

## SUNY CANTON COLLEGE COUNCIL

### 267th MEETING

February 24, 2015

<b>Present:</b>	Ronald O'Neill, Chair Joseph Rich Melissa Cummins	Grace Burke Thomas Sauter	Timothy Currier Roger Sharlow
<b>Absent:</b>	Cecily Morris	Chloe Ann O'Neil	Marie Regan
<b>Others:</b>	Zvi Szafran David Gerlach Travis Smith Michaela Young	Courtney Bish Brian Harte Karen Spellacy Amanda Rowley	Elizabeth Erickson Shawn Miller Lenore VanderZee

#### *Call to Order*

Chairman O'Neill called the meeting to order at 9:00 a.m.

He announced that Tom Sauter will be joining us soon, and Marie Regan was unable to make it to the meeting due to an emergency. Liz Erickson will be joining us soon; she has class.

He introduced Amanda Rowley, Administrative Assistant to the VP for Administration and Title IX Coordinator, and Brian Harte who is sitting in for David Hartle.

#### *Minutes from December 5, 2014*

Mr. Currier made a motion to accept the December 5, 2014, minutes as presented. The motion was seconded by Mr. Rich. Mr. Sauter added a comment relative to the Campus Handbook and the SUNY Policy on Sexual Violence. He stated he thought the minutes were lacking as there was quite a discussion regarding various concerns that were summarized into two sentences. He felt that, given the real possibility that there will be litigation over this at some point in the future, the Council needs to protect themselves and show that they did their due diligence by recording that they talked about presumption of guilt vs. presumption of innocence, an administrative procedure for an act that is clearly defined in NY State Law as a criminal offense etc.. It was stated that this comment was made by the Chairman - "hope we got a big budget for lawyers." Mr. Sauter stated that the Council talked about a lot of things that were summarized into two sentences, and that does not accurately reflect the due diligence that the Council did and puts the Council at jeopardy if there is an incidence here that results in litigation. He feels that if something does happen they are going to look at the handbook and what created the policy, and if what created the policy was "a discussion surrounding those concerns happened," the Council will be wide open in his opinion, in terms of being called on the carpet for it. He stated he feels there needs to be more explicit detail about what was discussed that day. He further stated that they are going to approve it because they have no choice but to approve it, but the fact of the matter is that it is not reflective of what was talked about as there was a half hour discussion about it. Mr. Rich agreed. It is not fair to summarize it into two sentences. Mr. Sharlow stated that he agrees; he felt it needed to reflect what their thoughts were with regard to this policy, and it should absolutely

reflect it in the minutes. Mr. O'Neill did not see a problem with not approving the minutes at this meeting and having the minutes revised for approval at the next meeting. Mr. Currier withdrew his motion for approval, as well as Mr. Rich.

### ***New Business***

#### SUNY Policies on Sexual Violence Prevention and Response (See Attached)

Ms. Bish stated that she wanted to go over the policy and response to answer any questions that the Council might still have after reviewing the document. She shared that the areas that needed the vote were the highlighted sections. She briefly went through those sections to let the Council know what, if anything, was a change. The Definition of Affirmative Consent section – this is not something that is currently in the Handbook, so it is an addition. She stated that it was a good addition as it gives more information to our students about what consent is; it has already been put on the website as they felt it was important for the students to see. The next section for review is under Protection and Accommodations, first bullet – this deals with No Contact Orders. This is not a change as they are already done by SUNY Canton. The No Contact Order is a campus document that encourages the students to stay away from one another, not an order of protection which is what one would get in a Court of Law. Those are still options for the students – choice of campus judicial law, criminal proceedings, both, or neither. The second bulleted point under this section provides SUNY Canton the right to suspend students during the process pending an outcome. This is not new; this has been done for an extended period of time. The Student Conduct Process section is currently in the Handbook. It is a best practice that SUNY has provided, and it has been adopted already. Some of the language has changed slightly, but what is being done is this. This is not a major change, but she would like to adopt the language, so there is consistency.

She added that there is an Amnesty policy included as well. The Amnesty policy that SUNY Canton uses was approved by the Council previously, but Courtney wanted to bring it to the Council's attention that the language in the current one would change to match this one if the policy was approved. She understands that it does not require the Council's vote, but she would be glad to hear their feedback on this.

Courtney added that they are moving towards offering additional training this fall for student athletes, Greeks, student leaders, Residence Assistants, and student clubs and organizations at the beginning of the semester before they start their responsibilities. They are also looking to start an online module for students, primarily for new and incoming students with possible expansion later. It would be online and would give them more information. Additionally, they will be doing training in the residence halls and at orientation. This is taken very seriously, and they want the students – on both sides of the house (accused and victim) – to know what their rights are.

Mr. Rich asked if there has historically been much in the way of retaliation for these things. Courtney responded that there has not been here, but nationwide they have seen issues with retaliation. This is something that SUNY is very focused on – making sure that when there is a retaliation that that is taken as seriously as the original offense. She added that that is already in the policy as well.

Mr. Sharlow made a motion to approve the SUNY Policies on Sexual Violence Prevention and Response. The motion was seconded by Mr. Rich and approved. Mr. Sauter requested for his vote to be recorded as no.

### ***Executive Session***

The Chair asked for a motion to go into Executive Session for the purpose of discussing personnel.

Mr. Sauter made a motion to move into Executive Session. The motion was seconded by Ms. Cummins and approved.

The Council allowed Dr. Szafran to stay for the Executive Session; all others were excused until the regular session resumed.

The meeting resumed Regular Session at 9:35 a.m.

The Chair stated that action was taken in Executive Session on the four local awards presented by the College Council. Chairman O'Neill notified the recipients. The recipients chosen for the 2015 awards are:

- Distinguished Citizen ~ Kelley Glasgow
- Distinguished Faculty ~ Daniel Gagliardi
- Excellence in College Service ~ Theresa Corbine
- Employee Recognition ~ Donna Matoes

### ***Chairman's Report***

Mr. O'Neill reported that he attended the first session of the first candidate for provost, and the second candidate is still tentatively scheduled to arrive on Thursday.

### ***President's Report***

#### ***Faculty Affairs/Senate Update***

Ms. Erickson shared that they had one provost candidate cancel, and the second one rescheduled due to weather. There has only been one candidate on campus so far. Liz stated that if anyone attended the sessions and wanted to send comments to her she would pass them on to the Search Committee. She shared that the next candidate would be on campus Thursday, February 26, and there was a change in venue for the open forum due to audio problems. It will now be in Wicks 102.

Ms. Erickson provided the Faculty Senate update as well. There were two main points that came out of the last Plenary Session – the first point has been presented to Faculty Assembly and Executive Cabinet; it is a proposal from the Governor for a mandate on applied learning in all four-year programs. It was stated that applied learning or experiential learning has not been clearly defined; the Chancellor has been asked to further define this, as there are questions surrounding online programs and Bachelor of Arts programs. It was proposed to the Chancellor how troubling this is that the Governor would dictate curriculum and how it is designed. If this passed, it would set a precedent in the country for the first time a Governor has set curriculum and design in a mandate. If it does pass, SUNY Canton will need to

be sure that all of the programs fall within the mandate; there should not be a problem with most, but the online programs would need to be checked on.

The second point that was brought up was the SUNY Excels Matrix. This has already been looked at last semester in regards to the Presidential 360 program – how SUNY will review each Presidential candidate. Now, it is coming back up again with the same five categories and sub-categories – graduation rates, retention, diversity, etc. There is a possibility that this proposal would tie the State funding to the matrix. The first round would require you to have your matrix approved by December, and the portion of funding that was held back would be disseminated at that point if approved. The second part would require you to have met the benchmarks of that matrix.

Both of these points are dependent upon the Governor's budget being approved. The Chancellor is supporting both of the points at this time and does not see any problem with either of them being mandated. Action cannot happen on either of these until the Governor's budget is approved/not approved.

Dr. Szafran shared that it is budget time, and it was interesting to be at the Governor's Budget Address. The SUNY budget is largely flat; there is a small amount of additional funding going to SUNY 2020 initiatives, but everything else is flat. The campus budget is in good shape. The enrollments look solid for the spring; they look very good for the fall, and retention is way up.

There are a number of Admissions efforts happening – inviting school counselors to campus, inviting students to Engineering Week, and letting the world know what we are doing. He also shared that he met with BOCES to tighten up the articulation agreements.

There are many faculty searches going on – some to replace those who have retired or moved on, but some are new.

He reported that there are lobbying efforts happening to get increased allocations for SUNY and Canton in particular. He is doing some editorials to help with this. Some statistics that he found were: salaries on average for those 25-32 with a bachelor's degree or more have a median income of \$45,500/yr. compared to those with only a high school diploma who get \$28,000/yr. The \$28,000 is worse than it seems because it is less money than they made in 1965. The unemployment rate for those with only a high school diploma is 12.2% and is 3.8% for bachelor's degrees and more. Your chances for being below the poverty line for only a high school diploma are 1 in 4, whereas with a bachelor's degree it is 1 in 20. He stated these figures show how important a college degree is. He added that in 1965 a college graduate earned 81% of what a high school graduate earned, and today that is 62% and falling each year. In terms of SUNY's tuition, it is \$6,000/yr., with more than a 100 colleges in this country charging \$30,000/yr., so we remain a bargain. In the North County, SUNY is responsible for providing 6,700 jobs and \$604m in economic activity in this region, and 37% of the people are either employees, students, or alumni of SUNY.

Dr. Szafran stated that they are working to push this forward, so the legislators will hear this. He is looking for earmarks to support capital improvements and programs on the campus, so they are traveling to Albany often. He felt that the response has been very receptive. He stated that there have been some

commitments towards the agriculture program, and he is hoping that there will be some help for the renovation of Dana Hall.

He indicated that they have been meeting with various corporate donors and receiving some good responses. He has also been meeting with alumni.

There will be more grant writing in the future because there cannot be a reliance on State funding as there has been in the past. There needs to be a diversification of the income stream. There is also research being done on ways to sharply increase the online offerings.

Dr. Szafran shared that he has been asked to co-chair the SUNY State-wide Committee on Social Media Responsibility; his co-chair is NY's Chief Digital Officer.

In terms of enrollment initiatives, there is a push for more international students through Brazil's Scientific Mobility Program. There is hope to have some students from that coming in in the fall. There is also hope for more students from China and Canada, and an MOU has been signed with a college in Cameroon. The first two students from that are on the campus now.

The encouragement of more grant writing on campus will be helped by using some of the extra overhead money for mini grants on campus, which hopefully can lead to full grants outside of campus.

He reiterated that the sexual violence policy is being implemented.

The strategic planning process will be restarted in a month or so. The committee has been changed to focus only on strategic planning instead of that and outcomes assessment. It has been moved from the Provost's area to the President's area because there needs to be an emphasis that strategic planning is everyone's responsibility, not just an academic affairs issue.

SUNY has requested that each campus have a Chief Diversity Officer, and that is being discussed to see how it can be done.

The course comment form is being modified with the faculties help. A set of 525 pretested questions will be sent out to them soon for them to choose the ones that they want to have on the form.

There is an effort to capture the story more on campus; there will be a place somewhere to show why SUNY Canton is the greatest place ever. Everyone is welcome to submit reasons.

Chairman O'Neill expressed concern about the fact that even though there is a \$17,000 difference between what is earned by a high school graduate and what a person with a college degree makes, there are many of those people spending that difference on paying back debt, so they do not get ahead. Dr. Szafran indicated that there has been much discussion on this. He shared that SUNY Canton is on a list that he would like to get off of; SUNY Canton is number one in the four-year sector in terms of students who default on their debt. Steps have been taken to help our students reduce their debt. He indicated that it looks worse than it actually is because there are more two-year students measured on the list than four-year, so a better comparator would be the two-year colleges. If SUNY Canton was compared there, the numbers are average. Some efforts that are being worked on are: working with the Development

Office to get more scholarships for students and working to lower the cost to go to college such as the cost of books. Mr. Gerlach shared that the Foundation pays out about \$550,000/yr. in scholarship support. He stated that that is wonderful, but he believes that there could be a need as high as \$2m. The big issue is that State support has changed overtime and has become significantly less. Mr. Rich asked if there is any type of money management program for the students. Mr. Gerlach stated that there is, and the Dean of Business is initiating this. He believes there is a gift that will help with this, so it can be offered to the campus and the community; he is hoping to get the gift this spring.

Lastly, Dr. Szafran added that SUNY is also pushing for multi-year planning in terms of capital budgets. It looks like this may be happening.

He also announced that the Distinguished Faculty Award will now be awarded at Commencement instead of Honors Convocation; it will also be recognized at the President's Gala.

### *Academic Affairs Update*

Ms. Spellacy reported that Winter and Summer Term enrollments continue to grow, which is wonderful, but many of the processes associated with this are still manual. They are working on cleaning up some of these processes to make as many automated as possible to help with the labor aspect.

Karen reiterated that they are working to get a lot more faculty writing grants through the mini grant initiative. Currently, the Foundation helps with some of this, but they would like to increase that help. Faculty would write their mini grant which would help them fund their research for publication or would lead to them writing an external grant for the campus.

A \$1.2m grant for TRiO was submitted in February, and they are working on a CSTEP grant to be submitted in March. They are also working on a 2020 grant, and SUNY grant with Buffalo – a resubmission. They are also working on an Innovative Instruction Tech grant from SUNY.

The Research Foundation conducted another audit, and it was clean.

The Open House for Engineers' Week was on February 24.

The School of Business and Liberal Arts has reduced their departments from four to three with Early Childhood joining the Social Science Department.

In the School of Science, Health, and Criminal Justice, they had some certificate programs that were designed for students that were not quite ready for their program to get them ready. There is an issue now because the Federal government has a gainful employment standard for financial aid for any certificate program. Those programs were not designed to get them a job; they were designed to get them into one of the criminal justice programs or one of the allied health programs. They are working with faculty on those programs to discontinue them. There is a plan to work with the students who would have been in those programs; they will be registered into an Individual Studies Associate Degree Program. They will also work on helping those students who decide the path they are taking is not the right one for them.



She reported that new projects are continuing in Admissions. The number of applications are down, but the number of admits are up due to the new targeted approach.

Dr. Burke asked if there was a program that works with high school students before they get here to know what they need to take prior to getting here. Karen indicated that that is being worked on through one of the Admissions efforts. She shared that this is not hard to do in the North Country, but it is more difficult Statewide because students need to do it in 9<sup>th</sup> or 10<sup>th</sup> grade. Often, students wait until they are seniors to decide on what they want to do, and it is too late to get the courses worked in. They are also trying to simplify the standards for entrance. It was asked if some of those things could be identified through the use of the high school transcript to know if their path is the right one. Karen responded yes, and indicated that that is done. Dr. Szafran explained that the new Individual Studies program will be able to help them figure out what they want to do, as well as allow for better advisement. Mr. Sharlow asked if there is a day where we host guidance counselors. The answer is yes, and we just held one. Dr. Szafran also added that we are working with BOCES to credential students who are taking some of the courses at the Technical Centers. Karen shared that tomorrow night at the BOCES Center in Canton there is a kick off for the PTech Grant (partners – SUNY Canton, BOCES, and North Country Community College (NCCC)), which is where students will take courses in the high schools and transfer into a two-year degree with the grant paying for most of it. SUNY Canton is a partner in a couple of ways: offered our Computer Information Systems program as one of the programs, and we can offer a continuation to some of NCCC's two-year degrees.

#### ***Administrative Affairs Update***

Ms. Miller reported some information on the budget. She provided a comparison sheet (see attached) of expenditures from last year to this year. The spending is pretty much flat. She shared that revenue looks like it will be around \$19m; the target was \$18m, so there will be some to roll over. What this means is that the money that she requested from the SUTRA account will not be needed as the extra can be used, and the reserves will be left alone.

Shawn reported that for spring 3,049 students were billed, and 92% were retained from fall to spring. This has never been done before, and she hopes that this will be a trend.

Shawn reiterated and shared some additional information on the SUNY Excels Matrix plan. This year, a plan needs to be designed, and in the following years, the goal or matrix has to be met. They will withhold 10% off the top of our allocation, \$620,000 for SUNY Canton, and once the plan is approved, that amount will be given back. In the future, the same will occur until the goal/matrix is met. There are a few concerns about this. We should have enough to be okay to make up the \$620,000 until it is given back to us.

This year it looks like the projection for the Tap Gap is going to be \$1.35m.

There is also no collective bargaining money in the Governor's budget proposal. For SUNY Canton, it means absorbing \$250,000. Dr. Szafran and Lenore continue to talk to the legislators about the Tap Gap and the collective bargaining money.

Shawn indicated that the budget is pretty stable, and she felt comfortable with it.

Lastly, Shawn mentioned her concern with the capital budget. Last year, they talked about \$550m for capital and then pulled out \$150m that they let the legislators pass out. We were fortunate and did receive \$1.5m of what they passed out. This year, they reduced the \$400m to \$219m. She is hopeful that there will be funds given to the legislature again to pass out this year. They are starting a new plan where you may be able to tap into campuses that have money but do not have shovel-ready projects at this time. This might help us as we have some projects ready now.

Dr. Szafran reiterated that SUNY has confidence in Shawn, and we are first in our sector as far as stability of the budget.

There is some juggling that needs to be done as far as the budget because of constraints that are placed on the money that we have; we are only allocated to spend 10-months' worth of funds.

Mr. O'Neill asked for clarification on expenses between each category. Shawn explained that the expenses (including salaries) went by specific areas.

### ***Advancement Update***

Mr. Gerlach shared that the President has been traveling a lot – NC, NYC (2), and FL. There has not been that much support in the past; it is very much appreciated. For the corporate outreach, they had a wonderful visit with NYPA. He reported that there have been some follow-up visits with some companies that have come in for speaking engagements; there has been an initial positive response from Corning on a multi-year, \$25,000 or \$30,000, potential commitment.

His staff has been traveling extensively – GA, FL, VA, CO, OR, CA.

Their fundraising efforts, as of January 31, 2015, are at almost \$500,000, towards the \$805,000 goal. Unrestricted funds are still lagging, but they are doing better against a higher goal; \$123,000 raised. Restricted, booster, and other initiatives have raised \$152,000. They have raised \$194,000 for endowments. The overall is 60% to goal. Dave shared that there are three large gifts in the wings, so he is hopeful.

He reported that there is an upcoming Finance Committee meeting. The Board is reviewing the investment advisor status. They received 13 proposals for external advisors, including the company they are currently working with.

He shared that they are hoping to soon receive a car donation – 1956 Lincoln Premier. This will be sold with the proceeds going to the Automotive program. Alumni Weekend will be June 5 and 6, and it will be a music festival. Advancement is working to increase participation for this weekend; there will be three bands, crafters, etc. Dave encourages everyone to consider attending.

Tom Sauter asked who the current advisors are; Dave stated that it is Alesco Advisors.

### ***Public Relations Update***

Mr. Smith reported that they recently hired a new videographer, Morgan Elliott, to help with the new initiative to tell our story. The videos will be put on the website and will also run on a loop on the televisions in the newly renovated space that Admissions is in.



He shared that Morgan, Greg, and others will be joining Engineers' Week to help tell the story; today is the biggest day with a CEO Panel Discussion from Noon – 1 p.m., a Career Fair from 1 – 4 p.m. for all of the Canino students, and an Open House from 5 – 8 p.m. for the public. They are trying to encourage younger students to become interested in engineering, technology, and those types of programs. At 7 p.m., there will be a Marshmallow Challenge where participants need to work to create the tallest structure out of marshmallows, spaghetti, and tape. The winners will receive a \$500 scholarship from the Foundation to attend SUNY Canton.

The Chancellor's Office has asked us to hold some press conferences in the major media outlets; JCC, Potsdam, and SUNY Canton have been selected to go to Watertown on March 4 to promote Invest in SUNY.

Another recognition that SUNY Canton just received is Best Online Criminal Justice degrees; we are in the top 40 from Affordable Colleges Online.org.

Lastly, Travis shared that the Chancellor's Office is announcing who received the Chancellor's Award for Excellence in Adjunct Teaching from each campus; Jill Martin will be receiving this award from our campus.

### ***Student Affairs Update***

Ms. Bish provided some information from athletics. She reported that the overall campus GPA is 2.77, and the athletic GPA is 2.99 with 12 of the 14 teams finishing higher than the student body. Eight of the 14 teams finished with GPAs higher than a 3.0. They, staff and students, have all worked really hard to maintain those GPAs.

Baseball has joined a conference, which is the Empire Eight. We are still working to see which conference we will join as a college, so individual teams are joining conferences at this point.

The Men's Basketball team is hoping to receive an invitation from the ECAC tournament. They have a 16 and 6 record with this being the best year in a long time.

We are hosting the Section X basketball playoffs this week. They are in discussions to host the Special Olympics again this year. They are also hosting the Wounded Warrior program in the Roos House on the first weekend of March.

Courtney shared that they are working on a spot for Title IX with WPBS and the Associated Colleges; we may see Dr. Szafran and others on a panel discussion on WPBS.

Courtney reported that she, Randy, Dr. Szafran, and others went to the NCAA Conference in D.C. in January; there are some other required big conferences for NCAA coming up this semester.

She shared that on the housing side the overall numbers are at 1141. Grasse River Suites is up by 7 students, so they are up a little from last year. The other residence halls are down by 15 students, so overall we are down by 8 students.

Courtney reported that Heritage East has been taken offline for renovations; the Residence Life staff did a wonderful job in relocating those students living in there during the fall to other dorm rooms for the spring. The moves were all successful.

Lastly, Courtney shared that they have a Counseling Intern from Kenya this semester in the Counseling Office.

Chairman O'Neill asked what the average GPA for incoming high school freshman is. It is around 82. It was noted that in the past there was discussion of bumping that up, and it is up from the last ten years or so.

### ***Student Government Association Update***

Ms. Cummins reported that they are working on getting more student involvement. They are having their own SGA workshops to get officers ready for next year; they are also working to help promote the inauguration.

St. Lawrence County is having an international film festival where students from the four colleges can submit their films to compete. It is the first one ever. For more information, please contact Melissa; submissions are due May 4.

They are also looking into what is called the STOMP. This is a community weekend where Canton and St. Lawrence University students get together to go into the community to get discounts from local businesses and offices; this is to help get new students into the community. Courtney added that Potsdam and Clarkson do this already, and we just never had anything like this. This will happen on the weekend of August 29.

Lastly, there are no real concerns that have been brought up by students; everyone seems to be content.

Dr. Szafran added that SGA is doing a lot of good things; they are sponsoring several things such as Habitat for Humanity's Spring Break, Vet Tech Club's trip, Canton Has Talent, etc. Melissa added that the Engineering Club was approved to take their club to the competition in West Point.

Chairman O'Neill ask about the film festival. It was clarified that it was the first time. He also asked if the campus had the capability to produce a film. Melissa shared that the students have been encouraged to work with the GMMD program and Greg Kie's Office for this. Lenore explained a little more about it – there will be screenings on both sides of border and on all four campuses, participation is being encouraged from faculty/staff and students at all four colleges, and it will be held on October 29. A correction to the dates of submission was provided – February 6 – April 24.

### ***University Relations***

Ms. VanderZee reported that she is working closely with legislators at the State level. There have been some good meetings with the legislators in Albany a few weeks ago. Senator Ritchie was very interested in bringing back Ag Management and Ag Tech programs. She is interested in helping us fund these in the form of support for faculty and labs.

She reported that our big capital ask is to rehab Dana Hall. This would not be new construction, but rather the use of existing space to create 40,000 sq. ft. of additional classroom and lab space. This would be less expensive and a bigger bang for the buck. It is felt that we have a decent shot at this. If this went through, it would mostly house our Criminal Justice, Homeland Security, and Emergency Management programs.

They had a very nice tour with Elise Stefanik. Some of the places she saw were the Trading Room, Early Childhood classroom and lab space, and the Veterans' Lounge. She said everything we would want her to say about our campus; Lenore expressed appreciation for the help from the Deans. Additionally, Kerrie Copper is the President of NYSFAA, and she has been working closely with Senator Stefanik's Office to give them information about financial aid and the needs of our students. Stefanik's Office is looking to her as a great resource for information.

Lenore also reported that we are being pushed by SUNY to promote their budget priorities – re-upping the rational tuition plan – #investinsuny will be coming up.

Dr. Szafran shared that the Labor/Management meeting went well, and we are in a good place with them. They asked for a lot of information; it was felt that they liked what they heard. A few things they asked about were the discretionary salary awards – we will be more transparent in the future, the evaluations and performance programs are all up to date, directed studies and how they are compensated – we will be looking into this, advising – we will be taking steps to equalize this.

Chairman O'Neill asked that the revised minutes be emailed to everyone when they are done. Also, he reminded everyone to be careful with information in their packets on awards; it was noted that the information could be left with Michaela to be shredded.

### ***Adjournment***

Mr. Sauter made a motion to adjourn. The motion was seconded by Ms. Cummins and approved at 10:56 a.m.

Respectfully submitted,

Michaela Young  
Secretary to the College Council





The State University  
of New York

## Office of General Counsel

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To: Council of Chief Student Affairs Officers  
Council of Community College Chief Student Affairs Officers  
SUNY Student Conduct Association  
From: Sandra Casey; Andrea Stagg; Joseph Storch; Janet Thayer; Jim Jarvis; MARRISA Trachtenberg  
Date: December 11, 2014

### Re: Guidance on Implementing Sexual Assault Prevention Policies through Councils/Boards

In October, the SUNY Board of Trustees adopted a [resolution](#) relating to the development of uniform sexual assault prevention and response policies. To begin the process, the Chancellor appointed Provost Cartwright to chair a diverse group from across the System and beyond. The group included students, presidents, police and security, faculty, directors of health and counseling centers, Title IX Coordinators, vice presidents of student affairs, orientation leaders, and external community members and advocates. The [Working Group](#) reached a consensus of opinion, and the Chancellor formally adopted the Working Group's proposed [policies](#) on December 1.

Many of the policies and supporting items are effective immediately and do not require governance action at the campus level. However, certain policies (whether entirely or in part) make changes to a campus' Student Code of Conduct (or similarly named document), and pursuant to New York State Education Law, must be adopted at the local level by a College Council (State-operated institutions) or the Board (community colleges).

Attached you will find the finalized policies on sexual violence prevention and response. Items that must be adopted at the local level are highlighted in yellow. Each State-operated and community college must present changes to their Student Code of Conduct to their Council or Board so that they are in place for the beginning of the 2015-2016 academic year. The timeframe for adoption of the highlighted policies by Councils/ Boards should be included in president's report on actions taken to address the policies, which is due by March 31, 2015. As a reminder, SUNY's [guidance on implementing changes required by the Violence Against Women Act](#) includes additional changes to the Code that can be implemented concurrently with the policy changes discussed here.

It is important for Council/Board members to understand the significance and implications of these policies. The vast majority of the language is required by Federal law, namely the [Clery Act](#) (inclusive of the amendments in the 2013 Violence Against Women Act reauthorizations ) and Title IX ( as further interpreted in the [April 2011](#) and [April 2014](#) Office for Civil Rights guidance documents). Regardless of whether SUNY engaged in this initiative, each institution would have been required to make certain changes to their Code and the Annual Security Report, offer resources and rights to members of the community, including specific rights to victims/survivors and to participants in the conduct process. Other requirements found within SUNY's policies are interpretations of these laws, as requested by the Governor, Chancellor and the Working Group. These policies have been well accepted within and outside the SUNY community, and several prestigious individuals and organizations external to SUNY have called these policies a "national model."

While these policies require approval at the local level under the Education Law, Council/Board members should be reminded that these policies are a package deal and that this policy will be uniform across all State-operated and community colleges. The authority granted to the local Council/Boards under the Education law is subject to the general oversight and rules established by the SUNY Board of Trustees. Since the SUNY trustees adopted a resolution requiring uniform policies across all State-operated and community colleges, these policies should not be altered. However, minor modifications are permissible to reflect an institution's process/terminology. Individual institutions, in consultation with their Council/Board may, add additional information or examples to the policies. These policies must form the core of any relevant content. That is to say these policies form the floor but not the ceiling. Additionally, there is no necessity that these policies are passed alone, without other changes to the Code. While the required changes should be handled by a vote, they may certainly be made along with other changes to the Code.

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To Search  
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For more information on other pertinent changes that must be implemented by summer 2015, please see the Office of General Counsel guidance, [Policy and Programming Changes Pursuant to the Campus SaVE Provisions of the Violence Against Women Act](#)—especially the sections entitled “VAWA’s Impact on Student Conduct Codes/Disciplinary Proceedings” and “New VAWA Required Definitions for Student Conduct Codes.” Other specific issues to consider when updating your Code include:

- Language advising accused and reporting/victim students in conduct proceedings regarding sexual assault, domestic violence, dating violence and stalking, that they may bring an advisor of choice (including an attorney) to any meeting or proceeding. This is not limited to the hearing but includes all meetings.
- While these advisors may attend hearings, VAWA’s Final Rules makes it clear that institutions may limit participation of advisors. Most colleges allow attorneys to write notes to their client or request a recess to advise their clients, but do not allow them to speak (often referred to as the “potted plant” rule).
- Language addressing delays requested by student participants in the conduct process and their attorneys. Students may bring an advisor of choice, but institutions may limit the delay, to keep within the 60 day limit advised by the Office for Civil Rights. Counsel’s Office recommends language providing each party with the opportunity to request a one-time delay of five school/business days. If an attorney asks for a three month adjournment due to their other cases, the institution can say that policy only allows for a one time delay of up to five days and they cannot accommodate such a delay.
- While Federal law and SUNY policy clearly forbid retaliation by the institution against students who report violence, we must also forbid intra-party retaliation. For example, if a reporting victim’s friends slash the tires of the named respondent, or the named respondent’s friends yell threats at the reporting victim, the institution may also subject them to discipline for retaliating against someone participating in the student conduct process.

If you have specific questions, please ask your college’s attorney for help. Specific governance questions may be referred to [General Counsel-in-Charge Sandra Casey](#). For questions about the substance of the SUNY policies, please contact either Associate Counsel [Andrea Stagg](#) or [Joseph Storch](#).

Copy: Jessica Todtman  
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## **SUNY Policies on Sexual Violence Prevention and Response December 1, 2014**

This document highlights in yellow all elements of the SUNY-wide policies that must be approved locally by a College Council for State-operated colleges or Board of Trustees for community colleges for inclusion in the Student Code of Conduct.

### **These policies reflect comments from:**

- October 27, 2014 SUNY Working Group Full Day Meeting
- November 7, 2014 SUNY Community Webinar Town Hall
- November 10, 2014 SUNY Community Webinar Town Hall
- November 10, 2014 External Advocates Meeting
- November 14, 2014 SUNY Working Group Full Day Meeting
- November 21, 2014 External Advocates Meeting

For more information about the Chancellor's Temporary Working Group on Continual Improvement to Sexual Violence Prevention Policies and its membership, visit: <http://system.suny.edu/sexual-violence-prevention-workgroup/>

For the SUNY Board of Trustees' resolution calling for the establishment of these policies, visit: <http://www.suny.edu/media/suny/content-assets/documents/boardoftrustees/memos/Sexual-Assault-Response-Prevention-REVISED.pdf>

To Learn  
To Search  
To Serve





# SUNY Policies on Sexual Violence<sup>1</sup> Prevention and Response

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<sup>1</sup> Sexual violence, as that term is used in this document and prior U.S. Office for Civil Rights guidance, refers to physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent (as defined by the affirmative consent policy included herein). A number of different acts fall into the category of sexual violence, including rape, sexual assault, sexual battery, sexual abuse, and sexual coercion. Sexual violence can be carried out by other students, college employees, or third parties. All such acts of sexual violence are forms of sex discrimination prohibited by Title IX.

## Definition of Affirmative Consent

Affirmative consent is a clear, unambiguous, knowing, informed, and voluntary agreement between all participants to engage in sexual activity. Consent is active, not passive. Silence or lack of resistance cannot be interpreted as consent. Seeking and having consent accepted is the responsibility of the person(s) initiating each specific sexual act regardless of whether the person initiating the act is under the influence of drugs and/or alcohol. Consent to any sexual act or prior consensual sexual activity between or with any party does not constitute consent to any other sexual act. The definition of consent does not vary based upon a participant's sex, sexual orientation, gender identity or gender expression. Consent may be initially given but withdrawn at any time. When consent is withdrawn or cannot be given, sexual activity must stop. Consent cannot be given when a person is incapacitated. Incapacitation occurs when an individual lacks the ability to fully, knowingly choose to participate in sexual activity. Incapacitation includes impairment due to drugs or alcohol (whether such use is voluntary or involuntary), the lack of consciousness or being asleep, being involuntarily restrained, if any of the parties are under the age of 17, or if an individual otherwise cannot consent. Consent cannot be given when it is the result of any coercion, intimidation, force, or threat of harm.

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

The health and safety of every student at the State University of New York and its State-operated and community colleges is of utmost importance. [College/University] recognizes that students who have been drinking and/or using drugs (whether such use is voluntary or involuntary) at the time a sexual violence incident occurs may be hesitant to report such incidents due to fear of potential consequences for their own conduct. [College/University] strongly encourages students to report incidents of sexual violence to campus officials. A bystander reporting in good faith or a victim/survivor reporting sexual violence to [College/University] officials or law enforcement will not be subject to campus conduct action for violations of alcohol and/or drug use policies occurring at or near the time of the sexual violence.

## Campus Climate Assessment Policy

Climate assessments afford institutions the opportunity to better understand their campus and to make informed decisions when it comes to providing a safe educational environment. Beginning in the 2015-2016 academic year, each State University of New York State-operated and community college will conduct a uniform climate survey that analyzes prevalence and attitudes regarding sexual harassment, including sexual violence, and other related crimes.

The survey will address at least the following:

- Student and employee knowledge about:
  - The Title IX Coordinator's role;
  - Campus policies and procedures addressing sexual assault;
  - How and where to report sexual violence as a victim/survivor or witness;
  - The availability of resources on and off campus, such as counseling, health, academic assistance;
  - The prevalence of victimization and perpetration of sexual assault, domestic violence, dating violence, and stalking on and off campus during a set time period (for example, the last two years);
  - Bystander attitudes and behavior; and
  - Whether victims/survivors reported to the College/University and/or police, and reasons why they did or did not report.

Beginning in the spring semester of 2015, the Chancellor or designee will convene a group of scholars and practitioners to review methods of assessing campus climate, specific questions asked in past surveys, relevant data on responses and response rates, issues and problems encountered in survey implementation, and lessons learned from past surveys. The Chancellor or designee will gather this data and seek to develop a standardized survey, with the advice of relevant members of the SUNY community and knowledgeable outside entities, that uses established measurement tools, to be implemented every two years by all SUNY State-operated and community colleges beginning in the 2015-2016 academic year. This policy may be changed by the Chancellor or designee should federal and/or State legislation require a different process or duplicate efforts to assess campus climate via survey.



## Sexual Violence Victim/Survivor Bill of Rights

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

The right to:

- Have disclosures of sexual violence treated seriously.
- Make a decision about whether or not to disclose a crime or incident and participate in the conduct or criminal justice process free from outside pressures from college officials.
- Be treated with dignity and to receive from college officials courteous, fair, and respectful health care and counseling services.
- Be free from any suggestion that the victim/survivor is at fault when these crimes and violations are committed, or should have acted in a different manner to avoid such a crime.
- Describe the incident to as few individuals as practicable and not to be required to unnecessarily repeat a description of the incident.
- Be free from retaliation by the College, the accused, and/or their friends, family and acquaintances.
- Exercise civil rights and practice of religion without interference by the investigative, criminal justice, or conduct process of the College.

### Options in Brief:

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

- Receive resources, such as counseling and medical attention;
- Confidentially or anonymously disclose a crime or violation (for detailed information on confidentiality and privacy, visit [\[LINK TO Options for Confidentially Disclosing Sexual Violence\]](#)).
- Make a report to:
  - An employee with the authority to address complaints, including the Title IX Coordinator, a Student Conduct employee, or a Human Resources employee;
  - [University Police/Campus Security];
  - Local law enforcement; and/or
  - Family Court or Civil Court.

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

## Sexual Violence Response Policy

In accordance with the Victim/Survivor Bill of Rights, victims/survivors shall have the right to pursue more than one of the options below at the same time, or to choose not to participate in any of the options below:

### I- Reporting:

- To report *confidentially* the incident to one of the following college officials, who by law may maintain confidentiality, and can assist in obtaining services (more information on confidential report is available in the Options for Confidentially Disclosing Sexual Violence Policy [link]):
  - Anonymously via an internet or telephone anonymous reporting system [link];
  - Counseling Office [contact information]; and
  - [other].
- To disclose *confidentially* the incident and obtain services from the New York State, New York City or county hotlines: <http://www.opdv.ny.gov/help/dvhotlines.html>. Additional disclosure and assistance options are catalogued by the Office for the Prevention of Domestic Violence and presented in several languages: <http://www.opdv.ny.gov/help/index.html> (or by calling 1-800-942-6906), and assistance can also be obtained through:
  - SurvJustice: <http://survjustice.org/our-services/civil-rights-complaints/>;
  - Legal Momentum: <https://www.legalmomentum.org/>;
  - NYSCASA: <http://nyscasa.org/responding>;
  - NYSCADV: <http://www.nyscadv.org/>;
  - Pandora's Project: <http://www.pandys.org/lgbtsurvivors.html>;
  - GLBTQ Domestic Violence Project: <http://www.glbtqdv.org/>; and
  - RAINN: <https://www.rainn.org/get-help>.
  - Safe Horizons: <http://www.safehorizon.org/>.(note that these hotlines are for crisis intervention, resources, and referrals, and are not reporting mechanisms, meaning that disclosure on a call to a hotline does not provide any information to the campus. Victims/survivors are encouraged to additionally contact a campus confidential or private resource so that the campus can take appropriate action in these cases).
- To report the incident to one of the following college officials who can offer *privacy* and can assist in obtaining resources (note that an official who can offer privacy may still be required by law and college policy to inform one or more college officials about the incident, including but not limited to the Title IX Coordinator):
  - Title IX Coordinator;
  - [University Police/Campus Security]; and
  - [Other].
- To file a criminal complaint with [University Police/Campus Security] and/or with local law enforcement:
  - [College/University police or security office, phone number, address]
  - [Local law enforcement office, phone number, address]
- To file a report of sexual assault, domestic violence, dating violence, and/or stalking, and/or talk to the Title IX Coordinator for information and assistance. Reports will be investigated in accordance with [College/University] policy. If a victim/survivor wishes to keep his/her identity private, he or she may call [applicable office] anonymously to discuss the situation and available options ([Link to applicable policy]):
  - [Title IX Coordinator/Office, phone number, address, email address]
- When the accused is an employee, a victim/survivor may also report the incident to the [College/University Office of Employee Relations or Office of Human Resources] or may request that one of the above referenced confidential or private employees assist in reporting to Employee Relations or Human Resources. Disciplinary proceedings will be conducted in accordance with applicable collective bargaining agreements. When the accused is an employee of an affiliated entity or vendor of the college, college officials will, at the request of the victim/survivor, assist in reporting to the appropriate office of the vendor or affiliated entity and, if the response of the vendor or affiliated entity is not sufficient, assist in obtaining a persona non grata letter, subject to legal requirements and college policy.
  - [Employee Relations or Human Resources Office, phone number, and address]
- You may withdraw your complaint or involvement from the [College/University] process at any time.



## II- Resources:

- To obtain effective intervention services.
  - [Counseling center, address, phone number]. [Describe applicable charges or include a statement of no charge].
  - [Student health center, address, phone number]. [Describe applicable charges or include a statement of no charge]. Sexual contact can transmit Sexually Transmitted Infections (STI) and may result in pregnancy. Testing for STIs and emergency contraception is available [provide contact information for one or multiple on or off-campus locations where students can obtain tests for STIs and describe whether such testing is free or at a cost].
  - [Other applicable available on- and off-campus centers and services, and their addresses, phone numbers, and web sites].
    - Within 96 hours of an assault, you can get a Sexual Assault Forensic Examination (commonly referred to as a rape kit) at a hospital. While there should be no charge for a rape kit, there may be a charge for medical or counseling services off campus and, in some cases, insurance may be billed for services. You are encouraged to let hospital personnel know if you do not want your insurance policyholder to be notified about your access to these services. The New York State Office of Victim Services may be able to assist in compensating victims/survivors for health care and counseling services, including emergency funds. More information may be found here: [http://www.ovs.ny.gov/files/ovs\\_rights\\_of\\_cv\\_booklet.pdf](http://www.ovs.ny.gov/files/ovs_rights_of_cv_booklet.pdf), or by calling 1-800-247-8035. Options are explained here: <http://www.ovs.ny.gov/helpforcrimevictims.html>.

## III- Protection and Accommodations:

- When the accused is a student, to have the college issue a "No Contact Order," meaning that continuing to contact the protected individual is a violation of college policy subject to additional conduct charges; if the accused and a protected person observe each other in a public place, it is the responsibility of the accused to leave the area immediately and without directly contacting the protected person.
- To have assistance from [University Police/Campus Security] or other college officials in obtaining an Order of Protection or, if outside of New York State, an equivalent protective or restraining order.
- To receive a copy of the Order of Protection or equivalent and have an opportunity to meet or speak with a college official who can explain the order and answer questions about it, including information from the Order about the accused's responsibility to stay away from the protected person(s); that burden does not rest on the protected person(s).
- To an explanation of the consequences for violating these orders, including but not limited to arrest, additional conduct charges, and interim suspension.
- To have assistance from [University Police/Campus Security] in effecting an arrest when an individual violates an Order of Protection or, if outside of New York State, an equivalent protective or restraining order within the jurisdiction of [University Police/Campus Security] or, if outside of the jurisdiction or [if Campus Security does not have arresting powers] to call on and assist local law enforcement in effecting an arrest for violating such an order.
- When the accused is a student and presents a continuing threat to the health and safety of the community, to have the accused subject to interim suspension pending the outcome of a conduct process.
- When the accused is not a member of the college community, to have assistance from [University Police/Campus Security] or other college officials in obtaining a persona non grata letter, subject to legal requirements and college policy.
- To obtain reasonable and available interim measures and accommodations that effect a change in academic, housing, employment, transportation, or other applicable arrangements in order to ensure safety, prevent retaliation, and avoid an ongoing hostile environment. While victims/survivors may request accommodations through any of the offices referenced in this policy, the following office can serve as a point to assist with these measures:
  - [Office name and contact information]



#### IV- Student Conduct Process:

- To file student conduct charges against the accused, Conduct proceedings are governed by the procedures set forth in the [College/University handbook] ([link to handbook]) as well as federal and New York State law, including the due process provisions of the United States and New York State Constitutions.
- Throughout conduct proceedings, the accused and the victim/survivor will have:
  - The same opportunity to have access to an advisor of their choice. Participation of the advisor in any proceeding is governed by federal law and the Student Code of Conduct;
  - The right to a prompt response to any complaint and to have their complaint investigated and adjudicated in an impartial and thorough manner by individuals who receive annual training in conducting investigations of sexual violence, the effects of trauma, and other issues related to sexual assault, domestic violence, dating violence, and stalking.
  - The right to an investigation and process conducted in a manner that recognizes the legal and policy requirements of due process and is not conducted by individuals with a conflict of interest.
  - The right to receive written or electronic notice of any meeting or hearing they are required to or are eligible to attend.
  - The right to have a conduct process run concurrently with a criminal justice investigation and proceeding, except for temporary delays as requested by external municipal entities while law enforcement gathers evidence. Temporary delays should not last more than 10 days except when law enforcement specifically requests and justifies a longer delay.
  - The right to review available evidence in the case file.
  - The right to a range of options for providing testimony via alternative arrangements, including telephone/videoconferencing or testifying with a room partition.
  - The right to exclude prior sexual history or past mental health history from admittance in college disciplinary stage that determines responsibility. Past sexual violence findings may be admissible in the disciplinary stage that determines sanction.
  - The right to ask questions of the decision maker and via the decision maker indirectly request responses from other parties and any other witnesses present.
  - The right to make an impact statement during the point of the proceeding where the decision maker is deliberating on appropriate sanctions.
  - The right to simultaneous (among the parties) written or electronic notification of the outcome of a conduct proceeding, including the sanction(s).
  - The right to know the sanction(s) that may be imposed on the accused based upon the outcome of the conduct proceeding and the reason for the actual sanction imposed. For students found responsible for sexual assault, the available sanctions are suspension with additional requirements and expulsion/dismissal.
    - [Student Judicial/Conduct Office, phone number, and address]
- The right to choose whether to disclose or discuss the outcome of a conduct hearing.



## Options for Confidentially Disclosing Sexual Violence

The State University of New York and [College/University] want you to get the information and support you need regardless of whether you would like to move forward with a report of sexual violence to campus officials or to police. You may want to talk with someone about something you observed or experienced, even if you are not sure that the behavior constitutes sexual violence. A conversation where questions can be answered is far superior to keeping something to yourself. Confidentiality varies, and this document is aimed at helping you understand how confidentiality applies to different resources that may be available to you.

### In this Policy:

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

### Privileged and Confidential Resources:

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

- [College/University]'s Counseling Services: [names and/or phone numbers, address, web site]
- Individuals serving in a pastoral role under [applicable campus ministries, if any]: [names and/or phone numbers, address, web site]
- [College/University] physicians, licensed medical professionals or supervised interns when they are engaged in a physician/patient relationship: [names and/or phone numbers, address, web site]
- [College/University] confidential victim advocates: [names and/or phone numbers, address, web site].

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

- Off-campus counselors and advocates. Crisis services offices will generally maintain confidentiality unless you request disclosure and sign a consent or waiver form. More information on an agency's policies on confidentiality may be obtained directly from the agency.
  - [Check <http://nyscasa.org/>. Provide specific names if possible, contact information, and information about office, such as whether it provides compensation to victims/survivors of crimes or helps replace property lost or damaged during the crime].
  - [Local SANE hospitals and programs]
- Off-campus healthcare providers
  - Note that medical office and insurance billing practices may reveal information to the insurance policyholder, including medication and/or examinations paid for or administered. The New York State Office of Victim Services may be able to assist in compensating victims/survivors for health care and counseling services, including emergency compensation. More information may be found here: [http://www.ovs.ny.gov/files/ovs\\_rights\\_of\\_cv\\_booklet.pdf](http://www.ovs.ny.gov/files/ovs_rights_of_cv_booklet.pdf), or by calling 1-800-247-8035. Options are explained here: <http://www.ovs.ny.gov/helpforcrimevictims.html>.

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

### Non-Professional Counselors and Advocates:

Non-professional counselors and advocates can also assist you without sharing information that could identify you. At [College/University], this includes members of [any existing campus advocacy, peer counseling, and other applicable centers – provide contact information including email, phone number, and address]. These individuals

will report the nature, date, time, and general location of an incident to [College/University]'s Title IX Coordinator, but will consult with you to ensure no personally identifying details are shared without your consent. These individuals are not considered confidential resources as discussed above.

#### **Privacy versus Confidentiality:**

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

#### **Requesting Confidentiality: How [College/University] Will Weigh the Request and Respond:**

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

We will assist you with academic, housing, transportation, employment, and other reasonable and available accommodations regardless of your reporting choices. While victims/survivors may request accommodations through several college offices, the following office can serve as a primary point of contact to assist with these measures [Office name and contact information]. We also may take proactive steps, such as training or awareness efforts, to combat sexual violence in a general way that does not identify you or the situation you disclosed.

We may seek consent from you prior to conducting an investigation. You may decline to consent to an investigation, and that determination will be honored unless the [College/University]'s failure to act may result in harm to you or other members of the [College/University] community. Honoring your request may limit our ability to meaningfully investigate and pursue conduct action against an accused individual. If we determine that an investigation is required, we will notify you and take immediate action as necessary to protect and assist you.

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

- Whether the accused has a history of violent behavior or is a repeat offender;
- Whether the incident represents escalation, such as a situation that previously involved sustained stalking;
- the increased risk that the accused will commit additional acts of violence;
- Whether the accused used a weapon or force;
- Whether the victim/survivor is a minor; and
- Whether we possess other means to obtain evidence such as security footage, and whether the report reveals a pattern of perpetration at a given location or by a particular group.

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

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

**Anonymous Disclosure:**

[Outline options and instructions for anonymous support and assistance that are available at your College/University, including a hotline or an online form]. The Hotline is for crisis intervention, resources and referrals and is not a reporting mechanism.

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

**Institutional Crime Reporting**

Reports of certain crimes occurring in certain geographic locations will be included in the [College/University] Clery Act Annual Security Report in an anonymized manner that neither identifies the specifics of the crime or the identity of the victim/survivor. [Contact information for Title IX Coordinator, Deputy Coordinators/designees, and other related campus individuals].

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

The Family Educational Rights and Privacy Act allows institutions to share information with parents when (1) there is a health or safety emergency, or (2) when the student is a dependent on either parents' prior year federal income tax return. Generally, [College/University] will not share information about a report of sexual violence with parents without the permission of the victim/survivor.



## Student Onboarding and Ongoing Education Guide

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

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

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

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

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

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

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

- President's welcome messaging;
- Peer theater and peer educational programs;
- Online training;
- Social media outreach;



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

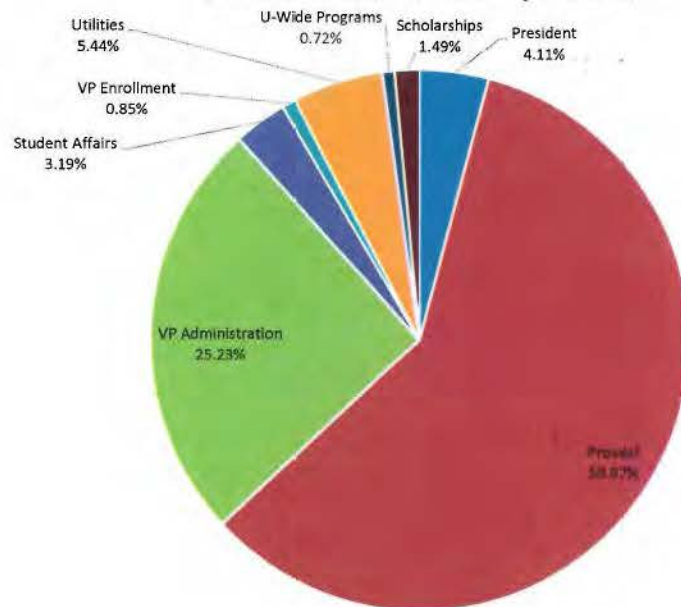
Each SUNY campus must report back to the Chancellor on or before March 31, 2015 on their plan to comply with this policy. Each institution must engage in an occasional assessment of their programming under this policy to determine effectiveness. The institution may either assess its own programming or conduct a review of other campus programming and published studies to adapt its programming to ensure effectiveness and relevance to students.

## SUNY Canton

### Campus expenditures by fund by division at 1/31/2014

Division	2013-2014 Total Expended + Encumbered
President	923,579
Provost	13,266,146
VP Administration	5,676,173
Student Affairs	717,262
VP Enrollment	190,935
Utilities	1,223,067
U-Wide Programs	162,823
Scholarships	336,218
	<u>22,496,204</u>

2013-2014 Percent of Total Expenditures



## SUNY Canton

### Campus expenditures by fund by division at 1/31/2015

Division	2014-2015 Total Expended + Encumbered
President	981,093
Provost	12,908,985
VP Administration	5,383,913
Student Affairs	1,061,356
VP Enrollment	307,840
Utilities	1,034,970
U-Wide Programs	517,413
Scholarships	770,206
	<u>22,537,138</u>

2014-2015 Percent of Total Expenditures

