Published in compliance with the United States Code Section 1092 (f) the Jeanne Clery Disclosure of Campus Security Policy and Campus Statistics Act (hereinafter referred to as the Campus Security Act) and the code of Federal Regulations.
On behalf of the campus community, welcome to SUNY Canton!

Our primary concern is the safety and well-being of our students, employees and visitors. In the following pages, you will find a description of the College’s dedication to safety and security and a statistical report of certain offenses in and around the campus.

No matter the time or day, University Police (UPD) is available to provide services to the campus community. We promote safety and responsibility through education, training, interaction and when necessary, enforcement of local, state and federal law.

While we have developed programs, procedures and strategies to protect all members of the campus, it is still necessary for each person to take simple precautions to ensure his or her personal safety and to call University Police or other designated reporters when they observe any suspicious or concerning activity.

We invite you to further examine our website and to contact us at any time for more information or to schedule a University Police officer to present to any student or employee organization, group or residence hall.

The Student Right-to-Know and Campus Security Act was signed into law in November of 1990. Title II of this act was amended and renamed in 1998 as the Jeanne Clery Disclosure of Campus Security Policy and Campus Statistics Act. This law mandates that institutions receiving Title IV federal funds disseminate crime statistics for certain offenses that occurred on the campus, adjacent areas of the campus and specified campus controlled property for the previous three calendar years. The purpose of this report is to provide our current and prospective students, faculty and staff with campus safety information including crime statistics and procedures to follow to report a crime. This report also complies with the Violence Against Women Act (VAWA) Re-authorization 2013. This document was compiled by University Police and is available on our website at: http://www.canton.edu/clery_act/clery_2013.pdf. A hard copy is available upon request.

Note: The College will not retaliate nor allow any retaliation toward a person(s) who reports an alleged violation of the Campus Security Act.

**Reporting Locations**

This law requires that campuses report specific criminal activities that occur on campus property and specific areas surrounding the campus as well as a few properties controlled by the campus within the community. Crimes and other hazards occur and exist within the community at large that fall beyond the reporting scope of this report. All students and employees are advised to exercise caution in all areas of the campus community and to contact University Police for information and programming on personal safety.

**On Campus:** includes all campus buildings, roadways and walkways.

**On-Campus Student Housing:** includes all residential halls and living spaces.

**Non Campus:** includes buildings owned or rented by recognized student organizations (such as recognized Greek letter organizations) or those owned or rented by the College that are situated outside the primary campus area.
Public Property: includes streets, sidewalks, parking lots or green-space immediately adjacent to and accessible from the campus.

General Campus Information
SUNY Canton was originally chartered in 1906 as the first postsecondary, two-year college in New York. In 1987, the State University of New York's Board of Trustees authorized the college’s present designation as State University of New York College of Technology at Canton, more commonly known as SUNY Canton.

- During 2012-2013, there were 3,800 undergraduate students
- Over 1,250 students reside in residence halls while nearly 2,040 reside off-Campus
- Student gender was split almost equally
- A diverse mix of races, ethnicities and backgrounds represented in the student body, creates a unique and rich cultural learning experience
- The college enrolls international students from England, Russia, Japan, China, the Caribbean Islands and the nearby provinces of Canada

Standard Facility Access
Students and employees have access to academic, recreational and administrative facilities during scheduled hours. Access to residence halls is limited to students and their guests according to our guest procedures (Student Handbook or inquire of your Resident Director or Resident Assistant) or visit: [http://www.canton.edu/student_affairs/pdf/handbook.pdf](http://www.canton.edu/student_affairs/pdf/handbook.pdf). The campus is considered an “open campus” that allows pedestrian, bicycle and vehicle traffic to travel through the campus without first reporting to a college official. However, the College retains the right to dismiss visitors from the campus when our policies have been violated.

Reporting Crimes
All members of the campus community are urged to promptly report criminal incidents, emergencies and suspicious activities. The University Police Department phone number is (315) 386-7777. Dialing 911 from a campus “land-line” will connect the caller with University Police. Picking up any “red phone” located in most campus buildings or activating any of our 27 “blue light” emergency phones strategically located throughout the campus will immediately connect the caller with University Police. Police officers are immediately dispatched to the site of the emergency phone activation. All reports are classified, logged and responded to promptly. Any incident, crime or emergency can also be reported directly by any person to the University Police office located in Dana Hall. The Canton Police Department can be reached at (315) 386-4561 or by dialing 911 to report any emergency or call for service within the Village of Canton.

Federal law also mandates that any official of the institution who is defined as “Campus Security Authority” is required to report criminal offenses. The definition of “Campus Security Authority”, according to the federal law, is as follows: “An official of an institution who has significant responsibility for student and campus activities, including but not limited to, student housing, student discipline, and campus judicial proceedings.”

A crime can be reported to any of these designated officials. SUNY Canton, has determined that the following positions are examples of who meet the definition of a “Campus Security Authority”:

- Director of Student Conduct and Community Standards
University Police officers are appointed by the State University of New York as defined in the New York State Criminal Procedure Law. They have the authority to make arrests, conduct criminal investigations, issue uniform traffic tickets, and execute warrants and issue summonses for parking. The officers also enforce any general, special or local law or charter, rule, regulation, judgment or order.

The University Police Department is the law enforcement agency for the campus. Officers are vested with full law enforcement responsibilities. All officers must pass a rigorous selection process to be hired and then attend either the St. Lawrence County Police Academy or other NYS approved police academy for basic training certification. University Police Officers are highly trained officers who receive specialized instruction and in-service training in first aid, defensive tactics, legal updates and other law enforcement topics.

The Department forwards crime incident information to the Division of Criminal Justice Services (DCJS) and the FBI through fingerprint submissions for state and national distribution. Crime reports and related information are entered into the Spectrum Justice System (SJS) for statistical and law enforcement purposes.

The University Police Department enjoys a close proximity to and a working relationship with the Canton Village Police, the St. Lawrence County Sheriff’s Office, New York State Police and other state and federal agencies such as the US Drug Enforcement Administration.

University Police are a proactive, energetic and service-oriented police agency. We follow recognized community-oriented police practices and have a Memorandum of Understanding (MOU) with the Canton Police Department. This MOU provides for the ability of each Department to assist the other when necessary, including when violent crimes and missing persons are reported from the campus. Additionally, the Chiefs of both Departments are frequently in contact on a variety of issues and joint projects. The Canton Police Department notifies UPD on a daily basis, whenever our students are involved in crime. Appropriate Judicial Referrals are then initiated.
Campus Safety Advisory Committee

The Campus Safety Advisory Committee is comprised of a cross section of faculty, staff and students of the College and is appointed by the President each year. The Committee is tasked with the following duties:

- Educating the campus community about personal safety and crime prevention
- Reporting sexual assaults and assisting victims
- Advising the President and Chief of Police on matters of campus security and public safety.

Each year the Committee conducts a "Night Walk" surveying areas of the campus that may be in need of improvement or repair. Issues addressed include lighting, pathways and any other hazards or areas of concern.

Behavioral Intervention Team (BIT)

The BIT is a team of carefully chosen faculty and staff members whose goal is to respond to students exhibiting specific alarming behavior. The Committee will create a care management program to intervene early with students who are at risk. To report incidents or persons of concern go to: http://www.canton.edu/bit/reporting.html

This report can be anonymous.

Security and Access

Security and access to on-campus facilities is controlled by key or card access. University Police, Physical Plant and Residence Life staff monitor access to the campus facilities whenever possible. These security features do not include any Greek letter organizations located off campus.

Residence halls are locked 24 hours per day. A special emphasis is placed on foot patrols by University Police and Residence Life staff in the residence halls. In addition, door viewers have been installed in most residence hall rooms to increase safety and security.

Other security considerations used in maintaining campus facilities include checking of campus lighting by University Police and Physical Plant personnel. The Grounds Department checks areas which may be potentially dangerous and takes corrective action.

University Police Officers provide 24 hour per day vehicle, bicycle and foot patrols of campus properties. The general public may attend cultural and recreational activities on campus yet access is limited only to the facilities in which these public events are held. After evening classes/functions and during times when the campus is officially closed, campus buildings are locked and only faculty, staff and students with proper identification are authorized to enter buildings. Campus employees with assigned offices are issued keys and are responsible for reporting missing and stolen keys.

University Police, Department of Environmental Health and Safety and the Physical Plant staff conduct regularly scheduled inspections of emergency phones and lighting throughout the campus. In addition, security cameras have been added throughout the campus to areas vulnerable to vandalism and other crime and continue to be added as facilities are renovated or areas of concern are identified.
Residence Life and Housing
The Residence Life staff is a team of individuals who work to provide a safe and secure environment in which resident students can live and learn. Residence halls are overseen by Resident Directors and Resident Assistants that are responsible for overall operation of the halls. The Residence Hall Directors have educational backgrounds related to counseling and/or student services. They have private offices and are available to assist students with their personal and academic concerns. The Resident Directors and Resident Assistants live in the residence halls so they are available after hours should emergencies occur. Resident assistants are carefully selected students who are trained in mediation and intervention techniques. They work closely with the residents of their areas to develop a sense of community and to help students make the adjustments to living in college residences.

Campus Reporting Agents
The College encourages prompt and accurate reporting of any crime including sex crimes, dating violence, domestic violence, sexual assault and stalking to University Police or external police agencies such as the Canton Police. However, it can be difficult for a victim to come forward after such an event. The College provides several options for students who wish to maintain confidentiality while obtaining the support they need.

Note: Not all campus employees are able to maintain the same level of confidentiality.

1. **Privileged Communications**: some employees are required to maintain nearly complete confidentiality; talking with them is sometimes called a “privileged communication”.
2. **No Personally Identifying Information**: other employees may talk to a victim in confidence and generally only report to the College that an incident occurred without revealing any personally identifying information. Disclosure to these employees will not trigger a College investigation into an incident against the victims’ wishes.
3. **Responsible Employees**: these employees are required to report all the details of an incident (including the identities of both the victim and accused) to the Title IX Coordinator. A report to these employees constitutes a report to the College and generally obligates the College to investigate the incident and take appropriate steps to address the situation.

**Privileged & Confidential Communications:**

Professional and Pastoral Counselors:
Professional, licensed counselors and pastoral counselors who provide mental-health counseling to members of the school community (and including those who act in that role under the supervision of a licensed counselor) are not required to report any information about an incident to the Title IX Coordinator without a victim’s permission. The following is the contact information for these individuals:

<table>
<thead>
<tr>
<th>Professional &amp; Pastoral Counselors</th>
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<tbody>
<tr>
<td>All Members of the Counseling Center, Miller Campus Center Room 225, (315) 386-7314</td>
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<tr>
<td>Campus Ministry, Miller Campus Center Room 130, (315) 386-7018</td>
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<tr>
<td>Health Services, Miller Campus Center Room 004, (315) 386-7333</td>
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</table>
No Personally Identifying Information:

Non-Professional Counselors and Advocates:
Individuals who work or volunteer on-campus including front desk staff and students can generally talk to a victim without revealing any personally identifying information about an incident to the College. A victim can seek assistance and support from these individuals without triggering a College investigation that could reveal the victim’s identity or that the victim has disclosed the incident. While maintaining a victim’s confidentiality, these individuals or their office should report the nature, date, time, and general location of an incident to the Title IX Coordinator.

This limited report – which includes no information that would directly or indirectly identify the victim – helps keep the Title IX Coordinator informed of the general extent and nature of sexual violence on and off campus so the coordinator can track patterns, evaluate the scope of the problem, and formulate appropriate campus-wide responses. Before reporting any information to the Title IX Coordinator, these individuals will consult with the victim to ensure that no personally identifying details are shared with the Title IX Coordinator. A victim who speaks to a professional or non-professional counselor or advocate must understand that, if the victim wants to maintain confidentiality, the College will be unable to conduct an investigation into the particular incident or pursue disciplinary action against the accused.

Even so, these counselors and advocates will still assist the victim in receiving other necessary protection and support, such as victim advocacy, academic support or accommodations, disability, health or mental health services, and changes to living, working or course schedules. A victim who at first requests confidentiality may later decide to file a complaint with the school or report the incident to local law enforcement, and thus have the incident fully investigated. These counselors and advocates will provide the victim with assistance if the victim wishes to do so. The following is contact information for these non-professional counselors and advocates:

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<tr>
<th>Non-Professional Counselors and Advocates</th>
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<tbody>
<tr>
<td>Renewal House, 3 Chapel Street, Canton, NY 13617: (315) 379-9845</td>
</tr>
<tr>
<td>Reachout 24 Hour Hotline: (315) 265-2422</td>
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Reporting to Responsible Employees:

A “responsible employee” is a College employee who has the authority to redress sexual violence, who has the duty to report incidents of sexual violence or other student misconduct, or who a student could reasonably believe has this authority or duty. When a victim tells a responsible employee about an incident of sexual violence, the victim has the right to expect the College to take immediate and appropriate steps to investigate what happened and to resolve the matter promptly and equitably. A responsible employee must report to the Title IX Coordinator all relevant details about the alleged sexual violence shared by the victim and that the College will need to determine what happened – including the names of the victim and accused, any witnesses, and any other relevant facts, including the date, time and specific location of the alleged incident. To the extent possible, information reported to a responsible employee will be shared only with people responsible for handling the College’s response to the report. A responsible employee should not share information with law enforcement without the victim’s consent or unless the victim has also reported the incident to law enforcement. Before a victim reveals any information to a responsible employee, the employee should ensure that the victim understands the employee’s reporting obligations – and, if the victim wants to maintain confidentiality, direct the victim to confidential resources. If the victim wants to tell the responsible employee what happened but also maintain confidentiality, the employee should tell the victim that the College will consider the request, but
cannot guarantee that the College will be able to honor it. In reporting the details of the incident to the Title IX Coordinator, the responsible employee will also inform the Coordinator of the victim’s request for confidentiality. Responsible employees will not pressure a victim to request confidentiality, but will honor and support the victim’s wishes, including for the College to fully investigate an incident. By the same token, responsible employees will not pressure a victim to make a full report if the victim is not ready to.

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<tr>
<th>Responsible Employees</th>
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<tbody>
<tr>
<td>Dean of Students, Courtney Bish, Miller Campus Center Room 229, (315) 386-7120</td>
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<tr>
<td>University Police, Dana Hall 210, (315) 386-7777</td>
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<tr>
<td>Student Conduct Officer, Kristen Roberts, Miller Campus Center 225, (315) 386-7648</td>
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<tr>
<td>Director of Residence Life, John Kennedy, Mohawk Hall, (315) 386-7513</td>
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<tr>
<td>Director of Athletics, Randy Sieminski, Roos House, (315) 386-7528</td>
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<tr>
<td>Diversity Affairs, Lashawanda Ingram, Miller Campus Center 219, (315) 386-7128</td>
</tr>
<tr>
<td>Human Resources, David Rourke, French Hall 205, (315) 386-7611</td>
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<tr>
<td>*All Campus Security Authority Personnel: An official of an institution who has significant responsibility for student and campus activities, including but not limited to, student housing, student discipline, and campus judicial proceedings.</td>
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**Requesting Confidentiality:**

If a victim discloses an incident to a responsible employee but wishes to maintain confidentiality or requests that no investigation into a particular incident be conducted or disciplinary action taken, the College must weigh that request against the College’s obligation to provide a safe, non-discriminatory environment for all students, including the victim. If the College honors the request for confidentiality, a victim must understand that the College’s ability to meaningfully investigate the incident and pursue disciplinary action against the accused may be limited. Although rare, there are times when the College may not be able to honor a victim’s request in order to provide a safe, non-discriminatory environment for all students. The College has designated the following individual(s) to evaluate requests for confidentiality once a responsible employee is on notice of alleged sexual violence:

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<th>Requests for Confidentiality</th>
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<tr>
<td>Dean of Students, Courtney Bish, Miller Campus Center Room 229, (315) 386-7120</td>
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</table>

When weighing a victim’s request for confidentiality or that no investigation or discipline be pursued, the Dean will consider a range of factors, including the following:

- The increased risk that the accused will commit additional acts of sexual or other violence, such as:
  - whether there have been other sexual violence complaints about the same accused individual;
  - whether the accused has a history of arrests or records from a prior school indicating a history of violence;
  - whether the accused threatened further sexual violence or other violence against the victim or others;
  - whether the sexual violence was committed by multiple perpetrators;
  - whether the sexual violence was perpetrated with a weapon;
  - whether the victim is a minor;
• Assist the victim in accessing other available victim advocacy, academic support, counseling, disability, health or mental health services, and legal assistance both on and off campus (see portion of policy identifying these);

• Provide other security and support, which could include issuing a no-contact order, helping arrange a change of living or working arrangements or course schedules (including for the accused pending the outcome of an investigation) or adjustments for assignments or tests; and inform the victim of the right to report a crime to campus or local law enforcement – and provide the victim with assistance if the victim wishes to do so.

The College may not require a victim to participate in any investigation or disciplinary proceeding. Because the College is under a continuing obligation to address the issue of sexual violence campus-wide, reports of sexual violence (including non-identifying reports) will also prompt the College to consider broader remedial action – such as increased monitoring, supervision or security at locations where the reported sexual violence occurred; increasing education and prevention efforts, including to targeted population groups; conducting climate assessments/victimization surveys; and/or revisiting its policies and practices. If the College determines that it can respect a victim’s request for confidentiality, the College will also take immediate action as necessary to protect and assist the victim.

**Other Confidential Avenues:**
There are other ways to disclose a sexual assault that will be handled confidentially:

**Take Back the Night and other Public Awareness Events**
If a student discloses a situation through a public awareness event such as "Take Back the Night," candlelight vigils, protests, a Student Survivor Advocacy Alliance forum, or other public event, the information the student provides will not result in an investigation. The College may use the information the student provides to inform the need for additional education and prevention efforts.

**Anonymous Reporting**
Anonymous reports can be made in person, by phone, or by our Criminal Incident Report at our web page at: [http://www.canton.edu/university_police/pdf/Criminal_Incident_Report_Form.pdf](http://www.canton.edu/university_police/pdf/Criminal_Incident_Report_Form.pdf)
Crime Prevention Programming

Community involvement is essential to the prevention of crime on campus. Disinterest and complacency are the prime contributors to the success of criminals. The burden of crime prevention rests not only with the University Police Department but with each member of the SUNY Canton community. University Police Officers cannot be everywhere at once; and therefore, we depend on you to recognize and report suspicious and criminal activity. The extent of your cooperation and involvement greatly enhances the UPD effectiveness in preserving a safe campus environment.

Doing your part means:

- Being aware of your vulnerability and following suggestions outlined in this handbook which will help you protect yourself and your property.
- Being alert for suspicious or criminal activity and or conditions that may represent a hazard to the University community.
- Getting involved by becoming more safety conscious and by reporting all incidents or criminal activity to the UPD.

Crime prevention programs on personal safety and theft prevention are hosted by a number of campus organizations and offices throughout the year. University Police Officers present for new students and parents at orientation sessions each summer; new employee orientation programs; residence halls, student and employee groups throughout the campus. We also publish crime prevention tips on the University Police web page; distribute pamphlets on relevant topics; and ensure emergency equipment is operable. Some programs conducted by University Police include:

- University Police - Services and Overview of department operations,
- Operation ID - this program is a nationwide system that tracks your property in the event it is lost or stolen. A personal number and UPD’s agency identifying number are engraved on your property.
- Personal Safety/Basic Crime Prevention and Tips – a discussion of the meaning of crime prevention and its importance to the campus community,
- ABC’s of the ABC Law – a discussion of local and state law regarding alcohol as well as University regulations regarding alcohol.
- Orientation – an overview of the University Police function and general campus regulations including personal safety and crime prevention.
- Sexual Assault Awareness and Prevention – a discussion of sexual assault including services offered on and off campus and the police and university response.
- Quality of Life Issues On and Off Campus – this program looks at common roadblocks to positive interactions in the local community as well as on campus.
- Drug Identification and Awareness – this program targets RA’s and is designed to identify drugs commonly used on the college campus along with associated drug paraphernalia.
- Drinking and Driving – Beer Goggles – this program is an overview of drinking, driving, and the effects of alcohol on one’s ability to operate a motor vehicle.
- Alcohol/Drug Abuse Awareness – this program discusses the effects of alcohol and drugs on the body and mind.
- Campus Security Authority Training – this training is for those members of campus community that are designated as CSA’s. It outlines reporting requirement and responsibilities.
• Personal Protection During a Crisis – The Active Shooter program is based on a discussion format followed by the video “Lightning Strikes – Shots Fired on Campus.” It is presented to faculty, staff, students, and other organizations on campus.
• RAD: Rape Aggression Defense Training – this is a nine hour program designed to teach the student strategies and techniques to stay safe.
• Opiate Awareness Training – this program teaches the student to identify those who may be using opiates and how to respond to opiate emergencies.
• Ride-Along Program - all students are welcome to ride-along with a member of the University Police Department to see first-hand how UP responds to a variety of College issues.

Emergency & Blue Light Phones
There are 27 emergency & blue light phones on the campus. These telephones connect directly to the University Police Department when picked up, making the reporting of emergency situations, or suspicious persons instantaneous. These phones are clearly visible, denoted by their blue light above each emergency phone.

The 911 Emergency System
The 911 phone system was established to assist members of the College community in contacting the University Police Department in case of situations such as: fires, crimes in progress, or medical emergencies.

Residence Hall Safety Enhancements
All suite doors are equipped with viewing holes; exterior doors are locked 24 hours a day; card access to exterior doors allows for additional security; phones are located in vestibule areas providing free on campus calls; security patrols on quads; personal, property and fire safety programs coordinated by residential life staff. Residence halls are locked 24-hours a day, seven days a week.

Advisory Committee on Campus Safety
A group of senior personnel, including faculty, professional staff and students that examines and makes recommendations relative to safety conditions on the College campus.

Lighting
UPD, the Department of Physical Plant, and the Advisory Committee on Campus Safety annually survey lighting on campus to ensure that areas are adequately lighted. Numerous additions have been added as needed.

Alcohol and Other Drug Education, Prevention Services and Programs
The University offers a wide range of alcohol and drug education prevention services and programs, including a highly visible social norming campaign targeting substance use and widespread delivery of an empirically supported screening and brief intervention programs for at risk populations (e.g., first year students).

University Counseling Center
Confidential counseling, support, and services are offered for crime victims. Please go to http://www.canton.edu/counseling
University Health Center
Confidential health services, including medical examination and treatment, are offered for crime victims. Please go to http://www.canton.edu/health_center/

Office of Student Conduct
Hears and adjudicates referrals from students who encounter difficulties with other students. Sanctions range from educational programing, warning, probation to expulsion.

Crime Prevention Pamphlets
UPD and SUNY Canton publish numerous pamphlets, which are distributed to students and staff to assist them in preventing victimization for specific types of crimes.

Emergency Response & Evacuation
The College has identified and trained a number of carefully selected members of the leadership staff to efficiently and appropriately respond to any emergency that could arise on or affect the campus. Emergency communications procedures and protocols have been established and are practiced annually by this group known as the Emergency Resource and Response Group or ERRG. The composition of this group includes the following:

• Dean of Students
• Director of Environmental Health & Safety
• Deputy Chief University Police
• Director of Facilities
• Director of Human Resources
• Director of Residence Life

If there were a serious, immediate threat to the health and safety of the campus community, the emergency response protocol would be enacted. Many members of the ERRG and all University Police staff have participated in training that includes completion of the National Incident Management System (NIMS) and FEMA’s Incident Command System (ICS).

The Deputy Chief of University Police, Director of Environmental Health and Safety, the Dean of Students (or their designees) determine the level of the emergency and the protocols to be followed. The campus community will be notified of an emergency by NY Alert telephone and text messages, mass email, posters, our website and other methods. These notifications would be constructed by members of the ERRG and our Public Relations Office. Notification to the greater community would be coordinated with University Police, the Canton Police and members of the ERRG. The College tests the NY Alert system at least annually as well as our fire alarm systems, emergency evacuation plans, panic alarms and other systems. These tests may be announced or unannounced and all are documented in detail.

• Testing of the Campus Emergency Response Plan is conducted annually be the use of tabletop exercise. Functional drill or full scale exercise as determined by the Emergency Response Resource Group.

Evacuation Procedures
In the event of an emergency on or affecting the campus, the University will alert the campus in a timely manner utilizing a variety of method as described below.

• Building Evacuation: Students, faculty and staff are trained to evacuate a building when a fire alarm is activated or when directed to do so by appropriate staff. Members to the campus community are trained to leave by the nearest, marked exit and to alert others to do
Shelter-In-Place
If an incident occurs that would place you in more danger by leaving the area, you may choose to remain in a building. This is known as Shelter-In-Place. Depending upon the situation, you may hide, lock or barricade yourself in a room for safety.

Timely Warning and Emergency Notifications

What warrants a "timely warning" or “emergency notification”?

**Timely Warnings** shall be issued whenever a crime as defined in the Campus Security Act (pages 45, 46 and 47 of this report) that is considered to represent a serious or continuing threat to students and employees and is reported to UPD or a local police agency. Whenever a timely warning is sent, it may be sent to the entire Campus community or to the relevant population of the campus.

**Emergency Notifications** shall be issued when a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurs on the campus. As appropriate, emergency notifications may be targeted at only a segment or segments of the campus community that is at risk. Emergency notifications will be issued without delay unless doing so would compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency.

**Who decides?** The Dean of Students in conjunction with the Chief of University Police, or their designees and/or other campus and non-campus officials as appropriate, shall confirm the existence of a situation that may warrant a Timely Warning or Emergency Notification and determine the extent the notification or warning is disseminated. In addition to criminal incidents, emergency notifications may be issued in situations such as, but not limited to:

1. **Safety Related Issues:**
   - An incident that occurs on our campus that affects the personal safety and security of our population.
   - An incident that occurs in close proximity to the campus that may potentially affect the personal safety and security of our student, faculty and staff population.
2. **Health Related Issues:**
   - A member of our population is diagnosed with a serious or life threatening communicable/infectious disease.
   - Evidence of bio terrorism.

3. A significant and dangerous weather event
4. A significant infrastructure failing such as a natural gas leak.

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**Note:** The initiation of emergency protocols may begin when a responding officer/staff member advises his/her supervisor of a situation that in the supervisor’s professional judgment requires emergency procedures to be implemented.

The only reason an immediate notification for a confirmed emergency or dangerous situation would not be issued is if doing so will compromise efforts to: assist a victim, contain the emergency, respond to the emergency, or otherwise mitigate the emergency.

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**How will a Timely Warning or an Emergency Notification be Communicated?**

**For Safety Related Issues:** The means of communication will be chosen by the Dean of Students in conjunction with the Chief of University Police or their designee based upon the nature of the incident. Possible means of communication are:

- Email to all students and/or faculty/staff of the College.
- Postings in the Miller Campus Center, CARC complex, Chaney dining complex and residence halls, as applicable to the incident. At times, postings can be emailed as attachments to various offices as indicated below.
- Delivery of hard copy notification to all residence halls.
- Posting of notification on University Police Department website: [http://www.canton.edu/university_police](http://www.canton.edu/university_police)

**SUNY NY Alert in the case of a critical campus-wide emergency**

- Email to parents
- Posting to the SUNY Canton website: [www.canton.edu](http://www.canton.edu)
- Local radio & television stations
- Social media outlets

**For Health Related Issues:** The means of communication will be chosen by the Dean of Students in conjunction with the Director of Student Health or their designee based upon the nature of the incident. Possible means of communication are:

- Letters to students and/or parents (most likely done in cases of measles, mumps, or rubella. Viral Meningitis would be communicated to the parents whose students are directly affected.)
- Letters to faculty and staff, if appropriate.
- Posting of notification on the University web-site.
- Social media outlets
- Follow-up information for any of the above alerts will be provided via the above stated media.

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**Missing Student Notifications**

Residential students are afforded an opportunity to register a Confidential Missing Person Contact through Residence Life upon check-in to their residence halls each year. This information can be
modified at any time. The information is kept confidential and is only accessed by authorized campus officials and law enforcement in cases of missing person reports.

Whenever a member of the campus feels any student, faculty or staff member is missing, they are to immediately report this information to the University Police. There is no time in which a person must remain missing in order for a report to be made or for University Police to begin their investigation. University Police encourages immediate reporting. Certain investigatory steps are taken within the first 24 hours of receiving the report including notification of the student’s missing person emergency contact; notification of the student’s emergency contact person; notification of the Canton Police Department and other law enforcement agencies. In some cases, law enforcement agencies throughout the county, state, region, and Canada may be notified by electronic means. If the missing student is under the age of 18 years and not emancipated, the campus is required to notify the custodial parent or guardian. The New York State Division of Criminal Justice Services hosts a Missing Child/College Student Alert program at:

http://criminaljustice.state.ny.us/missing/aware/amber.htm

In some cases this system may be activated to alert police agencies, the NYS Thruway, broadcast media, airports, bus terminals, train stations, border crossings and other areas within minutes of data entry.

Note: All students are strongly urged to notify their Resident Assistant (RA) if they plan to make an unscheduled trip or outing. This will eliminate the University Police Department from receiving inaccurate reports of missing persons.

Alcohol and Drugs

The State University of New York at Canton is committed to creating and maintaining a learning, working, and social environment for all students and staff that is free from violence and illegal alcohol/drug use. The premise on which this program is built is that every act of violence and alcohol/drug policy violation will be met with strong disciplinary action. There is a need to send both a consistent and strong message that violence and illegal use of alcohol/drugs, and resultant behavior, will not be tolerated. We also have a responsibility to identify those who may have a problem and assist them in obtaining professional help.

- Serving and/or purchasing alcohol for minors is a violation of New York State Penal Law and College Policy. Individuals involved in this conduct will face campus discipline, and will be prosecuted to the fullest extent of the law.
- Individuals on the SUNY Canton Campus appearing in public under the influence of an intoxicant will be considered publicly intoxicated. Public intoxication is a violation of College policy. Public intoxication is based on the premise that a reasonable person would conclude that an individual is intoxicated. Students found to be in violation of this policy will be sanctioned.

Civility, understanding, and mutual respect toward all individuals are intrinsic to excellence in teaching and learning, to the existence of a safe and healthy workplace, and to the maintenance of a campus culture and environment that serves the needs of the constituencies supporting it.

The College follows a zero tolerance philosophy toward alcohol and illegal drug possession, with the premise that every alcohol policy violation will be met with strong and swift educational and
disciplinary action. There is a need to send both a consistent and strong message that illegal consumption of alcohol, alcohol abuse as well as drug abuse and the resulting behavior will not be tolerated.

- Students found in violation of zero tolerance policy are required to take the Eight-hour Alcohol/Drug Education Class.

The University Police Department is responsible for the enforcement of all federal, state and local laws related to alcohol, narcotics and dangerous drug violations. Once they are reported, these cases receive immediate attention and are thoroughly investigated.

**Drug and Alcohol Abuse Education**
As an educational institution, SUNY Canton believes that the best approach to drug and alcohol abuse is education. The College provides ongoing drug and alcohol awareness and educational programs and dissemination of pertinent information as illustrated below:

**Programs Conducted by Health Educator:**

**Prevention and Intervention Educational Programs**
- *Alcohol Awareness:* Provides students with facts and statistics about alcohol and other drugs and how they can affect one's life, including legal issues. Also provides students with alternatives to drinking and using drugs.
- *What's that Drug:* Provides students with information on behavior and signs of someone who is possibly abusing drugs/alcohol. If students have a friend they are worried about, they are encouraged to contact resident assistants, resident directors and counselors on campus. In an emergency, contact UPD immediately.
- *Red Watch Band Project:* Provides campus community with the knowledge, awareness, and skills to prevent student toxic drinking.
- *The Naked Truth:* Sexual Health residence hall programing.
- *Can I Kiss You:* This program focuses on preventing sexual assault.
- Other topics will be covered upon request.

The Health Center also distributes a wide range of brochures designed to keep the student safe and healthy. The Health Center also provides the following outreach programs:

- Health Center Services information table
- National Condom Day table
- Spring Break Awareness table
- STI Awareness Month table
- Health Awareness Showcase
- Renewal House Information table
Programs Conducted by the University Police

- Domestic Violence/Dating Violence
- ABC Law/Alcohol Awareness
- Orientation – Provided for Students and Parents
- Common Road Blocks Students Encounter
- Drug Identification for Resident Assistants
- Drug Identification and Awareness
- Drinking and Driving – Beer Goggles

Other programs on alcohol and drugs are also provided on campus by the Canton Police Department, New York State Police, Alcoholics Anonymous, and the Canton Volunteer Rescue Squad, Seaway Valley Prevention Council for Alcohol & Substance Abuse Prevention, Inc., AIDS Outreach, Renewal House, and St. Lawrence County Stop-DWI.

Sexual Assault Awareness and Prevention

College Policies and Regulations on Sex Offenses

What is the College's position on sexual assault?
The College encourages prompt reporting of any act of sexual misconduct by every member of the community. The College believes that the best approach to sexual assault is prevention. The College puts forth considerable resources in the areas of sexual assault education; support services for the survivor; crime prevention and campus law enforcement. Furthermore, the College believes that all sexual assault incidents are very serious and are dealt with in a sensitive, private and professional manner. The College makes every effort to identify the person responsible for sexual assault offenses and pursues criminal charges as well as campus disciplinary action.

Sexual assault is prohibited. Sexual assault is defined as forced, manipulated or coerced sexual acts using verbal coercion, emotional or physical intimidation, threats, physical restraint and/or physical violence. It may include but is not limited to unwanted touching of another person's intimate areas (genitalia, buttocks, and breasts), oral copulation or rape by a foreign object. It includes acts that occur when the survivor is intoxicated to the point of being unable to "provide consent" or in other words, make an informed decision. Intoxicating agents include alcohol and other drugs. Being unconscious, asleep and in some cases, simply remaining mute may also preclude a person from providing consent.

What Should I do if I am Assaulted?
In order for survivors to obtain proper support and build a strong case against the offender, it is helpful to take the following measures:

- After getting to safety, report the assault immediately to University Police.
- Survivors may report to any outside police agency at any time and the College will assist them in the investigation.
- University Police will provide survivors with written notice of reporting options, remedies, and services.

Evidence Preservation

- Do not change clothes, shower or clean up in any way,
- Do not throw anything away,
- Do not take any unnecessary medication,
• Inform the investigator of people who may have been nearby during the assault or who may have heard or seen anything before, during or after the attack. It is very important you inform the police who you spoke with, emailed or texted after the attack.
• Try to describe the attacker in detail: age, weight, height, race, eye and hair color, clothing, scars, tattoos, piercings, length of hair, if facial hair was present, jewelry worn, items they may have left, odors, exact wording they used and any distinctive language or speech patterns.

Survivor Assistance
Please remember that the sexual assault is not your fault. It does not matter what you may have been wearing or how much you had to drink.
• Although it is never too late to report a sexual attack, reporting as soon as possible is very important.
• As a sexual assault survivor, you have the right to report the incident. Only you can make that decision. We want to ensure you receive the support you need to handle this crisis. We strongly encourage you to file a complaint. The College wants to handle this incident in the best way for you and in a manner that prevents further attacks. Studies show rapists are often repeat offenders and have an average of up to 6 victims. You can help stop the cycle of attacks.
• Survivors may be able to have their academic and living conditions changed.
• We have many resources dedicated to survivors of sexual attacks. Of course first and foremost, we urge you to contact University Police as soon as possible.
• The Counseling Center’s highly trained staff is always available to help you.
• Resident Assistants and Resident Directors are also available at all times to help.
• Renewal House, a domestic violence and rape crisis organization, is available at 315-379-9845.
• Reachout, (315)265-2422, is a 24-hour crisis outreach service, is also available at any time.

Counseling
Counselors are special people with enduring sensitivity, trained to respond to crisis situations. They can understand, support, advocate, listen and clarify. The Counseling Center is located in the Miller Campus Center: (315) 386-7314. You can choose to talk to either a male or female counselor or not to speak to a counselor at all.

If you choose to speak with a counselor, they will try to help you sort through all of the important issues one step at a time, at a manageable pace with you leading the way. Some of the issues a counselor may discuss with you:
• Obtaining immediate care for physical trauma.
• Gathering medical/legal evidence using a sexual assault nurse examiner (SANE).
• Prevention/treatment of SID/HIV.
• Prevention/treatment of pregnancy.
• Linking with your personal support system of family and friends.
• Legal assistance/reporting and prosecuting the offender if you choose to do so.
• Help dealing with any long-term affects of assault, including anxiety, depression, fear and how to handle family members and friends.

Medical Care
If you have been sexually assaulted, it is important to make sure you protect your physical health as well as your mental health. SUNY Canton Health Services (Miller Campus Center: (315) 386-7333) is ready to help you get the medical care you need after a sexual assault, but there are other options for you as well. You could see your regular doctor or go to the nearest emergency department,
Canton-Potsdam Hospital, 50 Leroy Street, Potsdam: (315) 265-3300. Please keep in mind that many treatments are time dependent. The sooner you obtain medical care, the more effective the treatment can be.

Visiting a health care provider can ensure your safety by providing you with the following:
- Treatment for any physical trauma that occurred during the assault.
- Screening for and prescription medications to prevent sexually transmitted infection including HIV.
- Prescription medications to prevent pregnancy.
- Collecting physical evidence that may help you in court or making arrangements for a Sexual Assault Nurse Examiner (SANE) to do the same.
- Helping you get any counseling and support you may need.

Programming for Preventing of Sexual Assault/Awareness on our Campus
- Personal Safety/Basic Crime Prevention and Tips
- Domestic Violence/Dating Violence
- Alcohol Awareness
- Orientation – Provided for Students and Parents
- Rape Aggression Defense (R.A.D.)
- Healthy Relationships
- The Naked Truth (Sexual Health)
- Can I Kiss You (Practical skills for addressing consent)
- University Police Escort
- Sexual Assault Prevention
- Safer Sex Programs

Recommended Sexual Assault Prevention Measures
Before we suggest ways to protect yourself from attack, it is helpful to examine and be aware of myths surrounding rape and sexual attacks.

Myth #1: The motivating force behind sexual assault is only sexual desire.
Sexual assault is about power and control, humiliation and degradation.

Myth #2: Sexual assaults are perpetrated mostly by strangers outdoors and at night in deserted areas like parking lots, behind bushes and back alleys.
In fact this is atypical of most rapes and sexual attacks; particularly on college campuses. In most cases, rape survivors knew their attacker prior to the assault and in some cases, the perpetrator was a boyfriend or girlfriend. Many rapes occur in the context of a date, while others are committed by neighbors, relatives and other acquaintances. Almost half of all reported rapes occur in a home, many times the survivor’s home.

Myth #3: Physical assault is always involved with sexual assault. The survivors will have bruises and apparent injuries on their body if they were truly sexually assaulted. Most rapes do not involve a high level of physical violence. Psychological strategies like intimidation, pressuring, emotional blackmail and the use of threats are the most common techniques used by perpetrators. Most offenders utilize physical force after psychological strategies have failed. Many survivors do not present with bruises, cuts or torn clothing. They may not look “battered”.

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Myth #4: You can tell simply from another person’s actions or way of dressing that she or he wants to have sex with you. One can never assume someone wants to have sex based on his/her appearance (appearance does not imply or take the place of verbalized consent).

Myth #5: Some people ask to be raped or sexually assaulted and are at fault for whatever happens. People may make poor judgments and even dangerous decisions but no one ever asks or deserves to be sexually assaulted. Rape has nothing to do with appearance or the victim’s reputation. It is never the survivor’s fault!

Myth #6: Women make up accusations of sexual assault to get revenge against a person. Sexual assault is severely under-reported and false complaints make up a small portion of reports.

Myth #7: Rapists are severely disturbed. Generally, rapists test in the normal range on most psychological instruments. Rapists look like most other people and often have jobs, families and otherwise normal lives.

How To Protect Yourself Against Sexual Attack
SUNY Canton has experienced a relatively low incident of sexual assaults. However, it is important not to develop a false sense of security. Knowledge and awareness help make safe decisions.

- Most rapes on or near college campuses are committed by acquaintances or during some type of date. Although “stranger crimes” can occur, they are very rare on their campus and within the community.
- Students are at the highest risk of unwanted sexual contact during their first few weeks on campus or during their first few weeks living off-campus.
- Determine what you want, and what you don’t want, and communicate your personal limits clearly. No one should pressure you into unwanted sexual activity. If you are uncertain about what you want, tell your partner to respect your feelings.
- Know that you have the right to say, “No” at any time and the right to defend yourself against an attacker.
- Trust your intuition. If you feel uncomfortable leaving or entering a Residence Hall, go to the most public space. Never feel you have to hold the door for others to enter a secure Residence Hall. If you feel something is wrong, it likely is. Remove yourself from the situation and get to a safe space as quickly as possible.
- Be careful with alcohol and drugs. Some people think that a drunk or stoned companion has automatically consented to sex. This is not true. Investigations show alcohol use and abuse is often a component of sexual assault cases.
- Attend parties with friends you can trust. Agree to “look out for one another”. Always try to leave with a group rather than alone or with someone you don’t know well.
- If you find yourself alone and uncomfortable on campus, call University Police at 315-386-7777. If you are off campus and alone and uncomfortable, and feel your safety is compromised, call 911.
- Look for danger signals in a dating relationship. If your partner restricts your activities, isolates you from friends or displays jealous behavior, he or she may become dangerous.
- Talk with your friends about the problem of dating violence. Become conversant with techniques to disrupt degrading jokes about violence and sexuality (Bystander Awareness Training offered by Student Affairs).
- Be alert. Walk with confidence and look others in the eye.
- Carry your car or house/room keys in your hand as you leave or are walking toward your destination.
Helping Protect Others

- Respect your partner’s decisions. Don’t pressure them to go beyond the limits they have set. Listen carefully to your partner and ask for clarification if your partner seems unclear or is giving you a mixed message. If you’re not sure your partner wants to engage in a sexual act, ask them!
- Respect the person when he or she says, “No” to sexual activity and comply. **Not hearing the word “No” does not mean “Yes” or imply consent has been given.** Be absolutely certain you are not going beyond your partner’s limits. Once again, asking your partner if they want to have sex is a great way to show them respect and to clarify what they want.
- **If you see someone in a vulnerable position, find a safe way to help.** Don’t ignore what you think is a dangerous situation or presume someone else will take care of the problem.
- Alcohol and drugs diminish the ability to make clear and good decisions. **Having sexual contact with someone too intoxicated by any substance to make a good decision is a crime.**
- Be careful in groups. Resist pressure from friends to participate in or be subjected to any act with which you are not comfortable.
- Never make assumptions about a person’s behavior. **Never assume a person wants to have sex because they drink heavily, dress in a certain manner or agree to go back to your room.**
- **Previous consent does not imply current consent.**

Safety in the Residence Halls and In Your Apartment

- Do not let strangers in the exterior doors.
- Keep your doors locked at all times. If off-campus, windows should be locked as well.
- Do not open your locked door for anyone until you know who they are and decide you want them in your living space. Use your door viewer.
- Ask for identification from the repair persons or service persons who come to your door before allowing entry.
- Report lost keys and ID cards immediately to Residence Life staff.
- Report suspicious persons to Residence Life staff or University Police immediately.
- Do not “prop” open outside doors.
- Remember: Always keep your door locked, even when using the bathroom or visiting friends on your floor. Keep it locked.

Sex Offender Information

Individuals convicted of sex offenses throughout the country may be designated as “sex offenders” and some may be required to register with law enforcement agencies. In New York State, there are three categories or levels of sex offenders. They are Level One, Level Two and Level Three. Level Three offenders are considered to have committed the most serious sexual offenses and to pose the greatest threat of re-offending while Level One offenders are considered to have committed the least serious of offenses and are least likely to re-offend.

The State of New York Division of Criminal Justice Services and the St. Lawrence County Sheriff’s Office maintain an on-line service listing offenders in the State and in our area. The web addresses are as follows: [http://www.criminaljustice.ny.gov](http://www.criminaljustice.ny.gov) and [http://www.co.st-lawrence.ny.us/Departments/Sheriff/SexOffenderWatch](http://www.co.st-lawrence.ny.us/Departments/Sheriff/SexOffenderWatch)

Additionally, the University Police will assist any member of the campus in locating these sites and information related to the Sex Offender Registry in New York State.
Code of Student Conduct, Rights and Responsibilities

Prohibited Conduct:

Sexual Harassment
Sexual harassment is considered an unlawful employment practice under Section 703, Title VII of the Civil Rights Act of 1964 and Title IX of the Education Amendments of 1972 that ban discrimination on the basis of sex. These regulations protect all employees of both genders, as well as students. SUNY policy extends this protection to any students, applicants or other non-employees subjected to such treatment by its faculty or staff. Sexual harassment in the educational setting and employment setting is any unwelcome conduct of a sexual nature. Sexual harassment can include unwelcome sexual advances; requests for sexual favors; and other verbal, non-verbal, or physical conduct of a sexual nature. Sexual harassment of a student denies or limits, on the basis of sex, the student's ability to participate in or to receive benefits, services, or opportunities in the educational institution's program. Sexual harassment in the employment setting occurs when:

• Submission to such conduct is made a term or condition of an individual's continued employment, promotion, or other condition of employment.
• Submission to or rejection of such conduct is used as basis for employment decisions affecting an employee or job applicant.
• Submission to or rejection of such conduct is used as basis for employment decisions affecting an employee or job applicant.

If you feel that you have been sexually harassed, please report it to Amanda Rowley, Affirmative Action Officer/Title IX Coordinator, French Hall 209, 315-386-7559; or Deputy Title IX Coordinators: Courtney Bish, Dean of Students, Miller Campus Center 225, 315-386-7120 or Alan Mulkin, Deputy Chief of University Police, Dana Hall, 315-386-7777, or e-mail title9@canton.edu.

Hate Crimes and the Law
It is a New York State University Police commitment to protect all members of the SUNY Canton community by preventing and prosecuting bias or hate crimes that occur within the campus's jurisdiction.

Hate crimes, also called bias crimes or bias-related crimes, are criminal activity motivated by the perpetrator's bias or attitude against an individual victim or group based on perceived or actual personal characteristics, such as their race, religion, ethnicity, gender, sexual orientation, or disability. Hate/bias crimes have received renewed attention in recent years, particularly since the passage of the Federal Hate/Bias Crime Reporting Act of 1990 and the New York State Hate Crimes Act of 2000 (Penal Law Article 485). Copies of the New York law are available from the University Police Department.

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

In addition to preventing and prosecuting hate/bias crimes, New York State University Police also assist in addressing bias-related activities that do not rise to the level of a crime. These activities, referred to as bias incidents and defined by the University as acts of bigotry, harassment, or intimidation directed at a member or group with the Canton community based on national origin, ethnicity, race, age, religion, gender, sexual orientation, disability, veteran status, color, creed, or marital status, may be addressed through the State University's discrimination complaint procedure or the campus conduct code. Bias incidents can be reported to University Police as well as to any college official.
If you are a victim of, or witness to, a bias crime on campus, report it to University Police by calling (315)386-7777 in an emergency, by using an Emergency Blue Light, or stopping at the University Police office. University Police will investigate and follow the appropriate adjudication procedures. Victims of bias crime or bias incidents can avail themselves of counseling and support services from the campus by contacting the Counseling Center at (315)386-7314 or Office of Diversity at (315)386-7128.

For general information on the State University of New York at Canton security procedures, see our website, handbook, Jeanne Clery Disclosure Act, or call University Police at (315)386-7777.

More information about bias-related and bias crimes, including up-to-date statistics on bias crimes is available from University Police at (315)386-7777.

**Sexual Assault**

Sexual assault is any physical sexual act or acts committed against a person's will and consent or when a person is incapable of giving active consent, incapable of appraising the nature of the conduct, or incapable of declining participation in, or communicating unwillingness to engage in, a sexual act or acts. Sexual assault is an extreme form of sexual harassment. Sexual assault includes what is commonly known as “rape,” whether forcible or non-forcible, “date rape” and “acquaintance rape.” Nothing contained in this definition shall be construed to limit or conflict with the sex offenses enumerated in Article 130 of the New York State Penal Law, which shall be the guiding reference in determining if alleged conduct is consistent with the definition of sexual assault.

SUNY Canton has programs in place to protect all members of the campus community from sexual assault, including programs for prevention and prosecution of these crimes that occur within the jurisdiction of SUNY Canton University Police. Additional information may be found in SUNY Canton’s Jeanne Clery Disclosure Act Annual Report/Sexual Assault Prevention which may be found at: [http://www.canton.edu/clery_act/](http://www.canton.edu/clery_act/).

If you are sexually or otherwise assaulted on campus:

- Get to a safe place as soon as you can.
- If an emergency, contact SUNY Canton University Police immediately at 315-386-7777 or use a Blue Light emergency phone.
- Try to preserve all physical evidence. Do NOT shower/bathe/wash, douche, change/launder clothing, comb hair, drink or eat, or do anything that would alter a physical exam. Wait until after one has been completed at a hospital.
- Visit [http://www.canton.edu/titleix/](http://www.canton.edu/titleix/) for Title IX contacts, complaint procedure, resources, and more.

Remember, assaults – sexual or otherwise – are crimes; they are not the victim’s fault. Victims have the right to pursue adjudication of crimes that occur on the SUNY Canton campus through criminal courts and/or through the University’s internal disciplinary process (under the Campus Code of Student Conduct). SUNY Canton’s University Police are trained to assist with prosecution in both systems.

Information and Support – If you are the victim of sexual assault or sexual misconduct, you may seek support services as well as the assistance described above from the Counseling Center, Campus Center 225, phone (315)386-7314; Davis Health Center, Campus Center 004, phone (315)386-7333; and University Police, Dana Hall 210, phone (315)386-7777, or e-mail title9@canton.edu.

**Disciplinary Action**

Where there is probable cause to believe the College’s regulations prohibiting sexual misconduct have been violated, the College will pursue strong disciplinary action through its own channels. This discipline includes the possibility of suspension or dismissal from the College. An
individual charged with sexual misconduct will be subject to college disciplinary procedures, whether or not prosecution under New York State Criminal Statutes is pending.

The College will make every effort to be responsive and sensitive to the victims of these serious crimes. Protection of the victim and prevention of continued trauma is the College’s priority. When the victim and the accused live in the same residence hall, an immediate hearing with the College Judicial Officer will be held to determine the need for modifying the living arrangements. Assistance for any other personal or academic concerns will be reviewed and options provided.

During the disciplinary process, the victim’s rights are:

- To provide a written statement with personally-identifiable information redacted in lieu of appearing before the Hearing Board as a witness or be permitted to give testimony from a remote location.
- To have a person or persons of the victim’s choice accompany the victim throughout the disciplinary hearing.
- To remain present during the entire proceeding.
- As established in State criminal codes, to be assured that his/her irrelevant past sexual history will not be discussed during the hearing.
- To make a “victim impact statement” and to suggest an appropriate penalty if the accused is found in violation of the Code of Student Conduct.
- To be informed immediately of the outcome of the hearing.
- During the disciplinary process, the rights of the “accused” are as described under Section 15.6, Article VI: Adjudication and/or Section 15.9, Article IX: Procedures for Judicial Hearings.
- To have access to all statements and documents provided to the accused in a judicial hearing.
- To have the right to an appeal.
- If the victim is deceased as a result of the criminal offense the next of kin shall be treated as the victim for the purposes of this section.

Information and Support – If you are the victim of sexual assault or sexual misconduct, you may seek support services as well as the assistance described above from the Counseling Center, Campus Center 225; Davis Health Center, Campus Center 004; and University Police, Dana Hall 210.

**Workplace Violence**

SUNY Canton is committed to providing a safe work environment for all employees that is free from intimidation, threats, and violent acts. The College will respond promptly to threats, acts of violence, and acts of aggression by employees or against employees by co-workers, members of the public, or others.

SUNY Canton will not tolerate any act or threat of violence made in the workplace, on College property, or while in work status. No person may engage in violent conduct or make threats of violence, implied or direct, on SUNY Canton property or in connection with college business. This includes, but is not limited to: (1) the use of force with the intent to cause harm; (2) behavior that diminishes the dignity of others through sexual, racial, religious, or ethnic disparagement, or harassment; (3) acts or threats which are in-tended to intimidate, harass, threaten, bully, coerce, or cause fear of harm whether directly or indirectly; or (4) acts or threats made directly or indirectly by oral or written words, gestures, or symbols that communicate a direct or indirect threat of physical or mental harm. No person, without legal authority, may carry, possess, or use any dangerous weapon on SUNY Canton property or in college buildings or facilities. Unauthorized possession or use of firearms, knives (except non-spring pocket knives), or other weapons or explosives is prohibited.
Incidents of workplace violence, threats of workplace violence, or observations of workplace violence are not to be ignored by any member of the SUNY Canton community. Workplace violence should be promptly reported to University Police at (315) 386-7777. Additionally, all members of the college community are encouraged to report behavior they reasonably believe poses a potential for workplace violence in order to maintain a safe working and learning environment. Every threat will be taken seriously and must be reported. Employees who commit a violent act or threaten to commit a violent act are subject to disciplinary action and/or civil/criminal prosecution as appropriate. Any individual who makes a substantial threat, exhibits threatening behavior, or engages in violent acts on SUNY Canton property shall be subject to removal from the premises as quickly as safety permits, pending the outcome of an investigation. To view the full Workplace Violence Policy, please visit:  

**Domestic Violence**

Domestic violence permeates the lives and compromises the safety of thousands of individuals each day. 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.

**What to Look For**

This information is intended to help you determine if you are a victim of domestic violence and/or dating violence and to consider ways to make yourself and your family safe. Are you in danger of your partner or ex-partner doing any of the following? 

Physically hurting you for example pushing, grabbing, slapping, hitting, choking or kicking?

- Forcing you to have sex when you don't want to or do sexual things you don't want to do?
- Threatening to hurt you, your children or someone close to you?
- Constantly putting you down or telling you that you are worthless?
- Stalking, checking up on you or following you?
- Making you afraid?

**Possible Indicators**

Victims of Domestic Violence may seek assistance for a wide variety of problems other than violence itself. Possible indicators of domestic violence include:

- Visible Physical Injuries
- Stress-Related Illnesses
- Marital or Family Problems
- Alcohol or Other Addictions
- Depression, Suicidal Thoughts or Attempts
- Absenteeism, Lateness, and Leaving Work Early
- Changes in Job Performance
- Unusual or Excessive Number of Phone Calls
- Disruptive Personal Visits
Domestic Violence Safety Plan
The Domestic Violence Safety Plan will be implemented to assist in mitigating domestic violence, provide assistance to victims and employees and provide reporting instructions.

• All incidents or threats of domestic violence should be reported immediately to University Police at 315-386-7777.
• Any person (faculty, staff or student) with an existing Order of Protection should provide University Police Department with a copy.
• Upon request, the Chief of University Police or designee, will assist in developing a personal domestic violence safety plan which may include:
  o Procedures for alerting University Police personnel
  o Temporary or permanent relocation, on campus
  o Voluntary transfer to another campus location
  o Change of schedule, if appropriate
  o Assignment of parking space
  o Escort services
  o Change of telephone number and/or email account
  o Assistance for obtaining a Criminal Court or Family Court Order of Protection

Stalking
Stalking behavior is often seen in domestic violence. Stalking is a crime in all 50 states, the District of Columbia and the U.S. Territories.
The definition of stalking may vary by jurisdiction but it generally refers to repeated harassing or threatening behavior directed at a person to cause fear. Often it is used to gain power and control.
SUNY Canton, 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 and respond effectively to the needs of victims of domestic violence.
The College is continually updating its education programs to promote the awareness of domestic violence, rape, acquaintance rape, and other sex offenses.
Students should also be aware of resources on campus that can assist in cases of Domestic Violence. The Counseling Center, Health Center and University Police have staff available to assist victims of domestic violence.
For more information on domestic violence and stalking contact any of the following offices:
• University Police - (315) 386-7777, Dana Hall 210, 24 hours/7 days a week
• Personal Counseling Center - (315) 386-7314, Miller Campus Center 225
• Davis Health Center - (315) 386-7333, Miller Campus Center 004

Off Campus Resources:
• Renewal House - (315) 379-9845
• Reachout - 24/7 Crisis Hotline - (315) 265-2422
• NYS Domestic Violence Hotline – (800) 942-6906
• Elder Abuse Hotline – (800) 342-3009

NYS Office for the prevention of Domestic Violence: [www.opdv.state.ny.us](http://www.opdv.state.ny.us)

Title IX Rights
VICTIMS OF CAMPUS SEXUAL ASSAULT: STATEMENT OF PRINCIPLES AND RIGHTS
SUNY Canton is committed to providing a safe and secure environment in which all members are treated with dignity and respect, and a campus free from all discrimination on the basis of sex. To that end, SUNY Canton takes the strongest possible stance against sexual misconduct in all its forms, including sexual harassment, sexual assault, sexual violence or the use of coercion, intimidation or exploitation of others for sexual purposes. SUNY Canton is actively engaged in educating its members about these vital issues and in providing timely support and assistance to victims of sexual assault.

Should a sexual assault be reported, SUNY Canton will investigate allegations and take appropriate actions, to the fullest possible extent. SUNY Canton supports the victim's right to privacy. In the event that a victim wishes to remain anonymous, SUNY Canton will respect that request while evaluating the obligation to protect the safety and well-being of the broader community. For example, in the event that the assault/crime must be reported, the request for anonymity would be weighed against other factors, such as whether the accused individual is the subject of other complaints. In such instances, every safeguard will be taken in order to ensure the victims' anonymity. It is imperative that victims be fully supported in their efforts to heal and respond as they determine is in their own best interests. To this end SUNY Canton will provide information about campus and community medical and counseling resources and support the victim’s right to make choices about these resources and options.

All members and representatives of SUNY Canton community, including campus officers, administrators, faculty, professional staff, employees, and students are expected to recognize and abide by the following principles regarding victims of campus-related sexual assaults:

1) THE RIGHT TO HUMAN DIGNITY
Victims shall:
• Be treated with fairness and respect for their dignity;
• Have their privacy honored;
• Be free from any suggestions that they must report sexual assaults to be assured; recognition of any other identified principles or rights;
• Have their allegations of sexual assault treated seriously;
• Be free from any suggestion that they are responsible for the sexual assaults committed against them;
• Be free from any threat of retaliation or other attempt to prevent the reporting of sexual misconduct;
• Be free from unwanted pressure from campus personnel to:
• Report sexual assaults if they do not wish to do so,
• Report sexual assaults as less serious offenses,
• Refrain from reporting sexual assaults for any reason, including the fear of unwanted personal publicity.

2) THE RIGHT TO RESOURCES ON AND OFF CAMPUS
Victims shall:
• Receive notice describing options to pursue a criminal complaint with the appropriate law enforcement agency, to pursue SUNY Canton’s disciplinary process, or to pursue both processes simultaneously;
• Be notified of existing campus and community-based medical, counseling, mental health and student services for victims of sexual assault whether or not the assault is formally reported to campus or civil authorities;
• Have access to campus counseling;
• Be informed of and assisted in exercising:
• Any rights to confidential or anonymous testing for sexually transmitted infections, HIV, and pregnancy,
• Any rights to preventive measures such as emergency contraception or HIV prophylaxis,
• Any rights that may be provided by law to obtain the communicable diseases test results of sexual assault suspects;
• Be informed of the possible availability of crime victim assistance compensation through the New York State Crime Victims Board;
• Additional information about resources and options to aid in recovery are available at: www.canton.edu/titleix/.

3) THE RIGHT TO CAMPUS JUDICIAL PROCEEDINGS
Victims have the right to:
• Written and advance notice about a disciplinary hearing involving the person or persons accused of sexually assaulting them;
• Have the opportunity to present witnesses and other evidence, and to receive notice of the process, information about procedures, and written notice of the outcome in a manner that is equivalent to the process of the accused;
• Have a person of their choice accompany them throughout the disciplinary hearing;
• Remain present during the entire proceeding, whenever possible; alternative arrangements may be made for those who do not want to be present in the same room as the accused during the disciplinary hearing;
• Be heard at the proceeding;
• Be assured that their irrelevant past sexual history will not be discussed during the hearing;
• Make a "victim impact statement" if the accused is found in violation of the code;
• Be informed in a timely fashion (60 days) of the outcome of the hearing;
• Have the right to appeal the outcome of the hearing.

4) THE RIGHT TO LAW ENFORCEMENT AND CAMPUS INTERVENTION
• Reports of sexual assault will be investigated and evaluated by the appropriate criminal and civil authorities of the jurisdiction in which the sexual assault is reported;
• Victims shall receive full and prompt cooperation and assistance of campus personnel in notifying the proper authorities;
• Victims shall receive full, prompt, and victim-sensitive cooperation of campus personnel with regard to obtaining, securing and maintaining evidence, including a medical examination when it is necessary to preserve evidence of the assault; “No contact” orders (e.g., Cease and Desist orders) shall be issued promptly and in writing to all parties to a reported sexual assault after SUNY Canton receives notice of a complaint;
• Campus personnel shall take reasonable and necessary actions to prevent further unwanted contact by victims’ alleged assailants;
• Victims shall be notified of the options for and provided assistance in changing academic and living situations if such changes are reasonably available.

5) NOTE: STATUTORY MANDATES
• Nothing in this Statement of Principles and Rights shall be construed to preclude or in any way restrict SUNY Canton from carrying out its duties under law to report suspected
offenses to the appropriate law enforcement authorities. Except as required by law, SUNY Canton will take care not to identify the victim.

- Nothing in this Statement of Principles and Rights shall be construed to preclude or in any way restrict SUNY Canton from issuing a Timely Warning when SUNY Canton is aware of a reported sexual assault incident that potentially puts the campus community at risk. SUNY Canton will take care not to identify the victim in such notices but may, in certain cases of continuing danger, identify the suspect, assailant or the address where the crime occurred.

**Sexual Misconduct Policy**

SUNY Canton is committed to creating and maintaining an educational environment free from all forms of sex discrimination, including sexual misconduct. Any act involving sexual harassment, violence, coercion, and intimidation will not be tolerated. Specifically, SUNY strictly prohibits the offenses of domestic violence, dating violence, sexual assault, and stalking. These acts have a real impact on the lives of victims. They not only violate a person’s feelings of trust and safety, but they can also substantially interfere with a student’s education. It is the policy of SUNY Canton that, upon learning that an act of sexual misconduct has taken place, immediate action will be taken to address the situation and punish the perpetrator. This includes working with State and local law enforcement to bring possible criminal charges, seeking disciplinary action through the college/university, and enforcing mandatory transcript notifications so other institutions are on notice of the offense committed.

SUNY Canton encourages the reporting of sexual misconduct that is prompt and accurate. This allows the college/university community to quickly respond to allegations and offer immediate support to the victim. SUNY Canton is committed to protecting the confidentiality of victims, and will work closely with students who wish to obtain confidential assistance regarding an incident of sexual misconduct. All allegations will be investigated promptly and thoroughly, and both the victim and the accused will be afforded equitable rights during the investigative process.

It is the collective responsibility of all members of the SUNY Canton community to foster a safe and secure campus environment. In an effort to promote this environment and prevent acts of sexual misconduct from occurring, the college/university engages in ongoing prevention and awareness education programs. All incoming students [and employees] are required to participate in these programs, and all members of the college/university community are encouraged to participate throughout the year in ongoing campaigns and trainings focused on the prevention of sexual misconduct on campus.

**Scope**

**Who:** This policy applies to all members of the SUNY Canton community, including students, faculty, staff, visitors, independent contractors, and other third parties who are on campus and involved in an incident of sexual misconduct (this can be someone who witnessed an incident or who wishes to report an incident on behalf of another). The policy applies to these parties regardless of sexual orientation or gender identity.

**What:** This policy prohibits all forms of sexual misconduct. This broad term includes, but is not limited to, acts of sexual harassment, sexual violence, sexual coercion, sexual threats or intimidation, domestic violence, dating violence, sexual assault, stalking, and cyber-stalking. Please refer to the Definitions section for a complete list of terms and prohibited acts.

**Where:** This policy covers conduct that takes place on the college/university campus. This includes any building or property owned or controlled by SUNY Canton and used in direct support of, or in a manner related to, the school’s educational purposes, including residence halls, dining halls, and public property within or immediately adjacent to and accessible from campus. This also includes any building or property owned or controlled by a student organization that is officially recognized by the college/university and any building or property not within the same reasonably contiguous geographic area of the college/university that supports or relates to the school’s
educational purposes and is frequently used by students. This policy also covers conduct that takes place off-campus that may have a nexus to the college/university community.

**Programs:** This policy covers all educational, extracurricular, athletic, or other campus programs.

**Activities:** This policy covers all campus and school-related activities, including, but not limited to, student organizations (academic, greek, multicultural, religious, service, social and support, sports and recreational), community organizations with student [and/or faculty] participation, and all other educational or extracurricular events hosted by or at the college/university.

**Relationships:** This policy covers sexual misconduct occurring between individuals in various types of relationships. These include, but are not limited to, student to student, staff to staff, faculty member to faculty member, visitor/contracted employee to faculty/staff, faculty member to student, staff to student, supervisor to subordinate, and coach to student athlete. Sexual misconduct may be acts committed by an individual or collective actions committed by members of a group or organization. These acts may be committed against an individual or against a group or organization. These acts may be committed by a stranger, an acquaintance, or someone with whom the victim has a social, romantic, or intimate relationship with. These acts may be committed by or against any individual, regardless of sexual orientation or gender identity.

**Confidentiality:** The college/university is committed to maintaining the privacy of all individuals involved in a report of sexual misconduct. While the college/university encourages victims to report an incident of sexual misconduct, there are many options available for students to speak with someone about what happened while maintaining confidentiality. Please see the Handbook sections on Resources Available for Support and Reporting Procedures for more information on confidentiality.

**Resources Available for Support**

After an allegation that an act of sexual violence has occurred, including any act of dating violence, domestic violence, sexual assault, or stalking, the college/university offers students a range of protective measures.

1. **Resources for Immediate Assistance:** The information below provides contacts for trained on- and off-campus advocates and counselors who can provide an immediate confidential response in a crisis situation. Also provided are emergency numbers for on- and off-campus safety, law enforcement, and other first responders.

2. **Confidential Resources:** The college/university encourages all members of the school community to report any incidents of sexual misconduct; however, there are several confidential resources available to students who are not yet ready to report an incident. These individuals can help a victim obtain needed resources, explain reporting options, and assist in navigating the reporting process. These resources are required by law to keep all communications confidential without an individual’s express consent to release information.

   - On-Campus
   - Counseling Center - 315-386-7314
   - Off-Campus - Renewal House 315-379-9845

**Campus Resources:** These are resources provided by the college/university community offering intervention services, counseling, academic support, and medical services. These resources are not bound by confidentiality, but will work together to maintain individual privacy.

**On-Campus**

- University Police - 315-386-7777
- Dean of Students - 315-386-7120
- Davis Health Center - 315-386-7333
- Title IX Coordinator - 315-386-7559
Community Resources: These are resources located off-campus in the local community offering intervention services and counseling.

Off-Campus
- Renewal House: 315-379-9845
- Canton-Potsdam Hospital: 315-265-3300
- Claxton-Hepburn Medical Center: (315) 393-3600

Health Care Resources: Medical assistance is available [times available, i.e. 24/7, during business hours, etc.] by calling [list number to call, i.e. campus security/police or local police]. Every victim has the option to seek treatment for injuries sustained during an incident of sexual misconduct, preventative treatment for sexually transmitted diseases, and other health services. A medical exam is also an important way for a health provider to properly collect and preserve evidence. In cases where necessary, rape kits are also available [explain where/how are they available on your campus], and victims may contact a Sexual Assault Nurse Examiner (SANE) located [where, if available on your campus]. Also, victims may be accompanied by an advocate to the hospital or health provider. See below for contact information.

Immediate Medical Attention
- Immediate Assistance- 911 (from a campus phone will connect you with University Police)
- Canton-Potsdam Hospital: 315-265-3300
- Claxton-Hepburn Medical Center: (315) 393-3600
- Davis Health Center: 315-386-7333
- Renewal House: 315-379-9845
- Counseling Center: 315-386-7314

3. Resources for Ongoing Assistance: The information below provides contacts for trained on- and off-campus advocates who can provide on-going counseling, advocacy, and support following an incidence of sexual misconduct.
   - Confidential Resources: These are resources on- and off-campus where the victim may disclose confidentially with counseling, advocacy, health, mental health, or sexual-misconduct-related resources.
     - On-Campus
       Counseling Center: 315-386-7314
     - Off-Campus
       Renewal House: 315-379-9845

Campus Resources: These are resources provided by the college/university community offering counseling and support for victims of sexual misconduct, whether or not a victim chooses to make an official report or participate in the institutional disciplinary or criminal process. These individuals can also provide ongoing support during the institutional disciplinary and criminal process.
   - On-Campus
     Counseling Center: 315-386-7314
     Title IX Coordinator: 315-386-7559
     Davis Health Center: 315-386-7333
     Dean of Students: 315-386-7120

Academic Accommodations: The college/university is committed to ensuring the safety and well-being of the victim. A student who has been a victim of sexual misconduct may request an academic accommodation or change in residence after a report of sexual misconduct. Any individual who makes a request will receive appropriate and reasonable accommodation. Possible requests
include the ability to change academic schedules or work schedules, withdraw from or retake a class without penalty, access academic support such as tutoring services, and change residence hall assignments.

Interim Measures: In situations where it is necessary, the college/university will take immediate steps to protect victims pending the final outcome of an investigation. These steps include the accommodations listed above in addition to issuing no contact orders. Pending resolution of the complaint, the accused may be prohibited from contacting the victim and may be placed on suspension or denied access to campus. Also, the college/university may change the course schedule or residence assignment of the accused. Please refer to the Student Code of Conduct for disciplinary procedures related to acts of sexual misconduct.

Title IX Coordinator
The Title IX Coordinator is responsible for the University's compliance with Title IX of the Education Amendments of 1972. In this role, the Title IX Coordinator administers the review, investigation, and resolution procedures for reports of sexual misconduct. Please refer to the Reporting Policies & Procedures section for additional information on the role and duties of the Title IX Coordinator.

- Amanda Rowley, Title IX Coordinator; 315-386-7559
- Courtney Battista Bish, Deputy Title IX Coordinator; 315-386-7120
- Alan Mulkin, Deputy Title IX Coordinator; 315-386-7777

Reporting Policies & Procedures

A. Where to Report All Acts of Sexual Misconduct/Violence
1. Filing a Complaint with the University:
   - A student may report sexual misconduct, including sexual harassment, sexual assault, domestic violence, dating violence, sexual assault, stalking, and cyber-stalking to the following offices:
2. Criminal complaint:
   - University Police: 315-386-7777
3. Institutional complaint:
   - Title IX Coordinator: 315-386-7559
   - Office of Diversity: 315-386-7128
   - Campus Authorities:
     - Counseling Center: 315-386-7314
     - Davis Health Center: 315-386-7333
     - Residential Life:
       - Main Office: 315-386-7513
       - Director: 315-386-7513
       - Grasse River Suites: 315-386-7965
       - Heritage Hall: 315-386-7399
       - Rushton Hall: 315-386-7403
       - Mohawk Hall: 315-386-7215
       - Smith Hall: 315-386-7672
       - Provost Office: 315-386-7202
       - Dean of Students: 315-386-7120
       - Human Resources: 315-386-7325
       - Educational Opportunity Program (EOP): 315-386-7226
       - Athletics Department: 315-386-7335
       - Student Activities (advisors to student clubs/organizations): 315-386-7315
       - Advising Center: 315-379-3954
• Student Discipline
  o Office of Student Conduct/Dean of Students- 315-386-7120
• Employee Discipline
  o Office of Human Resources: 315-386-7325

A student may file a complaint with one or more Offices, and each Office is prepared to assist the student with deciding on where complaints may be filed, if any, and the processes associated with each Office’s complaint procedures. In addition, each Office is able to refer a student for academic accommodations, housing accommodations, and health care services.

4. Filing a Complaint with a Federal Agency:
   If a student chooses to file a complaint with a Federal agency the University who is not satisfied with the University's handling of a complaint, may also file a complaint with federal and state agencies:

   United States Department of Education’s
   Office for Civil Rights, 32 Old Slip 26th Floor
   New York, NY 10005-2500
   Tel: (646) 428-3800
   Email: OCR.Newyork@ed.gov

   New York State Division of Human Rights
   One Fordham Plaza, 4th Floor
   Bronx, NY 10458
   Tel: (718)741-8400

5. Dual Filing a Complaint with the University and a State and/or Federal Agency:
   In addition, the Complainant may file a complaint with the appropriate State or Federal agency at any point during the process.

Role of the Title IX Coordinator in the Complaint Process:
The Title IX Coordinator shall be notified of all sexual misconduct complaints by the University employee who took the complaint in order for the Title IX Coordinator to oversee the complaint processes and accommodations for the student.

A. Investigatory Procedures:
   1. Criminal complaints: the NYS and/or federal penal codes will apply, and the matter will follow the criminal processes through a police investigation, a referral to the District Attorney’s Office for prosecution and the criminal court system for resolution.
   2. Institutional complaints: the complaint will be handled through the University's Policy and Procedures Against Sexual Harassment. Please see www.canton.edu/titleix
   3. Student Disciplinary complaints: the complaint will be handled through the University’s Student Disciplinary Code. Please see www.canton.edu/dos/judicial_affairs.html
   4. Employee Disciplinary complaints: the complaint will be handled through the Office of Human Resources, in accordance with its procedures for complaints against management confidential employees, or for complaints against an employee who is a member of a union, in accordance with the disciplinary procedures set forth in the applicable NYS Collective Bargaining Agreements negotiated statewide through the NYS Governor’s Office of Employee Relations.
5. Evidentiary Standard in Institutional, Student Disciplinary and Employee Disciplinary Complaints:
   Preponderance of the Evidence: the standard of proof in sexual misconduct cases, which asks whether it is “more likely than not” that the sexual misconduct occurred

B. Potential Outcomes under the Procedures:
   1. Criminal Complaints: The complaint may result in criminal penalties, such as fine, community service, probation, jail sentence, registration as a sex offender with the NYS or federal data bases.
   2. Institutional Complaints:
      a. Under the sexual harassment policy, if there is a finding that a sexual assault may have occurred and the alleged perpetrator is:
         ▪ A student, then the matter is referred to the Student Discipline process for student discipline, and the penalties may be disciplinary probation, suspension or expulsion from the dorms, or suspension or expulsion from the University.
         ▪ An employee, then the matter is referred to the Office of Human Resources for employee discipline and the penalties may include fines, formal counseling, probation, suspension with or without pay, or termination from employment.
         ▪ Under the Student Discipline process, the penalties may be disciplinary probation, suspension or expulsion from the dorms, or suspension or expulsion from the University.
         ▪ Under the Employee Disciplinary process, the penalties may be fines, formal counseling, probation, suspension with or without pay, or termination from employment.

C. Retaliation
   The University is firmly committed to a policy that encourages timely disclosure of sexual misconduct. Any person, who, in good faith, reports sexual misconduct will be protected from retaliation (defined as an adverse action taken because an individual has engaged in protected activities), threats of retaliation, suspension or discharge from an educational opportunity or employment, or any other forms or means of discrimination because this person reported alleged sexual misconduct.

D. Confidentiality and Reporting Protocol
   If a crime of sexual misconduct has occurred, including dating violence, domestic violence, sexual assault, or stalking, the college/university encourages accurate and prompt reporting of these crimes to the campus police or State and local police agencies. However, it can be difficult for a victim to come forward after such an event, and there are several options available for students who wish to maintain confidentiality while getting the support they need. Different employees on campus have different abilities to maintain a victim’s confidentiality:

E. Privileged Communications: Some employees are required to maintain near complete confidentiality; talking to them is sometimes called a “privileged communication”

F. No Personally Identifying Information: Other employees may talk to a victim in confidence, and generally only report to the College that an incident occurred without
revealing any personally identifying information. Disclosures to these employees will not trigger a College investigation into an incident against the victim's wishes.

G. **Responsible Employees:** These employees are required to report all the details of an incident (including the identities of both the victim and accused) to the Title IX coordinator. A report to these employees (called “responsible employees”) constitutes a report to the College—and generally obligates the College to investigate the incident and take appropriate steps to address the situation.

H. **Privileged & Confidential Communications:**
   Professional and Pastoral Counselors:
   Professional, licensed counselors and pastoral counselors who provide mental-health counseling to members of the school community (and including those who act in that role under the supervision of a licensed counselor) are not required to report any information about an incident to the Title IX coordinator without a victim's permission. Following is the contact information for these individuals:
   - **Professional & Pastoral Counselors**
     - Melinda Miller, Director of Counseling: 315-386-7314
     - Michael Herzog, Counselor: 315-386-7314
     - James Sheppard, Counselor: 315-386-7314
     - Christina Snell, Counselor: 315-386-7314
     - Campus Ministry Office: 315-386-7018

I. **No Personally Identifying Information:**
   - Non-Professional Counselors and Advocates:
     - Individuals who work or volunteer in the on-campus, including front desk staff and students, can generally talk to a victim without revealing any personally identifying information about an incident to the College. A victim can seek assistance and support from these individuals without triggering a College investigation that could reveal the victim’s identity or that the victim has disclosed the incident. While maintaining a victim's confidentiality, these individuals or their office should report the nature, date, time, and general location of an incident to the Title IX Coordinator. This limited report – which includes no information that would directly or indirectly identify the victim – helps keep the Title IX Coordinator informed of the general extent and nature of sexual violence on and off campus so the coordinator can track patterns, evaluate the scope of the problem, and formulate appropriate campus-wide responses. Before reporting any information to the Title IX Coordinator, these individuals will consult with the victim to ensure that no personally identifying details are shared with the Title IX Coordinator. A victim who speaks to a professional or non-professional counselor or advocate must understand that, if the victim wants to maintain confidentiality, the College will be unable to conduct an investigation into the particular incident or pursue disciplinary action against the accused. Even so, these counselors and advocates will still assist the victim in receiving other necessary protection and support, such as victim advocacy, academic support or accommodations, disability, health or mental health services, and changes to living, working or course schedules. A victim who at first requests confidentiality may later decide to file a complaint with the school or report the incident to local law enforcement, and thus have the incident fully investigated. These counselors and advocates will provide the
J. Non-Professional Counselors and Advocates:
   • Amanda Rowley, Title IX Coordinator: 315-386-7559
   • Courtney Battista Bish, Dean of Students/Deputy Title IX Coordinator: 315-386-7120
   • Alan Mulkin, Deputy Chief of Police/Deputy Title IX Coordinator: 315-386-7777
   • Patty Todd, Director of Davis Health Center: 315-386-7333

K. Reporting to Responsible Employees:
   • A “responsible employee” is a College employee who has the authority to redress
     sexual violence, who has the duty to report incidents of sexual violence or other
     student misconduct, or who a student could reasonably believe has this authority or
     duty. When a victim tells a responsible employee about an incident of sexual violence, the
     victim has the right to expect the College to take immediate and appropriate steps
     to investigate what happened and to resolve the matter promptly and equitably. A
     responsible employee must report to the Title IX coordinator all relevant details about
     the alleged sexual violence shared by the victim and that the College will need to
     determine what happened – including the names of the victim and accused, any
     witnesses, and any other relevant facts, including the date, time and specific location
     of the alleged incident. To the extent possible, information reported to a responsible
     employee will be shared only with people responsible for handling the College's
     response to the report. A responsible employee should not share information with law
     enforcement without the victim’s consent or unless the victim has also reported the
     incident to law enforcement. Before a victim reveals any information to a responsible
     employee, the employee should ensure that the victim understands the employee’s
     reporting obligations – and, if the victim wants to maintain confidentiality, direct the
     victim to confidential resources. If the victim wants to tell the responsible employee
     what happened but also maintain confidentiality, the employee should tell the victim
     that the College will consider the request, but cannot guarantee that the College will
     be able to honor it. In reporting the details of the incident to the Title IX Coordinator, the
     responsible employee will also inform the Coordinator of the victim’s request for
     confidentiality. Responsible employees will not pressure a victim to request
     confidentiality, but will honor and support the victim’s wishes, including for the
     College to fully investigate an incident. By the same token, responsible employees will
     not pressure a victim to make a full report if the victim is not ready to.

L. Requesting Confidentiality:
   • If a victim discloses an incident to a responsible employee but wishes to maintain
     confidentiality or requests that no investigation into a particular incident be conducted
     or disciplinary action taken, the College must weigh that request against the College’s
     obligation to provide a safe, non-discriminatory environment for all students, including
     the victim. If the College honors the request for confidentiality, a victim must
     understand that the College’s ability to meaningfully investigate the incident and
     pursue disciplinary action against the accused may be limited. Although rare, there are
     times when the College may not be able to honor a victim’s request in order to provide
     a safe, non-discriminatory environment for all students. The College has designated the
     following individual(s) to evaluate requests for confidentiality once a responsible
     employee is on notice of alleged sexual violence:
M. Requests for Confidentiality
- Courtney Battista Bish, Dean of Students: 315-386-7120
- Amanda Rowley, Title IX Coordinator: 315-386-7559,
- David Rourke, Director of Human Resources: 315-386-7611

When weighing a victim’s request for confidentiality or that no investigation or discipline be pursued, the above named individuals will consider a range of factors, including the following:
- The increased risk that the accused will commit additional acts of sexual or other violence, such as:
  - whether there have been other sexual violence complaints about the same accused individual;
  - whether the accused has a history of arrests or records from a prior school indicating a history of violence;
  - whether the accused threatened further sexual violence or other violence against the victim or others;
  - whether the sexual violence was committed by multiple perpetrators;
  - whether the sexual violence was perpetrated with a weapon;
  - whether the victim is a minor;
  - whether the College possesses other means to obtain relevant evidence of the sexual violence (e.g., security cameras or personnel, physical evidence);
  - whether the victim’s report reveals a pattern of perpetration (e.g., via illicit use of drugs or alcohol) at a given location or by a particular group.

The presence of one or more of these factors could lead the College to investigate and, if appropriate, pursue disciplinary action. If none of these factors is present, the College will likely respect the victim’s request for confidentiality. If the College determines that it cannot maintain a victim’s confidentiality, the College will inform the victim prior to starting an investigation and will, to the extent possible, only share information with people responsible for handling the College’s response. The College will remain ever mindful of the victim’s well-being, and will take ongoing steps to protect the victim from retaliation or harm and work with the victim to create a safety plan. Retaliation against the victim, whether by students or College employees, will not be tolerated.

The College will also:
- Assist the victim in accessing other available victim advocacy, academic support, counseling, disability, health or mental health services, and legal assistance both on and off campus (see portion of policy identifying these);
- Provide other security and support, which could include issuing a no-contact order, helping arrange a change of living or working arrangements or course schedules (including for the accused pending the outcome of an investigation) or adjustments for assignments or tests; and inform the victim of the right to report a crime to campus or local law enforcement – and provide the victim with assistance if the victim wishes to do so.

The College may not require a victim to participate in any investigation or disciplinary proceeding. Because the College is under a continuing obligation to address the issue of sexual violence campus-wide, reports of sexual violence (including non-identifying reports) will also prompt the College to consider broader remedial action – such as increased monitoring, supervision or security at locations where the reported sexual violence occurred; increasing education and prevention efforts, including to targeted population groups; conducting climate assessments/victimization surveys; and/or revisiting its policies and practices. If the College determines that it can respect a victim’s request for confidentiality, the College will also take immediate action as necessary to protect and assist the victim.
N. Other Confidential Avenues:
There are other ways to disclose a sexual assault that will be handled confidentially:

- Take Back the Night and other Public Awareness Events
  If a student discloses a situation through a public awareness event such as “Take Back the Night,” candlelight vigils, protests, a Student Survivor Advocacy Alliance forum, or other public event, the information the student provides will not result in an investigation. The University may use the information the student provides to inform the need for additional education and prevention efforts.

- Anonymous Reporting
  A student may call the Counseling Center anonymously at 315-386-7314 to talk about the situation and find out information about the student’s options. The student should simply tell the receptionist that he or she would prefer not to give his or her name. The student can talk confidentially with a counselor, and disclose as much or as little information as the student would like to. The student may also complete a Sexual Assault Report anonymously.

- Off-Campus Counselors and Advocates
  Crisis Services and off-campus healthcare providers will generally maintain confidentiality unless a student signs a consent or waiver form.

Establishing Time Frames for the Review Process
SUNY Canton will conduct a timely review of all complaints of domestic violence, dating violence, and/or stalking. Absent extenuating circumstances, review and resolution is expected to take place within sixty (60) calendar days from receipt of the complaint.

The preliminary review of all complaints, including any necessary interviews to be conducted and any necessary interim measures to be put in place, will usually be completed within 14 days of receipt of the complaint.

The subsequent, comprehensive review and investigation of the complaint, including interviews with all involved parties and gathering of evidence, is usually completed within 20 days of receipt of the complaint.

Results of the complaint, via either a formal hearing or waiver of hearing are typically issued within 15 days of receipt of the complaint.

An appeal of the results must be submitted within 4 days of receipt of the written result. Absent extenuating circumstances, decisions on appeals are typically issued within 7 days of submission of the appeal.

Burden of Proof
The burden of proof in all cases is “the preponderance of the evidence” – whether it is “more likely than not” that the sex discrimination, dating violence, domestic violence, sexual assault, or stalking occurred. If the evidence presented meets this standard, then the respondent must be found responsible.

Extensions
All deadlines and time requirements in the Code may be extended for good cause as determined by the Dean of Students/Chief Student Affairs Officer. Both the respondent and the complainant will be notified in writing of the delay, the reason for delay, and provided the date of the new deadline or event. Extensions will not be longer than 5 business/school days.

Evidence
Evidence to be presented by complainant(s) and respondent(s) during any hearing on the charges must be shared with the opposing party at least two (2) business days in advance of the scheduled
hearing. The adjudicating officer and/or Hearing Board Chair may exclude evidence that has not be shared or adjourn the hearing to afford all parties the opportunity to review evidence to be presented during the hearing. The adjudicating officer and/or Hearing Board Chair will make the final decision relating to the admissibility of all evidence.

**How to Help as a Bystander**
The college/university expects all members of the campus community to take reasonable and prudent actions to prevent or stop an act of sexual misconduct. Educating and engaging bystanders are effective ways to help prevent acts of sexual misconduct. Bystanders can help in several different ways, including direct invention, seeking assistance from an authority figure, notifying campus security, or calling State or local law enforcement.

If you see an act of sexual misconduct: It is important to understand that no individual has the right to be violent, even if two people are in a relationship. Recognizing when acts of sexual misconduct are occurring is the first step to intervening. Required campus education and training programs give a full synopsis on recognizing when sexual misconduct is taking place. If you make the decision to intervene, do so safely—violence does not stop violence, and, if you cannot stop the act with your words, call law enforcement. Do not be afraid to ask an RA, RD, or other students for help.

If a victim confides in you: It is important to let the victim tell their story. Listen respectfully, and help them explain and identify what has happened to them. Help the victim identify others in their network who they can confide in. Ask the victim what they need to feel safe, encourage them to seek medical attention and counseling, and encourage them to report the act if they feel comfortable doing so.

**Good Samaritan 911 Policy**
SUNY Canton’s Good Samaritan 911 Policy supports students who reach out for assistance in the case of a medical emergency, as well as supports the student who is helped. Therefore, a student or student organization seeking medical treatment for him/herself, or for any other student who is in immediate medical need, or any student who is the recipient of this emergency medical help, will not be subject to disciplinary sanctions related to the violation of using or possessing alcohol or other drugs, as defined in Community Rights and Responsibilities (Prohibited Conduct Drugs and Alcohol). This policy applies to emergencies both on and off campus.

**Purpose:**
At SUNY Canton, the health and safety of every student is of primary importance and all students are strongly encouraged to be empowered bystanders who respond in a potentially dangerous situation without fear of reprisal from SUNY Canton. SUNY Canton’s Good Samaritan 911 Policy supports students who act responsibly by reaching out for assistance in the case of a medical emergency, as well as supports the student who is helped.

**Application of the Policy:**
A student is eligible to use the Good Samaritan 911 Policy on more than one occasion and students are always strongly encouraged to report a medical emergency. The positive impact of reporting a medical emergency will always hold the highest priority when determining the appropriate response for University policy violations.

Repeated use of the amnesty provided by the Policy is cause for a higher level of concern for the well-being of the student and amnesty in these cases will be individually reviewed.

**Parental Notification:**
Because parents are vital partners in the educational process and because the student can be best supported from home, SUNY Canton typically contacts parents of students under 21 years of age in
instances where there is evidence of risk to health, welfare or safety. In addition, SUNY Canton may record names of those students involved to enable SUNY Canton to follow up with the students as deemed necessary to ensure a student’s well-being.

**Mandatory Intervention Program:**
A student who receives medical assistance for alcohol use under the Good Samaritan 911 Policy will be referred by the Dean of Students/Chief Student Affairs Officer or their representative to a mandatory intervention program, such as the Decision Making Course at the SUNY Canton Counseling Center. Additionally, a student who qualifies for the Good Samaritan 911 Policy by calling for medical assistance for another student may be referred to this program at the discretion of the Dean of Students/Chief Student Affairs Officer.

**Programming for Preventing of Sexual Assault/Awareness on our Campus**
- Personal Safety/Basic Crime Prevention and Tips
- Domestic Violence/Dating Violence
- Alcohol Awareness
- Orientation – Provided for Students and Parents
- Rape Aggression Defense (R.A.D.)
- Healthy Relationships
- The Naked Truth (Sexual Health)
- Can I Kiss You (Practical skills for addressing consent)
- University Police Escort
- Sexual Assault Prevention
- Safer Sex Programs

**Filing of a Formal Complaint**
Anyone who believes they have been discriminated against may file a complaint with Amanda Rowley, Affirmative Action Officer/Title IX Coordinator, French Hall 209, 315-386-7559; or Deputy Title IX Coordinators: Courtney Bish, Dean of Students, Miller Campus Center 225, 315-386-7120 or Alan Mulkin, Deputy Chief of University Police, Dana Hall, 315-386-7777; or e-mail title9@canton.edu. The complainant has 90 calendar days following the alleged discriminatory act or 90 days after a final grade is received if that date is later to file a complaint. References, information, and options, as well as forms for filing a grievance are available from those listed above.


**Responding to a Formal Complaint**
SUNY Canton will conduct a timely review of all complaints of domestic violence, dating violence, stalking, sexual misconduct and/or sexual assault. Absent extenuating circumstances, review and resolution is expected to take place within sixty (60) calendar days from receipt of the complaint.

The student charged shall receive written notification of the filing of a formal complaint, along with a copy of the formal complaint, after the complaint has been received by the Dean of Students. The student charged will meet with the Dean of Students generally within 3 business days after receiving the complaint in order to discuss the nature of the complaint, the rights and responsibilities of the student charged and the student conduct process. The student charged shall receive a written copy of this policy at that time.
Procedures for Judicial Hearings For all Campus Judicial Boards:

1. Charges of alleged misconduct (under Article IV) may be brought against any student or organization.

2. Before a student’s/organization’s case is presented before a campus Judicial Board (except when the Maintenance of Public Order Committee has jurisdiction), the procedures below must be followed:
   a. A student/organization must be:
      • Given written notice of the charges and access to all written statements expected to be used during the hearing.
      • Notified of the right to obtain a support person and the right to refuse to answer questions. If a support person will be present, the guidelines outlined in Section 15.9 3 (B) must be followed.
      • Notified of the time and place of the hearing and given at least four calendar days from the time the student receives their charge letter and notice of hearing date and time, as well as access to all written statements to be used at the hearing in order to prepare a defense. The student/organization may waive, in writing, the right to a four-calendar day waiting period.

3. The College recommends that all students and organizations adhere to the following procedures:
   a. Take four calendar days to prepare their defense; and
   b. The respondent and complainant may be assisted during disciplinary hearings and related meetings, by a support person of their choice. The respondent and complainant may present witnesses and may produce other evidence for consideration by the hearing board or judicial officer. The respondent and complainant are responsible for presenting evidence on their own behalf. The support person may speak privately to their advisee, respondent or complainant, during the proceeding. Either party may request a brief recess to consult with their support person which will be granted at the discretion of the hearing board Chair. Support persons for the respondent and complainant may not present evidence or question witnesses.

NOTE: Attendance at hearings is limited to those directly involved or those requested by the hearing officer or Board to attend. The hearing officer or Board will take reasonable measures to assure an orderly hearing, including removal of persons who impede or disrupt proceedings.

4. A student/organization who fails to appear before the Judicial Board as requested forfeits the opportunity to present their case to the Board. The hearing will be conducted as scheduled and the Judicial Board will act on information, material, and testimony presented to the Board.

5. A hearing body shall not be bound by the strict, technical rules of judicial evidence, but may hear or receive any testimony or evidence which is relevant to the charges and will contribute to the rendering of an impartial and fair judgment by the Hearing Board.

6. The accused may submit a written statement, may invite relevant witnesses to attend, and may ask questions of witnesses called by others. The College may present witnesses as well as question those presented by the accused. Witnesses shall be defined as parties who were present at the alleged incident. Character witnesses are not permitted.

7. At the conclusion of the review, the Student Faculty Hearing Board shall determine (by simple majority vote) whether the student has violated each section of the Student Code of Conduct, which the student is charged with violating.
8. Any sanctions given will be provided to the student in writing within five class days. In cases of suspension or expulsion, the Hearing Board will determine the grades that will be recorded for the student for that semester. Within five (5) class days after the adjournment of a judicial hearing, the hearing board shall submit written findings of fact, conclusions regarding the charge(s), and imposition of a sanction, if any, to the respondent and any College official who is determined by the Dean of Students/Chief Student Affairs Officer to have a legitimate interest in the result to their official SUNY Canton email. In the case of sexual misconduct and violations involving dating violence, domestic violence, sexual assault, or stalking, both the complainant and respondent shall also receive simultaneous notice of the results and sanctions imposed (and the rationale for the result and sanctions), as well as notice of the appellate procedures available, any possible changes to the result that may occur before it becomes final, and when the result becomes final.

9. The adjudicating officer shall keep record of the substance of the hearing. Such records remain the property of the College. Only College judicial affairs staff may record judicial meetings or proceedings. No other recordings are permitted. Such records often contain personally identifiable and sensitive information about participants. The adjudicating officer may report the findings to the College community without revealing personally identifiable information.

10. Adjournments or Extensions: The chairperson shall have the authority to adjourn or postpone hearings if, in his/her opinion, extenuating circumstances are justifiably raised by the accused student(s), the adjudicating officer/designee, or individual judicial board members. The judicial hearing board may adjourn the hearing, imposing temporary sanctions, and schedule sanctioning for a later date. All deadlines and time requirements in the Code may be extended for good cause as determined by the Dean of Students/Chief Student Affairs Officer. Both the respondent and the complainant will be notified in writing of the delay, the reasons for the delay, and provided the date of the new deadline or event. Extensions will not be longer than 5 business/school days. Temporary sanctions may be imposed by the Dean of Students/Chief Student Affairs Officer or designee during any extension.

11. Appeals: A request for an appeal may only be submitted when the student believes:
   a. A procedural error occurred during the process, which had a direct impact on the finding.
   b. That new information has come to light, which has a direct impact on the finding.
   c. The finding or sanction imposed is unfair or inappropriate.

   Appeals of a decision of the SFHB shall be directed through the online appeal form located on the Dean of Students’ webpage [http://www.canton.edu/dos/appeal_form.php](http://www.canton.edu/dos/appeal_form.php) by the respondent to the President or his/her designee within four class days of the respondent’s receipt of the written decision (which will be sent to the respondent’s SUNY Canton email). Appeals of the decisions of the RHHB shall be directed through the online appeal form located on the Dean of Students’ webpage [http://www.canton.edu/dos/appeal_form.php](http://www.canton.edu/dos/appeal_form.php) to the Dean of Students or his/her designee within four class days of the respondent’s receipt of the written decision (which will be sent to the respondent’s SUNY Canton email).

   Appeals of the decisions of the RHHB shall be directed in writing by the respondent to the Dean of Students or his/her designee within four class days of the respondent’s receipt of the written decision.

   **Appeals decisions are final within the campus judicial system.**
12. In extenuating circumstances, or when the College is in recess, the Dean of Students or his/her designee has the authority to convene an emergency Student Faculty Hearing Board; similarly, the Director of Residence Life or designee has the authority to convene a temporary Residence Hall Hearing Board. This Board may be composed of one faculty member and one staff person when a student representative is not available.

Sanctions
Disciplinary sanctions may be imposed on students or organizations that violate the Code of Student Conduct. Any of the sanctions listed below may be imposed with specific terms and conditions as determined by the College.

1. Admonition: Written warning that continuation or repetition of misconduct may result in further disciplinary action.
2. Community Service: The student as part of their sanction may be assigned a community service project which is unpaid work that benefits the College community. The Dean of Students or the Dean's designee will monitor performance of the community service. Failure to complete the assigned community service within the specified period of time will result in an appearance before the original sanctioning body/person and may result in an increased assignment and/or additional sanctions.
3. Denial of Service: Request to leave a campus office/service for a specified period of time. This may include suspension from campus social activities/events as deemed by the Dean of Students or his/her designee.
4. Disciplinary Warning: This is meant as a warning that the student’s status at the College is in jeopardy. Future violations of the Code of Conduct may result in the student's removal from the residence halls, loss of certain social privileges or suspension from the College.
5. Disciplinary Jeopardy: This is meant as a strong warning that the student is in jeopardy at the College. The next incident will likely result in the student's suspension from the residence halls and/or College and loss of certain social privileges.
6. Disciplinary Probation: The student is not permitted to live on campus for a specified period of time and is additionally restricted from the residence halls during that time period. If the student is found in the residence halls during that time period, he/she will be arrested for criminal trespass by the University Police Department. Further the next incident will result in the student's immediate suspension from the College for a period of one academic year.
7. Expulsion: Permanent termination of student status at SUNY Canton. Expulsion will be noted on the student’s permanent record. The Dean of Students will determine the grades that will be recorded for the student for that semester.
8. Exclusion from Dining Hall: Loss of dining privileges for a specified period of time.
9. Interim Suspension: While normally no action will be taken against a student/organization until charges have been heard in accordance with the hearing process established under the Code, a student/organization may be suspended pending a hearing on the charges whenever, in the judgment of the President or the President’s designee, the continued presence of the student/organization would constitute a clear danger to the student or to the safety of persons or property on College premises, or would pose an immediate threat of disruptive interference with the normal conduct of College activities. During the interim suspension, the student may be denied access to the residence halls and/or to College premises (including classes) and/or all other College activities, privileges, or services for which the student might otherwise be eligible, or as the Office of the Dean of Students determines to be appropriate. If suspended in this manner, the student is entitled to an interview with the Dean of Students or his or her designee, in order to outline the process through which the student’s actions will be adjudicated through the student judicial process.
10. Loss of Parking Privileges on the Campus
11. Restitution: Reimbursement for damages to or misappropriation of property.
12. Sanctions Against College-Recognized Organizations: The following sanctions may be imposed on college recognized organizations: admonition, community service, disciplinary probation, dismissal from college, interim suspension, loss of use of college facilities or equipment, restitution, and/or suspension from the college. Greek Council Hearing Board can also impose a monetary penalty against Greek Organizations.
13. Suspension from Residence Hall: Loss of the privilege of living in College residence halls. The imposition of this sanction may include exclusion of the offender from all residence hall facilities and activities for the same period as the revocation of license.
14. Suspension from College: Termination of student/official organization status for a definite period of time. Suspensions will be noted on student's permanent record. The Dean of Students will determine the grades that will be recorded for the student for that semester. NOTE: Failure to satisfactorily complete a disciplinary sanction within the prescribed time frame may result in suspension from college for a minimum of one semester. The suspension would be recorded on the academic transcript.
NOTE: The University considers dating violence, domestic violence, sexual assault, and stalking as extremely serious violations and subject to SUSPENSION and/or EXPULSION from the University. In such cases, an Interim Suspension may also be issued as deemed appropriate by the Dean of Students or designee.

Notification of findings
Within five (5) class days after the adjournment of a judicial hearing, the hearing board shall submit written findings of fact, conclusions regarding the charge(s), and imposition of a sanction, if any, to the respondent and any College official who is determined by the Dean of Students/Chief Student Affairs Officer to have a legitimate interest in the result to their official SUNY Canton email. In the case of sexual misconduct and violations involving dating violence, domestic violence, sexual assault, or stalking, both the complainant and respondent shall also receive simultaneous notice of the results and sanctions imposed (and the rationale for the result and sanctions), as well as notice of the appellate procedures available, any possible changes to the result that may occur before it becomes final, and when the result becomes final.

Notification of Parents and Campus Officials/Offices: The College is committed to a goal of student maturity and self-direction. The College also recognizes that some students have developed these qualities to a greater extent than others. In some cases, where a student has shown a pattern of irresponsible behavior and has not responded to College assistance or resources, parents/guardians may be notified. When a student is suspended, parents/guardians may be contacted. All parental notification shall comply with the provisions of the Family Educational Rights and Privacy Act. Students are urged to discuss all conduct violations with their parents or guardians. The College also reserves the right to notify the appropriate College offices (which may include, but is not limited to: EOP, Residence Life, Athletics, Counseling, University Police, administration) as well as academic advisors and division deans as applicable when students have been placed on disciplinary probation, interim suspension, residential suspension, College suspension or expulsion. All campus notification shall comply with the provision of the Family Educational Rights and Privacy Act.

Adjudication
Every student has the right to appear before a Judicial Hearing Board if they choose to exercise it. The adjudicating officer can also elect to present a case to the Judicial Board even if it is against the wishes of the student being charged. Students may also elect to be adjudicated through Summary Action. In Summary Action the accused party and the adjudicating officer come to
agreement on the violation(s) of the Code of Student Conduct and the appropriate disciplinary sanction(s). The agreed-upon disciplinary action is written up and both parties sign agreeing to the resolution. In so doing, the offender is relinquishing all rights to appeal once the Summary Action form is signed. Please note: Failure on the part of the student to meet with the adjudicating officer to discuss a disciplinary matter is in itself a violation of the Code of Student Conduct and is subject to disciplinary action. In cases of Suspension or Expulsion, the Dean of Students or his/her designee will determine the grades that will be recorded for the student for that semester.

The respondent and complainant may be assisted during disciplinary hearings and related meetings, by a support person of their choice. The respondent and complainant may present witnesses and may produce other evidence for consideration by the hearing board or judicial officer. The respondent and complainant are responsible for presenting evidence on their own behalf. The support person may speak privately to their advisee, respondent or complainant, during the proceeding. Either party may request a brief recess to consult with their support person which will be granted at the discretion of the hearing board Chair. Support persons for the respondent and complainant may not present evidence or question witnesses.

**Definition of Offenses**

Offenses in this report are based on the Federal Bureau of Investigation; Uniform Crime’s Reporting Handbook. These offenses are:

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

- **Criminal Homicide - Manslaughter by Negligence**
  The killing of another person through gross negligence.

- **Criminal Homicide - Murder and Non-negligent Manslaughter** - The willful (non-negligent) killing of one human being by another.

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

- **Aggravated Assault** - An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault is usually accompanied by the use of a weapon or by means likely to produce death or great bodily harm. (It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could and probably would result in serious personal injury if the crime were successfully completed.)

- **Burglary** - The unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes: unlawful entry with intent to commit a larceny or felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.

- **Motor Vehicle Theft** - The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned, including joyriding.)
**Sex Offenses** - The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as: manufacture, sale or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; and all attempts to commit any of the aforementioned.

**Drug Abuse Violations** - Violations of State and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, methadones); and dangerous non-narcotic drugs (barbiturates, Benzedrine).

**Liquor Law Violations** - The violation of laws or ordinances prohibiting: the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to a minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; and all attempts to commit any of the aforementioned. (Drunkenness and driving under the influence are not included in this definition.)

**Hate Crime** - Also known as a bias crime, a hate crime is a criminal offense committed against a person, property or society which is motivated, in whole or in part, by the offender's bias against a race, religion, disability, sexual orientation or ethnicity/national origin. Are misdemeanors or felonies.

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

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

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

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

d) **Statutory Rape** – Non-forcible sexual intercourse with a person who is under the statutory age of consent.

**Dating Violence** – Any act of violence committed by a person who is or has been in a social relationship or a romantic or intimate nature with the survivor. The existence of such a relationship shall be determined based on the survivor’s statement and with consideration of the type and length of the relationship and the frequency of interaction between the persons involved in the relationship. Two people may be in a romantic or intimate relationship, regardless of whether the relationship is sexual in nature; however, neither a casual acquaintance nor ordinary fraternization between two individuals in a business or social context shall constitute a romantic or intimate relationship. This definition does not include acts covered under domestic violence.

**Domestic Violence** – Any violent felony or misdemeanor crime committed by a current or former spouse or intimate partner of the survivor, a person sharing a child with the survivor, or a person cohabitating with the survivor as a spouse or intimate partner.

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

**New York State Law on Sex Offenses**

The following represent all sections of the New York State Penal law which are sex offenses:

**Sec. 120.45 Stalking in the Fourth Degree**

A person is guilty of stalking in the fourth degree when he or she intentionally, and for not legitimate purpose, engages in a course of conduct directed at a specific person, and knows or reasonably should know that such conduct

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

**Sec. 120.50 Stalking in the Third Degree**

When a person

1. commits the crime of stalking in the fourth degree against any person in three or more separate transactions, for which the actor has not been previously convicted; or
2. commits the crime of stalking in the fourth degree against any person, and has previously been convicted, within the preceding ten years of a specified predicate crime and the victim of such specified predicate crime is the victim, or an immediate family member of the victim, of the present offense; or
3. with an intent to harass, annoy or alarm a specific person, intentionally engages in a course of conduct directed at such person which is likely to cause such person to reasonably fear physical injury or serious physical injury, the commission of a sex offense against, or the kidnapping, unlawful imprisonment or death of such person or a member of such person’s immediate family; or
4. commits the crime of stalking in the fourth degree and has previously been convicted within the preceding ten years of stalking in the fourth degree.

**Sec. 120.55 Stalking in the Second Degree**

When a person:

1. commits the crime of stalking in the third degree and in the course of and furtherance of the commission of such offense:
   (i) displays, or possesses and threatens the use of a firearm, pistol, revolver, rifle, sword, billy, blackjack, bludgeon, plastic knuckles, metal knuckles, chukka stick, sand bag, sandclub, slingshot, slungshot, shirken, “Kung Fu Star”, dagger, dangerous knife, dirk, razor, stiletto, imitation pistol, dangerous instrument, deadly instrument or deadly weapons; or
(ii) displays what appears to be a pistol, revolver, rifle, shotgun, machine gun or other firearm; or
2. commits the crime of stalking in the third degree against any person, and has previously been convicted, within the preceding five years, of a specified predicate crime, and the victim of such specified predicate crime is the victim, or an immediate family member of the victim, of the present offense; or
3. commits the crime of stalking in the fourth degree and has previously been convicted of stalking in the third degree; or
4. being 21 years of age or older, repeatedly follows a person under the age of fourteen or engages in a course of conduct or repeatedly commits acts over a period of time intentionally placing or attempting to place such person who is under the age of fourteen in reasonable fear of physical injury, serious physical injury or death; or
5. commits the crime of stalking in the third degree, against ten or more persons, in ten or more separate transactions, for which the actor has not been previously convicted

Sec. 120.60 Stalking in the First Degree
A person is guilty of stalking in the first degree when he or she commits the crime of stalking in the third degree as defined in subdivision three of section 120.50 or stalking in the second degree as defined in section 120.55 of this article and, in the course and furtherance thereof, he or she:
1. intentionally or recklessly causes physical injury to the victim of such crime; or
2. commits a class A misdemeanor defined in article one hundred thirty of this chapter, or a class E felony defined in section 130.25, 130.40 or 130.85 of this chapter, or a class D felony defined in section 130.30 or 130.45 of this chapter

Stalking in the first degree is a class D felony

Sec. 130.20 Sexual Misconduct
A person is guilty of sexual misconduct when:
1. He or she engages in sexual intercourse with another person without such person’s consent; or
2. He or she engages in oral sexual conduct or anal sexual conduct with another person without such person’s consent; or
3. He or she engages in sexual conduct with an animal or a dead human body.

Sexual misconduct is a class A misdemeanor.

Sec. 130.25 Rape in the third degree
A person is guilty of rape in the third degree when:
1. he or she engages in sexual intercourse with another person who is incapable of consent by reason of some factor other than being less than seventeen years old; or
2. being twenty-one years old or more, he or she engages in sexual intercourse with another person less than seventeen years old.
3. he or she engages in sexual intercourse with another person without such person’s consent where such lack of consent is by reason of some factor other than incapacity to consent.

Rape in the third degree is a class E felony.
Sec. 130.30 **Rape in the second degree**
A person is guilty of rape in the second degree when:
1. being eighteen years old or more, he or she engages in sexual intercourse with another person less than fifteen years old.
2. he or she engages in sexual intercourse with another person who is incapable of consent by reason of being mentally disabled or mentally incapacitated. It Shall be an affirmative defense to the crime of rape in the second degree as defined in subdivision one of this section that the defendant was less than four years older than the victim at the time of the act.)

*Rape in the second degree is a class D felony.*

Sec. 130.35 **Rape in the first degree**
A person is guilty of rape in the first degree when he engages in sexual intercourse with another person:
1. by forcible compulsion; or
2. who is incapable of consent by reason of being physically helpless; or
3. who is less than eleven years old.
4. who is less than thirteen years old and the actor is eighteen years old or more.

*Rape in the first degree is a class B felony.*

Sec. 130.40 **Criminal Sexual Act in the third degree**
A person is guilty of a criminal sexual act in the third degree when:
1. he or she engages in oral sexual conduct or anal sexual conduct with a person who is incapable of consent by reason of some factor other than being less than seventeen years old;
2. being twenty-one years old or more, he or she engages in oral sexual conduct or anal sexual conduct with a person less than seventeen years old; or
3. he or she engages in oral sexual conduct or anal sexual conduct with another person without such person's consent where such lack of consent is by reason of some factor other than incapacity to consent.

*Criminal Sexual Act in the third degree is a class E felony.*

Sec. 130.45 **Criminal Sexual Act in the second degree**
A person is guilty of a criminal sexual act in the second degree when:
1. being eighteen years old or more, he or she engages in oral sexual conduct or anal sexual conduct with another person less than fifteen years old; or
2. he or she engages in oral sexual conduct or anal sexual conduct with another person who is incapable of consent by reason of being mentally disabled or mentally incapacitated. (Shall be an affirmative defense to the crime of criminal sexual act in the second degree as defined in subdivision one of this section that the defendant was less than four years older than the victim at the time of the act.)

*Criminal Sexual Act in the second degree is a class D felony.*

Sec. 130.50 **Criminal Sexual Act in the first degree**
A person is guilty of a criminal sexual act in the first degree when he or she engages in oral sexual conduct or anal sexual conduct with another person:
1. by forcible compulsion; or
2. who is incapable of consent by reason of being physically helpless; or
3. who is less than eleven years old; or
4. who is less than thirteen years old and the actor is eighteen years old or more.

*Criminal Sexual Act in the first degree is a class B felony.*
Sec. 130.52 **Forcible Touching**
A person is guilty of forcible touching when such person intentionally, and for no legitimate purpose, forcibly touches the sexual or other intimate parts of another person for the purpose of degrading or abusing such person; or for the purpose of gratifying the actor's sexual desire. For the purpose of this section, forcible touching includes squeezing, grabbing or pinching. 
*Forcible touching is a Class A misdemeanor.*

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

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

a) such other person’s lack of consent was due solely to incapacity to consent by reason of being less than seventeen years old, and

b) such other person was more than fourteen years old, and

c) the defendant was less than five years older than such other person.
*Sexual abuse in the third degree is a class B misdemeanor.*

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

1. incapable of consent by reason of some factor other than being less than seventeen years old; or

2. less than fourteen years old.
*Sexual abuse in the second degree is a class A misdemeanor.*

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

1. by forcible compulsion, or

2. when the other person is incapable of consent by reason of being physically helpless; or

3. when the other person is less than eleven years old.
*Sexual abuse in the first degree is a class D felony.*

Sec. 130.65 – a **Aggravated Sexual Abuse in the fourth degree**
A person is guilty of aggravated sexual abuse in the fourth degree when:

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

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

2. Conducts performed for a valid medical purpose does not violate the provisions of this section.

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

Sec. 130.66 Aggravated Sexual Abuse in the third degree
1. A person is guilty of aggravated sexual abuse in the third degree when he inserts a foreign object in the vagina, urethra, penis or rectum of another person:
   a. by forcible compulsion; or
   b. when the other person is incapable of consent by reason of being physically helpless; or
   c. when the other person is less than eleven years old.

2. A person is guilty of aggravated sexual abuse in the third degree when he or she inserts a foreign object in the vagina, urethra, penis or rectum of another person causing physical injury to such person and such person is incapable of consent by reason of being mentally disabled or mentally incapacitated.

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

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

Sec. 130.67 Aggravated Sexual Abuse in the second degree
1. A person is guilty of aggravated sexual abuse in the second degree when he inserts a finger in the vagina, urethra, penis, or rectum of another person causing physical injury to such person:
   a. by forcible compulsion; or
   b. when the other person is incapable of consent by reason of being physically helpless; or
   c. when the other person is less than eleven years old.

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

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

Sec. 130.70 Aggravated Sexual Abuse in the first degree
1. A person is guilty of aggravated sexual abuse in the first degree when he inserts a foreign object in the vagina, urethra, penis or rectum of another person causing physical injury to such person:
   a. by forcible compulsion; or
   b. when the other person is incapable of consent by reason of being physically helpless; or
   c. when the other person is less than eleven years old.

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

Aggravated sexual abuse in the first degree is a class B felony.
Sec 130.75 **Course of Sexual Conduct Against a Child in the first degree**

1. A person is guilty of course of sexual conduct against a child in the first degree when, over a period of time not less than three months in duration:
   a. He or she engages in two or more acts of sexual conduct, which includes at least one act of sexual intercourse, oral sexual conduct, anal sexual conduct or aggravated sexual conduct, with a child less than eleven years old, or
   b. He or she, being eighteen years or more old, engages in two or more acts of sexual conduct which include at least one act of sexual intercourse, oral sexual conduct, anal sexual conduct or aggravated sexual contact with a child less than thirteen years old.

2. A person may not be subsequently prosecuted for any other sexual offense involving the same victim unless the other charged offense occurred outside the time period charged under this section.

*Course of sexual conduct against a child in the first degree is a class B felony.*

Sec. 130.80 **Course of Sexual Conduct against a child in the second degree**

1. A person is guilty of sexual conduct against a child in the second degree when, over a period of time not less than three months:
   a. The person engages in two or more acts of sexual conduct with a child less than eleven years old; or
   b. being eighteen years old or more, engages in two or more acts of sexual conduct with a child less than thirteen years old.

2. A person may not be subsequently prosecuted for any other sexual offense involving the same victim unless the other charged offense occurred outside of the time period charged under this section.

*Course of sexual conduct against a child in the second degree is a class D felony.*

Sec. 130.85 **Female Genital Mutilation**

1. A person is guilty of female genital mutilation when:
   a. a person knowingly circumcises, excises, or infibulates the whole or any part of the labia majora or labia minora or clitoris of another person who has not reached eighteen years of age; or
   b. being a parent, guardian or other person legally responsible and charged with the care or custody of a child less than eighteen years old, he or she knowingly consents to the circumcision, excision or infibulation of whole or part of such child’s labia majora or labia minora or clitoris.

2. Such circumcision, excision or infibulation is not a violation of this section if such act is:
   a. necessary to the health of the person on whom it is performed, and is performed by a person licensed in the place of its performance as a medical practitioner; or
   b. performed on a person in labor or who has just given birth and is performed for medical purposes connected with that labor or birth by a person licensed in the place it is performed as a medical practitioner, midwife, or person in training to become such a practitioner or midwife.

3. For the purposes of paragraph (a) of subdivision two of this section, no account shall be taken of the effect on the person on whom such procedure is to the performed of any belief on the part of that or any other person that such procedure is required as a matter of custom or ritual.

*Female genital mutilation is a Class E felony.*
Sec. 130.90  **Facilitating a Sexual Offense with a Controlled Substance**

A person is guilty of facilitating a sexual offense with a controlled substance when he or she:

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

2. commits or attempts to commit such conduct constituting a felony defined in this article.

*Facilitating a sexual offense with a controlled substance is a Class D felony.*

Sec. 130.91  **Sexually Motivated Felony**

1. A person commits a sexually motivated felony when he or she commits a specified offense for the purpose, in whole or substantial part, of his or her own direct sexual gratification.

2. A “specified offense” is a felony offense defined by any of the following provisions of this chapter: assault in the second degree as defined in section 120.05, assault in the first degree as defined in section 120.10, gang assault in the second degree as defined in section 120.06, gang assault in the first degree as defined in section 120.07, stalking in the first degree as defined in section 120.60, manslaughter in the second degree as defined in subdivision one of section 125.15, manslaughter in the first degree as defined in section 125.20, murder in the second degree as defined in section 125.25, aggravated murder as defined in section 125.26, murder in the first degree as defined in section 125.27, kidnapping in the second degree as defined in section 135.20, kidnapping in the first degree as defined in section 135.25, burglary in the third degree as defined in section 140.20, burglary in the second degree as defined in section 140.25, burglary in the first degree as defined in section 140.30, arson in the second degree as defined in section 150.15, arson in the first degree as defined in section 150.20, robbery in the third degree as defined in section 160.05, robbery in the second degree as defined in section 160.10, robbery in the first degree as defined in section 160.15, promoting prostitution in the second degree as defined in section 230.30, promoting prostitution in the first degree as defined in section 230.32, compelling prostitution as defined in section 230.33, disseminating indecent material to minors in the first degree as defined in section 235.22, use of a child in a sexual performance as defined in section 263.05, promoting an obscene sexual performance by a child as defined in section 263.10, promoting a sexual performance by a child as defined in section 263.15, or any felony attempt or conspiracy to commit any of the foregoing offenses.

Sec. 130.95  **Predatory Sexual Assault**

A person is guilty of predatory sexual assault when he or she commits the crime of rape in the first degree, criminal sexual act in the first degree, aggravated sexual abuse in the first degree, or course of sexual conduct against a child in the first degree, as defined in this article, and when:

1. In the course of the commission of the crime or the immediate flight therefrom, he or she:
   a. Causes serious physical injury to the victim of such crime; or
   b. Uses or threatens the immediate use of a dangerous instrument; or

2. He or she has engaged in conduct constituting the crime of rape in the first degree, criminal sexual act in the first degree, aggravated sexual abuse in the first degree, or course of sexual conduct against a child in the first degree, as defined in this article, against one or more additional persons; or

3. He or she has previously been subjected to a conviction for a felony defined in this article, incest as defined in section 255.25 of this chapter or use of a child in a sexual performance as defined in section 263.05 of this chapter.

*Predatory sexual assault is a Class A-II felony.*
Sec. 130.96 **Predatory Sexual Assault Against a Child**
A person is guilty of predatory sexual assault against a child when, being eighteen years old or more, he or she commits the crime of rape in the first degree, criminal sexual act in the first degree, aggravated sexual abuse in the first degree, or course of sexual conduct against a child in the first degree, as defined in this article, and the victim is less than thirteen years old.
*Predatory sexual assault against a child is a Class A-II felony.*

Sec. 255.25 **Incest in the Third Degree**
A person is guilty of incest in the third degree when he or she marries or engages in sexual intercourse, oral sexual conduct or anal sexual conduct with a person whom he or she knows to be related to him or her, whether through marriage or not, as an ancestor, descendant, brother or sister of either the whole or the half blood, uncle, aunt, nephew or niece.
*Incest in the Third Degree is a class E felony*

Sec. 255.26 **Incest in the Second Degree**
A person is guilty of incest in the second degree when he or she commits the crime of rape in the second degree, or criminal sexual act in the second degree, against a person whom he or she knows to be related to him or her, whether through marriage or not, as an ancestor, descendant, brother or sister of either the whole or the half blood, uncle, aunt, nephew or niece.
*Incest in the Second Degree is a class D felony*

Sec. 255.27 **Incest in the First Degree**
A person is guilty of incest in the first degree when he or she commits the crime of rape in the first degree, or criminal sexual act in the first degree, against a person whom he or she knows to be related to him or her, whether through marriage or not, as an ancestor, descendant, brother or sister of either the whole or half blood, uncle, aunt, nephew or niece.
*Incest in the First Degree is a class B felony*
# SUNY Canton

## Crime and Arrest Statistics

<table>
<thead>
<tr>
<th>Reported Crimes</th>
<th>2011</th>
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<th>2013</th>
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</tr>
<tr>
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</tr>
<tr>
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</tr>
<tr>
<td>Dating Violence**</td>
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<tr>
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<tr>
<td>Stalking**</td>
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**Indicates new reporting requirements for 2013.**
## FBI Index Crimes (including hate crimes)

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<thead>
<tr>
<th>Criminal Offense</th>
<th>On-Campus (includes residence halls)</th>
<th>On-Campus Student Housing Only</th>
<th>Non-Campus Buildings</th>
<th>Public Property</th>
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</thead>
<tbody>
<tr>
<td>Murder/Non-negligent Manslaughter</td>
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<tr>
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</tr>
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<tr>
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<td>0</td>
</tr>
<tr>
<td>Rape**</td>
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<td>**</td>
<td>1</td>
<td>**</td>
</tr>
<tr>
<td>Fondling**</td>
<td>**</td>
<td>**</td>
<td>1</td>
<td>**</td>
</tr>
<tr>
<td>Incest**</td>
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<td>0</td>
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</tr>
<tr>
<td>Statutory Rape**</td>
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<td>0</td>
<td>**</td>
</tr>
<tr>
<td>Robbery</td>
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<tr>
<td>Burglary</td>
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<td>4</td>
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<tr>
<td>Motor Vehicle Theft</td>
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### Arrests

<table>
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<tr>
<th>Arrests</th>
<th>On-campus Arrests (includes on-campus student housing)</th>
<th>Arrests – On-campus Student Housing Only</th>
<th>Arrest – Non Campus</th>
<th>Arrest – Public Property</th>
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### Campus Disciplinary Referrals

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<tr>
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<th>Student Conduct Referrals On Campus</th>
<th>Student Conduct Referrals On Campus Student Housing</th>
<th>Student conduct Referrals Non-Campus</th>
<th>Student Conduct Referrals Public Property</th>
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<tr>
<td>Liquor Law Violations</td>
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<td>86</td>
<td>53</td>
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<tr>
<td>Drug Law Violations</td>
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<td>Illegal Weapons Possession</td>
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**Indicates new reporting requirements for 2013.
# FBI Index Crimes (including hate crimes)

<table>
<thead>
<tr>
<th>Criminal Offense</th>
<th>On-Campus (includes residence halls)</th>
<th>On-Campus Student Housing Only</th>
<th>Non-Campus Buildings</th>
<th>Public Property</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dating Violence**</td>
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</tr>
<tr>
<td>Domestic Violence**</td>
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<td>--</td>
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</tr>
<tr>
<td>Stalking**</td>
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<td>0</td>
<td>--</td>
</tr>
</tbody>
</table>

**Indicates new reporting requirements for 2013.

When a **Hate Crime** is reported, it will be labeled with the following categories of Prejudice: R=Race, G=Gender, REL=Religion, SO=Sexual Orientation, NO=National Origin, GI=Gender Identity, and/or E=Ethnicity. In addition to the criminal offenses listed on the chart, the following crimes need to be reported if they are hate crimes: larceny-theft; simple assault; intimidation; destruction, damage, vandalism of property: making graffiti; or any other crime involving bodily injury.

SUNY Canton had no reports of Hate Crimes for the year(s) 2011, 2012, or 2013.
Campus Fire Safety
Right to Know

SUNY Canton has a strong history of supporting and developing a campus-wide Fire Safety Program. The residential facilities owned and operated by the university are a high priority, and fire safety is overseen by staff from the Department of Environmental Health & Safety, University Police, Physical Plant, and Residence Life.

Residential Housing – Fire Safety System
Each of our five student residence halls are equipped with a fully integrated fire and smoke alarm system. Each residential room is equipped with a smoke sensor while common areas are equipped with combination smoke/heat sensors. Each residence has sprinkler systems in a limited number of storage areas. Fire extinguishers are also strategically located throughout the residence halls.

Residential Fire Alarms
The fire alarm system is monitored 24/7/365 by Simplex Monitoring Service. The activities of an alarm are received by the monitoring system. The central monitoring service immediately notifies St. Lawrence County Fire Control and then notifies University Police personnel to respond to the location. All fires should be immediately reported to University Police at 315-386-7777.

Evacuation of the Residence Hall
Upon activation of a fire alarm, all residents must immediately evacuate the residence hall. Occupants are to go to the nearest available safe exit and exit the building. Individuals should then move away from the building and await further instructions. Guidelines are also published in the Student Handbook – Fire and Fire Drill Procedures.
Fire Alarm (Drills)
Fire alarm drills are conducted by University Police Department personnel in each of the residence halls. Personnel conduct a minimum of two drills per semester in each of the residence halls. Fire drills are also conducted at times in order to accommodate summer programs or at times when the residence halls are occupied.

Fire Safety Education and Training
The University Police, Residence Life Staff and Environmental Health and Safety Office work closely together to ensure safety. Fire drills are regularly conducted and coordinated with the Canton Volunteer Fire Department. The New York State Office of Fire Prevention and Control trains Residence Life staff each year. At the beginning of each semester, Residence Life staff is also trained to evacuate their buildings and manage door access. Floor meetings are held on each floor in each residence hall to review fire safety and evacuation procedures.

We maintain compliance with New York State Fire Code with respect to our drills. There is a periodic review of our fire safety procedures with Resident Assistants and Resident Directors within the residence halls. Residence Life staff periodically inspect rooms for hazardous and dangerous conditions. We also maintain our sprinkler, fire alarm and smoke detection systems by having trained and competent personnel inspect and test the systems.

All University employees receive initial fire safety training and are expected to familiarize themselves with evacuation plans for buildings they occupy.

A number of University students join the Canton Volunteer Fire Department and the Canton Volunteer Rescue Squad.

Evacuation procedures are posted in each building. Special procedures are in place for evacuating members of the college community with disabilities.

Students residing in the residence halls are trained to leave the building immediately and not to use elevators. Students and Staff are also trained to assemble at pre-established designated assembly locations.

Staff members are required to assist students as well as the University Police and Canton Volunteer Fire Department in complying with safety protocols.

In 2013, a total of 18 fire drills were held in residence halls.

More information can be found by contacting the University Environmental Health and Safety Office at 315-386-7631 or at: http://www.canton.edu/ehs/

For further information on residence hall rules and regulations, please visit the website which describes Residence Hall Policies. http://www.canton.edu/student_affairs/pdf/handbook.pdf

Prohibited Items
Residence Life prohibits a number of items considered to be of potential hazard in the residence hall rooms. As outlined in the Residence Hall Guide, electrical appliances are prohibited in student rooms. Such items consist of, but are not limited to:

- Candles and Incense
- Space Heaters
- Hot Pots
Sun Lamps
Any lamp with a plastic shade or other material which is apparently flammable
Refrigerators exceeding 5 cubic feet
Any extension cord not equipped with a surge protector
Any electrical cooking appliance such as hot pots, Foreman grills, ovens
Potpourri pots
Electric coils
Lava lamps
Toasters or toaster ovens
Air conditioners
Microwave ovens
Electric blankets
Electric percolators and drip coffee pots
Any flammable materials, chemicals including those used in campus laboratories, explosives including fireworks
Any type of firearm including BB guns and paintball devices and other weapons
Tapestries or wall hangings made of fabric
Internal combustion engines

Smoking is not permitted in any Residence Hall.

Future Improvement for Fire Safety
There are always ways to improve campus fire safety. Education of students and staff is ongoing, as there is constant turnover. The SUNY Canton community as a whole is constantly striving to better the understanding of fire safety and compliance through various avenues, such as annual inspections from the Office of Fire Prevention and Control (OFPC), the continuing training of NYS certified Code Enforcement Officers and interaction with the Village of Canton Fire Department.

OFPC and Physical Plant personnel make available training which includes fire safety issues at home and work, proper evacuation procedures at home and work and the demonstration of the proper use of both ABC and CO2 fire extinguishers

Fire Safety
The University Police at SUNY Canton maintains a “fire log” which is available at any time for inspection by students, faculty and staff, at the University Police office, located in the Dana Hall, 210. Following is a chart of fires which occurred on campus during 2013. Please note that the crime of arson would also be reported in our criminal statistic section of this report. We define a fire as “any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner”.

Fire Log 2013

<table>
<thead>
<tr>
<th>Date</th>
<th>Nature of Fire</th>
<th>Time</th>
<th>General Location</th>
<th>Injuries</th>
<th>Value of Property Damaged</th>
<th>Case #</th>
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**Fire Log 2012**

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<th>Date</th>
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<th>Time</th>
<th>General Location</th>
<th>Injuries</th>
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**Fire Log 2011**

<table>
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<tr>
<th>Date</th>
<th>Nature of Fire</th>
<th>Time</th>
<th>General Location</th>
<th>Injuries</th>
<th>Value of Property Damaged</th>
<th>Case #</th>
</tr>
</thead>
</table>

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_Falsely activating a fire alarm or tampering in any way with any fire safety equipment is a serious crime and violation of SUNY Canton policy._

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**ENFORCEMENT**

This section of the SUNY Canton Annual Fire Report identifies laws, rules and regulations applicable to faculty, staff and students. These laws, rules and regulations are enforced by the New York State Division of Homeland Security and Emergency Services - Office of Fire Prevention and Control (through an annual inspection process), UPD, Department of Residential Life, and the SUNY Canton Office of Environmental Health and Safety (EH&S).

**Penal Law of New York State**

**Article 145 Criminal Tampering**

145.14 Criminal Tampering in the third degree
A person is guilty of criminal tampering in the third degree when, having no right to do so nor any reasonable ground to believe that he has such right, he tampers with property of another person with intent to cause substantial inconvenience to such person or to a third person. _Criminal tampering in the third degree is a class “B” misdemeanor._

145.15 Criminal Tampering in the second degree
A person is guilty of criminal tampering in the second degree when, having no right to do so nor any reasonable ground to believe that he has such right, he or she tampers or makes connection with property of a gas, electric, sewer, stream or water-works corporation, telephone or telegraph, corporation, common carrier, nuclear powered electric generating facility, or public utility operated by a municipality or district; except that in any pro section under this section, it is an affirmative defense that the defendant did not engage in such conduct for a larcenous or otherwise unlawful or wrongful purpose. _Criminal tampering in the second degree is a class “A” misdemeanor._
145.20 Criminal Tampering in the first degree
A person is guilty of criminal tampering in the first degree when, with intent to cause a substantial interruption or impairment of a service rendered to the public, and having no right to do so nor any reasonable ground to believe that he or she has such right, he or she damages or tampers with property of a gas, electric, sewer, stream or water-works corporation, telephone or telegraph corporation, common carrier, nuclear powered electric generating facility, or public utility operated by a municipality or district, and thereby cause such substantial interruption or impairment of services.

*Criminal tampering in the first degree is a class “D” felony.*

**Article 15 Arson**

150.00 Arson definitions
As used in this article,
1. “Building”, in addition to its ordinary meaning, includes any structure, vehicle or watercraft used for the overnight lodging of persons, or used by persons for carrying on business therein. Where a building consists of two or more units separately secured or occupied, each unit shall not be deemed a separate building.

2. “Motor vehicle”, includes every vehicle operated or driven upon a public highway which is propelled by any power other than muscular power, except

(a) Electrically-driven invalid chairs being operated or driven by an invalid,
(b) Vehicles which run only upon rails or tracks, and
(c) Snowmobiles as defined in article forty-seven of the vehicle and traffic law.

150.01 Arson in the fifth degree
A person is guilty of arson in the fifth degree when he or she intentionally damages property of another without consent of the owner by intentionally starting a fire or causing an explosion.

*Arson in the fifth degree is a class A misdemeanor.*

150.05 Arson in the fourth degree.
1. A person is guilty of arson in the fourth degree when he recklessly damages a building or motor vehicle by intentionally starting a fire or causing an explosion.

2. In any prosecution under this section, it is an affirmative defense that no person other than the defendant had a possessory or proprietary interest in the building or motor vehicle.

*Arson in the fourth degree is a class E felony.*

150.10 Arson in the third degree.
1. A person is guilty of arson in the third degree when he intentionally damages a building or motor vehicle by starting a fire or causing and explosion.

2. In any prosecution under this section, it is an affirmative defense that
(a) no person other than the defendant had a possessory or proprietary interest in the building or motor vehicle, or if other persons had such interest, all of them consented to the defendant’s conduct, and
(b) the defendant's sole intent was to destroy or damage the building or motor vehicle for a lawful and proper purpose, and
(c) the defendant had no reasonable ground to believe that his conduct might endanger the life or safety of another person or damage another building or motor vehicle.

*Arson in the third degree is a class C felony.*
150.15 Arson in the second degree.
A person is guilty of arson in the second degree when he intentionally damages a building or motor vehicle by starting a fire, and when
(a) another person who is not a participant in the crime is present in such building or motor vehicle at the time, and
(b) the defendant knows that fact or the circumstances are such as to render the presence of such a person therein a reasonable possibility.
*Arson in the second degree is a class B felony.*

150.20 Arson in the first degree.
1. A person is guilty of arson in the first degree when he intentionally damages a building or motor vehicle by causing an explosion or a fire and when
(a) such explosion or fire is caused by an incendiary device propelled, thrown or placed inside or near such building or motor vehicle; or when such explosion or fire is caused by an explosive; or when such explosion or fire either
(i) causes serious physical injury to another person other than the participant; or
(ii) the explosion or fire was caused with the expectation or receipt of financial advantage or pecuniary profit by the actor; and when
(b) another person who is not a participant in the crime is present in such building or motor vehicle at the time; and
(c) the defendant knows that fact or the circumstances are such as to render the presence of such person therein a reasonable possibility.
2. As used in this section, “incendiary device” means a breakable container designed to explode or produce uncontained combustion upon impact, containing flammable liquid and having a wick or a similar device capable of being ignited.
*Arson in the first degree is a class A-I felony.*

**Article 240 Falsely Reporting an Incident**

240.50 Falsely reporting an incident in the third degree
A person is guilty of falsely reporting an incident in the third degree when, knowing the information reported, conveyed or circulated to be false or baseless, he:
1. Initiates or circulated a false report or warning of an alleged occurrence or impending occurrence of a crime, catastrophe or emergency under circumstances in which it is not unlikely that public alarm or inconvenience will result; or
2. Reports, by word or action, to an official or quasi-official agency or organization having the function of dealing with emergencies involving danger to life or property, an alleged occurrence or impending occurrence of a catastrophe or emergency which did not in fact occur or does not in fact exist; or
3. Gratuitously reports to a law enforcement officer or agency (a) the alleged occurrence of an offense or incident which did not in fact occur; or (b) an allegedly impending occurrence of an offense or incident which in fact is not about to occur; or (c) false information relating to an actual offense or incident or to the alleged implication of some person, therein; or
4. Reports, by word or action, an alleged occurrence or condition of child abuse or maltreatment which did not in fact occur or exist to;
(a) the statewide central register of child abuse and maltreatment, as defined in title six of article six of the social services law, or
(b) any person required to report cases of suspected child abuse or maltreatment pursuant to subdivision one of section four hundred thirteen of the social services law, knowing that the person is required to report such cases, and with the intent that such an alleged occurrence be reported to the statewide central register.
240.55 Falsely reporting an incident in the second degree
A person is guilty of falsely reporting an incident in the second degree when knowing the information reported, conveyed or circulated to be false or baseless, he or she:
1. Initiates or circulates a false report or warning of an alleged occurrence or impending occurrence of a fire, explosion, or the release of a hazardous substance under circumstances in which it is nor unlikely that public alarm or inconvenience will result;
2. Reports by word or action, to any official or quasi-official agency or organization having the function of dealing with emergencies involving danger to life or property, an alleged occurrence or impending occurrence of a fire, explosion, or the release of a hazardous substance which did not in fact occur or does not in fact exist; or
3. Knowing the information reported, conveyed or circulated to be false or baseless and under circumstances in which it is like public alarm or inconvenience will result, he or she initiates or circulates a report or warning of an alleged occurrence or an impending occurrence of a fire, an explosion, or the release of a hazardous substance upon any private premises.

240.60 Falsely reporting an incident in the third degree
A person is guilty of falsely reporting an incident in the third degree when he:
1. Commits the crime of falsely reporting an incident in the second degree as defined in section 240.55 of this article, and has previously been convicted of that crime; or
2. Commits the crime of falsely reporting an incident in the third degree as defined in subdivisions one and two of section 240.50 of this article or falsely reporting an incident in the second degree as defined in subdivisions one and two of section 240.55 of this article and another person who is an employee or member of any official or quasi-official agency having the function of dealing with emergencies involving danger to life or property; or who is a volunteer firefighter with a fire department, fire company, or any unit thereof as defined in the volunteer firefighters’ benefit law; or who is a volunteer ambulance worker with a volunteer corporation or any unit thereof as defined in the volunteer ambulance workers’ benefit law suffers serious physical injury or is killed in the performance of his or her official duties in traveling to or working at or returning from a firehouse, police station, quarters or other base facility from the location identified in such report; or
3. Commits the crime of falsely reporting an incident in the third degree as defined in subdivisions one and two of section 240.50 of this article or falsely reporting an incident in the second degree as defined in subdivisions one and two of section 240.55 of this article and another person suffers serious physical injury or is killed as a result of any vehicular or other accident involving any emergency vehicle which is responding to, operating at, or returning from the location identified in such report.
4. An emergency vehicle as referred to in subdivision three of this section shall include any vehicle operated by any employee or member of any official or quasi-official agency having the function of dealing with emergencies involving danger to life or property and shall include, but not necessarily be limited to, an emergency vehicle which is operated by a volunteer ambulance worker with a volunteer ambulance corporation, or any unit thereof as defined in the volunteer ambulance workers’ benefit law.
5. Knowing the information reported, conveyed or circulated to be false or baseless and under circumstances in which it is likely public alarm or inconvenience will result, he or she initiates or circulates a report or warning of an alleged occurrence or an impending occurrence of a fire, an explosion, or the release of a hazardous substance upon school grounds and it is likely that persons are present on said grounds.
6. Knowing the information reported, conveyed or circulated to be false or baseless and under circumstances in which it is likely public alarm or inconvenience will result, he or she initiates or circulates a report or warning of an alleged occurrence or impending occurrence of a fire, explosion or the release of a hazardous substance in or upon a sports stadium or arena, mass transportation facility, enclosed shopping mall, any public building or any public place, and it is likely that persons are present. For purposes of this subdivision, the terms “sports stadium or arena, mass transportation facility or enclosed shopping mall” shall have their natural meaning and the term “public building” shall have the meaning set forth in section four hundred one of the executive law. *Falsely reporting an incident in the first degree is a class D felony.*

The following offices may receive reports of fire/safety concerns on campus:

* University Police (315) 386-7777
* Environmental Health and Safety Officer (315) 386-7001
* Dean of Students (315) 386-7120
* Residence Life Staff (315) 386-7513
* Physical Plant (315) 386-7167

Off Campus:

- Canton Volunteer Fire Department (Non-Emergency) (315) 386-4613
- Emergency Dial 911

**Emergency Evacuation**

The SUNY Canton Environmental Health and Safety (EH&S) Office in conjunction with members from your department, have developed an evacuation plan for students and staff to use during alarm/emergency situations. Each student and staff member is requested to review the plan and be prepared to properly respond in the event of an emergency situation.

**FIRE HAZARDS**

An alert and educated student and staff member is SUNY Canton’s most valuable resource for fire protection. Fire hazards often arise from unsafe conditions and practices. Every person has a responsibility and vested interest in making a concerted effort to correct and improve their living/working conditions and practices.

**Fire hazards include, but are not limited to:**

- **SMOKING:** This activity is permitted only outside in specifically designated areas.
- **STAIRWAYS:** Never block stairway entrances, even temporarily. No obstructions should be left on steps or landings. Fire doors should always remain closed.
- **CORRIDORS:** Corridors, hallways, and aisles must be kept clear of all obstructions (e.g., office furniture, bicycles, compressed gas cylinders, etc.) which might present a fire hazard and impede escape routes.
- **STORAGE AREAS:** Areas used for storage should be kept clean and orderly. Accumulation of trash, rags, or debris of any type is a hazard and an unsafe condition.
- **FIRE PROTECTION DEVICES:** Fire extinguishers, pull stations, audio visual strobes, sprinkler and smoke detectors should at all times be accessible and not blocked by any storage of items.

**EQUIPMENT HAZARDS:**

a. Electrical cords should be placed away from aisles or other pedestrian walkways.
b. Never use electrical cords that are frayed or have exposed wiring.
c. Do not overload electrical outlets by using multiple extension cords, etc.
d. Perform regular maintenance on all equipment. Promptly remove/repair defective equipment.
e. Understand and use all pertinent safety precautions when using electrical appliances and equipment.
f. Never use portable electric space heaters in any building on campus.
g. Only connect portable power taps and extension cords directly into wall receptacles.
h. The use of candles is prohibited in any Campus building.
i. Never install replacement bulbs in lamps that exceed the maximum rated wattage.
j. The use of Halogen lamps is prohibited in any Campus building.

LOADING DOCKS, LOADING AREAS: In Campus facilities, various exits are located near loading docks and/or loading areas. These areas must be kept clear of all obstructions (e.g., pallets, trash, debris, etc.) that may present a fire hazard and impede escape routes.

ALARMS
The majority of College facilities are equipped with sprinkler systems and automated alarm devices. While extremely efficient, these systems do not ensure all emergency/fire situations will be suppressed.
To ensure the safety of all building occupants, the EH&S Office requires the complete evacuation of a facility during an alarm situation. See Attachment #2 and #3 for Residence Hall and Academic building floor plans for exiting.
Failure to see fire or smell smoke does not mean a threat to your safety is not present.
Emergency situations could be the result of:

- Fire
- Gas Leaks
- Natural Disasters Hazardous Materials Incidents

Threats of Violence
Explosion
In the event of a fire emergency, students and staff should practice the procedures associated with the acronym “RACE”.
R - Remain calm, do not panic. Rescue persons in immediate danger.
A - Alarm: Activate the nearest MANUAL PULL STATION and Call it in! See note!
C - Contain fire at point of origin by closing all doors and windows.
E - Evacuate the facility using established procedures.
Note: From a Campus phone, dial 7777 to connect to the University Police Department. Advise University Police that there is a fire/emergency of approximate size and location (building, floor, room #, etc.).
From a cell phone, dial 315-386-7777 to connect to the University Police Department.

EVACUATION GUIDELINES
1. When an alarm sounds prepare to evacuate the building by way of the nearest emergency exit.
   If close by bring your coat, car keys, purse etc. Walk, do not run. Do not use elevators.
Reference
   Attachment #2 and #3 for Building Floor Plans indicating exit, pull station, and fire extinguisher locations.
2. Close all doors as you leave. Do not touch any light switches.
3. Before exiting through any closed door, check for heat and the presence of fire behind the door by feeling the door with the back of your hand. If the door feels very warm or hot to the touch, advise everyone to proceed to another exit.
4. In the event you are unable to exit the building:
   a. Remain calm; do not panic.
   b. Remain low; crawl if necessary.
   c. Place a cloth, wet if possible, over your mouth to serve as a filter.
d. Signal for help from a window. Use a towel, clothing, sign etc.
e. Call 315-386-7777 from a cell or 7777 from a Campus phone for assistance.

The Canton Fire Department and Rescue Squad is responsible for fire rescue and medical aid in emergency situations on SUNY Canton's Campus.

Note: All Faculty must immediately instruct students to evacuate the classroom/laboratory/studio when a fire alarm is activated. Faculty and Building Administrators must also ensure that the students evacuate to the buildings designated assembly areas.

5. Upon exiting the building proceed directly to your assigned assembly area. Do not block any roads, driveways, or parking lots. Fire Department personnel will need unobstructed access to these areas. Students and Staff are requested to report to their assigned assembly area as defined by Attachment #1, Assembly Locations and Site Map.

6. The normal SUNY Canton Campus travel route for fire department access to the various buildings is Cornell Drive (loop road) to a designated fire lane or nearest parking lot in front or to the rear of each building.

7. For Residence Halls at the assigned assembly locations, Resident Directors (RD), Resident Assistants (RA), and Building Administrators (BA) should evacuate with the residence hall housing list and communicate with the students to try and ensure no one is left behind in the building. It is the individual student’s responsibility to evacuate the building when an alarm sounds, report to their assigned assembly area, and communicate with the RD, RA, or BA any information that will assist in the evacuation.

For Academic Buildings at the assigned assembly locations, Faculty and Building Administrators should evacuate with the class attendance sheet and communicate with the students to try and ensure no one is left behind in the building. It is the individual student’s responsibility to evacuate the building when an alarm sounds, report to the building’s assigned assembly area, and communicate with faculty and staff any information that will assist in the evacuation.

Supervisors have the responsibility to account for all staff to make sure everyone has been evacuated. Supervisors shall account for staff on sick time, vacation, and other absences from work. If any students or staff member is found to be missing from the assembly locations, the Fire Department is to be notified immediately by meeting with fire department personnel at the scene.

8. The cessation of an alarm or departure of the Fire Department is not an "all clear" to re-enter the building as corrective measures may still be in progress. Stay clear of the building until the Fire Department or University Police have advised to re-enter the building or area.

9. Assist visitors during alarm/emergency situations. Visitors may not be aware of exits, alternative exits and the procedures that should be taken during alarm situations. Students and staff should calmly inform visitors of the proper actions to be taken and assist them with the evacuation.

10. Handicapped Evacuees: Special provisions are necessary to evacuate students or visitors with disabilities. During a fire emergency, people with disabilities must be assisted to the appropriate exit. This procedure shall be initiated by the Resident Director, Resident Assistant, Building Administrator, or University Police present. This procedure will also be practiced during fire evacuation training and drills.

11. Elevators: **Do Not** use the elevators during an alarm. When the fire alarm sounds in an emergency situation, occupants should use the stairways to evacuate from the floors above and below the building exits.
BUILDING SPECIFIC FEATURES FOR FIRE SAFETY
EMERGENCY VOICE ALARM COMMUNICATION SYSTEMS
The CARC or Roo's House has an Emergency Voice Alarm Communication system which will initiate by the activation of any fire alarm detection device, sprinkler activation, or manual fire alarm pull station.

The sequence of operation is as follows: Upon activation or detection, the alarm siren will sound for 10 seconds. Then, the voice system will announce: “Attention: your attention please, there is a Fire Emergency reported in the building.” “You are to leave the building by the nearest exit or exit stairway.”

“Do not use the elevators.” This message will repeat for a total of three times; then, the alarm siren will sound again until it is reset by the Fire Department.

AREAS OF REFUGE
An area of refuge is: “an area where persons unable to use stairways can remain temporarily to await instructions or assistance during emergency evacuation.”

The Miller Campus Center has areas of refuge on the first and second floors located in the South East stairway (adjacent to the Theater). The areas contain a two-way communication system that will connect with the ground floor interior entrance from Parking Lot #13 upon activation for fire department rescue operations during an emergency.

FIRE FIGHTER PHONES
There are fire fighter telephones located in both stairwells and on each floor of the Faculty Office Building. These phones are for fire department communication only.

OPERATION OF CRITICAL EQUIPMENT AND PROCESSES
Kitchen staff should, if possible, ensure all cooking processes are shut down (turned off) prior to building evacuation. Faculty should ensure, if possible, that all laboratory equipment and processes are shut down prior to evacuation.

EVACUATION DUTIES OF THE RESIDENT DIRECTORS AND RESIDENT ASSISTANTS
1. Collect information or verbal reports from occupants as to the cause of the emergency.
2. Notify others of evacuation.
3. Ensure the safe and orderly evacuation of the building. If applicable, ensure handicapped evacuation plan is properly implemented. Make quick assessments during evacuation.
4. As you are exiting the building, and if conditions permit, you should knock on any closed doors in your area after checking for warmth or smoke, and then, open the door to ensure proper evacuation of all occupants. Check bathrooms and common rooms last, and advise occupants in these areas to leave immediately.
5. Note any individuals who do not evacuate. If a problem arises when an area is evacuated, contact the Fire Department responders and advise them of the situation. Evacuate the area and hold all persons out until a representative from the Fire Department has given the “all clear” to re-enter the building. The RA assigned to monitor the exit areas should remain at a safe distance from the facility at all times.
6. Meet the Fire Department personnel at the predetermined assembly area. Inform fire personnel of any known facts pertaining to the alarm situation. If requested, assist fire department personnel with a walk-through of the facility.
7. Make the decision to call for an evacuation of the building by activating a manual pull station to sound the fire alarm during an emergency if no other alarm has sounded previously. Report all incidents to University Police and the Environmental Health & Safety Office.
EVACUATION DUTIES OF THE BUILDING ADMINISTRATORS AND SUPERVISORS
  1. Coordinates appropriate education and training programs on evacuation procedures for all employees.
  2. Orient temporary staff to evacuation procedures.
  3. Ensures employees have a fire and emergency evacuation plan accessible to them.
  4. Contacts the EH&S Office if there are any needed changes to the evacuation plan: building modifications, staff, etc.
  5. Assists EH&S Office with yearly review of evacuation plan and safety inspections.

At all times, when following any fire procedures, ensure that you are out of danger before trying to complete any emergency task. All building occupants are directed to put life safety before any other goal during fire emergencies. If a fire emergency is identified:

  1. Pull the nearest fire alarm pull station immediately.
  2. Evacuate the building.
  3. When you are in a safe location, Call it in! From a Campus phone, dial 7777 to connect to the University Police Department. Advise University Police that there is a fire/emergency of approximate size and location (building, floor, room #, etc.). From a cell phone, dial 315-386-7777 to connect to University Police, or dial 911 and give the appropriate information as noted above.

CONTACT INFORMATION
For more information on the Emergency Evacuation and Fire Safety Plan and procedures, please contact:
  • University Police, (315)386-7777
  • Environmental Health & Safety Office, (315)386-7160
  • Life Safety Systems Manager, Anthony M. Caracciolo  caracciolot@canton.edu : 315-386-7160
  • Residence Life, (315)386-7513
  • For building maintenance, including fire safety systems and housekeeping information, please contact:
    o Physical Plant, (315)386-7167
## 2013 Fire Drill Statistics for Residential Housing

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<tr>
<th>Residential Facilities</th>
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* Accidental fire alarms in Grasse River Suites, Fall 2013 = 40

### 2013 Statistics and Related Information Regarding Fires in Residential Facilities

<table>
<thead>
<tr>
<th>Residential Facilities</th>
<th>Total Fires in Each Building</th>
<th>Fire Number</th>
<th>Cause of Fire</th>
<th>Number of Injuries That Required Treatment at a Medical Facility</th>
<th>Number of Deaths Related to a Fire</th>
<th>Value of Property Damage Cause by Fire</th>
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<tr>
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* *Grasse River Suites opened for occupancy Fall 2011*

"Whistleblower” Protection

HEOA states that nothing in the law “... shall be construed to permit an institution to take retaliatory action against anyone with respect to the implementation of any provision of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act.”
The following table describes fire safety systems located in the Residence Hall facilities on the SUNY Canton campus:

<table>
<thead>
<tr>
<th>Building</th>
<th>Assembly Space</th>
<th>Detection Type</th>
<th>Sprinkler System (Y/N)</th>
<th>Fire Suppression System (Y/N)</th>
<th>Fire Alarm Sound</th>
<th>Strobe Lights (Y/N)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Grasse River Suites</td>
<td>Front sidewalk parallel to the loop road (in between the light poles)</td>
<td>Heat/Smoke &amp; CO</td>
<td>Y- Fully addressable fire alarm system and wet sprinkler system throughout the building.</td>
<td>N</td>
<td>Horn</td>
<td>Y-In Hallways and Common Areas. Also in Handicap Rooms.</td>
</tr>
<tr>
<td>Heritage Hall</td>
<td>Payson Drive</td>
<td>Heat/Smoke &amp; CO</td>
<td>Y- Fully integrated fire and smoke alarm systems in place. There are sprinkler systems in place in a limited number of storage areas.</td>
<td>N</td>
<td>Horn</td>
<td>Y-In Hallways and Common Areas. Also in Handicap Rooms.</td>
</tr>
<tr>
<td>Rushton Hall</td>
<td>Miller Campus Center Service Lot</td>
<td>Heat/Smoke &amp; CO</td>
<td>Y- Fully integrated fire and smoke alarm systems in place. There are sprinkler systems in place in a limited number of storage areas.</td>
<td>N</td>
<td>Horn</td>
<td>Y-In Hallways and Common Areas. Also in Handicap Rooms.</td>
</tr>
<tr>
<td>Mohawk Hall</td>
<td>Lot #13</td>
<td>Heat/Smoke &amp; CO</td>
<td>Y- Fully integrated fire and smoke alarm systems in place. There are sprinkler systems in place in a limited number of storage areas.</td>
<td>N</td>
<td>Horn</td>
<td>Y-In Hallways and Common Areas. Also in Handicap Rooms.</td>
</tr>
<tr>
<td>Smith Hall</td>
<td>Lot #1</td>
<td>Heat/Smoke &amp; CO</td>
<td>Y- Fully integrated fire and smoke alarm systems in place. There are sprinkler systems in place in a limited number of storage areas.</td>
<td>N</td>
<td>Horn</td>
<td>Y-In Hallways and Common Areas. Also in Handicap Rooms.</td>
</tr>
</tbody>
</table>
CAMPUS SECURITY AUTHORITY
CRIMINAL INCIDENT REPORT

1. Prepared by: Name ____________________________________ Date __________________________
   Title ____________________________________ __________________ __________________

2. Was this crime reported to any Law Enforcement Agency? ☐ Yes ☐ No
   If “Yes,” to which agency:
   ☐ SUNY Potsdam University Police ☐ SUNY Canton University Police
   ☐ Potsdam Village Police Dept. ☐ Canton Village Police Dept.
   ☐ Other ___________________________________________________

3. Does the Reporter wish to file a formal complaint? ☐ Yes ☐ No **Filing a complaint is optional.**
   If “Yes”: Name ____________________________________ Phone __________________________
   Address ____________________________________ ____________________________

4. A) To the best of your ability, please check which crime you feel was committed/reported:
   ☐ Murder ☐ Aggravated Assault ☐ Robbery
   ☐ Non-Negligent Manslaughter ☐ Burglary ☐ Hate Crimes
   ☐ Negligent Manslaughter ☐ Motor Vehicle Theft ☐ Drug Law Violations
   ☐ Forcible Sexual Assault ☐ Illegal Weapons Possession ☐ Arson
   ☐ Non-Forcible Sexual Assault ☐ Liquor Law Violations

   B) Was the crime bias-related? ☐ Yes ☐ No
   If “Yes,” please provide a brief explanation to the best of your ability: __________________________
   __________________________________________________________ ____________________________
   __________________________________________________________ ____________________________
   __________________________________________________________ ____________________________

5. A) Crime occurred: Date______________ Time ____________ Location___________________________
   B) To the best of your ability, please provide a brief description of the incident: ______________________
   __________________________________________________________ ____________________________
   __________________________________________________________ ____________________________
   __________________________________________________________ ____________________________
   __________________________________________________________ ____________________________
   __________________________________________________________ ____________________________

Please forward completed form to: Chief of University Police, Van Housen Ext. 1st Flr. (Potsdam) or Dana Hall (Canton).
The State University of New York at Canton is a public, coeducational, residential college located on a spacious campus along the banks of the Grasse River. There are miles of beautiful trails circling the campus, with wonderful scenic landscapes. Its northern location places SUNY Canton close to the Adirondack Mountains, the St. Lawrence River, and major cities including Ottawa and Montreal.