Annual Security & Fire Safety Report

Syracuse Campus Statistics for 2023, 2024 and 2025

ESF

State University of New York College of
Environmental Science and Forestry

The ESF Annual Security & Fire Report

In accordance with the "Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act", institutions of higher education are required to disclose information about crime on their campuses and in the surrounding communities. The ESF Annual Security Report and Fire Safety Report (ASR) provides a summary of ESF's safety and securities policies in compliance with the Clery Act and related amendments known as the Violence Against Women Act (VAWA).

The ASR contains statistics for the previous three years concerning Clery Act specific crimes that have been reported as having occurred on campus; in or on non-campus buildings or property owned or controlled by ESF; and on public property within or immediately adjacent to the campus. This includes any crimes reported at Lafayette Road Experiment Station, Newcomb Campus, Charles Lathrop Pack Demonstration Forest, Heiberg Memorial Forest, Tully Field Station, and the Thousand Islands Biological Station. The ASR also includes other requirements of the Clery Act such as institutional policies, campus security policies, policies concerning alcohol and drug use, crime prevention and other related policies.

The Deputy Chief of Police of SUNY ESF is the designated Chair and is responsible for preparing the Clery Report in collaboration with information provided by other College offices and local law enforcement agencies surrounding campus that includes statistics on reported crime. This report is published on the University Police website, and a notice of its availability is sent to the College community by October 1st of each year.

General Security & Access Information

In 2025, approximately **2,227** full and part-time undergraduate and graduate students were enrolled at ESF. Students, faculty, and employees have access to academic, recreational, and administrative facilities on campus during regular hours of operation. To report any violations or to report suspicious persons, dial campus extension (315) 470-6666 for the University Police. The University Police Deputy Chief is the designated campus security authority for this report and can be reached at (315) 470-4996. (https://www.esf.edu/safety/contact.php)

The exterior doors of campus buildings are secured using a combination of manual and electronic access control locks managed by University Police. The actual times are determined on an academic vs. summer schedule but are generally open from 6am -7pm during the academic year. The public are generally invited to attend events on campus and are directed to the facilities in which these events are held without University Police authorization. University Police also utilizes an exterior campus camera system and oversees blue-light help phones for the community's safety. For further information contact University Police at (315) 470-6666 https://www.esf.edu/safety/contact.php

Centennial Hall is committed to providing a safe environment for students within the residence hall. Students are made aware of safety concerns as well as prevention tactics and personal responsibility through an intensive orientation process. The residence hall is supervised by a Community Manager and two live-in Residential Experience Coordinators with the assistance of Resident Advisors. Residential students are educated in security practices in place within

the facility; they are issued an electronic access fob and an individual bedroom key (if applicable). All visitors are screened at the front desk after 8PM and must be accompanied by a resident host. Access within and without is controlled via an electronic security system which restricts movement based on an assigned access level. The residence hall is equipped with a fire alarm system that is directly addressable to the Onondaga County 911 Center. The residence hall is also equipped with a video surveillance system.

Authority & Responsibilities of University Police

Law enforcement services, including criminal investigations, are provided by the University Police Department, which has a force of sworn police officers with full arrest powers. University Police meet the required standards in New York State for law enforcement. Officers patrol the campus 24/7/365 using vehicles, bicycles, and foot patrol. They receive specialized training in emergency response, first aid, defensive tactics, diversity topics, ethics, and other topics. Officers regularly meet with students, faculty, and staff members to discuss crime prevention, safety awareness, self- defense, substance abuse, cultural awareness, and other community policing concerns. The department's mission is to provide a safe environment and protect the lives and property of students, employees, and visitors, within the framework established by the State University of New York rules and regulations, and all local, state, and federal laws.

Relationships with Other Police Departments

University Police has access to Syracuse Police Department's and Syracuse University's daily activities to keep abreast of criminal activity in the University Hill area. University Police also participates in the Central New York Chief's Association and the Onondaga County Chapter of Chiefs of Police.

Criminal activity at off-campus locations is monitored by the police agency having jurisdiction for that area. Agencies in the Syracuse area share information and assist University Police as needed. Students involved in off-campus situations involving alcohol/drug offenses or other criminal activities may be referred to the campus judicial program. ESF does not have student organizations with non-campus locations. In addition, ESF UPD partners with the New York State Campus Crimes Unit for crimes related to interpersonal violence, sexual violence, and stalking.

Memoranda of Understanding

ESF University Police has signed memoranda of understanding (MOU's) with the Syracuse Police Department. The MOU defines what each department's responsibility will be in the investigation of violent felony and missing student cases. In addition, ESF has an MOU with the Syracuse Police Department Abused Persons Unit to investigate criminal allegations of sexual assaults and child abuse.

Reporting Crimes

The Clery Act promotes campus safety by ensuring that students, employees, parents, and the broader community are well-informed about important public safety and crime prevention matters. The Clery Act also promotes transparency and ongoing communication about campus crimes and other threats to health and safety and empowers community members to take a more active role in their own safety and security.

Compliance with these laws requires an institution-wide effort and support from college leadership. Please note that while there is some overlap between the Clery Act and Title IX (through VAWA), most of each law does not concern the other.

Members of the campus community are urged to secure their valuables and be aware of their surroundings. A variety of methods are available to disseminate information about criminal activity in the University Hill area that may affect students or staff at SUNY ESF: *Crime Alerts* are distributed throughout SUNY ESF's student and employee e-mail systems. Crime news and prevention tips are also published in the SU student newspaper, *The Daily Orange.* Crime prevention materials are available in various areas on the ESF and SU campuses.

All members of the campus community are strongly urged to report criminal incidents, emergencies, and suspicious activity in an accurate and timely manner. The campus emergency number is 315-470-6666 which is answered by University Police. The off-campus emergency number is 911. Crimes in progress and any other emergency on campus can be reported directly by any student or employee to University Police who can also be reached by activating a campus blue light help phone. Officers are dispatched immediately to the site of the complaint. Incident reports are prepared and kept on file.

Another method of crime reporting is to contact an identified Campus Security Authority (CSA). CSA is a Clery-defined term that encompasses groups of individuals and organizations who by position at ESF have some responsibility for campus security that are not otherwise part of University Police or whose role has significant responsibility for student and campus activities.

ESF has identified that all employees identified as members of the United University Professionals (UUP) bargaining unit are considered Responsible Employees and Campus Security Authorities (CSA). UUP includes any faculty and professional staff. In addition to UUP professionals, ESF has identified the following list of positions who have been specifically identified as CSA's. These include:

- ESF University Police, 315-470-6666
- Title IX Coordinator, 315-470-6617
- Executive Officer for Student Affairs and Enrollment Management, 315-470-6660
- Dean of Students, 315-470-6660
- Human Resources, 315-470-6611
- Centennial Hall Residential Staff, 315-741-3067

Confidential Reporting

If you are the victim of a crime and do not want to pursue campus conduct or criminal prosecution, you may still want to consider making a confidential report. Confidential or "Anonymous Reporting" means that the person making the report will not be required to disclose their name or any identifying information. Witnesses, concerned third parties, and bystanders may also report suspicious, concerning or criminal incidents using this "Anonymous Reporting" method if they wish to keep their identity anonymous or confidential. The University Police Deputy Chief or their designee can file a report on the details of the incident without revealing your identity. This information will enable University Police to keep an accurate account of the number of incidents affecting the campus community, determine where there is a pattern of crime, alert the campus community, while keeping you and others safe. Please be aware the University's ability to respond and thoroughly investigate complaints reported in this manner may be limited. These reports will be counted and disclosed in the annual crime report statistics contained in this report. Anonymous reports of criminal incidents can be submitted at https://www.esf.edu/safety/acr.php or via phone at 315-470-6666.

There is an exemption from Clery CSA mandated reporting for two types of positions, college professional counselors and pastoral counselors. ESF does not have any pastoral counselors but does have three full-time staff therapists whose professional responsibilities include counseling. Thus, when these staff therapists are acting within the scope of their employment, they are not considered to be CSAs and are not required to report crimes for inclusion in the annual disclosure of crime statistics. However, our staff therapists are encouraged, when they deem it appropriate, to inform people being counseled of the procedures to report crimes on a voluntary basis for inclusion in the annual crime statistics.

Criminal Activity Off-Campus

When an ESF student is involved in an off-campus incident, University Police coordinates with local, state, or federal law enforcement. The Syracuse Police and Syracuse University Public Safety Departments routinely work and communicate with University Police on any serious incidents occurring on-campus or in the immediate vicinity surrounding the campus. Incidents that present an imminent or continuing threat to the campus community will be publicized via Timely Warnings or Emergency Notifications.

Daily Log

University Police maintains a daily log of crimes and incidents that occur on campus that is available to the public to view. This information is recorded by date, time and general location, and disposition of the complaint. This daily log is available at the University Police Department, room 19 Bray Hall. Please note that entries or updates are generally made within two business days after the event occurs. Incidents or situations deemed to pose a threat to the campus community are logged as soon as possible. While most events are logged, the University Police Deputy Chief may determine that an incident be classified as "confidential" in order not to jeopardize a criminal investigation or the identity of a victim.

Timely Warnings

If a situation arises, either on or off-campus, that, in the judgment of the Deputy Chief of University Police or the “Officer in Charge” (OIC), constitutes an ongoing or continuing threat, a campus-wide timely warning will be issued. The warning will be issued to all students, faculty, and staff and depending on severity will generally be delivered through campus email. A timely warning will be issued anytime a Clery Crime occurs within the Clery Geography and the incident is reported to campus security or local police agencies, and the incident is considered by the institution to represent a serious or continuing threat to students and employees.

Emergency Notification

All members of the campus community are strongly urged to report criminal incidents, emergencies, and suspicious activity. The campus emergency number is 315-470-6666 which is answered by University Police. The off-campus emergency number is 911. Members of the campus community are encouraged to report crimes in progress and any other emergencies on campus. This can be done using the campus blue light phones, calling UPD or by calling 911. Officers are dispatched immediately to the site of the complaint.

Incident reports are prepared and kept on file.

If the Deputy Chief of Police or the “Officer in Charge” (OIC) identifies and confirms a situation or event that adversely impacts or threatens life, health or property, the College utilizes the NY-Alert/Everbridge Mass Notification System for communications to the Emergency Response Resources Group and to alert the campus community. The Deputy Chief of Police and/or his designee, will without delay, determine the content of the NY Alert/ Everbridge notification and initiate the notification system, unless issuing a notification will in the professional judgement of responsible authorities compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the situation. Confirmation of a situation occurs when a sworn law enforcement officer, including UPD, Syracuse Police Department, and/or the Syracuse University Department of Public Safety (sometimes working collaboratively with other College departments including the Environmental Health and Safety Office) determines that a legitimate emergency or a dangerous situation exists.

The primary NY-Alert/Everbridge notification methods are Text Message, E-Mail, Telephone Call, Interior message board, ESF College website, and social media. The campus will also utilize person-to-person contact as well as local media coverage to communicate an emergency. University Police supervisors and communication staff members have the authority to activate the NY Alert / Everbridge system in accordance with current policies and procedures. The notification will include a brief notice about the incident with instructions on what to do. After a NY Alert / Everbridge message is broadcast, more detailed follow-up information will be provided through various means including, but not limited to the College website, social media resources, e-mail, and telephone. Updates may be distributed through additional messages. Pre- scripted messages have been developed to allow for the rapid dissemination of information to the campus community. The NY-Alert system is tested periodically via a test group as well as annually campus wide. ESF currently does not use segmented notification systems.

Student contact information is entered into the emergency notification database upon college registration and can be confirmed or updated anytime through their MYESF page. Employee contact information is automatically added during the new employee onboarding process through HR and can be confirmed or updated through their ESF Faculty and Staff portal.

SUNY ESF enjoys access to both NY-Alert and Syracuse University's Orange Alert emergency notification systems. Students and employees must opt into the Orange- Alert system. In the event of a critical incident, the College will use these systems to alert the ESF community and to provide instructions.

Drills

Unannounced evacuation drills are coordinated, scheduled, and executed three times a year by the ESF Environmental Health and Safety Services (EHSS) by activation of individual building fire alarms. Faculty, staff, and students learn the locations of the emergency exits and general routes to follow. Evacuation routes are posted on each floor of each building. Each drill's outcome is reviewed and documented by EHSS for efficiency and safety purposes, including the details of the drill. University Police will work directly with offices and departments to initiate personal and office safety practices to include evacuations, shelter-in-place, and response to hostile individuals.

Emergency Response Procedures

ESF has developed an all-hazards Emergency Response Plan which incorporates the Incident Command System for organizing, coordinating, and directing available resources toward the control of an emergency. The Emergency Response Plan designates University Police as the initial contact for reporting all emergency situations and as the central point of communication during the response and resolution of all emergencies. Upon receiving the initial contact, the University Police Officer in Charge (OIC), along with the Environmental Health and Safety Director when appropriate, will make an initial judgment about the level of response necessary and communicate with the appropriate personnel as outlined in the plan.

Evacuation Procedures

Authorizing an Evacuation

University Police, in consultation with the Senior Vice President, the College President, or officials from the law enforcement or emergency response agencies, will determine when to authorize a campus evacuation. All building and campus evacuations will be conducted in a safe and orderly fashion.

Evacuation Routes

ESF has a limited access roadway system. Presently there are three entrances to campus. One public entrance is located at the intersection of Irving Avenue and East Raynor Avenue. There is another entrance at the intersection of Forestry Drive and Sims Drive, and one located

at the intersections of Oakland Street and Stadium Place. The Dome, managed by Syracuse University, is a landmark that borders one of our main roadways. This roadway (Forestry Drive) allows traffic to flow in an easterly and westerly direction.

Campus Drive provides an alternate exit to both east and west sides of the campus. There are several alternative routes that can be easily opened to allow traffic to exit from the upper area of campus, in the event the roadway behind Bray and Marshall Halls becomes impassable. Directly adjacent to the Old M&O Building is a footpath into Oakwood Cemetery that can be utilized without any modifications. It may be difficult to use this footpath during snowy or winter conditions.

The other emergency evacuation route is located between Bray Hall and Walters Hall. Oak Leaf Drive flows tothe north providing access to Sims Drive and Forestry Drive. The two public entrances as well as the back entrance off Stadium Place are the other escape routes.

Shelter-In-Place Procedures

University Police, in consultation with the Senior Vice President, the College President, or officials from the law enforcement or emergency response agencies, will determine when to authorize “Shelter-in-Place” procedures. The term, Shelter-In Place, means to seek immediate shelter and remain there during an emergency rather than evacuate the area. It is always preferable to evacuate. Shelter-In-Place should only be used when an evacuation is not safe. In-place sheltering usually lasts no more than a few minutes to a few hours and preparations, made in advance, can ensure that the event is as comfortable as possible. Each department should determine its sheltering location prior to an incident occurring. The preferred Shelter-In-Place location would be an interior room or hallway, with limited or no windows. The location would have access to restroom facilities as well as drinking water.

Shelter-In-Place (weather) Recommendations

There may be situations when it's best to stay where you are to avoid any uncertainty outside. There are other circumstances, such as during a tornado or a chemical incident, when specifically, *how* and *where* you take shelter is a matter of survival.

Determine where you will take shelter if instructed to do so.

1. Storm cellars or basements provide the best protection.
2. If underground shelter is not available (or not advisable due to the situation), go into an interior room or hallway on the lowest floor possible.
3. In a high-rise building, go to an interior stairwell, small interior room, or hallway on the lowest floor possible.
4. Stay away from windows, doors, and outside walls. Go to the center of the room. Stay away from corners because they attract debris.

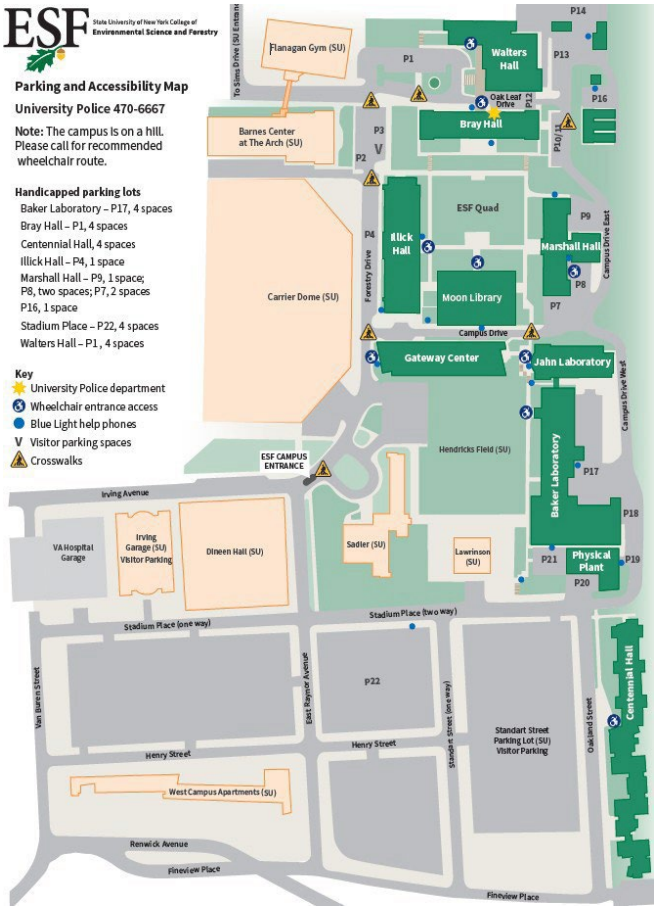
Stay in the shelter location until the danger has passed.

Shelter-In-Place (violent person) Procedures

Upon the recommendation of public safety officials, when there is a significant security concern, the safest course of action may be to shelter-in-place. Everyone shall stay as calm as possible and follow these procedures:

- First, ensure your own safety
- Move to the nearest location that can be secured by a locked door.
- If a lockable door is not available, move as far away from the threat as is safely possible. Isolate yourself and restrict entry anyway that is possible.
- Remain quiet and do not do anything that will attract attention.
- Notify University Police
- Campus Phone: 315-470-6666
- Cell Phone: 315-440-6615
- Assist others
- Allow other trusted individuals into your secure location.
- Instruct them to remain calm and quiet
- If you know where the intruder (or source of the security threat) is, contact University Police immediately.

When the security threat is over, Police from several agencies will move through the entire building and notify everyone that the threat is gone.



Crime Prevention Programs

University Police General Services: Services available through the University Police Department throughout the year include emergency services, parking information, motorist assistance, and lost and found. University Police are professionals who protect and serve the campus community. You will see officers walking through campus buildings, checking on students working late in classrooms, labs, or studios, and stopping in at campus events. During non-business hours, University Police serve as a point of contact for campus emergencies.

Safety Escort Service: Available 24 hours a day, 7 days a week for anyone on-campus needing an escort to another on-campus location. Contact University Police at 315-470-6666 to request an escort.

Emergency Telephone: University Police Dispatch is staffed 24 hours a day. At all times, there are officers on foot or in a patrol vehicle in radio contact with the Dispatch. University Police Communications Center is staffed 24 hours a day and is reachable by calling (315) 470-6666. Dispatch also answers the emergency phones located in all elevators and the Blue Light “help” phones located at exterior and interior sites throughout campus.

General Prevention & Security Awareness Programs

ESF offers a variety of programming related to crime prevention and safety/security procedures and practices that are available to students and employees. These programs are made available through coordinated efforts of the University Police Department, the Division of Student Affairs and the Title IX Coordinator throughout the school year. All members of the ESF campus community are encouraged to not only participate in the programs but to also be responsible for their own safety and the safety of one another. Below is a list of programs provided to the ESF community.

Program Topic	Frequency	Students/Employees	Notes
Twilight Review	Fall semester	Both	Provide opportunity for community members to walk campus grounds and identify potential safety issues and areas needing improvement.
First Year Orientation	Fall semester	Students	General overview of campus and personal safety, including resources.

ESF Drug Free Schools and Community Act (Students)

The ESF Alcohol and Other Drug Use Policy is intended to articulate, affirm, and maintain community-wide norms that support abstinence and encourage low-risk choices regarding alcohol and other drugs; choices that will not compromise positive living, learning, and/or working experiences for each member of our community. This policy provides a framework for the College's approach to prevention and intervention and defines acceptable and unacceptable behaviors regarding alcohol and other drugs.

Guiding Principles:

College as a Community: ESF is an educational institution dedicated to pursuing excellence, promoting academic achievement, and advancing knowledge. The College takes a demonstrable interest in the intellectual, physical, and psychological wellbeing of its members. Ultimately, the College seeks a proper balance between individual freedom to learn from experience and the need to accept and live within the standards of conduct set by the community. The College expects all its members and guests to share in the responsibility for adhering to and enforcing this policy.

Proactive Approach: Federal, state, and local laws and other mandates require the College to promulgate policies and procedures that stipulate sanctions for violating standards for misusing alcohol and other drugs; however, the College's efforts go beyond rules and sanctions. The College aims to institute policies and procedures that develop and sustain healthy community-wide standards to facilitate the prevention of problems while providing resources for intervention and assistance.

Prevention, Education, and Intervention: ESF seeks to provide an environment in which drug and alcohol abuse is not tolerated and does not interfere with the goals of the College as an educational institution and workplace. To provide an environment that does not tolerate the illegal and harmful use of alcohol and other drugs and helps to prevent problems related to those substances, the College engages in proactive efforts including the following:

- Educating members of the community about policies related to alcohol and other drugs andsanctions used to enforce these policies;
- Intervening and providing assistance to those with problems while creating an atmosphere in which those with problems are encouraged to seek help;
- Offering programs specifically designed to address alcohol and other drug usage; and
- Offering low-risk social options that support institutional initiatives fostering health and wellness.

Values Regarding Substances and Education: Considering the public health and safety concerns expressed above, ESF supports the following values with regard to substances and education:

- ***Alcohol*:** Abstinence is supported as a primary option. Consuming alcoholic beverages legally and in moderation is acceptable. Drinking alcohol excessively

is not. Unlawful behaviors involving alcohol are prohibited, including consuming alcohol under the age of 21. Disruptive behavior that creates potential for harm or infringes on the rights of others is prohibited.

- ***Illegal and Other Drugs*:** There is zero-tolerance for the unlawful possession and use of illegal drugs. This zero-tolerance also applies to improperly using prescription medications, controlled substances, or other legal drugs. Possessing drug paraphernalia is prohibited.
- ***Education*:** The College supports and utilizes alcohol and drug education and early intervention programs where appropriate. Self-referral to such programs is strongly encouraged and participation is strictly confidential. Community members are expected to be aware of the risks associated with abuse of alcohol and other drugs and the education and early intervention programs available to the community.

Health Risks and Information:

- Health risks associated with the use of alcohol include, but are not limited to, memory loss, depression, seizures, falls and accidents, heart and lung diseases, frequent infection, and sudden death.
- Social risks associated with the use of alcohol include, but are not limited to, damaged relationships, academic failure, and family problems.
- Grain alcohol is very dangerous when consumed. It is usually in a concentration of approximately 95 percent (185-190 proof), is highly toxic, and physically damages body cells, including causing burn injuries to the mouth and esophagus. Possession of grain alcohol by any person, regardless of age, is aviolation of New York State Law.

For further information and assistance regarding alcohol and other drug related matters, community members may consult the Division of Student Affairs, and or the Office of Human Resources.

Use of Alcohol and Other Drugs:

Jurisdiction: The College's Alcohol and Other Drug Use Policy applies to the activities of all ESF students, ESF-sanctioned student clubs and organizations, staff, faculty, guests, and visitors as follows. This policy applies to:

- All activities occurring on College-owned, operated, and/or associated properties, and in ESF-designated housing facilities;
- All College-sponsored events occurring at any location;
- All activities sponsored by College-affiliated, not-for-profit organizations, corporations and foundations including, but not limited to, the College Foundation, the ESF Alumni Association, the Ranger School Alumni Association, and the Syracuse Pulp and Paper Foundation;
- All individuals while representing the College at any location;
- All students as detailed in the Code of Student Conduct; and
- All ESF-sanctioned student clubs and organizations as detailed in the Student Organization/Club Manual.

Student conduct related to the use of alcohol and other drugs is regulated by the *Code of Student Conduct,* primarily in section 10, which reads: Illegal manufacture, purchase, sale, use, possession, being in the presence of, or distribution of alcohol, drugs, or controlled substances and/or violation of the ESF Alcohol and Other Drug Use Policy. ESF complies with the policies and sanctions of the Drug-Free Schools and Communities Act Amendments of 1989 (PL 101-226).

Per the Alcohol and Other Drug Use Policy, any College official shall have the authority to take action regarding any violation of this policy occurring on College-owned, operated, and/or associated properties, in ESF designated housing facilities, or at any College-sponsored or College-affiliated event. Any member of the College community may file a complaint pursuant to established College disciplinary procedures against any individual, ESF-sanctioned club or student organization, department, or affiliated organization, corporation, or foundation he/she knows or believes to have violated this policy. Complaints may be filed through established College processes, and, if it is determined a violation has been committed by the accused individual or ESF sanctioned student club or organization, department, or affiliated organization, corporation, or foundation, appropriate sanctions will be determined using criteria identified below. All students and ESF sanctioned student clubs and organizations are governed by this policy. Allegations that one or more students or ESF-sanctioned student clubs and organizations have committed a violation of this policy are handled through the College's student conduct process. College sanctions are described below. Students may also be subject to external sanctions.

Sanctioning Guidelines for Alcohol & Drug Violations of the Code of Student Conduct

Listed below are the general sanctioning guidelines for alcohol, marijuana, and other drug offenses.

Violation	First Offense	Second Offense
Violations of residence hall policies related to alcohol, being in the presence of alcohol if underage, possessing empty alcohol bottles/cans if underage, etc.	Written Reprimand Minimum of 5 hours community restitution	6-9 months of disciplinary probation Educational project Minimum of 10 hours community restitution Parental/guardian notification
Underage consumption, use or possession of alcohol, supplying alcohol to underage person(s), use or possession of marijuana or drug paraphernalia, etc.	6 – 9 months of disciplinary probation Educational project Minimum of 20 hours community restitution Parental/guardian notification	9 – 12 months of disciplinary probation Educational intervention program Minimum of 50 hours community restitution Parental/guardian notification
Intoxication or other substance abuse-related behavior posing a substantial risk to the health and wellbeing of self-and/or others, transport to a healthcare facility due to intoxication	9-12 months of disciplinary probation Educational intervention program Minimum of 50 hours community restitution Parental/guardian notification	Minimum of one semester suspension Alcohol and/or drug assessment by an approved provider and completion of any/all recommended treatment Minimum of 50 hours community restitution to be completed prior to applying for readmission to ESF Disciplinary probation for duration of ESF career upon return
Driving any motor vehicle while intoxicated or while under the influence of drugs. Manufacture, sale, purchase, or distribution of illegal drugs or controlled substances	Minimum of one semester suspension Alcohol and/or drug assessment by an approved provider and completion of any/all recommended treatment Minimum of 50 hours community restitution to be completed prior to applying for readmission to ESF Disciplinary probation for duration of ESF career upon return	Expulsion from SUNY ESF

ESF Drug Free Schools and Community Act (Employees)

ESF Drug-Free Workplace Policy

The Federal Drug Free Workplace Act, a part of the Anti-Drug Abuse Act of 1988, and The Drug Free Schools and Communities Act of 1989 imposed significant responsibilities on recipients of federal grants and contracts, including funds for campus-based financial aid programs. As a recipient of such funds, ESF is subject to the requirements of the Acts. Among those requirements is the adoption of a campus Drug-Free Workplace Policy and a drug prevention program.

ESF is committed to the development and maintenance of a drug-free environment and, in accordance with the Federal Drug-Free Workplace Act of 1988, and other applicable laws, rules and regulations, the College will not tolerate the unlawful possession or use of a controlled substance(s)* and alcohol in and on its premises. The unlawful manufacture, distribution, dispensation, possession or use of a controlled substance is prohibited in and on property owned by or under the control of the College (all ESF work locations). No employee will report for work or will work impaired by any substance, drug or alcohol, lawful or unlawful. "Impaired," for the purposes of this policy, shall mean under the influence of a substance such that the employee's work performance, senses or judgment either are affected, or there is reasonable suspicion that they are so affected.

Procedures:

A. Compliance with the provisions of this policy is a condition of employment at ESF.
B. Employees who violate this policy will be subject to the disciplinary procedures provided by the collective bargaining agreements or such other corrective action as the President or the President's designee may deem appropriate. Other corrective action may include satisfactory participation in an approved drug or alcohol rehabilitation program. Student employees will be subject to the judicial procedures specified in the "Rules and Regulations for Governing Student Conduct and Behavior" (revised January 2003).

*The term "controlled substance" means a controlled substance in Schedule I through V of Section 202 of the Federal Controlled Substances Act (21 USC812). To assist you in understanding the policy, go to the following web site: https://www.deadiversion.usdoj.gov and then click on "Controlled Substance Schedules".

C. Any employee convicted of ANY CRIMINAL DRUG VIOLATION occurring in the workplace, or at a work site owned or controlled by ESF is required to give a signed written notice of the conviction to the Director of Human Resources no later than five (5) working days after such conviction. The College will make a good faith effort to maintain a drug-free workplace. The

effort will include drug awareness education programs, the Employee Assistance Program (EAP) to assist employees seeking treatment and rehabilitation programs, and the implementation and strict enforcement of this policy.

D. The Employee Assistance Program is available for employees who wish to seek assistance in dealing with drug or alcohol-related problems. Please call the EAP Coordinator, at extension 6847, for information. Both the State and Research Foundation health insurance programs provide coverage for rehabilitation programs. Questions concerning this policy should be referred to the Director of Human Resources.

What is Title IX?

Title IX is the federal anti-discrimination law that states: "No person in the U.S. shall, on the basis of sex be excluded from participation in, or denied the benefits of, or be subjected to discrimination under any educational program or activity receiving federal aid." (Title IX 1972 Education Amendments). Title IX bans discrimination throughout our college and campus community in all programs and activities including, but not limited to, academic and athletic programs, financial aid and student records and accounts, health and counseling services, and housing and residence life programs. Title IX also prohibits sexual harassment, including sexual violence, which is a crime. All students, employees and visitors should be aware these people have key Title IX responsibilities at ESF:

Name	**Title**	**Role**	**Contact Information**
Toyia Sims	Senior Personnel Associate	Oversees Title IX issues and reporting for the campus	216 Bray Hall (315) 470-6617 titleix@esf.edu.
Robert Dugan	Deputy Chief of Police	Law enforcement and criminal complaints	19 Bray Hall (315) 470-6666 upolice@esf.edu

Sexual Assault, Domestic Violence, Dating Violence and Stalking: Prevention

The College of Environmental Science and Forestry is committed to maintaining a learning and working environment free from all forms of harassment, discrimination, and/or intimidation, including those of a sexual nature. Every member of the College community should be aware that the College does not tolerate dating violence, domestic violence, sexual assault, and stalking, and that such behavior is prohibited by law and by the College.

To help ensure that this type of environment is present at ESF, the College has developed the Sexual Harassment, Assault, and Violence Prevention Policy. Alleged violations of this policy will be fully investigated and resolved. It is the responsibility of the College to prevent sexual harassment, if possible, to address it when it occurs, and to take appropriate action against behavior that is a violation of this policy. The scope of this policy applies to all students, employees, applicants in the admission or employment processes, the Board of Trustees, and visitors.

ESF offers a variety of educational programming and campaigns to promote awareness and prevention of dating violence, domestic violence, sexual violence, and stalking. ESF strictly prohibits the crimes of dating violence, domestic violence, sexual violence, and stalking. Below is a list of programs routinely offered to the ESF community.

Program Topic	Frequency	Students/Employees	Notes
Green Flags	Spring	Students	Education program to help students recognize and share their green flags of a healthy relationship
Let's Talk about Consent	Spring	Students	Prevention education program focusing on consent
Activate online program	Fall/Spring	Students	This is the mandatory prevention education programming for first year students and transfers
First Year Orientation Virtual Videos	Fall Semester	Students	Continued prevention education on domestic/sexual violence available to students via Blackboard
First Year Seminar Presentation	Fall Semester	Students	Continued prevention education on domestic/sexual violence as required by various regulatory bodies
Student Leaders	Fall/Spring Semester	Student Organization leaders	Continued prevention education on domestic/sexual violence as required by various regulatory bodies
Athlete Training	Fall Semester	Students	Bystander Intervention programming for student athletes
Bystander Intervention skills building	Fall Semester	Students	Facilitated conversations with first year students on bystander intervention messaging and skill building
Responsible Employee Training	Fall Semester	Employees	Education for employees on Title IX and Clery requirements
We Comply	Spring Semester	Employees	Online modules providing yearly training on domestic/sexual violence, mandatory reporting, resources. This program contains information on procedures and practices as well as encourages participants to look out for themselves
Barriers to Intervention	Fall Semester	Both	A virtual prevention education program focused on understanding what gets in the way of someone trying to be an empowered bystander
Discrimination and Harassment	Fall Semester	Both	Virtual program focused on creating and maintaining a community in which we are free from all forms of harassment and discrimination, consistent with college obligations under federal and state law. Help us recognize the long-lasting and detrimental effects of discrimination and harassment on individuals and our entire community.

Sexual Assault, Domestic Violence, Dating Violence, and Stalking

In June 2015, Governor Andrew Cuomo signed the sexual and interpersonal violence prevention "Enough is Enough" bill. The standards and expectations contained in this law apply to all public and private colleges and universities in New York. The following ESF's policies and processes specifically relate to allegations of sexual and interpersonal violence. Sexual violence, as used in College policy, refers to physical sexual acts perpetrated against a person's will or where a person is incapable of providing affirmative consent (as defined herein). Several different acts fall into the category of sexual violence, including rape, sexual assault, sexual battery, sexual abuse, sexual coercion, dating/domestic violence, and stalking. Sexual and interpersonal violence can be carried out by other students, by College employees, or by third parties. All such acts of sexual violence are forms of sex discrimination prohibited by law and by College policy.

For students, the Title IX Coordinator is available to make a report or access related resources, and can be contacted at 315-470-6617, or at titleix@esf.edu. The Division of Student Affairs is also available to help students with additional resources or questions. Contact the Division of Student Affairs at 315-470-6660, 110 Bray Hall. Employees are encouraged to utilize support through Human Resources or the ESF's Employee Assistance Program.

Response Procedures to Follow

The following provides information on procedures someone should follow if they have experienced the crime of dating violence, domestic violence, sexual assault and/or stalking. While there is no right or wrong way to proceed after experiencing any of these crimes, it is important to consider one's physical and emotional safety. There are resources available on and off campus that can guide someone to make decisions on how to proceed that is best for the individual.

Evidence preservation: In order to best preserve evidence, victims 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. All hospitals in Onondaga County can collect physical evidence in the event someone is physically or sexually harmed. No police report is required in order to collect evidence unless a weapon was used to harm or seriously threaten the individual. A person may also choose to seek assistance from their Primary Care Physician. For all other types of evidence, you can choose to report to UPD, the Syracuse Police Department, Onondaga County Sheriff's Department or the New York State Police. Their phone numbers can be found on page 21-22.

- Preservation of evidence: In NYS, evidence will be tested within 100 days of making a report to police. If a person chooses not to report to police, any evidence collected at a hospital will be stored for 20 years or until the victim/survivor chooses to release it.

Medical Attention: If a victim/survivor needs medical assistance, there are several options available.

- If they cannot get to an emergency room/hospital- they should call 911 for assistance
- If they can, there are four local hospitals in the area
- Crouse Hospital, 736 Irving Avenue, Syracuse NY 13210, (315) 470-7411
- Upstate Hospital, 750 East Adams Street, Syracuse NY 13210, (315) 464-5611
- St. Joseph's Hospital, 301 Prospect Avenue, Syracuse NY 13202, (315) 448-5101
- Community General at Upstate, 4900 Broad Road, Syracuse NY 13215, (315)492-5536
- Contact their primary care physician for follow-up care

If a survivor/victim of these crimes reports to ESF personnel (i.e. Title IX Coordinator or UPD) they will be provided with written information about evidence preservation, how and to whom to report these crimes, options about involvement of law enforcement and campus authorities, and assistance in notifying law enforcement if the victim chooses, as well as the option to decline to notify authorities. Victims will also be provided information in writing about rights and institutional responsibilities regarding No Contact orders, orders of protection, or other available applicable options. Victims have the right to notify law enforcement, and the campus can assist in notifying law enforcement if victims choose.

Victims may also choose to decline to notify authorities.

Making a police report: It is an individual's right to report an incident to law enforcement. It will be helpful to provide as much information as possible about the incident that occurred, a description of the individual(s) involved, where the incident happened. Police will ask many questions when taking a report. If there is enough information to believe a crime occurred, the police will continue with an investigation and possibly make an arrest based on NYS laws. In the event an arrest is made, an attorney from the Onondaga County District Attorney's Office will connect with the victim to talk further. An order of protection may be issued to the victim at an arraignment. It is strongly encouraged that victims of domestic violence, dating violence, sexual violence and/or stalking connect with an advocate from Vera House for support and guidance.

Steps to take after a sexual assault (adapted from RAINN)

Below are some things to consider after experiencing sexual assault. It can be difficult to know what to do or how to feel after a sexual assault.

- Safety: If the person is not feeling safe, consider reaching out to someone that is trusted for support.
- It is not your fault: something happened to you that you did not want or ask to happen to you.
- Call for support: You can call the Vera House crisis and support line 24 hours a day at 315-468-3260. You can also call the National Sexual Assault Hotline at 800-656-4673. Both agencies can help you sort through and describe options available to you.
- Medical attention: You may want to consider getting checked out by a Sexual Assault Nurse Examiner (SANE) who is trained to provide medical care and collect forensic evidence to those who have been sexually assaulted. Any of the

hospitals based in Syracuse can provide this service to you. You can also choose to see your own primary care physician.

- Evidence: In order to best preserve evidence, victims 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. You may also place clothing into a paper bag and bring it to thehospital or police station.
- Drug-facilitated sexual assault: There are certain drugs that can aid a perpetrator in committing sexual assault. Rohypnol, GHB, and Ketamine are drugs known to be used and are more likely to be detected in the urine than in the blood. If you think you may have been given some type of drug, it is important to quickly preserve evidence either by getting to a hospital or urinating in a cup and bringing it to the hospital or police department.

For Students at ESF

Students' Bill of Rights

The State University of New York and the College of Environmental Science and Forestry are committed to providing options, support, and assistance to victims/survivors of sexual assault, domestic violence, relationship/dating violence, and/or stalking to ensure that they can continue to participate in College-wide and campus programs, activities, and employment. All victims/survivors of these crimes and violations, regardless of 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:

- Make a report to local law enforcement and/or state police;
- Have disclosures of domestic violence, dating violence, stalking, and sexual assault treated seriously;
- Make a decision about whether or not to disclose a crime or violation and participate in the student conduct process and/or criminal justice process free from pressures from the institution;
- Participate in a process that is fair, impartial, and provides adequate notice and a meaningful opportunity to be heard;
- Be treated with dignity and receive from the institution courteous, fair, and respectful health care and counseling services, where available;
- 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;
- Describe the incident to as few College representatives as practicable and not be required to unnecessarily repeat a description of the incident;
- Be free from retaliation by the institution, the accused and/or the respondent, and/or their friends, family, and acquaintances within the jurisdiction of the College;
- Access to at least one level of appeal of a determination;
- Be accompanied by an advisor of choice who may assist and advise a reporting individual, accused individual, or respondent throughout the student conduct process, including during all meetings and hearings related to such processes; and
- Exercise civil rights and practice of religion without interference by the investigative, criminal justice, or student conduct process of the College.

Reporting Options

In accordance with the New York State Students' Bill of Rights, individuals who want to report that they have experienced domestic/sexual violence or stalking 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. Individuals can choose to do so confidentially or non-confidentially, also known as private.

- Sharing information confidentially means that information shared is protected by federal and state laws and cannot be shared without one's explicit permission. People with confidential status will not share with ESF any identifying information. Sharing with a confidential person is not considered a report to the College. These individuals can also provide additional resources and options available.

Below are the confidential resources available to students locally:

- ESF Counseling Center, 315-470-4716, 110A Bray Hall
- Syracuse University Hendricks Chaplain, 315-443-2901
- Vera House 315-468-3260, 723 James Street, Syracuse NY 13203.

Additional confidential options locally and across the state can be accessed through:

- New York State Office for the Prevention of Domestic Violence and presented in several languages http://www.opdv.ny.gov/help/index.html or by calling 1-800-942-6906.
- SUNY SAVR response.suny.edu
- Sharing information with someone who is non-confidential or who can offer privacy means that details an individual shares will be shared with certain designated individuals at the college, such as the Title IX Coordinator. With the exception of licensed mental health counselors in the ESF Counseling Center, all ESF employees are non-confidential individuals and can only offer privacy. ESF shall ensure that, at a minimum, at the first instance of disclosure by a reporting individual to a College representative, the following information shall be presented to the reporting individual: "You have the right to make a report to University Police, local law enforcement, and/or State Police or choose not to report; to report to the College; to be protected by the College from retaliation for reporting an incident; and to receive assistance and resources from the College." All ESF representatives are required to report to the Title IX Coordinator.
- Title IX Coordinator, 315-565-3012, titleix@esf.edu, 220 Bray Hall

Once the Title IX Coordinator/Deputy receives a report, they will make every attempt to meet with the reporting individual. This meeting will provide the opportunity for an individual to learn about certain accommodations, campus-based remedies, evidence preservation and resources.

- Individuals may also choose to report directly to the University Police Department or any other law enforcement agency and file a criminal complaint.

- ESF University Police, 315-470-6666, 19 Bray Hall
- Syracuse Police Department, 911
- Abused Person's Unit (crimes related to sexual violence only), 315-435-3016
- Onondaga County Sheriff's Department, 911
- Abused Person's Unit (crimes related to sexual violence only), 315-435-3092

- New York State Police Department, Campus Crimes unit, 1-844-845-7269

Any of the above resources can also assist an individual by providing information on pursuing an order of protection through the New York State Family Court system.

When the accused is an employee, a reporting individual may also report the incident to ESF's Office of Human Resources (216 Bray Hall, 315-470-6611) or may request that one of the above referenced confidential or private employees assist in reporting to Human Resources. Disciplinary proceedings will be conducted in accordance with applicable collective bargaining agreements. When the accused is an employee of an affiliated entity or vendor of the College, College officials will, at the request of the reporting individual, assist in reporting to the appropriate office of the 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.

Reporting an Incident (STUDENTS)

Complaint Process

1. If an individual experiences or observes an incident of sexual discrimination, harassment, violence, or exploitation on or off-campus, report the incident to:
   - University Police (24/7) at 315-470-6666; University Police officers have received specialized training to attend to the needs and concerns of victims of sexual offenses and relationship violence; AND/OR
   - One of the individuals responsible for Title IX is listed on page 16. They may be reached during College business hours, Monday through Friday, 8am-4:30pm.
2. The individual will be asked to make a written acknowledgement describing (1) the name and/or title of the College employee or representative who spoke to or worked with the individual, and the date of that interaction; (2) which options the individual would like to pursue, if any including the criminal justice system, the student conduct system; and/or (3) that the individual received information about resources (medical, counseling, environmental relief).

3. If a complaint is filed, the individual has the right to an adequate, reliable, and impartial investigation of their complaint, the right to present evidence and witnesses, and the right to appeal the conclusions of investigators or hearing officers. If an individual does not file a complaint, the College is obligated by federal mandate to investigate the incident in order to seek further understanding for the protection of recurrences.
4. The College can issue accommodation that address conditions in an individual's living, learning, or working environment to reduce the level of hostility in that environment, such as room assignment changes, class changes, work location changes, or limits on access for the accused.
5. The individual will be notified of the time frame within which the College will conduct a full investigation related to the report or complaint.
6. The College will decide outcomes of the complaint, the sanctions imposed upon the accused, and all aspects of the complaint that relate to how the individual's learning, living, or working environment may be affected.
7. The individual will be notified of the outcome of a complaint that they submit and any conditions of the outcome that may affect them directly.
8. If the individual or their witnesses are subjected to retaliation (pressure, intimidation, or coercion by the accuser or his/her associates, with or without the accuser's knowledge), they should immediately report the incident so the College can investigate and take appropriate action.

Student Disciplinary Proceedings

Process Determination

When the College receives a formal complaint alleging sexual assault, dating/domestic violence, or stalking, the College's Title IX Coordinator will be notified, and an investigation may be launched. The College's primary goal is the facilitation of a fair and transparent process for all involved parties that gathers the facts and results in appropriate decisions.

Due to a 2020 change in federal regulations regarding the enforcement of Title IX of the Education Amendments of 1972, the College has adopted the Title IX Grievance Policy to address sexual harassment and discrimination on the basis of sex. To qualify as a Title IX case, the incident of harassment has to meet parameters as outlined in the Title IX Grievance Policy and will be investigated and adjudicated per that policy.

Per the Title IX Grievance Policy, "[ESF] retains authority to investigate and adjudicate the allegations under the policies and procedures defined within the Non-Title IX Sexual Misconduct Policy through a separate grievance proceeding." Cases alleging sexual violence which do not fulfill the parameters of the Title IX Grievance Policy may proceed under the Sexual Harassment, Assault, and Violence Prevention Policy. The Title IX Coordinator will turn over the report of any alleged sexual misconduct to the Division of Student Affairs for investigation and, if appropriate, adjudication.

The College should seek consent from reporting individuals prior to conducting an investigation. Before an investigation begins, every effort will be made to meet with the

reporting individual to discuss their options and resources within the College and the local community. In cases where the allegation is received from a third party such as a friend, roommate, or faculty/staff member, notification will be sent to the person about whom the allegations refer that a report has been received to allow for that person to serve as the reporting individual.

When a reporting individual does not wish to move forward with a formal complaint through ESF's student conduct process, every consideration will be given to their wishes. When considering a request from a reporting individual not to move forward with the formal conduct process, the College will consider this in light of the entire College community. The College is committed to providing a reasonably safe and non- discriminatory environment and will take action it believes appropriate to protect the community. Declining to consent to an investigation shall be honored unless the institution determines in good faith that failure to investigate does not adequately mitigate a potential risk of harm to the reporting individual or other members of the community. Honoring such a request may limit the institution's ability to meaningfully investigate and pursue action against an accused individual. Factors used to determine whether to honor such a request include, but are not limited to:

a. Whether the accused has a history of violent behavior or is a repeat offender;
b. Whether the incident represents escalation in unlawful conduct on behalf of the accused from previously noted behavior;
c. The increased risk that the accused will commit additional acts of violence;
d. Whether the accused used a weapon or force;
e. Whether the reporting individual is a minor; and
f. Whether the institution possesses other means to obtain evidence such as security footage, and whether available information reveals a pattern of perpetration at a given location or by a particular group.

If the ESF determines that an investigation is required, it shall notify the reporting individuals and take immediate action as necessary to protect and assist them.

Under the Sexual Harassment, Assault, and Violence Prevention Policy, the College does not limit the timeframe for filing a formal complaint of sexual violence. Complaints may be submitted at any time following an incident. However, the College's ability to act may be limited by the matriculation/employment of the accused and/or the availability of information. ESF's student conduct process extends only to currently enrolled students.

In all cases, individuals participating in an investigation or the ESF student conduct process are urged to maintain the privacy of the process to assist the College in conducting a thorough, fair, and accurate investigation and student conduct process.

Protective Measures

Regardless of the initiation of an investigation, either party is eligible to receive a variety of protective measures and accommodation. These measures include, but are not limited to, no contact orders/persona non-grata letters, safety escorts, academic accommodations, housing changes, employment accommodations, safety planning, and parking accommodations.

Amnesty

The health and safety of every student at ESF is of utmost importance. ESF 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. ESF strongly encourages students to report domestic violence, dating violence, stalking, or sexual assault to college officials. A bystander acting in good faith or a reporting individual acting in good faith who discloses any incident of domestic violence, dating violence, stalking, or sexual assault to ESF officials or law enforcement will not be subject to ESF *Code of Student 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.

Retaliation

Retaliation against any person involved in an investigation, including the complainant/reporting individual, accused/respondent, witnesses, hearing board or appeals committee members, advisors, or investigators, is strictly prohibited. Failure to abide by this could result in disciplinary action. Reports of retaliation should be directed to the Division of Student Affairs or the College's Title IX Coordinator. All allegations of retaliation will be thoroughly reviewed and may result in administrative and/or student conduct action.

Dean of Students

Investigation and Timeframe

Allegations of sexual assault, dating violence, domestic violence, or stalking will be investigated in an unbiased, thorough, and prompt fashion to ensure the rights of all involved. In most cases, the accused will be notified that a report has been filed and will be given written notice of the allegations. These allegations generally include the date, time, location, and name of the reporting individual as well as a list of the College policies that are alleged to have been violated.

Students involved in this process will have equal opportunity to present relevant witnesses and information, and to obtain assistance from the advisor of their choice, at any stage in ESF's student conduct process. Both the reporting individual and the respondent will be notified of the outcome of any subsequent student conduct hearings simultaneously and in writing and will have equal opportunity to appeal any outcomes. If an appeal is filed by either party, notice will be provided to the other party and both parties will be notified in writing of the outcome of the appeal.

The College has designated the Coordinator of Community Standards as the investigator of allegations of sexual assault, dating violence, domestic violence, or stalking involving students as the responding party/accused. The Coordinator of Community Standards has received specific investigatory training covering the following topics: federal and state laws regarding sexual and interpersonal violence, the neurobiology and impacts of trauma, trauma-informed

questioning, report writing, and credibility and relevance analysis. The first step of an investigation is generally a preliminary interview with the reporting individual and the accused. Both parties have the right to offer evidence during the investigation and to review relevant evidence in the case file. The investigator will attempt to seek other relevant information as well. This may include, but is not limited to, any other individuals who may have information relevant to the situation, and the gathering of any available physical and/or medical evidence. All investigative meetings will be recorded.

Information gathered during the investigation will be used to evaluate the appropriate course of action, provide for the safety of the individuals involved and the College community, and impose remedies as necessary to address the effects of the alleged misconduct.

When a disclosure or formal complaint is received by the College, every effort is made to complete the investigative phase within 60 days of receipt of the report. The time to resolution can be affected by many things, including the details of the specific case and when the incident occurred. Certain periods of the academic year, such as during break periods, exam periods, and the summer, make resolution of a student conduct case more challenging.

Both the reporting individual and the respondent have the right to have a student 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. The decision to delay rests with the Dean of Students (or designee). Both parties may request a single delay, not to exceed 5 business days, during the student conduct process.

The investigator will prepare a written report detailing the relevant content from the interviews and the documentation materials that have been gathered. Both the reporting individual and the accused will be given the opportunity to review the report and to provide written responses to the investigator within three (3) business days. Both the reporting individual and the accused will receive a copy of the final investigative report and any written responses in an electronic format.

How Charges are Determined

The investigator will provide the written investigative report to the Dean of Students, along with any alleged violations of ESF's *Code of Student Conduct*. The Dean of Students (or designee) will review the report received from the investigator and decide as to whether the case should be formally adjudicated. If in the Dean of Student's opinion, the case should move forward, a charge letter outlining the specific alleged violations will be sent to the accused. This letter will also include information about the student conduct process. All letters sent by the College as part of the ESF student conduct process will be sent via email to the students' College syr.edu email addresses as this is the method the College uses for official communication with students.

Students alleged to have violated the ESF *Code of Student Conduct, will* be referred to as respondents, have the right to prompt response to any formal complaint and to have their complaint investigated and adjudicated in an impartial and thorough manner. Both the investigation and the conduct process will be conducted in a manner that recognizes the legal and policy requirements of due process and will not be conducted by individuals with conflict of

interest. Respondents will receive electronic notice via their college (@syr.edu) email address of charge letters as well as any meetings or hearings they are required to or are eligible to attend. This is the official means of communication the College uses with students.

Respondents and complainants are permitted to have an advisor of their choice present during the entirety of the student conduct process and any related meetings or hearings.

All students have the right to file student conduct charges against the accused. Student conduct proceedings are governed by the procedures set forth in ESF's *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.

The Hearing Process

The Coordinator of Community Standards, consulting with the Dean of Students, will determine the composition of the College Hearing Board. The Board is generally comprised of three (3) voting members of the College's faculty/staff and/or student body who have received annual training relative to the student conduct process, federal/state laws, the neurobiology of trauma, trauma-informed questioning, definitions of sexual assault, dating/domestic violence, and stalking, credibility assessment, deliberation and rationale development.

The Coordinator of Community Standards serves as the Administrative Hearing Officer and will preside at each hearing to ensure that all College policies and processes are followed. The Administrative Hearing Officer does not participate in any of the Board's deliberations. The Board will not include individuals with a conflict of interest based on Board member disclosure and consent of the respective parties.

The members of the Board will have the opportunity to thoroughly review all documentation submitted by the complainant and other involved parties. The format of the hearing generally includes:

- Complainant statement
- Witness(es) presented by the Complainant (optional)
- Respondent statement (optional)
- Witness(es) presented by the Respondent (optional)
- Questions by the Board
- Complainant closing statement (optional)
- Respondent closing statement (optional)

The Board may impose time limits on any stage of ESF's student conduct process including, but not limited to, the duration of breaks. The Board may determine the relevance of, and may place restrictions on, any witnesses or information presented. In cases where the complainant and/or respondent choose not to participate in the hearing, the hearing will proceed as scheduled and the Board will hear from the party who has chosen to participate in the process, if applicable.

Hearings shall be conducted by the Hearing Board according to the following guidelines:

- Admission of any person to the hearing shall be at the discretion of the

Hearing Board and/or the Administrative Hearing Officer

- If the hearing involves more than one respondent, the Hearing Board may permit the hearings to beconducted separately for each respondent.
- Pertinent records, exhibits, and/or written statements may be accepted as evidence for consideration by the Hearing Board at the discretion of the Hearing Board.
- Procedural questions are subject to the final decision of the Hearing Board, in consultation with the Administrative Hearing Officer. Hearings may not be conducted without the Administrative Hearing Officer present.
- A student conduct hearing shall not be bound by technical rules of evidence but may hear and receive any testimony or evidence which is relevant to the issues presented by the charge(s) and which will contribute to a full and fair disposition of the charge(s). All members of College Hearing Boards must be present during hearings and the disposition of charges.
- If any party repeatedly disrupts a hearing (including, but not limited to, shouting, repeatedly interrupting others, or verbally or physically threatening individuals involved in the hearing), the Board Advisor has the right to remove the disruptive individual(s) from the hearing after he/she fails to heed a warning from the Administrative Hearing Officer. The hearing shall continue in the absence of any removed disruptive party.
- If the respondent chooses not to attend a scheduled hearing, the hearing will be held in the student's absence. The respondent will be assumed to have entered a claim of Not Responsible to each allegation but forfeited their ability to present information on their behalf. Finding and sanctions (if applicable) will be based on the evidence and not upon the respondent's failure to appear.

Any decisions that result from a conduct hearing shall be sent to the complainant and respondent in writing (via email to the student's respective College email addresses), and a copy of the disposition letter shall be kept on file in the Division of Student Affairs. The file may be used as a disciplinary record in any future proceedings involving the respondent.

While significant elements of the adjudication process for conduct cases related to sexual assault, domestic/dating violence, and stalking mirror the behavioral misconduct processes, additional aspects specific to sexual and interpersonal violence cases are noted here.

Both the reporting party and the respondent will receive electronic notice via their college email address of any meetings or hearings they are eligible to attend, including an optional pre-hearing meeting with a staff member in the Division of Student Affairs to review ESF's student conduct process should they wish to participate.

Both the reporting individual and the respondent have the right to:

- A range of options for providing testimony via alternative arrangements, including telephone/videoconferencing or testifying with a room partition.
- Present evidence and testimony during the Board hearing.
- Ask questions of the decision maker and, via the decision maker, request responses from other parties and other witnesses.
- Submit an impact statement within 48 hours of the completion of the hearing for consideration by the Board during the sanctioning phase. The impact

statement(s) should be submitted in writing to the Division of Student Affairs. The impact statement(s) will only be opened if the respondent is determined to be responsible.

- Provide the Board with character statements, though character witnesses are not permitted in person at the hearing. The Board will not generally accept statements aimed at defaming the character of either the reporting individual or the respondent. The Board may also set limits regarding the number of character statements it will consider.
- Exclude prior sexual history with people other than the other party in the conduct process or exclude their own mental health from admittance during the stage where responsibility is determined. Past findings and conduct history may be admissible during the sanctioning phase.

Possible Outcomes/Sanctions:

Both the reporting individual and the respondent have the right to know the sanction(s) that may be imposed on the respondent based upon the outcome of ESF's student conduct process proceeding as well as the reason for the actual sanction imposed. The Board may impose sanctions up to and including expulsion from the College and may impose sanctions that are educational and/or remedial specific to the facts of a given case. A range of sanctions are available for cases involving domestic violence, dating violence, stalking, and sexual assault:

- For respondents found responsible for domestic violence, dating violence, and/or stalking the available sanctions are disciplinary probation for a designated period as determined by the College Hearing Board, suspension for a designated period of time as determined by the College Hearing Board, or expulsion. Respondents given a sanction less than expulsion will also be expected to complete educational activities intended to allow for reflection and development. Educational activities include but are not limited to community service, written reflections/research projects, development of programming, or other activities determined by the College Hearing Board to be educational in nature.
- For students who are found responsible for sexual assault, the available sanctions are suspension for a designated period as determined by the College Hearing Board or expulsion. Respondents given a sanction of suspension will also be expected to complete additional educational/reflective requirements including but not limited to community service, written reflections/research projects, development of programming, or other activities determined by the College Hearing Board to be educational in nature.

The Board will render a decision on all alleged violations of the ESF *Code of Student Conduct* listed in the charge letter. Both the reporting individual and the respondent will receive simultaneous electronic notification via their college email address of the outcome of the Board hearing, including the sanction(s) and rationale for the Board's decision within 24 hours of the Coordinator of Student Conduct's receipt and confirmation of the Board's decision. The notification will also include pertinent information regarding the appeals process.

Appealing an Outcome:

Both the reporting individual and the respondent have the right to appeal the decision of the Board. A written appeal must be submitted to the Division of Student Affairs within five (5) business days of receiving notification of the hearing outcome. All appeals must be authored and signed by the submitting party. Appeal submissions must not be more than ten (10) pages, double-spaced, using 12-point font and 1-inch margins (not including attachments). An appeal by one party will be forwarded by the Office of the Dean of Students to the other party. When an appeal has been filed, the other party will be permitted to respond in writing, specifically addressing the issues raised in the appeal, within three (3) business days after the appeal has been made available. Responsive submissions must not be more than ten (10) pages, double-spaced, using 12-point font and 1-inch margins (not including attachments.) Any responsive document will be forwarded by the Office of the Dean of Students to the appealing party.

Appeals *must* be based on one or more of the following criteria:

- New evidence not reasonably available at the time of the original hearing, the absence of which can be shown to have had a detrimental impact on the outcome of the hearing;
- Procedural error that can be shown has had a detrimental impact on the outcome of the hearing;
- Errors in the interpretation of college policy so substantial as to deny either party a fair hearing; and/or
- Grossly inappropriate sanction having no reasonable relationship to the charges.

Appeals are considered in a fair and impartial way by the College Appeals Committee (the Committee). The Dean of Students (or designee) will determine the composition of the Committee. The Committee is generally comprised of three members of the faculty/staff and/or student body (based on the respondent's undergraduate or graduate standing) selected from a pool of members who have received training in the College's student conduct process and will not include individuals with a conflict of interest.

Appeals are not a rehearing of the original allegation(s) and must be based on one or more of the above criteria to be considered. The written appeal must detail the grounds for the appeal. Appeals are reviews of the record (written and, when determined by the College Appeals Committee to be appropriate, the audio recording). The Committee reserves the right to meet or not meet with the parties involved as well as to listen (or not) to the audio recording of the original hearing. Determined by the college appeals committee appropriate, the audio recording). The Committee reserves the right to meet or not meet with the parties involved as well as to listen (or not) to the audio recording of the original hearing. The appeals process is an administrative one, and in most cases, the parties involved will not be asked to meet with the Committee.

The Committee will determine whether the grounds for appeal have been satisfied and will either grant or deny the appeal by a majority vote. If the appeal is granted, the Committee may recommend upholding a sanction, changing a sanction, or ordering a new hearing.

- In considering the change, the Committee will do so only in the clear abuse of discretion by the hearing authority.

- In considering appeals based on a Procedural Error, the Committee will order a new hearing only if the error is found to be substantial enough to have changed the outcome of the hearing.
- In considering appeals based on New Evidence, the Committee will order a new hearing only if the new evidence was not available at the time of the original hearing and is found to be substantial enough to change the outcome of the original hearing.

Upon request, ESF will disclose the results of any disciplinary proceeding conducted by the College against astudent who is the alleged perpetrator of any crimes of violence or a non-forcible sex offense (incest or statutory rape) to the alleged victim or next of kin if the victim is deceased.

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

Domestic Violence and the Workplace Policy

Domestic violence permeates the lives and compromises the safety of thousands of New York State employees each day, with tragic, destructive, and often fatal results. Domestic violence occurs within a wide spectrum of relationships, including married and formerly married couples; couples with children in common; couples who live together or have lived together; gay, lesbian, bisexual and transgender couples; and couples who are dating or who have dated in the past.

Domestic violence is defined as a pattern of coercive tactics which can include physical, psychological, sexual, economic and emotional abuse perpetrated by one person against an adult intimate partner, with the goal of establishing and maintaining power and control over the victim. In addition to exacting a tremendous toll from the individuals it directly affects, domestic violence often spills over into the workplace, compromising the safety of both victims and co-workers and resulting in lost productivity, increased health care costs, increased absenteeism, and increased employee turnover. ESF, to the fullest extent possible without violating any existing rules, regulations, statutory requirements, contractual obligations or collective bargaining agreements, will take all appropriate actions to promote safety in the workplace and respond effectively to the needs of victims of domestic violence.

Definitions:

For purposes of this policy, the following terms will be defined as follows:

Domestic Violence: A pattern of coercive tactics, which can include physical, psychological, sexual, economic and emotional abuse, perpetrated by one person against an adult intimate partner, with the goal of establishing and maintaining power and control over the victim.

Intimate Partner: Includes persons legally married to one another; persons formerly married to one another; persons who have a child in common, regardless of whether such persons are married or have lived together at any time; couples who are in an intimate relationship, including but not limited to, couples who live together or have lived together, or persons who are dating or who have dated in the past, including same sex couples.

Abuser: A person who perpetrates a pattern of coercive tactics which can include physical, psychological, sexual, economic, and emotional abuse against an adult intimate partner, with the goal of establishing and maintaining power and control over the victim.

Victim: The person against whom an abuser directs coercive and/or violent acts.

Guidelines:

1. Employee Awareness

ESF shall take all reasonable actions to educate employees regarding the effects of domestic violence, ways to prevent and curtail violence, and methods to report such violence to

authorities. It is the policy of ESF that information on domestic violence and available resources shall be posted and, if necessary, replaced or reposted annually in areas where other employment policies and information are traditionally posted. This information shall include the topics addressed in the appendix.

2. Non-Discriminatory and Responsive Personnel Policies for Victimized Employees

ESF shall ensure that personnel policies and procedures do not discriminate against victims of domestic violence and are responsive to the needs of victims of domestic violence.

New York State law makes it a crime for employers to penalize an employee who, as a victim or witness of a criminal offense, is appearing as a witness, consulting with a district attorney, or exercising his/her rights as provided in the Criminal Procedure Law, the Family Court Act, and the Executive Law. This law requires employers, with prior day notification, to allow time off for victims or subpoenaed witnesses to exercise his/her rights as provided in the Criminal Procedure Law, the Family Court Act, and the Executive Law [Penal Law §215.14]. If there are any questions or concerns regarding the leave that must be granted to victims or subpoenaed witnesses, contact the Director of Human Resources or the Attendance and Leave Unit at the Department of Civil Service.

ESF, upon request, will assist the employee in determining the best use of his/her attendance and leave benefits when an employee needs to be absent because of being a victim of domestic violence. If an employee requests time off to care for and/or assist a family member who has been a victim of domestic violence, ESF will evaluate the employee's request for leave for eligibility under existing law and collective bargaining agreements applicable to the employee and the attendance rules.

Policies and Procedures

ESF understands that victims of domestic violence may lack the required documentation or have difficulty obtaining the required documentation to justify absences without compromising their safety. Therefore, the Director of Human Resources will consult with the employee to identify what documentation she/he might have, or be able to obtain, that will not compromise his/her safety-related needs and will satisfactorily meet the documentation requirement of the employer. Because there is confidentiality issues associated with the submission of documentation in these instances, ESF may choose to consult with the Attendance and Leave Unit at the Department of Civil Service when questions arise.

Employees who are victims of domestic violence and who separate from a spouse (or terminate a relationship with a domestic partner, if covered), shall be allowed to make reasonable changes in benefits at any time during the calendar year where possible, in accordance with statute, regulation, contract and policy.

NYS has established that victims of domestic violence are now a protected class in the employment provisions of the NYS human rights law. This law prevents an employer from firing or refusing to hire any individual based on their status as a victim of domestic violence and prevents discrimination in compensation or in the terms, conditions or privileges of employment. ESF will not make inquiries about a job applicant's current or past domestic violence victimization, and employment decisions will not be based on any assumptions about or knowledge of such exposure.

In cases in which it is identified that an employee's work performance difficulties are a result of being a victim of domestic violence, said employee shall be afforded all of the proactive measures outlined in this policy, and shall be provided clear information about performance expectations, priorities, and performance evaluation. If a disciplinary process is initiated, special care will be taken to consider all aspects of the victimized employee's situation. ESF shall utilize all reasonable available options to resolve work-related performance problems and may make a referral to the Employee Assistance Program, consistent with existing collective bargaining unit agreements, statute, regulations and agency policy.

If reasonable measures have been taken to resolve domestic violence-related work performance problems of victimized employees, but the performance problems persist and the employee is terminated or voluntarily separates from employment due to these domestic violence related issues, and the employee conveys to ESF that the separation is due to these domestic violence issues, ESF shall inform the employee of his or her potential eligibility for unemployment insurance and respond quickly to any requests for information that may be needed in the claims process. New York State law provides that a victim of domestic violence who voluntarily separates from employment may, under certain circumstances, be eligible for unemployment insurance benefits. [§593 of NYS Labor Law.]

Workplace Safety Plans

By means of a domestic violence workplace safety response plan, ESF shall make employees aware of their options and available resources and help employees safeguard each other and report domestic violence to designated officials.

The designated liaison between ESF and SUNY System Administration is the Director of Human Resources. This liaison will ensure campus wide implementation of this policy and serve as the primary liaison with System Administration regarding this policy. The System Administration designated liaison will communicate with the Office for the Prevention of Domestic Violence (OPDV) on behalf of campuses as it relates to reporting.

Additionally, the following individuals are designated as available to support those in need of assistance concerning domestic violence: Senior Human Resources Associate, 315-470-6611.

ESF complies and assists with enforcement of all known court orders of protection, particularly orders in which abusers have been ordered to stay away from the work site. If requested by the victim of domestic violence or law enforcement, the agency shall provide information in its possession concerning an alleged violation of an order of protection. Employees are encouraged to bring their orders of protection (OP) to the attention of the Director of Human Resources or the Senior Human Resources Associate. Once the OP has been brought forward, a copy will be provided to the Deputy Chief of Police, and the document will be kept in a locked file in the Director of Human Resources' Office. In the case of a workplace emergency requiring the presentation of the OP to law enforcement, if the Director of Human Resources is unavailable to obtain the document, the Senior Human Resources Associate will have access to the cabinet where the document is locked. The Director of Human Resources (or the Assistant Director of Human Resources or Senior Personnel Associate, as per above paragraph) will discuss with the employee a plan on how to best proceed to ensure the safest possible work environment for the employee and the rest of the staff. With the permission of the employee, this may include: detail options that may be available in the workplace, for example, providing a copy of the OP and/or photo of perpetrator to University Police or front desk personnel; discussion of who should be told if there is not front desk staff , such as identifying supervisor/colleagues who would be able to assist with the identification of the perpetrator; blocking the subject, perpetrator; and creating a personal workplace safety plan as outlined in "f" below. The employee is responsible to notify The Director of Human Resources if there are any changes to the OP. ESF maintains an emergency security response plan, available online at , which includes procedures for contacting University Police and possibly other appropriate law enforcement agencies, and which provides employees with clear instructions about what to do and who to contact if they observe anyone engaging in threatening behavior. http://www.esf.edu/ehs/epm.htm, which includes procedures for contacting University Police and possibly other appropriate law enforcement agencies, and which provides employees with clear instructions about what to do and who to contact if they observe anyone engaging in threatening behavior.

ESF will discuss with a known victim of domestic violence the limitations on confidentiality under New York State Law (See Section VII h; NYS Agencies Responsibility d–g).

As part of an emergency security response plan, ESF shall take actions to assist in mitigating reoccurrence of domestic violence in an effort to protect all employees including the victim. These actions may include, but are not limited to, advising co-workers and, upon request, the employee's bargaining representative, of the situation; setting up procedures for alerting University Police; temporary relocation of the victim to a secure area; options for voluntary transfer or permanent relocation to a new work site; change of work schedule, reassignment of parking space; escort for entry to and exit from the building; responding to telephone, fax,

email or harassment; and keeping a photograph of the abuser and/or a copy of any existing court orders of protection in a confidential on-site location and providing copies to University Police. ESF will address any additional concerns raised by a situation in which both the victim and offender are employed by ESF.

This policy shall be reviewed annually. Any substantive policy revisions and updates shall be forwarded to the SUNY System-wide Affirmative Action Officer.

Accountability for Employees Who Are Offenders

ESF will hold employees accountable for engaging in the following behavior: (1) using state resources to commit an act of domestic violence; (2) committing an act of domestic violence from or at the workplace or from any other location while on official state business; or (3) using their job-related authority and/or state resources in order to negatively affect victims and/or assist perpetrators in locating a victim and/or in perpetrating an act of domestic violence.

Policies and Procedures

In cases in which ESF has found that an employee has threatened, harassed, or abused an intimate partner at the workplace using state resources such as work time, workplace telephones, fax machines, mail, e-mail or other means, said employee may be subject to corrective or disciplinary action in accordance with existing collective bargaining unit agreements, statutes and regulations.

In cases in which ESF has verification that an employee is responsible for a domestic violence-related offense, or is the subject of any order of protection, including temporary, final or out-of-state order, as a result of domestic violence, and said employee has job functions that include the authority to take actions that directly impact victims of domestic violence and/or actions that may protect abusers from appropriate consequences for their behavior, ESF shall determine if corrective action is warranted, in accordance with existing collective bargaining unit agreements, statutes and regulations.

In cases in which any employee intentionally uses his/her job-related authority and/or intentionally uses state resources in order to negatively impact a victim of domestic violence, assist an abuser in locating a victim, assist an abuser in perpetrating acts of domestic violence, or protect an abuser from appropriate consequences for his/her behavior, said employee maybe subject to corrective or disciplinary action, in accordance with existing collective bargaining unit agreements, statutes and regulations.

Firearms

Pursuant to New York State and federal law, a person convicted of a domestic violence-related crime or subject to an order of protection, under certain circumstances, forfeits the right to legally possess a firearm or long gun. Additionally, federal law contains prohibitions relating to shipping, transportation, or receiving firearms or ammunition.

In addition to complying with the law, employees who are authorized to carry a firearm as part of their job responsibilities are required to notify the campus if they are arrested on a domestic

violence-related offense and/or served with an order of protection. Under certain circumstances, such employees are responsible for surrendering their firearms to the firearm issuing agency or to the appropriate police agency.

Should an employee fail to comply with the requirements set forth in Section V, a., said employee may be subject to corrective or disciplinary action, in accordance with existing collective bargaining unit agreements, statutes or regulations. In addition, the appropriate law enforcement agency shall be notified for possible criminal action.

Training

The Director of Human Resources and all personnel designated to provide support for those in need of assistance shall complete OPDV's one-day training on Domestic Violence and the Workplace. All appropriate managers, supervisors, employee assistance professionals, human resources personnel, union and labor representatives and security staff will be encouraged to attend OPDV's training on Domestic Violence and the Workplace. Additionally, ESF shall make available for staff training on domestic violence and its impact on the workplace using materials provided by OPDV through the campus, OPDV and/or a local domestic violence service provider when scheduling permits.

ESF Responsibility

- ESF believes that domestic violence is behavior that cannot be tolerated and, to that end, will actively provide information and support to employees who are victims of such abuse.
- ESF will disseminate copies of this Domestic Violence and the Workplace Policy to all employees upon implementation and to all new employees upon hiring or appointment.
- ESF encourages all employees to review and follow this policy and the procedures set forth herein.

ESF will, consistent with applicable law and campus policy, document all incidents of domestic violence that happen in the workplace. Such documents should be provided to the designated liaison to System Administration as soon as practicable. Such documents shall be kept confidential to the extent permitted by law and campus policy and the provisions of section g detailed below.

All ESF employees providing domestic violence information and support services shall document, consistent with applicable law and agency policy, the number of employees who report domestic violence, the number of employees that request information/services, and the number of referrals made to domestic violence service providers. All information about employees who seek assistance shall be kept confidential to the extent permitted by law and campus policy and the provisions of section g detailed below, and documentation should not include any personal information. The number of employees seeking assistance as outlined above shall be reported to the designated liaison to System Administration.

The designated liaison to System Administration shall, consistent with applicable law and ESF policy, provide information about the number and general nature of domestic violence

incidents that happen in the workplace, the number of employees who report domestic violence, the number of employees that request information/services, and the number of referrals made to domestic violence service providers, with no personally identifying information, to OPDV at the time and in a manner determined by OPDV.

Information related to an employee being a victim of domestic violence shall be kept confidential, to the extent permitted by law and campus policy, and shall not be divulged without the written consent of the victimized employee, unless the campus determines that maintaining said confidentiality puts the victim or other employees at risk of physical harm, is required by law, or is deemed necessary to enforce an order of protection. In such circumstances where a determination has been made that maintaining confidentiality puts the victim or other employees at risk of physical harm, only those individuals deemed necessary by the campus to protect the safety of the victim and/or other employees or to enforce an order of protection shall be given such information. ESF shall disclose only the minimum amount of information necessary to protect the safety of the victim and/or other employees or enforce an order of protection. Where possible, ESF will provide the victim of domestic violence notice of the intent to provide information to other employees and/or safety personnel. Nothing herein shall prevent ESF from investigating an act or acts of domestic violence occurring in the workplace. Some examples of situations where confidentiality cannot be maintained include the following:

1) Supervisors/managers may be informed about a domestic violence incident that happens in the workplace, or a report of domestic violence, if it is necessary to protect the safety of the employee or the employee's co-workers.
2) First aid and safety personnel may be informed about a domestic violence incident that happens in the workplace or a report of domestic violence, if it is necessary to protect the safety of the employee or the employee's co-workers.
3) Government officials investigating a domestic violence incident that occurs in the workplace, or a report of domestic violence, shall be provided relevant information upon request and in accordance with legal requirements.
4) While reported information is kept private to the greatest extent possible by Federal law, State law, and campus policy, New York State law includes clear limitations on legal confidentiality. Information reported to anyone not in a position listed below may have to be disclosed pursuant to a subpoena, where otherwise required by law or in accordance with Section VII, paragraph g above. Such confidentiality exists in certain (but not all) instances for certain medical personnel and counselors, social workers, clergy, attorneys, and rape crisis counselors and may in fact be required to be turned over in these cases through a subpoena or court order. Please note that where medical information is received from an employee who is the victim of domestic violence, such medical information shall be kept confidential to the extent required by and permitted by New York State and Federal laws including, but not limited to, the Americans with Disabilities Act and the Family and Medical Leave Act, if they apply to the employee's situation.

Employee Disciplinary Proceedings

Complaint Procedure for Review of Allegations of Unlawful Discrimination

The State University of New York College of Environmental Science and Forestry (ESF), in its continuing effort to seek equity in education and employment and consistent with Federal and State anti-discrimination legislation, has adopted a complaint procedure for the prompt and equitable investigation and resolution of allegations of unlawful discrimination on the basis of age, race, ethnicity, creed, religion, color, national origin, sexual orientation, military status, sex, gender identity, disability, veteran status, marital status, familial status, pregnancy, pre-disposing genetic characteristics, domestic violence victim status, criminal conviction or any other protected groups and classes under Federal and State Laws and executive orders.

Harassment, on the basis of the above protected categories, is a form of unlawful discrimination. Sex discrimination includes sexual harassment and sexual violence. Retaliation against a person who files a complaint, serves as a witness, or assists or participates in any manner in this procedure is strictly prohibited and may result in disciplinary actions.

This procedure may be used by any student or employee of ESF, as well as third parties who are participating in a college sponsored program or affiliated activity. The complaint procedure provides a mechanism through which the college may identify, respond to, prevent, and eliminate incidents of illegal discrimination, and remedy the discriminatory effects on the victim(s) and others, if appropriate. The college recognizes and accepts its responsibility in this regard and believes that the establishment of this internal, non-adversarial complaint procedure will benefit student faculty, staff and administration by permitting prompt investigation and resolution of problems.

This procedure has been developed in accordance with guidelines and recommendations provided by the SUNY Chancellor's Office of Diversity Equity and Inclusion. The policy is administered by the Title IX Coordinator and Affirmative Action Officer (or designee). Here forward the Title IX Coordinator and Affirmative Action Officer or designee will be referred to in this document as Discrimination Complaint Administrator (DCA).

Employee grievance procedures established through negotiated contracts, academic grievance review committees, student disciplinary grievance boards and any other procedures defined by contract will continue to operate. This procedure does not in any way deprive a Complainant of the right to file with outside enforcement agencies, such as the New York State Division of Human Rights, the Equal Employment Opportunity Commission, the Office of Civil Rights of the Department of Education and the Office of Federal Contract Compliance of the Department of Labor. More detailed information may be obtained from ESF's DCA. Upon filing with one of these outside enforcement agencies, or upon the initiation of litigation, the ESF internal complaint procedure may be terminated, and the matter will be referred to the Office of the General Counsel for review and supervision.

The DCA receives all complaints of alleged discrimination, shall assist the Complainant in the procedure and use of the complaint form and shall provide the Complainant with information about various internal and external mechanisms through which the complaint may be filed, including applicable time limits for filing with each agency.

General Principles

A. Jurisdiction of the DCA

ESF is responsible for providing a learning and working environment free from discrimination. The College reserves the right to pursue any complaint of discrimination about which it becomes aware. Based on information received by the DCA, he/she may exercise his/her own discretion and initiate a complaint on behalf of the College community, regardless of Complainant cooperation or involvement.

Complaints of illegal discrimination should be made to the DCA. Complaints or concerns that are reported to an administrator, manager, or supervisor concerning an act of discrimination or harassment or acts of discrimination or harassment that administrators, managers or supervisors observe or become aware of shall be immediately referred to the DCA. Employees with Title IX compliance responsibilities and/or employees who have the authority to take action to redress the harassment must report any complaints to the DCA. Employees who observe or become aware of sex discrimination, including sexual harassment and sexual violence, should report this information to the DCA. Complaints may also be made directly to the DCA by anyone who experiences, observes or becomes aware of discrimination or harassment. The DCA will also receive initial inquires, reports and requests for consultation. DCA will respond as appropriate in a timely manner.

In addition, the DCA may determine that a specific complaint of unlawful discrimination or harassment is of such a serious or potentially criminal nature that the investigative steps outlined in this process should be accelerated or eliminated. This determination, if made, shall be communicated to the President or his/her designee for appropriate action, which may include the initiation of disciplinary and/or other action.

The DCA is available to assist in preparing the complaint. The DCA will ensure that complainants are aware of the Title IX rights and available resources on and off campus, and the right if any to file a complaint with local law enforcement. ESF will comply with law enforcement's request for cooperation, and such cooperation may require the campus to temporarily suspend fact- finding aspect of the investigation while the law enforcement agency is in the process of gathering evidence. ESF will implement appropriate, reasonable, and available interim steps during the law enforcement agency's investigation period to provide for the safety of the complainant and the campus community.

If, at any time during resolving or investigating a complaint of discrimination, the DCA determines that a complaint is not within the jurisdiction of the office, the complaint shall be referred to the appropriate office and the matter shall be considered concluded for purposes of the Office of the Discrimination Complaint Procedure.

B. Election of Venue for filing complaint

The Complainant is not required to pursue the ESF internal complaint procedure before filing a complaint with a State or Federal agency. In addition, if the Complainant chooses to pursue the ESF internal procedure, the Complainant is free to file a complaint with the appropriate State or Federal agency at any point during the process. Upon filing with an external agency,

however, the ESF internal complaint procedure may be terminated and the matter referred to the Office of the General Counsel for review and involvement as may be in the interests of the College

C. Confidentiality

In accordance with existing policies and laws, including (III)(B) of this policy, every effort will be made to protect the privacy of all individuals throughout all phases of the complaint and resolution process.

Information about complaints or inquiries will be maintained in confidence to the fullest extent possible. However, an investigation will generally include interviewing necessary parties and coordination, when necessary, with offices such as the relevant Department or Unit, Human Resources and/or Division of Student Affairs.

All affected parties shall cooperate fully in the investigation and shall maintain and preserve the confidentiality of the investigation.

D. Supervisory Responsibility

Complaints or concerns that are reported to an administrator, manager or supervisor concerning an act of discrimination or harassment shall be immediately referred to the DCA.

E. Retaliation

An employee or student who participates in the procedure has the right to do so without retaliation or the fear of retaliation. It will be made clear that retaliation against an employee, a student or a witness who has filed or participated in the investigation of a discrimination complaint will result in appropriate sanctions or other disciplinary action as provided by collective bargaining agreements, and/or applicable College policies.

F. Role of the DCA

The DCA (or designee) may receive initial inquiries, reports and requests for consultation and counseling. Assistance will be available whether or not a formal complaint is contemplated or even possible. It is the responsibility of the DCA to respond to all such inquiries, reports and requests as promptly as possible and in a manner appropriate to the circumstances. This response may include interim measures to protect the parties during the investigation process. Interim measures will not disproportionately impact the Complainant.

Interim measures for students may include but is not limited to information about how to obtain counseling and academic assistance in the event of sexual assault, and steps to take if the accused individual attends class with the complainant. Appendix D provides a list of Title IX Resources, including counseling services.

Interim measures involving employees in collective bargaining units should be determined in consultation with the Office of Human Resources.

An individual may refuse to reduce a complaint to writing. However, notwithstanding that refusal, there may be a continuing obligation on the part of the campus to investigate the verbal complaint to the best of its ability and proceed with any action that is warranted. Although in certain instances verbal complaints may be acted upon, the procedures set forth

here rest upon the submission of a written complaint that will enable the DCA to conduct a full and fair investigation of the facts. It is the responsibility of the DCA to respond to all such inquiries, reports and requests as promptly as possible in a manner appropriate to the parties' circumstances.

The DCA shall solicit information concerning any factors that might prejudice an objective evaluation of the evidence and shall reassign an investigation if a conflict or potential conflict emerges.

G. Each Party's Rights and Responsibilities

ESF's formal review procedures are not designed to replicate an external judicial process. Therefore: (a) Complainants and Respondents are expected to meet with the DCA as needed and as requested. (b) Legal counsel retained by a Complainant or a Respondent other than SUNY Counsel may not participate or be present at any meeting convened by the DCA. (c) Respondents and Complainants are expected to communicate with the DCA directly, not through legal counsel, other intermediaries or persons accompanying the parties. (d) Both the Complainant and the Respondent(s) shall be entitled to submit written statements or other relevant and material evidence and witnesses.

To review the entire Discrimination Complaint Procedure go to:
https://www.esf.edu/administration/titleix/discrimination-complaint-procedure.php

Hazing Policy

Hazing is abusive, degrading, psychologically damaging, and may be life-threatening. It is unacceptable in all forms and has no place in the SUNY College of Environmental Science and Forestry (SUNY ESF) community. Student groups, organizations, and athletic teams are important contributors to a vibrant and positive campus life and are expected to act in accordance with the Student Code of Conduct and to treat others with respect.

Reason for Policy

ESF aims to foster a vibrant campus community where students can participate in campus life activities, free from hazing. This policy also meets the requirements of the Stop Campus Hazing Act, Public Law 118-173 (2024).

Scope of Policy

This policy applies to:

- President
- Vice Presidents/Executive Officers
- Deans, Directors & Department Heads
- Area Managers & Supervisors
- Faculty
- Staff
- Students
- Others

Website References

This policy: Hazing Policy | Community Standards - https://www.esf.edu/student-affairs/community-standards/index.php

Policy Office: Executive Director for Administration

Contact: policies@esf.edu

Related Information

- Stop Campus Hazing Act
- New York State Penal Code §120.16 and §120.17 (Hazing)
- ESF Code of Student Conduct

Contacts

Specific questions should be directed to the following:
Policy Clarification and General Information Policy Development
Dean of Students, (315) 470-6660, students@esf.edu

Definitions

Hazing

Any intentional, knowing, or reckless act committed by a person (whether individually or in concert with other persons) against another person or persons regardless of the willingness of such other person or persons to participate, that is committed in the course of an initiation into, an affiliation with, or the maintenance of membership in, a student organization; and causes or creates a risk, above the reasonable risk encountered in the course of participation in SUNY ESF or the organization (such as the physical preparation necessary for participation in an athletic team), of physical or psychological injury.

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

Student Organization

An organization (such as club, society, association, varsity or junior varsity athletic team, club sports team, fraternity, sorority, band, or student government) in which two or more of the members are students enrolled at SUNY ESF, whether or not the organization is established or recognized by SUNY ESF. This includes organizations and activities at Syracuse University in which SUNY ESF students are participating.

Policy Details

Hazing by individuals and student organizations, as defined in this policy, is prohibited in any form both on campus and off campus.

The following are non-exhaustive examples of conduct that causes or creates such a risk:

- Whipping, beating, striking, electronic shocking, placing of a harmful substance on someone's body, or similar activity;
- Causing, coercing, or otherwise inducing sleep deprivation, exposure to the elements, confinement in a small space, extreme calisthenics, or other similar activity;
- Causing, coercing, or otherwise inducing another person to consume food, liquid, alcohol, drugs, or other substances;
- Causing, coercing, or otherwise inducing another person to perform sexual acts;
- Any activity that places another person in reasonable fear of bodily harm through the use of threatening words or conduct;
- Any activity against another person that includes a criminal violation of applicable local, New York State, Tribal, or Federal law; and
- Any activity that induces, causes, or requires another person to perform a duty or task that involves a criminal violation of local, State, Tribal, or Federal law.

Procedure

Reporting Incidents of Hazing

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

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

Office of the Dean of Students
110 Bray Hall
students@esf.edu
315-470-6660

1. **Private and Confidential Reporting**

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

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

considered confidential are as follows:

ESF Counseling Center
110A Bray Hall
315-470-4716

2. **Amnesty Related to Hazing Reports**

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

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

3. **Retaliation**

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

Investigation Process

After a report is received, SUNY ESF will quickly review the submission and determine the next appropriate actions. If a report is criminal in nature, University Police and/or local law enforcement will be contacted. SUNY ESF will also conduct its own investigation to prevent a recurrence of the alleged hazing and to determine if there are potential violations of the Student Code of Conduct and/or any other applicable processes depending upon the nature of the complaint.

Crime Definitions

The Campus Security Act also 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.

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.

Criminal Sexual Contact: The intentional touching of the clothed or unclothed body parts without consent of the victim for the purpose of sexual degradation, sexual gratification, or sexual humiliation; or the forced touching by the victim of the actor's clothed or unclothed body parts, without consent of the victim for the purpose of sexual degradation, sexual gratification, or sexual humiliation.

Aggravated sexual abuse: 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: Non-forcible 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 Assault and related offenses—Article 120

Section 120.17 – Hazing in the second degree: A person is guilty of hazing in the second degree when, in the course of another person`s initiation or affiliation with any organization, he intentionally or recklessly engages in conduct which creates a substantial risk of physical injury to such other person or a third person. Hazing in the second degree is a violation.

Section 120.16 – Hazing in the first degree: A person is guilty of hazing in the first degree when, in the course of another person`s initiation into or affiliation with any organization, he intentionally or recklessly engages in conduct which creates a substantial risk of physical injury to such other person or a third person and thereby causes such injury. Hazing in the first degree is a class A misdemeanor.

New York State 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 130.53 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 130.55/.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.

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 fight 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.

The following are New York State definitions for select laws determined to be of importance to the campus community:

Dating violence: The term “dating violence” means violence committed by a person—

(A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and
(B) where the existence of such a relationship shall be determined based on a consideration of the following factors:
    (i) The length of the relationship.
    (ii) The type of relationship.
    (iii) The frequency of interaction between the persons involved in the relationship.

Domestic violence: The term “domestic violence” includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, 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 the jurisdiction.

Stalking: The term “stalking” means engaging in a course of conduct directed at a specific person that would cause a reasonable person to; Fear for his or her safety or the safety of others, or

A. Suffer substantial emotional distress.

Sexual assault: Offense classified as a forcible or non-forcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.

Affirmative Consent: 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.

Hate Crimes

When a person is victimized intentionally because of his/her actual or perceived race, gender, sexual orientation, ethnicity, or disability as well as national origin and gender identity. When a hate crime is reported, it will be labeled with the following categories of prejudice: Race, Gender, Religion, Sexual Orientation, and/or Ethnicity, National Origin, Gender Identity. In addition to the above categories, the following crimes need to be reported if they are hate crimes: larceny-theft; simple assault; intimidation; destruction, damage, vandalism of property, domestic violence, dating violence, stalking or any other crime involving bodily injury.

Hate Crimes Reported: 2023: 0; 2024: 0; 2025: 0

Sex Offender Registration

In accordance to the “Campus Sex Crimes Act” of 2000, which amends Wetterling Crimes Against Children and Sexually Violent Offender Registration Act of 1974, the ESF University Police Department is providing a link to the New York State Sex Offender Registry. This act requires institutions of higher education to issue a statement advising the campus community where law enforcement information provided by a State concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a State to provide notice of each institution of higher education in that State at which the person is employed, carries a vocation, or is a student. In the State of New York, convicted sex offenders must register with the Sex Offender Registry maintained by the New York State Department of Criminal Justice Services.

The Sex Offender Registration Act (SORA) is available via Internet pursuant to New York State Correction Law Article 168. Registry information provided under this section shall be used for the purposes of the administration of criminal justice or otherwise for the protection of the public in general and children in particular. Unlawful use of the information for the purposes of intimidating or harassing another is prohibited and intentional violation shall be punishable as a Class B Misdemeanor.

The New York State Sex Offender Registry can be accessed by the following link: https://www.criminaljustice.ny.gov/nsor/

Missing Persons

If the Division of Student Affairs receives a report regarding the concerning absence of a student, staff will gather all information available to determine if there is another reason for the absence (i.e.-attendance in class/student organization meetings and the use of ESF ID cards, meal plans, campus or housing keys, etc.). If it is determined that there is the potential a student is missing, University Police will be notified immediately.

Centennial Hall staff may also receive a report regarding a missing resident and gather preliminary information regarding a student’s use of the residence hall and/or meal plan and confer with the Division of Student Affairs. If the potential remains that a student is missing, Centennial Hall staff will contact University Police immediately.

Once all local investigative options have been exhausted and the person remains missing, ESF University Police has a MOU with the Syracuse Police, and will notify and turn the case over to the Syracuse Police Department immediately. If a student is under 18 years of age, the campus is required to notify a custodial parent or guardian within 24 hours of the student being determined missing. In keeping with the close affiliation shared by Syracuse University and ESF, all students may register a Missing Person Contact through academic portal. This will include the name and phone number of an individual the student would like notified should the situation arise. This contact information will only be accessed by College officials in the event of a missing person's report is filed.

To share a concern or to make a report, contact:

- University Police, 315-470-6666
- Division of Student Affairs, 315-470-6660
- Community Manager or Assistant Community Manager for Centennial Hall residents, 315-741-3067

ESF Clery Act Fire Safety Policies & Fire Statistics for Student Housing

ESF's Student Housing "Fire Log" is maintained and available by contacting the Community Manager of Centennial Hall. The chart included at the end of this section is a "Fire Log" of fires that occurred at campus student housing. Entries into the "Fire Log" will be made within two days of receipt of the information. The log will be open to public inspection at the Centennial Hall Community Manager's office and the Environmental Health & Safety Office during normal business hours and submitted to the campus community annually. The following is a description of each on-campus student housing facility fire safety system:

Centennial Hall alarm system– Edwards EST-3: 1 main fire alarm control panel; 1 remote enunciator panel; 1 dialer/connection to monitoring; 11 booster power supplies; 25 pull stations; 582 smokes; 4 heat; 9 duct detectors; 5 carbon monoxide detectors; 7 supervisory switches; elevator recalls; audio visual devices, including smoke detector sounder bases; 1 tamper switch; 1 flow switch; 22 batteries. Centennial Hall sprinkler system - Reliable 4 inch main wet system with pump.

The number of fire drills held at on-campus student housing in the previous calendar years was 4.

Fire Safety Policies

For the safety of all residents, use or possession of the following appliances is not allowed in any student housing:

- Heaters
- Sun lamps
- Halogen lamps
- Multi-headed lamps
- Extension cords that do not possess a 15-amp circuit breaker
- Cooking appliances with open heating sources not located in a designated kitchen area

- Coffee pots with an open heating plate

Smoking is not permitted on campus; Centennial Hall is a non-smoking residence hall.

Candles or incense of any type, or any type of open flame are not permitted in any campus building due to the fire risk.

In all campus buildings, all occupants including students must evacuate the building immediately after the alarm is activated. Occupants are instructed not to use elevators during an alarm. Staff members and other occupants are asked to report to Centennial Hall staff or the Fire Department any important information or special needs observed while evacuating. Centennial Hall building occupants are to assemble outside the ESF Physical Plant torelay such information and to confirm complete evacuation.

All faculty, staff, and students are expected to familiarize themselves with the evacuation routes in Centennial Hall. At the beginning of the fall semester, new staff and students are instructed in evacuation and fire safety procedures, receive a room safety inspection, and practice fire drill evacuation. Problems occurring during fire drills are discussed with all occupants, and prohibited items are confiscated during inspections. Students that repeatedly violate safety procedures are referred to the Division of Student Affairs.

Centennial Hall maintenance staff complete a fire safety inspection report that includes monthly check of extinguishers, exit signs, emergency lights, and carbon monoxide detectors. Needed corrective action is taken bythe maintenance staff.

All faculty, staff, and students should report fires to the Fire Department (call 911) and Centennial Hall staff (315-741-3067)

There are no plans for fire safety improvements to Centennial Hall in the upcoming year. Any new improvements will be added to this plan as they are determined necessary.

ESF Fire Log

Included: Centennial Hall located at 142 Oakland Street, Syracuse NY 13210

Date/Time	Location	Type/Cause	Number ofRelated Injuries Treated at Medical Facility	Related Deaths	Property Damage	Value of Damaged Property

Campus Crime Statistics

In accordance with recent updates to the “Clery Act,” the following data are presented to review crime activity both on campus and on streets adjacent to campus property. Reported on-campus offenses include all offenses reported on campus property and in campus buildings.

Two other categories are presented in this chart: “Non-campus buildings or property” and “public property.” The first category, non-campus buildings or property, includes properties owned by student organizations officially recognized by the institution, properties owned by the College Foundation and those owned or controlled by the university outside the campus boundaries. “Public property” includes thoroughfares, streets, sidewalks and parking facilities immediately adjacent to the campus.

This section on campus crime statistics also includes arrests and disciplinary referrals made to campus authorities for alcohol, drugs, and weapons possession. As defined by the Campus Safety Act, a disciplinary referral is an instance when a student is formally reported in writing to a university officer for possible sanction. As required by the Campus Safety Act, ESF is required to report hate crimes in this report. A hate crime occurs when a person is victimized intentionally because of his or her actual or perceived race, gender, religion, sexual orientation, ethnicity, or disability. The crimes presented are based on reports filed with the following offices: Deputy Chief of University Police and Division of Student Affairs. Formal requests for crime statistics for areas defined as “public property” and “non-campus buildings and property” are made with the Syracuse Police Department and the Onondaga County Sheriff’s Department.

Crime Statistic Offense	Year	Residential Facilities	On Campus Property	Non Campus Property	Public Property	#Total	Unfounded
Murder/Non-negligent Manslaughter	2023	0	0	0	0	0	0
	2024	0	0	0	0	0	0
	2025	0	0	0	0	0	0
Murder/by negligence	2023	0	0	0	0	0	0
	2024	0	0	0	0	0	0
	2025	0	0	0	0	0	0
Hazing	2023	0	0	0	0	0	0
	2024	0	0	0	0	0	0
	2025	0	0	0	0	0	0
Sex Offenses (Forcible)	2023	0	0	0	0	0	0
	2024	0	0	0	0	0	0
	2025	0	0	0	0	0	0
Sex Offenses (Non-Forcible)	2023	0	0	0	0	0	0
	2024	2	2	0	0	2	0
	2025	0	0	0	0	0	0
Robbery	2023	0	0	0	0	0	0
	2024	0	0	0	0	0	0
	2025	0	0	0	0	0	0
Aggravated Assault	2023	0	0	0	0	0	0
	2024	0	0	0	0	0	0
	2025	0	0	0	0	0	0
Burglary	2023	0	0	0	0	0	0
	2024	0	0	0	0	0	0
	2025	0	0	0	0	0	0
Arson	2023	0	0	0	0	0	0
	2024	0	0	0	0	0	0
	2025	0	0	0	0	0	0
Motor Vehicle Theft	2023	0	0	0	0	0	0
	2024	0	1	0	0	1	0
	2025	0	0	0	0	0	0
Weapons Possession Arrests	2023	0	0	0	0	0	0
	2024	0	0	0	0	0	0
	2025	0	0	0	0	0	0
Drug Law Arrests	2023	0	0	0	0	0	0
	2024	0	0	0	0	0	0
	2025	0	0	0	0	0	0

Crime Statistic Offense	Year	Residential Facilities	On Campus Property	Non Campus Property	Public Property	#Total	Unfounded
Liquor Law Arrest	2023	0	0	0	0	0	0
	2024	0	0	0	0	0	0
	2025	0	0	0	0	0	0
Weapons Possession Referrals	2023	1	1	0	0	1	0
	2024	0	0	0	0	0	0
	2025	0	0	0	0	0	0
Drug Law Referrals	2023	12	12	0	0	12	0
	2024	1	1	0	0	1	0
	2025	1	1	0	0	1	0
Liquor Law Referrals	2023	11	12	0	0	12	0
	2024	15	15	1	0	16	0
	2025	7	7	1	0	8	0

Violence Against Women Act (VAMA)

Crime Statistic Offense	Year	Residential Facilities	On Campus Property	Non Campus Property	Public Property	#Total	Unfounded
Domestic Violence	2023	0	0	0	0	0	0
	2024	0	0	0	0	0	0
	2025	0	0	0	0	0	0
Dating Violence	2023	0	0	0	0	0	0
	2024	0	0	0	0	0	0
	2025	0	0	2	0	2	0
Stalking	2023	0	0	0	0	0	0
	2024	0	1	0	0	1	0
	2025	0	0	0	0	0	0

APPENDIX A

Information to be Included in Campus Postings Regarding Domestic Violence and the Workplace.

At a minimum, the following information shall be provided to current employees and new employees and included in posters posted in areas where employment information is ordinarily posted:

Information regarding domestic violence and available resources can are on the work site. Such information shall include available sources of assistance such as Employee Assistance Program, local domestic violence service providers, the NYS Domestic Violence and Sexual Assault hotline, and/or human resources personnel who are trained and available to serve as confidential sources of information, support, and referral. Additionally, the posters may include information regarding domestic violence programs located on the OPDV website https://opdv.ny.gov/survivors-victims

A statement informing employees that New York State law prohibits insurance companies and health maintenance organizations from discriminating against domestic violence victims or designation of domestic violence as a pre-existing condition [§2612 of the Insurance Law]. Additionally, SUNY ESF shall integrate information on domestic violence and this domestic violence and the workplace policy into existing materials and literature, policies, protocols, and procedures, including the Public Employer Workplace Violence Prevention Programs as appropriate.

College of Environmental Science & Forestry University Police Department
19 Bray Hall
(315) 470-6666
http://www.esf.edu/safety/