



# YOUR SAFETY AND SECURITY 2020

A comprehensive annual report on  
campus security and fire safety

Compiled by Campus Safety and  
Emergency Services, a unit within  
the Division of Business, Finance  
and Administrative Services



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Dear Students, Faculty and Staff:

Syracuse University is a thriving international research institution in the geographic heart of New York state and, like all great institutions of higher education, has been faced with unprecedented challenges in 2019 and 2020. As the country continues to deal with the COVID-19 pandemic and faces a national reckoning on race and social justice issues, we have committed significant resources to ensure and enhance the safety and security of students, faculty, staff and visitors.

We remain dedicated to your safety and protection. And we are always available to you. Our staff includes more than 200 law enforcement, fire and life safety, emergency communications, security and administrative professionals. Each of us works every day to foster a community where all our students, faculty and staff feel welcome, safe and supported.

Our goals for our community are consistent year after year:

- Reduce crime by equipping our community members with personal and residential safety and security guidelines and recommendations.
- Teach and encourage safe behavior and active bystander best practices.
- Inform the campus community about programs, resources and services, because knowledge is a powerful crime-fighting tool.
- Inspire and invite others to partner with us in our mission to minimize crime and increase safety on and near campus.
- Consistently work to improve and enhance a meaningful relationship with the community, particularly our students, we serve.

This report, which is required by The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (“Clery Act”), is one of the many ways we communicate with our campus community about crime and fire safety data, crime prevention programs, student safety guidelines and important information on our campus safety reporting procedures.

We urge you to familiarize yourself with this information. And we ask that you be a vigilant partner in our ongoing and collective efforts to maintain a safe environment where all our community members can thrive.

Your partners,

Anthony Callisto Jr.  
Senior Vice President for Safety and Chief Law Enforcement Officer

Robert Maldonado  
Chief, Department of Public Safety



**Anthony Callisto Jr.**  
**Senior Vice President,**  
**Chief Law Enforcement**  
**Officer**



**Robert Maldonado**  
**Chief, Department of**  
**Public Safety**

Syracuse University does not discriminate and prohibits harassment or discrimination related to any protected category including creed, ethnicity, citizenship, sexual orientation, national origin, sex, gender, pregnancy, reproductive health decisions, disability, marital status, political or social affiliation, age, race, color, veteran status, military status, religion, sexual orientation, domestic violence status, genetic information, gender identity, gender expression or perceived gender.

Any complaint of discrimination or harassment related to any of these protected bases should be reported to Sheila Johnson-Willis, the University's Chief Equal Opportunity and Title IX Officer. She is responsible for coordinating compliance efforts under the various laws including Titles VI, VII, IX and Section 504 of the Rehabilitation Act. She can be contacted at Equal Opportunity, Inclusion, and Resolution Services, 005 Steele Hall, Syracuse University, Syracuse, NY 13244-1120; or by email: [titleix@syr.edu](mailto:titleix@syr.edu); or by telephone: 315.443.0211.

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## About the Department of Public Safety

The chief priorities of Syracuse University's **Department of Public Safety (DPS)** are protecting our students, faculty and staff and reducing crime on campus and in nearby neighborhoods we patrol. The department accomplishes this mission by soliciting and encouraging all members of our community to actively partner with DPS to identify, recognize and eliminate crime hazards and safety risks within the community.

The department, which consists of more than 200 employees, is located on the ground floor of Sims Hall and operates 24/7, year-round. Law enforcement academy-trained, sworn campus peace officers and non-sworn community service officers provide proactive services through vehicular, bicycle and foot patrol. They respond to more than 77,000 calls for service on and around campus each year. Non-sworn residential community safety officers are located at the entrances of all residential facilities, and communications officers and fire and life safety officers provide round-the-clock focus on campus safety.

Under DPS's organizational structure, functions align under four areas:

- **Law Enforcement and Community Policing** is responsible for patrol, responding to calls for service, investigations, community resources/special events, and student residential housing and safety escort security services.
- **Fire and Life Safety Services** is responsible for fire prevention programming and fire inspections.
- **Administrative and Operational Support** is responsible for property and evidence, records, training, recruitment, staff development, accreditation and safety equipment management.
- **Emergency Management** is responsible for emergency communications, emergency and business continuity planning, exercises, response and recovery.

### DPS AND OTHER LAW ENFORCEMENT AGENCIES

DPS works closely with the principal law enforcement agencies of the **Syracuse Police Department (SPD)** ([syracusepolice.org](http://syracusepolice.org)), the **Onondaga County Sheriff's Office (OCSO)** ([sheriff.ongov.net](http://sheriff.ongov.net)), the **New York State Police** ([troopers.ny.gov](http://troopers.ny.gov)) and the **Town of DeWitt Police Department (TDPD)** ([townofdewittpolice.com](http://townofdewittpolice.com)).

Syracuse University is a private institution, but SPD officers routinely patrol the streets that intersect with and are adjacent to the University. SPD officers do come on campus when required to investigate crimes, but they make every attempt to notify DPS prior to doing so, and are accompanied by DPS officers when on campus. Additionally DPS and SPD routinely perform joint crime suppression patrols on and off campus through the University Area Crime Control Team.

DPS utilizes a communications system that is interoperable with all local and regional law enforcement agencies and shares incident reporting systems with those agencies. Annual trainings for the use of this system are held with SPD and other law enforcement agencies.

Additionally, DPS collaborates regularly with the **SUNY College of Environmental Science and Forestry (ESF)** and **SUNY Upstate Medical University** police officers, whose campuses are in close proximity to Syracuse University. DPS and SUNY-ESF police officers share law enforcement-related reports and information.

DPS operates under **Memoranda of Understanding (MOU)** with the SPD, OCSO and TDPD that outlines each agencies' responsibilities for investigating alleged crimes and offenses in the University area.

When a Syracuse University student is involved in an off-campus incident or offense, DPS officers may be asked to assist with the investigation, or they may

conduct a parallel investigation in cooperation with local, state or federal law enforcement. As a result of the DPS investigation, a student found responsible for a University Code of Student Conduct violation may be referred to the University's **Office of Student Rights and Responsibilities (OSRR)**, in addition to any criminal process initiated by any outside law enforcement agency.

Annually, DPS receives a summary of all crime occurring off campus, and these statistics are included in this annual report. DPS regularly reviews crime analysis bulletins from local law enforcement agencies for any reported incidents of interest to the University. Also annually, DPS requests a summary of criminal activity from local law enforcement agencies for the following:

- on-campus buildings or property owned or controlled by the University;
- non-campus buildings or property owned or controlled by student organizations that are recognized by the University;
- non-campus buildings or property owned or controlled by the University that are used in direct support of, or in relation to, the University's educational purposes, or are frequently used by students but are not in the same adjacent or contiguous geographic area of the University; and
- public property—including parks, thoroughfares, streets, sidewalks and parking facilities—that are within the campus or immediately adjacent to and accessible from the campus.

The jurisdiction of DPS does not extend to buildings or property owned or controlled by student organizations, or to public property. Therefore DPS's role in investigating criminal activity at these locations is limited to sharing information, cooperating and coordinating with the investigating local law enforcement agency.

### **CAMPUS PEACE OFFICERS**

All of DPS's **campus peace officers** are required to successfully complete a certified campus peace officer or police academy, which includes more than 24 weeks of physical, academic and practical training. Following a drug screening, a psychological evaluation and a criminal background investigation, the SPD chief swears in each officer. Campus peace officers have:

- the power of arrest based on probable cause;
- the authority to enforce orders of protection in relationship violence cases;
- the ability to make traffic and suspicious vehicle stops;
- the authority to issue appearance tickets and uniform traffic tickets;
- the right to confiscate stolen property, illegal weapons and controlled substances;
- the authorization to operate emergency equipment; and

- access to local, state and federal records to facilitate first-responder calls and investigations.

### **COMMUNITY SERVICE OFFICERS**

DPS's team of **community service officers** hold New York State security guard certifications. They patrol the University's buildings and grounds, assist motorists in need, help with crime prevention outreach efforts and assist with requests to staff on-campus and satellite facilities. Community service officers do not have the authority to arrest.

### **RESIDENTIAL COMMUNITY SAFETY OFFICERS**

During the Spring 2020 semester, DPS enhanced the residence hall safety and security program by adding 96 full-time residential community safety officers (RCSO) 24/7 to the main entrance of all resident halls. The RCSOs hold the New York State security guard certification.

The primary responsibility of the RCSO is to monitor and control access to residence halls by checking the identification of all persons entering and signing in visitors and guests who are escorted by a hall resident. The RCSOs also act as eyes and ears for DPS, recognizing and reporting suspicious, illegal or unauthorized activity in residence halls.

### **NEIGHBORHOOD SAFETY PATROL AND UNIVERSITY AREA CRIME CONTROL TEAM**

Syracuse University conducts patrols in neighborhoods bordering the eastern edge of campus. The Neighborhood Safety Patrol (NSP) is a partnership among residents of the University neighborhood, the Syracuse Property Owners Association, the Southeast University Neighborhood Association, SPD and Syracuse University.

NSP is part of an effort to prevent criminal activity, promote resident safety and improve the quality of life in the neighborhood.

NSP supplements the normal police coverage for the University neighborhood, operating most Thursday nights and six hours on Friday and Saturday nights during the academic year. The area covered is west to east from University Avenue to Allen Street, and north to south from East Genesee Street to Stratford Street. Since its founding in 1999, NSP has had success in promoting safety, deterring crime and addressing many issues affecting SU's east neighborhood, such as concentration of students at parties, loud noise and illegal parking.

Additionally, in 2012 the SPD and DPS added a joint patrol, the University Area Crime Control Team (UACCT), to focus on deterring violent crime in areas near campus.

## DPS EMERGENCY COMMUNICATIONS CENTER

The hub of all DPS activity is the state-of-the-art **Emergency Communications Center (ECC)** in Sims Hall. Trained communications officers (dispatchers) are available 24/7 to answer emergency calls at 315.443.2224 or toll-free at 855.443.2224. The ECC receives thousands of calls each year for DPS assistance. When calls are received that require assistance from other University departments or outside agencies, DPS communications officers immediately assist the caller by transferring the call or referring it to the appropriate department.

## ADOPT-A-HALL

This program partners a DPS officer with a residence hall population to provide a solid foundation for building trust, exchanging information and increasing awareness. DPS officers attend floor meetings, give crime prevention presentations and listen to students' opinions about campus safety and security. To contact an Adopt-A-Hall officer, call 315.443.2265.

## RAPE AGGRESSION DEFENSE

**Rape Aggression Defense (R.A.D.)** is a nationally known self-defense program of realistic self-defense tactics and techniques for women. The R.A.D. system is a comprehensive course that begins with awareness, prevention, risk reduction and risk avoidance, and then progresses on to the basics of hands-on defense training. Courses are taught by nationally certified R.A.D. instructors. R.A.D.'s program objective is to develop and enhance the options of self-defense so they become viable considerations to a woman if attacked. For more information, call 315.443.2265 or visit [dps.syr.edu/crime-prevention/rape-aggression-defense-classes/](https://dps.syr.edu/crime-prevention/rape-aggression-defense-classes/).

## GENERAL CRIME PREVENTION

Members of the **Investigations and Crime Prevention Section** provide crime prevention and general security and safety awareness presentations when requested by students, University employees and community groups. Crime Prevention personnel are also available to assist with planning, presenting and coordinating crime prevention programs. DPS organizes and sets crime prevention and education display tables, staffed by officers, at various events and locations throughout the year, including incoming student orientations and prospective student welcome days.

During the 2017-18 academic year, DPS conducted 158 events, workshops and presentations for departments and groups. For more information, or to schedule education and awareness programs, please contact the Investigations and Crime Prevention Section at 315.443.2265.

## MISSING PERSONS

It is the policy of DPS to immediately accept and actively investigate every report of a person missing from campus. In the event that the individual is not located in a timely manner, SPD will be notified. Every individual has standing to report someone missing, and there is no requisite time frame necessary for a person to be considered missing. A reporting person should immediately call DPS at 315.443.2224 or toll-free at 855.443.2224. DPS notifies local law enforcement as soon as practicable and in no case more than 24 hours after receipt of a missing person report.

Every student has the option to provide a Missing Person Contact, to be notified in the event that the student is determined to be missing for a period of more than 24 hours. The Missing Person Contact is confidential and will only be accessed by University officials for law enforcement purposes pursuant to a missing person investigation.

If a student is under 18 years of age and not an emancipated individual, Syracuse University is required to notify a custodial parent or guardian in the event that the student is determined missing for more than 24 hours, but DPS may elect to make a notification earlier, depending on the attendant circumstances.

To register a Missing Person Contact, go to MySlice ([myslice.syr.edu](https://myslice.syr.edu)), login using your NetID and password, select the icon in the My Profile pagelet, select "Missing Person Contacts" from the navigation menu, and select "Add Contact" or "Copy Emergency Contacts to Missing Person Contacts." If a student has not registered a contact person, SPD will be notified that the student is missing.

## LIVESAFE APP

LiveSafe is a mobile app used at universities nationwide. This app is designed to offer direct connectivity with the DPS emergency dispatch center from users' cell phones. Students, faculty and staff can download the free LiveSafe app to their iPhone or Android, sign up with their University email address and connect the app with "Syracuse University."



LiveSafe acts as a "mobile blue light," integrating GPS location information when users contact the emergency dispatch center through the app. It features a function called "SafeWalk" that permits users to virtually share their location with friends as they walk to a destination. App users may also send tips regarding crimes in progress or potentially unsafe situations through the app and can attach photo and video to provide DPS with further information.

## TO REPORT A CRIME

Students, faculty, staff and guests should promptly and accurately report all criminal incidents and other emergencies occurring on campus. To report a crime or emergency, in addition to the LiveSafe app, you can dial 315.443.2224, 711 from any campus phone, or dial #SU (#78) from a mobile phone with Verizon, Sprint or AT&T service. If you are in a situation where you are unable to place a phone call (for example, from a very loud room), send a text message to [711@syr.edu](mailto:711@syr.edu).

For emergencies or non-emergencies, dial 315.443.2224. Complainants may also choose to report an incident directly to the DPS office, located at Sims Hall, 130 College Place. After regular University business hours, a patrol officer will be summoned from regular patrol to meet with walk-in complainants.

Resources on campus, available to assist students in reporting and recovering from crimes and other serious incidents, include the **Office of Student Living** (315.443.3637), located at 111 Waverly Avenue; **Counseling** at The Barnes Center at The Arch (315.443.8000); and the **Office of Student Rights and Responsibilities** (abbreviated OSRR, 315.443.3728), located at 310 Steele Hall.

In addition, please contact the **Equal Opportunity, Inclusion and Resolution Services office (EOIRS)** regarding any incident involving harassment or discrimination, including sexual harassment, stalking, non-consensual sexual contact, domestic violence, dating violence, unwelcome sexual conduct or comments, or unwelcome comments or conduct related to any other protected category, including race, ethnicity, national origin, ancestry, color, creed, marital status, veteran status, disability, sexual orientation, gender, gender identity or expression, religion and domestic violence status.

EOIRS can be reached at 315.443.0211. The EOIRS office includes **Sheila Johnson-Willis**, Title IX coordinator, who can be reached at 315.443.4018 or by email at [titleix@syr.edu](mailto:titleix@syr.edu). EOIRS is located at 005 Steele Hall. The **Office of Human Resources** (315.443.4042) can assist employees. To contact SPD, dial 911.

## SILENT WITNESS

Community members may elect to provide information relative to a crime or suspicious incident anonymously through the **Silent Witness** program. DPS always prefers to deal directly with a complainant, but when sufficient information is provided it is often possible to initiate an investigation from a Silent Witness entry. Especially helpful to an investigation are details about exactly what happened, the location(s) as specific as possible, dates and times, names of involved persons and descriptions.

The purpose of accepting anonymous reports is to comply with an individual's desire to remain unidentified while also ensuring that proscribed behavior is addressed promptly. Any investigation report generated in this manner would naturally be counted in the annual crime statistics provided to the Department of Education if it falls into one of the Clery Act reporting categories. DPS follows a series of guidelines known as Standard Operating Procedures to dictate officers' responses to each individual report.

Silent Witness is a web-based tip program, allowing citizens to anonymously provide DPS with non-urgent information on crime, bias, abuse or disorder. Information is collected through the nationally used Ethics Point software program and is used to solve crimes on and surrounding campus. Silent Witness is available online at [dps.syr.edu/law-enforcement/report-a-crime](https://dps.syr.edu/law-enforcement/report-a-crime).

## TAKING INTEREST IN YOUR PERSONAL SAFETY (TIPS)

The TIPS telephone line, 315.443.TIPS (8477), available in both English and Spanish, allows citizens to leave non-urgent anonymous tips via a voice mail system. Calls are not traced.

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## Our Services

### SAFETY ESCORTS

DPS provides shuttle escorts and walking escorts to ensure that members of the campus community arrive safely to their destinations. As such, the shuttle services are secondary resources to other established transportation methods, including Centro buses.

Walking escorts will be provided by individuals wearing a bright orange vest/jacket to students, faculty and staff to and from, on and near off-campus locations. When they are not providing an escort, they will be strategically located along Euclid Avenue, as well as Walnut Park and Marshall Street. The Walking Escort program operates daily from 10:30 p.m. to 3:30 a.m. throughout the academic year.

The Shuttle Escort Service is operated daily 9 p.m. to 7 a.m. throughout the academic year by DPS community service officers. Shuttle escorts do not operate to the areas covered by Centro buses during their hours of operation.

Walking and shuttle escorts can be requested by calling 315.443.SAFE (7233).

### TIMELY WARNINGS

DPS creates and distributes timely warnings both as a crime prevention tool and in response to continuing threats to persons or property that occur either on campus, in the neighborhoods closely adjoining the campus, or in other areas of the city where University staff or students have an active presence. Timely warnings include information about the crime that triggered the warning, in order to promote safety and enable members of the campus community to protect themselves from similar crimes.

Timely warning alerts are written and sent by the chief of public safety and/or designees (duty officers, who rotate by shift). They are edited and reviewed by the DPS administration as well as University communications staff. They are distributed electronically through a blast email and posted on the DPS website at [dps.syr.edu/public-information/public-safety-notice/](https://dps.syr.edu/public-information/public-safety-notice/).

Timely warnings related to an ongoing concern for violence will read “PUBLIC SAFETY NOTICE.” For timely warnings related to an ongoing property crime problem or about general safety-related information, DPS will issue an alert that reads “PUBLIC SAFETY INFORMATION.” Alerts that provide information regarding a threat that has passed or an update to a previously issued Public Safety Notice or Public Safety Information will read “PUBLIC SAFETY.”

The chief or designee reviews all serious crimes reported to DPS, as well as less serious crimes that show evidence of repetitive patterns. A Public Safety Notice (Updates, Information) may be warranted if there is an ongoing threat to the community.

Timely warnings related to an ongoing concern for violence will read “PUBLIC SAFETY NOTICE.” For timely warnings related to an ongoing property crime problem or about general safety-related information, DPS will issue an alert that reads “PUBLIC SAFETY INFORMATION.” Alerts that provide information regarding a threat that has passed or an update to a previously issued Public Safety Notice or Public Safety Information will read “PUBLIC SAFETY.”

Follow-up information will be disseminated when appropriate, and all alerts are posted online at [dps.syr.edu](https://dps.syr.edu). An interactive map is made available to better illustrate where an incident occurred in relation to the campus.

Anyone with information warranting a timely warning is encouraged to report the incident to DPS by immediately calling 315.443.2224, toll-free 855.443.2224 or 711 from a campus landline.

### SERVICE TO THE OFF-CAMPUS COMMUNITY

Students, faculty, staff and guests of the University are encouraged to accurately and promptly report all criminal incidents and other emergencies that occur in locations surrounding the campus to the Syracuse Police Department (911). To report non-emergency incidents, call 315.442.5111.

DPS works closely with SPD. When SPD investigates an incident in which a Syracuse University student is involved at an off-campus location, including a non-campus building like a fraternity or sorority house, DPS is usually notified immediately. DPS and University officials from the Division of Enrollment Management and the Student Experience work closely to address criminal activity and/or other issues at recognized fraternities and sororities. DPS also responds to student-related incidents at off-campus locations in the neighborhoods surrounding the University at the request of SPD.

The DPS Emergency Communications Center has direct communications with SPD and the Onondaga County Emergency 911 Center, as well as with fire and ambulance services. All DPS peace officers have inter-operable radios with SPD, allowing them to monitor police calls affecting the neighborhoods adjoining the University.

Sexual assaults at off-campus locations may still be reported to **DPS** (005 Sims Hall) at 315.443.2224, the **Syracuse Police Department** (511 S. State Street) at 315.435.3016, the **New York State Police** at 844.845.7269, the **Syracuse University Sexual and Relationship Violence Response Team** (150 Sims Drive, Barnes Center at The Arch) at 315.443.8000, or to the **Title IX Coordinator** (005 Steele Hall) at 315.443.0211.

### BLUE LIGHT PHONE SYSTEM

More than 150 emergency two-way call stations are located at strategic locations throughout campus. When the red alarm button is depressed, an individual can communicate directly with a DPS dispatcher/communications officer. The dispatcher will send a peace officer or emergency team to respond to the incident. A map of the blue lights can be viewed at [dps.syr.edu/public-information/blue-lights](https://dps.syr.edu/public-information/blue-lights).

### SECURITY SYSTEMS

For your enhanced safety, Syracuse University has installed a video security system on campus that includes more than 1,200 cameras, which can capture more than 1,700 views and outdoor vantage points around campus and the surrounding area through moveable and fixed cameras. While not every camera is directly monitored at all times, all cameras on the system are constantly recording.

For further information, view the complete Security Cameras Policy ([dps.syr.edu/law-enforcement/policies/](https://dps.syr.edu/law-enforcement/policies/)).

### DAILY CRIME LOGS

A daily crime log listing all crimes and other incidents reported to DPS is maintained according to the nature of the crime or incident, along with the date, time, general location and disposition of complaint (if known). The crime log is prepared during business hours, Monday through Friday, excluding holidays, and is available to the public at any time. It is also available online at [dps.syr.edu/public-information/daily-crime-log/](https://dps.syr.edu/public-information/daily-crime-log/). Certain information may be withheld to protect a victim or maintain the integrity of a criminal investigation in progress.

### ACCESS TO CAMPUS FACILITIES

Access to campus buildings and grounds is a privilege extended to students, faculty, staff and guests. The University encourages an open environment with limitations to assure adequate protection of all members of the University community.

Except for residence halls, most campus facilities are normally open when classes are in session or by special arrangements with the building coordinator, with **Student Centers and Programming Services** (315.443.4240) or DPS.

The general public can attend cultural and recreational events on campus, with access limited to facilities in which the events are held. Authorization for use of campus grounds for assembly purposes must be obtained in advance from Student Centers and Programming Services in Suite 138, Women's Building.

At night and during times when the campus is officially closed, University buildings are locked. The **Office of Housing, Meal Plan and I.D. Card Services** controls access to all residence halls through an electronic card access system. Students gain access to their residence halls by swiping their I.D. cards into the card-reading device at the entrance. I.D. cards are non-transferable and may not be used by any other person for any other purpose. I.D. cards are issued to registered students through the I.D. Card Office at 206 Steele Hall (315.443.2721).

Students who live in the residence halls receive colored security stickers to place on their I.D. cards when they check into their hall at the beginning of the academic year. From 8 p.m. to 7 a.m., residential security aides (RSAs) check I.D. cards to ensure that all people entering the building reside in that residence hall. Guests must be signed in with the RSA by a resident of that hall and are governed by the Guest and Registration policies established by the **Office of Student Living (OSL)**, which can be found at [orl.syr.edu/living\\_in\\_our\\_communities/Guest%20Registration.html](https://orl.syr.edu/living_in_our_communities/Guest%20Registration.html).

Individuals who suspect their I.D. cards may have been lost or stolen should contact the I.D. Card Office during normal business hours, Monday through Friday, 8:30 a.m. to 5 p.m., or DPS after hours (315.443.2224).

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## Orange Alert

### EMERGENCY NOTIFICATION AND RESPONSE PROCEDURE

With an **Orange Alert**, DPS will immediately notify the campus community in the event of an existing or imminent life-threatening emergency. A DPS response to an emergency affecting the campus may be initiated by calling DPS at 315.443.2224, 711 from a University landline, or alternately, by calling 911.

Orange Alert is designed to provide rapid notification and instructions to Syracuse University students, faculty and staff and SUNY College of Environmental Science and Forestry students in the event of a verified crisis where there exists an immediate threat of serious physical harm.

Confirmation of a crisis occurs when a sworn law enforcement officer, including DPS or the Syracuse Police Department (sometimes working collaboratively with other University departments, including the Environmental Health and Safety Services Office or the Department of Emergency Management/Business Continuity Planning), determines that the threat posed by the emergency is legitimate. All DPS peace officers have the authority to activate the Orange Alert system if necessary.

DPS officers and supervisors have received training in the National Incident Management System (NIMS), the Incident Command System (ICS) and other advanced training, and are trained first responders. DPS officers have a responsibility to respond to, investigate and remediate any emergency or dangerous situation on property owned or controlled by the University.

DPS officers will respond to emergencies in conjunction with the Syracuse Police Department and other local, state and federal agencies, and will work with those other first responders in a coordinated effort to manage the incident. DPS will likewise coordinate efforts with other University departments, building coordinators, the Syracuse Police Department and the Syracuse Fire Department to facilitate orderly evacuations of buildings that are adversely affected during emergencies.

After considering the safety of the campus community and after determination that an Orange Alert is required, the on-duty DPS patrol supervisor will decide the appropriate information to disseminate and will utilize various communications mechanisms—including email, text messaging, social media networks and cell/landline phone calls—to send a brief notice about the incident with instructions of what to do. A typical message might read, “Orange Alert: [Type of emergency] at [specific location],

evacuate immediately, remain away, await further instructions.” When issuing an Orange Alert, the institution will withhold as confidential any personally identifying information of victims.

The Orange Alert electronic communication systems are augmented by sirens located on the Kenneth A. Shaw Quad, at the Whitman School of Management and at Falk College on the Main Campus, and at South Campus housing.

If an emergency is confined to a specific part of the University, affects a small portion of the community and might not warrant an Orange Alert, DPS may elect to make notifications differently. In those instances, notifications relative to possible evacuations may be directed at the inhabitants of a specific building or area of the campus and may be accomplished through a low-tech use of public address systems in Public Safety vehicles. DPS will continually assess the need to notify additional segments of the campus community as required.

After an Orange Alert message is broadcast, more detailed follow-up information will be provided through various means, including but not limited to the University’s website, University social media resources, email, phone and campus radio and television resources.

### REGISTERING FOR EMERGENCY NOTIFICATIONS

Orange Alert contact information for students, faculty and staff is drawn from the MySlice online information system. To review and/or modify your contact information, go to MySlice, log in using your NetID and password, click on the “Orange Alert” link, then review/modify and save your information. Students at SUNY-ESF should use the ESF emergency contact information page on MyESF to update their Orange Alert information.

### NOTIFICATIONS TO THE COMMUNITY

In addition to Orange Alert crisis notifications to the campus community, the University will likewise inform the larger community through media alerts to television and radio stations from the Division of Marketing and Communications and will post updates at the Syracuse University website at [syracuse.edu](http://syracuse.edu).

The University also recognizes that there are some instances where an immediate notification might not be possible or practical. Possible reasons why the University might not immediately issue a notification for a confirmed emergency are if doing so will compromise efforts to assist victim(s), contain the emergency, jeopardize an

expeditious response, or might hamper efforts to mitigate or appropriately address the emergency, according to outside agencies to include the Syracuse Police Department chief, the Syracuse Fire Department chief, or in the case of a medical emergency, the Onondaga County Health Department's commissioner of health.

General information pertaining to emergency responses, evacuation and shelter-in-place procedures can also be located on the University's Emergency Reference Guide at [emergencyguide.syr.edu](http://emergencyguide.syr.edu). That webpage is also linked from both the SU webpage at [syracuse.edu](http://syracuse.edu), as well as the DPS webpage at [dps.syr.edu](http://dps.syr.edu). Procedures for emergency responses and evacuation procedures are also detailed more thoroughly later in this report under the Fire Safety portion titled "Syracuse University Emergency Evacuation Procedures."

### TESTING EMERGENCY RESPONSE AND EVACUATION PROCEDURES

The Orange Alert system is tested at least twice yearly, and the University's siren system is tested weekly. As part of the standard orientation process, students residing in residence halls are provided information on fire safety, fire drills, evacuation processes and shelter-in-place procedures during initial floor meetings, and they are likewise informed about the Emergency Reference Guide on the University's webpage.

Additionally, fire/evacuation drills are conducted twice each semester in the University's residence halls, during which students are provided guidance in choosing the most suitable egress when exiting residence halls. Fire drills provide one method of testing fire alarm equipment effectiveness. The Environmental Health and Safety Services Office trains residence hall staff in fire safety at the onset of every academic year. In the event of a long-term evacuation of a residence hall, DPS and the Office of Student Living would communicate information to students relative to the developing situation and selected evacuation shelters.

Residence hall fire drills are monitored and evaluated by members of the Environmental Health and Safety Services Office, DPS and the Office of Student Living, and problems or issues are addressed immediately. DPS is also provided updated information from the Housing Office and the Office of Student Living regarding individuals with special needs residing in residence halls who may require assistance during an evacuation. DPS is likewise provided information from the Registrar's Office regarding individuals who may require assistance during an evacuation of an academic or other on-campus building.

### EMERGENCY/DISASTER DRILLS

DPS facilitates an annual on-campus disaster drill by pulling together University departments and outside agencies such as the Syracuse Police Department, the Onondaga County Sheriff's Office, the Syracuse Fire Department and the local ambulance service. All of the departments coordinate to solve the problem presented in the emergency drill. The live exercise is announced in advance, and each drill generally involves either the evacuation of one or more buildings and/or the instruction to shelter in place. A post-incident critique is held, during which pros and cons are highlighted and discussed to improve upon response effectiveness.

An emergency caused by an intentional act in a campus building might necessitate a specific type of response that could include securing the building, establishing perimeters, searching the building or initiating a controlled evacuation in a specific manner, among other options. DPS trains with the Syracuse Police Department and other local law enforcement entities, and is prepared to deal with any eventuality that might occur.

Additionally, various University departments often participate in inter-department exercises centered on different scenarios to gauge effectiveness in evacuating large buildings and/or portions of the campus and responding to on-campus emergencies.

The University's **Fire and Life Safety Services Office**, a unit within DPS, conducts annual fire/evacuation drills of on-campus buildings and coordinates these announced drills with the building coordinators and DPS. These entities, working together with the building's occupants, conduct follow-up assessments to ensure the emergency response is satisfactory.

### PUBLICIZING EMERGENCY RESPONSE AND EVACUATION PROCEDURES

The periodic tests of the Orange Alert system not only test its effectiveness; they simultaneously inform subscribers and community members of the University's Emergency Reference Guide. To review the guide, visit [emergencyguide.syr.edu](http://emergencyguide.syr.edu).

### SYRACUSE UNIVERSITY AMBULANCE

Syracuse University Ambulance (SUA) provides basic EMS response and transport services for the SU community. Call SUA at 711 on campus or 315.443.4299 off campus for medical emergencies. For more information, visit [sua.syr.edu](http://sua.syr.edu).

## ALCOHOL AND OTHER DRUGS

The possession, consumption, sale and/or distribution of alcohol to underage students are governed by the New York state and Syracuse University policies. The University is committed to making the campus safe and is proactive in addressing suspected violations surrounding alcohol or other drug violations. Underage drinking is strictly prohibited. It is a violation of University policy for underage students to be in possession of alcohol in any campus setting, and those students who are found are subject to the standards established by the University outlined within the Student Conduct System handbook. It is unlawful to sell or provide alcohol to anyone under the age of 21, and any University member found responsible for such behavior faces criminal prosecution and University sanctions.

The Syracuse Police Department actively enforces the city ordinance respective to open containers containing any alcoholic beverage in the neighborhoods adjoining the University; students in violation of that ordinance are likewise subject to both criminal prosecution and University sanctions.

The possession, sale, manufacture or distribution of any controlled substance is illegal under both New York state and federal law. All members of the Syracuse University community are expected to fulfill their obligations and responsibilities pursuant to institutional policy and federal, state and local laws. Any disciplinary action imposed by the University may be in addition to penalties imposed by an off-campus authority.

The complete Alcohol, Other Drugs and Tobacco Policy is available online at [policies.syr.edu/policies/university-governance-ethics-integrity-and-legal-compliance/alcohol-other-drugs-and-tobacco-policies](http://policies.syr.edu/policies/university-governance-ethics-integrity-and-legal-compliance/alcohol-other-drugs-and-tobacco-policies). Student policies, which are described in the student handbook, are also available online at [studentconduct.syr.edu](http://studentconduct.syr.edu).

### Alcohol and Other Drugs Prevention, Education and Campus Resources

Syracuse University uses multiple strategies to provide comprehensive education and prevention regarding alcohol and other drugs.

Notable programs include:

- All first-year and transfer students are required to complete online alcohol and sexual assault prevention and education programs at Syracuse University. Student feedback, along with assessment data, demonstrate that this program has been well received by our students and has resulted in significant knowledge gained in regards to both substance abuse and sexual violence.
- Syracuse University's nationally recognized BeWise social marketing campaign ([bewise.syr.edu](http://bewise.syr.edu)) and BeWise student peer educators provide education to students about how to consume alcohol safely if they

choose to drink, how to recognize warning signs of alcohol poisoning and how to get help in the event of an alcohol-related emergency.

- The Barnes Center at The Arch coordinates educational programming regarding substance use prevention for the Syracuse University community. Requests for programming are made by a variety of audiences including, but not limited to, classes, residence halls, student groups, fraternities and sororities, and athletic teams. Programs are facilitated by BeWise peer educators and trained staff members. To request a program, please visit [syracuse.edu/bewell](http://syracuse.edu/bewell) and complete a program request form. For more information on education and prevention efforts, contact the Barnes Center at The Arch Health Promotion at [healthpromotion@syr.edu](mailto:healthpromotion@syr.edu) or 315.443.8000.
- The Options Program at the Barnes Center at The Arch ([syracuse.edu/bewell](http://syracuse.edu/bewell)), a program within Counseling, provides assessment, intervention, education and referral services for all full-time students who experience problems or have concerns about their use of alcohol or other drugs. Like all Counseling services, it is free and confidential. Students may self-refer or be mandated through a variety of University departments. All services are provided by certified, licensed or license-eligible therapists. Students can contact the Options Program at 315.443.8000.

## ANNUAL NOTIFICATION OF DRUG AND ALCOHOL POLICIES AND PROGRAMS

As a requirement of the Drug-Free Schools and Campuses Act (EDGAR Part 86), Syracuse University is required to disseminate drug and alcohol policies and information on an annual basis. The purpose of this notification is to provide the campus community with details about the standards of conduct, policies, sanctions, legal penalties and health information relating to drugs and alcohol. The University distributes the notice by email, a copy of which can be accessed at [riskmanagement.syr.edu/drug-free-schools-and-campuses-act-report/](http://riskmanagement.syr.edu/drug-free-schools-and-campuses-act-report/).

## TOBACCO-FREE CAMPUS

As of July 1, 2015, Syracuse University is a smoke- and tobacco-free campus. Smoking is banned in all University buildings. This new, expanded policy prohibits smoking and the use of all tobacco products on property owned, operated or controlled by the University, indoors and out. It applies to all University students, staff and faculty, as well as all volunteers, visitors, contractors and vendors.

## Compliance and Enforcement

Compliance with and enforcement of the policy is the responsibility of each member of the Syracuse University community. Faculty, staff, students, alumni

and volunteers are expected to enforce the policy for their facilities and/or sponsored activities. Individuals are encouraged and empowered to inform others tactfully and respectfully about the policy in an ongoing effort to support others to be tobacco free, promote a smoke- and tobacco-free environment and encourage a culture of compliance.

### Violations

Faculty, staff and students violating this policy may be subject to University disciplinary action. Visitors and alumni who violate and refuse to comply with this policy may be asked to leave campus. Sanctions imposed under this policy do not diminish or replace any penalties available under applicable federal, state and local laws. The New York Public Health Law and the New York State

Clean Indoor Air Act prohibit smoking in any indoor area, open to the public, to protect all employees and visitors from secondhand smoke, an established cause of cancer and respiratory disease. The New York Public Health Law provides for a civil penalty of up to \$2,000 for any violation of its non-smoking provisions (Appendix D, Section 3).

### Complaints

A complaint, concern or dispute regarding smoking or the use of tobacco products under this policy should be promptly referred for resolution to an immediate supervisor, administrator responsible for the area, or to the executive director of the University Wellness Initiative.

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## Sexual Assault, Sexual Harassment, Stalking and Relationship Violence Definitions

As of August 14, 2020, to comply with new federal regulations implementing Title IX, the University updated its Sexual Harassment, Abuse, and Assault Prevention Policy. The definitions printed in this section are the updated definitions. Reach out to Risk Management and Regulatory Compliance Services for definitions in place prior to that date. University policy definitions may differ from these definitions because the University conduct system is separate and distinct from the criminal justice system.

### SEXUAL HARASSMENT

Sexual Harassment is a collective term that includes more specific forms of Prohibited Conduct as follows:

Sexual Harassment is conduct on the basis of sex that satisfies one or more of the following:

- Actions by a University faculty or staff member conditioning the provision of an aid, benefit, or service of the University on an individual's participation in unwelcome sexual conduct;
- Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the University's education program or activity; or
- Sexual Assault, Dating Violence, Domestic Violence, and Stalking, as defined below.
- The University also defines Sexual Harassment to include any sexual advance, request for sexual favors, or other unwelcome conduct of a sexual nature, whether verbal, non-verbal, graphic, physical, electronic, or otherwise; or, any act of intimidation or hostility, whether verbal or non-verbal, graphic, physical, or otherwise based on sex or gender, sexual orientation, gender identity, or gender expression, even if the acts do not involve conduct of a sexual nature; when one or more of the following conditions are present:

- Submission to or rejection of such conduct is either an explicit or implicit term or condition of, or is used as the basis for decisions affecting, an individual's employment or advancement in employment, evaluation of academic work or advancement in an academic program, or basis for participation in any aspect of a University program or activity (*quid pro quo*); or
- The conduct is sufficiently severe, pervasive, or persistent that it has the purpose or effect of unreasonably interfering with, limiting or depriving an individual from participating in or benefiting from the University's learning, working, or living programs under both an objective and subjective standard (*hostile environment*).

In evaluating whether a *hostile environment* exists, the University will evaluate the totality of known circumstances, including, but not limited to: the frequency, nature and severity of the conduct; whether the conduct was physically threatening; the effect of the conduct on the Complainant's mental or emotional state; whether the conduct was directed at more than one person; whether the conduct arose in the context of other discriminatory conduct; whether the conduct unreasonably interfered with the Complainant's educational or work performance

and/or University programs or activities; whether the conduct implicates academic freedom or protected speech; and, other relevant factors that may arise from consideration of the reported facts and circumstances.

## SEXUAL ASSAULT

Sexual assault is having or attempting to have sexual contact with another individual without affirmative consent or where the individual cannot affirmatively consent because of age or temporary or permanent mental incapacity (see below for definition of affirmative consent and incapacitation). Sexual contact includes:

- sexual intercourse (anal, oral, or vaginal), including penetration with a body part (e.g., penis, finger, hand, or tongue) or an object, or requiring another to penetrate themselves with a body part or an object, however slight;
- sexual touching of the private body parts, including, but not limited to, contact with the breasts, buttocks, groin, genitals, or other intimate part of an individual's body for the purpose of sexual gratification; or
- attempts to commit Sexual Assault.

## DATING AND DOMESTIC VIOLENCE

Dating and Domestic Violence includes any act of violence against a Complainant who is or has been involved in a sexual, dating, domestic, or other intimate relationship with the Respondent, or against a person with whom the Respondent has sought to have such a relationship, as follows:

**Domestic Violence:** includes any act of violence committed by a current or former spouse or intimate partner of the Complainant, by a person with whom the Complainant shares a child in common, by a person who is cohabitating with, or has cohabitated with, the Complainant as a spouse or intimate partner, by a person similarly situated to a spouse of the Complainant under New York state law, or by any other person against an adult or minor Complainant who is protected from that person's acts under New York state law;

**Dating Violence:** includes any act of violence committed by a person: who is or has been in a social relationship of a romantic or intimate nature with the Complainant; and where the existence of such a relationship shall be determined based on a consideration of the following factors: The length of the relationship; The type of relationship; and The frequency of interaction between the persons involved in the relationship.

## STALKING

Stalking occurs when a person engages in a course of conduct directed at a specific person under circumstances that would cause a reasonable person to fear for their own safety or the safety of others or suffer substantial emotional distress.

Course of conduct means two or more instances including but not limited to unwelcome acts in which an individual directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property. Substantial emotional distress means significant mental suffering or anguish.

Stalking includes the concept of cyber-stalking, a particular form of stalking in which electronic media such as the internet, social networks, blogs, cell phones, texts, or other similar devices or forms of contact are used.

## AFFIRMATIVE CONSENT

Affirmative consent (as defined by New York state law under Enough is Enough) 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 Affirmative Consent does not vary based upon a participant's sex, sexual orientation, gender identity, or gender expression.

### Guidance Regarding Consent (Under New York State Law)

- Consent to any sexual act or prior consensual sexual activity between or with any party does not necessarily constitute consent to any other sexual act.
- Consent is required regardless of whether the person initiating the act is under the influence of drugs and/or alcohol.
- Consent may be initially given but withdrawn at any time.
- Consent cannot be given when a person is incapacitated, which occurs when an individual lacks the ability to knowingly choose to participate in sexual activity.
- Incapacitation may be caused by the lack of consciousness or being asleep, being involuntarily restrained, or if an individual otherwise cannot consent. Depending on the degree of intoxication, someone who is under the influence of alcohol, drugs, or other intoxicants may be incapacitated and therefore unable to consent.

- Consent cannot be given when it is the result of any coercion, intimidation, force, or threat of harm.
- When consent is withdrawn or can no longer be given, sexual activity must stop.

In evaluating whether consent has been freely sought and given, the University will consider the presence of any force, threat of force, threats, or coercion; whether the Complainant had the capacity to give consent; and, whether the communication (through words and/or actions) between the parties would be interpreted by a reasonable person as a willingness to engage in a particular act.

Incapacitation includes the inability, temporarily or permanently, to give consent because the individual is mentally and/or physically helpless, either voluntarily or involuntarily, or the individual is unconscious, asleep, or otherwise unaware that the activity is occurring.

The use of alcohol or other drugs can lower inhibitions and create an atmosphere of confusion about whether consent is effectively sought and freely given. When alcohol is involved, incapacitation is a state beyond drunkenness or intoxication. When drug use is involved, incapacitation is a state beyond being under the influence or impaired by use of the drug. A Respondent's voluntary intoxication is never an excuse for or a defense to prohibited conduct, and it does not diminish the responsibility to determine that the other person has given consent and has the capacity to do so.

## **DUTY TO REPORT INFORMATION SHARED BY A STUDENT**

Unless designated or otherwise qualifying as a confidential resource, University employees, including faculty and staff, are "responsible employees" and therefore must disclose all information related to sexual misconduct reported to him/her with the Title IX coordinator in order to ensure that the complainant's needs are met, the respondent is treated fairly and campus safety needs are met.

In situations in which individuals have experienced or know of sexual misconduct and request to not have their names revealed, honoring this request may limit the University's ability to fully respond to the incident. In such cases the Equal Opportunity, Inclusion and Resolution Services staff will still assist the student in receiving necessary support, such as advocacy, academic support or accommodations, disability, health or mental health services, and changes to living, working or course schedules.

Any individual who initially does not report the incident or who reports but wishes to maintain confidentiality may later decide to pursue a complaint with the University and/or report the incident to local law enforcement.

An individual impacted by sexual assault, domestic violence, dating violence, sexual harassment or stalking has the right to make a report to DPS or local law enforcement, or choose not to report. The individual also has the right to report the incident to other institution representatives; to be protected by the institution from retaliation for reporting an incident; and to receive assistance and resources from the institution.

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## Jurisdiction-Specific Definitions of Sexual Assault, Sexual Harassment, Stalking and Relationship Violence

In accordance with the Violence Against Women Act Amendments to the Clery Act, the University is providing the criminal or civil legal definitions of sexual assault, dating violence, domestic violence, stalking and consent in all jurisdictions with a separate campus. For purposes of University policy, the definitions found in the Sexual Harassment, Abuse, and Assault Prevention Policy apply to University students, faculty, and staff on every University campus or property.

### NEW YORK STATE

**Sexual Assault.** In New York State, the crime is called “forcible touching,” which is defined as intentionally and for no legitimate purpose forcibly touching the sexual or other intimate parts of another person for the purpose of degrading or abusing such person or for gratifying sexual desires.

**Dating Violence/Domestic Violence.** The term “relationship violence” in New York refers to a pattern of behavior in which an individual uses physical violence, coercion, threats, intimidation, isolation or other forms of emotional, sexual, verbal and/or economic abuse to maintain power over or control their current or former intimate partner. Relationship violence occurs within current and former dating relationships and marriages, regardless of sexual orientation, sex or gender identity. Stalking. Stalking is defined under New York State law as intentionally and for no legitimate purpose engaging in a course of conduct directed at a person knowing (or should reasonably know) that such conduct is likely to cause reasonable fear of material harm or does cause substantial harm to the other person or that person’s family or another party of their acquaintance.

**Consent.** Affirmative consent as defined by New York State 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 does not demonstrate consent. Consent does not vary based upon sex, sexual orientation, gender identity or gender expression.

### WASHINGTON, D.C.

**Sexual Assault.** Subchapter I. General Provisions. § 22-3001. Definitions. “Sexual act” means: The penetration, however slight, of the anus or vulva of another by a penis; contact between the mouth and the penis, the mouth and the vulva, or the mouth and the anus; or the penetration, however slight, of the anus or vulva by a hand or finger or by any object, with an intent to abuse, humiliate, harass, degrade, or arouse or gratify the sexual desire of any person. The emission of semen is not required.

“Sexual contact” means the touching with any clothed or unclothed body part or any object, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks of any person with an intent to abuse, humiliate, harass, degrade, or arouse or gratify the sexual desire of any person.

**Dating Violence/Domestic Violence.** § 16-1001. Definitions. “Interpersonal violence” means an act punishable as a criminal offense that is committed or threatened to be committed by an offender upon a person: with whom the offender shares or has shared a mutual residence; or who is or was married to, in a domestic partnership with, divorced or separated from, or in a romantic, dating, or sexual relationship with another person who is or was married to, in a domestic partnership with, divorced or separated from, or in a romantic, dating, or sexual relationship with the offender. “Intimate partner violence” means an act punishable as a criminal offense that is committed or threatened to be committed by an offender upon a person: to whom the offender is or was married; with whom the offender is or was in a domestic partnership; or with whom the offender is or was in a romantic, dating, or sexual relationship.

**Stalking.** § 22-3133. It is unlawful for a person to purposefully engage in a course of conduct directed at a specific individual: with the intent to cause that individual to: fear for his or her safety or the safety of another person; feel seriously alarmed, disturbed, or frightened; or suffer emotional distress; that the person knows would cause that individual reasonably to: fear for his or her safety or the safety of another person; feel seriously alarmed, disturbed, or frightened; or suffer emotional distress; or that the person should have known would cause a reasonable person in the individual’s circumstances to: fear for his or her safety or the safety of another person; feel seriously alarmed, disturbed, or frightened; or suffer emotional distress. This section does not apply to constitutionally protected activity. Where a single act is of a continuing nature, each 24-hour period constitutes a separate occasion. The conduct on each of the occasions need not be the same as it is on the others.

**Consent.** Subchapter I. General Provisions. § 22-3001. Definitions. “Consent” means words or overt actions indicating a freely given agreement to the sexual act or contact in question. Lack of verbal or physical resistance or submission by the victim, resulting from the use of force, threats, or coercion by the defendant shall not constitute consent.

## CALIFORNIA

**Sexual Assault.** California Penal Code Section 243.4 (sexual assault/battery). Crimes generally referred to as sexual assault may be prosecuted through California’s sexual assault, or sexual battery, laws. These laws prohibit unwanted touching of another person’s intimate parts. The California Penal Code defines “intimate parts” as the victim’s “sexual organ, anus, groin, or buttocks of any person, and the breast of a female.” When sexual assault leads to nonconsensual intercourse with the victim, it is charged as rape.

**Dating Violence/Domestic Violence.** California Penal Code Sections 240-248 et. seq. (Domestic Violence)/ California Penal Code Sections 270-273.75 et. seq. (Domestic Violence). The state identifies domestic violence when an individual commits a criminal act within one of the types of relationships specified by the California Penal Code: spouse or former spouse; cohabitant or former cohabitant in a home; a parent with whom the individual has a child; or a partner in a dating relationship. A prosecutor can choose which criminal charges to pursue based on the severity of the conduct and harm to the victim, along with other circumstances of the case. The Penal Code also criminalizes domestic violence under Section 273.5 when an individual’s willful conduct leads to a “corporal injury resulting in a traumatic condition” suffered by a person with whom the individual has one of the familial or intimate relationships specified by the domestic violence laws of California.

**Stalking.** California Penal Code Section 646.9 (stalking and harassment). California stalking law defines the crime as repeated harassment that creates a credible threat of harm either for the victim or the victim’s immediate family. Victims of stalking typically seek restraining orders (also called “orders of protection”) to keep offenders away. If a restraining order is in place, then someone who commits the crime of stalking can face stronger penalties or even separate charges for violation of the court’s order.

**Consent.** “Affirmative consent” means affirmative, conscious, and voluntary agreement to engage in sexual activity. It is the responsibility of each person involved in the sexual activity to ensure that he or she has the affirmative consent of the other or others to engage in the sexual activity. Lack of protest or resistance does not mean consent, nor does silence mean consent. Affirmative consent must be ongoing throughout a sexual activity and can be revoked at any time. The existence of a dating relationship between the persons involved, or the fact of past sexual relations between them, should never by itself be assumed to be an indicator of consent.

## FLORENCE, ITALY

**Sexual Assault.** Violently, by threat or through abuse of authority, forcing someone to commit or suffer sexual acts. These conditions also extend to: (1) abusing the conditions of physical or mental inferiority of the offended person at the time of the event; (2) deceiving the offended person for having substituted the guilty party for another person. (*Violenza sessuale*; art. 609-bis c.p.).

**Dating Violence.** There is not a specific legal reference for dating violence in Italy; however, it may be combined with sexual assault (penal code 609, above) and “private violence” (*Violenza privata*; art. 610 c.p.), defined as compelling others with violence or threat to do, tolerate or omit something. This is sometimes also combined with other penal codes according to the circumstances.

**Domestic Violence.** Italian law uses a combination of descriptions based on circumstances such as “ill-treatment of family members and cohabitants,” mistreating a person in the family or in any way cohabiting, or a person subject to his authority or entrusted to him for reasons of upbringing, education, care, supervision or custody, or for the exercise of a profession or an art (*Maltrattamenti contro familiari e conviventi*; art. 572 c.p.).

**Stalking.** Repeated conduct which threatens or harasses someone to the point of causing a persistent and serious state of anxiety or a well-founded fear, for their own safety or that of person linked to them by emotional relationship, or by forcing them to alter their life habits. (*Stalking*; art. 612-bis c.p.).

**Consent.** The meeting of the manifestations of will of two or more opposing subjects.

## HONG KONG

**Sexual Harassment.** The legal definition of sexual harassment includes the following situations: any person makes unwelcome sexual advances, or unwelcome request for sexual favors, to another person; or engages in other unwelcome conduct of a sexual nature in relation to that other person; in circumstances in which a reasonable person, having regard to all the circumstances, would have anticipated that that other person would be offended, humiliated or intimidated; or any person, either alone or together with other persons, engages in a conduct of a sexual nature which creates a hostile or intimidating environment for another person. The Sex Discrimination Ordinance (SDO) applies to both men and women. Under the SDO, it is unlawful to sexually harass persons of the opposite sex or of the same sex.

**Dating Violence.** While there is no legal definition for dating violence, the following is obtained from a Survey on Dating Violence conducted by Harmony House and the Hong Kong Federation of Youth Group in February 2004: verbally insulted (for example, joked about their physical appearance such as their body shape or weight); harassed by telephone or stalked by ex-partners.

**Domestic Violence.** Under the Domestic and Cohabitation Relationships Ordinance, domestic violence not only covers physical violence but also covers any act that is regarded as “molestation.” Therefore, the following acts can also be possibly treated as domestic violence: physical abuse, verbal abuse, psychological abuse.

**Stalking.** The Law Reform Commission of Hong Kong Stalking Report defines the “menace of stalking” as follows: “Stalking may be described as a series of acts directed at a specific person that, taken together over a period of time, causes him to feel harassed, alarmed or distressed. Stalking behaviour may escalate from what may initially be annoying, alarming but lawful behaviour to the level of dangerous, violent and potentially fatal acts. Stalkers may harass their victims by making unwelcome visits, making unwanted communications or silent telephone calls, repeatedly following the victim on the streets, watching or besetting the victim’s home or place of work, persistently sending unwanted gifts or bizarre articles to the victim, disclosing intimate facts about the victim to third parties, making false accusations about the victim, damaging property belonging to the victim, and/or physical and verbal abuse. Stalking is gender neutral behaviour, with both male and female perpetrators and victims.”

**Consent.** The Law Reform Commission of Hong Kong (LRC) defines consent to sexual activity as the person freely and voluntarily agrees and has the capacity to consent.

## LONDON, ENGLAND

**The Sexual Offences Act 2003** is an Act of the Parliament of United Kingdom. It makes provision for the prevention and the protection of adults and children from harm by sexual offences in England and Wales. It defines “consent” and “sexual” and sets out evidential and conclusive presumptions about consent. Part 1 of this act outlines all Sexual Offences. Sections 1, 2, 3, 4, and 74 in England or Wales.

**Rape.** Section 1. Definition. A person (A) commits an offence if: he intentionally penetrates the vagina, anus or mouth of another person (B) with his penis, B does not consent to the penetration, and A does not reasonably believe that B consents. Whether a belief is reasonable is to be determined having regard to all the circumstances, including any steps A has taken to ascertain whether B consents.

**Assault by Penetration.** Section 2. Definition. A person (A) commits an offence if: he intentionally penetrates the vagina or anus of another person (B) with a part of his body or anything else, the penetration is sexual, B does not consent to the penetration, and A does not reasonably believe that B consents. Whether a belief is reasonable is to be determined having regard to all the circumstances, including any steps A has taken to ascertain whether B consents.

**Sexual Assault.** Section 3. Definition. A person (A) commits an offence if: he intentionally touches another person (B), the touching is sexual, B does not consent to the touching, and A does not reasonably believe that B consents. Whether a belief is reasonable is to be determined having regard to all the circumstances, including any steps A has taken to ascertain whether B consents.

**Causing Sexual Activity Without Consent.** Causing a person to engage in sexual activity without consent. Section 4. Definition. A person (A) commits an offence if: he intentionally causes another person (B) to engage in an activity, the activity is sexual, B does not consent to engaging in the activity, and A does not reasonably believe that B consents. Whether a belief is reasonable is to be determined having regard to all the circumstances, including any steps A has taken to ascertain whether B consents. A person guilty of an offence under this section, if the activity caused involved: penetration of B’s anus or vagina, penetration of B’s mouth with a person’s penis, penetration of a person’s anus or vagina with a part of B’s body or by B with anything else, or penetration of a person’s mouth with B’s penis, is liable, on conviction on indictment, to imprisonment for life.

**Consent.** Section 74. Definition. A person consents if he agrees by choice and has the freedom and capacity to make that choice.

**Domestic Violence/Abuse.** Definition. Any incident or pattern of incidents of *controlling, coercive or threatening behaviour, violence or abuse* between those aged 16 or over who are or have been intimate partners or family members regardless of gender or sexuality. This can encompass but is not limited to the following types of abuse: psychological, physical, sexual, financial, emotional. Domestic abuse also includes so called “honour” based violence, forced marriage and female genital mutilation.

**Stalking and Harassment.** While there is no strict legal definition of “stalking,” section 2A (3) of the Protection from Harassment Act 1997 sets out examples of acts or omissions which, in particular circumstances, are ones associated with stalking: following a person, watching or spying on them or forcing contact with the victim through any means, including social media. The effect of such behaviour is to curtail a victim’s freedom, leaving them feeling that they constantly have to be careful. In many cases, the conduct might appear innocent (if it were to be taken in isolation), but when carried out repeatedly so as to amount to a course of conduct, it may then cause significant alarm, harassment or distress to the victim. According to the UK government, the legal definition of harassment also includes making “someone feel intimidated” by their personal comments. There are multiple definitions of harassment, but it occurs when an individual, acts or says things towards another person with the intent to offend. Harassment can take many forms including spreading rumours, verbal comments and jokes, social media posts and abusive gestures or other physically offensive moves. Harassment is a result of discrimination, which can single-out specific personal characteristics including sex, gender, age, ethnicity, religion or physical attributes.

## MADRID, SPAIN

Spain’s cabinet is in the process of revising the current legal difference between sexual abuse and sexual assault, current definitions are as follows.

**Sexual Assault.** Currently, there are three categories:

1. Sexual Abuse (*Abuso Sexual*) Article 181.1 of the Penal Code. The violation of another’s sexual freedom and indemnity without violence or intimidation and without consent. Sexual abuse is punishable by sentences of one to three years or a fine of 18 or 24 months.
2. Sexual Aggression (*Agresión Sexual*) Article 178 of the Penal Code. The violation of another’s sexual freedom with the use of violence or intimidations. Sexual aggression is punishable by sentences of one to five years.

3. Rape (*Violación*) Article 179 of the Penal Code. When sexual aggression consists of vagina, anal or oral carnal access or the insertion of objects or body parts through either of the first two orifices. Rape is punishable by sentences of six to twelve years.

**Dating Violence.** Gender-Based Violence (*Violencia de Género*) Organic Law 1/2004, Dec. 28. Any act of violence perpetrated by a man against a woman within relationships. The law considers this act as a manifestation of discrimination and inequality in relationships of power that benefit a man over a woman and which a man exercises over a woman with whom he has had or has a relationship of an emotional nature, even if there is no co-habitation. The act of violence results or can result in harm or physical, sexual or psychological suffering for the woman, as well the threat of the aforementioned acts, coercion, or the arbitrary deprivation of freedom either in her public or private life.

**Domestic Violence. Domestic/Relationship/Spousal Violence** (*Violencia Doméstica / Violencia en la Pareja / Violencia Conyugal*) Article 173.2. Physical or psychological violence habitually inflicted upon spouses or former spouses or upon a person who is or has been in an analogous relationship even if there is no co-habitation, and violence habitually inflicted upon the perpetrator or the spouse’s descendants, wards, parents, grandparents or siblings. Punishable by sentences of six months to three years and the loss of the right to own and bear arms for three to five years.

**Consent.** (*Consentimiento*) Article 181.2 of the Penal Code. Sexual abuse without consent is abuse carried out on victims who have been deprived of their consciousness or whose mental disorder has been taken advantage of, as well as abuse that is committed when the victim’s will has been voided through the use of medications, drugs or other natural or chemical substances used for such an effect.

**Stalking.** Acts which, without necessarily producing an explicit or implicit announcement of the intention to harm (threats) or the direct use of violence to restrict the victim’s freedoms (coercion), are repeatedly carried out and through which the victim’s freedom and sense of safety are seriously diminished through constant following and surveillance, repeated phone calls or other repeated acts of harassment.

## SANTIAGO, CHILE

**Sexual Assault.** Sexual crimes are all acts that violate the sexual freedom and sexual indemnity of people, regardless of their age, social status, race, ethnicity, sex or nationality. Sexual abuse, on the other hand, is the performance of a sexual act other than penetration, such as: touching or kissing in an area of sexual connotation; simulation of a sexual act; exhibit or recording of pornographic material, especially of minors, or watching an exhibition of said material. Sexual integrity refers to the individual's right not to suffer detriment at the level of sexuality. It intends to protect the victim against the psychological and emotional damage that s/he may experience as a consequence of abusive sexual behavior, both in the moment of its realization, and at a later time. In effect, "it alludes to a state of well-being related to the way in which each individual assumes sexual life ... in accordance with the person's age, physical and mental development, their sexual orientation, their scale of values, their education, their level of social relationships and their previous life experiences."

**Dating Violence.** Until very recently there was no legislation covering this area, but a new law was approved in March 2020 that widens the definition of femicide to include any homicide with gender-based motivations and can be applied to any relationship between a woman and her aggressor, not only married or cohabitating couples. This could include dating violence even in a casual relationship, without the requirement of having to provide the same type of proof of the relationship that the law formerly required. The new law also increases sentences in these cases.

**Domestic Violence.** Domestic violence in Chile corresponds to all abuse that affects the life or physical or mental integrity of the victim. Abuse constituting domestic violence affects: the life of the victim; physical integrity, for behaviors that generate some type of injury; and mental integrity, i.e., damages psychological health, by undermining, demeaning, or controlling the victim using intimidation, manipulation, threats, humiliation, isolation.

**Stalking.** A new law was passed in 2019 prohibiting "street sexual harassment." This could be understood as stalking, as the law addresses actions with sexual connotation that can cause an objectively intimidating, hostile or humiliating situation for the victim, in public or publicly accessible spaces, without the consent of the victim. This can include gestures or comments, punishable by a fine. It also includes what is more traditionally understood as stalking: approaching a person recurrently, in a sexual or romantic manner, and exhibitionism (these actions are punishable with jail time).

**Consent.** This concept is not contemplated in Chilean law because rape as it is defined in Chilean legal framework is not defined by a lack of consent, but rather by the definitions above. Consent is understood as "sexual freedom" and rape, harassment or abuse is anything that goes against a person's sexual freedom, as explained above. It is understood that in cases of rape there was no consent, and this is implicit in filing the complaint. Then, it is the prosecution that determines whether consent was granted or not, depending on the results of the investigation.

## STRASBOURG, FRANCE

**Sexual Assault.** Sexual assault is any nonconsensual or unwanted sexual act without penetration committed to a victim with violence, coercion or threat(s). This can include touching of a sexual nature. If there is penetration, that is considered as rape. For sexual assault, there must be a physical contact.

**Dating Violence and Domestic Violence.** Violence within a couple can take many varied forms (family, couple). They can include (nonexhaustive list)

- Verbal abuse: Insults, threats (to the person and children)
- Physical abuse: pushing, shoving, hitting, burning, strangulation, sequestration, etc.
- Psychological: Intimidation, humiliation, insults, manipulation, restrictions on seeing friends and family, etc.
- Sexual: sexual aggression, rape, imposed acts, etc.
- Economic or Administrative: control of finances, payment methods, interdiction to work, deprivation of payment methods

All domestic violence is forbidden by law, whether it touches men or women, whether physical, psychological or sexual. It can be any type of violence committed in the context of a couple, whether married, PACSed (in a civil union), or in free union (nondefined couple).

**Stalking.** In France, there are rules and penalties for "harassment" that can include both sexual and moral harassment. One can be a victim of sexual harassment or cyber harassment; it is considered criminal harassment; however, there is not category of stalking in France at this time They refer to it as "traque furtive" or "stalking." It is not included in government publications against sexual violence.

**Harassment.** Harassment is defined as the act of imposing on another person, in a repetitive manner, act and words of a sexual or sexist connotation who: meant to harm his/her dignity and are degrading and humiliating; meant to create a situation that is intimidating, hostile or offensive.

**Consent.** Any sexual act must be agreed upon by the two partners. Consent can be verbal or nonverbal. Silence is not considered consent. Consent must be free, clear and given personally by the party involved. Consent does not exist if: given by a third party; if the person is

incapacitated; if the person has been threatened or has experienced violence against their person (moral or physical); a person can agree to one sexual act and refuse another or a later act; consent can be revoked at any moment.

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## Overview of Sexual Harassment Prevention Policy

Syracuse University is committed to maintaining a learning, research, living and work environment free of sexual harassment. Sexual harassment corrodes the values most central to the mission of the University. Syracuse University prohibits sexual assault, domestic violence, dating violence and stalking as defined by the Clery Act and New York State law. The University's sexual harassment policy is available online at [policies.syr.edu/policies/university-governance-ethics-integrity-and-legal-compliance/sexual-harassment-abuse-and-assault-prevention/](https://policies.syr.edu/policies/university-governance-ethics-integrity-and-legal-compliance/sexual-harassment-abuse-and-assault-prevention/).

It is important to preserve evidence related to any of these prohibited behaviors, including physical evidence, text messages, etc. as the evidence may assist in proving that the alleged offense occurred or may be helpful in obtaining a protection order. Any retaliation should be promptly reported to the Title IX compliance coordinator at 315.443.0211. It is the student's decision whether to report incidents of any form of sexual misconduct and to whom. Victims of nonconsensual sexual activity may seek privileged and confidential support services, advocacy, and counseling from the Barnes Center at The Arch Sexual and Relationship Violence Response Team at 315.443.8000. Confidential counseling services are available for faculty and staff employees through Carebridge, the University's Faculty and Staff Assistance Program, at 800.437.0911 or [wellness.syr.edu/carebridge/](https://wellness.syr.edu/carebridge/). The University will provide written notification to students and employees about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid and other services available for victims, both within the institution and in the community.

People concerned about conduct or comments that implicate this policy should contact the Title IX coordinator at 315.443.0211, DPS at 711 or 315.443.2224, the Office of Student Rights and Responsibilities, the Office of Student Living or the Office of Human Resources as soon as possible after the alleged incident.

Complaints against members of the University community may also be filed by non-community members through DPS or the Title IX coordinator. The University will conduct an investigation as appropriate

under the circumstances. Who does the investigation varies depending on the circumstances, but typically investigations are conducted by DPS, the Office of Student Rights and Responsibilities, the Office of Equal Opportunity, Inclusion and Resolution Services and/or trained faculty representatives

The people conducting investigations or hearing matters receive annual training on these issues, including protecting the safety of the complainant and promoting accountability. If the complainant does not desire the use of his/her name, this may limit the institution's ability to respond, but the Title IX coordinator's office can attempt to resolve the matter(s) without revealing the complainant's name.

The institution will provide support and resources to the student to preserve confidentiality and/or, if the individual chooses to proceed in a manner where his/her identity can be revealed, to protect that individual through interim measures and other accommodations.

Individuals will be provided written notification about interim relief, such as no contact orders, moving the accused, changes in living, working, and/or academic situations, escort services, or referrals to counseling. The need for such supportive measures will be evaluated and discussed with the parties and will be provided as appropriate and reasonably available. Contact the Title IX coordinator at (315.443.0211) or the Dean of Students Office (315.443.4357) for help with such accommodations. Interim measures and accommodations can be sought without regard to whether the complainant chooses to report the matter to DPS or to local law enforcement. The University will maintain as confidential any accommodations or protective measures provided to the victim and will disclose such accommodations or protective measures only to the extent required to effectuate them.

No contact orders that apply at Syracuse University can be issued by DPS or the Office of Student Rights and Responsibilities. No contact orders are enforced by DPS, which issues disciplinary referrals to the Office of Student Rights and Responsibilities for violations. See Part 4 of the Student Conduct System handbook ([studentconduct.syr.edu](https://studentconduct.syr.edu)) for more information.

Orders of protection can be obtained through the Onondaga County Family Court system. An advocate of the family court system will assist in the process of obtaining an order of protection. DPS can assist individuals in contacting the family court system. The Office of Equal Opportunity, Inclusion and Resolution Services can also assist individuals and will provide a referral to the Dean of Students Office if the individual desires more support in this process. Counseling at the Barnes Center at The Arch can also discuss the process of obtaining no contact or orders of protection and will support the individual through the process of obtaining one. DPS can keep copies of orders of protection on file, regardless of the issuing location. Orders of protection are enforced by DPS and the Syracuse Police Department.

The Title IX coordinator and/or DPS will assist a complainant in making a criminal complaint if he/she wishes.

Complaints against students will be forwarded to the Office of Student Rights and Responsibilities for resolution within the University Student Conduct System.

In addition to the standard procedures, complaints against University employees will be forwarded to the Office of Equal Opportunity, Inclusion and Resolution Services for resolution within the University's respective grievance procedure systems. Members of the University community found to be in violation of this policy through the procedures and systems described above shall be subject to sanctions, including suspension and permanent expulsion.

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## Syracuse University Primary Prevention and Awareness Programs to Address Sexual and Relationship Violence

Syracuse University conducts primary prevention efforts and awareness programs to address sexual and relationship violence (including harassment, dating violence, domestic violence, sexual assault and stalking). These efforts are primarily led by the Office of Equal Opportunity, Inclusion and Resolution Services and the Barnes Center at The Arch, in collaboration with a number of other units on campus.

### AWARENESS PROGRAMS

Awareness of healthy relationships, consent and prosocial bystander intervention are promoted on the University's social media platform @BeWellsU. Awareness campaigns are promoted using #SUGoesPurple and #SUGoesTeal, to coincide with National Domestic Violence Awareness Month (October) and Sexual Assault Awareness Month (April) and #IWillTBTN, an initiative to encourage prosocial bystander intervention. Additional educational programming and visual displays include the Clothesline Project and virtual Take Back the Night.

### PRIMARY PREVENTION STRATEGIES

The Barnes Center at The Arch at Syracuse University utilizes theory- and evidenced-based primary prevention strategies to create a campus environment and culture that supports positive and healthy behaviors, prosocial bystander intervention and safety.

### INCOMING STUDENT AND NEW EMPLOYEE INITIATIVES

All incoming students are required to complete an online interactive multimedia education program that covers sexual assault and relationship violence, substance use (including alcohol and other drugs) and healthy relationships. The training has three different versions, each tailored to their respective audiences of traditional undergraduate students, graduate students, and non-traditional undergraduate students and part-time students. The training must be completed in order for students to register for future classes.

All incoming undergraduate students are required to attend a "Speak About It" presentation, coordinated by the Barnes Center at The Arch and the Office of First-Year and Transfer Programs. "Speak About It" is a performance-based presentation that includes thought-provoking and sometimes humorous skits and monologues, all based on true stories, dealing with sexual consent, sexual assault and misconduct, and bystander intervention. In addition to offering information about these important issues, the presenters introduce students to many resources at Syracuse University.

All new employees go through a new employee orientation process. During this process, the Office of Equal Opportunity, Inclusion and Resolution Services and the Office of Human Resources provide important information about Syracuse University, an introduction to the Syracuse University Code of Ethical Conduct, Title IX policies and procedures, and what it means to be a responsible employee. New employees are also educated about the resources on campus and steps to take in the event that an assault has taken place.

In addition, all University faculty and staff are required to participate in University sponsored sexual harassment prevention training on an annual basis. Training opportunities are provided multiple times throughout the year both in person and online.

Employees are able to request more specific trainings and educational resources regarding Syracuse University's non-discrimination policy, sexual harassment, abuse, assault and gender discrimination or any other related topics. To request a program, contact the Office of Equal Opportunity, Inclusion and Resolution Services located in Suite 005 Steele Hall, at [equalopp@syr.edu](mailto:equalopp@syr.edu) or 315.443.4018. For more information on employee education efforts, visit [inclusion.syr.edu](http://inclusion.syr.edu), email [equalopp@syr.edu](mailto:equalopp@syr.edu) or call 315.443.4018.

### **“ENOUGH IS ENOUGH” TRAINING AND EDUCATION**

As part of compliance with New York Gov. Andrew Cuomo's "Enough Is Enough" legislation and the 2013 amendments to the Violence Against Women Act, the Barnes Center at The Arch and the Office of Equal Opportunity, Inclusion and Resolution Services have collaboratively developed programs for various student populations.

The training typically covers definitions, campus resources, and prevention strategies.

### **PEER EDUCATION PROGRAM**

The Peer Educators Encouraging Healthy Relationships and Sexuality (PEEHRS) is a group of students that receive comprehensive weeklong training on sexual and relationship violence with the Barnes Center at The Arch. PEEHRS team members serve as student leaders who create safe spaces for their peers to talk about such topics as healthy positive sexuality, how to respond to actual or potential abuse or harassment, how to intervene with peers who are perpetuating gender bias and how to support peers who are targeted by sexual and/or relationship violence. Throughout the semester, they create, facilitate and engage peers with programming and educational sessions on sexual and relationship violence prevention. They also serve as facilitators of change in the Syracuse University community by creating conversation about violence depicted in popular culture and acting as liaisons to connect students with appropriate services on campus. PEEHRS participants commit a minimum of three to five hours a week to do sexual and relationship violence prevention work, which includes weekly meetings, office hours and programming. In order to become part of the PEEHRS team, students must complete an application, interview and mandatory training.

To request a program, please visit [syracuse.edu/bewell](http://syracuse.edu/bewell) and complete a program request form. For more information on education and prevention efforts, contact the Barnes Center at The Arch at [healthpromotion@syr.edu](mailto:healthpromotion@syr.edu) or 315.443.8000.

### **PROMOTION OF POSITIVE, HEALTHY BEHAVIORS AND CHANGING SOCIAL NORMS**

The Barnes Center at The Arch Health Promotion Team coordinates educational programming regarding sexual and relationship violence prevention for the Syracuse University community. Requests for programming are made by a variety of audiences including, but not limited to, classes, residence halls, student groups, fraternities and sororities, and athletic teams. Programs are facilitated by the PEEHRS team and trained staff members. Below are some of the programming options that can be requested (the office is also able to develop more tailored or topic-specific programming based on the needs of the group).

“Be Orange” — an interactive workshop that engages participants in dialogue about the complexities of sexual violence prevention.

“Bystander Intervention 101” — a workshop created to engage participants in dialogue about the complexities of prosocial bystander intervention.

“Pizza & Sex: What do they have in common?” — a workshop to focus discussion on how to open up communication about sex and sexuality.

“Sexy Bingo” — a workshop that gives students an opportunity to learn about resources on campus, information about sexuality, sexual health and other related topics.

“Relationships and ‘Situationships’” — a workshop about communication, boundary setting and aspects of a healthy relationship.

Please note that programs may change. For a complete list of programs and events, or to request a program using the online request form, visit the Barnes Center at The Arch website, [syracuse.edu/bewell](http://syracuse.edu/bewell).

### **ENCOURAGING SAFE BYSTANDER INTERVENTION**

Research has shown that one of the most powerful approaches to preventing sexual and relationship violence is to encourage people to become “prosocial bystanders.” The prosocial bystander approach to violence prevention recognizes that everyone has a role to play in preventing sexual and relationship violence. Rather than focusing prevention efforts solely on potential perpetrators or victims/survivors, Syracuse University encourages anyone who witnesses potentially

harmful behavior to take some sort of action that has the potential to lead to a positive outcome, such as speaking up about abusive behavior and supporting individuals who have been abused.

## STEPS TO BECOMING A PROSOCIAL BYSTANDER

### Prosocial bystanders:

1. Interpret a situation as one of concern and choose an action based on their evaluation about whether the situation is an emergency or one in which someone needs assistance.

2. Assume responsibility for giving help. If you notice something happening that you know is not right, take action, even if there are other people in the room.
3. Choose a form of safe intervention that fits the needs of the moment and one's own unique personality. Intervention can be either indirect or direct and can take place at the moment of awareness or at another time.

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## Risk Reduction

Effective prevention of sexual and relationship violence, sexual harassment and other types of harassment and discrimination requires the commitment of community members to foster a respectful community. We need to examine our own actions, attitudes and beliefs, and explore how they might create concerns. By raising our awareness of many forms of violence, harassment and discrimination, we can develop strategies for intervening safely before violence occurs. By recognizing that sexual violence is connected to many other forms of bias, we can develop effective ways to promote equality and respect for all.

Individuals who commit acts of sexual violence are responsible for their actions. While it may not be possible to prevent a sexual assault, there are some steps that can be taken that might reduce the risk.

- Respect yourself and others.
- Understand what affirmative consent looks like and that you have the ability to withdraw consent at any time.
- Trust your instincts. If a place or person makes you feel uncomfortable, remove yourself from the situation.
- If you choose to drink alcohol, get your own drink and watch it being poured.
- Consider carefully what you post online about yourself.

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## Reporting an Incident

The University completes all publicly available recordkeeping, including Clery Act reporting and disclosures, without the inclusion of personally identifying information about the victim.

To report an incident for inclusion in the institution's annual statistics reporting, individuals may use the Clery Crime Report Form online at [dps.syr.edu/public-information/the-jeanne-clery-act/clery-crime-report-form/](https://dps.syr.edu/public-information/the-jeanne-clery-act/clery-crime-report-form/).

### TO REPORT AND RESOLVE A COMPLAINT:

There are multiple reporting options available for resolution of a complaint:

1. The Sexual and Relationship Violence Response Team at the Barnes Center at The Arch. To speak with a member of the team, call 315.443.8000 or stop in for an in-person conversation at the Barnes Center at The Arch, 150 Sims Drive.

2. Health Services at the Barnes Center at The Arch, 150 Sims Drive, 315.443.8000.
3. Reporting individuals may pursue charges within the University Conduct System if the accused person is a Syracuse University student. The Sexual and Relationship Violence Response Team can connect the student to the following offices and will provide ongoing support and advocacy to the student as student continues through the process:
  - DPS, 315.443.2224, or 711 from campus phones, or the police (911), at 005 Sims Hall
  - Title IX coordinator, 315.443.0211, or [titleix@syr.edu](mailto:titleix@syr.edu), at 005 Steele Hall
  - Office of Student Assistance, 315.443.4357 (HELP), or [studentassistance@syr.edu](mailto:studentassistance@syr.edu), at 306 Steele Hall
  - Student Rights and Responsibilities, 315.443.3728, or [studentconduct@syr.edu](mailto:studentconduct@syr.edu), at 310 Steele Hall

4. Reporting individuals may pursue criminal charges by contacting the Syracuse Police Department, 511 South State St., at 315.435.3016 (Abused Persons Unit) or the New York State Police at 844.845.7269
5. Anonymous reporting is available: “TIPS” at 315.443.TIPS (8477) or online at [dps.syr.edu/law-enforcement/report-a-crime](https://dps.syr.edu/law-enforcement/report-a-crime)
6. In addition to reporting options above, complaints involving faculty and staff may be reported to the following offices:
  - Title IX Officer, 315.443.0211 or, [titleix@syr.edu](mailto:titleix@syr.edu), at 005 Steele Hall
  - Associate Provost for Faculty Affairs, 315.443.5525, 503 Crouse Hinds Hall
  - The Office of Human Resources 315.443.4042, Suite 101, Skytop Office Bldg.

The University will provide students and employees reporting sexual harassment, sexual violence, domestic violence, dating violence or stalking with a written explanation of their rights and options for assistance, support and reporting of such conduct.

#### **ADDITIONAL RESOURCES, OFF-CAMPUS**

- Vera House (315.468.3260, 24-hour crisis and support line) is an off-campus agency providing confidential and privileged resources to those affected by domestic and sexual violence
- New York State Domestic and Sexual Violence Hotline (800.942.6906)
- New York State Division of Human Rights ([dhr.ny.gov](http://dhr.ny.gov))
- U.S. Equal Employment Opportunity Commission ([eoc.gov](http://eoc.gov))
- U.S. Department of Education, Office of Civil Rights ([www2.ed.gov/about/offices/list/ocr/index.html](http://www2.ed.gov/about/offices/list/ocr/index.html))
- Syracuse Police Department Abused Persons Unit (315.435.3016)
- New York State Police, Crime Victim Specialist (315.366.6034)

#### **EVIDENCE PRESERVATION**

It is important for an individual considering campus and/or law enforcement options to visit a health care provider or medical professional for an exam.

Such a medical exam (commonly referred to as a “rape kit”) has two goals: to diagnose and treat the full extent of any injury or physical effect and to properly collect and preserve evidence.

There is a limited window of time (typically 72 to 96 hours) following an incident of sexual assault to preserve physical and other forms of evidence. Gathering such evidence does not commit an individual to pursuing legal action against the assailant but does preserve that option.

Although it may be difficult following a sexual assault, individuals who are considering or may consider legal action should try not to shower, rinse their mouth, brush teeth or change clothes to allow for the maximum possible collection of evidence by a SAFE nurse or other health care provider.

Hospitals are not required to report any non-identifying information to the University or to anyone else.

However, hospitals providing care to individuals reporting sexual assault are required to:

- collect and maintain the chain of custody of sexual assault evidence for not less than 30 days unless the patient signs a statement directing the hospital not to collect it;
- advise the individual seeking medical treatment related to sexual assault of the availability of the services of a local rape crisis or victim assistance organization to accompany the individual through the sexual offense examination;
- contact a rape crisis or victim assistance organization providing assistance to the geographic area served by that hospital to establish the coordination of non-medical services to individuals reporting sexual assault who request such coordination and services; and
- provide emergency contraception upon the patient’s request.

#### **PRIVACY AND CONFIDENTIALITY**

Syracuse University is committed to providing safe and supportive spaces for students who have been impacted by sexual and relationship violence. It is important for students to be well informed regarding the confidential resources available to them in the event that they have experienced sexual or relationship violence.

The Sexual and Relationship Violence Response Team, Counseling therapists, health providers at the Barnes Center at The Arch and the chaplains at Hendricks Chapel are all considered to be privileged and confidential resources.

## ADDRESSING COUNSELORS

Campus “pastoral counselors” and campus “professional counselors,” when acting as such, are not considered to be a campus security authority and are not required to report crimes for inclusion into the annual disclosure of crime statistics. As a matter of policy they are encouraged, if and when they deem it appropriate, to inform persons being counseled of the procedures to report crimes on a voluntary/confidential basis for inclusion in the annual crime statistics. Counselors are defined as:

**Pastoral counselor:** An employee of an institution who is associated with a religious order or denomination, recognized by that religious order or denomination as someone who provides confidential counseling and who is functioning within the scope of that recognition as a pastoral counselor.

**Professional counselor:** An employee of an institution whose official responsibilities include providing psychological counseling to members of the institution’s community and who is functioning within the scope of his or her license or certification.

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## The Department of Public Safety Sexual Misconduct Response Process

The Department of Public Safety (DPS) is staffed 24/7. When an individual contacts the department to report an incident of sexual misconduct, DPS will first offer to connect the individual to someone on the Sexual and Relationship Violence Response Team, so that an advocate can discuss the individual’s reporting options and offer any needed assistance. DPS can provide assistance through investigative and other avenues.

If an individual reports to DPS that a crime allegedly occurred in Syracuse, DPS is legally obligated to notify the Syracuse Police Department Abused Persons Unit (APU) and the Onondaga County District Attorney’s Office Special Victims Unit that a crime has been reported in their jurisdiction. In such instances, the individual is under no obligation to file a report with the police. In some cases, a Syracuse Police Department officer might ask to speak with the individual about the

incident. DPS and the Sexual and Relationship Violence Response Team can assist individuals with questions and concerns about this.

When an individual files a report with the police, the local law enforcement agency that has jurisdiction over the area where the crime occurred will provide an officer/investigator to explain criminal investigation procedures and/or take a report. Both the Syracuse Police Department and the Onondaga County Sheriff’s Office have specially trained investigators who provide invaluable assistance to victims.

The Sexual and Relationship Violence Response Team, the Dean of Students Office and DPS can assist with referring individuals to these resources and can arrange transportation to the appropriate agency.

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## Law Enforcement Jurisdiction

Local law enforcement agencies, which have jurisdiction over the geographic area where the assault occurred, can provide an officer/investigator to explain their criminal investigation procedures to the victim. The campus is divided into three local law enforcement jurisdictions—Syracuse Police Department, Onondaga County Sheriff’s Office and Town of DeWitt Police Department. The Syracuse Police Department’s Abused Persons Unit is composed of specially trained investigators who provide invaluable assistance to victims of sexual assaults and relationship violence.

The Barnes Center at The Arch Counseling and DPS have excellent relationships with each of these agencies and can assist with referring victims to the appropriate agency. DPS strongly encourages victims of sexual abuse to report incidents as soon as practical and from a safe location, regardless of where the alleged sex offense

occurred, so that a report can be initiated if desired. A report will ensure that medical attention can be obtained at no cost to the victim; counseling can be provided from counselors specifically trained in sexual assault crisis intervention; and all possible physical evidence can be safeguarded.

The Onondaga County District Attorney’s Office Special Victims Unit is composed of trained prosecutors who are especially sensitive in assisting sexual assault victims through the criminal court process. The district attorney’s office provides experienced attorneys, at no charge, to review, advise and/or prosecute these cases. DPS and other University offices have excellent relationships with the district attorney’s office and can assist with referring and/or transporting victims to meetings with any of these agencies.

The Title IX coordinator (315.443.0211) coordinates all matters regarding sexual harassment, sexual assault or other types of sexual misconduct involving students, staff and faculty. The Office of Student Rights and Responsibilities (OSRR) reviews and addresses administrative complaints filed with offenders who are Syracuse University students. DPS can assist a victim in filing a complaint with the OSRR.

Although the city, county and state provide the services of law enforcement and the district attorney's office free of charge to review, investigate and/or prosecute criminal cases, a victim can also elect to take the case to civil court. For civil lawsuits, all parties must locate their own private attorneys and pay for attorney and court fees.

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## Procedures for Nonconsensual Sexual Complaints Against Faculty or Staff

The University has distinct procedures for the investigation and resolution of complaints against faculty and staff.

### PROCEDURES FOR RESPONDING TO REPORTS OF FACULTY VIOLATIONS OF THE SEXUAL HARASSMENT, ABUSE, AND ASSAULT PREVENT POLICY

Any person may make a report of Prohibited Conduct to the Title IX Coordinator or an appropriate designee (in any particular case, the Title IX Coordinator may delegate their authority pursuant to these procedures to another appropriate University representative). The University will treat Complainants and Respondents equitably by offering Supportive Measures to a Complainant, and by following a formal resolution process that complies with the Title IX regulations before the imposition of any disciplinary sanction against a Respondent.

Upon receipt of a report of Prohibited Conduct, the matter may be resolved through:

1. Provision of Supportive Measures only;
2. Pursuing a formal resolution process, which is initiated by the filing of a Formal Complaint, and involves an investigation, hearing, and appeal;
3. Pursuing an informal resolution process, after the filing of a Formal Complaint, which requires the consent of the Complainant, the Respondent, and the University; or
4. Dismissal of a Formal Complaint.

All time frames mentioned throughout these processes are approximate, and may be extended for good cause with written notice to the parties. Good cause may include considerations such as the absence of a party or witness; concurrent law enforcement activity; the need for language assistance or accommodation of disabilities; or other considerations that impact the timing of the investigation, hearing or appeal.

### I. Reporting

To make a report or file a Formal Complaint against a University faculty member alleging conduct prohibited by the University's Sexual Harassment, Abuse, and Assault Prevention Policy, an individual should contact the University's Title IX Coordinator at 315.443.0211, 005 Steele Hall, or [titleix@syr.edu](mailto:titleix@syr.edu). Confidential Resources are also available as described in the Sexual Harassment, Abuse, and Assault Prevention Policy.

To file a criminal complaint, an individual should contact the Department of Public Safety at 315.443.2224 or 005 Sims Hall, or contact the Syracuse Police Department at 911 (in an emergency) or 315.435.3016 and/or the New York State Police at the 24-hour dedicated hotline, 844.845.7269.

The University responds to reports of Prohibited Conduct discreetly and attempts to maintain privacy throughout the investigatory process, to the extent practicable and appropriate under the circumstances. However, in order to conduct an investigation, it is generally necessary to discuss the allegations with the person(s) responding to the allegations and other witnesses. Additionally, the University may have legal obligations to disclose information to law enforcement or in the context of legal proceedings.

The term "Complainant" refers to an individual who is reported to have experienced prohibited conduct, regardless of whether the individual makes a report or seeks disciplinary action. The University reserves the right to act as the Complainant and initiate a Formal Complaint under this process. The term "Respondent" refers to an individual who has been accused of prohibited conduct. An individual may make a report to the University, to law enforcement, to neither, or to both. In particular, a Complainant has the right to report, or decline to report, potential criminal conduct to law enforcement.

If a Complainant also chooses to file a criminal report with law enforcement, the University will not unduly delay its investigation unless requested to do so by the appropriate legal authorities. The University will comply with law enforcement agency requests for cooperation. This may require the University to temporarily suspend the fact-finding portion of an investigation while the law enforcement agency gathers evidence. The University will promptly resume its investigation as soon as notified by the law enforcement agency that it has completed the evidence gathering process. The University may be required to proceed with an investigation or hearing prior to resolution of an associated criminal matter.

## II. Intake and Outreach

Upon receipt of a report of potential Prohibited Conduct from a Complainant, Responsible Employee, or other individual, the Title IX Coordinator (or designee) will promptly—typically within 48 hours—contact the reporting individual to request a meeting to gather supplemental information (if any) and explain the University’s processes. If the reporting individual is a potential Complainant (the individual who is reported to have experienced Prohibited Conduct), the outreach will also cover reasonably available Supportive Measures (available with or without filing a Formal Complaint); the process for filing a Formal Complaint; the Complainant’s right to report the alleged conduct to law enforcement (either on campus or off); the difference between privacy and confidentiality; and the right to be protected from Retaliation.

In addition to the initial conversation and any subsequent meeting with the Complainant, the University will provide the Complainant with written information about resources, procedural options, including local law enforcement resources as applicable, and reasonably available Supportive Measures. This written information will include a notification about the process for seeking disability-based accommodations, academic adjustments, and/or auxiliary aids under Section 504 of the Rehabilitation Act and/or the Americans with Disabilities Act.

As part of Intake and Outreach, the Title IX Coordinator (or designee) will:

1. Promptly contact the Complainant to discuss the availability of Supportive Measures;
2. Consider the Complainant’s wishes with respect to Supportive Measures;
3. Assess the nature and circumstances of the report;
4. Address immediate physical safety and well-being of the Complainant or other campus community members;

5. Discuss the Complainant’s expressed preference for manner of resolution and any barriers to proceeding;
6. Notify the Complainant of the right to contact or decline to contact law enforcement, and if requested, assist them with notifying law enforcement;
7. Notify the Complainant of the availability of medical and counseling resources to address physical and mental health concerns and to preserve evidence;
8. Notify the Complainant of the importance of preservation of evidence;
9. Enter the report into the University’s Daily Crime Log if required by the Clery Act;
10. Assess the reported conduct for the need for a timely warning under the Clery Act, in consultation with the Department of Public Safety;
11. Provide the Complainant with information about on- and off-campus resources;
12. Provide the Complainant with a copy of the Sexual Harassment, Abuse, and Assault Prevention Policy and relevant procedures and an explanation of the procedural options, including seeking Supportive Measures and the process for filing a Formal Complaint;
13. Inform the Complainant that they may seek an advisor of their choosing to assist them throughout the investigation and resolution of the report, that the advisor may accompany them to any meeting or proceeding under this process, and that the University will provide an advisor, without fee or charge, to conduct questioning on behalf of the party at the hearing if they do not have an advisor;
14. Assess for evidence of a pattern or other similar conduct by the Respondent; and
15. Explain the University’s prohibition against retaliation.

## III. Supportive Measures

Upon receipt of a report of Prohibited Conduct, regardless of whether a Complainant chooses to pursue a Formal Complaint, the Title IX Coordinator (or designee) will oversee the provision of Supportive Measures, as reasonable, available, and appropriate. In most faculty cases, Supportive Measures must be implemented by the Associate Provost for Faculty Affairs, or the dean of the relevant school or college. Respondents are also eligible for Supportive Measures as reasonable, available, and appropriate.

Supportive Measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to a Complainant or Respondent, before or after the filing of a Formal Complaint or where no Formal Complaint has been filed. Such measures are designed to restore or preserve equal access to the University's Education Program or Activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the campus community, or deter Prohibited Conduct. Supportive Measures may include counseling, extensions of deadlines or other work-related adjustments, modifications of work schedules, campus escort services, mutual restrictions on contact between the parties (also known as No Contact Orders), changes in work locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures. Additional relief such as protective orders may be available through the criminal and/or family court process.

Individuals may contact the Title IX Coordinator at 315.443.0211 or [TitleIX@syr.edu](mailto:TitleIX@syr.edu) to discuss or request Supportive Measures. The University will maintain as confidential any Supportive Measures provided to a Complainant or Respondent, to the extent that maintaining such confidentiality would not impair the ability of the University to provide the Supportive Measures.

Complainants and Respondents will, upon request and consistent with these procedures, be afforded a prompt review, reasonable under the circumstances, of the need for and terms of any Supportive Measures that directly affect them, and shall be allowed to submit evidence in support of their request. For example, faculty may request rescission of a No Contact Order by demonstrating it is not necessary or productive. Complainants and Respondents should request further review of Supportive Measures—either the granting or denial of such measures—by contacting the Title IX Coordinator (or designee) or the Academic Freedom, Tenure and Professional Ethics (AFTPE) Committee of the University Senate.

The Title IX Coordinator (or designee) will document each report or request for assistance, including requests for Supportive Measures, as well as the response to any such report or request.

#### **IV. Emergency Removal Assessment**

Based on the initial reported facts, the Title IX Coordinator (or designee), together with the Associate Provost for Faculty Affairs, and in consultation with safety or legal experts as needed, may conduct an

individualized safety and risk analysis to determine whether the Respondent poses an immediate threat to the physical health or safety of any member of the campus community based on the alleged conduct. If it is determined the Respondent poses an immediate threat to the physical health or safety of any individual, the Associate Provost for Faculty Affairs may initiate an emergency removal. Faculty members can challenge an emergency removal by writing to the Vice Chancellor and Provost within five (5) business days of the date of the removal communication. The Associate Provost for Faculty Affairs will also determine whether to refer the individual or incident to the University's Threat Assessment Management Team ("TAMT").

#### **V. Preliminary Inquiry**

Upon receipt of a report of Prohibited Conduct, the Title IX Coordinator (or a designee) will conduct a preliminary inquiry of the facts to determine whether the University must take any other actions, beyond those described in the outreach and Supportive Measures sections above, including whether the Title IX Coordinator must initiate a Formal Complaint and investigation. The Title IX Coordinator (or designee) will first determine whether the reported conduct falls within the scope and jurisdiction of the Sexual Harassment, Abuse, and Assault Prevention Policy, and more specifically, within the jurisdiction of the Title IX regulations.

Based on reasonably available information at the time of intake, the Title IX Coordinator's (or designee's) inquiry will include assessing whether:

1. The reported conduct occurred within the University's Education Program or Activity, meaning,
  - a. The University has substantial control over the Respondent; and
  - b. The University has substantial control over the context in which the conduct is reported to have occurred; or
  - c. The conduct occurred in a building owned or controlled by a student organization that is officially recognized by the University;
2. The reported conduct occurred in the United States;
3. The facts set forth by the report, if substantiated, would constitute a violation of Title IX Sexual Harassment as defined by the Title IX regulations; and
4. The facts set forth by the report, if substantiated, would constitute a violation of other Prohibited Conduct as defined by the Sexual Harassment, Abuse, and Assault Prevention Policy.

The Title IX Coordinator (or designee) will provide written notice to the Complainant summarizing their conclusions from the preliminary inquiry and outlining next steps in the process.

## **VI. Formal Complaint**

The formal resolution process (investigation, hearing and appeal process) is initiated by the filing of a Formal Complaint. A Formal Complaint is a document submitted to the Title IX Coordinator by the Complainant alleging that a Respondent engaged in Prohibited Conduct and requesting an investigation. The Formal Complaint may be submitted to the Title IX Coordinator in person, by mail, or by electronic mail, using the Formal Complaint form. The Complainant may also contact the Title IX Coordinator directly for assistance. The Title IX Coordinator also has the discretion to file a Formal Complaint on behalf of the University.

The University endeavors to respect the wishes of a Complainant to not pursue a Formal Complaint, to not be identified and/or to not participate in the process. Where possible, the University attempts to address complaints in accordance with the Complainant's wishes. However, the University may not always be able to do so, and may be limited in its ability to address incidents of Prohibited Conduct without full participation by a Complainant. In evaluating the appropriate manner of resolution, including whether the Title IX Coordinator will file a Formal Complaint in the absence of a Formal Complaint by the Complainant, the Title IX Coordinator, in consultation with subject-matter experts as needed, will consider the following factors:

1. The seriousness, persistence or pervasiveness of the reported conduct;
2. Whether the Respondent has a history of violent behavior or there have been other complaints or reports of harassment, misconduct or prohibited conduct against the Respondent;
3. Whether the incident represents escalation in conduct on behalf of the Respondent from previously noted behavior;
4. Whether the circumstances suggest there is an increased risk of the Respondent committing additional acts of sexual violence or other violence, including but not limited to reported threats of sexual violence or other violence by the Respondent against the Complainant or others;
5. Whether the Respondent reportedly used a weapon or force;
6. Whether the conduct was reportedly committed by multiple individuals;
7. Whether the Complainant is a minor;

8. Whether the Respondent is an employee; and
9. Whether the institution possesses other competent means to obtain relevant evidence.

In order to protect the community, the University may be obligated to investigate and adjudicate serious incidents even when the Complainant would prefer otherwise. A Complainant may withdraw a Formal Complaint at any time, but the University may be compelled to continue the associated investigation or conduct process. The University reserves the right to take action in response to any incident that comes to its attention. The assessment of whether a Formal Complaint must be initiated will typically be concluded within fifteen (15) business days.

The University may consolidate Formal Complaints against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one party against the other party, where the allegations arise out of the same facts or circumstances.

## **VII. Dismissal of Formal Complaint**

The Title IX Coordinator (or designee) will determine whether the conduct alleged in the Formal Complaint falls within the scope of the policy and the definition of Prohibited Conduct. The Title IX regulations require the Title IX Coordinator (or designee) to notify the parties in writing that the University is dismissing some or all of the allegations in the Formal Complaint related to Title IX Sexual Harassment as defined by the Title IX regulations if: 1) the conduct alleged, even if substantiated, would not constitute Title IX Sexual Harassment as defined in the Title IX regulations; 2) the conduct did not occur within the University's Education Program or Activity; or, 3) the conduct did not occur against a person in the United States. This means that the University may be required by law to dismiss some or all of the allegations in the Formal Complaint under Title IX and provide a Complainant the opportunity to appeal that dismissal.

However, where the allegations in the Formal Complaint include other forms of Prohibited Conduct, the conduct occurs outside of the United States, or the conduct is not within the Education Program or Activity (but still within the scope of conduct regulated by the University), these procedures will still apply and the remaining allegations may proceed to the formal resolution process set forth below.

In addition to mandatory dismissal, the Title IX Coordinator (or designee) may dismiss the Formal Complaint or any allegations therein if: 1) the Complainant notifies the Title IX Coordinator in writing that they would like to withdraw the Formal Complaint or any allegation therein; 2) the Respondent is no longer

enrolled or employed by the University; or 3) specific circumstances prevent the University from gathering sufficient evidence to reach a determination on the merits.

The decision about whether to dismiss a Formal Complaint, in whole or in part, may be made at any time in the process and will be communicated to all parties in writing. Either party may appeal the decision to dismiss the Formal Complaint to the Vice Chancellor and Provost.

## VIII. Advisors

Faculty participating in any University process for responding to a report or Formal Complaint of Prohibited Conduct may be advised by an advisor of their choice—including an attorney—throughout all phases of the process, including at interviews, other meetings, or hearings. Advisors must be respectful to parties, witnesses, and University administrators. Any advisor who fails to conform their behavior to these requirements or whose conduct interferes with the integrity and decorum of the process may be removed from the proceedings and barred from acting as an advisor in future University proceedings. In such circumstances the University will determine whether to proceed with the meeting at issue without the presence of the advisor. If a Complainant or Respondent does not have an advisor present at a live hearing (see the Formal Complaint process below for more information on live hearings), the University will provide an advisor free of charge to the party for the sole purpose of facilitating questioning on the party's behalf of other parties and witnesses.

## IX. Processes for Formal and Informal Resolution

### A. Formal Resolution Process

- i. What follows in this sub-section is the process the University will use to respond to Formal Complaints of Prohibited Conduct lodged against faculty.
- ii. *Notice of Investigation*: The Title IX Coordinator (or designee) will provide written notice of the Formal Complaint to all known parties, and copies to the Associate Provost for Faculty Affairs and the chair of the AFTPE. The written notice will include, at a minimum, (a) a link to, or copy of, these procedures; (b) details regarding the identities of the parties, date, time and location, and nature of the reported conduct; (c) the potential policy violations; (d) the name of the investigator; (e) how to challenge participation by the investigator on the basis of conflict of interest or bias; (f) a statement that the Respondent

is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the Formal Complaint process; (g) the parties' rights to be accompanied by an advisor of their choice throughout the process (see section on Advisors above); (h) the importance of preserving any potentially relevant evidence; (i) information about the parties' rights and responsibilities; and (j) prohibition against making false statements during the process. If the investigation reveals the existence of additional potential policy violations, the University will issue a supplemental notice of investigation. This initial notice, and any supplemental notices, will be provided to the intended recipient in advance of any interview or meeting with investigators to allow the party sufficient time to prepare a response.

- iii. *Appointment of Investigator*: The Title IX Coordinator (or designee) will assign an investigator to complete a fact finding investigation of the Formal Complaint. The investigator may be a University employee or an external professional. The Title IX Coordinator (or designee) will ensure that the investigator has the appropriate training and experience and is free of a conflict of interest or bias for or against either party. The name of the investigator will be provided to the parties in the notice of investigation and the parties will be allowed to challenge the appointment of an investigator on the basis of conflict of interest or bias. The Title IX Coordinator (or designee) will also ensure that the investigator has received training on the definition of Prohibited Conduct, including Sexual Harassment, the scope of the University's Education Program or Activity, how to conduct an investigation, how to serve impartially, conflicts of interest and bias, and issues of relevance to create an investigative report that fairly summarizes the relevant evidence.

The Associate Provost for Faculty Affairs, in consultation with the chair of the AFTPE Committee (or a designee), will assign a faculty member from a pool of trained faculty (separate from the AFTPE) to participate in the investigation alongside the investigator. The faculty member will have the right to attend all witness interviews (assuming their attendance would not unduly delay any interviews), review all evidence, and review and comment on the investigation report before it is finalized.

- iv. *Gathering Information:* The investigator is responsible for gathering relevant inculpatory and exculpatory evidence related to the Formal Complaint. The investigator will send written notice of the interview date, time, and location, name of participant(s) and purpose of the interview to the parties and witnesses, in sufficient time for the party to prepare and participate. The investigator will interview the parties, and any witnesses likely to have relevant, non-cumulative information regarding the alleged conduct. The investigator will also gather other evidence, if available (e.g., audio or video recordings; electronic communications; photographs; physical or locational evidence). The investigator may also consider information publicly available from social media or other online sources that comes to the attention of the investigator. The University does not actively monitor social media or online sources, however, and as with all potentially relevant information, the Complainant, Respondent, or witness should bring online information to the attention of the investigator.

In general, the investigator has the discretion to determine the relevance and probative value of information proffered or received. Evidence is relevant if it makes a material fact more or less probable than it would be without the evidence.

The investigator may visit relevant sites or locations and record observations through written, photographic, or other means. In some cases, the investigator may consult medical, forensic, technological, or other experts when expertise on a topic is needed in order to achieve a fuller understanding of the issues under investigation.

The investigator will not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege. If a person voluntarily chooses to share medical or counseling records with the investigator, they must sign a written consent that acknowledges that relevant information from the medical or counseling records must be shared with the other party to ensure the other party has notice of that information and an opportunity to respond.

If parties wish to provide expert testimony or evidence, they are solely responsible for securing attendance of any expert witness at a hearing, and for the costs or fees associated with any expert report or testimony.

The parties will be given an equal opportunity to present information and evidence to the investigator, and the University encourages them to provide all potentially relevant information, whether inculpatory or exculpatory. The University will not restrict the ability of either party to gather and present relevant evidence. That said, the burden of proof and evidence gathering rests with the University.

For parties or witnesses wishing to submit evidence to the investigator, they must submit all known evidence in existence and in their possession prior to completion of investigation report. If a party or witness fails to provide known evidence in their possession during the investigation, they may be precluded from offering it at a later hearing. In addition, if a witness chooses not to participate in an investigation interview, they may be precluded from testifying at a later hearing.

During the course of the investigation, the parties should bring any new or evolving evidence, such as harassing or retaliatory conduct, to the attention of the investigator. The investigator may consider such information in the investigation and will also share any information about retaliation or violation of the terms of an interim protective measure with the Title IX Coordinator (or designee) for further action.

- v. *Party and Witness Participation in the Investigation:* Both the Complainant and Respondent have the option to provide names of potential witnesses to the investigator. Witnesses are individuals who may have information relevant to the incident, including individuals who may have observed the acts in question, may be able to provide contextual information, or may have other information related to the incident, the disclosure, or related matters. Witnesses may also be offered to provide subject matter expert information. Witnesses may not participate solely to speak about an individual's character. The investigator has the discretion to determine which potential witnesses may have relevant information about the alleged conduct.

Where witnesses are interviewed as part of the investigation, the name of the witness and the information gathered in the interviews will be shared with the parties at the conclusion of the investigation.

Parties and witnesses have the choice to participate in an investigation, or not. Parties or witnesses who do choose to speak to the investigator may have their names shared in the investigation report. The investigator will provide written notice to parties and witnesses of any meetings. The written notice will include the date, time, location, participants, and purpose of the meeting, and will be sent with sufficient time for the recipient to prepare to participate (typically meaning at least two (2) business days prior to any meeting).

Although the University encourages all individuals involved in these investigations and processes to keep the matter private, the University cannot and will not restrict parties' rights to speak about their experiences.

- vi. *Parties' Access to Information:* Prior to the completion of the investigation report, the investigator will make information gathered in the investigation available for review by the parties and their advisors. The parties will have an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a Formal Complaint, including the evidence upon which the University does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation. The investigator will send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties will have ten (10) business days to submit a written response, which the investigator will consider prior to completion of the investigative report. In the written submission, the parties may offer additional comment or feedback on the facts as gathered, clarify information previously shared, suggest additional witnesses, suggest additional lines of questioning or inquiry, or identify any other relevant information or evidence to assure the thoroughness, sufficiency and reliability of the investigation. The investigator will review the written submissions from the parties and conduct additional investigation if necessary.

- vii. *Written Investigation Report:* The investigator will produce a written investigation report that fairly summarizes the relevant information and facts gathered during the investigation and may include direct observations and reasonable inferences drawn from the facts and discussion of any consistencies or inconsistencies between the various sources of information.

The investigator has the discretion to determine the relevance of any witness or other evidence and shall exclude information in preparing the investigation report if the information is irrelevant, immaterial, or more prejudicial than informative. The investigator shall exclude statements of personal opinion by witnesses and statements as to general reputation for any character trait, including honesty. Likewise evidence pertaining to the mental health of either party is not relevant to the determination of responsibility.

Evidence about the Complainant's sexual predisposition or prior sexual behavior is not relevant, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.

The investigation report will be a fair and thorough summary of all relevant information gathered that is both inculpatory and exculpatory. The faculty member appointed to participate in the investigation will have an opportunity to review and comment on the investigation report. The investigator will then issue a final investigation report, together with all evidence, to the parties and to the AFTPE Committee.

The investigator will provide the investigative report to the parties, their advisors, and the hearing panel or hearing officer, in an electronic format or a hard copy at least ten (10) calendar days prior to a scheduled hearing. Unless extenuating circumstances exist, a hearing will typically be convened by the AFTPE within fifteen (15) calendar days of the receipt of the investigation report. The Complainant and Respondent may, in writing, offer any additional comment or feedback with respect to the investigation report at least three (3) calendar days before a hearing.

- viii. *Time Period for Completion:* The University strives to complete investigations under this process within ninety (90) calendar days. The process may take shorter or longer depending on various factors such as the complexity of the case; number and cooperation of parties involved; number and availability of witnesses; whether there is a concurrent criminal process underway; academic calendars or demands; other emergency or non-emergency circumstances or interruptions. The Title IX Coordinator (or designee) and investigator may grant temporary delays of the investigation or the limited extension of time frames for good cause with written notice to the Complainant and the Respondent of the delay or extension and the reasons for the action.
- ix. *Acceptance of Responsibility:* At any point during the investigation, the Respondent may elect to accept responsibility for some or all of the policy violations at issue. Where there is an acceptance of responsibility as to some but not all of the charges, the investigation will continue to conclusion. Where there is an acceptance of responsibility as to all of the potential policy violations, the investigator will complete an investigation report of all information gathered to date and refer the matter to the Associate Provost for Faculty Affairs (or designee) for sanctioning as described below.
- x. *Notice of Charge:* Upon receipt of an investigation report, the Title IX Coordinator (or designee), will decide the final policy charges and refer the matter to the hearing officer to schedule a hearing. The Notice of Charge will include a determination by the investigator whether the conduct alleged in the Formal Complaint falls within the scope of the Sexual Harassment, Abuse, and Assault Prevention Policy and the definition of Prohibited Conduct as defined in that policy. In order to move forward with a Notice of Charge, the Title IX Coordinator (or designee) must determine whether the alleged conduct, if substantiated, would constitute a potential policy violation. This is not a determination of responsibility, nor does it involve a determination about the credibility of the information gathered; those decisions are reserved for the decision-maker. Rather, this evaluation accepts all facts as presented by the Complainant as true in order to determine the potential policy violations that will be the subject of the hearing.

The Title IX Coordinator (or designee) will issue a written Notice of Charge to the Complainant and Respondent simultaneously. The Notice of Charge will include: the charges (specific policy violations) filed against the Respondent; the date, time and location of the hearing; the names of the hearing panel or officer; how to challenge participation by the hearing panelists on the basis of conflict of interest or bias; the right to have an advisor present at the hearing and conduct questioning on the party's behalf; that the University will provide an advisor, without fee or charge, to conduct questioning on behalf of the party at the hearing if the party does not have an advisor present for the hearing; how to request that witnesses be present at the hearing; and, information about the hearing format. Notice will be emailed at least ten (10) calendar days prior to the hearing to the parties' syr.edu email address or in any other manner reasonably designed to give notice to the parties.

If some or all of the allegations in the Formal Complaint have been dismissed, the parties will receive written information about how to appeal the dismissal of the Formal Complaint.

The University will reschedule a hearing one time per party based on legitimate scheduling conflicts or emergency circumstances, as decided by the University. Any rescheduled hearing will take place no later than fifteen (15) business days within the date of the original hearing.

- xi. *Hearing Format:* Hearings will be conducted either in-person or virtually with technology that enables the decision-maker(s) and parties to simultaneously see and hear the party and witnesses speaking.

The hearing will be heard or conducted by either a hearing panel or an individual hearing officer. Hearing panels or officers will usually be external professionals, but the University reserves the right to have any case heard by University faculty or administrators. Any individuals serving as a hearing panel member or hearing officer will be free from conflicts of interest and bias for or against either party, and trained as set forth in the *Training and Conflict/Bias Prevention* section of these procedures. The hearing panel or officer may consult with or be advised by University administrators and/or an attorney, although the hearing panel or officer retains full discretion and decision-making authority.

Hearings will generally consist of the following steps: An opening statement from the hearing panel or officer, followed by opening statements from the Complainant and Respondent (or their advisors). Opening statements are limited to 15 minutes. Following opening statements, witnesses (if any) are called to testify. Advisors for the Complainant and Respondent have the right to question each witness. The hearing panel or officer may ask questions of the witnesses, Complainant, or Respondent at any time during their testimony. The hearing panel or officer may call its own witnesses (or recall witnesses) or request documents or other evidence from the parties as it deems appropriate. The hearing will end with closing statements, limited to 15 minutes each, from the Complainant, the Respondent, (or their advisors), and hearing panel or officer, if they so desire.

All parties and witnesses will be invited to speak at the hearing, but no party or witness is required to attend the hearing. The parties must submit to the hearing panel or officer a list of witnesses they believe have relevant information to the outcome of the hearing at least three (3) business days prior to the hearing. The hearing panel or officer will review the parties' requested witnesses and consider any other witnesses. The hearing panel or officer has discretion to determine which witnesses are relevant and may decline to hear from witnesses where they conclude that the information is not necessary for a decision. Witnesses will only be permitted inside the hearing location during their own testimony.

If a party or witness declines to attend a hearing, or attends but declines to submit to questioning by the other party's advisor, the hearing panel or officer may not rely on statements of that party or witness in reaching a determination regarding responsibility. The hearing panel or officer will not draw an inference about the determination regarding responsibility based solely on a party's or witness's absence from the live hearing or declination to answer cross-examination or other questions. If, despite being notified of the date, time, and location of the hearing, either party is not in attendance, the hearing may proceed, factual findings may be resolved, and applicable sanctions may be imposed. Neither party is required to participate in the hearing in order for the hearing to proceed.

Rules of evidence and criminal standards of proof do not apply. The hearing panel or officer (or their advisor) will determine the relevance of questions asked by the parties, and preclude questions that seek irrelevant information. However, both parties have the right to exclude their own irrelevant prior sexual history with persons other than the other party in the conduct process or their own mental health diagnosis and/or treatment during the finding of responsibility phase of the hearing. In particular, questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.

At its sole discretion, the hearing panel or officer may rely upon the investigator's report, the parties' responses to the report, and any supplemental reports, for their understanding of the relevant facts, or they may conduct additional witness interviews and/or gather additional information. The hearing panel or officer may also interview the investigator.

Each party's advisor may ask the other party and any witnesses all relevant questions and follow-up questions, including those challenging credibility. Such cross-examination at the live hearing must be conducted directly, orally, and in real time by the party's advisor of choice and never by a party personally. Only relevant cross-examination and other questions may be asked of a party or witness. Before a Complainant, Respondent, or witness answers a cross-examination or other question, the hearing panel or officer must first determine whether the question is relevant and explain any decision to exclude a question as not relevant. If a party does not have an advisor present at the live hearing, the University will provide without fee or charge to that party, an advisor of the University's choice, who may be, but is not required to be, an attorney, to question other parties and witnesses on behalf of that party.

Attendance at a hearing is limited to the hearing panel or officer; the hearing panel or officer's advisor; the Title IX Coordinator; a designee of the Vice Chancellor and Provost; a faculty designee of the AFTPE who may recommend to the hearing panel or officer witnesses to testify at the hearing, and submit questions to the hearing panel or officer to ask parties or witnesses; the parties and their advisors; Public Safety representatives, if appropriate; and witnesses (for their own testimony only). Any University administrator or faculty member attending the hearing (other than as a party or witness) must attend the entire hearing, and may not attend for limited portions. The parties must provide the names of their advisors to the AFTPE at least three (3) business days prior to the hearing.

The hearing will be audio recorded. Recordings will not include deliberations. The hearing panel or officer will forward the tapes or digital audio files to the Title IX Coordinator (or designee) for storage including electronic storage. Tapes or digital audio files will not be forwarded to the Title IX Coordinator (or designee) until after the hearing panel or officer has concluded all deliberations. The tapes and/or digital audio files are accessible to the parties in the case of an appeal. Either party may request access to a written transcript of the recording at no cost to the party. Printed transcripts may be redacted prior to being provided to the requesting party in accordance with applicable privacy laws.

- xii. *Hearing Panel or Officer's Decision:* Based on an objective review of all relevant evidence, hearing panels or officers will decide whether Respondents violated University policy by using a preponderance of the evidence or "more likely than not" standard of evidence. Credibility determinations will not be based on a person's status as a Complainant, Respondent, or witness. Typically within fifteen (15) business days of a hearing, the hearing panel or officer will issue to the AFTPE a written decision regarding responsibility. The written decision will include the following elements: (1) identification of the allegations potentially constituting Prohibited Conduct; (2) a description of the procedural steps taken from the receipt of the Formal Complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held; (3) findings of fact supporting the determination;

(4) conclusions regarding the application of the Sexual Harassment, Abuse, and Assault Prevention Policy to the facts; and (5) a statement of, and rationale for, the result as to each alleged policy violation.

- xiii. *Sanction:* If a finding of responsibility is made, the AFTPE (or a sub-section thereof, all of whom are free from conflicts of interest or bias for or against a particular party, and trained as set forth in the "Training and Conflict/Bias Prevention" section of these procedures) will recommend sanctions or remedies to the Associate Provost for Faculty Affairs. Prior to setting sanctions or remedies, the AFTPE (or designee) will consider any other relevant information including, without limitation:
- (a) the extent of harm caused to or impact on individuals and the community (i.e. living environment, University community, and the surrounding community) including the level of intervention necessary;
  - (b) the potential for ongoing risk to specific individuals or the campus community;
  - (c) a faculty member's disciplinary record and status of any prior conduct sanctions;
  - (d) level of intent, remorse, cooperation, and willingness to take responsibility;
  - (e) evidence that the faculty member's conduct was motivated by bias regarding an individual or group's real or perceived race, color, creed, religion, political or social affiliation, sex, gender, national origin, citizenship, ethnicity, marital status, age, disability, sexual orientation, gender identity and gender expression, and/or veteran status;
  - (f) sanctions issued in prior similar faculty conduct cases;
  - (g) impact statements submitted by either party;
  - (h) the violence of the conduct at issue; and
  - (i) any other mitigating, exacerbating, or compelling circumstances.

Sanctions will be designed to eliminate the Prohibited Conduct, prevent its recurrence, and remedy its effects.

The Sexual Harassment, Abuse, and Assault Policy prohibits a broad range of conduct, all of which is serious in nature. In keeping with the University's commitment to foster an environment that is safe, inclusive, and free from discrimination and harassment, the AFTPE has great latitude in recommending sanctions tailored to the facts and circumstances of each report, the impact of the conduct on the Complainant and surrounding community, and accountability for the Respondent. The range of possible sanctions include:

- verbal or written warning;
- probation;
- suspension with or without pay;
- reassignment of duties;
- dismissal; and/or
- Other sanctions appropriate to the circumstances, including, without limitation, restitution, apology, professional counseling/treatment, and more.

Regardless of the outcome, the AFTPE may recommend to the Title IX Coordinator (or designee) additional remedies for the Complainant to address the effects of the conduct on the Complainant, restore or preserve the Complainant's access to University programs and activities, and restore to the Complainant, to the extent possible, benefits and opportunities lost as a result of the prohibited conduct. The AFTPE may also identify remedies to address the effects of the conduct on the University community.

The Title IX Coordinator (or designee) will review the remedies recommended by the AFTPE and will consider the appropriateness of continuing Supportive Measures on an ongoing basis. The Vice Chancellor and Provost, and the Title IX Coordinator are responsible for the effective implementation of remedies.

- xiv. *Written Outcome:* Hearings are considered complete when the hearing panel or officer completes a final written decision regarding responsibility. Hearing panel and officer decisions are made in private, and by a majority vote (in the instance of a panel). Sanctions will be recommended by the AFTPE, and the AFTPE will transmit its recommendations to the Associate Provost for Faculty Affairs, with a copy of the hearing panel or officer decision and the case file.

The Associate Provost for Faculty Affairs may either accept the recommended sanction(s) or reject the recommended sanction(s) and issue different sanction(s). The Associate Provost for Faculty Affairs will issue a written outcome letter to the parties within fifteen (15) business days of receiving the AFTPE's recommendation. This written outcome letter will attach the hearing panel or officer decision, and include sanctions and the rationale for the sanctions, as well as an overview of the appellate rights of the parties.

*Appeal:* Either party may, within ten (10) business days of the communication of the outcome letter from the Associate Provost for Faculty Affairs, submit a written appeal to the Vice Chancellor and Provost. The Office of the Vice Chancellor and Provost will notify the other party of the action, and each party will have the opportunity to review and respond to any appeal documents submitted by the other party. Late appeals will not be considered.

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

- (a) Procedural irregularity that affected the outcome of the matter;
- (b) New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter;
- (c) The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that affected the outcome of the matter; or
- (d) Errors in the interpretation of University policy so substantial as to deny either party a fair hearing; or
- (e) Grossly inappropriate sanction having no reasonable relationship to the charges.

The responding party will have ten (10) business days to submit a response to any appeal. The Vice Chancellor and Provost, or designee, will issue a written decision on the appeal within fifteen (15) business days of receipt of all appeal documents from both parties or twenty-five (25) business days from the receipt of the first appeal. The Vice Chancellor and Provost's determination is final. Late appeals will not be considered.

## B. Informal Resolution Process

The University may resolve reports informally, as appropriate based on the circumstances. An Informal Resolution provides a mechanism for the University to take prompt action through the imposition of individual and community remedies designed to maintain or restore access to the educational, extracurricular, and employment activities at the University and to remedy the impacts of conduct on members of the community. Informal Resolution is available only once a Formal Complaint has been filed, prior to a determination of responsibility, and if all impacted parties and the University voluntarily consent to the process in writing. Informal Resolution is not available in cases in which a faculty member or other employee is alleged to have engaged in Prohibited Conduct with a student.

Any person who facilitates an informal resolution will be trained and free from conflicts of interest or bias for or against either party (see Section IX *Training and Conflict/Bias Prevention* below).

If the parties are interested in pursuing Informal Resolution, the Title IX Coordinator (or a designee) will send written notices to the parties describing:

1. The allegations at issue;
2. The requirements of the Informal Resolution;
3. The circumstances under which the parties are precluded from resuming a Formal Complaint arising from the same allegations;
4. Parties' rights to end the Informal Resolution process at any time prior to resolution and resume the Formal Complaint process;
5. The consequences resulting from participating in the Informal Resolution;
6. The fact that records and communications created or maintained as part of the Informal Resolution process may be viewed by parties, but will not later be used or considered by the University in a Formal Complaint process, including at a hearing.

All parties will be required to return signed copies of the written notices agreeing to the Informal Resolution process.

If a resolution is reached between the parties in an Informal Resolution, the matter will be considered closed, and the parties would be precluded from filing another complaint arising from the same conduct or set of facts. Prior to reaching a resolution, any party can withdraw from the Informal Resolution process and resume the Formal Complaint process. The University strives to complete an Informal Resolution within thirty (30) days of the parties' written agreement to participate in the process.

Any statements made during an Informal Resolution process, records and communications created or maintained as part of an Informal Resolution process will not be used or considered in a subsequent investigation or hearing.

## X. Record-Keeping

The University will maintain records related to reports or complaints of Prohibited Conduct for a minimum period of seven (7) years. Such records may include, without limitation, investigation reports and evidence, hearing records, disciplinary decisions or communications, appeals, informal resolution documents, requests for and provision of Supportive Measures, and other records demonstrating actions the University took to respond to the reported conduct. The records will be kept private to the extent required or permitted by law. The University will also maintain training records for the same period of time.

## XI. Training and Conflict/Bias Prevention

The Title IX Coordinator, investigators, decision-makers, faculty involved in the process including members of the AFTPE and others, and any person who facilitates an Informal Resolution process, will receive annual training on: (a) the definition of Prohibited Conduct, including Sexual Harassment; (b) the scope of the University's Education Program or Activity; (c) how to conduct an investigation and grievance process including hearings, appeals, and Informal Resolution processes; (d) how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias; (e) the presumption of "not responsible" until any appropriate process concludes; and, (f) how to conduct an investigation and hearing process that protects the safety of complainants and promotes accountability.

Hearing panels and officers will receive additional training on: (a) any technology to be used at a live hearing; (b) how to determine relevance of for cross-examination questions and other evidence, including when questions and evidence about the parties' sexual predisposition or prior sexual behavior are not relevant.

Investigators will receive additional training on issues of relevance to create an investigative report that fairly summarizes relevant evidence.

Any materials used to train the Title IX Coordinator, investigators, decision-makers, and any person who facilitates an Informal Resolution process, will not rely on sex stereotypes and will promote impartial investigations and adjudications of Formal Complaints of Prohibited Conduct. The University will publish on its website training materials used for its most recent training sessions.

The University also provides prevention and awareness programs for students, faculty, and staff to prevent Prohibited Conduct and promote a learning and working environment free from discrimination or harassment.

Throughout any Formal or Informal Resolution process described above, the University will take steps to reasonably ensure the Title IX Coordinator, investigators, decision-makers, or any person designated by the University to facilitate an Informal Resolution process, not have a conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant or Respondent.

## **PROCEDURES FOR RESPONDING TO REPORTS OF EMPLOYEE VIOLATIONS OF THE SEXUAL HARASSMENT, ABUSE, AND ASSAULT PREVENT POLICY**

Any person may make a report of Prohibited Conduct to the Title IX Coordinator or an appropriate designee (in any particular case, the Title IX Coordinator may delegate their authority pursuant to these procedures to another appropriate University representative). The University will treat Complainants and Respondents equitably by offering Supportive Measures to a Complainant, and by following a formal resolution process that complies with the Title IX regulations before the imposition of any disciplinary sanction against a Respondent.

Upon receipt of a report of Prohibited Conduct, the matter may be resolved through:

1. Provision of Supportive Measures only;
2. Pursuing a formal resolution process, which is initiated by the filing of a Formal Complaint, and involves an investigation, hearing, and appeal;
3. Pursuing an informal resolution process, after the filing of a Formal Complaint, which requires the consent of the Complainant, the Respondent, and the University; or
4. Dismissal of a Formal Complaint.

All time frames mentioned throughout these processes are approximate, and may be extended for good cause with written notice to the parties. Good cause may include considerations such as the absence of a party or witness; concurrent law enforcement activity; the need for language assistance or accommodation of disabilities; or other considerations that impact the timing of the investigation, hearing or appeal.

### **I. Reporting**

To make a report or file a Formal Complaint against a University staff member alleging conduct prohibited by the University's Sexual Harassment, Abuse, and Assault Prevention Policy, an individual should contact the University's Title IX Coordinator at 315.443.0211, 005 Steele Hall, or [titleix@syr.edu](mailto:titleix@syr.edu). Confidential Resources are also available as described in the Sexual Harassment, Abuse, and Assault Prevention Policy.

To file a criminal complaint, an individual should contact the Department of Public Safety at 315.443.2224 or 005 Sims Hall, or contact the Syracuse Police Department at 911 (in an emergency) or 315.435.3016.

The University responds to reports of Prohibited Conduct discreetly and attempts to maintain privacy throughout the investigatory process, to the extent practicable and appropriate under the circumstances. However, in order to conduct an investigation, it is generally necessary to discuss the allegations with the person(s) responding to the allegations and other witnesses. Additionally, the University may have legal obligations to disclose information to law enforcement or in the context of legal proceedings.

The term “Complainant” refers to an individual who is reported to have experienced prohibited conduct, regardless of whether the individual makes a report or seeks disciplinary action. The University reserves the right to act as the Complainant and initiate a Formal Complaint under this process. The term “Respondent” refers to an individual who has been accused of prohibited conduct. An individual may make a report to the University, to law enforcement, to neither, or to both. In particular, a Complainant has the right to report, or decline to report, potential criminal conduct to law enforcement.

If a Complainant also chooses to file a criminal report with law enforcement, the University will not unduly delay its investigation unless requested to do so by the appropriate legal authorities. The University will comply with law enforcement agency requests for cooperation. This may require the University to temporarily suspend the fact-finding portion of an investigation while the law enforcement agency gathers evidence. The University will promptly resume its investigation as soon as notified by the law enforcement agency that it has completed the evidence gathering process. The University may be required to proceed with an investigation or hearing prior to resolution of an associated criminal matter.

## **II. Intake and Outreach**

Upon receipt of a report of potential Prohibited Conduct from a Complainant, Responsible Employee, or other individual, the Title IX Coordinator (or designee) will promptly—typically within 48 hours—contact the reporting individual to request a meeting to gather supplemental information (if any) and explain the University’s processes. If the reporting individual is a potential Complainant (the individual who is reported to have experienced Prohibited Conduct), the outreach will also cover reasonably available Supportive Measures (available with or without filing a Formal Complaint); the process for filing a Formal Complaint; the Complainant’s right to report the alleged conduct to law enforcement (either on campus or off); the difference between privacy and confidentiality; and the right to be protected from Retaliation.

In addition to the initial conversation and any subsequent meeting with the Complainant, the University will provide the Complainant with written information about resources, procedural options, including local law enforcement resources as applicable, and reasonably available Supportive Measures. This written information will include a notification about the process for seeking disability-based accommodations, academic adjustments, and/or auxiliary aids under Section 504 of the Rehabilitation Act and/or the Americans with Disabilities Act.

As part of Intake and Outreach, the Title IX Coordinator (or designee) will:

1. Promptly contact the Complainant to discuss the availability of Supportive Measures;
2. Consider the Complainant’s wishes with respect to Supportive Measures;
3. Assess the nature and circumstances of the report;
4. Address immediate physical safety and well-being of the Complainant or other campus community members;
5. Discuss the Complainant’s expressed preference for manner of resolution and any barriers to proceeding;
6. Notify the Complainant of the right to contact or decline to contact law enforcement, and if requested, assist them with notifying law enforcement;
7. Notify the Complainant of the availability of medical and counseling resources to address physical and mental health concerns and to preserve evidence;
8. Notify the Complainant of the importance of preservation of evidence;
9. Enter the report into the University’s Daily Crime Log if required by the Clery Act;
10. Assess the reported conduct for the need for a timely warning under the Clery Act;
11. Provide the Complainant with information about on- and off-campus resources;
12. Provide the Complainant with a copy of the Sexual Harassment, Abuse, and Assault Prevention Policy and relevant procedures and an explanation of the procedural options, including seeking Supportive Measures and the process for filing a Formal Complaint;
13. Inform the Complainant that they may seek an advisor of their choosing to assist them throughout the investigation and resolution of the report, that the advisor may accompany them to any meeting or proceeding under this process, and that the University will provide an advisor, without fee or charge, to conduct questioning on behalf of the party at the hearing if they do not have an advisor;
14. Assess for evidence of a pattern or other similar conduct by the Respondent; and
15. Explain the University’s prohibition against retaliation.

### III. Supportive Measures

Upon receipt of a report of Prohibited Conduct, regardless of whether a Complainant chooses to pursue a Formal Complaint, the Title IX Coordinator (or designee) will provide Supportive Measures, as reasonable, available, and appropriate. Respondents are also eligible for Supportive Measures as reasonable, available, and appropriate.

Supportive Measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to a Complainant or Respondent, before or after the filing of a Formal Complaint or where no Formal Complaint has been filed. Such measures are designed to restore or preserve equal access to the University's Education Program or Activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the campus community, or deter Prohibited Conduct. Supportive Measures may include counseling, extensions of deadlines or other work-related adjustments, modifications of work schedules, campus escort services, mutual restrictions on contact between the parties (also known as No Contact Orders), changes in work locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures. Additional relief such as protective orders may be available through the criminal and/or family court process.

Individuals may contact the Title IX Coordinator at 315.443.0211 or [TitleIX@syr.edu](mailto:TitleIX@syr.edu) to discuss or request Supportive Measures. The University will maintain as confidential any Supportive Measures provided to a Complainant or Respondent, to the extent that maintaining such confidentiality would not impair the ability of the University to provide the Supportive Measures.

Complainants and Respondents will, upon request and consistent with these procedures, be afforded a prompt review, reasonable under the circumstances, of the need for and terms of any Supportive Measures that directly affect them, and shall be allowed to submit evidence in support of their request. For example, a staff member may request rescission of a No Contact Order by demonstrating it is not necessary or productive. Complainants and Respondents should request further review of Supportive Measures—either the granting or denial of such measures—by contacting Human Resources.

The Title IX Coordinator (or designee) will document each report or request for assistance, including requests for Supportive Measures, as well as the response to any such report or request.

### IV. Emergency Removal Assessment

Based on the initial reported facts, the Title IX Coordinator (or designee) will determine whether to refer the incident to the University's Threat Assessment Management Team ("TAMT") to evaluate whether an emergency removal is required. If referred, the TAMT may conduct an individualized safety and risk analysis to determine whether the Respondent poses an immediate threat to the physical health or safety of any member of the campus community arising from the alleged conduct. If the TAMT determines the Respondent poses an immediate threat to the physical health or safety of any individual, the TAMT may recommend emergency removal. Staff can challenge an emergency removal by writing to the Senior Vice President and Chief Human Resources Officer within five (5) business days of the date of the removal communication.

### V. Preliminary Inquiry

Upon receipt of a report of Prohibited Conduct, the Title IX Coordinator (or a designee) will conduct a preliminary inquiry of the facts to determine whether the University must take any other actions, beyond those described in the outreach and Supportive Measures sections above, including whether the Title IX Coordinator must initiate a Formal Complaint and investigation. The Title IX Coordinator (or designee) will first determine whether the reported conduct falls within the scope and jurisdiction of the Sexual Harassment, Abuse, and Assault Prevention Policy, and more specifically, within the jurisdiction of the Title IX regulations.

Based on reasonably available information at the time of intake, the Title IX Coordinator's inquiry will include assessing whether:

1. The reported conduct occurred within the University's Education Program or Activity, meaning
  - a. The University has substantial control over the Respondent; and
  - b. The University has substantial control over the context in which the conduct is reported to have occurred; or
  - c. The conduct occurred in a building owned or controlled by a student organization that is officially recognized by the University;
2. The reported conduct occurred in the United States;
3. The facts set forth by the report, if substantiated, would constitute a violation of Title IX Sexual Harassment as defined by the Title IX regulations; and
4. The facts set forth by the report, if substantiated, would constitute a violation of other Prohibited Conduct as defined by the Sexual Harassment, Abuse, and Assault Prevention Policy.

The Title IX Coordinator (or designee) will provide written notice to the Complainant summarizing their conclusions from the preliminary inquiry and outlining next steps in the process.

## VI. Formal Complaint

The formal resolution process (investigation, hearing and appeal process) is initiated by the filing of a Formal Complaint. A Formal Complaint is a document submitted to the Title IX Coordinator by the Complainant alleging that a Respondent engaged in Prohibited Conduct and requesting an investigation. The Formal Complaint may be submitted to the Title IX Coordinator in person, by mail, or by electronic mail, using the Formal Complaint form. The Complainant may also contact the Title IX Coordinator directly for assistance. The Title IX Coordinator also has the discretion to file a Formal Complaint on behalf of the University.

The University endeavors to respect the wishes of a Complainant to not pursue a Formal Complaint, to not be identified and/or to not participate in the process. Where possible, the University attempts to address complaints in accordance with the Complainant's wishes. However, the University may not always be able to do so, and may be limited in its ability to address incidents of Prohibited Conduct without full participation by a Complainant.

In evaluating the appropriate manner of resolution, including whether the Title IX Coordinator will file a Formal Complaint in the absence of a Formal Complaint by the Complainant, the Title IX Coordinator, in consultation with subject-matter experts as needed, will consider the following factors:

1. The seriousness, persistence or pervasiveness of the reported conduct;
2. Whether the Respondent has a history of violent behavior or there have been other complaints or reports of harassment, misconduct or prohibited conduct against the Respondent;
3. Whether the incident represents escalation in conduct on behalf of the Respondent from previously noted behavior;
4. Whether the circumstances suggest there is an increased risk of the Respondent committing additional acts of sexual violence or other violence, including but not limited to reported threats of sexual violence or other violence by the Respondent against the Complainant or others;
5. Whether the Respondent reportedly used a weapon or force;
6. Whether the conduct was reportedly committed by multiple individuals;
7. Whether the Complainant is a minor;

8. Whether the Respondent is an employee;
9. Whether the institution possesses other competent means to obtain relevant evidence; and
10. Any other relevant information as determined by the Title IX Coordinator or their designee.

In order to protect the community, the University may be obligated to investigate and adjudicate serious incidents even when the Complainant would prefer otherwise. A Complainant may withdraw a Formal Complaint at any time, but the University may be compelled to continue the associated investigation or conduct process. The University reserves the right to take action in response to any incident that comes to its attention. The assessment of whether a Formal Complaint must be initiated will typically be concluded within fifteen (15) business days.

The University may consolidate Formal Complaints against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one party against the other party, where the allegations arise out of the same facts or circumstances.

## VII. Dismissal of Formal Complaint

The Title IX Coordinator (or designee) will determine whether the conduct alleged in the Formal Complaint falls within the scope of the policy and the definition of Prohibited Conduct. The Title IX regulations require the Title IX Coordinator (or designee) to notify the parties in writing that the University is dismissing some or all of the allegations in the Formal Complaint related to Title IX Sexual Harassment as defined by the Title IX regulations if: 1) the conduct alleged, even if substantiated, would not constitute Title IX Sexual Harassment as defined in the Title IX regulations; 2) the conduct did not occur within the University's Education Program or Activity; or, 3) the conduct did not occur against a person in the United States. This means that the University may be required by law to dismiss some or all of the allegations in the Formal Complaint under Title IX and provide a Complainant the opportunity to appeal that dismissal.

However, where the allegations in the Formal Complaint include other forms of Prohibited Conduct, the conduct occurs outside of the United States, or the conduct is not within the Education Program or Activity (but still within the scope of conduct regulated by the University), these procedures will still apply and the remaining allegations may proceed to the formal resolution process set forth below.

In addition to mandatory dismissal, the Title IX Coordinator (or designee) may dismiss the Formal Complaint or any allegations therein if: 1) the Complainant notifies the Title IX Coordinator in writing

that they would like to withdraw the Formal Complaint or any allegation therein; 2) the Respondent is no longer enrolled or employed by the University; or 3) specific circumstances prevent the University from gathering sufficient evidence to reach a determination on the merits.

The decision about whether to dismiss a Formal Complaint, in whole or in part, may be made at any time in the process and will be communicated to all parties in writing. Either party may appeal the decision to dismiss the Formal Complaint to the Senior Vice President and Chief Human Resources Officer, whose decision on these matters will be final.

## VIII. Advisors

Staff members participating in any University process for responding to a report or Formal Complaint of Prohibited Conduct may be advised by an advisor of their choice—including an attorney—throughout all phases of the process, including at interviews, other meetings, or hearings. Advisors must be respectful to parties, witnesses, and University administrators. Any advisor who fails to conform their behavior to these requirements or whose conduct interferes with the integrity and decorum of the process may be removed from the proceedings and barred from acting as an advisor in future University proceedings. In such circumstances the University will determine whether to proceed with the meeting at issue without the presence of the advisor.

If a Complainant or Respondent does not have an advisor present at a live hearing (see the Formal Complaint process below for more information on live hearings), the University will provide an advisor free of charge to the party for the sole purpose of facilitating questioning on the party's behalf of other parties and witnesses.

## IX. Processes for Formal and Informal Resolution

### A. Formal Resolution Process

- i. What follows in this sub-section is the process the University will use to respond to Formal Complaints of Prohibited Conduct lodged against staff.
- ii. *Notice of Investigation:* The Title IX Coordinator (or designee) will provide written notice of the Formal Complaint to all known parties. The written notice will include, at a minimum, (a) a link to, or copy of, these procedures; (b) details regarding the identities of the parties, date, time and location, and nature of the reported conduct; (c) the potential policy violations; (d) the name of the investigator; (e) how to challenge participation by the investigator on the basis of conflict

of interest or bias; (f) a statement that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the Formal Complaint process; (g) the parties' rights to be accompanied by an advisor of their choice throughout the process (see section on Advisors above); (h) the importance of preserving any potentially relevant evidence; (i) information about the parties' rights and responsibilities; and (j) prohibition against making false statements during the process. If the investigation reveals the existence of additional potential policy violations, the University will issue a supplemental notice of investigation. This initial notice, and any supplemental notices, will be provided to the intended recipient in advance of any interview or meeting with investigators to allow the party sufficient time to prepare a response.

- iii. *Appointment of Investigator:* The Title IX Coordinator (or designee) will assign an investigator to complete a fact finding investigation of the Formal Complaint. The investigator may be a University staff member or an external professional. The Title IX Coordinator will ensure that the investigator has the appropriate training and experience and is free of a conflict of interest or bias for or against either party. The name of the investigator will be provided to the parties in the notice of investigation and the parties will be allowed to challenge the appointment of an investigator on the basis of conflict of interest or bias. The Title IX Coordinator will also ensure that the investigator has received training on the definition of Prohibited Conduct, including Sexual Harassment, the scope of the University's Education Program or Activity, how to conduct an investigation, how to serve impartially, conflicts of interest and bias, and issues of relevance to create an investigative report that fairly summarizes the relevant evidence.
- iv. *Gathering Information:* The investigator is responsible for gathering relevant inculpatory and exculpatory evidence related to the Formal Complaint. The investigator will send written notice of the interview date, time, and location, name of participant(s) and purpose of the interview to the parties and witnesses, in sufficient time for the party to prepare and participate. The investigator will interview the parties, and any witnesses likely to have

relevant, non-cumulative information regarding the alleged conduct. The investigator will also gather other evidence, if available (e.g., audio or video recordings; electronic communications; photographs; physical or locational evidence). The investigator may also consider information publicly available from social media or other online sources that comes to the attention of the investigator. The University does not actively monitor social media or online sources for evidence in these types of cases, however, and as with all potentially relevant information, the Complainant, Respondent, or witness should bring online information to the attention of the investigator.

In general, the investigator has the discretion to determine the relevance and probative value of information proffered or received. Evidence is relevant if it makes a material fact more or less probable than it would be without the evidence.

The investigator may visit relevant sites or locations and record observations through written, photographic, or other means. In some cases, the investigator may consult medical, forensic, technological, or other experts when expertise on a topic is needed in order to achieve a fuller understanding of the issues under investigation.

The investigator will not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege. If a person voluntarily chooses to share medical or counseling records with the investigator, they must sign a written consent that acknowledges that relevant information from the medical or counseling records must be shared with the other party to ensure the other party has notice of that information and an opportunity to respond.

If parties wish to provide expert testimony or evidence, they are solely responsible for securing attendance of any expert witness at a hearing, and for the costs or fees associated with any expert report or testimony.

The parties will be given an equal opportunity to present information and evidence to the investigator, and the University encourages them to provide all potentially relevant information, whether inculpatory or exculpatory. The University will not restrict

the ability of either party to gather and present relevant evidence. That said, the burden of proof and evidence gathering rests with the University.

For parties or witnesses wishing to submit evidence to the investigator, they must submit all known evidence in existence and in their possession prior to completion of investigation report. If a party or witness fails to provide known evidence in their possession during the investigation, they may be precluded from offering it at a later hearing. In addition, if a witness chooses not to participate in an investigation interview, they may be precluded from testifying at a later hearing.

During the course of the investigation, the parties should bring any new or evolving evidence, such as harassing or retaliatory conduct, to the attention of the investigator. The investigator may consider such information in the investigation and will also share any information about retaliation or violation of the terms of an interim protective measure with the Title IX Coordinator (or designee) for further action.

- v. *Party and Witness Participation in the Investigation:* Both the Complainant and Respondent have the option to provide names of potential witnesses to the investigator. Witnesses are individuals who may have information relevant to the incident, including individuals who may have observed the acts in question, may be able to provide contextual information, or may have other information related to the incident, the disclosure, or related matters. Witnesses may also be offered to provide subject matter expert information. Witnesses may not participate solely to speak about an individual's character. The investigator has the discretion to determine which potential witnesses may have relevant information about the alleged conduct.

Where witnesses are interviewed as part of the investigation, the name of the witness and the information gathered in the interviews will be shared with the parties at the conclusion of the investigation.

Parties and witnesses have the choice to participate in an investigation, or not. Parties or witnesses who do choose to speak to the investigator may have their names shared in the investigation report. The investigator will

provide written notice to parties and witnesses of any meetings. The written notice will include the date, time, location, participants, and purpose of the meeting, and will be sent with sufficient time for the recipient to prepare to participate (typically meaning at least two (2) business days prior to any meeting).

Although the University encourages all individuals involved in these investigations and processes to keep the matter private, the University cannot and will not restrict parties' rights to speak about their experiences.

- vi. *Parties' Access to Information:* Prior to the completion of the investigation report, the investigator will make information gathered in the investigation available for review by the parties and their advisors. The parties will have an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a Formal Complaint, including the evidence upon which the University does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation. The investigator will send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties will have ten (10) business days to submit a written response, which the investigator will consider prior to completion of the investigative report. In the written submission, the parties may offer additional comment or feedback on the facts as gathered, clarify information previously shared, suggest additional witnesses, suggest additional lines of questioning or inquiry, or identify any other relevant information or evidence to assure the thoroughness, sufficiency and reliability of the investigation. The investigator will review the written submissions from the parties and conduct additional investigation if necessary.
- vii. *Written Investigation Report:* The investigator will produce a written investigation report that fairly summarizes the relevant information and facts gathered during the investigation and may include direct observations and reasonable inferences drawn from the facts and discussion of any consistencies or inconsistencies between the various sources of information.

The investigator has the discretion to determine the relevance of any witness or other evidence and shall exclude information in preparing the investigation report if the information is irrelevant, immaterial, or more prejudicial than informative. The investigator shall exclude statements of personal opinion by witnesses and statements as to general reputation for any character trait, including honesty. Likewise evidence pertaining to the mental health of either party is not relevant to the determination of responsibility.

Evidence about the Complainant's sexual predisposition or prior sexual behavior is not relevant, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.

The investigation report will be a fair and thorough summary of all relevant information gathered that is both inculpatory and exculpatory. The investigator will provide the investigative report to the parties and their advisors, in an electronic format or a hard copy, at least five (5) business days before submitting the file to a Senior Human Resources Business Partner ("SHRBP") (or designee). The Complainant and Respondent are provided the opportunity, in writing, to offer any additional comment or feedback with respect to the investigation report within that five (5) business day window. Once the parties' comments—if any—are received, or after the five (5) business day window has elapsed (which happens sooner), the investigator will share the case file, investigation report, and parties' responses to the report with the SHRBP. Unless extenuating circumstances exist, the SHRBP will convene a hearing within fifteen (15) calendar days of the receipt of the investigation report and related materials.

- viii. *Time Period for Completion:* The University strives to complete investigations under this process within ninety (90) calendar days. The process may take shorter or longer depending on various factors such as the complexity of the case; number and cooperation of parties involved; number and availability of witnesses; whether there is a concurrent criminal

process underway; academic calendars or demands; other emergency or non-emergency circumstances or interruptions. The Title IX Coordinator and investigator may grant temporary delays of the investigation or the limited extension of time frames for good cause with written notice to the Complainant and the Respondent of the delay or extension and the reasons for the action.

- ix. *Acceptance of Responsibility:* At any point during the investigation, the Respondent may elect to accept responsibility for some or all of the policy violations at issue. Where there is an acceptance of responsibility as to some but not all of the charges, the investigation will continue to conclusion. Where there is an acceptance of responsibility as to all of the potential policy violations, the investigator will complete an investigation report of all information gathered to date and refer the matter to the SHRBP for sanctioning as described below.
- x. *Notice of Charge:* Upon receipt of an investigation report, the SHRBP, in consultation with the Title IX Coordinator (or designee), will decide the final policy charges and schedule a hearing. The Notice of Charge will include a determination by the investigator whether the conduct alleged in the Formal Complaint falls within the scope of the Sexual Harassment, Abuse, and Assault Prevention Policy and the definition of Prohibited Conduct as defined in that policy. In order to move forward with a Notice of Charge, the SHRBP must determine whether the alleged conduct, if substantiated, would constitute a potential policy violation. This is not a determination of responsibility, nor does it involve a determination about the credibility of the information gathered; those decisions are reserved for the decision-maker. Rather, this evaluation accepts all facts as presented by the Complainant as true in order to determine the potential policy violations that will be the subject of the hearing.

The SHRBP will issue a written Notice of Charge to the Complainant and Respondent simultaneously. The Notice of Charge will include: the charges (specific policy violations) filed against the Respondent; the date, time and location of the hearing; the names of the hearing panel or officer; how to challenge participation by the hearing panelists on the basis of conflict of interest or bias; the right to have an advisor present at the hearing and conduct questioning on the party's behalf; that the University will

provide an advisor, without fee or charge, to conduct questioning on behalf of the party at the hearing if the party does not have an advisor present for the hearing; how to request that witnesses be present at the hearing; and, information about the hearing format. Notice will be emailed at least ten (10) calendar days prior to the hearing to the parties' syr.edu email address or in any other manner reasonably designed to give notice to the parties.

If some or all of the allegations in the Formal Complaint have been dismissed, the parties will receive written information about how to appeal the dismissal of the Formal Complaint.

The University will reschedule a hearing one time per party written request based on legitimate scheduling conflicts or emergency circumstances, as decided by the University. Any rescheduled hearing will take place no later than fifteen (15) business days within the date of the original hearing unless by mutual consent of both parties.

- xi. *Hearing Format:* Hearings will be conducted either in-person or virtually with technology that enables the decision-maker(s) and parties to simultaneously see and hear the party and witnesses speaking. The hearing will be heard or conducted by either a hearing panel or an individual hearing officer. Hearing panels or officers will usually be external professionals, but the University reserves the right to have any case heard by University administrators. Any individuals serving as a hearing panel member or hearing officer will be free from conflicts of interest and bias for or against either party, and trained as set forth in the Training and Conflict/Bias Prevention section of these procedures. The hearing panel or officer may consult with or be advised by University administrators and/or an attorney, although the hearing panel or officer retains full discretion and decision-making authority.

Hearings will generally consist of the following steps: An opening statement from the hearing panel or officer, followed by opening statements from the Complainant and Respondent (or their advisors). Opening statements are limited to 15 minutes. Following opening statements, witnesses (if any) are called to testify. Advisors for the Complainant and Respondent have the right to question each witness. The hearing panel or officer may ask

questions of the witnesses, Complainant, or Respondent at any time during their testimony. The hearing panel or officer may call its own witnesses (or recall witnesses) or request documents or other evidence from the parties as it deems appropriate. The hearing will end with closing statements, limited to 15 minutes each, from the Complainant, the Respondent, (or their advisors), and hearing panel or officer, if they so desire.

All parties and witnesses will be invited to speak at the hearing, but no party or witness is required to attend the hearing. The parties must submit to the hearing panel or officer a list of witnesses they believe have relevant information to the outcome of the hearing at least three (3) business days prior to the hearing. The hearing panel or officer will review the parties' requested witnesses and consider any other witnesses. The hearing panel or officer has discretion to determine which witnesses are relevant and may decline to hear from witnesses where they conclude that the information is not necessary for the review. Non-party witnesses will only be permitted inside the hearing location during their own testimony.

If a party or witness declines to attend a hearing, or attends but declines to submit to questioning by the other party's advisor, the hearing panel or officer may not rely on statements of that party or witness in reaching a determination regarding responsibility. The hearing panel or officer will not draw an inference about the determination regarding responsibility based solely on a party's or witness's absence from the live hearing or declination to answer cross-examination or other questions. If, despite being notified of the date, time, and location of the hearing, either party is not in attendance, the hearing may proceed, factual findings may be resolved, and applicable sanctions may be imposed. Neither party is required to participate in the hearing in order for the hearing to proceed.

Rules of evidence and criminal standards of proof do not apply. The hearing panel or officer (or their advisor) will determine the relevance of questions asked by the parties, and preclude questions that seek irrelevant information. However, both parties have the right to exclude their own irrelevant prior sexual history with persons other than the other party in the conduct process or their

own mental health diagnosis and/or treatment during the finding of responsibility phase of the hearing. In particular, questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.

At its sole discretion, the hearing panel or officer may rely upon the investigator's report, the parties' responses to the report, and any supplemental reports, for their understanding of the relevant facts, or they may conduct additional witness interviews and/or gather additional information. The hearing panel or officer may also interview the investigator.

Each party's advisor may ask the other party and any witnesses all relevant questions and follow-up questions, including those challenging credibility. Such cross-examination at the live hearing must be conducted directly, orally, and in real time by the party's advisor of choice and never by a party personally. Only relevant cross-examination and other questions may be asked of a party or witness. Before a Complainant, Respondent, or witness answers a cross-examination or other question, the hearing panel or officer must first determine whether the question is relevant and explain any decision to exclude a question as not relevant. If a party does not have an advisor present at the live hearing, the University will provide without fee or charge to that party, an advisor of the University's choice, who may be, but is not required to be, an attorney, to question other parties and witnesses on behalf of that party.

Attendance at a hearing is limited to the hearing panel or officer; the hearing panel or officer's advisor; the Title IX Coordinator or a designee; the parties and their advisors; Public Safety representatives, if appropriate; and witnesses (for their own testimony only). The parties must provide the names of their advisors to the SHRBP at least seven (7) business days prior to the hearing.

The hearing will be audio recorded by the University. Recordings will not include deliberations. The tapes and/or digital audio files are accessible to the parties in the case of an appeal. Either party may request access to a written transcript of the recording at no cost to the party. Printed transcripts may be redacted prior to being provided to the requesting party in accordance with applicable privacy laws.

xii. *Hearing Panel or Officer's Decision:* Based on an objective review of all relevant evidence, hearing panels or officers will decide whether Respondents violated University policy by using a preponderance of the evidence or "more likely than not" standard of evidence. Credibility determinations will not be based on a person's status as a Complainant, Respondent, or witness. Typically within fifteen (15) business days of a hearing, the hearing panel or officer will issue to the SHRBP a written decision regarding responsibility. The written decision will include the following elements: (1) identification of the allegations potentially constituting Prohibited Conduct; (2) a description of the procedural steps taken from the receipt of the Formal Complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held; (3) findings of fact supporting the determination; (4) conclusions regarding the application of the Sexual Harassment, Abuse, and Assault Prevention Policy to the facts; and (5) a statement of, and rationale for, the result as to each alleged policy violation.

xiii. *Sanction:* If a finding of responsibility is made, the SHRBP (or designee) will decide appropriate sanctions or remedies. Prior to setting sanctions or remedies, the SHRBP (or designee) will consider any other relevant information including, without limitation:

- (a) the extent of harm caused to or impact on individuals and the community (i.e. living environment, University community, and the surrounding community) including the level of intervention necessary;
- (b) the potential for ongoing risk to specific individuals or the campus community;

- (c) a staff member's disciplinary record and status of any prior conduct sanctions;
- (d) level of intent, remorse, cooperation, and willingness to take responsibility;
- (e) evidence that the staff member's conduct was motivated by bias regarding an individual or group's real or perceived race, color, creed, religion, political or social affiliation, sex, gender, national origin, citizenship, ethnicity, marital status, age, disability, sexual orientation, gender identity and gender expression, and/or veteran status;
- (f) sanctions issued in prior similar staff conduct cases;
- (g) impact statements submitted by either party;
- (h) the nature or violence of the conduct at issue; and
- (i) any other mitigating, exacerbating, or compelling circumstances.

Sanctions will be designed to eliminate the Prohibited Conduct, prevent its recurrence, and remedy its effects.

The Sexual Harassment, Abuse, and Assault Policy prohibits a broad range of conduct, all of which is serious in nature. In keeping with the University's commitment to foster an environment that is safe, inclusive, and free from discrimination and harassment, the SHRBP has great latitude in deciding sanctions tailored to the facts and circumstances of each report, the impact of the conduct on the Complainant and surrounding community, and accountability for the Respondent. The range of possible sanctions include:

- verbal or written warning;
- probation;
- suspension with or without pay;
- reassignment of duties;
- dismissal; and/or
- Other sanctions appropriate to the circumstances, including, without limitation, restitution, apology, professional counseling/treatment, and more.

Regardless of the outcome, the SHRBP (or designee) may recommend to the Title IX Coordinator additional Remedies for the Complainant to address the effects of the conduct on the Complainant, restore or preserve the Complainant's access to University programs and activities, and restore to the Complainant, to the extent possible, benefits and opportunities lost as a result of the prohibited conduct. The SHRBP may also identify remedies to address the effects of the conduct on the University community.

The Title IX Coordinator (or designee) will review the remedies recommended by the SHRBP (or designee) and will consider the appropriateness of continuing Supportive Measures on an ongoing basis. The Title IX Coordinator is responsible for the effective implementation of remedies.

- xiv. *Written Outcome:* Hearings are considered complete when the hearing panel or officer complete a final written decision regarding responsibility. Hearing panel and officer decisions are made in private, and by a majority vote (in the instance of a panel). Sanctions will be decided by the SHRBP, who will transmit a written outcome letters simultaneously to the parties. This written outcome letter will typically be issued within fifteen (15) business days of receiving the hearing panel or officer's decision; it will attach the hearing panel or officer decision; and it will include sanctions and the rationale for the sanctions, as well as an overview of the appellate rights of the parties.

*Appeal:* Either party may, within ten (10) business days of the communication of the outcome letter from Human Resources, submit a written appeal to the Senior Vice President and Chief Human Resources Officer. The Senior Vice President and Chief Human Resources Officer (or designee) will notify the other party of the action, and each party will have the opportunity to review and respond to any appeal documents submitted by the other party. Late appeals will not be considered.

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

- (a) Procedural irregularity that affected the outcome of the matter;
- (b) New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter;
- (c) The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that affected the outcome of the matter; or
- (d) Errors in the interpretation of University policy so substantial as to deny either party a fair hearing; or
- (e) Grossly inappropriate sanction having no reasonable relationship to the charges.

The responding party will have ten (10) business days to submit a response to any appeal. The Senior Vice President and Chief Human Resources Business Partner, or designee, will issue a written decision on the appeal within fifteen (15) business days of receipt of all appeal documents from both parties. The Senior Vice President and Chief Human Resources Officer's (or designee's) determination is final. Late appeals will not be considered.

## B. Informal Resolution Process

The University may resolve reports informally, as appropriate based on the circumstances. An Informal Resolution provides a mechanism for the University to take prompt action through the imposition of individual and community remedies designed to maintain or restore access to the educational, extracurricular, and employment activities at the University and to remedy the impacts of conduct on members of the community. Informal Resolution is available only once a Formal Complaint has been filed, prior to a determination of responsibility, and if all impacted parties and the University voluntarily consent to the process in writing. Informal Resolution is not available in cases in which a staff member or other employee is alleged to have engaged in Prohibited Conduct with a student.

Any person who facilitates an informal resolution will be trained and free from conflicts of interest or bias for or against either party (see Section IX Training and Conflict/Bias Prevention below).

If the parties are interested in pursuing Informal Resolution, the Title IX Coordinator (or a designee) will send written notices to the parties describing:

1. The allegations at issue;
2. The requirements of the Informal Resolution;
3. The circumstances under which the parties are precluded from resuming a Formal Complaint arising from the same allegations;
4. Parties' rights to end the Informal Resolution process at any time prior to resolution and resume the Formal Complaint process;
5. The consequences resulting from participating in the Informal Resolution;
6. The fact that records and communications created or maintained as part of the Informal Resolution process may be viewed by parties, but will not later be used or considered by the University in a Formal Complaint process, including at a hearing.

All parties will be required to return signed copies of the written notices agreeing to the Informal Resolution process.

If a resolution is reached between the parties in an Informal Resolution, the matter will be considered closed, and the parties would be precluded from filing another complaint arising from the same conduct or set of facts. Prior to reaching a resolution, any party can withdraw from the Informal Resolution process and resume the Formal Complaint process. The University strives to complete an Informal Resolution within thirty (30) days of the parties' written agreement to participate in the process.

Any statements made during an Informal Resolution process, records and communications created or maintained as part of an Informal Resolution process will not be used or considered in a subsequent investigation or hearing.

## **X. Record-Keeping**

The University will maintain records related to reports or complaints of Sexual Harassment for a period of seven (7) years. Such records may include, without limitation, investigation reports and evidence, hearing records, disciplinary decisions or communications, appeals,

informal resolution documents, requests for and provision of Supportive Measures, and other records demonstrating actions the University took to respond to the reported conduct. The records will be kept private to the extent required or permitted by law. The University will also maintain training records for the same period of time.

## **XI. Training and Conflict/Bias Prevention**

The Title IX Coordinator, investigators, decision-makers, and any person who facilitates an Informal Resolution process, will receive annual training on: (a) the definition of Prohibited Conduct, including Sexual Harassment; (b) the scope of the University's Education Program or Activity; (c) how to conduct an investigation and grievance process including hearings, appeals, and Informal Resolution processes; (d) how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias; (e) the presumption of "not responsible" until any appropriate process concludes; and, (f) how to conduct an investigation and hearing process that protects the safety of complainants and promotes accountability.

Hearing panels and officers will receive additional training on: (a) any technology to be used at a live hearing; (b) how to determine relevance of for cross-examination questions and other evidence, including when questions and evidence about the parties' sexual predisposition or prior sexual behavior are not relevant. Investigators will receive additional training on issues of relevance to create an investigative report that fairly summarizes relevant evidence.

Any materials used to train the Title IX Coordinator, investigators, decision-makers, and any person who facilitates an Informal Resolution process, will not rely on sex or gender stereotypes and will promote impartial investigations and adjudications of Formal Complaints of Prohibited Conduct. The University will publish on its website training materials used for its most recent training sessions.

The University also provides prevention and awareness programs for students, faculty, and staff to prevent Prohibited Conduct and promote a learning and working environment free from discrimination or harassment. Throughout any Formal or Informal Resolution process described above, the University will take steps to reasonably ensure the Title IX Coordinator, investigators, decision-makers, or any person designated by the University to facilitate an Informal Resolution process, not have a conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant or Respondent.

## SANCTIONING GUIDELINES FOR FACULTY OR STAFF

The violation of certain standards may result in immediate suspension or dismissal. These include, but are not limited to: fighting, refusing to perform a reasonable work assignment, reporting to work under the influence of alcohol or illegal drugs, theft or misuse of University funds or property (including computer data and software), unauthorized attempts to access or copy computerized data or software, unlawful photocopying of copyrighted materials, breach of software confidentiality and ownership agreements, falsification of University forms or documents, gambling and engaging in conduct which threatens the safety of others.

In cases where the University deems the situation does not warrant immediate suspension or dismissal, the University may utilize a variety of forms of progressive discipline to address conduct and performance issues. Staff employees who fail to address these issues after progressive discipline is imposed may be terminated for cause.

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## The Student Conduct Process

Procedures for complaints against students are detailed in the Student Conduct System Handbook ([studentconduct.syr.edu/Conduct-Handbook/Index.html](http://studentconduct.syr.edu/Conduct-Handbook/Index.html)). The student process is reprinted below. All processes use the preponderance of the evidence standard to resolve sexual misconduct complaints and other complaints of harassment or discrimination. Both the complainant and the respondent in these types of cases are entitled to the same opportunities to be assisted by a procedural advisor. In addition, both parties will be informed of the outcome of any disciplinary proceeding in writing.

### PROCEDURES FOR RESPONDING TO REPORTS OF STUDENT VIOLATIONS OF THE SEXUAL HARASSMENT, ABUSE, AND ASSAULT PREVENT POLICY

Syracuse University (“University”) is committed to providing a prompt and equitable response to reports of Prohibited Conduct under the Syracuse Sexual Harassment, Abuse, and Assault Prevention Policy (the “Policy”).<sup>1</sup> These procedures apply to the conduct of students who are enrolled or have applied for admission in the University.

These procedures encompass Prohibited Conduct that occurs: 1) within the University’s Education Program or Activity within the United States; 2) outside the United States, but still in an Education Program or Activity; and, 3) under certain circumstances outside of the Education Program or Activity but within the scope of conduct regulated by the University with respect to other forms of misconduct. The intake, investigative, hearing and appeal process are the same for all forms of prohibited conduct. The informal and formal resolution processes outlined

in these procedures follow the final Title IX regulations issued by the U.S. Department of Education’s Office for Civil Rights in May 2020.

Any person may make a report of Prohibited Conduct to the Title IX Coordinator or an appropriate designee (in any particular case, the Title IX Coordinator may delegate their authority pursuant to these procedures to another appropriate University representative). The University will treat Complainants and Respondents equitably by offering Supportive Measures to a Complainant, and by following a formal resolution process that complies with the Title IX regulations before the imposition of any disciplinary sanction against a Respondent.

Upon receipt of a report of Prohibited Conduct, the matter may be resolved through:

1. Provision of Supportive Measures only;
2. Pursuing a formal resolution process, which is initiated by the filing of a Formal Complaint, and involves an investigation, hearing, and appeal;
3. Pursuing an informal resolution process, after the filing of a Formal Complaint, which requires the consent of the Complainant, the Respondent, and the University; or
4. Dismissal of a Formal Complaint.

All time frames mentioned throughout these processes are approximate, and may be extended for good cause with written notice to the parties. Good cause may include considerations such as the absence of a party or witness; concurrent law enforcement activity; the need for language assistance or accommodation of disabilities; or other considerations that impact the timing of the investigation, hearing or appeal.

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<sup>1</sup> Throughout this policy, the pronouns “they,” “them” and “their” are used intentionally to be inclusive of all genders. Capitalized terms in these procedures have the same meaning as in the Sexual Harassment, Abuse, and Assault Prevention Policy.

## I. Reporting

To make a report or file a Formal Complaint against a University student alleging conduct prohibited by the University's Sexual Harassment, Abuse, and Assault Prevention Policy, an individual should contact the University's Title IX Coordinator at 315.443.0211, 005 Steele Hall, or [titleix@syr.edu](mailto:titleix@syr.edu). Confidential Resources are also available as described in the Policy.

To file a criminal complaint, an individual should contact the Department of Public Safety at 315.443.2224 or 005 Sims Hall, or contact the Syracuse Police Department at 911 (in an emergency) or 315.435.3016.

The University responds to reports of Prohibited Conduct discreetly and attempts to maintain privacy throughout the investigatory process, to the extent practicable and appropriate under the circumstances. However, in order to conduct an investigation, it is generally necessary to discuss the allegations with the person(s) responding to the allegations and other witnesses. Additionally, the University may have legal obligations to disclose information to law enforcement or in the context of legal proceedings.

The term "Complainant" refers to an individual who is reported to have experienced prohibited conduct, regardless of whether the individual makes a report or seeks disciplinary action. The University reserves the right to act as the Complainant and initiate a Formal Complaint under this process. The term "Respondent" refers to an individual who has been accused of prohibited conduct. An individual may make a report to the University, to law enforcement, to neither, or to both. In particular, a Complainant has the right to report, or decline to report, potential criminal conduct to law enforcement.

If a Complainant also chooses to file a criminal report with law enforcement, the University will not unduly delay its investigation unless requested to do so by the appropriate legal authorities. The University will comply with law enforcement agency requests for cooperation. This may require the University to temporarily suspend the fact-finding portion of an investigation while the law enforcement agency gathers evidence. The University will promptly resume its investigation as soon as notified by the law enforcement agency that it has completed the evidence gathering process. The University may be required to proceed with an investigation or hearing prior to resolution of an associated criminal matter.

## II. Intake and Outreach

Upon receipt of a report of potential Prohibited Conduct from a Complainant, Responsible Employee, or other individual, the Title IX Coordinator (or designee) will promptly—typically within 48 hours—contact the reporting individual to request a meeting to gather supplemental information (if any) and explain the University's processes. If the reporting individual is a potential Complainant (the individual who is reported to have experienced Prohibited Conduct), the outreach will also cover reasonably available Supportive Measures (available with or without filing a Formal Complaint), and the process for filing a Formal Complaint, the Complainant's right to report the alleged conduct to law enforcement (either on campus or off); the difference between privacy and confidentiality; and the right to be protected from Retaliation.

In addition to the initial conversation and any subsequent meeting with the Complainant, the University will provide the Complainant with written information about resources, procedural options, including local law enforcement resources as applicable, and reasonably available Supportive Measures. This written information will include a notification about the process for seeking disability-based accommodations, academic adjustments, and/or auxiliary aids under Section 504 of the Rehabilitation Act and/or the Americans with Disabilities Act.

As part of the Intake and Outreach, the Title IX Coordinator (or designee) will:

1. Promptly contact the Complainant to discuss the availability of Supportive Measures;
2. Consider the Complainant's wishes with respect to Supportive Measures;
3. Assess the nature and circumstances of the report;
4. Address immediate physical safety and well-being of the Complainant or other campus community members;
5. Discuss the Complainant's expressed preference for manner of resolution and any barriers to proceeding;
6. Notify the Complainant of the right to contact or decline to contact law enforcement, and if requested, assist them with notifying law enforcement;
7. Notify the Complainant of the availability of medical and counseling resources to address physical and mental health concerns and to preserve evidence;
8. Notify the Complainant of the importance of preservation of evidence;

9. Enter the report into the University's Daily Crime Log if required by the Clery Act;
10. Assess the reported conduct for the need for a timely warning under the Clery Act;
11. Provide the Complainant with information about on- and off-campus resources;
12. Provide the Complainant with a copy of the Sexual Harassment, Abuse, and Assault Prevention Policy and relevant procedures and an explanation of the procedural options, including seeking Supportive Measures and the process for filing a Formal Complaint;
13. Inform the Complainant that they may seek an advisor of their choosing to assist them throughout the investigation and resolution of the report, that the advisor may accompany them to any meeting or proceeding under this process, and that the University will provide an advisor, without fee or charge, to conduct questioning on behalf of the party at the hearing if they do not have an advisor;
14. Assess for evidence of a pattern or other similar conduct by the Respondent; and
15. Explain the University's prohibition against retaliation.

### III. Supportive Measures

Upon receipt of a report of Prohibited Conduct, regardless of whether a Complainant chooses to pursue a Formal Complaint, the Title IX Coordinator (or designee) will provide Supportive Measures, as reasonable, available, and appropriate. Respondents are also eligible for Supportive Measures as reasonable, available, and appropriate.

Supportive Measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to a Complainant or Respondent, before or after the filing of a Formal Complaint or where no Formal Complaint has been filed. Such measures are designed to restore or preserve equal access to the University's Education Program or Activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the campus community, or deter Prohibited Conduct. Supportive Measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties (also known as No Contact Orders), changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures. Additional relief such as protective orders may be available through the criminal and/or family court process.

Individuals may contact the Sexual and Relationship Violence Response Team (24/7) at 315.443.8000 or the Title IX Coordinator at 315.443.0211 or [titleIX@syr.edu](mailto:titleIX@syr.edu) to discuss or request Supportive Measures. The University will maintain as confidential any Supportive Measures provided to a Complainant or Respondent, to the extent that maintaining such confidentiality would not impair the ability of the University to provide the Supportive Measures.

Complainants and Respondents will, upon request and consistent with these procedures and the Student Conduct System Handbook, be afforded a prompt review, reasonable under the circumstances, of the need for and terms of any Supportive Measures that directly affect them, and shall be allowed to submit evidence in support of their request. For example, students may request rescission of a No Contact Order. Complainants and Respondents should request further review of other Supportive Measures—either the granting or denial of such measures—by contacting the Dean of Students' Office.

The Title IX Coordinator (or designee) will document each report or request for assistance, including requests for Supportive Measures, as well as the response to any such report or request.

### IV. Emergency Removal Assessment

Based on the initial reported facts, the Title IX Coordinator (or designee) will determine whether to refer the incident to the University's Threat Assessment Management Team ("TAMT") to evaluate whether an emergency removal is required. If referred, the TAMT may conduct an individualized safety and risk analysis to determine whether the Respondent poses an immediate threat to the physical health or safety of any student or other individual arising from the alleged conduct. If the TAMT determines the Respondent poses an immediate threat to the physical health or safety of any individual, the TAMT may recommend emergency removal (also referred to as interim suspension) according to the process set forth in the Student Conduct System Handbook. Students can challenge interim suspensions under that same process.

### V. Preliminary Inquiry

Upon receipt of a report of Prohibited Conduct, the Title IX Coordinator (or a designee) will conduct a preliminary inquiry of the facts to determine whether the University must take any other actions, beyond those described in the outreach and supportive measures sections above, including whether the Title IX Coordinator (or designee) must initiate a Formal Complaint and investigation. The

Title IX Coordinator (or designee) will first determine whether the reported conduct falls within the scope and jurisdiction of the Sexual Harassment, Abuse, and Assault Prevention Policy, and more specifically, within the jurisdiction of the Title IX regulations.

Based on reasonably available information at the time of intake, the Title IX Coordinator's (or designee's) inquiry will include assessing whether:

1. The reported conduct occurred within the University's Education Program or Activity, meaning,
  - a. The University has substantial control over the Respondent; and
  - b. The University has substantial control over the context in which the conduct is reported to have occurred; or
  - c. The conduct occurred in a building owned or controlled by a student organization that is officially recognized by the University;
2. The reported conduct occurred in the United States;
3. The facts set forth by the report, if substantiated, would constitute a violation of Title IX Sexual Harassment as defined by the Title IX regulations; and
4. The facts set forth by the report, if substantiated, would constitute a violation of other Prohibited Conduct as defined by the Sexual Harassment, Abuse, and Assault Prevention Policy.

The Title IX Coordinator (or designee) will provide written notice to the Complainant summarizing their conclusions from the preliminary inquiry and outlining next steps in the process.

## **VI. Formal Complaint**

The formal resolution process (investigation, hearing and appeal process) is initiated by the filing of a Formal Complaint. A Formal Complaint is a document submitted to the Title IX Coordinator by the Complainant alleging that a Respondent engaged in Prohibited Conduct and requesting an investigation. The Formal Complaint may be submitted to the Title IX Coordinator in person, by mail, or by electronic mail, using the Formal Complaint form. The Complainant may also contact the Title IX Coordinator directly for assistance. The Title IX Coordinator also has the discretion to file a Formal Complaint on behalf of the University.

The University endeavors to respect the wishes of a Complainant to not pursue a Formal Complaint, to not be identified and/or to not participate in the process. Where possible, the University attempts to address complaints in accordance with the Complainant's wishes. However, the University may not always be able to do so, and may

be limited in its ability to address incidents of Prohibited Conduct without full participation by a Complainant.

In evaluating the appropriate manner of resolution, including whether the Title IX Coordinator will file a Formal Complaint in the absence of a Formal Complaint by the Complainant, the Title IX Coordinator, in consultation with subject-matter experts as needed, will consider the following factors:

1. The seriousness, persistence or pervasiveness of the reported conduct;
2. Whether the Respondent has a history of violent behavior or there have been other complaints or reports of harassment, misconduct or prohibited conduct against the Respondent;
3. Whether the incident represents escalation in unlawful conduct on behalf of the Respondent from previously noted behavior;
4. Whether the circumstances suggest there is an increased risk of the Respondent committing additional acts of sexual violence or other violence, including but not limited to reported threats of sexual violence or other violence by the Respondent against the Complainant or others
5. Whether the Respondent reportedly used a weapon or force;
6. Whether the conduct was reportedly committed by multiple individuals;
7. Whether the Complainant is a minor;
8. Whether the Respondent is an employee; and
9. Whether the institution possesses other competent means to obtain relevant evidence.

In order to protect the community, the University may be obligated to investigate and adjudicate serious incidents even when the Complainant would prefer otherwise. A Complainant may withdraw a Formal Complaint at any time, but the University may be compelled to continue the associated investigation or conduct process. The University reserves the right to take action in response to any incident that comes to its attention. The assessment of whether a Formal Complaint must be initiated will typically be concluded within fifteen (15) business days.

The University may consolidate Formal Complaints against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one party against the other party, where the allegations of Prohibited Conduct arise out of the same facts or circumstances.

## VII. Dismissal of Formal Complaint

The Title IX Coordinator (or designee) will determine whether the conduct alleged in the Formal Complaint falls within the scope of the policy and the definition of Prohibited Conduct. The Title IX regulations require the Title IX Coordinator (or designee) to notify the parties in writing that the University is dismissing some or all of the allegations in the Formal Complaint related to Title IX Sexual Harassment as defined by the Title IX regulations if: 1) the conduct alleged, even if substantiated, would not constitute Title IX Sexual Harassment as defined in the Title IX regulations; 2) the conduct did not occur within the University's Education Program or Activity; or, 3) the conduct did not occur against a person in the United States. This means that the University may be required by law to dismiss some or all of the allegations in the Formal Complaint under Title IX and provide a Complainant the opportunity to appeal that dismissal.

However, where the allegations in the Formal Complaint include other forms of Prohibited Conduct, the conduct occurs outside of the United States, or the conduct is not within the Education Program or Activity (but still within the scope of conduct regulated by the University), these procedures will still apply and the remaining allegations may proceed to the formal resolution process set forth below.

In addition to mandatory dismissal, the Title IX Coordinator (or designee) may dismiss the Formal Complaint or any allegations therein if: 1) the Complainant notifies the Title IX Coordinator in writing that they would like to withdraw the Formal Complaint or any allegation therein; 2) the Respondent is no longer enrolled or employed by the University; or 3) specific circumstances prevent the University from gathering sufficient evidence to reach a determination on the merits.

The decision about whether to dismiss a Formal Complaint, in whole or in part, may be made at any time in the process and will be communicated to all parties in writing. Either party may appeal the decision to dismiss the Formal Complaint to the Director of the Office of Student Rights and Responsibilities (or a designee).

## VIII. Advisors

Students participating in any University process for responding to a report or Formal Complaint of Prohibited Conduct may be advised by an advisor of their choice—including an attorney—throughout all phases of the process, including at interviews, other meetings, or hearings. Advisors have no standing in the process contemplated by these procedures, except to provide advice to their respective parties in a quiet, non-disruptive manner, and conduct questioning of other parties and witnesses at a hearing. Except for questioning during a hearing, advisors do not speak for their respective parties. Advisors must be respectful to parties, witnesses, and University administrators. Any advisor who fails to conform their behavior to these requirements or whose conduct interferes with the integrity and decorum of the process may be removed from the proceedings and barred from acting as an advisor in future University proceedings. In such circumstances the University will determine whether to proceed with the meeting at issue without the presence of the advisor.

If a Complainant or Respondent does not have an advisor present at a live hearing (see the Formal Complaint process below for more information on live hearings), the University will provide an advisor free of charge to the party for the sole purpose of facilitating questioning on the party's behalf of other parties and witnesses.

## IX. Processes for Formal and Informal Resolution

### A. Formal Resolution Process

- i. What follows in this sub-section is the process the University will use to respond to Formal Complaints of Prohibited Conduct lodged against students.
- ii. *Notice of Investigation:* The Title IX Coordinator (or designee) will provide written notice of the Formal Complaint to all known parties. The written notice will include, at a minimum, (a) a link to, or copy of, these procedures; (b) details regarding the identities of the parties, date, time and location, and nature of the reported conduct; (c) the potential policy violations; (d) the name of the investigator; (e) how to challenge participation by the investigator on the basis of conflict of interest or bias; (f) a statement that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the Formal Complaint process;

(g) the parties' rights to be accompanied by an advisor of their choice throughout the process (see section on *Advisors* above); (h) the importance of preserving any potentially relevant evidence; (i) information about the parties' rights and responsibilities; and (j) prohibition against making false statements during the process. If the investigation reveals the existence of additional potential policy violations, the University will issue a supplemental notice of investigation. This initial notice, and any supplemental notices, will be provided to the intended recipient in advance of any interview or meeting with investigators to allow the party sufficient time to prepare a response.

- iii. *Appointment of Investigator:* The Title IX Officer will assign an investigator to complete a fact finding investigation of the Formal Complaint. The investigator may be a University employee or an external professional. The Title IX Officer will ensure that the investigator has the appropriate training and experience and is free of a conflict of interest or bias for or against either party. The name of the investigator will be provided to the parties in the notice of investigation and the parties will be allowed to challenge the appointment of an investigator on the basis of conflict of interest or bias. The Title IX Officer will also ensure that the investigator has received training on the definition of Prohibited Conduct, including Sexual Harassment, the scope of the University's Education Program or Activity, how to conduct an investigation, how to serve impartially, conflicts of interest and bias, and issues of relevance to create an investigative report that fairly summarizes the relevant evidence.
- iv. *Gathering Information:* The investigator is responsible for gathering relevant inculpatory and exculpatory evidence related to the Formal Complaint. The investigator will send written notice of the interview date, time, and location, name of participant(s) and purpose of the interview to the parties and witnesses, in sufficient time for the party to prepare and participate. The investigator will interview the parties, and any witnesses likely to have relevant, non-cumulative information regarding the alleged conduct. The investigator will also gather other evidence, if available (e.g., audio or video recordings; electronic communications; photographs; physical or locational evidence).

The investigator may also consider information publicly available from social media or other online sources that comes to the attention of the investigator. The University does not actively monitor social media or online sources, however, and as with all potentially relevant information, the Complainant, Respondent, or witness should bring online information to the attention of the investigator.

In general, the investigator has the discretion to determine the relevance and probative value of information proffered or received. Evidence is relevant if it makes a material fact more or less probable than it would be without the evidence.

The investigator may visit relevant sites or locations and record observations through written, photographic, or other means. In some cases, the investigator may consult medical, forensic, technological, or other experts when expertise on a topic is needed in order to achieve a fuller understanding of the issues under investigation.

The investigator will not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege. If a person voluntarily chooses to share medical or counseling records with the investigator, they must sign a written consent that acknowledges that relevant information from the medical or counseling records must be shared with the other party to ensure the other party has notice of that information and an opportunity to respond.

If parties wish to provide expert testimony or evidence, they are solely responsible for securing attendance of any expert witness at a hearing, and for the costs or fees associated with any expert report or testimony.

The parties will be given an equal opportunity to present information and evidence to the investigator, and the University encourages them to provide all potentially relevant information, whether inculpatory or exculpatory. The University will not restrict the ability of either party to gather and present relevant evidence. That said, the burden of proof and evidence gathering rests with the University.

For parties or witnesses wishing to submit evidence to the investigator, they must submit all known evidence in existence and in their possession prior to completion of investigation report. If a party or witness fails to provide known evidence in their possession during the investigation, they may be precluded from offering it at a later hearing. In addition, if a witness chooses not to participate in an investigation interview, they may be precluded from testifying at a later hearing.

During the course of the investigation, the parties should bring any new or evolving evidence, such as harassing or retaliatory conduct, to the attention of the investigator. The investigator may consider such information in the investigation and will also share any information about retaliation or violation of the terms of an interim protective measure with the Title IX Coordinator (or designee) for further action.

- v. *Party and Witness Participation in the Investigation:* Both the Complainant and Respondent have the option to provide names of potential witnesses to the investigator. Witnesses are individuals who may have information relevant to the incident, including individuals who may have observed the acts in question, may be able to provide contextual information, or may have other information related to the incident, the disclosure, or related matters. Witnesses may also be offered to provide subject matter expert information. Witnesses may not participate solely to speak about an individual's character. The investigator has the discretion to determine which potential witnesses may have relevant information about the alleged conduct.

Where witnesses are interviewed as part of the investigation, the name of the witness and the information gathered in the interviews will be shared with the parties at the conclusion of the investigation.

Parties and witnesses have the choice to participate in an investigation, or not. However, the University may place a hold on the academic account of any student party or witness to compel them to attend a meeting with an investigator. Although the party or witness must attend such meetings, they can decline to speak to the investigator. Parties or witnesses who do choose to speak to the investigator may have their names shared in

the investigation report. The investigator will provide written notice to parties and witnesses of any meetings. The written notice will include the date, time, location, participants, and purpose of the meeting, and will be sent with sufficient time for the recipient to prepare to participate (typically meaning at least two (2) business days prior to any meeting).

Although the University encourages all individuals involved in these investigations and processes to keep the matter private, the University cannot and will not restrict parties' rights to speak about their experiences.

- vi. *Parties' Access to Information:* Prior to the completion of the investigation report, the investigator will make information gathered in the investigation available for review by the parties and their advisors. The parties will have an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a Formal Complaint, including the evidence upon which the University does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation. The investigator will send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties will have ten (10) business days to submit a written response, which the investigator will consider prior to completion of the investigative report. In the written submission, the parties may offer additional comment or feedback on the facts as gathered, clarify information previously shared, suggest additional witnesses, suggest additional lines of questioning or inquiry, or identify any other relevant information or evidence to assure the thoroughness, sufficiency and reliability of the investigation. The investigator will review the written submissions from the parties and conduct additional investigation if necessary.
- vii. *Written Investigation Report:* The investigator will produce a written investigation report that fairly summarizes the relevant information and facts gathered during the investigation and may include direct observations and reasonable inferences drawn from the facts and discussion of any consistencies or inconsistencies between the various sources of information.

The investigator has the discretion to determine the relevance of any witness or other evidence and shall exclude information in preparing the investigation report if the information is irrelevant, immaterial, or more prejudicial than informative. The investigator shall exclude statements of personal opinion by witnesses and statements as to general reputation for any character trait, including honesty. Likewise evidence pertaining to the mental health of either party is not relevant to the determination of responsibility.

Evidence about the Complainant's sexual predisposition or prior sexual behavior is not relevant, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.

The investigation report will be a fair and thorough summary of all relevant information gathered that is both inculpatory and exculpatory. The investigator will provide the investigative report to the parties and their advisors, in an electronic format or a hard copy, at least five (5) business days before submitting the file to the Office of Student Rights and Responsibilities ("OSRR"). The Complainant and Respondent are provided the opportunity, in writing, to offer any additional comment or feedback with respect to the investigation report within that five (5) business day window. Once the parties' comments—if any—are received, or after the five (5) business day window has elapsed (which happens sooner), the investigator will share the case file, investigation report, and parties' responses to the report with OSRR. Unless extenuating circumstances exist, OSRR will convene a hearing within fifteen (15) calendar days of the receipt of the investigation report and related materials.

- viii. **Time Period for Completion:** The University strives to complete investigations under this process within ninety (90) calendar days. The process may take shorter or longer depending on various factors such as the complexity of the case; number and cooperation of parties involved; number and availability of witnesses;

whether there is a concurrent criminal process underway; academic calendars or demands; other emergency or non-emergency circumstances or interruptions. The Title IX Coordinator (or designee) and investigator may grant temporary delays of the investigation or the limited extension of time frames for good cause with written notice to the Complainant and the Respondent of the delay or extension and the reasons for the action.

- ix. **Acceptance of Responsibility:** At any point during the investigation, the Respondent may elect to accept responsibility for some or all of the policy violations at issue. Where there is an acceptance of responsibility as to some but not all of the charges, the investigation will continue to conclusion. Where there is an acceptance of responsibility as to all of the potential policy violations, the investigator will complete an investigation report of all information gathered to date and refer the matter to the Director of OSRR (or designee) for sanctioning as described below.
- x. **Notice of Charge:** Upon receipt of an investigation report, OSRR, in consultation with the Title IX Coordinator (or designee), will decide the final policy charges and schedule a hearing. The Notice of Charge will include a determination by the investigator whether the conduct alleged in the Formal Complaint falls within the scope of the Sexual Harassment, Abuse, and Assault Prevention Policy and the definitions of Sexual Harassment, including Title IX Sexual Harassment. In order to move forward with a Notice of Charge, OSRR must determine whether the alleged conduct, if substantiated, would constitute a potential policy violation. This is not a determination of responsibility, nor does it involve a determination about the credibility of the information gathered; those decisions are reserved for the decision-maker. Rather, this evaluation accepts all facts as presented by the Complainant as true in order to determine the potential policy violations that will be the subject of the hearing.

OSRR will issue a written Notice of Charge to the Complainant and Respondent simultaneously. The Notice of Charge will include: the charges (specific policy violations) filed against the Respondent; the date, time and location of the hearing; the names of the hearing panel or officer; how to challenge participation

by the hearing panelists on the basis of conflict of interest or bias; the right to have an advisor present at the hearing and conduct questioning on the party's behalf; that the University will provide an advisor, without fee or charge, to conduct cross-examination on behalf of the party at the hearing if the party does not have an advisor present for the hearing; how to request that witnesses be present at the hearing; and, information about the hearing format. Notice will be emailed at least ten (10) calendar days prior to the hearing to the parties' syr.edu email address or in any other manner reasonably designed to give notice to the parties.

If some or all of the allegations in the Formal Complaint have been dismissed, the parties will receive written information about how to appeal the dismissal of the Formal Complaint.

The University will reschedule a hearing one time per party based on legitimate scheduling conflicts or emergency circumstances, as decided by the University. Any rescheduled hearing will take place no later than fifteen (15) business days within the date of the original hearing.

- xi. *Hearing Format:* Hearings will typically be conducted virtually with technology that enables the decision-maker(s) and parties to simultaneously see and hear the party and witnesses speaking.

The hearing will be heard or conducted by either a hearing panel or an individual hearing officer. Hearing panels or officers may be faculty or staff at the University, or external professionals, as determined in the sole discretion of OSRR. Any individuals serving as a hearing panel member or hearing officer will be free from conflicts of interest and bias for or against either party, and trained as set forth in the *Training and Conflict/Bias Prevention* section of these procedures. The hearing panel or officer may consult with or be advised by OSRR staff and/or an attorney, although the hearing panel or officer retains full discretion and decision-making authority.

Hearings will generally consist of the following steps, allowing the parties equal opportunities at each stage: (a) introductions; (b) review of procedural rules; (c) presentation of information and testimony by the parties and their witnesses; (d) the advisor for each party

will ask the other party and any witnesses all relevant questions and follow-up questions, including those assessing credibility; and (e) closing remarks.

All parties and witnesses will be invited to speak at the hearing, but no party or witness is required to attend the hearing. The parties must submit to the hearing panel or officer a list of witnesses they believe have relevant information to the outcome of the hearing at least three (3) business days prior to the hearing. The hearing panel or officer will review the parties' requested witnesses and consider any other witnesses. The hearing panel or officer has discretion to determine which witnesses are relevant and may decline to hear from witnesses where they conclude that the information is not necessary for a decision. Witnesses will only be permitted inside the hearing location during their own testimony.

If a party or witness declines to attend a hearing, or attends but declines to submit to questioning by the other party's advisor, the hearing panel or officer may not rely on statement of that party or witness in reaching a determination regarding responsibility. The hearing panel or officer will not draw an inference about the determination regarding responsibility based solely on a party's or witness's absence from the live hearing or declination to answer cross-examination or other questions. If, despite being notified of the date, time, and location of the hearing, either party is not in attendance, the hearing may proceed, factual findings may be resolved, and applicable sanctions may be imposed. Neither party is required to participate in the hearing in order for the hearing to proceed.

Rules of evidence and criminal standards of proof do not apply. The hearing panel or officer will determine the relevance of questions asked by the parties, and preclude questions that seek irrelevant information. However, both parties have the right to exclude their own irrelevant prior sexual history with persons other than the other party in the conduct process or their own mental health diagnosis and/or treatment during the finding of responsibility phase of the hearing. In particular, questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the

Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.

At its sole discretion, the hearing panel or officer may rely upon the investigator's report, the parties' responses to the report, and any supplemental reports, for their understanding of the relevant facts, or they may conduct additional witness interviews and/or gather additional information. The hearing panel or officer may also interview the investigator.

Each party's advisor may ask the other party and any witnesses all relevant questions and follow-up questions, including those challenging credibility. Such cross-examination at the live hearing must be conducted directly, orally, and in real time by the party's advisor of choice and never by a party personally. Only relevant cross-examination and other questions may be asked of a party or witness. Before a Complainant, Respondent, or witness answers a cross-examination or other question, the hearing panel or officer must first determine whether the question is relevant and explain any decision to exclude a question as not relevant. If a party does not have an advisor present at the live hearing, the University will provide without fee or charge to that party, an advisor of the University's choice, who may be, but is not required to be, an attorney, to conduct cross-examination on behalf of that party.

Attendance at a hearing is limited to the hearing panel or officer; the hearing panel or officer's advisor; the Title IX Coordinator or a designee; the parties and their advisors; Public Safety representatives, if appropriate; and witnesses (for their own testimony only). The parties must provide the names of their advisors to the Director of OSRR at least three (3) business days prior to the hearing.

The hearing will be recorded. Recordings will not include deliberations. Either party may request access to a written transcript of the recording at no cost to the party. Printed transcripts may be redacted by OSRR prior to being provided to the requesting party in accordance with applicable privacy laws.

- xii. *Hearing Panel or Officer's Decision:* Based on an objective review of all relevant evidence, hearing panels or officers will decide whether Respondents violated University policy by using a preponderance of the evidence or "more likely than not" standard of evidence. Credibility determinations will not be based on a person's status as a Complainant, Respondent, or witness. Typically within fifteen (15) business days of a hearing, the hearing panel or officer will issue to the Director of OSRR (or a designee) a written decision regarding responsibility. The written decision will include the following elements: (1) identification of the allegations potentially constituting Prohibited Conduct; (2) a description of the procedural steps taken from the receipt of the Formal Complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held; (3) findings of fact supporting the determination; (4) conclusions regarding the application of the Sexual Harassment, Abuse, and Assault Prevention Policy to the facts; and (5) a statement of, and rationale for, the result as to each alleged policy violation.
- xiii. *Sanction:* If a finding of responsibility is made, the Director of OSRR (or designee) will set sanctions or remedies. Prior to setting sanctions or remedies, the Director (or designee) will consider any other relevant information including, without limitation:
  - (a) the extent of harm caused to or impact on individuals and the community (i.e. living environment, University community, and the surrounding community) including the level of intervention necessary;
  - (b) the potential for ongoing risk to the student, other individuals, the community, or property;
  - (c) a student's disciplinary record and status of any prior conduct sanctions;
  - (d) level of intent, remorse, cooperation, and willingness to take responsibility;
  - (e) evidence that the student's conduct was motivated by bias regarding an individual or group's real or perceived race, color, creed, religion, political or social affiliation, sex, gender, national origin, citizenship, ethnicity,

marital status, age, disability, sexual orientation, gender identity and gender expression, and/or veteran status;

- (f) sanctions issued in prior similar University conduct cases;
- (g) impact statements submitted by either party;
- (h) the nature or violence of the conduct at issue; and
- (i) any other mitigating, exacerbating, or compelling circumstances.

Sanctions will be designed to eliminate the Prohibited Conduct, prevent its recurrence, and remedy its effects.

The Sexual Harassment, Abuse, and Assault Prevention Policy prohibits a broad range of conduct, all of which is serious in nature. In keeping with the University's commitment to foster an environment that is safe, inclusive, and free from discrimination and harassment, the Director (or designee) has great latitude in the imposition of sanctions tailored to the facts and circumstances of each report, the impact of the conduct on the Complainant and surrounding community, and accountability for the Respondent. The full range of possible sanctions appear in the Student Conduct System Handbook.

Regardless of the outcome, the Director of OSRR (or designee) may recommend to the Title IX Coordinator (or designee) additional Remedies for the Complainant to address the effects of the conduct on the Complainant, restore or preserve the Complainant's access to University programs and activities, and restore to the Complainant, to the extent possible, benefits and opportunities lost as a result of the prohibited conduct. The Director (or designee) may also identify remedies to address the effects of the conduct on the University community.

The Title IX Coordinator (or designee) will review the remedies recommended by the Director (or designee) and will consider the appropriateness of continuing Supportive Measures on an ongoing basis. The Title IX Coordinator, OSRR, and the Dean of Students' Office are responsible for the effective implementation of remedies.

xiv. *Written Outcome:* Hearings are considered complete when the hearing panel or officer complete a final written decision regarding responsibility. Hearing panel and officer decisions are made in private, and by a majority vote (in the instance of a panel). Sanctions will be issued by the Director of OSRR (or a designee) who will issue the outcome letter simultaneously to both parties. The written outcome letter will attach the hearing panel or officer decision, and include sanctions and the rationale for the sanctions, as well as an overview of the appellate rights of the parties.

xv. *Appeal:* Any party may appeal the decision of a hearing panel or officer on one or more of the following grounds:

- (a) Procedural irregularity that affected the outcome of the matter;
- (b) New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter;
- (c) The Title IX Officer, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that affected the outcome of the matter; or
- (d) Errors in the interpretation of University policy so substantial as to deny either party a fair hearing; or
- (e) Grossly inappropriate sanction having no reasonable relationship to the charges.

Appeals are limited to ten (10) pages in length and must be received by OSRR no later than five (5) business days after transmission of the hearing panel or officer decision. Late appeals will not be considered.

When an appeal is submitted, OSRR will notify the non-appealing party in writing and provide an opportunity to submit a response to the appeal within five (5) business days.

Appeals will be decided by an appeals panel who will be faculty or staff from the University, or external professionals, as determined in the sole discretion of OSRR. Any individuals deciding appeals will be different from the

Title IX Coordinator, the investigators, and those serving on the hearing panel or as hearing officer, and will be trained and free from conflicts of interest or bias for or against either party (see Section IX *Training and Conflict/Bias Prevention* below). The name(s) of the appeal officer(s) will be provided to the parties and the parties will be allowed to challenge their appointment on the basis of conflict of interest or bias. The appeal officer(s) may interview parties, witnesses, investigators, or the hearing panel or officer. The appeal officer may be advised by OSRR staff and/or an attorney.

Appeal officers will objectively consider all relevant evidence and the case file to either uphold, reverse, or modify the decision at issue. Appeal officers can order new hearings, request further investigation, or take any other steps to address the issues raised by the parties on appeal. Appeal officers will issue written decisions simultaneously to all parties within fifteen (15) business days of receiving the appeal and response (if any).

The determination regarding responsibility becomes final either on the date that the University provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

University Conduct System proceedings, including interviews, meetings, hearings, and deliberations, are confidential and closed to persons not directly related to the case. The results of University conduct cases are held confidential in accordance with applicable law and University policy. The University reserves the right to correct any misinformation with regard to a University conduct case that may be circulated in the media when the well-being of the community so requires.

## B. Informal Resolution Process

The University may resolve reports informally, as appropriate based on the circumstances. An Informal Resolution provides a mechanism for the University to take prompt action through the imposition of individual and community remedies designed to maintain or restore access to the educational, extracurricular, and employment activities at the University and to remedy the impacts of conduct on members of the community.

Informal Resolution is available only once a Formal Complaint has been filed, prior to a determination of responsibility, and if all impacted parties and the University voluntarily consent to the process in writing. Informal Resolution is not available in cases in which an employee or faculty member is alleged to have engaged in Prohibited Conduct with a student.

Any person who facilitates an informal resolution will be trained and free from conflicts of interest or bias for or against either party (see Section IX *Training and Conflict/Bias Prevention* below).

If the parties are interested in pursuing Informal Resolution, the Title IX Coordinator (or a designee) will send written notices to the parties describing:

1. The allegations at issue;
2. The requirements of the Informal Resolution;
3. The circumstances under which the parties are precluded from resuming a Formal Complaint arising from the same allegations;
4. Parties' rights to end the Informal Resolution process at any time prior to resolution and resume the Formal Complaint process;
5. The consequences resulting from participating in the Informal Resolution;
6. The fact that records and communications created or maintained as part of the Informal Resolution process may be viewed by parties, but will not later be used or considered by the University in a Formal Complaint process, including at a hearing.

All parties will be required to return signed copies of the written notices agreeing to the Informal Resolution process.

If a resolution is reached between the parties in an Informal Resolution, the matter will be considered closed, and the parties would be precluded from filing another complaint arising from the same conduct or set of facts. Prior to reaching a resolution, any party can withdraw from the Informal Resolution process and resume the Formal Complaint process. The University strives to complete an Informal Resolution within thirty (30) days of the parties' written agreement to participate in the process.

Any statements made during an Informal Resolution process, records and communications created or maintained as part of an Informal Resolution process will not be used or considered in a subsequent investigation or hearing.

## X. Record-Keeping and Transcript Notations

The University will maintain records related to reports or complaints of Prohibited Conduct for a period of seven (7) years. Such records may include, without limitation, investigation reports and evidence, hearing records, disciplinary decisions or communications, appeals, informal resolution documents, requests for and provision of Supportive Measures, and other records demonstrating actions the University took to respond to the reported conduct. The University will also maintain training records for the same period of time. The records will be kept private to the extent required or permitted by law. If a student Respondent is found responsible for violence-related conduct as defined by the Clery Act (including Sexual Assault, Dating or Domestic Violence, or Stalking) and they are suspended or expelled as a result, the University will place the following notations on their academic transcripts:

- i. In cases of suspension - “suspended after a finding of responsibility for a code of conduct violation.”
- ii. In cases of expulsion - “expelled after a finding of responsibility for code of conduct violation.”

If a student who has alleged to have been involved in an incident involving violence-related violations withdraws from the University with an investigation or conduct case pending, the following notation will be listed on their University transcript: “withdrew with conduct charges pending.”

Students found responsible for other forms of Prohibited Conduct, and who are suspended or expelled as a result, will have the following notation listed on their transcript: “Administrative Withdrawal - University Initiated”.

Students who have been suspended who would like to appeal the suspension notation on their transcript may do so one year after the conclusion of the suspension via the process listed in the Student Conduct System Handbook. If their appeal is successful, the notation will be revised to read “Administrative Withdrawal - University Initiated.” Notations for expulsion will not be revised or removed.

## XI. Training and Conflict/Bias Prevention

The Title IX Officer, investigators, decision-makers, and any person who facilitates an Informal Resolution process, will receive annual training on: (a) the definition of Prohibited Conduct; (b) the scope of the University’s Education Program or Activity; (c) how to conduct an investigation and grievance process including hearings, appeals, and Informal Resolution processes; (d) how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias; (e) the presumption of “not responsible” until any appropriate process concludes; and, (f) how to conduct an investigation and hearing process that protects the safety of complainants and promotes accountability.

Hearing panels and officers will receive additional training on: (a) any technology to be used at a live hearing; (b) how to determine relevance of for cross-examination questions and other evidence, including when questions and evidence about the parties’ sexual predisposition or prior sexual behavior are not relevant. Investigators will receive additional training on issues of relevance to create an investigative report that fairly summarizes relevant evidence.

Any materials used to train the Title IX Officer, investigators, decision-makers, and any person who facilitates an Informal Resolution process, will not rely on sex stereotypes and will promote impartial investigations and adjudications of Formal Complaints of Prohibited Conduct. The University will publish on its website training materials used for its most recent training sessions.

The University also provides prevention and awareness programs for students, faculty, and staff to prevent Prohibited Conduct and promote a learning and working environment free from discrimination or harassment. Throughout any Formal or Informal Resolution process described above, the University will take steps to reasonably ensure the Title IX Coordinator, investigators, decision-makers, or any person designated by the University to facilitate an Informal Resolution process, not have a conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant or Respondent.

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## Sanctioning Guidelines

Sanctions for violations of University policies regarding sexual assault may include, but are not limited to, disciplinary probation, suspension and expulsion. All University Conduct System sanctions are separate from any criminal sanctions that may be imposed on adjudged subjects.

### SANCTIONING GUIDELINES FOR GENDER RELATED VIOLENCE/HARASSMENT

Category	Sanction
Sexual harassment, including unwanted sexual advances, requests for sexual favors and some visual and physical conduct of a sexual nature; Stalking	Suspension or Disciplinary probation with appropriate educational projects
Sexual assault, including, but not limited to, sexual touching without consent, forcible touching; stalking with threats of harm; use of physical violence in a dating or sexual relationship	Suspension or Expulsion
Sexual intercourse without consent	Suspension or Expulsion
Retaliation against an individual who has filed a report of gender-related violence/harassment	Suspension or Expulsion or Disciplinary probation with appropriate educational projects

Excerpt from Part 5 of the Student Conduct System handbook ([studentconduct.syr.edu](http://studentconduct.syr.edu)).

## OVERVIEW OF THE CONDUCT PROCESS

*NOTE: FOR CASES INVOLVING SEXUAL ASSAULT, STALKING, GENDER-RELATED HARASSMENT OR DATING OR DOMESTIC VIOLENCE, SEE PART 9 IN THE STUDENT CONDUCT SYSTEM HANDBOOK FOR OVERVIEW OF PROCESS*

For more specific information, please review the student conduct system handbook available at [studentconduct.syr.edu](http://studentconduct.syr.edu).

5.1 A University Student Conduct System complaint may be filed against any student or recognized student organization by any member of the University community. Complaints may be filed by a student, faculty member or staff member by filling out a standard complaint form, which is available at [studentconduct.syr.edu](http://studentconduct.syr.edu). A non-University member may file a report with DPS.

A report by a non-University member may be adjudicated if the interests of the University community are sufficiently implicated. All documentation and other information associated with the complaint “e.g.,” DPS or police reports and witness “statements,” should be included with the standard complaint form and returned to the Office of Student Rights and Responsibilities. More than one complaint may be filed arising out of the same incident.

5.2 The Office of Student Rights and Responsibilities will determine whether a complaint concerns students and/or recognized student organizations and whether the complaint concerns subject matter falling within the jurisdiction of the University Student Conduct System. The Office of Student Rights and Responsibilities further will determine whether the complaint demonstrates sufficient information of wrongdoing to warrant further investigation and/or commencement of the student conduct process. A hold may be placed on the respondent’s academic records until a final resolution of the complaint.

5.3 The standard of proof applied within the University Student Conduct System is a preponderance of the evidence, which requires a demonstration that it is “more likely than not” that the respondent has violated the Code of Student Conduct.

5.4 Some allegations of student misconduct require investigation prior to determining whether further student conduct proceedings are warranted. As appropriate, the University will conduct an investigation concerning the allegations. The investigation may be conducted by DPS or another

appropriate University office or representative. In cases involving alleged criminal conduct, DPS can assist a complainant in making a criminal complaint. A complainant need not pursue a criminal complaint in order to seek to hold the accused responsible through the University’s Student Conduct System.

5.5 An individual may be permitted to withdraw a complaint subsequent to filing if the Office of Student Rights and Responsibilities is satisfied that the complainant’s decision has not been influenced by pressure or intimidation. In the event that the complainant is determined to have been influenced by pressure or intimidation, or in other extenuating circumstances, or where the University’s interests would be served by continuation of the case, the senior vice president of enrollment and the student experience or the director of the Office of Student Rights and Responsibilities may appoint a University complainant to continue the case.

## INFORMAL RESOLUTION PROCESS

Excerpt from Part 7 of the Student Conduct System Handbook ([studentconduct.syr.edu](http://studentconduct.syr.edu)).

7.1 Upon determining that the complaint is appropriate for further processing, the Office of Student Rights and Responsibilities will contact the student or recognized student organization. The respondent will be offered an opportunity to participate in an informal resolution meeting with a case manager to discuss the allegations. If a respondent does not attend the meeting without prior notice to the Office of Student Rights and Responsibilities, a decision may be rendered in the student’s or organization’s absence.

Complainants do not attend informal resolution meetings with the respondents, but are informed of the outcome of these meetings to the extent legally permitted. There are three possible results at this stage:

- (1) The respondent is found to have no responsibility and/or that there is insufficient basis to proceed against the respondent. If that occurs, the case does not proceed to a hearing; or
- (2) The respondent accepts responsibility and appropriate sanction(s) is/are agreed upon. If that occurs, the case is considered informally resolved; or
- (3) The respondent does not accept responsibility and the case manager determines that the complaint warrants a hearing. If that occurs, the case proceeds to a hearing.

Once an informal resolution is reached, the decision is final and will only be revisited based on one or more of the following:

- a. new information not reasonably available at the time of the informal resolution, the absence of which can be shown to have had a detrimental impact on the outcome of the informal resolution;
- b. procedural error that can be shown to have had a detrimental impact on the outcome of the informal resolution;
- c. errors in the interpretation of University policy so substantial as to deny fair informal resolution;
- d. grossly inappropriate sanction having no reasonable relationship to the charges.

In such a case, the student or student organization may submit a written petition for reconsideration of the case to the director of the Office of Student Rights and Responsibilities within three (3) business days of the informal resolution meeting or the discovery of new factual information that was not reasonably available at the time of the informal resolution meeting. Requests for review must be written and signed by the student. The decision of the director of the Office of Student Rights and Responsibilities upon reconsideration is final.

7.2 If an informal resolution cannot be reached, and assuming the case manager finds that the complaint warrants a hearing, the case will be assigned to an appropriate hearing officer or hearing board for formal resolution. The hearing process is described in Parts 6 through 8 of the Student Conduct System handbook.

### SANCTIONING GUIDELINES FOR SUBSTANCE RELATED VIOLATIONS

Category	First Violation	Second Violation	Third Violation
Use or possession of alcohol under prohibited circumstances	Disciplinary warning and educational activities including: community involvement referral and/or educational project(s)	Disciplinary probation; and educational activities including: Options Program referral and community involvement referral and/or other educational project(s)	Suspension
Supplying alcohol to underage person(s)	Disciplinary probation; and educational activities including: community involvement referral or community service project(s) and/or educational project(s)	Suspension	
Extreme alcohol intoxication posing a substantial risk to the health and well being of self and/or others	Disciplinary warning and educational activities including: Options Program referral and educational assignments	Disciplinary probation; and educational activities including: Options Program referral and community involvement referral and/or other educational project(s)  Residential relocation	Suspension

**SANCTIONING GUIDELINES FOR SUBSTANCE RELATED VIOLATIONS, continued**

Category	First Violation	Second Violation	Third Violation
Manufacture or sale of alcohol under prohibited circumstances	Disciplinary probation; and educational activities including: community involvement referral or community service project(s) and/or educational project(s)	Suspension	
Driving any motor vehicle while intoxicated or while under the influence of unlawful drugs	Suspension	Suspension or expulsion	
Use or possession of marijuana or marijuana paraphernalia	Disciplinary warning and educational activities including: Options Program referral and/or community involvement; community service referral and/or other educational project(s)	Disciplinary probation and educational activities including: Options Program referral and/or community involvement; community service referral and/or other educational project(s)	Suspension
Use or possession of illegal drugs other than marijuana or controlled substances without an appropriate prescription	Disciplinary probation; and educational activities including: Options Program referral and/or community involvement referral and/or other educational project(s)	Suspension	
Extreme drug intoxication or abuse-related behavior posing a substantial risk to the health and wellbeing of self and/or others	Disciplinary probation; and educational activities including: Options Program referral and/or community involvement referral and/or other educational project(s)  Residential relocation	Suspension	
Manufacture, sale, purchase or distribution of illegal drugs or controlled substances	Suspension or expulsion		



### FOR ALL OTHER MEMBERS OF THE SYRACUSE UNIVERSITY COMMUNITY

Syracuse University calls upon members of its campus community to act and respond promptly in ways that create and sustain the most productive and supportive environment possible for all in our community. While we all must be vigilant to prevent instances of violence of any kind, the University has provided specific directions for members of the campus community regarding the reporting of actual or suspected abuse or violence against children.

1. If you witness an instance of sexual or physical abuse against a child as it is occurring, immediately call 911 to reach the Syracuse City Police, or the law enforcement department where you are located. You should also contact DPS at 315.443.2224.
2. If you have not witnessed child abuse, but suspect it may be occurring or may have occurred at a child's home or in another setting, immediately contact **New York State Child Protective Services** at 800.342.3720. For more information, you may visit the NYS-CPS website. You should also contact DPS at 315.443.2224.
3. If you have concerns about other possible illegal, inappropriate or questionable behavior, you should promptly report it to DPS at 315.443.2224. In addition, DPS has a Silent Witness program, which allows individuals to report concerns about criminal activity ([dps.syr.edu/law-enforcement/report-a-crime/](https://dps.syr.edu/law-enforcement/report-a-crime/)). For instances of suspected cases of sexual abuse of a minor, the University's Gender Equity/Sexual Harassment/Title IX coordinator is available to answer questions and provide information at 315.443.0211.

For supervisors, managers and others to whom University community members might report concerns, please use the guidance above to direct your reports to law enforcement and/or appropriate campus agents. When in doubt, direct any reports of observed or suspected misconduct to DPS at 315.443.2224.

For all those who direct or manage programs with minor participants, in addition to these general directives, you should refer to University guidelines on requirements for administering programs for youth participants in your division of the University, available from the Gender Equity/Sexual Harassment/Title IX coordinator (315.443.0211).

### REGISTERED SEX OFFENDERS

Information about the New York State Department of Criminal Justice Services' Sex Offender Registry and high-risk (Level 3) registered sex offenders can be obtained at: [www.criminaljustice.ny.gov](http://www.criminaljustice.ny.gov).

### CRIME STATISTICS

An institution may only exclude a reported crime from its upcoming annual security report or remove a reported crime from its previously reported statistics after a full investigation. Only sworn or commissioned law enforcement personnel can make a formal determination that the report was false or baseless when made and that the crime report was therefore "unfounded." Crime reports can be properly determined to be unfounded only if the evidence from the complete and thorough investigation establishes that the crime reported was not, in fact, completed or attempted in any manner. Crime reports can only be determined to be baseless if the allegations reported did not meet the elements of the offense or were improperly classified as a crime in the first place. A case cannot be designated "unfounded" if no investigation was conducted or the investigation was not completed. Nor can it be designated unfounded merely because the investigation failed to prove the crime occurred; this would be an inconclusive or unsubstantiated investigation.

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## Safety Abroad

Through a relationship between DPS and Syracuse Abroad, students attending programs abroad receive updated information relating to safety and security concerns in the country they are studying.

Students who become victims of crime are encouraged to work through the Syracuse overseas center director to assist with reporting crimes to local police. In the event of an emergency, however, the local police department will be contacted immediately. Campus law enforcement authorities, such as DPS, are not present at any of the Syracuse Abroad overseas centers, but security procedures, practices and programs designed to inform students about the prevention of crime are provided during on-site orientation.

Students are encouraged to be responsible for their own security and the security of others. Students enrolled in Syracuse University programs, including programs abroad, are subject to all University policies, and in particular the Code of Student Conduct. Syracuse University's policies relative to the illegal possession, use and sale of alcoholic beverages and the possession, use and sale of illegal drugs are applicable to students completing coursework in foreign countries.

Syracuse University's programs to prevent sex offenses and procedures to follow when a sex offense occurs are outlined in other sections of this report and are generally applicable in foreign countries. Students should immediately report any sexual assault or attempted sexual assault to the director or staff designee of the Syracuse Abroad overseas center. This individual will work with students to explain all available options to obtain police assistance, medical attention and counseling services.

The Office of Global Safety and Support, a unit within the Division of Campus Safety and Emergency Services, conducts periodic site visits at select program locations to perform security surveys and provides safety consultation and support for Syracuse Abroad staff and students. For more information about travel safety, contact the Office of Global Safety and Support at 315.443.1968. The following charts summarize crime statistics from each of the Syracuse Abroad overseas centers, located in various countries outside the United States. The crime statistics in this report were obtained from the directors of each respective Syracuse Abroad overseas center and from the police agencies having jurisdiction over those sites.

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## Safety Procedures for U.S.-Based Programs

### **WASHINGTON, D.C., CAMPUS (CENTER FOR STRATEGIC AND INTERNATIONAL STUDIES - CSIS, GREENBERG HOUSE) SAFETY PROCEDURES**

All University policies apply to all campuses, unless otherwise noted. Access to CSIS is secure and visitors must have a valid access card issued by CSIS or check in at a central reception desk staffed with building security personnel. The facility is alarmed and maintains active fire alert and suppression systems. Any notices from DPS are posted on [dc.syr.edu](http://dc.syr.edu) when warranted. Access to the Annual Security Report and the Daily Crime Log are also accessible from this site. Staff maintain an updated listserv for all active students at CSIS through which emergency information is provided. Students are trained to review their email routinely for any emergency updates.

Staff in the Washington, D.C. program receive alerts from "AlertDC," the District of Columbia's official communications system. Any threat to safety is immediately communicated to staff, faculty and students and reported to the main campus.

### **LOS ANGELES, CALIFORNIA, CAMPUS SAFETY PROCEDURES**

All University policies apply to all campuses unless otherwise noted. SU in LA has an independent emergency plan which is reviewed with all students. In the event of a citywide emergency or natural disaster, the campus administrators request that students and staff contact Shelly Griffin to ensure everyone is accounted for. Then, the facility's policy is to comply with any emergency instructions provided by the city. During orientation, SU in LA provides a presentation by Oakwood staff about general personal security (locking apartments and cars). Syracuse University Los Angeles Semester staff provides students with a handout prepared by FEMA regarding recommended procedures in case of an earthquake. Staff also cautions students regarding wildfires. Emergency notifications are made via email (on a listserv) and/or by text. The program director determines when timely warnings need to be issued (in consultation with DPS, if necessary). Access to the Annual Security Report and the Daily Crime Log are also accessible from this site ([lasemester.syr.edu](http://lasemester.syr.edu)).

## NEW YORK CITY (LUBIN HOUSE) CAMPUS SAFETY PROCEDURES

All University policies apply to all campuses, unless otherwise noted. Access to the Lubin House is secure and visitors must have a valid SU I.D. or be granted access from a central reception desk that has a camera view of the entry. The facility is alarmed and maintains active fire alert and suppression systems. Any notices from DPS are posted on [NYC.syr.edu](http://NYC.syr.edu) when warranted. Access to the Annual Security Report and the Daily Crime Log are also accessible from this site.

## NEW YORK CITY (FISHER CENTER) CAMPUS SAFETY PROCEDURES

All University policies apply to all campuses, unless otherwise noted. Access to the Fisher Center is secure and visitors must have a valid access card issued by Fisher personnel or check in at a central reception desk staffed with building security personnel. The facility is alarmed and maintains active fire alert and suppression systems. Building owners provide regular and routine fire and security information sessions for all tenants. Any notices from DPS are posted on [NYC.syr.edu](http://NYC.syr.edu) when warranted. Access to the Annual Security Report and the Daily Crime Log are also accessible from this site.

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## Policies for Preparing the Annual Disclosure of Crime Statistics

The crime statistics contained in this report are compiled and reported in accordance with the Federal Bureau of Investigation's Uniform Crime Reporting Guidelines and the Clery Act. This document, available online at [dps.syr.edu](http://dps.syr.edu), contains crime statistics for the past three years.

You may request a printed copy that includes crime statistics, to be mailed within 10 days of a request, by contacting the Regulatory Compliance Office at 119 Euclid Avenue, Syracuse, NY, 13244, or by calling 315.443.5476. As required by state law, DPS reports all violent felony offenses, as defined in section 70.02 sub.1 of the New York State Penal Law, and cases involving missing students to the Syracuse Police Department.

### SYRACUSE UNIVERSITY CRIME STATISTICS

All crimes reported to DPS are recorded in the University's crime statistics archive. Other sources of crime statistics are the Office of Student Living, the Office of Student Rights and Responsibilities, the Office of Equal Opportunity, Inclusion and Resolution Services, Counseling and other campus security authorities. Crime statistics are also requested from local law enforcement agencies for crimes that occur on campus property, non-campus property or public property, as defined in this publication. Crime statistics for all of the Syracuse Abroad sites are obtained from the director of each respective overseas center. Statistics obtained from all of the above referenced sources are gathered each year through correspondence with each respective agency and are included in the University's annual security report. The statistics in these charts may also be viewed at the **U.S. Department of Education's** website at [ope.ed.gov/security](http://ope.ed.gov/security).

### HATE CRIME STATISTICS

The University reports hate crimes precipitated against individuals or groups when the motivating reason, in whole or part, can be attributed to actual or perceived race, gender, gender identity, religion, sexual orientation, national origin, ethnicity or disability prejudice. Domestic violence, stalking and dating violence are also included within the hate crime category. In addition to murder, manslaughter, sex offenses, robbery, aggravated assault, burglary, motor vehicle theft and arson, the University also reports hate crimes attributed to larceny, simple assault, intimidation and criminal mischief.

### SYRACUSE POLICE DEPARTMENT STATISTICS

To see crime statistics within the east and south sections of the City of Syracuse that border the University area, visit the Syracuse Police Department's website at [syracusepolice.org](http://syracusepolice.org). Some of these statistics do not fall within the mandated jurisdictions of reportable areas required by law and are strictly informational.

### BIAS POLICY

No one may be discriminated against or harassed by any agent or organization at Syracuse University for reasons of age, color, ethnic or national origin, physical disability, marital status, political or social affiliation, race, religion, gender, sexual orientation or other protected category. An individual student, group of students or student organizations found to violate the University bias policy is sanctioned under the University's Student Conduct System, accessible at [studentconduct.syr.edu/](http://studentconduct.syr.edu/).

Under the University's Student Conduct System, bias-related incidents may violate the Code of Student Conduct and other University policies, such as the Code of Ethical Conduct. If a student, faculty or staff member is found responsible for a policy violation motivated by bias, sanctions may include one or a combination

of the following: educational/remedial, warning, social probation, residential probation, disciplinary reprimand or probation, residential relocation/suspension/expulsion, interim suspension, suspension, indefinite suspension or expulsion.

If you have been impacted by an act of bias at Syracuse University, report the incident at [reportbias.syr.edu](http://reportbias.syr.edu). It's quick, easy and can be anonymous.

For consultation, support and referrals, contact the Office of Student Assistance at 315.443.4357. Students can also report incidents to the Office of Student Rights and Responsibilities at 310 Steele Hall, 315.443.3728, or to Equal Opportunity, Inclusion and Resolution Services at 315.443.0211. Emergencies should be reported to DPS at 315.443.2224 or 711 from a campus phone.

### DEFINITIONS OF REPORTABLE CRIMES

In compliance with the Clery Act, definitions of reportable crimes are taken from the Federal Bureau of Investigation's Uniform Crime Reporting Guidelines which can be found at [www.ucrdatatool.gov/offenses.cfm](http://www.ucrdatatool.gov/offenses.cfm).

A list of Clery reportable crimes is as follows:

- Aggravated assault
- Arson
- Bias-related incidents
- Burglary
- Domestic violence
- Drug law violation
- Fondling
- Hate crimes
- Illegal weapons violation
- Incest
- Motor vehicle theft
- Murder and non-negligent manslaughter
- Negligent manslaughter
- Rape
- Relationship/dating violence
- Robbery
- Stalking
- Statutory rape

### DEFINITIONS OF GEOGRAPHICAL CATEGORIES

**\*Please note, the aforementioned policies apply to all campuses, unless otherwise noted.\***

- **Campus:** any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, and including residence halls. Any building or property that is within the geographic area, is frequently used by students, and/or supports institutional purposes (such as a food or other retail vendor), and that is owned by the institution but controlled by another person or organization.
- **Residence Halls:** on-campus dormitories or other residential facilities for students. Please note that statistics reported in this category are a subset of those reported in the "campus" category.
- **Non-Campus:** any building or property owned or controlled by a student organization that is officially recognized by the institution; or any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students and is not within the same reasonably contiguous geographic area of the institution.
- **Public Property:** all public property—including parks, thoroughfares, streets, sidewalks and parking facilities—that is within the campus, or immediately adjacent to, and accessible from, the campus.
- Maps of Syracuse University's Clery-reportable geography may be viewed at [dps.syr.edu/public-information/the-jeanne-clery-act/clery-maps/](http://dps.syr.edu/public-information/the-jeanne-clery-act/clery-maps/).

# Crime Charts

## CRIME STATISTICS, MAIN CAMPUS | SYRACUSE, NEW YORK

Offense	Year	On Campus	Residential Facility	Non-Campus Building or Property	Public Property
<b>Criminal Homicide</b>					
Murder and Non-negligent Manslaughter	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
Negligent Manslaughter	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
<b>Sex Offenses</b>					
Rape	2017	13	12	4	0
	2018	10	10	1	0
	2019	10	10	1	0
Fondling	2017	6	4	0	0
	2018	5	3	0	0
	2019	5	4	1	0
Statutory Rape	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
Incest	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
<b>VAWA Offenses</b>					
Dating Violence	2017	10	7	1	0
	2018	6	3	0	0
	2019	8	6	0	0
Domestic Violence	2017	0	0	0	0
	2018	0	0	0	0
	2019	1	1	0	0
Stalking	2017	15	6	1	0
	2018	10	2	0	0
	2019	8	3	0	1
<b>Other Offenses</b>					
Robbery	2017	2	1	0	1
	2018	2	1	0	0
	2019	2	0	0	1
Aggravated Assault	2017	0	0	1	5
	2018	2	1	3	2
	2019	2	1	4	2
Burglary	2017	28	22	4	0
	2018	38	31	4	0
	2019	7	6	4	0
Motor Vehicle Theft	2017	0	0	0	0
	2018	4	0	1	0
	2019	3	0	2	2
Arson	2017	2	1	0	0
	2018	3	2	0	0
	2019	0	0	0	0

**CRIME STATISTICS, MAIN CAMPUS | SYRACUSE, NEW YORK, continued**

<b>Arrests</b>					
Offense	Year	On Campus	Residential Facility	Non-Campus Building or Property	Public Property
Illegal Weapons Possession	2017	0	0	0	0
	2018	3	0	0	1
	2019	0	0	0	0
Drug Law Violations	2017	18	14	1	9
	2018	4	2	1	10
	2019	2	2	0	1
Liquor Law Violations	2017	1	0	0	6
	2018	0	0	0	3
	2019	0	0	0	1
<b>Referrals/Disciplinary Actions</b>					
Illegal Weapons Possession	2017	0	0	0	0
	2018	2	2	0	0
	2019	1	1	0	0
Drug Law Violations	2017	186	177	3	1
	2018	264	258	0	0
	2019	71	69	0	0
Liquor Law Violations	2017	1,023	944	12	30
	2018	669	644	2	14
	2019	440	438	56	1
<b>Hate/Bias Incidents</b>					
<b>Aggravated Assault</b>					
Sexual Orientation	2019	0	0	0	1
<b>Intimidation</b>					
Race	2017	1	1	0	1
	2018	2	1	0	0
	2019	1	0	0	0
Ethnicity	2019	0	0	0	1
Gender	2019	1	1	0	0
National Origin	2019	1	1	0	0
<b>Destruction/Damage/Vandalism of Property</b>					
Race	2019	8	7	0	0
National Origin	2019	1	0	0	0
<b>Unfounded</b>					
Unfounded	2017	2			
	2018	0			
	2019	1			

**CRIME STATISTICS, FISHER CENTER | NEW YORK, NEW YORK**

Offense	Year	On Campus	Non-Campus Building or Property	Public Property
<b>Criminal Homicide</b>				
Murder and Non-negligent Manslaughter	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Negligent Manslaughter	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
<b>Sex Offenses</b>				
Rape	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Fondling	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Statutory Rape	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Incest	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
<b>VAWA Offenses</b>				
Dating Violence	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Domestic Violence	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Stalking	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
<b>Other Offenses</b>				
Robbery	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Aggravated Assault	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Burglary	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Motor Vehicle Theft	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Arson	2017	0	0	0
	2018	0	0	0
	2019	0	0	0

**CRIME STATISTICS, FISHER CENTER | NEW YORK, NEW YORK, continued**

<b>Arrests</b>				
Offense	Year	On Campus	Non-Campus Building or Property	Public Property
Illegal Weapons Possession	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Drug Law Violations	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Liquor Law Violations	2017	0	0	0
	2018	0	0	0
	2019	0	0	0

<b>Referrals/Disciplinary Actions</b>				
Illegal Weapons Possession	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Drug Law Violations	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Liquor Law Violations	2017	0	0	0
	2018	0	0	0
	2019	0	1	0

<b>Hate/Bias Incidents</b>
There were no hate/bias incidents reported for 2017, 2018 or 2019 for this campus.

<b>Unfounded</b>		
Unfounded	2017	0
	2018	0
	2019	0

**CRIME STATISTICS, GREENBERG HOUSE | WASHINGTON, D.C.**

Offense	Year	On Campus	Non-Campus Building or Property	Public Property
<b>Criminal Homicide</b>				
Murder and Non-negligent Manslaughter	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Negligent Manslaughter	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
<b>Sex Offenses</b>				
Rape	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Fondling	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Statutory Rape	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Incest	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
<b>VAWA Offenses</b>				
Dating Violence	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Domestic Violence	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Stalking	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
<b>Other Offenses</b>				
Robbery	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Aggravated Assault	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Burglary	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Motor Vehicle Theft	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Arson	2017	0	0	0
	2018	0	0	0
	2019	0	0	0

**CRIME STATISTICS, GREENBERG HOUSE | WASHINGTON, D.C., continued**

<b>Arrests</b>				
Offense	Year	On Campus	Non-Campus Building or Property	Public Property
Illegal Weapons Possession	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Drug Law Violations	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Liquor Law Violations	2017	0	0	0
	2018	0	0	0
	2019	0	0	0

<b>Referrals/Disciplinary Actions</b>				
Illegal Weapons Possession	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Drug Law Violations	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Liquor Law Violations	2017	0	0	0
	2018	0	0	0
	2019	0	0	0

<b>Hate/Bias Incidents</b>
There were no hate/bias incidents reported for 2017, 2018 or 2019 for this campus.

<b>Unfounded</b>		
Unfounded	2017	0
	2018	0
	2019	0

**CRIME STATISTICS, SYRACUSE UNIVERSITY LA | LOS ANGELES, CALIFORNIA**

Offense	Year	On Campus	Non-Campus Building or Property	Public Property
<b>Criminal Homicide</b>				
Murder and Non-negligent Manslaughter	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Negligent Manslaughter	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
<b>Sex Offenses</b>				
Rape	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Fondling	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Statutory Rape	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Incest	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
<b>VAWA Offenses</b>				
Dating Violence	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Domestic Violence	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Stalking	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
<b>Other Offenses</b>				
Robbery	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Aggravated Assault	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Burglary	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Motor Vehicle Theft	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Arson	2017	0	0	0
	2018	0	0	0
	2019	0	0	0

**CRIME STATISTICS, SYRACUSE UNIVERSITY LA | LOS ANGELES, CALIFORNIA, continued**

<b>Arrests</b>				
Offense	Year	On Campus	Non-Campus Building or Property	Public Property
Illegal Weapons Possession	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Drug Law Violations	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Liquor Law Violations	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
<b>Referrals/Disciplinary Actions</b>				
Illegal Weapons Possession	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Drug Law Violations	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Liquor Law Violations	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
<b>Hate/Bias Incidents</b>				
There were no hate/bias incidents reported for 2017, 2018 or 2019 for this campus.				
<b>Unfounded</b>				
Unfounded	2017	0		
	2018	0		
	2019	0		

**CRIME STATISTICS, SYRACUSE UNIVERSITY CAMPUS | BEIJING, CHINA**

Offense	Year	On Campus	Non-Campus Building or Property	Public Property
<b>Criminal Homicide</b>				
Murder and Non-negligent Manslaughter	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Negligent Manslaughter	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
<b>Sex Offenses</b>				
Rape	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Fondling	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Statutory Rape	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Incest	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
<b>VAWA Offenses</b>				
Dating Violence	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Domestic Violence	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Stalking	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
<b>Other Offenses</b>				
Robbery	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Aggravated Assault	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Burglary	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Motor Vehicle Theft	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Arson	2017	0	0	0
	2018	0	0	0
	2019	0	0	0

**CRIME STATISTICS, SYRACUSE UNIVERSITY CAMPUS | BEIJING, CHINA, continued**

<b>Arrests</b>				
Offense	Year	On Campus	Non-Campus Building or Property	Public Property
Illegal Weapons Possession	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Drug Law Violations	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Liquor Law Violations	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
<b>Referrals/Disciplinary Actions</b>				
Illegal Weapons Possession	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Drug Law Violations	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Liquor Law Violations	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
<b>Hate/Bias Incidents</b>				
There were no hate/bias incidents reported for 2017, 2018 or 2019 for this campus.				
<b>Unfounded</b>				
Unfounded	2017	0		
	2018	0		
	2019	0		

As of June 2019, this campus has been closed, no classes or courses of any kind are offered at this location and no staff are on site there.

**CRIME STATISTICS, SYRACUSE UNIVERSITY CAMPUS | HONG KONG (CHINA)**

Offense	Year	On Campus	Non-Campus Building or Property	Public Property
<b>Criminal Homicide</b>				
Murder and Non-negligent Manslaughter	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Negligent Manslaughter	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
<b>Sex Offenses</b>				
Rape	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Fondling	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Statutory Rape	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Incest	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
<b>VAWA Offenses</b>				
Dating Violence	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Domestic Violence	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Stalking	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
<b>Other Offenses</b>				
Robbery	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Aggravated Assault	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Burglary	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Motor Vehicle Theft	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Arson	2017	0	0	0
	2018	0	0	0
	2019	0	0	0

**CRIME STATISTICS, SYRACUSE UNIVERSITY CAMPUS | HONG KONG (CHINA), continued**

<b>Arrests</b>				
Offense	Year	On Campus	Non-Campus Building or Property	Public Property
Illegal Weapons Possession	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Drug Law Violations	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Liquor Law Violations	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
<b>Referrals/Disciplinary Actions</b>				
Illegal Weapons Possession	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Drug Law Violations	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Liquor Law Violations	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
<b>Hate/Bias Incidents</b>				
There were no hate/bias incidents reported for 2017, 2018 or 2019 for this campus.				
<b>Unfounded</b>				
Unfounded	2017	0		
	2018	0		
	2019	0		

**CRIME STATISTICS, SYRACUSE UNIVERSITY CAMPUS | FLORENCE, ITALY**

Offense	Year	On Campus	Non-Campus Building or Property	Public Property
<b>Criminal Homicide</b>				
Murder and Non-negligent Manslaughter	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Negligent Manslaughter	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
<b>Sex Offenses</b>				
Rape	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Fondling	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Statutory Rape	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Incest	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
<b>VAWA Offenses</b>				
Dating Violence	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Domestic Violence	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Stalking	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
<b>Other Offenses</b>				
Robbery	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Aggravated Assault	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Burglary	2017	0	1	0
	2018	0	1	0
	2019	0	0	0
Motor Vehicle Theft	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Arson	2017	0	0	0
	2018	0	0	0
	2019	0	0	0

**CRIME STATISTICS, SYRACUSE UNIVERSITY CAMPUS | FLORENCE, ITALY, continued**

<b>Arrests</b>				
Offense	Year	On Campus	Non-Campus Building or Property	Public Property
Illegal Weapons Possession	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Drug Law Violations	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Liquor Law Violations	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
<b>Referrals/Disciplinary Actions</b>				
Illegal Weapons Possession	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Drug Law Violations	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Liquor Law Violations	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
<b>Hate/Bias Incidents</b>				
There were no hate/bias incidents reported for 2017, 2018 or 2019 for this campus.				
<b>Unfounded</b>				
Unfounded	2017	0		
	2018	0		
	2019	0		

## CRIME STATISTICS, SYRACUSE UNIVERSITY CAMPUS | LONDON, ENGLAND

Offense	Year	On Campus	Non-Campus Building or Property	Public Property
<b>Criminal Homicide</b>				
Murder and Non-negligent Manslaughter	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Negligent Manslaughter	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
<b>Sex Offenses</b>				
Rape	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Fondling	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Statutory Rape	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Incest	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
<b>VAWA Offenses</b>				
Dating Violence	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Domestic Violence	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Stalking	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
<b>Other Offenses</b>				
Robbery	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Aggravated Assault	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Burglary	2017	0	1	0
	2018	0	0	0
	2019	0	0	0
Motor Vehicle Theft	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Arson	2017	0	0	0
	2018	0	0	0
	2019	0	0	0

**CRIME STATISTICS, SYRACUSE UNIVERSITY CAMPUS | LONDON, ENGLAND, continued**

<b>Arrests</b>				
Offense	Year	On Campus	Non-Campus Building or Property	Public Property
Illegal Weapons Possession	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Drug Law Violations	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Liquor Law Violations	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
<b>Referrals/Disciplinary Actions</b>				
Illegal Weapons Possession	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Drug Law Violations	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Liquor Law Violations	2017	0	0	0
	2018	0	0	0
	2019	0	0	0

**Hate/Bias Incidents**

There were no hate/bias incidents reported for 2017, 2018 or 2019 for this campus.

<b>Unfounded</b>		
Unfounded	2017	0
	2018	0
	2019	0

**CRIME STATISTICS, SYRACUSE UNIVERSITY CAMPUS | MADRID, SPAIN**

Offense	Year	On Campus	Non-Campus Building or Property	Public Property
<b>Criminal Homicide</b>				
Murder and Non-negligent Manslaughter	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Negligent Manslaughter	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
<b>Sex Offenses</b>				
Rape	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Fondling	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Statutory Rape	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Incest	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
<b>VAWA Offenses</b>				
Dating Violence	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Domestic Violence	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Stalking	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
<b>Other Offenses</b>				
Robbery	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Aggravated Assault	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Burglary	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Motor Vehicle Theft	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Arson	2017	0	0	0
	2018	0	0	0
	2019	0	0	0

**CRIME STATISTICS, SYRACUSE UNIVERSITY CAMPUS | MADRID, SPAIN, continued**

<b>Arrests</b>				
Offense	Year	On Campus	Non-Campus Building or Property	Public Property
Illegal Weapons Possession	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Drug Law Violations	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Liquor Law Violations	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
<b>Referrals/Disciplinary Actions</b>				
Illegal Weapons Possession	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Drug Law Violations	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Liquor Law Violations	2017	0	0	0
	2018	0	0	0
	2019	0	0	0

**Hate/Bias Incidents**

There were no hate/bias incidents reported for 2017, 2018 or 2019 for this campus.

<b>Unfounded</b>		
Unfounded	2017	0
	2018	0
	2019	0

**CRIME STATISTICS, SYRACUSE UNIVERSITY CAMPUS | SANTIAGO, CHILE**

Offense	Year	On Campus	Non-Campus Building or Property	Public Property
<b>Criminal Homicide</b>				
Murder and Non-negligent Manslaughter	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Negligent Manslaughter	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
<b>Sex Offenses</b>				
Rape	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Fondling	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Statutory Rape	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Incest	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
<b>VAWA Offenses</b>				
Dating Violence	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Domestic Violence	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Stalking	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
<b>Other Offenses</b>				
Robbery	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Aggravated Assault	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Burglary	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Motor Vehicle Theft	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Arson	2017	0	0	0
	2018	0	0	0
	2019	0	0	0

**CRIME STATISTICS, SYRACUSE UNIVERSITY CAMPUS | SANTIAGO, CHILE, continued**

<b>Arrests</b>				
Offense	Year	On Campus	Non-Campus Building or Property	Public Property
Illegal Weapons Possession	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Drug Law Violations	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Liquor Law Violations	2017	0	0	0
	2018	0	0	0
	2019	0	0	0

<b>Referrals/Disciplinary Actions</b>				
Illegal Weapons Possession	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Drug Law Violations	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Liquor Law Violations	2017	0	0	0
	2018	0	0	0
	2019	0	0	0

<b>Hate/Bias Incidents</b>
There were no hate/bias incidents reported for 2017, 2018 or 2019 for this campus.

<b>Unfounded</b>		
Unfounded	2017	0
	2018	0
	2019	0

**CRIME STATISTICS, SYRACUSE UNIVERSITY CAMPUS | STRASBOURG, FRANCE**

Offense	Year	On Campus	Non-Campus Building or Property	Public Property
<b>Criminal Homicide</b>				
Murder and Non-negligent Manslaughter	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Negligent Manslaughter	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
<b>Sex Offenses</b>				
Rape	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Fondling	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Statutory Rape	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Incest	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
<b>VAWA Offenses</b>				
Dating Violence	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Domestic Violence	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Stalking	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
<b>Other Offenses</b>				
Robbery	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Aggravated Assault	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Burglary	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Motor Vehicle Theft	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Arson	2017	0	0	0
	2018	0	0	0
	2019	0	0	0

**CRIME STATISTICS, SYRACUSE UNIVERSITY CAMPUS | STRASBOURG, FRANCE, continued**

<b>Arrests</b>				
Offense	Year	On Campus	Non-Campus Building or Property	Public Property
Illegal Weapons Possession	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Drug Law Violations	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Liquor Law Violations	2017	0	0	0
	2018	0	0	0
	2019	0	0	0

<b>Referrals/Disciplinary Actions</b>				
Illegal Weapons Possession	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Drug Law Violations	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Liquor Law Violations	2017	0	0	0
	2018	0	0	0
	2019	0	0	0

<b>Hate/Bias Incidents</b>
There were no hate/bias incidents reported for 2017, 2018 or 2019 for this campus.

<b>Unfounded</b>		
Unfounded	2017	0
	2018	0
	2019	0

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# Fire Safety Report

## INTRODUCTION

The following is Syracuse University's calendar year 2018 Campus Fire Safety Compliance Report. The report includes fire safety statistics, student housing facilities' safety systems and fire safety policy standards and practices. It will be made available to current students and employees, and prospective students and employees by electronic notification, mailings and a website ([dps.syr.edu/fire-safety/](https://dps.syr.edu/fire-safety/)). A copy will be sent to the U.S. Department of Education (DOE).

## FIRE SAFETY

The **Fire and Life Safety Services Department (FLSS)**, which is part of **Campus Safety and Emergency Services**, is dedicated to maintaining a safe and healthy environment for the campus community. FLSS and the campus community cooperate in fulfilling this responsibility. The Syracuse University campus is serviced by the **City of Syracuse Fire Department** which is an **Insurance Services Office (ISO)** class 1 fire department.

Syracuse University's student housing facilities include 21 major residence halls and 125 South Campus apartment buildings.

## FIRE SAFETY INSPECTIONS BY NEW YORK STATE

In 2003, the **New York State Office of Fire Prevention and Control (OFPC)** began to conduct annual inspections and audits that included inspections of student rooms, common areas and mechanical spaces in the major residence halls, South Campus apartments, academic and administrative buildings, and sports venues. These inspections are based on the **New York State Fire and Property Maintenance Code** and **National Fire Protection Association (NFPA)** standards.

OFPC also conducts follow-up inspections to ensure that any violations are corrected. If compliance is not met, a monetary fine is assessed. Since the inception of the OFPC inspection program, Syracuse University has not received a fine for non-compliance in any student housing facility.

## SYSTEMS INSPECTIONS BY SYRACUSE UNIVERSITY

All Syracuse University residence halls are equipped with addressable fire alarm systems that are monitored 24/7 by DPS Emergency Communications Center.

In 1999, the University implemented a five-year, \$12 million plan to retrofit all the University-owned residence halls with sprinkler systems. The plan was completed in four years. Currently, every University-owned residence hall has sprinkler systems protecting 100 percent of the building. The residence hall student rooms are equipped with both sprinklers and smoke detectors. The sprinkler systems are inspected, tested and maintained as per New York State Fire Code and NFPA Standard 25. In addition, in accordance with NFPA Standards 13 and 25, the University has a five-year sprinkler obstruction plan. Under the direction of FLSS, the piping inside of the sprinkler systems is inspected with a camera to ensure that it is free of any debris and sediment buildup which may limit its effectiveness. Flushing of sprinkler piping is conducted as necessary.

The residence halls and South Campus apartments are equipped with fire extinguishers, and training is provided to resident directors and advisors at the beginning of every academic year. FLSS visually checks and maintains the extinguishers monthly.

Fire Safety inspections are conducted by FLSS in every residence hall at least four times per year. A report is submitted to the **Office of Student Living (OSL)** and the Facilities Services staff. FLSS performs follow-up inspections to ensure that violations are corrected.

## FIRE SAFETY POLICY

To minimize the potential for fire in student housing facilities, Syracuse University's policy prohibits unsafe behavior and storage of certain items in student housing. This policy is enforced by FLSS and OSL. Inspections are conducted each semester in student housing facilities to identify prohibited items. If prohibited items are found, students are either referred to the Office of Student Rights and Responsibilities or to OSL. Follow-up inspections ensure that the appropriate corrections were made. If candles, halogen lamps, lighter fluid, propane, hoverboards or any other prohibited materials are found in student rooms, the items are confiscated by FLSS and/or OSL staff.

## **POLICY ON PORTABLE ELECTRICAL DEVICES, SMOKING AND CANDLES**

- Smoking: Smoking is not permitted in any University residence hall or apartment.
- Cooking and Portable Electrical Devices: Except in locations provided, the students shall not use ovens, hot-plates or high-resistance heating devices (including, but not limited to, coffeemakers, toasters, toaster ovens, popcorn makers, crock pots, grills and other similar devices) for any purpose. Use of a compact microwave oven, up to 1000 watts, is permitted if it's the only appliance in use on the circuit.
- Portable Heaters and Multi-headed Lamps: Space heaters, halogen lamps and multi-headed lamps are prohibited and subject to immediate confiscation.
- Candles: Use or possession of candles or incense is prohibited. For religious observations, candles and/or incense may be used in public areas designated by staff with constant vigilance by the user. All candles discovered in a student's room/apartment will be confiscated and discarded; in the event that candles are found to be in use, students will be referred to the Office of Student Rights and Responsibilities.

## **FIRE SAFETY EDUCATION AND TRAINING**

FLSS and OSL, with the assistance of the City of Syracuse Fire Department and OFPC, conduct an annual Fire Safety Academy for professional OSL Resident Advisors (RA). The academy consists of five training modules as follows:

- 1) Emergency Evacuation Procedures. This module is demonstrated by using theater smoke to simulate the conditions that would be present during a fire. FLSS staff discuss proper emergency evacuation procedures, inform the participants what to expect and then send participants through a smoke-filled hallway. After participants navigate the smoke-filled hallway, there is a brief discussion about lessons learned that RA staff can present to student residents in their respective residence halls.
- 2) Automatic Fire Sprinkler Systems. RA staff learn how sprinkler systems operate. The staff also observes a demonstration of a sprinkler system extinguishing a fire.
- 3) Hands-on Fire Extinguisher Training. RA staff receive training on proper selection and use of fire extinguishers. The staff is then expected to extinguish a small fire using an extinguisher.
- 4) Classroom Training. FLSS and OSL teach the RA staff about the University's fire safety policies and procedures.

- 5) Mock Residence Hall Room Burn. FLSS builds two fully-furnished residence hall rooms side-by-side. One is equipped with a sprinkler head while the second is left unprotected. The mock burn provides the participants an opportunity to witness and observe how quickly a fire spreads in a non-sprinklered room and how sprinklers contain and extinguish a fire in a sprinklered room.

After receiving the training, professional RA staff is required to educate residence hall students living on its floors about what they learned during the academy. Education is accomplished through floor meetings that are required within the first two weeks after the beginning of classes. The RA staff is provided with a template to follow when conducting floor meetings. The template includes the following items:

- an overview of the fire safety systems in residence halls;
- emergency evacuation procedures; and
- emergency procedures and a list of appropriate emergency contacts.

In addition to the fire safety floor meetings, the RA staff is required to post, at least once per semester, fire safety information on the bulletin board on each floor. The information posted includes emergency and evacuation procedures, prohibited items, emergency contact information and fire safety policies.

## **FIRE INCIDENT REPORTING**

All fire incidents are reported to FLSS or DPS. Information regarding each incident, along with a list of names, titles, email addresses and phone numbers, are added to this report and filed into the FLSS fire log within two business days after receipt. The fire log is available online at [dps.syr.edu/fire-safety/student-housing-fire-log/](https://dps.syr.edu/fire-safety/student-housing-fire-log/) and at the Syracuse University FLSS office during normal University business hours.

## **IMPROVEMENT PLANS FOR FIRE SAFETY SYSTEMS**

A major upgrade to all the fire alarm systems in the residence halls is currently underway. Historically, smoke detectors in residence halls have been single station detectors that are not tied to the main fire alarm panel. Per New York State Fire Code 907.2.9.1, the upgrade will connect each of the individual student room detectors to the main fire alarm panel. Currently 12 residence halls have been completed. The plan is to have all student room smoke detectors phased in over a five-year period. The following is a current status update on the project:

- Upgrades completed in Dellplain Hall, Booth Hall, Ernie Davis Hall, Lawrinson Hall, Flint Hall, Day Hall, Haven Hall, Lyons Hall, Sadler Hall, Shaw Hall, Washington Arms and Walnut Hall.
- There are no upgrades scheduled in 2020.
- Watson Hall is the next residence hall to be upgraded. A date has not been determined.
- There is also a plan to install enhanced evacuation signage in each dwelling unit.
- In conjunction with the Office of Disabilities Resources, FLSS staff updated the written evacuation procedures to enhance response for persons with disabilities. In addition, an accessible electronic document was created so the evacuation procedures could be easily accessed on the FLSS webpage by persons with disabilities.

## SYRACUSE UNIVERSITY EMERGENCY EVACUATION PROCEDURES

- Become familiar with the building. Know the location of emergency exits.
- To report any emergency situation, contact the Department of Public Safety (DPS) at 711 or with the LiveSafe mobile app.
- In the event an evacuation is necessary, you will be directed by FLSS, DPS, the fire department, or building coordinators to evacuate.
- Remain calm. Try to keep others calm.
- Exit the building using stairwells. Never use the elevators. Close and secure all doors behind you.
- Proceed to the designated meeting area(s). Keep quiet and listen for directions from FLSS, DPS or the fire department.
- Notify the first responding agency of trapped or injured persons or persons with disabilities and their locations.
- Never re-enter the building unless directed to do so by FLSS, DPS, or the fire department.

## FIRE AND SMOKE EVACUATION PROCEDURES

If a fire alarm sounds, take it seriously. If you notice a fire or smell smoke:

- DO NOT fight the fire. Remain calm.
- Contact DPS at 711 or with the LiveSafe mobile app. Give your name. Give the name of the building. Give your location and type of problem.
- Pull the fire alarm box located next to any stairwell.
- Exit the building using stairwells. Never use the elevators. Close and secure all doors behind you.
- Proceed to the designated meeting area(s). Keep quiet and listen for directions from FLSS, DPS, or the fire department.
- Notify the first responding agency of trapped or injured persons or persons with disabilities and their location(s).

- Never re-enter the building unless directed to do so by FLSS, DPS, or the fire department.
- If you see a fire, pull the alarm and exit the building using the NEAREST exit, not the one you are most comfortable with.
- Know where all stairwells and exits lead to.
- DO NOT attempt to extinguish the fire yourself.
- If you hear an alarm, exit the building. Failure to leave results in referral to the Office of Student Rights and Responsibilities.
- Check the top of your door for heat. DO NOT open if hot to the touch.
- Have information about the emergency? Report it to DPS or FLSS.

During an extended evacuation, you may be instructed by emergency personnel to report to a designated short-term emergency evacuation center (i.e., Hendricks Chapel, Schine Student Center, Goldstein Student Center, Manley Field House or Skybarn). Members of the Critical Incident Response Committee, Safety Officers, Public Safety Officers or a building coordinator will arrive at the center to act as communications liaisons.

## EVACUATION PROCEDURES FOR PERSONS WITH DISABILITIES

Syracuse University recognizes that, due to the differences in campus buildings, the limitations presented by various types of disabilities, and the range of possible circumstances that could be presented by different types of disasters, persons with disabilities will make individual decisions based upon the circumstances presented. Students who are registered with the Center for Disability Resources who anticipate that they may have difficulty in evacuating any campus building should request that the Center for Disability Resources share their name and SU I.D. number with the registrar, who will compile the schedules and room locations and share this information with DPS, FLSS etc.

In advance of evacuation:

- Anyone affiliated with the university (student, staff, faculty) who anticipate that they may have difficulty and require assistance evacuating any campus building should contact the ADA Coordinator (315.443.6162 or [ada@syr.edu](mailto:ada@syr.edu)) to set up this assistance.
- Students with disabilities living in residence halls should also notify the residence hall directors of their potential needs in the event an evacuation is necessary.
- If circumstances require evacuation from a campus building, persons with disabilities are to evacuate the building by the safest and nearest exit and follow the general procedures for emergency evacuation.

During evacuation:

- If persons with disabilities are unable to evacuate without assistance, they should contact or have someone (e.g., co-worker, professor, friend) contact DPS and identify an impairment that would impact exiting the building by stairway, the type of assistance needed, give their exact location (building and room number), and ask if it's a drill or an emergency. DPS will advise if they should stay in their location or if DPS will come to assist them to evacuate.
- When DPS is aware that a person's impairment prevents oral communication or mobility, DPS will always check the person's anticipated locations during an evacuation.
- If possible, persons with disabilities should provide a person going for help with any information that may be required in the evacuation process (e.g., they use a mobility device, have a service animal, need to bring their assistive technology, etc.).
- DPS and emergency responders will always thoroughly search a building in the event of an evacuation, regardless of whether they are aware of the presence of a person with an impairment or who otherwise needs assistance.
- In the event a fire alarm sounds, the first responding agency (FLSS, DPS or the fire department) will search out persons with disabilities reported to be in the building and assist them in evacuating the building.

### EMERGENCY EVACUATION DRILLS

Per New York State Fire Code 405.2, Syracuse University is required to conduct four emergency evacuation drills in the residence halls per year. FLSS conducts two evacuation drills each academic semester. They are done in October and November in the fall semester and February and March in the spring semester. Per code, the drills are conducted at unexpected times and under varying conditions.

## 2019 RESIDENCE HALL FIRE ALARMS

### Causes

1. **Cooking:** A fire alarm activation caused by a smoke condition from cooking. This includes food burnt in a microwave, such as popcorn.
2. **Accidental:** A fire alarm activation caused by a student or employee by accident. A few examples would be the use of aerosols, cleaning materials, curling irons or hair spray.
3. **Steam:** A fire alarm activation caused by a steam condition from a shower or steam from the mechanical room.
4. **Dust/Insects:** A fire alarm activation caused by an accumulation of dust or the presence of bugs in a detector.
5. **Sprinklers:** A fire alarm activation caused by a component of the automatic fire alarm system. Examples would be a broken sprinkler head, air leaks or a surge in the system.
6. **Malicious:** A fire alarm activation caused by a malicious act to a fire safety protection device such as activating a pull box or tampering with a life safety device.
7. **Electrical:** A fire alarm activation caused by an electrical malfunction.
8. **Contractors:** A fire alarm activation caused by an outside contractor performing maintenance, construction or renovations in a residence hall.
9. **Smoking:** A fire alarm activation caused by any type of recreational smoking.
10. **Unknown Cause:** A fire alarm activation that cannot be determined or was unfounded.
11. **Fire:** A fire alarm activation caused by a fire in the building.

### 2019 Fire Alarm Breakdown:

1. Cooking .....	52
2. Accidental .....	14
3. Steam .....	2
4. Dust/Insects.....	4
5. Sprinklers .....	2
6. Malicious .....	11
7. Electrical.....	1
8. Fire .....	0
9. Smoking.....	6
10. Contractors.....	11
11. Unknown Cause .....	24
<b>Total .....</b>	<b>127</b>

**SYRACUSE UNIVERSITY RESIDENCE HALL FIRE SAFETY INVENTORY**

Syracuse University Residence Halls	Proprietary Fire Alarm Systems	Full Sprinkler System	Smoke Detection	Fire Extinguishers	Evacuation Plans Posted	Number of Evacuation (Fire) Drills Each Academic Year
X = INCLUDED						
Boland Hall, 403 Van Buren St.	X	X	X	X	X	4
Booth Hall, 505 Comstock Ave.	X	X	X	X	X	4
Brewster Hall, 401 Van Buren St.	X	X	X	X	X	4
Brockway Hall, 405 Van Buren St.	X	X	X	X	X	4
Day Hall, 300 Mount Olympus Dr.	X	X	X	X	X	4
Dellplain Hall, 601 Comstock Ave.	X	X	X	X	X	4
Ernie Davis Hall, 619 Comstock Ave.	X	X	X	X	X	4
Flint Hall, 100 Mount Olympus Dr.	X	X	X	X	X	4
Haven Hall, 400 Comstock Ave.	X	X	X	X	X	4
Kimmel Hall, 311 Waverly Ave.	X	X	X	X	X	4
Lawrinson Hall, 303 Stadium Pl.	X	X	X	X	X	4
Lyons Hall, 401 Euclid Ave.	X	X	X	X	X	4
Marion Hall, 305 Waverly Ave.	X	X	X	X	X	4
Sadler Hall, 1000 Irving Ave.	X	X	X	X	X	4
Shaw Hall, 201 Euclid Ave.	X	X	X	X	X	4
Skyhall 1, 410 Lambreth Ln.	X	X	X	X	X	4
Skyhall 2, 420 Lambreth Ln.	X	X	X	X	X	4
Skyhall 3, 430 Lambreth Ln.	X	X	X	X	X	4
Watson Hall, 405 University Pl.	X	X	X	X	X	4
Walnut Hall, 809 Walnut Ave.	X	X	X	X	X	4
Washington Arms, 619 Walnut Ave.	X	X	X	X	X	4

## PRIVATELY OWNED STUDENT HOUSING FACILITIES FIRE SAFETY INVENTORY

Privately Owned Student Housing Facilities Inventory	Proprietary Fire Alarm Systems	Full Sprinkler System	Smoke Detection	Fire Extinguishers	Evacuation Plans Posted	Number of Evacuation (Fire) Drills Each Academic Year
X = INCLUDED						
Sheraton Syracuse University Hotel 801 University Ave.	X	X	X	X	X	4
Park Point Syracuse, 417 Comstock Ave.	X	X	X	X	X	3
University Village, 315 Small Rd.	X	X	X	X	X	0
Campus West Apartments, 150 Henry St.	X	X	X	X	X	0

## HOUSING FACILITIES OWNED BUT NOT OPERATED OR MAINTAINED BY SYRACUSE UNIVERSITY, FIRE SAFETY INVENTORY

Housing Facilities Owned but Not Operated or Maintained by Syracuse University	Proprietary Fire Alarm Systems	Full Sprinkler System	Smoke Detection	Fire Extinguishers	Evacuation Plans Posted	Number of Evacuation (Fire) Drills Each Academic Year
X = INCLUDED    NR* = Not required per New York State Fire Code						
718 Ostrom Ave.			X	X	X	NR*
726 Ostrom Ave.			X	X	X	NR*
736 Ostrom Ave.			X	X	X	NR*
740 Ostrom Ave.			X	X	X	NR*
206 Walnut Ave.	X	X	X	X	X	NR*

## SOUTH CAMPUS HOUSING FIRE SAFETY INVENTORY

Syracuse University South Campus Apartments	Proprietary Fire Alarm Systems	Full Sprinkler System	Smoke Detection	Fire Extinguishers	Evacuation Plans Posted	Number of Evacuation (Fire) Drills Each Academic Year
X = INCLUDED, NR* = Not required per New York State Fire Code						
201 Chinook Dr.			X	X	X	NR*
211 Chinook Dr.			X	X	X	NR*
221 Chinook Dr.			X	X	X	NR*
231 Chinook Dr.			X	X	X	NR*
301 Chinook Dr.			X	X	X	NR*
311 Chinook Dr.			X	X	X	NR*
320 Chinook Dr.			X	X	X	NR*
321 Chinook Dr.			X	X	X	NR*
330 Chinook Dr.			X	X	X	NR*
331 Chinook Dr.			X	X	X	NR*
401 Chinook Dr.			X	X	X	NR*
410 Chinook Dr.			X	X	X	NR*
411 Chinook Dr.			X	X	X	NR*
420 Chinook Dr.			X	X	X	NR*
421 Chinook Dr.			X	X	X	NR*
430 Chinook Dr.			X	X	X	NR*
431 Chinook Dr.			X	X	X	NR*
441 Chinook Dr.			X	X	X	NR*
100 Farm Acre Rd.			X	X	X	NR*
101 Farm Acre Rd.			X	X	X	NR*
111 Farm Acre Rd.			X	X	X	NR*
120 Farm Acre Rd.			X	X	X	NR*
121 Farm Acre Rd.			X	X	X	NR*
131 Farm Acre Rd.			X	X	X	NR*
141 Farm Acre Rd.			X	X	X	NR*
171 Farm Acre Rd.			X	X	X	NR*
181 Farm Acre Rd.			X	X	X	NR*
191 Farm Acre Rd.			X	X	X	NR*
100 Lambreth Ln.			X	X	X	NR*
101 Lambreth Ln.			X	X	X	NR*
110 Lambreth Ln.			X	X	X	NR*
111 Lambreth Ln.			X	X	X	NR*
120 Lambreth Ln.			X	X	X	NR*
130 Lambreth Ln.			X	X	X	NR*
140 Lambreth Ln.			X	X	X	NR*
150 Lambreth Ln.			X	X	X	NR*
200 Lambreth Ln.			X	X	X	NR*
201 Lambreth Ln.			X	X	X	NR*

**SOUTH CAMPUS HOUSING FIRE SAFETY INVENTORY, continued**

Syracuse University South Campus Apartments	Proprietary Fire Alarm Systems	Full Sprinkler System	Smoke Detection	Fire Extinguishers	Evacuation Plans Posted	Number of Evacuation (Fire) Drills Each Academic Year
X = INCLUDED, NR* = Not required per New York State Fire Code						
210 Lambreth Ln.			X	X	X	NR*
211 Lambreth Ln.			X	X	X	NR*
221 Lambreth Ln.			X	X	X	NR*
231 Lambreth Ln.			X	X	X	NR*
100 Slocum Heights			X	X	X	NR*
101 Slocum Heights			X	X	X	NR*
110 Slocum Heights			X	X	X	NR*
120 Slocum Heights			X	X	X	NR*
130 Slocum Heights			X	X	X	NR*
131 Slocum Heights			X	X	X	NR*
200 Slocum Heights			X	X	X	NR*
201 Slocum Heights			X	X	X	NR*
211 Slocum Heights			X	X	X	NR*
221 Slocum Heights			X	X	X	NR*
231 Slocum Heights			X	X	X	NR*
241 Slocum Heights			X	X	X	NR*
301 Slocum Heights			X	X	X	NR*
311 Slocum Heights			X	X	X	NR*
321 Slocum Heights			X	X	X	NR*
331 Slocum Heights			X	X	X	NR*
341 Slocum Heights			X	X	X	NR*
351 Slocum Heights			X	X	X	NR*
361 Slocum Heights			X	X	X	NR*
371 Slocum Heights			X	X	X	NR*
410 Slocum Heights			X	X	X	NR*
420 Slocum Heights			X	X	X	NR*
430 Slocum Heights			X	X	X	NR*
440 Slocum Heights			X	X	X	NR*
450 Slocum Heights			X	X	X	NR*
460 Slocum Heights			X	X	X	NR*
500 Slocum Heights			X	X	X	NR*
510 Slocum Heights			X	X	X	NR*
520 Slocum Heights			X	X	X	NR*
530 Slocum Heights			X	X	X	NR*
540 Slocum Heights			X	X	X	NR*
550 Slocum Heights			X	X	X	NR*
560 Slocum Heights			X	X	X	NR*
570 Slocum Heights			X	X	X	NR*
580 Slocum Heights			X	X	X	NR*

**SOUTH CAMPUS HOUSING FIRE SAFETY INVENTORY, continued**

Syracuse University South Campus Apartments	Proprietary Fire Alarm Systems	Full Sprinkler System	Smoke Detection	Fire Extinguishers	Evacuation Plans Posted	Number of Evacuation (Fire) Drills Each Academic Year
X = INCLUDED, NR* = Not required per New York State Fire Code						
111 Small Rd.			X	X	X	NR*
121 Small Rd.			X	X	X	NR*
131 Small Rd.			X	X	X	NR*
140 Small Rd.			X	X	X	NR*
145 Small Rd.			X	X	X	NR*
150 Small Rd.			X	X	X	NR*
155 Small Rd.			X	X	X	NR*
160 Small Rd.			X	X	X	NR*
165 Small Rd.			X	X	X	NR*
170 Small Rd.			X	X	X	NR*
175 Small Rd.			X	X	X	NR*
180 Small Rd.			X	X	X	NR*
200 Small Rd.			X	X	X	NR*
210 Small Rd.			X	X	X	NR*
220 Small Rd.			X	X	X	NR*
230 Small Rd.			X	X	X	NR*
240 Small Rd.			X	X	X	NR*
250 Small Rd.			X	X	X	NR*
260 Small Rd.			X	X	X	NR*
300 Small Rd.			X	X	X	NR*
310 Small Rd.			X	X	X	NR*
100 Winding Ridge			X	X	X	NR*
120 Winding Ridge			X	X	X	NR*
121 Winding Ridge			X	X	X	NR*
130 Winding Ridge			X	X	X	NR*
131 Winding Ridge			X	X	X	NR*
140 Winding Ridge			X	X	X	NR*
141 Winding Ridge			X	X	X	NR*
151 Winding Ridge			X	X	X	NR*
201 Winding Ridge			X	X	X	NR*
210 Winding Ridge			X	X	X	NR*
211 Winding Ridge			X	X	X	NR*
220 Winding Ridge			X	X	X	NR*
231 Winding Ridge			X	X	X	NR*
241 Winding Ridge			X	X	X	NR*
251 Winding Ridge			X	X	X	NR*
301 Winding Ridge			X	X	X	NR*
311 Winding Ridge			X	X	X	NR*

**SOUTH CAMPUS HOUSING FIRE SAFETY INVENTORY, continued**

Syracuse University South Campus Apartments	Proprietary Fire Alarm Systems	Full Sprinkler System	Smoke Detection	Fire Extinguishers	Evacuation Plans Posted	Number of Evacuation (Fire) Drills Each Academic Year
X = INCLUDED, NR* = Not required per New York State Fire Code						
320 Winding Ridge			X	X	X	NR*
321 Winding Ridge			X	X	X	NR*
341 Winding Ridge			X	X	X	NR*
351 Winding Ridge			X	X	X	NR*
400 Winding Ridge			X	X	X	NR*
410 Winding Ridge			X	X	X	NR*
440 Winding Ridge			X	X	X	NR*
460 Winding Ridge			X	X	X	NR*
461 Winding Ridge			X	X	X	NR*
480 Winding Ridge			X	X	X	NR*

**SYRACUSE UNIVERSITY FIRE STATISTICS OVERVIEW, 2017-2019**

	# of Deaths	# of Injuries	# of Fires
2017 Fire Statistics	0	0	3
2018 Fire Statistics	0	0	6
2019 Fire Statistics	0	0	1

**SYRACUSE UNIVERSITY FIRE STATISTICS, RESIDENCE HALLS, 2017-2019**

Syracuse University Residence Halls	Total Fires in Each Building	Date	Time	Cause of Fire	Number of Injuries That Required Treatment at a Medical Facility	Number of Deaths Related to Fire	Value of Property Damage Caused by Fire
Boland Hall 403 Van Buren St.	0				0	0	
Booth Hall 505 Comstock Ave.	0				0	0	
Brewster Hall 401 Van Buren St.	0				0	0	
Brockway Hall 405 Van Buren St.	0				0	0	
Day Hall - 300 Mount Olympus Dr.	1	8/2/19	8:07 a.m.	Accidental-flammable cleaning spray ignited	0	0	\$0-\$99
Dellplain Hall 601 Comstock Ave.	0				0	0	
Ernie Davis Hall 619 Comstock Ave.	0				0	0	
Flint Hall - 100 Mount Olympus Dr.	0				0	0	
Haven Hall 400 Comstock Ave.	0				0	0	
Kimmel Hall 311 Waverly Ave.	0				0	0	
Lawrinson Hall 303 Stadium Pl.	0				0	0	
Lyons Hall - 401 Euclid Ave.	0				0	0	
Marion Hall - 305 Waverly Ave.	0				0	0	
Sadler Hall - 1000 Irving Ave.	1	12/9/18	6:20 p.m.	Appliance fire	0	0	\$100-\$999
Shaw Hall - 201 Euclid Ave.	1	5/7/17	3:50 a.m.	Malicious	0	0	\$0-\$99
Skyhall 1 - 410 Lambreth Ln.	0				0	0	
Skyhall 2 - 420 Lambreth Ln.	0				0	0	
Skyhall 3 - 430 Lambreth Ln.	0				0	0	
Watson Hall - 405 University Pl.	1	3/25/18	6:31 p.m.	Improperly disposed cigarette	0	0	\$0-\$99
Walnut Hall 809 Walnut Ave.	0				0	0	
Washington Arms 619 Walnut Ave.	0				0	0	

**SYRACUSE UNIVERSITY FIRE STATISTICS, SOUTH CAMPUS, 2017-2019**

Syracuse University South Campus Apartments	Total Fires in Each Building	Date	Time	Cause of Fire	Number of Injuries That Required Treatment at a Medical Facility	Number of Deaths Related to Fire	Value of Property Damage Caused by Fire
201 Chinook Dr.	0				0	0	
211 Chinook Dr.	0				0	0	
221 Chinook Dr.	0				0	0	
231 Chinook Dr.	0				0	0	
301 Chinook Dr.	0				0	0	
311 Chinook Dr.	0				0	0	
320 Chinook Dr.	0				0	0	
321 Chinook Dr.	0				0	0	
330 Chinook Dr.	0				0	0	
331 Chinook Dr.	0				0	0	
401 Chinook Dr.	0				0	0	
410 Chinook Dr.	0				0	0	
411 Chinook Dr.	0				0	0	
420 Chinook Dr.	0				0	0	
421 Chinook Dr.	0				0	0	
430 Chinook Dr.	0				0	0	
431 Chinook Dr.	0				0	0	
441 Chinook Dr.	0				0	0	
100 Farm Acre Rd.	0				0	0	
101 Farm Acre Rd.	1	10/1/17	2:53 p.m.	Cooking	0	0	\$0-\$99
111 Farm Acre Rd.	0				0	0	
120 Farm Acre Rd.	0				0	0	
121 Farm Acre Rd.	0				0	0	
131 Farm Acre Rd.	0				0	0	
141 Farm Acre Rd.	0				0	0	
171 Farm Acre Rd.	0				0	0	
181 Farm Acre Rd.	0				0	0	
191 Farm Acre Rd.	0				0	0	
100 Lambreth Ln.	0				0	0	
101 Lambreth Ln.	0				0	0	
110 Lambreth Ln.	0				0	0	
111 Lambreth Ln.	0				0	0	
120 Lambreth Ln.	0				0	0	
130 Lambreth Ln.	0				0	0	

**SYRACUSE UNIVERSITY FIRE STATISTICS, SOUTH CAMPUS, 2017-2019, continued**

Syracuse University South Campus Apartments	Total Fires in Each Building	Date	Time	Cause of Fire	Number of Injuries That Required Treatment at a Medical Facility	Number of Deaths Related to Fire	Value of Property Damage Caused by Fire
140 Lambreth Ln.	0				0	0	
150 Lambreth Ln.	0				0	0	
200 Lambreth Ln.	0				0	0	
201 Lambreth Ln.	0				0	0	
210 Lambreth Ln.	0				0	0	
211 Lambreth Ln.	0				0	0	
221 Lambreth Ln.	0				0	0	
231 Lambreth Ln.	0				0	0	
100 Slocum Heights	0				0	0	
101 Slocum Heights	0				0	0	
110 Slocum Heights	0				0	0	
120 Slocum Heights	0				0	0	
130 Slocum Heights	0				0	0	
131 Slocum Heights	0				0	0	
200 Slocum Heights	0				0	0	
201 Slocum Heights	0				0	0	
211 Slocum Heights	0				0	0	
221 Slocum Heights	0				0	0	
231 Slocum Heights	0				0	0	
241 Slocum Heights	0				0	0	
301 Slocum Heights	0				0	0	
311 Slocum Heights	0				0	0	
321 Slocum Heights	0				0	0	
331 Slocum Heights	0				0	0	
341 Slocum Heights	0				0	0	
351 Slocum Heights	0				0	0	
361 Slocum Heights	0				0	0	
371 Slocum Heights	0				0	0	
410 Slocum Heights	0				0	0	
420 Slocum Heights	0				0	0	
430 Slocum Heights	0				0	0	
440 Slocum Heights	0				0	0	
450 Slocum Heights	0				0	0	
460 Slocum Heights	0				0	0	
500 Slocum Heights	0				0	0	
510 Slocum Heights	0				0	0	

**SYRACUSE UNIVERSITY FIRE STATISTICS, SOUTH CAMPUS, 2017-2019, continued**

Syracuse University South Campus Apartments	Total Fires in Each Building	Date	Time	Cause of Fire	Number of Injuries That Required Treatment at a Medical Facility	Number of Deaths Related to Fire	Value of Property Damage Caused by Fire
520 Slocum Heights	0				0	0	
530 Slocum Heights	0				0	0	
540 Slocum Heights	0				0	0	
550 Slocum Heights	0				0	0	
560 Slocum Heights	0				0	0	
570 Slocum Heights	1	3/27/18	9:20 p.m.	Electrical	0	0	\$0-\$99
580 Slocum Heights	0				0	0	
111 Small Rd.	0				0	0	
121 Small Rd.	0				0	0	
131 Small Rd.	0				0	0	
140 Small Rd.	0				0	0	
145 Small Rd.	0				0	0	
150 Small Rd.	0				0	0	
155 Small Rd.	1	2/24/18	12:25 a.m.	Cooking/grease fire	0	0	\$0-\$99
160 Small Rd.	0				0	0	
165 Small Rd.	0				0	0	
170 Small Rd.	0				0	0	
175 Small Rd.	0				0	0	
180 Small Rd.	0				0	0	
200 Small Rd.	0				0	0	
210 Small Rd.	0				0	0	
220 Small Rd.	0				0	0	
230 Small Rd.	0				0	0	
240 Small Rd.	0				0	0	
250 Small Rd.	0				0	0	
260 Small Rd.	0				0	0	
300 Small Rd.	0				0	0	
310 Small Rd.	0				0	0	
100 Winding Ridge	0				0	0	
120 Winding Ridge	0				0	0	
121 Winding Ridge	0				0	0	
130 Winding Ridge	0				0	0	
131 Winding Ridge	0				0	0	
140 Winding Ridge	0				0	0	
141 Winding Ridge	0				0	0	
151 Winding Ridge	0				0	0	
201 Winding Ridge	0				0	0	

**SYRACUSE UNIVERSITY FIRE STATISTICS, SOUTH CAMPUS, 2017-2019, continued**

Syracuse University South Campus Apartments	Total Fires in Each Building	Date	Time	Cause of Fire	Number of Injuries That Required Treatment at a Medical Facility	Number of Deaths Related to Fire	Value of Property Damage Caused by Fire
210 Winding Ridge	0				0	0	
211 Winding Ridge	0				0	0	
220 Winding Ridge	0				0	0	
231 Winding Ridge	0				0	0	
241 Winding Ridge	0				0	0	
251 Winding Ridge	0				0	0	
301 Winding Ridge	0				0	0	
311 Winding Ridge	0				0	0	
320 Winding Ridge	0				0	0	
321 Winding Ridge	0				0	0	
341 Winding Ridge	0				0	0	
351 Winding Ridge	0				0	0	
400 Winding Ridge	0				0	0	
410 Winding Ridge	0				0	0	
440 Winding Ridge	0				0	0	
460 Winding Ridge	0				0	0	
461 Winding Ridge	0				0	0	
480 Winding Ridge	0				0	0	

### FIRE STATISTICS, HOUSING FACILITIES OWNED BUT NOT OPERATED BY UNIVERSITY, 2017-2019

Housing Facilities Owned but Not Operated or Maintained by Syracuse University	Total Fires in Each Building	Date	Time	Cause of Fire	Number of Injuries That Required Treatment at a Medical Facility	Number of Deaths Related to Fire	Value of Property Damage Caused by Fire
718 Ostrom Ave.	0				0	0	
726 Ostrom Ave.	0				0	0	
736 Ostrom Ave.	0				0	0	
740 Ostrom Ave.	0				0	0	
206 Walnut Ave.	1	9/28/17	6:40 pm	Improperly disposed cigarette	0	0	\$0-\$99

### FIRE STATISTICS, PRIVATELY OWNED STUDENT HOUSING FACILITIES, 2017-2019

Privately Owned Student Housing Facilities	Total Fires in Each Building	Date	Time	Cause of Fire	Number of Injuries That Required Treatment at a Medical Facility	Number of Deaths Related to Fire	Value of Property Damage Caused by Fire
Sheraton Syracuse University Hotel 801 University Ave.	0				0	0	
Park Point Syracuse - 417 Comstock Ave.	0				0	0	
University Village 315 Small Rd.	1	11/28/18	6:29 p.m.	Malicious	0	0	\$100-\$999
Campus West Apartments 150 Henry St.	1	1/25/18	12:00 p.m.	Malicious	0	0	\$100-\$999

