determination.

- 2) The department shall create a reporting mechanism for institutions to efficiently and uniformly provide the information outlined in subdivision one of this section.

### **Students’ Bill of Rights**

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

**All students have the right to:**

1. Make a report to local law enforcement and/or state police;
2. Have disclosures of domestic violence, dating violence, stalking, and sexual assault treated seriously.
3. Make a decision about whether or not to disclose a crime or violation and participate in the student conduct process and/or criminal justice process free from pressure from the College.
4. Participate in a process that is fair, impartial, and provides adequate notice and a meaningful opportunity to be heard.
5. Be treated with dignity and to receive from the College courteous, fair, and respectful health care and counseling services, where available.
6. Be free from any suggestion that the reporting individual 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 representatives 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 to at least one level of appeal of a determination.
10. Be accompanied by an advisor of choice who may assist and advise a reporting individual, accused, or respondent throughout the student conduct process including during all meetings and hearings related to such process.
11. Exercise civil rights and practice of religion without interference by the investigative, criminal justice, or student 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 detailed information on confidentiality and privacy, visit Options for Confidentially Disclosing Sexual Violence.
- Make a report to:
  - An employee with the authority to address complaints, including the Title IX Coordinator, a Student Conduct employee, or a Human Resources employee.
  - University Police.
  - Local law enforcement.
  - Family Court or Civil Court.

Copies of this Bill of Rights shall be distributed annually to students, made available on college websites, and posted in each campus residence hall, dining hall, and student union or campus center and shall include links or information to access the Sexual Violence Response Policy and the Options for Confidentially Disclosing Sexual Violence.

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

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

**Policy/Instructions on How Parties Can Review the Case File/Evidence**

SUNY Oswego ensures that every student be afforded the following rights. Throughout proceedings involving such an accusation of sexual assault, domestic violence, dating

violence, stalking, or sexual activity that may otherwise violate SUNY Oswego's code of conduct, the right to review and present available evidence in the case file, or otherwise in the possession or control of the College, and relevant to the conduct case, consistent with college policies and procedures.

#### **Policy for Review of Interim Measures/Accommodations**

Both the accused/respondent and the reporting individual shall, upon request and consistent with SUNY Oswego policies and procedures, be afforded a prompt review, reasonable under the circumstances, of the need for and terms of any such interim measure and accommodation that directly affects him or her, and shall be allowed to submit evidence in support of his or her request. Contact the Title IX Coordinator for assistance.

#### **Policy for Review of an Interim Suspension**

Both the accused or respondent and the reporting individual shall, upon request and consistent with SUNY Oswego policies and procedures, be afforded a prompt review, reasonable under the circumstances, of the need for and terms of an interim suspension, including potential modification, and shall be allowed to submit evidence in support of his or her request. Contact the Dean of Students [deanofstudents@oswego.edu](mailto:deanofstudents@oswego.edu).

#### **Policy for the Review of No Contact Order**

Both the accused or respondent and the reporting individual shall, upon request and consistent with SUNY Oswego policies and procedures, be afforded a prompt review, reasonable under the circumstances, of the need for and terms of a no contact order, including potential modification, and shall be allowed to submit evidence in support of his or her request. SUNY Oswego may establish an appropriate schedule for the accused and respondents to access applicable buildings and property at a time when such buildings and property are not being accessed by the reporting individual. For No Contact Orders issued by the Title IX Coordinator, contact the Title IX Coordinator for assistance.

#### **Policy for Transcript Notations: Suspensions or Expulsions**

Generally, disciplinary actions are not noted on academic transcripts. However, if a student is suspended or expelled as a result of a disciplinary action, the student will have an "NG" notation in place of a grade on every course for which they are registered for the semester of the effective date of the suspension or expulsion. The credits attempted for that semester will be included in the total number of credits attempted. The "NG" notation will become a permanent part of the student's academic record (transcript).

Students with "NG" notations must have the approval of the Dean of Students, [deanofstudents@oswego.edu](mailto:deanofstudents@oswego.edu) before they can apply for readmission to the College. If the

student is readmitted to the College, the courses with "NG" notation can be repeated. The "NG" notation, however, will remain on the academic transcript.

Conduct involving serious crimes, including, but not limited to arson, hazing, robbery/burglary, motor vehicle theft, murder/manslaughter, physical assault, sexual and interpersonal violence, and/or conduct that leads to death or serious physical injury of another person, shall result in a permanent transcript notation of suspension or expulsion from the College. The permanent transcript notation will read: "suspended after a finding of responsibility for a code of conduct violation on (date)." or "expelled after a finding of responsibility for a code of conduct violation on (date)."

When a respondent withdraws, is not enrolled due to winter/summer break, or is on interim suspension while conduct charges are pending, and has declined to complete the disciplinary process, a transcript notation will be applied: "withdrew with conduct charges pending." Appropriate disciplinary action will be taken prior to the student's return to SUNY Oswego. The notation is removed if the student is readmitted after completing the conduct process.

Appeals to seek removal of a transcript notation for a suspension, provided that such notation shall not be removed prior to one year after conclusion of the suspension, shall be directed to the Dean of Students, [deanofstudents@oswego.edu](mailto:deanofstudents@oswego.edu). For suspensions related to serious crimes listed above, the notation is permanent. Notations for expulsion shall not be removed. If a finding of responsibility is vacated for any reason, any such transcript notation shall be removed.

### **Definitions**

**Accused** shall mean a person accused of a violation who has not yet entered the student conduct process..

**Advisor** is any individual who provides the accused/respondent or victim/survivor with support, guidance and/or advice

**Affirmative consent** is a knowing, voluntary, and mutual decision among all participants to engage in sexual activity. Consent can be given by words or actions, as long as those words or actions create clear permission regarding willingness to engage in the sexual activity. Silence or lack of resistance, in and of itself, does not demonstrate consent. The definition of consent does not vary based upon a participant's sex, sexual orientation, gender identity, or gender expression. Consent to any sexual act or prior consensual sexual activity between or with any party does not necessarily constitute consent to any other sexual act. Consent is required regardless of whether the person initiating the act is under the influence of drugs and/or alcohol. Consent may be initially given but withdrawn at any time. Consent cannot be given when a person is incapacitated, which occurs when an individual lacks the ability to knowingly choose to participate in sexual activity. Incapacitation may

be caused by the lack of consciousness or being asleep, being involuntarily restrained, or if an individual otherwise cannot consent. Depending on the degree of intoxication, someone who is under the influence of alcohol, drugs, or other intoxicants may be incapacitated and therefore unable to consent. Consent cannot be given when it is the result of any coercion, intimidation, force, or threat of harm. When consent is withdrawn or can no longer be given, sexual activity must stop.

**Amnesty:** The Policy for Alcohol and/or Drug Use Amnesty in Sexual and Interpersonal Violence Cases states that 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 Oswego recognizes that students who have been drinking and/or using drugs (whether such use is voluntary or involuntary) at the time that violence, including but not limited to domestic violence, dating violence, stalking, or sexual assault occurs may be hesitant to report such incidents due to fear of potential consequences for their own conduct. SUNY Oswego strongly encourages students to report incidents of domestic violence, dating violence, stalking, or sexual assault to institution officials. A bystander acting in good faith or a reporting individual acting in good faith that discloses any incident of domestic violence, dating violence, stalking, or sexual assault to SUNY Oswego officials or law enforcement will not be subject to SUNY Oswego's code of conduct action for violations of alcohol and/or drug use policies occurring at or near the time of the commission of the domestic violence, dating violence, stalking, or sexual assault.

**Annual Fire and Security Report (Clery Act)** requires colleges and universities that participate in federal financial aid programs to report annual statistics on crime, including sexual assault and rape, on or near the campus, and to develop and disseminate prevention policies.

**Article 129-A (New York State Education Law)** requires all New York State public colleges to maintain policies related to specific provisions of this Article. General provisions include the advisory committee on campus security, sexual assault, domestic violence and stalking prevention information, campus crime reporting and statistics, investigation of violent felony offenses, bias related crime prevention information, prohibition on the marketing of credit cards, and notification of fire safety standards and measures in all college-owned or college-operated housing.

**Article 129-B (Enough is Enough)** requires all colleges in New York State to adopt a set of comprehensive procedures and guidelines to address sexual violence, including a uniform definition of affirmative consent, a statewide amnesty policy, and expanded access to law enforcement.

**Bystander** shall mean a person who observes a crime, impending crime, conflict, potentially violent or violent behavior, or conduct that is in violation of the College's rules or policies.

**Bystander intervention** is when a bystander's safe and positive actions serve to prevent harm or intervene when there is a risk posed to another person. Bystander interventions may include the recognition of the signs of potential harm, identification of safe and effective intervention options, and any action to intervene.

**Clery Act:** The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act or Clery Act is a federal statute (20 U.S.C. §1092(f)) that requires colleges and universities that participate in federal financial aid programs to keep and disclose statistics about crime on or near their campuses. Compliance is monitored by the U.S. Department of Education.

**Coercion** is defined for purposes of this section as the application of unreasonable pressure to take part in sexual activity or in any of the prohibited conduct listed in this document. Unreasonable pressure can be exerted through physical or emotional force, intimidation, misuse of authority, or outright threats. When someone makes it clear that he or she does not want to engage in sexual activity or does not want to go beyond a certain point of sexual interaction, continued pressure beyond that point may be considered coercive. Ignoring or dismissing the objections of another person may also be a form of coercion. (See full Affirmative Consent definition above).

**Code of Conduct** shall mean the written policies adopted by SUNY Oswego governing student behavior, rights, and responsibilities while such student is matriculated.

**College** means State University of New York at Oswego, Oswego, New York, and collectively, those persons responsible for its control and operation.

**Confidentiality** may be offered by an individual who is not required by law to report known incidents of sexual assault or other crimes to SUNY Oswego officials, in a manner consistent with State and Federal law, including but not limited to 20 U.S.C. 1092(f) and 20 U.S.C. 1681(a). Licensed mental health counselors and medical providers are examples of SUNY Oswego employees who may offer confidentiality.

**Dating violence** is any violent act or acts committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. The existence of a social relationship of a romantic or intimate nature with the victim is determined based on the reporting party's statement, the length of the relationship, the type of relationship, and frequency of interaction between the persons involved in the relationship.

**Domestic violence** is a felony or misdemeanor crime of violence committed by any of the following individuals: current or former spouse or intimate partner of the victim; or a person with whom the victim shares a child in common; or a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner; or a person similarly situated to a spouse of the victim under the domestic or family laws of the jurisdiction in which the crime of violence occurred; New York domestic or family violence laws or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of New York.

**Incapacitation** occurs when an individual lacks the ability to fully, knowingly choose to participate in sexual activity. Incapacitation includes impairment due to drugs or alcohol (whether such use is voluntary or involuntary), the lack of consciousness or being asleep, being involuntarily restrained, if any of the parties are under the age of 17, or if an individual otherwise cannot consent. (See full Affirmative Consent definition above).



**Institution** shall mean any college or university chartered by the regents or incorporated by special act of the legislature that maintains a campus in New York.

**Interim** measures, remedies, supportive 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.

**Preponderance of the Evidence** is the standard of proof in sexual and interpersonal violence cases, which asks whether it is “more likely than not” that the violence occurred. If the evidence presented meets this standard, then the accused/respondent should be found responsible.

**Privacy** may be offered by an individual when such individual is unable to offer confidentiality under the law but shall still not disclose information learned from a reporting individual or bystander to a crime or incident more than necessary to comply with this and other applicable laws, including informing appropriate College officials.

**Proceeding** refers to the activities related to a SUNY Oswego disciplinary complaint, including but not limited to fact finding investigations, formal or informal meetings, hearings and appeals.

**Reporting Individual** shall encompass the terms victim, survivor, complainant, claimant, witness with victim status who brings forth a report of a violation.

**Respondent** shall mean a person accused of a violation who has entered the student conduct process.

**Responsible employee** is an employee with the authority to redress sexual and interpersonal violence; who has been given the duty of reporting incidents of sexual violence or any other misconduct by students to the Title IX Coordinator or other appropriate school designee; or whom a student could reasonably believe has this authority or duty.

**Result** means any initial, interim and final decision by any College official or entity authorized to resolve disciplinary matters within SUNY Oswego.

**Retaliation** is adverse action against another person for reporting a violation or for participating in any way in the investigation or conduct process. Retaliation includes harassment and intimidation, including but not limited to violence, threats of violence, property destruction, adverse educational or employment consequences, and bullying.

**SaVE Act:** The SaVE Act is an acronym for the Campus Sexual Violence Act provision of the 2013 reauthorized Violence Against Women Reauthorization Act (VAWA). The SaVE Act provision, Section 304, requires colleges and universities to report domestic violence, dating violence, and stalking beyond the crime categories the Clery Act already mandates; adopt certain student conduct procedures, such as for notifying victims of their rights; and adopt training protocols and policies to address and prevent campus sexual violence.

**Sexual act** means:

- A contact between the penis and the vulva or the penis and the anus, and for purposes of this subparagraph contact involving the penis occurs upon penetration, however slight

- B contact between the mouth and the penis, the mouth and the vulva, or the mouth and the anus
- C the penetration, however slight, of the anal or genital opening of another by a hand or finger or by any object, with an intent to abuse, humiliate, harass, degrade, or arouse or gratify the sexual desire of any person; or
- D the intentional touching, not through the clothing, of the genitalia of another person who has not attained the age of 17 years with an intent to abuse, humiliate, harass, degrade, or arouse or gratify the sexual desire of any person

**Sexual activity** shall have the same meaning as “sexual act” and “sexual contact” as provided in 18 U.S.C. 2246(2) and 18 U.S.C. 2246(3).

**Sexual assault/violence** is a physical sexual act perpetrated against a person's will or where a person is incapable of giving consent. Such acts include, but are not limited to, rape, sexual battery and sexual coercion.

**Sexual contact** means the intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks of any person with an intent to abuse, humiliate, harass, degrade, or arouse or gratify the sexual desire of any person.

**Sex discrimination** includes all forms of: sexual harassment, sexual assault, and sexual violence by employees, students, or third parties against employees, students, or third parties. Students, College employees, and third parties are prohibited from harassing other students and/or employees whether or not the incidents of harassment occur on the College campus and whether or not the incidents occur during working hours. All acts of sex discrimination, including sexual harassment and sexual violence, are prohibited by SUNY Oswego policy.

**Sexual exploitation** occurs when a person takes non-consensual or abusive sexual advantage of another for his/her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of other sexual misconduct offenses. Examples of sexual exploitation include, but are not limited to:

- Invasion of sexual privacy
- Prostituting another student
- Non-consensual video or audio-taping of sexual activity
- Going beyond the boundaries of consent (including allowing others to view consensual sexual activity)
- Engaging in voyeurism
- Knowingly transmitting an STI or HIV to another student
- Exposing one's genitals in non-consensual circumstances
- Inducing another to expose their genitals
- Sexually-based stalking and/or bullying may also be forms of sexual exploitation

**Sexual harassment** is unwelcome, gender-based verbal or physical conduct that is sufficiently severe, persistent or pervasive that it unreasonably interferes with, denies or limits someone's ability to participate in or benefit from the university's educational program and/or activities, and is based on power differentials (quid pro quo), the creation of a hostile environment, or retaliation.

**Stalking** means intentionally engaging in a course of conduct, directed at a specific person, which is likely to cause a reasonable person to fear for their safety or the safety of others or cause that person to suffer substantial emotional distress. Examples include, but are not limited to, repeatedly following such person(s), repeatedly committing acts that alarm, cause fear, or seriously annoy such other person(s) and that serve no legitimate purpose, and repeatedly communicating by any means, including electronic means, with such person(s) in a manner likely to intimidate, annoy, or alarm him or her.

**Title IX of the Education Amendments of 1972** prohibits any person in the United States from being discriminated against on the basis of sex in seeking access to any educational program or activity receiving federal financial assistance. The U.S. Department of Education, which enforces Title IX, has long defined the meaning of Title IX's prohibition on sex discrimination broadly to include various forms of sexual harassment and sexual violence that interfere with a student's ability to equally access our educational programs and opportunities.

**Title IX Coordinator** shall mean the Title IX Coordinator and/or their designee or designees.

**Title IX Investigators** assist the Title IX Coordinator in responding to reports of sex discrimination, sexual harassment, sexual assault/violence, stalking, dating violence, and domestic violence.

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

**Victim/survivor:** a person who suffers personal, physical, or psychological injury. These policies use "reporting individual" as encompassing the terms victim, survivor, complainant, claimant, witness with victim status, and any other term used by an institution to reference an individual who brings for a report of a violation.

## Legal Definitions and Consequences

New York State Education Law and Penal Law contain the following legal provisions defining the crimes related to sexual harassment and violence:

NYS Education law section 6432 -Sexual Assault Prevention Information. Each college shall inform incoming students about sexual assault prevention measures and available resources and services.

### Grievance Policy for Addressing Formal Complaints of Sexual Harassment Under the Title IX Regulations

Title IX of the Educational Amendments of 1972 prohibits any person in the United States from being discriminated against on the basis of sex in seeking access to any educational program or activity receiving federal financial assistance. The U.S. Department of Education, which enforces Title IX, has long defined the meaning of Title IX's prohibition on sex

discrimination broadly to include various forms of sexual harassment and sexual violence that interfere with a student's ability to equally access our educational programs and opportunities.

On May 19, 2020, the U.S. Department of Education issued a Final Rule under Title IX of the Education Amendments of 1972 that:

- Defines the meaning of "sexual harassment" (including forms of sex-based violence)
- Addresses how this institution must respond to reports of misconduct falling within that definition of sexual harassment, and
- Mandates a grievance process that this institution must follow to comply with the law in these specific covered cases before issuing a disciplinary sanction against a person accused of sexual harassment.

See, 85 Fed. Reg. 30026 (May 19, 2020). The full text of the Final Rule and its extensive Preamble are available here:

[bit.ly/TitleIXReg](https://www.federalregister.gov/documents/2020/05/19/2020-10231/title-ix-regulations). Based on the Final Rule, State University of New York at Oswego (SUNY Oswego) will implement the following Title IX Grievance Policy, that became effective August 14, 2020.

### How does the Title IX Grievance Policy impact other campus disciplinary policies?

In recent years, "Title IX" cases have become a short-hand for any campus disciplinary process involving sex discrimination, including those arising from sexual harassment and sexual assault. But under the Final Rule, SUNY Oswego must narrow both the geographic scope of its authority to act under Title IX and the types of "sexual harassment" that it must subject to its Title IX investigation and adjudication process. Only incidents falling within the Final Rule's definition of sexual harassment will be investigated and, if appropriate, brought to a live hearing through the Title IX Grievance Policy defined below.

**SUNY Oswego remains committed to addressing any violations of its policies, even those not meeting the narrow standards defined under the Title IX Final Rule. Specifically, our campus has:**

- A Code of Conduct that defines certain behavior as a violation of campus policy, and a separate Sexual and Interpersonal Violence Response Policy [oswego.edu/title-ix/policies](https://oswego.edu/title-ix/policies) that addresses the types of sex-based offenses constituting a violation of campus policy, and the procedures for investigating and adjudicating those sex-based offenses.

To the extent that alleged misconduct falls outside the Title IX Grievance Policy, or misconduct falling outside the Title IX Grievance Policy is discovered in the course of investigating covered Title IX misconduct, the institution retains authority to investigate and adjudicate the allegations under the policies and procedures defined within the Sexual and Interpersonal Violence Response Policy through a separate grievance proceeding: [oswego.edu/title-ix/policies](https://oswego.edu/title-ix/policies).

The elements established in the Title IX Grievance Policy under the Final Rule have no effect and are not transferable to any other policy of the College for any violation of the Code of Conduct, employment policies, or any civil rights violation

except as narrowly defined in this Policy. This Policy does not set a precedent for other policies or processes of the College and may not be cited for or against any right or aspect of any other policy or process.

#### **How does the Title IX Grievance Policy impact the handling of complaints?**

The existing Title IX office and reporting structure remains in place. What has changed is the way the Title IX office will handle different types of reports arising from sexual and interpersonal violence, including but not limited to sexual misconduct. For the full Title IX Grievance Policy, go to: [oswego.edu/title-ix/policies](https://oswego.edu/title-ix/policies).

For more information about sexual and interpersonal violence prevention and response: [oswego.edu/title-ix](https://oswego.edu/title-ix).

### **Weapons and Dangerous Materials**

No weapons are allowed on any property owned or controlled by SUNY Oswego. This policy is strictly enforced and includes a variety of weapons, not just firearms. Weapons include, but are not limited to: any dagger, dangerous knife, stiletto, imitation pistol or any dangerous or deadly instrument including any loaded weapon from which a shot may be discharged by gunpowder, billy, blackjack, bludgeon, metal knuckles, cane sword, sand club, sandbag or slingshot. Firearms include, but are not limited to, a pistol, revolver, shotgun, rifle, machine gun, pellet gun, air gun, spring gun, paintball gun. The fact that a person is in possession of a valid New York State pistol permit does not authorize that person to possess a firearm or weapon on campus property without written authorization from SUNY Oswego. The use of fireworks, explosives and other dangerous or flammable materials such as gasoline, kerosene, propane, chemicals etc., is prohibited on the campus except when properly supervised in connection with curricular offerings. Possession, distribution and/or use of hazardous substances for other than purposes sanctioned by the College as appropriate use in an academic environment is prohibited.

### **Hazing**

Hazing is a violation of New York State law and is subject to criminal prosecution. In accordance with New York State Penal Law Sections 120.16 and 120.17., SUNY Oswego adamantly prohibits any form of hazing conducted or condoned by any member of the campus community. Section 43.E of the Code of Student Conduct states as follows: "Any act, or creation of, or participation in the creation of any situation that harms another person(s), or endangers mental or physical health, or that involves

the consumption of alcohol or other substance, or that interferes with the academic pursuits, for purposes of initiation into or affiliation with any group or organization." Further, "It shall not constitute a defense to the charge of hazing that the participant(s) took part voluntarily, that they voluntarily assumed the risks or hardship of the activity, or that no injury in fact was suffered."

See Student Handbook site for more information about these laws and college policies: [oswego.edu/student-handbook](https://oswego.edu/student-handbook)

### **University Police Daily Log and Daily Crime Log**

The University Police Department records in writing every report of a crime, incident or request for service via the University Police Department's Communication Center. The Department posts an electronic police blotter (DAILY CRIME LOG) during the business week which outlines all of the previous day's reports of crime, incidents and arrests. A printed copy of each daily crime log is kept on file.

The daily crime log can be accessed either by going to the website at [oswego.edu/police](https://oswego.edu/police) or by stopping in at the University Police Department and requesting a copy.

### **Sex Offender Registry**

The Sex Offender Registry Act requires the Division of Criminal Justice Services (DCJS) to maintain a Sex Offender Registry. The registry contains information on sexual offenders classified according to their risk of re-offending in three defined levels: low-risk (Level 1), moderate-risk (Level 2), and high-risk (Level 3). The act requires that the division also maintain a subdirectory of Level 3 (high-risk) sex offenders for public access. The DCJS Sex Offender Registry site is found at [criminaljustice.ny.gov/SomsSUBDirectory/search\\_index.jsp](https://criminaljustice.ny.gov/SomsSUBDirectory/search_index.jsp) and contains their Subdirectory of Level 3 (high-risk) sexual offenders and other information regarding the New York State Sex Offender Registry.

Refer to [oswego.edu/police/sex-offender-registry](https://oswego.edu/police/sex-offender-registry) at the University Police website outlining the notification process to the campus community for Level 2 and Level 3 sex offenders.

## **Monitoring and Recording Criminal Activity at Off-campus Locations via Local Police Agencies**

The University Police Department continually monitors all criminal activity as well as fire and medical response in the county via the Oswego County Interoperable Emergency Radio System. University Police Dispatch monitors all police, fire and medical radio bands on a 24-hour basis. The Department is notified of crimes and emergencies occurring off-campus from other local agencies when those agencies request assistance by the University Police, or as they routinely relay information that may affect the campus community. Moreover, University Police has signed Memorandums of Understanding with the City of Oswego's Police Department, Oswego County Sheriff's Office, Syracuse Police Department and the New York State Police outlining interagency mutual aid and response agreements. The University Police Department receives continuous communications from all county, state and national law enforcement agencies via the New York State eJustice System, and various police and law enforcement databases in an on-going manner.

## **Emergency Response and Evacuation Procedures**

SUNY Oswego has a senior leadership team, the (Emergency Response Resource Group hereinafter referred to as the ERRG) in place as commanded by the College President consisting of various essential executive level staff and department heads including the Chief of University Police and the Chief Communications Officer to deal expediently with a wide spectrum of emergencies and critical incidents. The ERRG has been trained in the National Incident Management System for emergency management. The college's process to handle emergencies employs the policies of emergency response, notification and evacuation as set forth in the campus Emergency Response Plan. The ERRG routinely conducts table top exercises on a variety of possible emergencies to develop best practice responses and policy review.

Upon the notification of an emergency the college's policy will first be to confirm the emergency and the nature and scope of the emergency. The Chief of University Police or designee is responsible for confirming the nature and scope of the emergency and conveying that information immediately to the President or designee. The Chief of University Police, working with the President and the ERRG will make a determination as to the level of response necessary. If there is a serious, immediate threat to the health and safety of the campus community, the

emergency response protocol would be immediately employed. The pertinent members of the ERRG would consult and affirm the appropriate message to the community and the appropriate segments of the campus community to be notified. The Office of Communications and Marketing working with University Police would deploy those messages in the above referenced manners unless the issuance of such an alert will compromise efforts to contain the emergency. The Office of Communications and Marketing working with University Police would continue to coordinate and disseminate follow-up messages to advise the campus community what is occurring, what steps they should take for their safety and specific messages to affirm when the campus has returned to a normal mode of operation.

New York Alerts is one of the key ways that the college will notify our campus community members of an emergency along with audible broadcasts. The college subscribes to the New York Alert System as provided through the State Emergency Management Office to provide emergency messages to the campus community during emergencies that may impact the campus community. These notifications will be published and sent to subscribed users cell phones via text messages, phone calls with automated verbal messages, email accounts and hard line phone calls. In addition, pages on the SUNY Oswego website will provide information to the community and provide specific direction for community members to follow for their safety and well-being. Other forms of notification will be via the Office of Communications and Marketing outreach to the area television and radio stations to notify the emergency information to the larger community. Emergency notifications via the campus digital signage system that provides for override capacity in emergency conditions is another essential means of notification in the campus residence halls and key administrative and academic buildings. Mass emails to the community are other forms of electronic alert notifications. Emergency nuclear sirens, the campus emergency notification system, the audible fire command centers in the high rise residence halls and the public address systems in the University Police cruisers are all additional ways that emergency alert messages will be disseminated on campus grounds in the event of emergency conditions.

The campus publicizes emergency response and evacuation procedures in various ways on an annual basis in a manner designed to reach students, faculty and staff through website and publications via the Student Affairs Office, Student Handbook, Communications and Marketing Office, University Police, the Public Emergency Response Information booklet, the on-line campus Emergency Procedures document located on the University Police website, and through the email system. In addition, Student Notes bulletin, timely alert notices and messages via the Residence Life and Housing system



are additional means to notify students and employees of emergency response and evacuation procedures, bound copies of the Emergency Response Plan for the campus have been disseminated to all campus Chairs, Directors and Department Heads. Current plan is found on [Emergency preparedness and procedures](#) | University Police.

SUNY Oswego tests the NY Alert System and related campus emergency notification systems such as the Digital Signage system twice a year, (once a semester). Communications and Marketing notifies the community in advance through the Campus Update (faculty and staff electronic publication) and through the *Oswegonian*, the school newspaper. In addition, we test the NY Alert system each week on Friday to ensure the system is sending/receiving test messages from the group of publishers.

## Timely Warning / Safety Alerts

The college will provide the campus community with timely notice in the form of Safety Alerts of any situation that may pose a threat to the community in a manner that does not divulge the identity of the person(s) who reported the incident. Safety Alerts may come in the form of bulletins, via campus email and campus posting procedures, messages from the college's Office of Communications and Marketing, the Student Notes bulletin, and notices via the campus media such as Campus Update or the student media through the *Oswegonian*. Timely warnings and safety alerts will be disseminated in a coordinated manner through collaboration between University Police, Student Affairs, Communications and Marketing and the college administration. It is important that each student activate a campus network account in order to receive Safety Alert emails. Students should enroll in the NY Alerts Program at the SUNY Oswego website at [oswego.edu/myoswego](https://oswego.edu/myoswego) under the heading: NYAlerts. Employees can enroll by going to this website: [oswego.edu/communications-and-marketing/new-york-alert](https://oswego.edu/communications-and-marketing/new-york-alert). The NYAlert system is tested weekly by publishers and each semester by all enrolled users. By enrolling, students and employees will be able to receive the college's email, text, cell and hard line phone alert notifications when an emergency occurs that may impact the safety of the campus. In addition to this system, the college uses digital signage, the Communications and Marketing website and various other loudspeaker and broadcast systems to notify the community when an emergency is occurring. NY alert tests are typically conducted twice a year in November and April.

## RAVE Guardian

SUNY Oswego offers a personal safety system for all students, faculty and staff called Oswego Guardian. This system employs the subscribed user's mobile phone into a personal safety device in two ways: The first is the Panic Call, whereby the subscribed user can activate an immediate alert to University Police, which will initiate a response to the user's current location. The second is the use of a timer. Users can set a timer and add specific guardians that will be alerted if the timer is not canceled by the end of the allotted time. Specific guardians can include friends, family, University Police or a combination of contacts loaded for that user. The alerts to University Police come in on a terminal that shows GPS location and any other information the users deem necessary like medical conditions, picture, personal description etc. This information is only visible if the alert is active at the dispatch station.

## Missing Persons

### Residential Student Notification Policy

It is recommended that all students identify a contact person who SUNY Oswego personnel may reach in the event that they are ever determined to be "missing". This information should be registered at [oswego.edu/myoswego](https://oswego.edu/myoswego). The contact person may be a parent, guardian or anyone the student designates. The college will register that contact information and keep it confidential. Any missing person report must be referred immediately to the University Police.

A missing student is defined by the New York State Campus Safety Act as "a student of an institution (college or university) who resides in a facility owned or operated by such institution (a residence hall) and who is reported as missing from his or her residence for a period of 24 hours."

University Police will immediately conduct an initial investigation when someone is reported missing. Federal law states that campuses are required to provide missing person notification to all local police agencies including the Oswego Police Department, Oswego County Sheriff's Office and New York State Police in accordance with stated mutual aid agreements. In addition, within 24 hours, campus authorities are required to communicate with the student's designated contact person. If the missing student is under 18 years of age and not yet emancipated, parents or guardians will be notified within 24 hours.

## Crime Definitions

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

### Definitions

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

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

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

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

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

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

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

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

**Sexual Abuse and Aggravated Sexual Abuse:** Sexual abuse is the touching of the private body parts of another person for the purpose of sexual gratification forcibly and/or against that person's will or in circumstances where the victim is incapable of giving consent because of his/her youth or mental defect or mental or physical incapacity. Aggravated sexual abuse is sexual abuse by use of an object that is inserted (no matter how slightly) into the genital or anal cavity of the victim forcibly or in circumstances where the victim is incapable of giving consent because of his/her youth or mental defect or mental or physical incapacity. The crime is compounded when injury occurs.

**Sex Offenses (forcible):** any sexual act directed against another person, forcible and/or against that person's will; or

not forcibly against the person's will the victim is incapable of giving consent.

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

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

**Sex Offenses (non-forcible):** unlawful, non-forcible sexual intercourse.

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

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

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

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

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

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

### Section 130.20 – Sexual Misconduct

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

### ***Section 130.25/30/35 – Rape in the Third Degree, Rape in the Second Degree, Rape in the First Degree***

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

### ***Section 130.40/45/50 – Criminal Sexual Act***

This series of offenses includes oral or anal sexual conduct with a person incapable of consent because of the use of forcible compulsion or because the person is incapable of consent due to a mental defect, mental incapacity, or physical helplessness. This series of offenses further includes oral or anal sexual conduct with a person under the age of consent. The penalties for violation of these sections range from imprisonment for a period not to exceed four years up to imprisonment for a period not to exceed 25 years.

**Class E - B Felony punishable by 1-25 years in prison.**

### ***Section 130.52 - Forcible Touching***

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

### ***Section 130.55/60/65 – Sexual Abuse***

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

### ***Section 130.65-a/66/67/70 – Aggravated Sexual Abuse***

This series of offenses occurs when a person inserts a finger or a foreign object in the vagina, urethra, penis or rectum of another person by forcible compulsion, when the

other person is incapable of consent by reason of being physically helpless, or when the other person is under the age of consent. The level of this offense is enhanced if the insertion of a finger or foreign object causes injury to the other person. The penalties for violation of these sections range from imprisonment for a period not to exceed seven years up to imprisonment for a period not to exceed 25 years. **A class E Felony - D felony - C Felony - B Felony punishable by 1-25 years in prison.**

### ***Persistent Sexual Abuse***

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

### ***Section 130.80/130.75 - Course of Sexual Conduct Against a Child Second and First Degree***

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

### ***Section 130.90 Facilitating a sex offense with a controlled substance***

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

### ***Section 130.95/.96 Predatory Sexual Assault - Predatory Sexual Assault against a child***

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

## Hate Crimes

University Police in collaboration with other offices on campus investigate hate crimes. A perpetrator of a hate crime is defined as someone who intentionally commits the act or acts constituting the offense in whole or in substantial part because of a belief or perception regarding the race, color, national origin, ancestry, gender, religion, religious practice, age, disability or sexual orientation of a person, regardless of whether the belief or perception is correct. (See New York Penal Law 485.05) **when a person is victimized intentionally because of her/ his actual or perceived race, gender, sexual orientation, ethnicity, or disability.** Examples of hate crimes may include, but are not limited to: threatening phone calls, hate mail (including electronic mail), physical assaults, vandalism, destruction of property, and fire bombings.

### ***Hate Crime Statistics SUNY Oswego***

**In 2019** there were no hate crimes reported.

**In 2018** there were no hate crimes reported.

**In 2017** there were no hate crimes reported.

### ***Hate Crime Statistics Oswego's Syracuse campus***

**In 2019** there were no hate crimes reported.

**In 2018** there were no hate crimes reported.

**In 2017** there were no hate crimes reported.

## Unfounded Crimes

A crime is considered unfounded for Clery Act purposes only if sworn or commissioned law enforcement personnel make a formal determination that the report is false or baseless. Crime reports can be properly determined to be false only if the evidence from a complete and thorough investigation establishes that the crime reported was not, in fact, completed or attempted in any manner. Crime reports can be determined to be baseless only if the allegations reported did not meet the elements of the offense or were improperly classified as crimes in the first place.

### ***Unfounded Crimes SUNY Oswego***

**In 2019** there were no unfounded crimes.

**In 2018** there were no unfounded crimes.

**In 2017** there were no unfounded crimes.

### ***Unfounded Crimes Oswego's Syracuse campus***

**In 2019** there were no unfounded crimes.

**In 2018** there were no unfounded crimes.

**In 2017** there were no unfounded crimes.





## Clery Act Criminal Offenses

### **Clery Act Criminal Offenses**

The following criminal offenses (as defined under the FBI's Uniform Crime Reporting Handbook) are reportable offenses under the Clery Act:

Crime Classification/Year		Campus		Non-Campus	Public Property	Total
		On-campus Student Housing*	On-campus Total**			
Murder/ Non-Negligent Manslaughter	2019	0	0	0	0	0
	2018	0	0	0	0	0
	2017	0	0	0	0	0
Manslaughter by Negligence	2019	0	0	0	0	0
	2018	0	0	0	0	0
	2017	0	0	0	0	0
Rape	2019	5	5	0	0	5
	2018	14	14	0	0	14
	2017	8	8	1	0	9
Fondling	2019	1	1	0	0	1
	2018	2	4	1	0	5
	2017	2	2	0	0	2
Incest	2019	0	0	0	0	0
	2018	0	0	0	0	0
	2017	0	0	0	0	0
Statutory Rape	2019	0	0	0	0	0
	2018	0	0	0	0	0
	2017	0	0	0	0	0
Robbery	2019	0	0	0	0	0
	2018	0	0	0	0	0
	2017	0	0	0	0	0
Aggravated Assault	2019	0	0	0	0	0
	2018	0	0	0	0	0
	2017	0	0	0	0	0
Burglary	2019	2	3	0	0	3
	2018	6	6	0	0	6
	2017	15	15	0	0	15
Motor Vehicle Theft	2019	0	0	0	0	0
	2018	0	0	0	0	0
	2017	0	0	0	0	0

\* Category includes all on campus incidents, including those listed in "On-campus Student Housing." These categories represent duplication and are not cumulative. On campus statistics include both incidents reported to police and those reported to non-police officials and may therefore contain multiple entries for the same incident.

\*\* Statistics include anonymous reports made to campus offices described in this report. They represent reports believed to be made in good faith but for which no verification has been established.

## Clery Act Criminal Offenses

The following criminal offenses (as defined under the FBI's Uniform Crime Reporting Handbook) are reportable offenses under the Clery Act:

Crime Classification/Year		Campus		Non-Campus	Public Property	Total
		On-campus Student Housing*	On-campus Total**			
Arson	2019	1	1	0	0	1
	2018	0	0	0	0	0
	2017	0	0	0	0	0
Liquor Law Arrests	2019	0	0	0	0	0
	2018	0	0	0	0	0
	2017	0	0	0	0	0
Liquor Law Discipline	2019	50	50	2	0	52
	2018	93	93	0	0	93
	2017	101	105	0	0	105
Drug Law Arrests	2019	5	11	0	1	12
	2018	19	38	0	2	40
	2017	13	39	0	0	39
Drug Law Discipline	2019	81	114	5	0	119
	2018	82	115	0	0	115
	2017	71	106	0	1	107
Weapons Arrests	2019	0	1	0	0	1
	2018	0	0	0	0	0
	2017	0	1	0	0	1
Weapons Discipline	2019	0	1	0	0	1
	2018	2	2	0	0	2
	2017	2	2	0	0	2
Domestic Violence	2019	0	0	0	0	0
	2018	0	0	0	0	0
	2017	0	0	0	0	0
Dating Violence	2019	9	9	0	0	9
	2018	12	13	0	0	13
	2017	5	6	0	0	6
Stalking	2019	16	16	0	0	16
	2018	15	17	0	0	17
	2017	8	8	0	0	8
* Category includes all on campus incidents, including those listed in “On-campus Student Housing.” These categories represent duplication and are not cumulative. On campus statistics include both incidents reported to police and those reported to non-police officials and may therefore contain multiple entries for the same incident.						
** Statistics include anonymous reports made to campus offices described in this report. They represent reports believed to be made in good faith but for which no verification has been established.						

## Oswego's Syracuse Campus Statistics

### Clery Act Criminal Offenses

The following criminal offenses (as defined under the FBI's Uniform Crime Reporting Handbook) are reportable offenses under the Clery Act:

Crime Classification/Year		On Campus	Non-Campus	Public Property	Total
Murder/ Non-Negligent Manslaughter	2019	0	0	0	0
	2018	0	0	0	0
	2017	0	0	0	0
Manslaughter by Negligence	2019	0	0	0	0
	2018	0	0	0	0
	2017	0	0	0	0
Rape	2019	0	0	0	0
	2018	0	0	0	0
	2017	0	0	0	0
Fondling	2019	0	0	0	0
	2018	0	0	0	0
	2017	0	0	0	0
Incest	2019	0	0	0	0
	2018	0	0	0	0
	2017	0	0	0	0
Statutory Rape	2019	0	0	0	0
	2018	0	0	0	0
	2017	0	0	0	0
Robbery	2019	0	0	0	0
	2018	0	0	0	0
	2017	0	0	0	0
Aggravated Assault	2019	0	0	0	0
	2018	0	0	0	0
	2017	0	0	0	0
Burglary	2019	0	0	0	0
	2018	0	0	0	0
	2017	0	0	0	0
Motor Vehicle Theft	2019	0	0	0	0
	2018	0	0	0	0
	2017	0	0	0	0
<p>* On campus statistics include both incidents reported to police and those reported to non-police officials and may therefore contain multiple entries for the same incident.</p> <p>** Statistics include anonymous reports made to campus offices described in this report. They represent reports believed to be made in good faith but for which no verification has been established.</p>					



## Oswego's Syracuse Campus Statistics

### Clery Act Criminal Offenses

The following criminal offenses (as defined under the FBI's Uniform Crime Reporting Handbook) are reportable offenses under the Clery Act:

Crime Classification/Year		On Campus	Non-Campus	Public Property	Total
Arson	2019	0	0	0	0
	2018	0	0	0	0
	2017	0	0	0	0
Liquor Law Arrests	2019	0	0	0	0
	2018	0	0	0	0
	2017	0	0	0	0
Liquor Law Discipline	2019	0	0	0	0
	2018	0	0	0	0
	2017	0	0	0	0
Drug Law Arrests	2019	0	0	0	0
	2018	0	0	0	0
	2017	0	0	0	0
Drug Law Discipline	2019	0	0	0	0
	2018	0	0	0	0
	2017	0	0	0	0
Weapons Arrests	2019	0	0	0	0
	2018	0	0	0	0
	2017	0	0	0	0
Weapons Discipline	2019	0	0	0	0
	2018	0	0	0	0
	2017	0	0	0	0
Domestic Violence	2019	0	0	0	0
	2018	0	0	0	0
	2017	0	0	0	0
Dating Violence	2019	0	0	0	0
	2018	0	0	0	0
	2017	0	0	0	0
Stalking	2019	0	0	0	0
	2018	0	0	0	0
	2017	0	0	0	0
<p>* On campus statistics include both incidents reported to police and those reported to non-police officials and may therefore contain multiple entries for the same incident.</p> <p>** Statistics include anonymous reports made to campus offices described in this report. They represent reports believed to be made in good faith but for which no verification has been established.</p>					


## SUNY Oswego Campus Properties

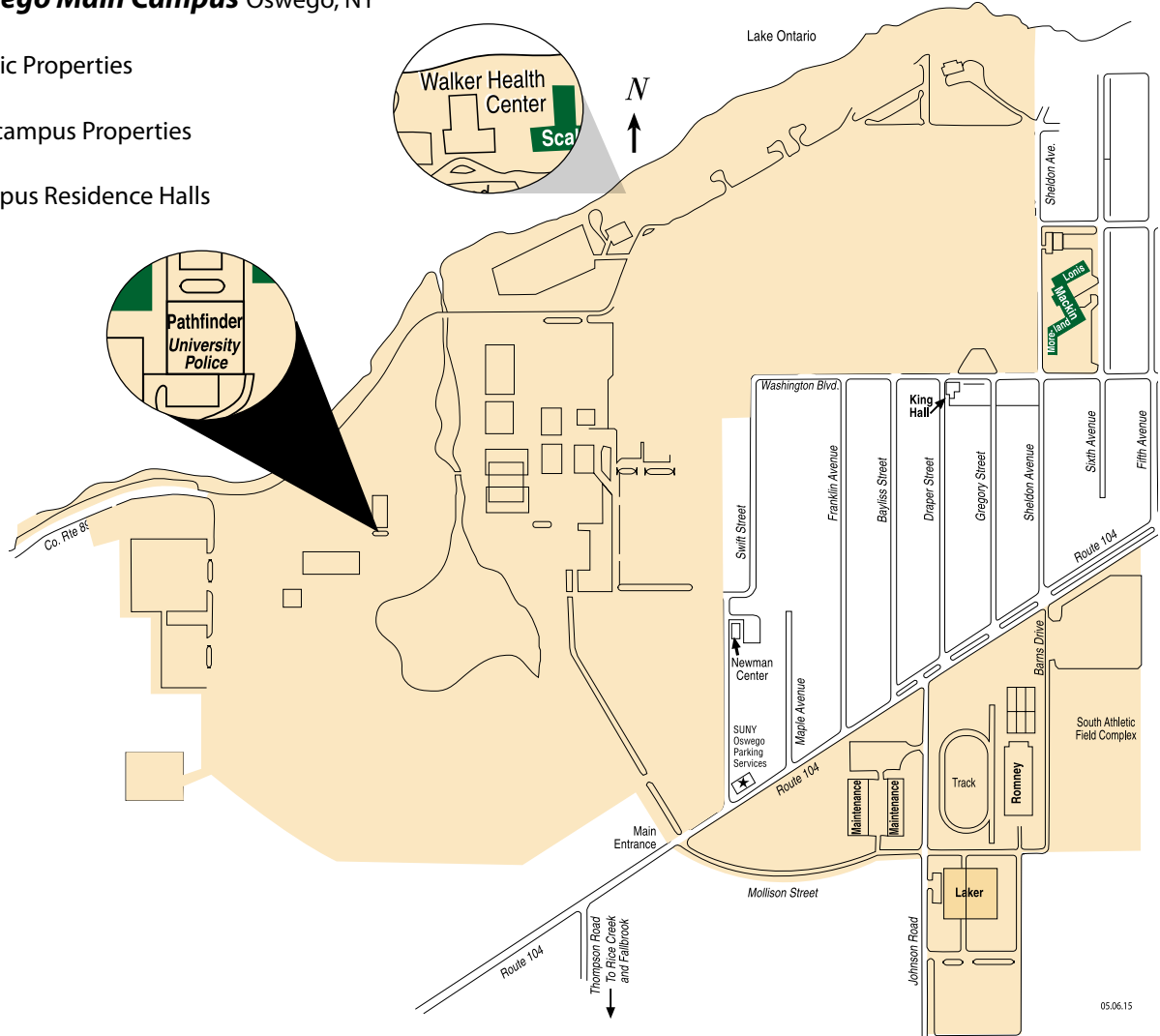
[oswego.edu/police](http://oswego.edu/police)

### SUNY Oswego Main Campus Oswego, NY

 Public Properties

 On-campus Properties

 Campus Residence Halls



### NYS Regional Map



## Non-Campus Buildings or Properties

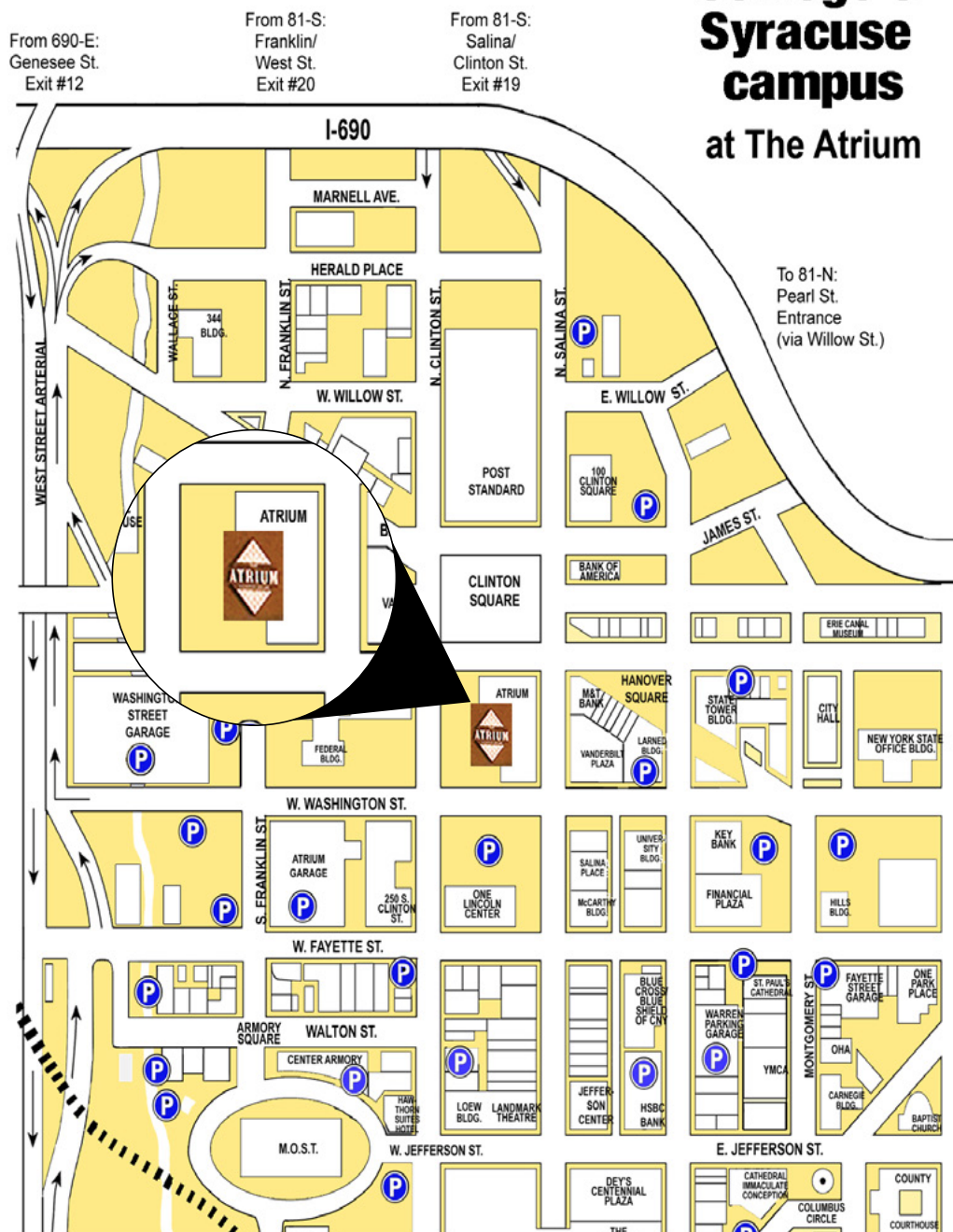
### Jefferson Community College

Jefferson, NY

### Oswego's Syracuse Campus (see map below)

Syracuse, NY at The Atrium

## Oswego's Syracuse campus at The Atrium



**Rice Creek Field Station** (see map below)

Oswego, NY

[oswego.edu/ricecreek](http://oswego.edu/ricecreek)



## 2019 Annual Fire Safety Report

SUNY Oswego's Fire Log is maintained and available by contacting the Environmental Health and Safety Office, Monday through Friday (7:30 a.m. to 3:30 p.m.). The following chart is a compilation of fires that occurred in student housing facilities for the calendar year 2019. Note that an arson incident would also be reported in the crime section of this document.

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."

2019 "Fire Log"								
Day of Week	Date	Time Occurred	Nature of Fire	Location	Injuries	Deaths	Property Damage	Value of Damaged Property
Thursday	1/1/2019	7:07 a.m.	Elec. Motor	Cayuga	None	None	Yes	\$75.00
Fri.	02/08/19	12:38 p.m.	Dumpster	Funnelle	None	None	None	\$0.00
Sun	02/10/19	4:29 p.m.	Dumpster	Onondaga	None	None	None	\$0.00
Thursday	02/14/19	3:56 p.m.	Kitchen	Mackin	None	None	None	\$0.00
Tuesday	4/2/2019	2:17 p.m.	Kitchen	Villages	None	None	None	\$0.00
Wednesday	09/04/19	8:39 p.m.	Kitchenette	Scales	None	None	Yes	\$5,000.00
Friday	09/20/19	12:15 p.m.	Kitchenette	Hart	None	None	None	\$0.00

Oswego's Syracuse campus had no fires to report for 2017, 2018 and 2019.

For the safety of all residents, the use and/or possession of the following items are **PROHIBITED** in any residence hall student rooms:

Incense/Candles	Microwave ovens
Refrigerators exceeding 6 cubic feet	Torchiere-style halogen lamps
Extension cords	Any other electrical appliance used for cooking or preparing food (Foreman grills/ovens, air fryer, propane grills)
Grilling machines	Slow cookers
Sandwich makers	Crock Pots
Hot plates	Air conditioner
Toasters/toaster ovens	
Electrical extension cords	

The following items are **ALLOWED** in residence halls:

Alarm clock	Electronic equipment
Area rug	Hot pot with automatic shut-off
Coffee maker	Iron
Compact refrigerator (6 cubic ft. or less)	Memo board (provided in all residence halls effective August 2011)
Computer	Power strip (load limiting)
Crates/storage bins	
Dishware/utensils	

## Fire Safety

The Environmental Health and Safety Office located in Shineman G-83C (315-312-3157) is responsible for the maintenance and inspection of fire safety systems on campus. Furthermore, this office conducts training on fire safety procedures and equipment operation. In the instance of any fire, smoke, gas leak, hazardous material spill, or any other emergency situation, individuals should contact University Police at 315-312-5555 or 911 from any campus extension.

Harmful chemicals and flammable liquids are not allowed to be stored or used in residence halls. Internal combustion engines are prohibited within the buildings.

Each campus room is permitted to have two refrigerators (maximum size of 6.0 cubic feet) that shall include UL-approved, three-pronged plugs, tight fitting door gaskets, and unfrayed electrical cords. Students may rent refrigerators from the Residence Life and Housing Office in addition to being allowed to bring their own.

SUNY Oswego is a tobacco-free and smoke-free campus. Smoking of any kind is prohibited. This includes use of any tobacco products on campus, at extension campuses, at all indoor and outdoor events, college sponsored programs and activities off campus, in personally owned vehicles parked on campus, and all vehicles and equipment owned, leased or operated by the College and its affiliate organizations. Pipes, hookahs and e cigarettes, and similar devices are prohibited.

Candles and incense of any type are not permitted in student rooms or apartments due to the potential fire threat. This includes any decorative or fragrant candles. Any open flame devices are prohibited - these include charcoal or propane grills, stoves, and incense. The use of candles for religious observances may be permitted only under controlled situations approved by the Fire Marshal in Environmental Health and Safety Office 315-312-3157.

### Fire Drills

State and federal agencies require a minimum number of fire drills in campus buildings every year. These fire drills allow occupants to familiarize themselves with the sound of the fire alarm, the location of emergency exits, and building evacuation procedures.

### Nuisance Alarms

No one should tamper with life safety, fire detection equipment or fire alarm pull boxes. Intentionally creating a nuisance alarm is a crime and may result in suspension or expulsion from the college. Nuisance alarms are disruptive

causing the response dispatch of emergency vehicles which may cause delays in response in the event that an actual fire occurs in another location.

### Arson

Arson is intentionally or recklessly causing a fire resulting in structural damage. Setting fires on campus property including igniting papers on bulletin boards, waste baskets, or as a prank is dangerous and can be potentially fatal. Actions related to setting a fire may constitute a misdemeanor or felony which is punishable by imprisonment. Anyone who witnesses an intentional fire setting is asked to report it immediately to University Police (315-312-5555).

### Fire Safety Education and Training

**Residence Hall staff and students** are expected to familiarize themselves with the evacuation plan for the buildings they occupy including the identified assembly places. In the residence halls, students are informed of evacuation procedures. Fire safety programs and other safety issues are presented in residence halls.

**Students** are reminded about fire evacuation procedures during all hall meetings, floor meetings, or after problems occur during fire drills and accidental activations of the alarm. Additionally, all students receive a fire safety brochure.

Work requests are submitted to address items that require corrective action. Student rooms are inspected during Thanksgiving, winter and spring break, Annual Office of Fire Prevention and Control (OFPC) and Residence Life and Housing Health and Safety Inspection. Any prohibited item found during an inspection is confiscated and in some instances students shall be referred to the judicial process. Of concern are the misuse of extension cords, candles, and small appliances without automatic shut-off devices.

SUNY Oswego Staff, Office of Fire Prevention and Control, and Town of Oswego Volunteer Fire Department personnel perform annual fire safety training for student staff using simulation exercises.

**Full time professional employees** take the **Right to Know** quiz when hired and all employees can access the Environmental Health and Safety web page for further training: [oswego.edu/facilities-services/right-know-training](https://oswego.edu/facilities-services/right-know-training)

**References:** *The Fire Code of New York State, Residence Student Handbook, Residence Life and Housing; "Live Where You Learn" (Student Guide to Living on Campus), Fire Safety for Residence Halls document, Resident Student Staff Manual.*

**Fire Safety Systems (Student Housing Facilities)**

Building	Assembly Space	Detection Type	Fire Sprinklers (Full, Partial, or Not Sprinklered)	Fire Alarm Sound (Horn or Voice)	Horn / Strobe (Yes or No)	Number of Fire Drills (Does not include summer session)
Oneida Hall	North Parking Lot of South Lawn	Heat / Smoke	Partial*	Horn	Yes	4 Annually
Mackin Complex	Sheldon East Parking Lot	Heat / Smoke	Partial*	Horn	Yes	4 Annually
Onondaga Hall	East Open Lot or West Parking Lot	Heat / Smoke	Partial*	Voice	Yes	4 Annually
Johnson Hall	South Parking Lot or North Lawn	Heat / Smoke	Fully	Voice	Yes	4 Annually
Cayuga Hall	North or South Lawn	Heat / Smoke	Partial*	Horn	Yes	4 Annually
Funnelle Hall	North Lawn or East Parking Lot	Heat / Smoke	Partial*	Voice	Yes	4 Annually
Riggs Hall	North Lawn or South Parking Lot	Heat / Smoke	Fully	Voice	Yes	4 Annually
Seneca Hall	East Open Lot or West Parking Lot	Heat / Smoke	Partial*	Voice	Yes	4 Annually
Hart Hall	South or West Parking Lots	Heat / Smoke	Partial*	Voice	Yes	4 Annually
Waterbury Hall	North Lawn or South Parking Lot	Heat / Smoke	Fully	Voice	Yes	4 Annually
Scales Hall	North Lawn or South Parking Lot	Heat / Smoke	Fully	Voice	Yes	4 Annually
Sheldon Hall	North, South, East or West Parking Lots	Heat / Smoke / Carbon Monoxide	Fully	Horn	Yes	4 Annually
Village Townhouses A-F	West Parking Lot and East Courtyard	Heat / Smoke / Carbon Monoxide	Fully	Horn	Yes	4 Annually
Village Townhouses G-L	East Parking Lot and West Courtyard	Heat / Smoke / Carbon Monoxide	Fully	Horn	Yes	4 Annually

\* Partial indicates some janitor closets, mechanical rooms and storage rooms are fire sprinklered.

**As residence halls are rehabilitated special attention is given to fire safety systems including fire sprinkler systems. Installation of the campus integrated fire alarm systems were completed in September 2010.**

**All fires shall be reported to University Police at 315-312-5555. Dialing 911 from a campus phone will ring into University Police.**

**Oswego's Syracuse campus**

The Fire Marshal from the SUNY Oswego Environmental Health and Safety does a walk through inspection every four months. The New York State Fire Inspector does a yearly inspection and report.

### **Responsibilities**

The Environmental Health and Safety Office have the following responsibilities under Emergency Action Plans:

- Reviewing and updating the safety standards;
- Evaluating the standard's effectiveness;
- Providing or coordinating Emergency Action Plan training;
- Reporting fires, emergencies, and related issues to the appropriate agencies;
- Providing information regarding this standard and specific responsibility to employees;
- Responding to or assisting with other campus emergencies.

**Supervisors** will assist with efforts to provide Emergency Action Plan training to employees.

**Students** have responsibility for:

- Reporting fires and other emergencies;
- Correcting or reporting unsafe conditions; and
- Observing evacuation procedures and protocol for other campus emergencies.

**Visitors** have the responsibility of observing evacuation procedures during any campus emergency.

**University Police** have responsibility for:

- Assisting with fire drills and emergency evacuations;
- Reporting fires and emergencies to the appropriate agencies; and
- Responding to or assisting with other campus emergencies.

**Staff, Faculty, and Student Staff** have responsibility for:

- Reporting fires and other emergencies;
- Correcting or reporting unsafe conditions; and
- Observing evacuation procedures and protocol for other campus emergencies

### **Emergency Evacuation**

In the residence halls, students are expected to leave the facility immediately whenever the fire alarm system is activated. They are instructed to not use elevators and particular stairwells (center stairwells in low rise halls). Staff members are expected to leave at the time of an alarm. Staff members report alarms to University Police providing any special conditions to University Police and to the local fire department they observe while evacuating the facility. Specific evacuation procedures and staff responses are outlined in the Resident Student Staff Manual.

### **Emergency Evacuation for People with Disabilities**

Procedures are in place for evacuating persons with disabilities. Students, faculty and staff should be alert to the presence of people with disabilities who may require assistance during emergency situations, including situations that may require a building evacuation. University Police (315-312-5555) should be informed of individual's location and situation.

Students, faculty and staff are urged to be proactive in planning for emergencies. This will require individuals to take note of their surroundings; location of exits, evacuation routes and any plans set forth by residence halls and other campus buildings. Students are urged to notify others of their possible need for assistance and to seek assistance from others prior to any emergency. Individuals who are not able to leave a building during an emergency situation, may go to an enclosed stairwell and wait for assistance. Please note that not all stairwells are large enough for a wheelchair. Students are urged to be mindful of the spacing on a stairwell landing. If the stairwell is large enough and occupants are clear of the landing, students may move to the stairwell. If a landing/ stairwell is narrow, students are urged to wait for others to clear the floors above before moving their wheelchair into the stairwell.



## Safety Directory

### On-Campus Emergency Dial 911

#### SUNY Oswego

S.A.V.A.C. (Student Association Volunteer Ambulance Corps) 315-312-4000  
[lakerlife.oswego.edu/organization/SAVAC](http://lakerlife.oswego.edu/organization/SAVAC)  
[savac@oswego.edu](mailto:savac@oswego.edu)

University Police  
 315-312-5555 or 911 (from a campus phone)  
[oswego.edu/police](http://oswego.edu/police)

### Off-Campus Emergency Dial 911

New York State Police 315-593-6194

Oswego City Police (non-emergency) 315-342-8120

Oswego County Sheriff 315-349-3411  
[oswegocounty.com/departments/public\\_safety/sheriff/index.php](http://oswegocounty.com/departments/public_safety/sheriff/index.php)

### Oswego's Syracuse Campus

Syracuse City Police  
 315-442-5222 or 911  
[www.syracusepolice.org](http://www.syracusepolice.org)

Downtown Security 315-423-4357 or 315-263-2387

Syracuse Fire Department 911

Ambulance 911

### Other Community Resources

Oswego County Ambulance Service, Menter Ambulance  
 911 or 315-592-4145  
[oswegocountyambulance.org](http://oswegocountyambulance.org)

Domestic Violence  
 800-942-6906  
[opdv.ny.gov](http://opdv.ny.gov)

NYS Office of Alcoholism and Substance Abuse Services  
 518-473-3460  
[oasas.ny.gov](http://oasas.ny.gov)

Short Term Crisis Respite  
 315-216-4320  
 315-741-5202 (fax)  
[oswegocrisisbeds@liberty-resources.org](mailto:oswegocrisisbeds@liberty-resources.org)

Mobile Crisis  
 315-251-0880  
[liberty-resources.org/mobile-crisis/in-oswego](http://liberty-resources.org/mobile-crisis/in-oswego)

Oswego Hospital Emergency Room  
 315-349-5522 (Emergency Room)  
 315-349-5511 (Oswego Hospital Information)  
[oswegohealth.org](http://oswegohealth.org)

R.A.I.N.N. 800-656-HOPE  
 Rape Abuse and Incest National Network  
[rainn.org](http://rainn.org)

S.A.F. Services to Aid Families (Rape Crisis)  
 315-342-1600 or 7777 from on-campus phone  
 315-342-1544 (Crime Victim's Compensation number)  
[oco.org/crisis-development](http://oco.org/crisis-development)

### Other College Resources

Accessibility Resources 315-312-3358  
[oswego.edu/accessibility-resources](http://oswego.edu/accessibility-resources)

Counseling Services Center 315-312-4416  
[oswego.edu/csc](http://oswego.edu/csc)

Dean of Students 315-312-5483  
[oswego.edu/student-affairs/dean-students/](http://oswego.edu/student-affairs/dean-students/)

Employee Assistance Program (EAP) 315-312-5546  
[oswego.edu/eap](http://oswego.edu/eap)

General Information 315-312-2500

Human Resources 315-312-2230  
[oswego.edu/hr](http://oswego.edu/hr)

Legal Advisement 315-312-3601  
 (A service provided by Student Association)

Residence Life and Housing 315-312-2246  
[oswego.edu/reslife](http://oswego.edu/reslife)

Student Conduct 315-312-3378  
[oswego.edu/student-conduct](http://oswego.edu/student-conduct)

Title IX 315-312-5604  
[oswego.edu/title-ix](http://oswego.edu/title-ix)

Health Services 315-312-4100  
[oswego.edu/walker](http://oswego.edu/walker)

## Reports Available

Each year, an email notification is made to all students, staff, and employees that provides the website address to access this report. Copies of this annual report may be printed in PDF format from the Oswego State University Police Department website [oswego.edu/police](http://oswego.edu/police) or requested from the following offices:

**University Police Department.....315-312-5555**

**Dean of Students .....315-312-5483**

**Student Conduct.....315-312-3378**

**Environmental Health and Safety Department.....315-312-3150**

**To request a printed copy of this report in its entirety, please contact any of the offices listed above. This report was compiled by the University Police Department, and the offices of the Dean of Students, Student Conduct, Title IX, and the Environmental Health and Safety Department.**

## Related Websites

[clerycenter.org](http://clerycenter.org)

[ed.gov](http://ed.gov)

[oswego.edu/title-ix](http://oswego.edu/title-ix)

7060 State Route 104, Oswego, NY 13126

[www.oswego.edu](http://www.oswego.edu)