



Westchester  
Community College

State University of New York

# Westchester Community College

2015  
Annual Security Report

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## **INTRODUCTION**

The purpose of this report is to provide our faculty, staff, and students with campus security and safety information in order that their experiences at Westchester Community College may be safe and enjoyable. This report is prepared by the Westchester Community College Security Department and any questions regarding it should be directed to Campus Security, located in Room #118 of the Student Center Building, or telephone (914) 606-6730.

This report is filed as required by the federal “Crime Awareness and Campus Security Act,” (hereafter referred to as the Campus Safety Act) which was last amended in 1998. This report includes statistics for the previous three years concerning reported crimes that occurred on campus, in certain off campus buildings or property owned or controlled by Westchester Community College, and on public property within, or immediately adjacent to, and accessible from the campus. This report also includes institutional policies concerning campus security, alcohol and drug use, crime prevention, the reporting of crimes, sexual assault, and other matters. The Advisory Committee on Campus Safety will provide upon request all campus crime statistics as reported to the United States Department of Education. To obtain these crime statistics, access the U.S. Department of Education website at:

<http://ope.ed.gov/security>

To get a copy of the full report and crime statistics, contact the Security Office, Room 118 in the Student Center Building (914-606-6730) or access the following website:

<http://www.sunywcc.edu/security>

## **EMERGENCY ALERT SYSTEM**

Westchester Community College uses an emergency alert system that can send text messages, email, and voice messages. Students, faculty and staff are automatically signed up for the system using the contact information in their employee/student records. This system is available only to students and employees of Westchester Community College. All personal information will be kept confidential and the system will ONLY activated in the event of an emergency or important campus announcements.

Additionally, public address systems and flat-screen displays are located throughout Westchester Community College buildings. These systems may also be activated to provide critical information during an emergency.

## **CAMPUS SECURITY OBJECTIVE**

The objective of Campus Security is to provide a safe environment for teaching, research and social endeavors and to protect the lives and property of the students, employees, and visitors to Westchester Community College. This objective is pursued within the framework of Westchester Community College’s rules and regulations and all local, state, and federal laws. The investigation of crimes committed on campus fall under the jurisdiction the Westchester County Police with assistance from the Director of Campus Security and his assistants. Campus Security administrators maintain an excellent rapport with the local police and work closely with them to maintain a safe campus.

The college upholds the rights of students and staff to know of incidents which occur on campus, measures taken to promote precautions, and swift effective responses to crises. The responsibility for maintaining personal and campus safety is shared by all students, faculty, and staff of the College.

Westchester Community College and the Security Department recognize the necessity of a community which is open and intellectually stimulating, where diversity of ideas is valued and every person’s safety, dignity and

autonomy is respected whether they are students, faculty, or staff, and regardless of race, ethnicity, age, religion, class, national origin, gender, sexual orientation, or disability.

### **THE CAMPUS SEX CRIMES PREVENTION ACT**

The Campus Sex Crimes Prevention Act (section 106 of Public Law 106-39) is a federal law enacted on October 28, 2000 that provides for the tracking of convicted sex offenders enrolled at or employed by institutions of higher education. This law requires institutions of higher education to issue a statement advising the campus community where law enforcement agency information provided by a State, concerning registered sex offenders, may be obtained. In New York, you can obtain this information by contacting the Division of Criminal Justice Services at 1-900-288-3838 or visiting their web site at <http://www.criminaljustice.state.ny.us/nsor/index.htm>. To request information you must be at least 18 years old and must provide your name, address, and telephone number. The Information Line is open Monday through Friday from 8:00 am to 5:00 pm.; it is not open on state holidays.

### **STUDENT ENROLLMENT/EMPLOYEES**

In the Fall Semester of 2015, Westchester Community College enrolled nearly 13,000 credit students (54% full time and 46% part-time); and almost 14,000 non-credit students. In addition, the college has more than 500 full time employees and over 1,000 adjunct professors.

### **SECURITY AND ACCESS TO CAMPUS FACILITIES**

In order to gain access to campus facilities outside of normal college hours (Monday-Friday 7am-10:30pm), persons must arrange with the Facilities Coordinator for the use of the facilities. After permission has been obtained, the Director of Security must be contacted for arrangements to gain access to the building(s). The Director of Security in conjunction with other administrators will determine the need for Westchester County Police or contract security officers to be assigned to events held at Westchester Community College. Any incidents occurring at these events should be reported to, and handled by Campus Security.

### **REPORTING OF ON-CAMPUS CRIMES AND INCIDENTS**

The Director of Campus Security at Westchester Community records crime and incident statistics throughout the year. These statistics are recorded in monthly campus security reports sent to the President of the college and the Dean and Vice President of Administrative Services. These statistics are totaled at the end of the year and shared with the college community. These statistics are also reported to the United States Department of Education and made available to the public. The last section of this report contains campus crime statistics including arrests and disciplinary referral made to campus authorities for alcohol, drugs, and weapons possession. As defined by the Campus Safety Act, a referral is an instance when a student is formally reported in writing to a college officer for possible sanction.

As required by the Campus Safety Act, Westchester Community College must include hate crime statistics in this report. A hate crime occurs when a person is victimized intentionally because of his/her actual or perceived race, gender, religion, sexual orientation, ethnicity or disability.

Formal requests for crime statistics for areas defined as “public property” and “non-campus buildings and property” were made with local police departments for the main campus and all off site locations. The definitions of these offenses, which are defined in the “Uniform Crime Report” and the “Crime Awareness and Campus Security Act,” appear later in this report.

## **DAILY CRIME LOG**

Campus Security maintains a daily log of crimes and incidents occurring on campus that is available for the public to view. This information is recorded by date, time, general location, and disposition of the complaint. The daily log is available at the Security Office, Student Center, Room #118 Monday through Friday from 9:00 AM to 5:00 PM. Entries or updates are generally made within two business days after the event occurs. Incidents or situations deemed to pose a threat to the campus community are logged as soon as possible. While most events are logged, the Director of Campus Security may determine that an incident be temporarily classified as “confidential” in order not to jeopardize a criminal investigation or the identity of a victim.

## **CAMPUS SECURITY AND THEIR RELATIONSHIP WITH LAW ENFORCEMENT**

The Westchester County Department of Public Safety has primary law enforcement jurisdiction at the Valhalla Campus and is responsible for the investigation of all crimes reported on campus. Primary law enforcement jurisdiction at each Extension Center falls to the Police Department having jurisdiction in the municipality where the center is located.

Members of the Campus Security Department do not have peace or police officer arrest powers, but two members of the Westchester Community College Campus Security Department are retired from the New York City Police Department and have extensive knowledge of police procedures. In addition, the following is the status of Campus Security:

1. Uniformed Security Officers and Supervisors are provided twenty-four hours a day, seven days a week through a contract service.
2. Uniformed security staffing levels are adjusted throughout the year as appropriate. Staffing levels are highest during the fall and spring semesters, when the college is open.
3. The Security Dispatcher is on duty twenty-four hours a day, seven days a week.
4. Immediate response to emergencies is provided by Security Department personnel, the Westchester County Police Department, and other local emergency services organizations.
5. Westchester County Police patrol the campus Monday through Friday, eight hours a day, during the fall and spring semesters.
6. Additional Uniformed Security Officers and/or Westchester County Police Officers are provided as needed for special events.

NOTE: The contract security officers receive eight hours of pre-employment training, sixteen hours of on the job training, and eight hours of annual refresher training as required by New York State. Additionally, all Security Officers receive 16 hours of site-specific training at the college prior to assignment. They do not have police or peace officer arrest powers.

Criminal activity at off-campus property is monitored by the Campus Security Department in cooperation with the local police. Students involved in off-campus situations involving alcohol/drug offenses or other criminal activities may be referred for campus disciplinary procedures.

## **INVESTIGATION OF VIOLENT FELONY OFFENSES & MISSING STUDENTS**

Article 129-A of the New York State Education Law requires all public, private, community colleges and universities in New York State to adopt and implement rules and a plan for investigating violent felony offenses committed on campus and also for the investigation of any report received of a missing student who resides on campus. Furthermore, the law requires that the plan shall provide for coordination with local enforcement agencies, and shall include written agreements with these agencies for the prompt investigation of these crimes. In compliance with this requirement, Westchester Community College has established a Memorandum of Understanding (MOU) with the Westchester County Department of Public Safety, establishing guidelines for the coordination of law enforcement efforts on the campus and the investigation of crimes, including those listed above.

## **ADVISORY COMMITTEE ON CAMPUS SECURITY**

As required by Article 129-A of the New York State Education Law, Westchester Community College maintains an Advisory Committee on Campus Security. This committee meets during the year to review, and recommend improvements to, WCC policies and procedures relating to a variety of security and personal safety issues. The Advisory Committee on Campus Safety will provide all campus crime statistics as reported to the United States Department of Education upon request. See the introduction above for further information about receiving these statistics.

## **CRIME PREVENTION ACTIVITIES**

The WCC campus is generally a safe and secure environment; however, it is a public access facility, and we cannot guarantee who is on the campus and for what purpose. You must be alert for your own safety and security. Listed below are some suggestions for your safety:

1. Pay careful attention to your personal belongings.
  - Keep purses, gym bags, book bags and wallets in your view or under lock and key.
  - Because textbooks are expensive, they may be a temptation to a thief. Put your name on each book, and do not leave your books unattended.
2. Lock your car doors each time you leave the car.
3. Leave nothing in your car within view of a potential thief. Do not, for instance, store your books on the back seat.
4. Have your car keys in hand before leaving a building.
5. Evening students in particular are encouraged to walk in groups to cars and bus stops after leaving class or the Library.
6. Members of the college community are urged to secure their valuables and be aware of their surroundings.

Additionally, the following security measures are in place for your safety:

- Campus Security in conjunction with other departments hold educational programs each semester on a variety of topics including personal safety awareness, rape awareness, sexual assault training, and anti theft programs.
- Information on safety and security is provided to students and employees upon request via seminars, crime alerts, campus wide e-mail, posters, and the college student newspaper.
- During orientation, students are informed of safety programs and the safety services available on campus.
- The campus is well lighted in parking areas and pathways frequently traveled by students.
- There are Emergency Blue Light Phones strategically-located throughout the campus that connect directly with the County Police without having to dial. These phones are for emergencies requiring immediate police assistance. Directions for proper use are printed on the inside of the call box in English and Spanish.

- There is a “Campus Emergency Phone” in the lobby of each building. This phone will automatically dial the college Emergency Number (ext. 6-911) when activated.
- By calling extension 6984, or (914) 606-6984 from an outside phone, a person may request that a Security Officer accompany them between buildings, to his/her automobile, or to the bus stop.
- To contact the Security Department for an **emergency** dial 6-911 from any college phone. If calling from a payphone or other outside phone, dial (914) 606-6911.
- It should be noted that in addition to the above security suggestions the College makes **free cell phones** available for any student in need of a 911 emergency connection. Please contact our Security Office in the Student Center.
- The Security Department will assist students and staff in obtaining and enforcing **orders of protection** when necessary.

## **VIDEO SURVEILLANCE CAMERAS**

Westchester Community College maintains video surveillance cameras at various locations throughout our facilities. Video is recorded to provide a historical record that will facilitate the investigation of crimes after the fact. The presence of cameras can sometimes deter certain crimes from occurring; however, these cameras are not intended to prevent crime from happening. Although there will be times when a camera may be monitored in real-time, you should assume that the cameras are not being actively monitored the majority of the time, and are not a guarantee of safety. You should always take appropriate precautions to ensure your own safety, even when you see video surveillance cameras are present.

The video surveillance cameras are used for campus safety purposes and to facilitate the investigation of crimes after the fact. The recorded data from the video surveillance cameras will only be accessible to Westchester Community College Security Department administrators, their designees, and law enforcement when appropriate. The data will be accessed to facilitate investigations, or as needed to improve security services at Westchester Community College. No unapproved persons may monitor or view video for any reason except as necessary in the course of an investigation or adjudication. Westchester Community College will make every effort to cooperate with federal, state, and local law enforcement investigations, including the provision of video surveillance camera data, as appropriate and necessary.

## **BIAS CRIMES INFORMATION**

Generally, a person commits a hate crime when he or she commits a specified offense and is motivated in whole or in part by bias on the part of the offender toward the race, color, national origin, gender, religion, sexual orientation, age (sixty or older), or disability of the victim.

Penalties for bias related crimes range from monetary fines up to a minimum of twenty years in prison, depending on the nature of a specific offense. Specific information regarding hate crime offenses and related penalties may be obtained from article 485 of the New York State Penal Law.

Whenever a member of the college community becomes a victim of a bias related crime, that member shall notify the Westchester Community College Security Department as soon as possible. The Security Department will respond, ascertain information for a report, and make the following notifications as appropriate:

- Local police
- President’s office
- Associate Dean of Student Personnel Services
- Counseling
- Director of Personnel (staff involved)
- Other notifications where warranted



All reports of bias crimes will be investigated and perpetrators will be subject to administrative discipline consistent with Westchester Community College policies and procedures as well as criminal prosecution as allowed by law.

The Westchester Community College Department of Counseling and Student Development is available to assist any individual who believes they are the victim of a bias crime. The services include not only the coordination of intervention with other campus departments, but also on campus counseling as well as referrals to off-campus agencies and services.

The following bias crime was reported to the Westchester Community College Security Department in 2015:  
1 reports of destruction/damage/vandalism of property based on national origin.

No bias crimes were reported to Westchester Community College Security Department in 2014.

The following bias crime was reported to the Westchester Community College Security Department in 2013:  
1 reports of destruction/damage/vandalism of property based on gender.

The following bias crimes were reported to the Westchester Community College Security Department in 2012:  
2 reports of destruction/damage/vandalism of property based on race.

The following bias crimes were reported to the Westchester Community College Security Department in 2011:  
1 reported intimidation and 5 reports of destruction/damage/vandalism of property based on race.

The following bias crimes were reported to the Westchester Community College Security Department in 2010:  
3 reported assaults based on sexual orientation, 1 reported intimidation based on religion, and 6 reports of destruction/damage/vandalism of property (4 based on sexual orientation, 2 based on race).

The following bias crimes were reported to the Westchester Community College Security Department in 2009:  
1 reported criminal mischief, categorized as biased against sexual orientation.

The following bias crimes were reported to the Westchester Community College Security Department in 2008:  
1 reported harassment, 1 reported criminal mischief, 1 reported 3<sup>rd</sup> degree assault, and 1 reported aggravated assault. All four of these reports were categorized as racially biased incidents.

Prior to 2008, we received occasional reports for the scratching/tearing of posted flyers that indicated a bias against sexual orientation and we received an occasional report of criminal mischief (making graffiti) with a swastika in it, which might be an indication of one or more bias categories including race, religion, national origin and/or sexual orientation.

The Security Department utilizes the following methods to advise students, faculty and staff about security measures on campus:

- WCC website
- Annual Campus Security & Safety Report
- Student Handbook
- Faculty Handbook
- Informational brochures issued by the Security Department

## **REGISTERED SEX OFFENDERS**

Any Registered Sex Offender attending or working at Westchester Community College is required by law to inform the NYS Division of Criminal Justice Services (DCJS) of their status at the college. Once informed,

DCJS sends a notification to Westchester Community College and local law enforcement. Additionally, as a precaution, WCC notifies the Westchester County Police Department of any Registered Sex Offender known to be attending or working at the college each semester. Westchester Community College requires Registered Sex Offenders attending or working at the college to check-in with the Security Department whenever they arrive on campus, or leave the campus.

### **SEXUAL CRIMES, DATING/DOMESTIC VIOLENCE, & STALKING INFORMATION**

Westchester Community College (WCC) is committed to creating a community free from violence. Sexual assault, harassment, dating/domestic violence and stalking as defined by State and Federal law will not be tolerated at WCC, college supported events or activities, or at functions of recognized student organizations, on or off campus. WCC will take action, as needed, to discourage, prevent, correct and if necessary, discipline behavior that violates this standard of conduct. Such discipline will depend on the nature of the offense and may range from a disciplinary warning up to and including expulsion from the college. More detailed information related to disciplinary process and sanctions may be found in the Student Handbook. Additionally, such offenses may constitute crimes according to Federal and New York State Law and would be subject to criminal prosecution.

The institution has programs to prevent domestic violence, dating violence, sexual assault, and stalking. When an incident of domestic violence, dating violence, sexual assault, or stalking is reported, the College will provide victims with written notice of available options, remedies, and services. If the accused individual is a student, the standard of evidence used in an institutional disciplinary hearing will be preponderance of the evidence.

#### **Education Programs re VAWA Crimes**

The College has education programs to promote the awareness of rape, acquaintance rape, dating violence, domestic violence, sexual assault, and stalking. These education programs include primary prevention and awareness programs for all incoming students and new employees. These education programs will include: a statement that these crimes are prohibited at the College; definitions of consent, domestic violence, dating violence, sexual assault, and stalking in the College's jurisdiction; safe and positive bystander intervention when there's a risk of one of those incidents; information on risk reduction to recognize warning signs of abusive behavior and avoiding potential attacks; and information about the institutional disciplinary procedures.

#### **Sanctions for VAWA Crimes**

Following a final determination of an institutional disciplinary procedure for cases of rape, acquaintance rape, dating violence, domestic violence, sexual assault, or stalking, the following sanctions or protective measures may be imposed: suspension, expulsion, education programs, community service, probation, no-contact order.

#### **Procedures for survivors of domestic violence, dating violence, sexual assault, or stalking**

Survivors/victims of these crimes will be provided written information about evidence preservation, how and to whom to report these crimes, options about involvement of law enforcement and campus authorities, and assistance in notifying law enforcement if the victim chooses, as well as the option to decline to notify authorities. Victims will also be provided information in writing about rights and institutional responsibilities regarding no contact orders, orders of protection, or other available applicable options.

- Evidence preservation: In order to best preserve evidence, victims should avoid showering, washing, hanging clothes, combing hair, drinking, eating, or doing anything to alter physical appearance until after a physical exam has been completed.
- Reporting: Victims should report to:
  - o Ruben Barato, Title IX Compliance Officer, [ruben.barato@sunywcc.edu](mailto:ruben.barato@sunywcc.edu), Academic Arts Building 302a, (914) 606-8539

- Roxanne Santiago, Clinical Social Worker, [Roxanne.santiago@sunywcc.edu](mailto:Roxanne.santiago@sunywcc.edu), Student Center 224, (914) 606-7784
  - Kristy Robinson, Clinical Social Worker, [Kristy.robinson@sunywcc.edu](mailto:Kristy.robinson@sunywcc.edu), Student Center 224, (914) 606-7784
  - Security Department Emergency Number (914) 606-6911
- Notifying Law Enforcement: Victims have the right to notify law enforcement, and the campus can assist in notifying law enforcement if victims choose. Victims may also choose to decline to notify authorities.

### **Procedures for institutional disciplinary procedures in cases of domestic violence, dating violence, sexual assault, and stalking**

The institutional disciplinary procedures will provide a fair, prompt, and impartial process from investigation to final result. The investigation and any hearing will be conducted by those who receive annual training on issues related to VAWA crimes, how to conduct an investigation, and a hearing process that protects victim safety and promotes accountability. Parties are entitled to the same opportunities to have an advisor of their choice present at any hearing and related meetings. There is no limit to the choice of an advisor; however, the parties are responsible for presenting evidence on their own behalf. Advisors may speak privately to their advisee during the proceeding, and cannot present evidence or cross-question witnesses. Parties will be informed simultaneously in writing of the outcome of the process, the availability of any appeal procedures, and when the results become final after any appeals

The disciplinary processes available for victims of domestic violence, dating violence, sexual assault, and stalking are:

#### **I. Reporting:**

The following procedures have been adopted by Westchester Community College to receive, investigate, and resolve complaints of discrimination on the basis of sex and sexual misconduct. These procedures are designed to provide a supportive process for individuals who file complaints and to ensure a fair process for individuals who are accused of discriminatory conduct and sexual misconduct. Sexual misconduct, including domestic violence, dating violence, stalking, sexual exploitation and sexual assault and sexual violence, has been recognized as a form of discrimination in violation of Title IX.

Any student who experiences conduct that the student believes is in violation of Title IX is encouraged to report that conduct to the Title IX Compliance Officer, Security or the Director of Judicial Affairs. The student is also encouraged to make a report to the police for legal action if the conduct violates New York State or local laws. Both of these processes can happen simultaneously.

The College's procedures seek to ensure a prompt (within 60 days of initial reporting), fair, and impartial investigation and resolution. Procedures will be conducted by college officials who receive annual training on issues related to domestic violence, dating violence, stalking, sexual exploitation and sexual assault, as well as on conducting a hearing process that protects victim safety and promotes accountability. The standard of evidence used in adjudication of these cases will be preponderance of evidence. Possible sanctions if a student is found responsible for violation of the code of conduct with regards to sexual misconduct include the full range of disciplinary sanctions available at the college, including suspension and/or expulsion.

#### **II. Pre-Adjudication:**

a. The Title IX Compliance Officer will review the complaint and determine if the case falls under the guidelines of Title IX procedures. If so, he/she will inform the Vice-President and Dean of Students of the need for an investigation and a hearing.

b. A no-contact order between the complainant and respondent will be issued by the Vice-President and Dean of Student Affairs. This helps ensure the integrity and privacy of the process. In addition, reasonable accommodations to increase the complainant safety and well-being on campus will be considered.

### III. Investigation:

a. If a student reports a sexual assault but does not wish to participate in the investigation and adjudication process, the situation will be reviewed by the Title IX Compliance Officer for student concerns. He/she will determine whether there is sufficient information to proceed with an investigation and adjudication without the participation of the complainant.

b. If a respondent does not wish to participate in the investigation and adjudication process, the process will proceed without their contribution to the determination of the facts of the case. The respondent should note that the appeal process based on appearance of new information not available to the hearing panel does not apply in cases of deliberate omission of information by the respondent, including refusal by the respondent to participate in the investigation.

c. The Director of Judicial Affairs will conduct the investigation to determine the facts of the case as completely as possible. He/she will take primary statements from the complainant and respondent, ask follow up questions, reach out to and collect statements from others who have evidence/information relevant to the question of violation of the code of conduct, and ask follow-up questions as needed. The complainant and respondent may each suggest questions to the investigator to be asked of others, and may also suggest others that the investigator speak with. Final decisions about whom to talk with and what to ask will be made by the investigator. All of those contacted by the investigator will be required to maintain the privacy of the investigation. The investigator will also pull together any additional evidence available. The investigator may consult with the Vice-President and Dean of Student Affairs in decisions regarding the investigation process. The statements of the complainant and respondent will be recorded (audio). The investigator will produce for the hearing panel a report of his/her findings, which will include a list of those interviewed and copies of any additional material referenced. The Vice-President and Dean of Student Affairs will review the report and may request that additional information be gathered. The Vice-President and Dean of Student Affairs will also ensure that the report does not contain material that is inadmissible in the decision process.

d. The investigator's report will be shared with the complainant and respondent once it is complete. The complainant and respondent each have 10 days following the receipt of the report to write a response to it if they wish to do so. Responses will be included in the official materials sent forward to the hearing panel for adjudication.

### IV. Primary adjudication:

The decision about whether there has been a violation of the College's Code of Conduct regarding sexual misconduct will be made by a hearing panel of three staff members. The panel will be drawn from a pool of staff trained in hearing cases of this kind. If such a violation is found to have taken place, then the same panel also determines a sanction. Two "yes" votes are necessary for a finding that there has been a violation.

a. For each case the panel will be appointed by the Vice-President and Dean of Student Affairs. The panel will ordinarily consist a member of the Division of Student Affairs plus two additional staff. The complainant and respondent will have the opportunity to state whether there are those they feel should not participate in the panel due to bias or any other reason which would prevent them from making a fair assessment of the evidence. The final decision on any such requests for recusal will be made by the Vice-President and Dean of Student Affairs.

b. The panel will start its deliberations by reading the statements gathered by the investigator and the investigator's report, along with the responses to the report (if any) from the complainant and respondent. After discussion, the panel will decide whether there are additional questions that need to be asked. If so, the investigator will go back to the parties to ask those questions.

c. The panel will decide whether there is a preponderance of evidence showing a violation of the college's code of conduct as regards sexual misconduct.

d. If the panel determines that there has been a violation of the code of conduct regarding sexual misconduct, the complainant and respondent will each have the opportunity to briefly address the panel, either in person, by phone or Skype, or in writing, before the sanction is determined. (The two parties would do this separately – neither one in the presence of the other. It is optional to make such a statement, not required.) This opportunity is not one in which the facts of the case are discussed or questions are asked by the committee. Rather, it is an opportunity for both parties to present directly to the committee in their own "voice" any additional information, including information about the impact of the incident in question. This opportunity is limited to 15 minutes or the written equivalent thereof.

e. The committee then determines a sanction. The decision and the sanction are communicated to both parties, simultaneously and in writing, by the Vice-President and Dean of Student Affairs.

#### V. Appeal:

Both parties have the right to request an appeal of the decision made by the hearing panel. The right to appeal is limited to (a) significant procedural lapses or (b) the appearance of substantive new evidence not available at the time of the original decision. (Note that deliberate omission of information by the appealing party in the original investigation is not grounds for appeal.) Each party has 7 days following the receipt of the written decision to indicate their intention to appeal. Requests for appeal, with reasons, should be sent in writing to the Vice-President and Dean of Student Affairs.

a. If either the complainant or respondent wishes to have other people interviewed to determine whether they have substantive new information pertinent to the appeal that was not available at the time of the original decision, the following process will be followed. (1) The student will write to the Vice-President and Dean of Student Affairs describing whom they wish to have interviewed and on what topic. (2) The Vice-President and Dean of Student Affairs or her designee will ask the person whether they do, in fact, have information on that topic. (3) If they do, the Director of Judicial Affairs will ask them questions or request a written statement. The appeal process will be suspended until the completion of these steps.

b. Appeals will be granted only in cases where the procedural problems or new evidence are considered substantive enough to have had significantly affected the outcome of the initial hearing. If the appeal is granted, its disposition is determined by the Vice-President and Dean of Student Affairs, who may uphold the decision or return it to the original hearing panel and task them with reviewing the decision either in whole or in part. An appeal may result in an increase in sanction, a decrease in sanction, or no change. The results of the appeal process are final.

c. The results of any appeal will be communicated simultaneously and in writing to the complainant and the respondent by Vice-President and Dean of Student Affairs.

#### VI. Support:

a. Support. The complainant and respondent will each be assigned an advocate to help them navigate the process. Both the complainant and respondent have the right to have an advisor of their choosing present with

them for all parts of the process, including any meeting with campus officials, the investigator and the hearing. The advisor can speak to the complainant/respondent at any time during the process but cannot ask questions or speak directly to the opposing complainant/respondent, the investigator or to the hearing panel during the hearing.

b. Both parties have full access to the support services in the Health Center and Counseling Services (Social Workers) throughout the process.

c. Retaliation. Retaliation of any kind against the student reporting assault or against any person participating in the investigation is strictly prohibited. Any retaliation will be treated as a new and additional violation of the code of conduct.

### **Confidentiality**

The institution will maintain as confidential any accommodations or protective measures provided to the victims so long as it does not impair the ability to provide such measures. Personally identifiable information about victims will not be included in any publicly available record-keeping, including the reporting and disclosure of crime statistics.

### **Written Notifications to Students, Employees, and Victims of VAWA Crimes For Students and Employees**

The College will provide written notification to students and employees about existing and available counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, and other services available in community and on campus to victims of dating violence, domestic violence, sexual assault, and stalking. The College will also provide information about these services in writing to victims of domestic violence, dating violence, domestic violence.

### **For Survivors/Victims**

The College will provide written notification to victims regarding rights and options, including: available and existing on- and off-campus services such as victim advocacy, counseling, health, mental health, legal assistance, visa and immigration assistance; available and applicable institutional disciplinary procedures, and an explanation of those procedures; confidentiality in protective measures and Clery reporting and disclosure; and reasonable and available options and assistance with changing academic, living, transportation, and working situations, regardless of whether the victim chooses to report the crime to law enforcement.

### **General Definition of Terms**

Sexual Assault is defined as any sexual contact/ intrusion/ penetration that is absent or without consent by all parties. Examples include, but are not limited to: a) touching breasts or another's genitals without their consent (through clothing or skin to skin contact), b) having sexual contact/ intrusion/ penetration with someone who is incapacitated (one who is incapable of making a rational decision; e.g. from alcohol/drug usage), c) continuing sexual activity after either party has made clear, either verbally or by conduct, that they do not wish to have physical contact.

Dating/Domestic Violence is the intentional use of abusive tactics and physical force in order to obtain and maintain power and control over an intimate partner.

Stalking is defined in general terms as engaging in a course of conduct or repeatedly committing acts towards another person, including following another person without proper authority with either: intent to place the person in reasonable fear of bodily injury, or intent to cause substantial emotional distress to the person.

## **Applicable Laws & Penalties**

New York State laws applicable to sexual assault are found in Article 130 of the New York State Penal Code. The Violence Against Women Act and its proposed regulations require the inclusion of certain New York State definitions in a campus's Annual Security Report and also require that those definitions be provided in campaigns, orientations, programs and trainings for employees and students. Definitions required include: consent; dating violence; domestic violence; sexual assault; and stalking:

### Consent:

Lack of consent results from: forcible compulsion; or incapacity to consent; or where the offense charged is sexual abuse or forcible touching, any circumstances, in addition to forcible compulsion or incapacity to consent, in which the victim does not expressly or impliedly acquiesce in the actor's conduct. Where the offense charged is rape in the third degree, a criminal sexual act in the third degree, or forcible compulsion in circumstances under which, at the time of the act of intercourse, oral sexual conduct or anal sexual conduct, the victim clearly expressed that he or she did not consent to engage in such act, and a reasonable person in the actor's situation would have understood such person's words and acts as an expression of lack of consent to such act under all the circumstances. A person is incapable of consent when he or she is: less than 17 years old; or mentally disabled; or mentally incapacitated; or physically helpless; or committed to the care and custody of the state department of correctional services, a hospital, the office of children and family services and is in residential care, or the other person is a resident or inpatient of a residential facility operated by the office of mental health, the office for people with development disabilities, or the office of alcoholism and substance abuse services, and the actor is an employee, not married to such person, who knows or reasonably should know that such person is committed to the care and custody of such department or hospital.

### Consent, abbreviated:

Clear, unambiguous, and voluntary agreement between the participating to engage in specific sexual activity.

### Dating Violence:

New York State does not specifically define "dating violence." However, under New York Law, intimate relationships are covered by the definition of domestic violence when the act constitutes a crime listed elsewhere in this document and is committed by a person in an "intimate relationship" with the victim. *See* "Family or Household Member" for definition of "intimate relationship."

### Domestic Violence:

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

### Family or Household Member:

Person's related by consanguinity or affinity; Persons legally married to one another; Person formerly married to one another regardless of whether they still reside in the same household; Persons who have a child in common regardless of whether such persons are married or have lived together at any time; Unrelated persons who are continually or at regular intervals living in the same household or who have in the past continually or at regular intervals lived in the same household; Persons who are not related by consanguinity or affinity and who are or have been in an intimate relationship regardless of whether such persons have lived together at any time. Factors that may be considered in determining whether a relationship is an "intimate relationship" include, but are not limited to: the nature or type of relationship regardless of whether the relationship is sexual in nature;

the frequency of interaction between the persons; and the duration of the relationship. Neither a casual acquaintance nor ordinary fraternization between two individuals in business or social contexts shall be deemed to constitute an “intimate relationship”; Any other category of individuals deemed to be a victim of domestic violence as defined by the office of children and family services in regulation. Intimate relationship status shall be applied to teens, lesbian/gay/bisexual/transgender, and elderly individuals, current and formerly married and/or dating heterosexual individuals who were, or are in an intimate relationship.

Parent:

Natural or adoptive parent or any individual lawfully charged with a minor child’s care or custody.

Sexual Assault:

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

Sex Offenses; Lack of Consent:

Whether or not specifically stated, it is an element of every offense defined in this article that the sexual act was committed without consent of the victim.

Sexual Misconduct:

When a person (1) engages in sexual intercourse with another person without such person’s consent; or (2) engages in oral sexual conduct or anal sexual conduct without such person’s consent; or (3) engages in sexual conduct with an animal or a dead human body.

Rape in the Third Degree:

When a person (1) engages in sexual intercourse with another person who is incapable of consent by reason of some factor other than being less than 17 years old; (2) Being 21 years old or more, engages in sexual intercourse with another person less than 17 years old; or (3) 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 Second Degree:

When a person (1) being 18 years old or more, engages in sexual intercourse with another person less than 15 years old; or (2) engages in sexual intercourse with another person who is incapable of consent by reason of being mentally disabled or mentally incapacitated. It is an affirmative defense to the crime of rape in the second degree the defendant was less than four years older than the victim at the time of the act.

Rape in the First Degree:

When a person 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 11 years old; or (4) who is less than 13 years old and the actor is 18 years old or more.

Criminal Sexual Act in the Third Degree:

When a person engages in oral or anal sexual conduct (1) with a person who is incapable of consent by reason of some factor other than being less than 17 years old; (2) being 21 years old or more, with a person less than 17 years old; (3) with another person without such persons consent where such lack of consent is by reason of some factor other than incapacity to consent.



Criminal Sexual Act in the Second Degree:

When a person engages in oral or anal sexual conduct with another person (1) and is 18 years or more and the other person is less than 15 years old; or (2) who is incapable of consent by reason of being mentally disabled or mentally incapacitated. It is an affirmative defense that the defendant was less than four years older than the victim at the time of the act.

Criminal Sexual Act in the First Degree:

When a person engages in oral or anal sexual conduct with another person (1) by forcible compulsion; (2) who is incapable of consent by reason of being physically helpless; (3) who is less than 11 years old; or (4) who is less than 13 years old and the actor is 18 years old or more.

Forcible Touching:

When a 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. It includes squeezing, grabbing, or pinching.

Persistent Sexual Abuse:

When a person commits a crime of forcible touching, or second or third degree sexual abuse within the previous ten year period, has been convicted two or more times, in separate criminal transactions for which a sentence was imposed on separate occasions of one of one of the above mentioned crimes or any offense defined in this article, of which the commission or attempted commissions thereof is a felony.

Sexual Abuse in the Third Degree:

When a person subjects another person to sexual contact without the latter's consent. For any prosecution under this section, it is an affirmative defense that (1) such other person's lack of consent was due solely to incapacity to consent by reason of being less than 17 years old; and (2) such other person was more than 14 years old and (3) the defendant was less than five years older than such other person.

Sexual Abuse in the Second Degree:

When a person 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 17 years old; or (2) less than 14 years old.

Sexual Abuse in the First Degree:

When a person subjects another person to sexual contact (1) by forcible compulsion; (2) when the other person is incapable of consent by reason of being physically helpless; or (3) when the other person is less than 11 years old; or (4) when the other person is less than 13 years old.

Aggravated Sexual Abuse:

For the purposes of this section, conduct performed for a valid medical purpose does not violate the provisions of this section.

Aggravated Sexual Abuse in the Fourth Degree:

When a person inserts a (1) 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 17 years old; or (2) 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 of some factor other than being less than 17 years old.

Aggravated Sexual Abuse in the Third Degree:

When a person inserts a foreign object in the vagina, urethra, penis, rectum or anus of another person (1)(a) by forcible compulsion; (b) when the other person is incapable of consent by reason of being physically helpless;

or (c) when the other person is less than 11 years old; or (2) causing physical injury to such person and such person is incapable of consent by reason of being mentally disabled or mentally incapacitated.

Aggravated Sexual Abuse in the Second Degree:

When a person inserts a finger in the vagina, urethra, penis, rectum or anus of another person causing physical injury to such person by (1) 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 11 years old.

Aggravated Sexual Abuse in the First Degree:

When a person 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; or (4) when the other person is less than thirteen years old and the actor is twenty-one years old or older.

Course of Sexual Conduct against a Child in the Second Degree:

When over a period of time, not less than three months, a person: (1) Engages in two or more acts of sexual conduct with a child less than 11 years old; or (2) being 18 years old or more engages in two or more acts of sexual conduct with a child less than 13 years old. A person may not be subsequently prosecuted for any other sexual offense involving the same victim unless the other charges offense occurred outside of the time period charged under this section.

Course of Sexual Conduct against a Child in the First Degree:

When a person over a period of time, not less than three months in duration, a person: (1) Engages in two or more acts of sexual conduct, or aggravated sexual contact with a child less than 11 years old; or (2) being 18 years old or more 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 contact with a child less than 13 years old.

Facilitating a Sex Offense with a Controlled Substance:

A person is guilty of facilitating a sex 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.

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 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 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.

#### Stalking in the Fourth Degree:

When a person intentionally, and for not legitimate purpose, engages in a course of conduct directed at a specific person, and knows or reasonably should know that such conduct (1) is likely to cause reasonable fear of material harm to the physical health, safety or property of such person, a member of such person's immediate family or a third party with whom such person is acquainted; or (2) causes material harm to the mental or emotional health of such person, where such conduct consists of following, telephoning or initiating communication or contact with such person, a member of such person's immediate family or a third party with whom such person is acquainted, and the actor was previously clearly informed to cease that conduct; or (3) is likely to cause such person to reasonably fear that his or her employment, business or career is threatened, where such conduct consists of appearing, telephoning or initiating communication or contact at such person's place of employment or business, and the actor was previously clearly informed to cease that conduct.

#### 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 or stalking in the fourth degree and has previously been convicted within the preceding ten years of stalking in the fourth degree.

#### 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: (a) displays, or possesses and threatens the use of, a firearm, pistol, revolver, rifle, sword, billy, blackjack, bludgeon, plastic knuckles, metal knuckles, chuka stick, sand bag, sandclub, slingshot, shuriken, "Kung Fu Star," dagger, dangerous knife, dirk, razor, stiletto, imitation pistol, dangerous instrument, deadly instrument or deadly weapons; or (b) 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 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.

#### Stalking in the First Degree:

When a person commits the crime of stalking in the third degree or stalking in the second degree and, in the course and furtherance thereof, he or she intentionally or recklessly causes physical injury to the victim of such crime.

### **Sexual Assault**

Allegations of sexual assault or rape should be reported to the Police by dialing 911 or Campus Security at the emergency number 6-911 or (914) 606-6730. A professional staff member from WCC will meet with you confidentially and will pursue formal disciplinary action only with your consent. Both the accused and the accuser are entitled to the same opportunities to have others present during such proceedings, and both the accused and accuser are informed of the outcome of such proceedings. Anyone may initiate such an action against a WCC student.

Victims of a sex offense will also be informed of their option to notify either Campus Security or the County Police, and will be assisted by college personnel in notifying the police if desired.

### **If You Have Been Sexually Assaulted**

- Go to a safe place. Call someone you trust for support. Sexual Assault Crisis Line Counselors are available 24 hours a day. To be automatically connected with 24-hour rape hotline, please call (914) 345-9111.
- Help preserve evidence. Don't change anything about the scene where the assault occurred. Don't wash any part of your body, comb your hair or change clothes.
- Get medical attention as soon as possible. A medical examination is important to detect injury and for possible protection against a sexually transmitted disease or pregnancy.
- Think about reporting the assault to the police. Telling the police does not mean that you have to prosecute (go to trial).
- If you do want to prosecute, it is essential to have a rape exam at a hospital emergency room soon after the assault. To increase your options later, this exam is recommended, even if you are unsure about prosecution.
- Following a sexual assault, you may feel shock, embarrassment, shame, guilt, disbelief, anger, anxiety or nothing at all. These are all normal reactions to a violent crime.
- Remember, **IT IS NOT YOUR FAULT**.
- Sometimes months or even years after an assault, survivors re-experience feelings they had immediately following the attack. Counseling or support groups may help at these times.
- You may be eligible for compensation of some costs incurred as a result of a sexual assault. In order to receive assistance, contact Victims Assistance Services at (914) 345-3113.
- Decisions made after a sexual assault are difficult; there are no right answers, only what is right for you. Get the support you deserve.

### **Victims Rights**

1. Victims have the right to choose counseling and medical treatment and to prosecute and report their case through the college judicial system and or the off-campus court system. They have the right to refuse all these options without reproach from any university personnel.
2. Victims have the right to be treated with dignity and seriousness by campus personnel.
3. Victims of crimes against an individual have the right to be reasonably free from intimidation and harm.
4. College personnel are encouraged to inform all victims that:
  - Victims are not responsible for crimes committed against them
  - Victims are not negligent and do not assume the risk of crime
  - Victims should always report their crime, despite the possibility of adverse publicity for the university
  - Victims will be made aware of appropriate student services, including counseling
  - Victims are entitled to the same support opportunities available to the accused in a campus disciplinary proceeding
  - The victim has the right to information regarding the status of his/her case

- Any victim who does not wish to remain in his/her present class section may be granted a transfer to another class section if available

## **Substance Abuse and Sexual Assault**

Some Basic Facts on the criminal use of sedating substances to facilitate sexual assault:

For centuries alcohol has been used to facilitate sexual assault. Today it remains the substance most frequently associated with date rape, and the most accessible sedating substance. Other sedating drugs are increasingly being misused to commit sexual assault by spiking victims' beverages. These are referred to by a number of street names of which you should be aware. These include Liquid Ecstasy, Liquid X, Grievous Bodily Harm and Easy Lay for GHB, and Special K for ketamine. Common street names for Rohypnol include Roofies, Roachies, La Rocha and the forget pill.

The physical effects of alcohol and sedating drugs are very similar and include impaired judgment and motor coordination, disinhibition, dizziness, confusion and extreme drowsiness. If enough alcohol or sedating substances are consumed, an individual may fall unconscious or may not remember the details of what occurred. *Depending on the substance and the presence of alcohol and other drugs in the person's system, more dangerous and sometimes life-threatening side effects may occur.*

How to reduce the risk of being drugged and sexually assaulted:

- Do not leave beverages unattended.
- Do not take any beverages, including alcohol, from someone you do not know well and trust.
- At a bar or club, accept drinks only from the bartender or server.
- At parties, do not accept open-container drinks from anyone.
- Be alert to the behavior of friends and ask them to watch out for you. Anyone extremely intoxicated after consuming only a small amount of alcohol may be in danger.
- Limit alcohol consumption so you are better able to assess your surroundings and eat substantive food before drinking to help curb its sedating effects.
- When drinking in social settings, make arrangements with a friend so that you can leave together.

Most importantly, remember that whether you follow these tips or not, if someone sexually assaults you, it is *not* your fault. You are *never* to blame for someone else's actions.

## **Precautions**

Even the best self-defense program cannot completely prevent sexual assault.

Be aware that everyone is a potential victim of sexual assault. The most vulnerable target is a woman alone. It is a myth that assault is provoked by a woman's dress or mannerisms. Opportunity and vulnerability are the key factors. Over 80 percent of all sexual assaults are committed by an acquaintance of the victim, but almost half of these victims tell no one about the attack. Many attacks begin with casual conversation. If your gut-level response to a stranger or friend is uneasiness, try and get out of the situation as quickly as possible, even if it means being rude or making a scene. The keys to prevention are awareness, trusting your intuition, and assertive behavior. Take the time to think ahead what you might do in the event of an attack.

The following tips are designed to increase your awareness of personal safety and to encourage you to think ahead about how you would react if assaulted:

- **Be alert to your surroundings**
  - Know your route and stay in well-lighted areas. Walk confidently.
  - Walk with other people whenever possible.
  - Consider carrying a whistle on your key chain and use it if you find yourself in danger.
  - Know the locations of public and blue light telephones, and keep change handy.

- If you are walking alone, don't use headphones; they distract you and prevent you from being alert.
- **If you travel by car**
  - Always keep your car locked, while you are riding and when it is parked.
  - When returning to your car, do so with your keys in your hand.
  - Check the back seat before you get in.
  - After you get in, re-lock the car immediately and keep the windows up.
  - Do not stop to assist stalled drivers. Drive on and call the police.
  - Do not accept assistance if your car is stalled. Tell anyone who offers help to call the police.
  - Do not pick up hitchhikers.
- **If you travel by bus**
  - Go to the bus stop with other people whenever possible, particularly at night.
  - Don't accept rides from strangers.
- **If you feel you are being followed**
  - Walk to the nearest occupied or well-lighted building, *not* to your car or a bus stop. If on campus, contact campus security for assistance; if off-campus, call the police. Note the appearance of the person or persons; note the license plate number of the car. Your personal safety should come before the security of belongings, such as books, bags, etc. When in doubt, leave them behind.
- **If you feel threatened**
  - Shout "Leave me alone." Others may hear you and/or the potential criminal may be frightened away.
  - Trust your instincts. If you feel in danger, you probably are; don't be embarrassed to seek assistance.
- **Cell phone program**
  - The college provides free 911 cell phones to students and others on campus who have reason to fear for their safety. Contact Security or one of the offices listed for more information.
- **Blue light phones**
  - There are 15 strategically located emergency blue light phones on campus that connect directly with the County Police without having to dial. These phones are for emergencies requiring immediate police assistance. Directions for proper use are printed on the inside of the call box in English and Spanish.
- **At home**, keep the doors and windows locked. Ask repair, service or delivery persons for identification or have them wait outside while you call to verify their employment.
- Learn to **defend yourself**.
- **Teach children** about the potential for sexual assault and what to do if they are ever approached inappropriately. Children should be told that they are never responsible for sexual assault and to tell a trusted adult if an assault should ever occur.

**Report all incidents** to Security if on campus, to the police if off campus.

### **Sexual Harassment**

Sexual harassment includes any unwanted verbal or physical sexual advances, requests for sexual favors, sexually explicit derogatory remarks, and sexually discriminating remarks which are offensive or objectionable to the person at whom they are directed or which cause a person discomfort or humiliation.

Sexual harassment can be as subtle as a look or as blatant as rape. Women are most often, though not solely, its victims.

Verbal harassment may include “humor” or “jokes” about women, sex, or sexual orientation, or remarks connecting a person’s sex with intellectual or academic abilities. Whether verbal or physical, sexual harassment is an act of aggression. It is a violation of both federal (Section 703 of the Civil Rights Act of 1964 and Title IX Education Amendments of 1972) and New York State Human Rights law.

Verbal harassment may include: sexual innuendos and comments and sexual remarks about clothing, body, or sexual activities; suggestive or insulting sounds; sexual propositions, invitations or other pressure for sex (“My office hours are limited. Why don’t you come by my house, or we can have dinner, and get to know each other better in privacy.”); implied or overt threats (“It’s simple; if you want to pass the course, you have to be nice to me and sex is the nicest thing I can think of. It’s up to you.”)

Physical harassment may include: patting, pinching or other inappropriate touching or feeling; brushing against the body; attempted or actual kissing or fondling; coerced sexual intercourse.

Other kinds of sexual harassment may include: leering or ogling (for example, an advisor who meets with a student and stares at her breasts); obscene gestures. If you feel you are being sexually harassed at WCC, you may request help from several sources:

### **Sexual Harassment Complaints**

Allegations of sexual harassment should be reported to the college’s Title IX Compliance Officer, Director of Human Resources, the Director of Student Support Services, your faculty advisor, or your counselor. They will investigate sexual harassment complaints and institute the formal procedures for resolving them. These procedures are in accordance with collective bargaining agreements and established college policies and guidelines.

After hearing your complaint, they may suggest several courses of action, including contacting the department head of the faculty member or staff person involved, or the relevant Dean, with mediated discussion and/or hearings, which ensure confidentiality. In cases of physical harassment, they will call on security personnel, if necessary.

### **Counselor**

Students may also feel comfortable approaching a counselor or a faculty advisor to get advice and support, or to make an initial complaint.

### **CAMPUS AND COMMUNITY RESOURCES**

The following programs and services are available in Westchester County to provide assistance to you in an emergency situation or for on-going support in dealing with and recovering from a sex offense.

#### **Westchester Community College**

Director of Human Resources	914-606-6880	
Clinical Social Worker	914-606-7784	Room 224, Student Center
Title IX Compliance Officer	914-606-6777	Room 222, Student Center
Security Office	914-606-6730	Room 118, Student Center
Student Health Services	914-606-6610	Room 181, Student Center
VP/Dean of Student Affairs	914-606-6709	Hartford Hall

## Community Resources

Domestic Violence & Special Prosecution Bureau	914-995-3000	
Westchester Medical Center		
Main Number	914-493-7000	
Crisis Intervention	914-493-7075	
Westchester County Police	914-864-7600	
Westchester Jewish Community Services	914-761-0600	845 N. Broadway, Suite 2 White Plains
Victims Assistance Services	914-345-3113	2269 Saw Mill River Road Bldg. #3, Elmsford
24-hr. Rape Crisis Hot Line	914-345-9111	

No matter where or when the assault occurred, support and referral resources are available to help you in notifying local law enforcement.

## HOW TO REPORT A CRIME

Campus policy encourages every member of the campus community to report a crime promptly to the Security Department if the victim wants to or is unable to report. All criminal incidents and emergencies should be reported to the Campus Security Office located in the Student Center Building, room 118, in person, or by telephone (914-606-6984). **Our emergency phone number is 6-911.** If necessary, or appropriate, the Westchester County Police will be informed of the incident. The Westchester County Police can be contacted directly by using the Campus Blue Light Emergency Phones or by dialing 911 from any phone (9-911 from college phones). A County officer will be dispatched immediately to the site of the complaint. These phones should be used only for emergencies.

Campus Security will record, classify, and log all reports received. Individuals reporting incidents will be informed of their rights and given an opportunity to file a police report for insurance or criminal purposes. All reported incidents are reviewed on an on going basis to determine patterns and required corrective action. Any incident of extreme serious nature will be immediately reported to the President or his designee. A strong working relationship between Campus Security and the local police departments will be maintained. Third party reports will not be accepted by a police officer. Only persons who are involved directly in such incidents should report them.

In the event of a major emergency or anything that poses a threat to students, employees, or others, an alert will be prepared by posting notifications on all campus outer doors and distributing a campus e-mail notification.

## CONFIDENTIAL CRIME REPORTING POLICY

Persons wanting to report a crime or incident can do so confidentially by contacting the Director of Campus Security, or one of his assistants, in his office (room 118 in the Student Center) or by calling 914-606-6730. The reporting person's name will be kept confidential, but the incident may be included in the annual crime statistics report without divulging the person's name or any other information that would infringe on his/her confidentiality.

In addition to the campus Security Office, crimes or serious incidents may also be reported to individuals and officials having significant responsibility for students or campus activities, or those with responsibility for controlling access to buildings or facilities (i.e.- Security Department members, Deans, Extension Site Directors, Coordinators of Student Activities/Life/Athletics, Faculty Advisors to student groups, Director of Athletics, Coaches, etc.). These individuals also allow victims and witnesses to report crime on a voluntary, confidential basis. Reports of this nature are filed with the Campus Security for informational purposes.



Although professional counselors at the college are exempt from disclosing reported offenses when acting in their professional capacity, Westchester Community College encourages them, if and when they deem it appropriate, to inform those who they counsel of procedures for reporting crimes on a voluntary, confidential basis for inclusion in the Campus Security & Safety Report.

### **TIMELY WARNING POLICY**

Westchester Community College's policy is to issue timely warnings to the campus community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to health & safety; and for certain crimes that are reported to campus security authorities or local police agencies and are considered to represent a threat to students and employees, unless issuing a notification will compromise efforts to contain the emergency.

Warnings may be issued by any of the following means: campus-wide email, notices placed on external doors on all buildings, voice mail, Intranet web site, electronic signs, and the *Viking News*. Additionally, Westchester Community College uses an emergency alert system that can send text messages, email, and voice messages. Students, faculty and staff are automatically signed up for the system using the contact information in their employee/student records. This system is available only to students and employees of Westchester Community College. All personal information will be kept confidential and the system will ONLY activated in the event of an emergency or important campus announcements.

### **LOITERING**

All visitors to the College not having an acceptable, legitimate reason for being on campus are subject to prosecution for loitering under the provisions of Section 240.35 of the New York State Penal Law.

### **POLICY ON THE MARKETING OF CREDIT CARDS**

Westchester Community College prohibits the advertising, marketing, or merchandising of credit cards on any college property; including the Valhalla campus or at any Extension Centers.

### **SELLING, PEDDLING, SOLICITING, ETC. ON CAMPUS**

Selling merchandise or services, soliciting funds, advertising or distributing leaflets or flyers is strictly prohibited without prior consent from the Office of Student Affairs. Additionally it is a violation of Westchester County Law and may result in arrest.

### **WEAPONS ON CAMPUS**

Firearms and dangerous weapons of any type are not permitted on campus. Intentional use, possession, or sale of firearms or other dangerous weapons by anyone is strictly forbidden and is a violation of state and federal law.

### **POLICY ON ALCOHOL AND DRUGS**

Alcohol and drug abuse are devastating both to the user and to the college community. Substance abuse is a major cause of accidents, and can seriously affect academic performance and campus morale. In addition, under local, state, and federal laws, illegal use of drugs and alcohol is a serious crime. Conviction of a felony carries serious consequences, including loss of citizenship rights during the period of sentence and a possible jail term. Convictions may also jeopardize future employment opportunities.

The college policy prohibits alcohol and illegal substances on campus. Violators of this policy will be subject to appropriate disciplinary action. Only by special permission from the President may wine or beer be served at special ceremonial occasions. Several documents (student's rights document and a pamphlet on enforcement of federal and drug laws) are made available to students, which explain the college's policy regarding the use of alcohol and illegal substances. The College Health Office and Counseling Department in conjunction with the

National Council of Alcoholism and Drug Addictions conduct workshops which students are encouraged to attend for information and possible assistance with their alcohol and substance abuse problems.

Further information on the legal consequences of alcohol and drug abuse can be found in the Library/Educational Technologies Center under Public Law 101-226. Additional information is also available from the Director of Student Support Services, Room 222, the Office of Student Involvement, Room 103, or the Security Department, Room 118, in the Student Center Building.

### **CARS ON CAMPUS**

Westchester Community College is pleased to offer free parking to students, faculty, staff and members of the general public attending events on campus. WCC assumes no liability for theft, loss or damage to vehicles on college property. We encourage you to keep your vehicle locked and to remove attractive articles from view. For a parking sticker, go to the Security Office in the Student Center. Make sure that you have your license number and your WCC student ID with you.

For further information about rules, handicap parking, ticketing, towing, or fines please see the Automobile Regulations brochure available through the Security Office, Student Center, Room #118, or call 914-606-6730.

### **LOST & FOUND**

If you've lost something, check the Security Office in Room #118 of the Student Center or call 914-606-6730. You should also check the Associate Dean's Office in any building where you have lost an item. Property may be claimed Monday through Friday during normal business hours.

### **SMOKE FREE CAMPUS**

Tobacco use is prohibited in all Westchester Community College facilities and outdoor areas.

The preponderance of evidence and the trends reflected in that evidence all indicate that tobacco use, smoking and exposure to second hand tobacco smoke are significant health hazards. Under the Environmental Protection Agency (EPA) Guidelines, second hand smoke is a Group A carcinogen (cancer-causing agent), known to cause heart disease, cancer, respiratory issues and irritation of the eyes and nose.

Westchester Community College has been, and continues to be, committed to the health and well-being of its staff, faculty, administrators and students. The college not only has a vested interest in the vitality of its students and those who administer and operate programs here, but also a role to play in the promotion and advancement of the general health of our society as a whole.

Out of respect for the environment and in keeping with Westchester Community College's commitment to protect the health of its employees, students, visitors and all other constituencies, effective January 1, 2012, Westchester Community college became a Tobacco-Free institution. No consumption of tobacco, or tobacco products, is permitted on any college property or in any college facility; this includes but is not limited to all buildings, grounds, pathways and thoroughfares within the campus property. The sale or sample distribution of cigarettes or other tobacco products are also prohibited.

### **STUDENT ID**

Don't leave home without your WCC ID! You may be asked to show your ID to an administrator or to security. You'll need your ID to use the pool, take out library books, view videotapes, use campus computers, or to enter special events held at the College.

To get an ID, visit the Security Office, located in Room 118 in the Student Center. Just bring your paid tuition receipt and fill out a form. They'll take your picture, so look nice! Your first ID is free. Each time you lose your ID a new one will cost you ten dollars. Call 914-606-6730 for more information.

## **VISITORS TO CAMPUS**

All campus visitors must register in the Security Office, Student Center, Room #118. Questions? Call 914-606-6730.

## **EMERGENCIES ON CAMPUS**

All criminal incidents and emergencies should be reported to the Campus Security Office located in the Student Center Building, Room #118, in person, or by telephone. **Our emergency phone number is 6-911.** When necessary, the Fire Department, EMS or Westchester County Police will be informed of the incident. You may also use the Campus Blue Light Emergency Phones or dial 911 from any phone (9-911 from college phones) to report an emergency directly to the Westchester County Police Dispatch. These phones should be used only for emergencies.

### **Emergency Response and Evacuation Procedures**

If a significant emergency is reported at Westchester Community College, Security Officers will be dispatched to confirm the report. They will provide information to the Director of Security or one of his Assistants regarding the reported emergency. If a significant emergency is confirmed, Westchester Community College will, without delay, and taking into account the safety of the community, notify the campus community, unless the notification will, in the professional judgment of the Director of Security or local emergency response agencies, compromise efforts to assist victims or to contain, respond to, or otherwise mitigate the emergency.

If a notification will be issued, the Director of Security, or one of his assistants will contact the Director of College Community Relations, or one of his assistants, and inform them of the details of the emergency. They will jointly determine who to notify, the contents of the notification, and the most appropriate channels to utilize in issuing the notification (alert system activation, e-mail, college website, Facebook, Twitter, etc.). Once determined, the notification will be issued without delay. If warranted by the circumstances, the Director of Security and his assistants have the authority to activate the SUNY Emergency Alert System immediately and without consultation.

The Director of Security and Director of College Community Relations, or their assistants, have primary responsibility for issuing emergency notifications for Westchester Community College. Emergency Notifications may be issued by any of the following means: voice notification by Security Officers, campus-wide email, notices placed on external doors on all buildings, voice mail, Intranet web site, Facebook, Twitter or the WCC Emergency Alert System. The WCC Emergency Alert System is tested on a regular basis throughout the year by sending an unannounced alert out to a small test group within the college.

In addition to testing the alert system, the college conducts unannounced evacuation drills at the beginning of each semester and summer session. The drills are conducted during both the day and evening and are observed by the local Fire Department whenever possible. The results of the drills are documented and maintained in the Security Department.

### **Building Evacuations**

A building evacuation, for fire or other reasons, is an event that may directly affect the life and/or safety of persons on our campus. As such, building evacuations and building evacuation drills require the active participation and support of all college employees and should be carried out by each of you in a manner befitting a representative of Westchester Community College. Evacuation drills are conducted at the beginning of each semester, both during the day and evening, and at the beginning of summer session.

In the event of a building evacuation, the Westchester Community College Security Department has primary responsibility to initiate and coordinate an appropriate response, including notification of emergency services and the college administration. Security Officers will be dispatched to assist in effecting an orderly and efficient

evacuation and will provide specific instructions to building evacuees as appropriate. Additionally, there are Fire Marshals throughout the campus who have received specific training in how to assist in the event of a fire or evacuation. Any responding Fire Marshals may be identified by the orange safety vest they will wear in the event of an emergency. You must comply with instructions given by Security Officers and Fire Marshals.

Your primary responsibility in the event of a building evacuation is to immediately, safely and efficiently exit the building via the shortest safe route. ALL evacuation alarms must be treated as real, even if there are multiple alarm activations within the same day. Additionally, your adherence to the following simple guidelines is necessary to help ensure the safety of all building occupants during an evacuation:

- If you see a fire, **immediately** pull the nearest fire pull station to initiate the fire evacuation alarm.
- If you receive an unconfirmed report of fire or smell smoke, immediately call the WCC Emergency number at extension 6911 from any campus phone, or 606-6911 from an outside line. Security will be dispatched to investigate the report.
- Once an evacuation is initiated, make sure to immediately exit the room and proceed to the nearest safe building exit.
- Close the door as the last person exits and proceed to the nearest building exit.
- If you see an open door as you are exiting the building, close the door and continue to the nearest safe building exit. Do not deviate from the shortest safe exit route to do this.
- If you see any occupants in the building who do not appear to be evacuating, inform them there is an evacuation and that they must exit the building immediately.
- If you are aware of occupants who you believe did not evacuate the building as required, notify the nearest Fire Warden, Security Officer or Emergency Services Person immediately upon exiting the building. Inform them of how many persons and where they were last seen.

### **Evacuation Instructions**

In the event of a Fire Alarm or other evacuation:

- Remain **CALM**
- **WALK, DO NOT RUN**, to the nearest exit.
- Go to the nearest exit, taking the shortest possible safe route.
- **NEVER USE ELEVATORS AS A FIRE EXIT**
- Once outside, remain at least 100 feet away from the building, more if directed.
- **DO NOT** re-enter the building until “**ALL CLEAR**” is announced by the Fire Department.
- If you are wheelchair-bound at ground level, or otherwise mobility-impaired, exit the building immediately. If you are above or below ground level, ask someone to escort you to the nearest enclosed stairwell landing and close the door. The escort should identify someone who will tell firefighters the location of the stairwell in which you are located. Fire department professionals will then evacuate you if necessary.

### **Fire Instructions**

**In case of fire, pull the nearest alarm.** This will activate an audible and visual alarm within the building which rings directly to the Security Dispatcher. The Security Dispatcher on duty will call the local fire department, telling them the fire location and giving them other relevant information.

When a fire alarm sounds, **evacuate the building immediately. Walk - do not run, do not use elevators.** Close doors to classrooms and offices, leaving lights on, and exit from the nearest enclosed stairwell. Take your belongings with you. **Do not try to fight the fire.**

If you are wheelchair-bound at ground level, or otherwise mobility-impaired, exit the building immediately. If you are above or below ground level, ask someone to escort you to the nearest enclosed stairwell landing and

close the door. The escort should identify someone who will tell firefighters the location of the stairwell in which you are located. Fire department professionals will then evacuate you if necessary.

Everyone who has exited the building should stay at least 100 feet away from building entrances until an "**all clear**" is announced by the fire department.

### **Injuries and Other Medical Emergencies**

**Report all classroom accidents to the professor immediately.**

Report all injuries to **Campus Health Services** 914-606-6610, located in the Student Center Building, Room 181, staffed by registered professional nurses (R.N.'s). Hours: Monday-Thursday, 8:00 am-8:30 pm; Friday, 8:00 am-5:00 pm.

WCC has an **emergency phone system** which may be used when the Health Service is not open – after 8:30 pm Monday-Thursday, after 5:00 pm Friday, and on weekends. To reach **Campus Security** you may dial **6911** from any college phone or (914)606-6911 from any non-college phone. To reach the Westchester County Police call **911**.

If you should witness a medical emergency, call for assistance and then stay with the patient until professional help arrives. **Do not move the victim or injured person** unless there is immediate danger to yourself and/or the patient.

The **Westchester Medical Center** is the closest hospital, located one mile west of WCC on Grasslands Road. Its main switchboard is 914-493-7000; emergency room is 914-493-7307.

# SEXUAL VIOLENCE PREVENTION & RESPONSE POLICIES

## Definition of Affirmative Consent

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

- a) Consent to any sexual act or prior consensual sexual activity between or with any party does not necessarily constitute consent to any other sexual act.
- b) Consent is required regardless of whether the person initiating the act is under the influence of drugs and/or alcohol.
- c) Consent may be initially given but withdrawn at any time.
- d) Consent cannot be given when a person is incapacitated, which occurs when an individual lacks the ability to knowingly choose to participate in sexual activity. Incapacitation may be caused by the lack of consciousness or being asleep, being involuntarily restrained, or if an individual otherwise cannot consent. Depending on the degree of intoxication, someone who is under the influence of alcohol, drugs, or other intoxicants may be incapacitated and therefore unable to consent.
- e) Consent cannot be given when it is the result of any coercion, intimidation, force, or threat of harm
- f) When consent is withdrawn or can no longer be given, sexual activity must stop.

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

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

## 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 ascertains student experience with and knowledge of reporting and college adjudicatory processes for 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;
  - Whether victims/survivors reported to the College/University and/or police, and reasons why they did or did not report.
  - The general awareness of the difference, if any, between the institution's policies and the penal law; and
  - The general awareness of the definition of affirmative consent.

Every institution shall take steps to ensure that answers remain anonymous and that no individual is identified. Results will be published on the campus website providing no personally identifiable information shall be shared.

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.



## Student's Bill of Rights

The State University of New York and Westchester Community College 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:

All students have the right to:

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

### Options in Brief:

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

- Receive resources, such as counseling and medical attention;

- Confidentially or anonymously disclose a crime or violation (for detailed information on confidentiality and privacy, visit <http://www.sunywcc.edu/student-services/policies/title-ixsexual-harassmentsexual-misconduct/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;
  - 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 Students' Bill of Rights, reporting individuals shall have the right to pursue more than one of the options below at the same time, or to choose not to participate in any of the options below:

### I. Reporting

- To disclose *confidentially* the incident to one of the following college officials, who by law may maintain confidentiality, and can assist in obtaining services (more information on confidential reporting is available in the Options for Confidentially Disclosing Sexual Violence Policy at <http://www.sunywcc.edu/student-services/policies/title-ixsexual-harassmentsexual-misconduct/options-for-confidentially-disclosing-sexual-violence/>):
  - counseling@sunywcc.edu or (914)-606-7784.
  - Counseling Office (914)-606-6721 or (914)-606-7784.
  - Health Services: Janice Gilroy R.N. Health Services Coordinator 914-606-6334; Nurse: Kerry Pohar 606-6610 and Mary Barden, Evening Nurse 606-6610.
- 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. Reporting individuals are encouraged to additionally contact a campus confidential or private resource so that the campus can take appropriate action in these cases).

- To disclose the incident to one of the following college officials who can offer *privacy* and can provide information about remedies, accommodations, evidence preservation, and how to obtain resources. Those officials will also provide the information contained in the Students' Bill of Rights, including the right to choose when and where to report, to be protected by the institution from retaliation, and to receive assistance and resources from the institution. These college officials will disclose that they are private and not confidential resources, and they may still be required by law and college policy to inform one or more college officials about the incident, including but not limited to the Title IX Coordinator. They will notify reporting individuals that the criminal just process uses different standards of proof and evidence than internal

procedures, and questions about the penal law or the criminal process should be directed to law enforcement or district attorney,:

- Title IX Coordinator, Dr. Saul Yanofsky (914)-606-8539;
  - Campus Security (914)-606-6911 (available 24x7); and
  - Director of Student Support Services, Dr. Ruben Barato (914)-606-6777.
- To file a criminal complaint with Campus Security and/or with local law enforcement and/or state police:
    - Security Office, (914)-606-6911, Student Center #118
    - Westchester County Police, 914-864-7600, 1 Saw Mill River Parkway, Hawthorne, NY 10532
    - State police 24-hour hotline to report sexual assault on a NY college campus: 1-844-845-7269.

Additionally, following is relevant information for each of our Extension Centers throughout the county:

<u>Location</u>	<u>Police Department</u>	<u>Phone #</u>
Mt Vernon	Mt Vernon PD	914-665-2500
Ursuline HS	New Rochelle PD	914-645-2300
Peekskill	Peekskill PD	914-737-8000
Port Chester	Rye Brook PD	914-937-1020
Ossining	Ossining PD	914-941-4099
Lakeland HS	Yorktown PD	914 962-4141
Westchester Center For the Arts	Westchester Co. PD	914-864-7700
Mahopac HS	Town of Carmel PD	845-628-1300
Cross County	Yonkers PD 2nd Pct	914-377-7452
EOC	Yonkers PD 3rd Pct	914-377-7427
Roosevelt HS	Yonkers PD 1st Pct	914-377-7477

- To receive assistance by the Security Department in initiating legal proceedings in family court or civil court.
- A victim/survivor may 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 Westchester Community College policy and the reporting individual’s identity shall remain private at all times if said reporting individual wishes to maintain privacy. If a reporting individual wishes to keep his/her identity anonymous, he or she may call the Counseling Office anonymously to discuss the situation and available options (<http://www.sunywcc.edu/student-services/policies/title-ixsexual-harassmentsexual-misconduct/options-for-confidentially-disclosing-sexual-violence/>):
- Title IX Coordinator Ruben Barato, (914-606-6777), STC #223, [ruben.barato@sunywcc.edu](mailto:ruben.barato@sunywcc.edu)
- When the accused is an employee, a reporting individual may also report the incident to the Office of Human Resources or may request that one of the above referenced confidential or private employees assist in reporting to Human Resources. Disciplinary proceedings will be conducted in accordance with applicable collective bargaining agreements. When the accused is an employee of an affiliated entity or vendor of the college, college officials will, at the request of the reporting individual, assist in reporting to the appropriate office of the vendor or affiliated entity and, if the response of the vendor or affiliated entity is not sufficient, assist in obtaining a persona non grata letter, subject to legal requirements and college policy.
  - Human Resources Office, 914-606-6880, Administration Building #111
  - Security Office, 914-606-6911, Student Center #118
- You may withdraw your complaint or involvement from the College process at any time.

- Westchester Community College shall ensure that, at a minimum, at the first instance of disclosure by a reporting individual to a college representative, the following information shall be presented to the reporting individual:

“You have the right to make a report to Campus Security, local law enforcement, and/or State Police or choose not to report; to report the incident to Westchester Community College; to be protected by Westchester Community College from retaliation for reporting an incident; and to receive assistance and resources from Westchester Community College.”

## II. Resources:

To obtain effective intervention services.

- It is recommended that a Sexual Assault Forensic Examination (commonly referred to as a rape kit) be performed within 96 hours of the assault. Westchester Medical Center has a program and trained nurses to confidentially perform the exam at no cost to you. If drugs or alcohol were involved a “DFSA” exam may be warranted. 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 or parents 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>

- To best preserve evidence, victims/survivors should avoid showering, washing, changing clothes, combing hair, drinking, eating, or doing anything to alter physical appearance until after a physical exam has been completed.
- Westchester County Family Justice Center, 111 Dr. Martin Luther King Jr. Blvd, White Plains, NY 10601, (914) 995-3100, and <http://women.westchestergov.com/domestic-violence> can provide assistance with orders of protection and resources for victims of sexual assault, domestic violence and stalking.
- Counseling Office, Student Center Room 224, (914)-606-7784. There are no charges for our services.
- The Health Services Office, in the Student Center Room 181, 75 Grasslands Road Valhalla, N.Y 10595; 914-606-6610 (Coordinator, Janice Gilroy extension 6334) can provide support and information to help you find effective intervention services. The college does not charge for this service. Sexual contact can transmit Sexually Transmitted Infections (STD) and may result in pregnancy. We do not perform examinations or STD testing in this office. We do invite outside community agencies to our campus that offer free services. For example, Planned Parenthood provides free HIV testing to our community three times a semester, on campus. Additionally, the following local resources are available to you, some of which provide testing for STDs and emergency contraception:
  - If you have been sexually assaulted, you may call the Westchester Rape Crisis Hotline 914-345-9111. They will speak with the student and arrange for a SANE Nurse to meet the victim at a local Hospital Emergency Room.
  - You may go to the Westchester County Department of Health (WCDOH) Clinics for free STD and HIV Testing. The White Plains WCDOH STD Clinic offers testing on Wednesdays from 11am to 6pm. They are located on 134 Court Street- first floor; 914-995-5800.
  - The Yonkers WCDOH Clinics run on Mondays and Fridays from 9am to 3pm. They are located on 20 So. Broadway, 2nd floor, Yonkers, N.Y 914-231-2500.

- Planned Parenthood-White Plains Center, 175 Tarrytown Road White Plains, NY 10607, Phone: 914.761.6566 - See more at: <http://www.plannedparenthood.org/health-center/new-york/white-plains/10607/white-plains-center>. They charge a fee. We refer to the White Plains site most frequently as this is a short car/bus ride from the main campus.
- You also have the option of going to a local hospital Emergency Room. The Westchester Medical Center is the closest to the main campus. They provide STD testing and Emergency Contraception, although you should ask if it is free or at a cost. They are located at 100 Woods Road Valhalla, N.Y 10595 914-493-6000.
  - Additionally, following are the hospitals located nearest to our various extension centers throughout the county:
    - Ossining: Phelps memorial Hospital Center  
701 North Broadway  
Route 9 at Route 117  
Sleepy Hollow, NY 10591  
(914) 366-3000
    - Peekskill: Hudson Valley Hospital Center  
1980 Crompond Road  
Cortlandt Manor, New York 10567  
(914) 737-9000
    - Yonkers: St. Joseph's Medical Center  
127 South Broadway  
Yonkers, New York 10701  
(914) 378-7000
    - White Plains: White Plains Hospital  
41 East Post Road  
White Plains, NY 10601  
(914) 681-0600
    - Mount Vernon: Montefiore Mount Vernon Hospital  
12 North Seventh Avenue  
Mount Vernon, NY 10550  
(914) 664-8000
    - Portchester: Greenwich Hospital  
5 Perryridge Road  
Greenwich, CT 06830  
(203)-863-3000
    - New Rochelle: Montefiore New Rochelle Hospital  
16 Guion Place  
New Rochelle, NY 10801  
(914)-632-5000
    - Lakeland/Mahopac: Putnam Hospital Center  
670 Stoneleigh Avenue  
Carmel, NY 10512  
(845) 279-5711

### III- Protection and Accommodations:

Depending on circumstances, victims/survivors may have the option 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. Parties may request a prompt review of the need for and terms of any interim measures and accommodations that directly affect them. While reporting individuals may request accommodations through any of the offices referenced in this policy, the following office can serve as a point to assist with these measures:
  - Westchester Community College Single Stop (914) 606-6725
- When the accused is a student, have the college issue a “**No Contact Order**,” consistent with college policy and procedure, 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. Both the accused/respondent and reporting individual may request a prompt review of the need for and terms of a No Contact Order, consistent with Westchester Community College policy. Parties may submit evidence in support of their request. Westchester Community College will promptly review existing no contact orders at a party’s request, including requests to modify the terms of or discontinue the order. If Westchester Community College finds it appropriate, it can even make a schedule for parties who seek to use the same facilities without running afoul of the no contact order. A “**No Contact Order**” is issued by the college and may result in additional conduct charges. It is not a court order, and failure to comply would not be subject to arrest or legal prosecution.
- Have assistance from Campus Security or other college officials in initiating legal proceedings in family court or civil court, including but not limited to obtaining an “**Order of Protection**” from Family or Criminal Court or, if outside of New York State, an equivalent protective or restraining order. Since these are court orders, failure to comply would be a violation of the law and would result in arrest and legal prosecution.
- 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).
- Receive an explanation of the consequences for violating these orders, including but not limited to arrest, additional conduct charges, and interim suspension.
- Have assistance from 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 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, have the accused subject to interim suspension pending the outcome of a conduct process. Parties may request a prompt review of the need for and terms of an interim suspension. Parties can submit evidence to support their request. Westchester Community College will promptly review existing interim suspensions at a party’s request, including requests to modify the terms or discontinue it.

- When the accused is not a student but is a member of the college community and presents a continuing threat to the health and safety of the community, to subject the accused to interim measures in accordance with applicable collective bargaining agreements, employee handbooks, and Westchester Community College policies and rules. Westchester Community College will promptly review existing interim measures and accommodations at the request of the party who is affected by that interim measure or accommodation. The parties can submit evidence to support their request.
- When the accused is not a member of the college community, have assistance from Campus Security or other college officials in obtaining a persona non grata letter, subject to legal requirements and college policy.
- Westchester Community College shall make a notation on the transcripts of students found responsible for crimes of violence. The notations are for suspension, expulsion, or withdrawal with charges pending.

#### **IV- Student Conduct Process:**

Victims/survivors have the option to:

- Request that student conduct charges be filed against the accused. Conduct proceedings are governed by the procedures set forth in the College handbook (<http://www.sunywcc.edu/student-services/policies/title-ixsexual-harassmentsexual-misconduct/reporting-an-incident/>) 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 respondent and the reporting individual will have:

- The opportunity to be accompanied by an advisor of their choice who may assist and advise the parties throughout the conduct process and any related hearings or meetings. Participation of the advisor in any proceeding is governed by federal law and the Student Code of Conduct;
- The right to a prompt response to any complaint and to have their complaint investigated and adjudicated in an impartial, timely, and thorough manner by individuals who receive annual training in conducting investigations of sexual violence, the effects of trauma, impartiality, the rights of the respondent, including the right to a presumption that the respondent is “not responsible” until a finding of responsibility is made, and other issues related to sexual assault, domestic violence, dating violence, and stalking.
- The right to an investigation and process conducted in a manner that recognizes the legal and policy requirements of due process (including fairness, impartiality, and a meaningful opportunity to be heard) and is not conducted by individuals with a conflict of interest.
- The right to receive advance written or electronic notice of the date, time, and location of any meeting or hearing they are required to or are eligible to attend. Accused individuals will also be told the factual allegations concerning the violation, a reference to the specific code of conduct provisions alleged to have been violated, and possible sanctions.
- The right to have a conduct process run concurrently with a criminal justice investigation and proceeding, except for temporary delays as requested by external municipal entities while law enforcement gathers evidence. Temporary delays should not last more than 10 days except when law enforcement specifically requests and justifies a longer delay.
- The right to offer evidence during an investigation and to review available relevant evidence in the case file (or otherwise held by the Westchester Community College). In student disciplinary proceedings involving domestic violence, dating violence, stalking, or sexual violence, Westchester Community College will allow parties to review available evidence held by the campus in accordance with college policy. Parties can also present available evidence as appropriate under campus policies.



- The right to present evidence and testimony at a hearing, where appropriate.
- The right to a range of options for providing testimony via alternative arrangements, including telephone/videoconferencing or testifying with a room partition.
- The right to exclude prior sexual history with persons other than the other party in the conduct process or their own mental health diagnosis or treatment from admittance in college disciplinary stage that determines responsibility. Past findings of domestic violence, dating violence, stalking, or sexual assault may be admissible in the disciplinary stage that determines sanction.
- The right to ask questions of the decision maker and via the decision maker indirectly request responses from other parties and any other witnesses present.
- The right to make an impact statement during the point of the proceeding where the decision maker is deliberating on appropriate sanctions.
- The right to simultaneous (among the parties) written or electronic notification of the outcome of a conduct proceeding, including the decision, any sanctions, and the rationale for the decision and any sanctions.
- The right to written or electronic notice about the sanction(s) that may be imposed on the accused based upon the outcome of the conduct proceeding. For students found responsible for sexual assault, the available sanctions are suspension with additional requirements and expulsion/dismissal.
- Access to at least one level of appeal of a determination before a panel, which may include one or more students, that is fair and impartial and does not include individuals with a conflict of interest.
- The right to have access to a full and fair record of a student conduct hearing, which shall be preserved and maintained for at least five years.
  - Director of Judicial Affairs (914)-606-6777, Student center Room 222
- The right to choose whether to disclose or discuss the outcome of a conduct hearing.
- The right to have all information obtained during the course of the conduct or judicial process be protected from public release until the appeals panel makes a final determination unless otherwise required by law.

## Options for Confidentially Disclosing Sexual Violence

The State University of New York and Westchester Community College 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:**

Anonymous Disclosure.

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.

Institutional Crime Reporting.

### **Anonymous Disclosure:**

My Sister's Place- If you need to speak to a crisis counselor immediately, please call their 24-hour, toll-free hotline at 1-800-298-7233 (SAFE). 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

24-hour Rape Crisis Hot Line 914-345-9111/1-855-827-2255

### **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.

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, court order, etc.

At Westchester Community College this includes:

- College's Personal Counseling Office: Roxanne Santiago (914) 606-7784, Kristy Robinson (914) 606-7784, and Tiffany Kallhovd (914) 606-6721, Student Center Room 224, <http://www.sunywcc.edu/student-services/counseling/personal-counseling/>
- College's Health Services: Janice Gilroy, Kerri Pohar, and Mary Barden (914) 606-6610, Student Center, Room 181.

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.

- My Sisters' Place  
 One Water Street  
 White Plains, NY 10601  
 Phone (914) 683-1333
  
- My Sisters' Place  
 Information, weekdays  
 Shelter, 24-hours toll free (914) 683-1333  
 (800) 298-7233
  
- Westchester County Family Justice Center  
 111 Dr. Martin Luther King Jr. Blvd  
 White Plains, NY 10601  
 Phone (914) 995-3100
  
- Victims Assistance Services  
 2269 Saw Mill River Road,  
 Bldg. #3, Elmsford  
 914-345-3113  
 24 hour Rape Crisis Hotline – 855-827-2255
  
- Victims Assistance Services  
 Mount Vernon (914) 995-3347  
 (914) 965-0217  
 (914) 665-2539
  
- Westchester Jewish Community Services  
 845 N. Broadway, Suite 2, White Plains  
 914-761-0600
  
- Westchester County Office for Women  
 Family Helpline/Hotline - weekdays 9 a.m. to 5 p.m.  
 (914) 995-5972  
 In Spanish, White Plains (914) 995-6581  
 In Spanish, Yonkers (914) 231-2882
  
- Hope's Door (formerly Northern Westchester Shelter)  
 Information, weekdays  
 Shelter, 24-hours toll free (914) 747-0828  
 (914) 238-2800  
 (888) 438-8700
  
- MHA of Westchester - Family Abuse Services  
 Weekdays 9 a.m. to 5 p.m.  
 24-hours (914) 345-5900  
 (914) 347-4558
  
- Putnam-Northern Westchester Women's Resource Center  
 Shelter and Information  
 Rockland Family Shelter (845) 628-2166

(845) 634-3344

- Westchester County Department of Social Services  
Emergency Services (914) 995-2099
  
  - Family Court Legal Programs  
White Plains Family Court (914)995-7400  
Yonkers Family Court (914) 231-2886
  
  - Westchester County Domestic Violence and Child Abuse Bureau  
District Attorney's Office  
(914) 995-3000
  
  - Westchester Hispanic Coalition – ALAS  
Spanish speaking sexual assault hotline  
1-855-252-7942
- Off-campus healthcare providers (See additional hospital locations in the “Resources” section of the Sexual Violence Response Policy):
    - Westchester Medical Center  
100 Woods Rd, Valhalla, NY 10595  
Phone: (914) 493-7000

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>.

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

Non-professional counselors and advocates can also assist you without sharing information that could identify you. At Westchester Community College this includes members of the Office of Student Development, Student Center Room 203, (914) 606-6733 and Student Involvement Office, Student Center Room 109, (914)-606-6731. These individuals will report the nature, date, time, and general location of an incident to College'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 Westchester Community College 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. Westchester Community College 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 Westchester Community College Will Weigh the Request and Respond:**

If you disclose an incident to a Westchester Community College 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 reporting individuals may request accommodations through several college offices, the following office can serve as a primary point of contact to assist with these measures, Westchester Community College Single Stop (914) 606-6725. 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 Westchester Community College's failure to act does not adequately mitigate the risk of harm to you or other members of the Westchester Community College 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, Westchester Community College 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 reporting individual is a minor; and
- Whether we possess other means to obtain evidence such as security footage, and whether the report reveals a pattern of perpetration at a given location or by a particular group.

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

**Public Awareness/Advocacy Events:**

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

## **Institutional Crime Reporting**

Reports of certain crimes occurring in certain geographic locations will be included in the Westchester Community College Clery Act Annual Security Report in an anonymized manner that neither identifies the specifics of the crime or the identity of the reporting individual or victim/survivor.

Brian Dolansky  
Director of Security  
Student Center, Room #118  
Brian.Dolansky@sunywcc.edu  
(914)-606-6730

Ruben Barato, (914-606-6777)  
Title IX Coordinator  
STC Building, Room #223  
Ruben.Barato@sunywcc.edu  
914 606-6777

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

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

## 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, domestic violence, dating violence, stalking, 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 violence prevention and response.
- Awareness of violence, its impact on victims/survivors and their friends and family, and its long-term impact.
- The Student's 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 and Interpersonal Violence Cases
- Risk assessment and reduction including, but not limited to, steps that potential victims/survivors *and* potential assailants and bystanders to violence can take to lower the incidence of sexual violence.
- 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 be offered 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 domestic violence, dating violence, sexual assault, or stalking prevention as part of the approval process and require student-athletes to complete training in domestic violence, dating violence, sexual assault, or stalking 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 a regular assessment of their programming and policies 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.



## Reporting Data

Westchester Community College shall annually submit to the NYS Education Department the following information, in accordance with reporting mechanisms established by the NYS Education Department:

- a. How many domestic violence, dating violence, stalking, and sexual assault incidents were reported to the Title IX Coordinator this year?
- b. From those incidents in paragraph (a), how many reporting individuals wanted to use the student conduct process for adjudication?
- c. How many of these cases were actually processed through the student conduct process?
- d. How many of the respondents in these cases were found responsible?
- e. How many of the respondents in these cases in paragraph (c) were found not responsible?
- f. What sanctions were imposed for each instance where a respondent was found responsible (paragraph [d])?
- g. How many cases closed before adjudication or before finding because the accused/respondent withdrew from the institution?
- h. How many cases closed before adjudication or before finding because the reporting individual withdrew the complaint?

# WESTCHESTER COMMUNITY COLLEGE CRIME STATISTICS

**OFFENSE DEFINITIONS:** The following definitions for murder, robbery, aggravated assault, burglary, motor vehicle theft, weapons law violations, drug abuse violations, and liquor law violations are excerpted from the Uniform Crime Reporting Handbook. The definitions of forcible and non-forcible sex offenses are excerpted from the national incident-based reporting edition of the Uniform Crime Reporting Handbook.

**Murder/Non-Negligent Manslaughter:** The willful (non-negligent) killing of one human being by another. Deaths caused by negligence, suicide, accidental deaths, and justifiable homicides are excluded.

**Negligent Manslaughter:** The killing of another person through gross negligence.

**Sex Offenses-Forcible:** Any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent.

- A. Forcible Rape is the carnal knowledge of a person, forcibly and/or against the person's will; or not forcibly against the person's will where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity or because of his/her youth.
- B. Forcible Sodomy is oral or anal sexual intercourse with another person, forcibly and/or against that person's will; or not forcibly against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.
- C. Sexual Assault With An Object is the use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person's will; or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.
- D. Forcible Fondling is the touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will; or, not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental incapacity.

**Sex Offenses-Non Forcible:** Unlawful, non forcible sexual intercourse limited to Incest and Statutory Rape.

- A. Incest is the non forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- B. Statutory Rape is the non forcible sexual intercourse with a person who is under the statutory age of consent.

**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 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 larceny; house-breaking; safe-cracking; and all attempts to commit any of the aforementioned.

**Motor Vehicle Theft:** The theft or attempted theft of a motor vehicle. This includes cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned, including joyriding.

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

**Weapons Law Violations:** 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: All attempts to commit any of the aforementioned.

**Liquor Law Violations:** The violation of laws or ordinance prohibiting: The manufacture, sale, transportation, 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: All attempts to commit any of the aforementioned. (Drunkenness and driving under the influence are not included in this definition.)

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

**Valhalla Campus**  
75 Grasslands Road  
Valhalla, NY  
JANUARY 1, 2013 - DECEMBER 31, 2015

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**NUMBER OF CRIMES REPORTED:**

CRIME CATEGORY	On-Campus			Non-Campus Property			Public Property			Residential		
	13	14	15	13	14	15	13	14	15	13	14	15
Murder	0	0	0	0	0	0	0	0	0	N/A	N/A	N/A
Forcible Sex Offenses	1	0	1	0	0	0	0	0	0	N/A	N/A	N/A
Non-Forcible Sex Offenses	0	0	0	0	0	0	0	0	0	N/A	N/A	N/A
Robbery	0	1	0	0	0	0	0	0	0	N/A	N/A	N/A
Aggravated Assault	0	0	0	0	0	0	0	0	0	N/A	N/A	N/A
Burglary	0	0	0	0	0	0	0	0	0	N/A	N/A	N/A
Motor Vehicle Theft	0	0	1	0	0	0	0	0	0	N/A	N/A	N/A
Manslaughter*	0	0	0	0	0	0	0	0	0	N/A	N/A	N/A
Arson*	0	0	0	0	0	0	0	0	0	N/A	N/A	N/A

**VIOLENCE AGAINST WOMEN ACT (VAWA) OFFENSES:**

CRIME CATEGORY	On-Campus			Non-Campus Property			Public Property			Residential		
	13	14	15	13	14	15	13	14	15	13	14	15
Domestic Violence	N/A	0	0	N/A	0	0	N/A	0	0	N/A	N/A	N/A
Dating Violence	N/A	0	1	N/A	0	0	N/A	0	0	N/A	N/A	N/A
Stalking	N/A	0	2	N/A	0	0	N/A	0	0	N/A	N/A	N/A

**NUMBER OF ARRESTS FOR:**

CRIME CATEGORY	On-Campus			Non-Campus Property			Public Property			Residential		
	13	14	15	13	14	15	13	14	15	13	14	15
Liquor Law Violations	0	0	0	0	0	0	0	0	0	N/A	N/A	N/A
Drug-Related Violations	0	1	0	0	0	0	0	0	0	N/A	N/A	N/A
Weapon Possession	0	0	1	0	0	0	0	0	0	N/A	N/A	N/A

**NUMBER OF PERSONS REFERRED FOR CAMPUS DISCIPLINARY ACTION(S):**

VIOLATION CATEGORY	On-Campus			Non-Campus Property			Public Property			Residential		
	13	14	15	13	14	15	13	14	15	13	14	15
Liquor Law	0	0	0	0	0	0	0	0	0	N/A	N/A	N/A
Drug-Related	0	0	1	0	0	0	0	0	0	N/A	N/A	N/A
Weapon Possession	0	0	0	0	0	0	0	0	0	N/A	N/A	N/A

**Valhalla Campus**  
 75 Grasslands Road  
 Valhalla, NY  
 JANUARY 1, 2013 - DECEMBER 31, 2015

**NUMBER OF HATE CRIMES REPORTED ON CAMPUS:**

CRIME CATEGORY	Total by Year			Category of Bias for Crimes Reported in 2015						
	13	14	15	Race	Religion	Sexual Orientation	Gender	Gender Identity	Disability	Ethnicity/ National Origin
Murder	0	0	0	0	0	0	0	0	0	0
Forcible Sex Offenses	0	0	0	0	0	0	0	0	0	0
Non-Forc. Sex Offenses	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0
Manslaughter*	0	0	0	0	0	0	0	0	0	0
Arson*	0	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0	0
Larceny-Theft	0	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0	0
Destruction/Damage/ Vandalism of Property	1	0	1	0	0	0	0	0	0	1

**NUMBER OF HATE CRIMES REPORTED AT NON-CAMPUS PROPERTIES:**

CRIME CATEGORY	Total by Year			Category of Bias for Crimes Reported in 2015						
	13	14	15	Race	Religion	Sexual Orientation	Gender	Gender Identity	Disability	Ethnicity/ National Origin
Murder	0	0	0	0	0	0	0	0	0	0
Forcible Sex Offenses	0	0	0	0	0	0	0	0	0	0
Non-Forc. Sex Offenses	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0
Manslaughter*	0	0	0	0	0	0	0	0	0	0
Arson*	0	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0	0
Larceny-Theft	0	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0	0
Destruction/Damage/ Vandalism of Property	0	0	0	0	0	0	0	0	0	0

**NUMBER OF HATE CRIMES REPORTED ON PUBLIC PROPERTY:**

CRIME CATEGORY	Total by Year			Category of Bias for Crimes Reported in 2015						
	13	14	15	Race	Religion	Sexual Orientation	Gender	Gender Identity	Disability	Ethnicity/ National Origin
<b>Murder</b>	0	0	0	0	0	0	0	0	0	0
<b>Forcible Sex Offenses</b>	0	0	0	0	0	0	0	0	0	0
<b>Non-Forc. Sex Offenses</b>	0	0	0	0	0	0	0	0	0	0
<b>Robbery</b>	0	0	0	0	0	0	0	0	0	0
<b>Aggravated Assault</b>	0	0	0	0	0	0	0	0	0	0
<b>Burglary</b>	0	0	0	0	0	0	0	0	0	0
<b>Motor Vehicle Theft</b>	0	0	0	0	0	0	0	0	0	0
<b>Manslaughter*</b>	0	0	0	0	0	0	0	0	0	0
<b>Arson*</b>	0	0	0	0	0	0	0	0	0	0
<b>Simple Assault</b>	0	0	0	0	0	0	0	0	0	0
<b>Larceny-Theft</b>	0	0	0	0	0	0	0	0	0	0
<b>Intimidation</b>	0	0	0	0	0	0	0	0	0	0
<b>Destruction/Damage/ Vandalism of Property</b>	0	0	0	0	0	0	0	0	0	0

The 2013 Forcible Sex Offenses was for forcible touching; the 2015 Forcible Sex Offense was for attempted sexual abuse.

The 2015 dating violence report was due to threats made by an intimate partner.

The Valhalla statistics for non-campus properties include the following Westchester Community College Extension Centers: Westchester Center for the Arts, Cross County Yonkers, EOC Yonkers, Mahopac HS, Blessed Sacrament HS, The Ursuline School, Port Chester MS, Roosevelt HS, and Lakeland HS. Crime information was requested from local Police Departments for these locations. Although all departments did not respond, any statistics we did receive are included above.

**Peekskill Extension Center**  
 27 North Division Street  
 Peekskill, NY  
 JANUARY 1, 2013- DECEMBER 31, 2015

**NUMBER OF CRIMES REPORTED:**

CRIME CATEGORY		On-Campus			Non-Campus Property			Public Property			Residential		
		13	14	15	13	14	15	13	14	15	13	14	15
<b>I</b>	<b>Murder</b>	0	0	0	N/A	N/A	N/A	0	0	0	N/A	N/A	N/A
<b>II</b>	<b>Forcible Sex Offenses</b>	0	0	0	N/A	N/A	N/A	0	0	0	N/A	N/A	N/A
	<b>Non-Forcible Sex Offenses</b>	0	0	0	N/A	N/A	N/A	0	0	0	N/A	N/A	N/A
<b>III</b>	<b>Robbery</b>	0	0	0	N/A	N/A	N/A	0	0	0	N/A	N/A	N/A
<b>IV</b>	<b>Aggravated Assault</b>	0	0	0	N/A	N/A	N/A	0	0	0	N/A	N/A	N/A
<b>V</b>	<b>Burglary</b>	0	0	0	N/A	N/A	N/A	0	0	0	N/A	N/A	N/A
<b>VI</b>	<b>Motor Vehicle Theft</b>	0	0	0	N/A	N/A	N/A	0	0	0	N/A	N/A	N/A
<b>VII</b>	<b>Manslaughter*</b>	0	0	0	N/A	N/A	N/A	0	0	0	N/A	N/A	N/A
<b>VIII</b>	<b>Arson*</b>	0	0	0	N/A	N/A	N/A	0	0	0	N/A	N/A	N/A

**VIOLENCE AGAINST WOMEN ACT (VAWA) OFFENSES:**

CRIME CATEGORY	On-Campus			Non-Campus Property			Public Property			Residential		
	13	14	15	13	14	15	13	14	15	13	14	15
<b>Domestic Violence</b>	N/A	0	0	N/A	0	0	N/A	0	0	N/A	N/A	N/A
<b>Dating Violence</b>	N/A	0	0	N/A	0	0	N/A	0	0	N/A	N/A	N/A
<b>Stalking</b>	N/A	0	0	N/A	0	0	N/A	0	0	N/A	N/A	N/A

**NUMBER OF ARRESTS FOR:**

CRIME CATEGORY	On-Campus			Non-Campus Property			Public Property			Residential		
	13	14	15	13	14	15	13	14	15	13	14	15
<b>Liquor Law Violations</b>	0	0	0	N/A	N/A	N/A	0	0	0	N/A	N/A	N/A
<b>Drug-Related Violations</b>	0	0	0	N/A	N/A	N/A	0	0	0	N/A	N/A	N/A
<b>Weapon Possession</b>	0	0	0	N/A	N/A	N/A	0	0	0	N/A	N/A	N/A

**NUMBER OF PERSONS REFERRED FOR CAMPUS DISCIPLINARY ACTION(S):**

VIOLATION CATEGORY	On-Campus			Non-Campus Property			Public Property			Residential		
	13	14	15	13	14	15	13	14	15	13	14	15
<b>Liquor Law</b>	0	0	0	N/A	N/A	N/A	0	0	0	N/A	N/A	N/A
<b>Drug-Related</b>	0	0	0	N/A	N/A	N/A	0	0	0	N/A	N/A	N/A
<b>Weapon Possession</b>	0	0	0	N/A	N/A	N/A	0	0	0	N/A	N/A	N/A

**Peekskill Extension Center**  
 27 North Division Street  
 Peekskill, NY  
 JANUARY 1, 2013 - DECEMBER 31, 2015

**NUMBER OF HATE CRIMES REPORTED ON CAMPUS:**

CRIME CATEGORY	Total by Year			Category of Bias for Crimes Reported in 2015						
	13	14	15	Race	Religion	Sexual Orientation	Gender	Gender Identity	Disability	Ethnicity/ National Origin
Murder	0	0	0	0	0	0	0	0	0	0
Forcible Sex Offenses	0	0	0	0	0	0	0	0	0	0
Non-Forc. Sex Offenses	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0
Manslaughter*	0	0	0	0	0	0	0	0	0	0
Arson*	0	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0	0
Larceny-Theft	0	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0	0
Destruction/Damage/ Vandalism of Property	0	0	0	0	0	0	0	0	0	0

**NUMBER OF HATE CRIMES REPORTED ON PUBLIC PROPERTY:**

CRIME CATEGORY	Total by Year			Category of Bias for Crimes Reported in 2015						
	13	14	15	Race	Religion	Sexual Orientation	Gender	Gender Identity	Disability	Ethnicity/ National Origin
Murder	0	0	0	0	0	0	0	0	0	0
Forcible Sex Offenses	0	0	0	0	0	0	0	0	0	0
Non-Forc. Sex Offenses	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0
Manslaughter*	0	0	0	0	0	0	0	0	0	0
Arson*	0	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0	0
Larceny-Theft	0	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0	0
Destruction/Damage/ Vandalism of Property	0	0	0	0	0	0	0	0	0	0



**Ossining Extension Center**  
 22 Rockledge Avenue (Arcadian Shopping Center)  
 Ossining, NY  
 JANUARY 1, 2013 - DECEMBER 31, 2015

**NUMBER OF CRIMES REPORTED:**

CRIME CATEGORY		On-Campus			Non-Campus Property			Public Property			Residential		
		13	14	15	13	14	15	13	14	15	13	14	15
<b>I</b>	<b>Murder</b>	0	0	0	N/A	N/A	N/A	0	0	0	N/A	N/A	N/A
<b>II</b>	<b>Forcible Sex Offenses</b>	0	0	0	N/A	N/A	N/A	0	0	0	N/A	N/A	N/A
	<b>Non-Forcible Sex Offenses</b>	0	0	0	N/A	N/A	N/A	0	0	0	N/A	N/A	N/A
<b>III</b>	<b>Robbery</b>	0	0	0	N/A	N/A	N/A	0	0	0	N/A	N/A	N/A
<b>IV</b>	<b>Aggravated Assault</b>	0	0	0	N/A	N/A	N/A	0	0	0	N/A	N/A	N/A
<b>V</b>	<b>Burglary</b>	0	0	0	N/A	N/A	N/A	0	0	0	N/A	N/A	N/A
<b>VI</b>	<b>Motor Vehicle Theft</b>	0	0	0	N/A	N/A	N/A	0	0	0	N/A	N/A	N/A
<b>VII</b>	<b>Manslaughter*</b>	0	0	0	N/A	N/A	N/A	0	0	0	N/A	N/A	N/A
<b>VIII</b>	<b>Arson*</b>	0	0	0	N/A	N/A	N/A	0	0	0	N/A	N/A	N/A

**VIOLENCE AGAINST WOMEN ACT (VAWA) OFFENSES:**

CRIME CATEGORY	On-Campus			Non-Campus Property			Public Property			Residential		
	13	14	15	13	14	15	13	14	15	13	14	15
<b>Domestic Violence</b>	N/A	0	0	N/A	0	0	N/A	0	0	N/A	N/A	N/A
<b>Dating Violence</b>	N/A	0	0	N/A	0	0	N/A	0	0	N/A	N/A	N/A
<b>Stalking</b>	N/A	0	0	N/A	0	0	N/A	0	0	N/A	N/A	N/A

**NUMBER OF ARRESTS FOR:**

CRIME CATEGORY	On-Campus			Non-Campus Property			Public Property			Residential		
	13	14	15	13	14	15	13	14	15	13	14	15
<b>Liquor Law Violations</b>	0	0	0	N/A	N/A	N/A	0	0	0	N/A	N/A	N/A
<b>Drug-Related Violations</b>	0	0	0	N/A	N/A	N/A	0	0	0	N/A	N/A	N/A
<b>Weapon Possession</b>	0	0	0	N/A	N/A	N/A	0	0	0	N/A	N/A	N/A

**NUMBER OF PERSONS REFERRED FOR CAMPUS DISCIPLINARY ACTION(S):**

VIOLATION CATEGORY	On-Campus			Non-Campus Property			Public Property			Residential		
	13	14	15	13	14	15	13	14	15	13	14	15
<b>Liquor Law</b>	0	0	0	N/A	N/A	N/A	0	0	0	N/A	N/A	N/A
<b>Drug-Related</b>	0	0	0	N/A	N/A	N/A	0	0	0	N/A	N/A	N/A
<b>Weapon Possession</b>	0	0	0	N/A	N/A	N/A	0	0	0	N/A	N/A	N/A

**Ossining Extension Center**  
 22 Rockledge Avenue (Arcadian Shopping Center)  
 Ossining, NY  
 JANUARY 1, 2013 - DECEMBER 31, 2015

**NUMBER OF HATE CRIMES REPORTED ON CAMPUS:**

CRIME CATEGORY	Total by Year			Category of Bias for Crimes Reported in 2015						
	13	14	15	Race	Religion	Sexual Orientation	Gender	Gender Identity	Disability	Ethnicity/ National Origin
Murder	0	0	0	0	0	0	0	0	0	0
Forcible Sex Offenses	0	0	0	0	0	0	0	0	0	0
Non-Forc. Sex Offenses	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0
Manslaughter*	0	0	0	0	0	0	0	0	0	0
Arson*	0	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0	0
Larceny-Theft	0	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0	0
Destruction/Damage/ Vandalism of Property	0	0	0	0	0	0	0	0	0	0

**NUMBER OF HATE CRIMES REPORTED ON PUBLIC PROPERTY:**

CRIME CATEGORY	Total by Year			Category of Bias for Crimes Reported in 2015						
	13	14	15	Race	Religion	Sexual Orientation	Gender	Gender Identity	Disability	Ethnicity/ National Origin
Murder	0	0	0	0	0	0	0	0	0	0
Forcible Sex Offenses	0	0	0	0	0	0	0	0	0	0
Non-Forc. Sex Offenses	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0
Manslaughter*	0	0	0	0	0	0	0	0	0	0
Arson*	0	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0	0
Larceny-Theft	0	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0	0
Destruction/Damage/ Vandalism of Property	0	0	0	0	0	0	0	0	0	0

**Mount Vernon Extension Center**  
 17 South Fifth Avenue  
 Mount Vernon, NY.  
 JANUARY 1, 2013 - DECEMBER 31, 2015

**NUMBER OF CRIMES REPORTED:**

CRIME CATEGORY		On-Campus			Non-Campus Property			Public Property			Residential		
		13	14	15	13	14	15	13	14	15	13	14	15
<b>I</b>	<b>Murder</b>	0	0	0	N/A	N/A	N/A	0	0	0	N/A	N/A	N/A
<b>II</b>	<b>Forcible Sex Offenses</b>	0	0	0	N/A	N/A	N/A	0	0	0	N/A	N/A	N/A
	<b>Non-Forcible Sex Offenses</b>	0	0	0	N/A	N/A	N/A	0	0	0	N/A	N/A	N/A
<b>III</b>	<b>Robbery</b>	0	0	0	N/A	N/A	N/A	0	0	0	N/A	N/A	N/A
<b>IV</b>	<b>Aggravated Assault</b>	0	0	0	N/A	N/A	N/A	0	0	0	N/A	N/A	N/A
<b>V</b>	<b>Burglary</b>	0	0	0	N/A	N/A	N/A	0	0	0	N/A	N/A	N/A
<b>VI</b>	<b>Motor Vehicle Theft</b>	0	0	0	N/A	N/A	N/A	0	0	0	N/A	N/A	N/A
<b>VII</b>	<b>Manslaughter*</b>	0	0	0	N/A	N/A	N/A	0	0	0	N/A	N/A	N/A
<b>VIII</b>	<b>Arson*</b>	0	0	0	N/A	N/A	N/A	0	0	0	N/A	N/A	N/A

**VIOLENCE AGAINST WOMEN ACT (VAWA) OFFENSES:**

CRIME CATEGORY	On-Campus			Non-Campus Property			Public Property			Residential		
	13	14	15	13	14	15	13	14	15	13	14	15
<b>Domestic Violence</b>	N/A	0	0	N/A	0	0	N/A	0	0	N/A	N/A	N/A
<b>Dating Violence</b>	N/A	0	0	N/A	0	0	N/A	0	0	N/A	N/A	N/A
<b>Stalking</b>	N/A	0	0	N/A	0	0	N/A	0	0	N/A	N/A	N/A

**NUMBER OF ARRESTS FOR:**

CRIME CATEGORY	On-Campus			Non-Campus Property			Public Property			Residential		
	13	14	15	13	14	15	13	14	15	13	14	15
<b>Liquor Law Violations</b>	0	0	0	N/A	N/A	N/A	0	0	0	N/A	N/A	N/A
<b>Drug-Related Violations</b>	0	0	0	N/A	N/A	N/A	0	0	0	N/A	N/A	N/A
<b>Weapon Possession</b>	0	0	0	N/A	N/A	N/A	0	0	0	N/A	N/A	N/A

**NUMBER OF PERSONS REFERRED FOR CAMPUS DISCIPLINARY ACTION(S):**

VIOLATION CATEGORY	On-Campus			Non-Campus Property			Public Property			Residential		
	13	14	15	13	14	15	13	14	15	13	14	15
<b>Liquor Law</b>	0	0	0	N/A	N/A	N/A	0	0	0	N/A	N/A	N/A
<b>Drug-Related</b>	0	0	0	N/A	N/A	N/A	0	0	0	N/A	N/A	N/A
<b>Weapon Possession</b>	0	0	0	N/A	N/A	N/A	0	0	0	N/A	N/A	N/A

**Mount Vernon Extension Center**  
 17 South Fifth Avenue  
 Mount Vernon, NY.  
 JANUARY 1, 2013 - DECEMBER 31, 2015

**NUMBER OF HATE CRIMES REPORTED ON CAMPUS:**

CRIME CATEGORY	Total by Year			Category of Bias for Crimes Reported in 2015						
	13	14	15	Race	Religion	Sexual Orientation	Gender	Gender Identity	Disability	Ethnicity/ National Origin
Murder	0	0	0	0	0	0	0	0	0	0
Forcible Sex Offenses	0	0	0	0	0	0	0	0	0	0
Non-Forc. Sex Offenses	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0
Manslaughter*	0	0	0	0	0	0	0	0	0	0
Arson*	0	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0	0
Larceny-Theft	0	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0	0
Destruction/Damage/ Vandalism of Property	0	0	0	0	0	0	0	0	0	0

**NUMBER OF HATE CRIMES REPORTED ON PUBLIC PROPERTY:**

CRIME CATEGORY	Total by Year			Category of Bias for Crimes Reported in 2015						
	13	14	15	Race	Religion	Sexual Orientation	Gender	Gender Identity	Disability	Ethnicity/ National Origin
Murder	0	0	0	0	0	0	0	0	0	0
Forcible Sex Offenses	0	0	0	0	0	0	0	0	0	0
Non-Forc. Sex Offenses	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0
Manslaughter*	0	0	0	0	0	0	0	0	0	0
Arson*	0	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0	0
Larceny-Theft	0	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0	0
Destruction/Damage/ Vandalism of Property	0	0	0	0	0	0	0	0	0	0