

2023

Annual Security and Fire Safety Report



Stony Brook University



Stony Brook
University

Enterprise Risk Management

Enterprise Risk Management plays a key role in the management of Stony Brook University's entire risk portfolio. We partner with many other campus units to achieve a coordinated, cohesive and enterprise-wide approach to managing all campus risks. Stony Brook has embraced enterprise risk management as an integral strategic business process; solidifying risk, compliance, and enterprise security as pillars of the organization to further our missions.

Stony Brook University Police Department

Pursuant to New York State Education Law, the Stony Brook University Police Department is a full service police department, certified by the State of New York and comprised of members recognized as Police Officers by the New York State Department of Criminal Justice Services (DCJS). The Stony Brook University Police Department (UPD) is a DCJS accredited agency. Officers respond to emergencies 24 hours a day, seven days a week.

Consistent with this authority, the University Police Department is the primary law enforcement agency for the Stony Brook and Southampton campuses. Police Officers have the authority to detain and arrest anyone involved in illegal acts on either University campus, as well as adjacent locations. In addition to the patrol division, there is a detective division, a community relations team, 911 operators (dispatchers), and security service assistants who provide supplemental safety services to the University community.

University Police work closely with local, state, and federal law enforcement agencies and have direct radio communication with the Suffolk County Police Department, Southampton Town Police and the Suffolk County Sheriff's Department. The University Police Department has a team

of investigators responsible for conducting criminal investigations of crimes occurring on the Stony Brook main and Southampton campuses. When there are incidents that require additional investigative resources, which necessitate a criminal investigation, the Stony Brook University Police will coordinate with the appropriate outside law enforcement agency.

The SUNY Korea campus falls under the jurisdiction of the Incheon Yeon-Su Police Station. Visit the [SUNY Korea](#) website for additional information.

The Stony Brook Manhattan programs locations fall under the jurisdiction of the New York City Police Department and incidents occurring at those sites will require their response. The University Police Department may assist the New York City Police Department in both response and criminal investigation. For more information on the University Police Department please visit: www.stonybrook.edu/police.

Emergency Notification/Timely Warnings

The University is committed to ensuring the safety and well-being of its students, faculty, staff, and visitors to the campus. In the event of a significant emergency or dangerous situation involving the immediate threat to the health or safety of persons on campus, the University will immediately notify the community using the SB Alert system in order to provide relevant details, unless notification would otherwise compromise the effort to assist victims or to contain, respond to, or otherwise mitigate the emergency. SB Alert is a comprehensive notification system that utilizes multiple communication modes, which include: text messaging, voice messaging, e-mail, an outdoor campus siren, LCD panels, desktop or laptop computers registered to receive notifications through "Alertus" desktop alerts, and the University website, as well as social media sites (Facebook and Twitter). In addition, the SB Alert

system is further supplemented by in-building, voice capable fire alarm systems in all campus residential buildings, key academic and administrative buildings, and the University Hospital.

The University's public safety officials will coordinate the response of emergency responders and the evacuation of the campus community in the event of an emergency. These officials will also test the emergency response and evacuation procedures each semester and publicize the emergency response and evacuation procedures throughout the community. For more information regarding general evacuation procedures visit: <http://www.stonybrook.edu/commcms/emergency/procedures/evacuation.html>

An important part of the emergency notification system is providing the Stony Brook community with timely warnings about crimes that pose an immediate, ongoing, or continuing threat to persons or property. Upon receiving information regarding a potential threat, the University Police Department/Office of Emergency Management will determine whether a timely warning should be issued. The warning may be posted on the University Police and/or Emergency Management website(s). The information may also be distributed to all students, faculty, and staff through university e-mail, text messaging, voice messaging and/or social media sites.

For more information on Critical Incident Management/Emergency Communications visit: <http://www.stonybrook.edu/commcms/emergency/planning/critical.html>



Crime Reporting Options

The University Police Department is the primary law enforcement authority on the Stony Brook main and Southampton campuses. Pursuant to that authority, UPD officers will respond to all reports of criminal or suspicious behavior and will

conduct a preliminary investigation. All reports of criminal and suspicious activity are appropriately reviewed by University Police executives and investigators. All campus community members are strongly encouraged to report suspicious or criminal activity to the University Police Department in a timely manner. To report a crime, you may contact University Police by dialing 911 or 333 from any University telephone, or by dialing (631) 632-3333 from any other telephone. University Police headquarters is located in Dutchess Hall on the Stony Brook main campus, and in East Cottage on the Southampton campus. Individuals wanting to report a crime at SUNY Korea can do so by dialing 1-1-2 for police and 1-1-9 for fire and medical emergencies.



Members of the University community may also report criminal incidents to the following Campus Security Authorities:

Campus Security Authorities	
Athletics	632-7205
Campus Residences	632-6750
Student Conduct and Community Standards	632-6705
Campus Advocate (Ombuds)	632-9200
Director of Academic & Student Affairs for SUNY Korea	82-32-626-1200
Assistant VP for OEA and Title IX & ADA Coordinator (Office of Equity and Access)	632-6280
Student Accessibility Support Center	632-6748
Dean of SOMAS	632-8700
Dean of Students	632-7320
Dental School	632-8989
East Campus Human Resources	444-4700
Eastern Long Island Hospital	477-1000
Emergency Management	632-3046
Enterprise Risk Management	632-9500
Graduate School	632-4723
Health Sciences Dean's Office	444-2254
LISVH	444-8606
Main Campus & Southampton Human Resources	632-6200
MFA Program at Southampton	632-5030
Office of Global Affairs	632-7030
Provost Office	632-7000
Stony Brook Southampton	632-5030
Stony Brook Southampton Hospital	726-8200
Stony Brook Manhattan	(646) 472-2025
School of Social Welfare	444-3141
School of Medicine	444-2121
School of Nursing	444-3200
School of Health Professions	444-2254
Turkana Basin Institute	632-5800
VP for Health Systems	444-2701

In the 2016-2022 agreement between the State of New York and University United Professions (UUP), "All Bargaining Unit Members serving in academic rank or qualified academic rank, and all professional employees working in academic advisement, career services, continuing education, financial aid, instructional support, athletics, residential life, or student activities/affairs shall report instances where the Bargaining Unit Member witnesses, or an undergraduate and/or graduate student discloses to the Bargaining Unit Member, a crime 80 covered under the Clery Act, 20 U.S.C. §1092(f) and/or discloses sexual or

interpersonal violence or harassment on the basis of sex or gender as prohibited by Title IX of the Education Amendments of 1972. Bargaining Unit Members who witness or receive a report of such an incident must, as soon as practicable, notify University Police, Student Affairs, and/or the Title IX Office and follow campus policy in cooperation with the investigation." However, Bargaining Unit Members are not responsible for this function until the university provides appropriate training. The training was recently provided to the impacted members of the bargaining unit.

Additionally, all University counselors inform the persons they are counseling that they may report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics.

Confidential Crime Stoppers

Victims and witnesses may report a crime on a voluntary and confidential basis by calling Stony Brook Crime Stoppers at 2TIPS from any campus telephone, or 1800-220-TIPS from any cellular phone or telephone outside the University phone system. Without compromising victim or witness confidentiality, these reports may be used to alert the campus to the fact that an incident has occurred, and may assist University Police in detecting patterns and preventing future incidents. Statistics for reportable crimes that are confidentially reported to Stony Brook Crime Stoppers are disclosed in this annual security report.

Facility Safety and Access

Access to University facilities is controlled through the use of locks, proximity access cards, and pin pad entry systems. Access authority for many administrative and academic buildings is consistent with posted building hours. Access to residence halls is maintained 24 hours a day, seven days a week, through the use of proximity access cards.

Members of university administration, university police, campus residences, fire

safety, and maintenance, meet as necessary, to address security concerns relating to the physical layout of campus facilities, lighting, locks, landscaping, alarms and communications. Conditions identified as problematic are reviewed in greater detail by campus staff responsible for the site in question.

To report non-emergency facilities concerns, submit work requests for maintenance, repairs and pest control to FIX IT at:
<http://www.stonybrook.edu/fixit/>.

Security Awareness Programs

The Stony Brook University Police, in cooperation with other university organizations and departments, present crime prevention awareness sessions about sexual assault (rape and acquaintance rape), theft and vandalism, as well as educational sessions on personal safety and residence hall security. A common theme of these prevention programs is to encourage students and employees to understand and take personal responsibility for their own security and the security of others.

In addition to seminars, information is disseminated to students and employees by the University Police Department, Office of Student Affairs and Office of Communications through crime prevention awareness packets, security alert posters, displays, videos, e-mails, articles, and advertisements in University publications and student newspapers.

The University Police Department's Community Relations Team is focused on educating the campus community about personal safety, risk reduction programs, crime prevention, drug and alcohol issues, bystander intervention programs, active shooter preparedness and community safety concerns. The team members accomplish their mission through formal and informal talks, presentations, and the creation and distribution of pamphlets and posters across the campus (including all student residential locations). Specifically

discussed during new employee and new student orientation are: sexual assault, domestic violence, dating violence, and stalking, along with risk reduction programs that are available. For more information on the Community Relations Team visit:

<https://www.stonybrook.edu/commcms/policy/units/crt.php>

Crime Prevention Programs

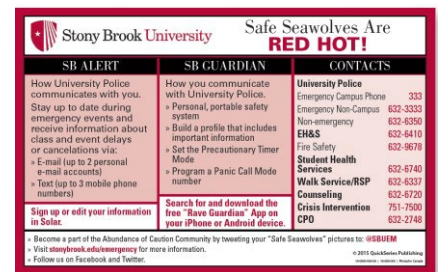
Crime Prevention Programs on personal safety and theft prevention are sponsored by various campus organizations throughout the year and are given upon request. Stony Brook University Police personnel facilitate such programs for students, parents, faculty, employees, student organizations, and community organizations, in addition to holding programs for Residential Hall Directors and Resident Assistants. Arrangements for a crime prevention program/presentation may be made by contacting the University Police Community Relations Team at (631) 632-3056.

Stop the Bleed

The Stony Brook University Police Community Relations Team provides Stop the Bleed training to the campus community. Today we live in a world where terrorism, the actions of unstable people, and the dangerous impulses of friends and relatives are very real and becoming increasingly more frequent. Massive bleeding from any cause, but particularly from an active shooter or explosive event where a response is delayed can result in death. Similar to how the general public learns and performs CPR, the public must learn proper bleeding control techniques, including how to use their hands, dressings, and tourniquets. Victims can quickly die from uncontrolled bleeding, within five to 10 minutes.

SB Guardian

In addition to educational programs, the University Police Department offers **SB Guardian** free of charge to all members of the campus community. SB Guardian is frequently referred to as a "personal blue light phone" in your pocket. SB Guardian operates in two modes: panic mode and precautionary timer mode. It allows users to contact University Police with just the push of a button. Students, faculty and staff can register for the SB Guardian system by visiting the Emergency Management website at:
www.stonybrook.edu/emergency.



Stony Brook University's Online Title IX Training

Stony Brook University is firmly committed to creating and fostering a learning and working environment in which all members of our community can thrive. Maintaining an environment that is free from discrimination and sexual violence is a major part of that commitment.

The University is providing education and awareness training for members of the campus community. Stony Brook University's Online Title IX training is available to both students and employees. These courses educate students and employees about important federal laws (including Title IX and the Clery Act), Stony Brook University policies/procedures (including the Code of Student Responsibility) and provides information on rights and resources that are available. To review and participate with our online training you may go to:
www.stonybrook.edu/commcms/oea/training/index.php

Off-Campus Crime

The Department of Student Affairs recognizes on-campus fraternity and sorority activity through the Office of the Dean of Students. Stony Brook University does not operate or sanction any off-campus residences utilized by any Greek organization. Further, although some students may choose to live in neighborhoods surrounding the Stony Brook main or Southampton campus, Stony Brook University does not operate or sanction any off-campus student housing or off-campus student organization facilities. For more information regarding off-campus housing, visit: stonybrook.edu/offcampusliving.

The Suffolk County and Southampton Town Police Departments have primary jurisdiction over criminal activity occurring in the neighborhoods surrounding the Stony Brook and Southampton campuses. The University Police Department maintains a close working relationship with these local law enforcement agencies under a Memorandum of Understanding. This cooperative team approach addresses situations of student involvement in off-campus offenses as they arise, as well as future issues of mutual interest to the campus and its surrounding communities.



The Code of Student Responsibility applies to off-campus locations when students are participating in University sanctioned activities, such as sporting events, field trips, conferences or are exercising privileges granted to Stony Brook students. Additionally, an individual's conduct may become a University concern when it adversely affects the academic interest of other members of the University community or the University's pursuit of its educational objectives. The University will not pursue off-campus violations unless such violations are deemed to adversely affect

the safety and security of the University, University property or individual members of the University community. Such action by the University is independent of and may proceed in parallel with criminal or civil action.

Orders of Protection

All members of the campus community are encouraged to bring their orders of protection to the attention of the University Police. The order of protection will be kept in a confidential location at the University Police headquarters, which is open 24 hours a day 7 days a week. The University complies with enforcement of all valid court orders of protection that are brought to the attention of the University Police. The University shall comply with Federal and State Law when information is requested by domestic violence victims or law enforcement regarding an alleged violation of an order of protection. For more information, see University Policy 520: Domestic Violence and the Workplace: <https://www.stonybrook.edu/policy/policies.shtml?ID=520>

The University Police shall provide all victims of domestic violence with information regarding obtaining an order of protection, when requested.

The University can issue an order of exclusion (Persona Non Grata) from campus to non-students who have demonstrated that their presence on campus would be a threat to the campus and/or campus members. Violators can be arrested for criminal trespass.

The Vice President for Student Affairs (designee) or the Assistant Vice President for Campus Residences (designee) may temporarily restrict a student from any personal, verbal, written, telephone and electronic contact with another person pending an investigation and/or hearing whenever the contact could constitute a danger to the person or to the safety of the person or property, or the seriousness of

the allegations warrants such action. Any student so restricted may obtain an explanation of the basis for such restriction, upon request.

Alcoholic Beverages

The possession, use, and sale of alcohol on campus is regulated by federal law, state law, and [University policy](#). New York State law and University policy prohibit the sale, use, possession or consumption of alcoholic beverages by any individual under the age of 21. The Code of Student Responsibility also prohibits the sale, giving or service of any alcoholic beverage to any individual under the age of 21 or their guests, even if the guest is over the age of 21. All students, invitees, residents, and guests must comply with such policies. Alcohol may be consumed only at State-licensed sites or at events for which a State Liquor Authority, Division of Alcoholic Beverage Control permit has been obtained.

Standard identification procedures are required at all campus functions and locations where alcoholic beverages are available. University staff may check the legal age of any persons in the service area. False IDs are confiscated and student conduct referrals are made. In addition, bartenders, managers, supervisors, and ID checkers at events and locations where alcohol is served may refuse entry or service to any individual who appears to be impaired.

The University Police Department enforces State law and University policy regarding alcohol. The [Office of Student Conduct and Community Standards](#) and the [Division of Campus Residences](#) each have jurisdiction to investigate and enforce student violations of the University's alcohol policies as well.

Illegal Drugs

The possession, sale, use or manufacture of any illegal substance defined as 'controlled' by New York State or federal law is strictly prohibited, other than

personally prescribed medications. The introduction and/or possession of drug paraphernalia is also prohibited. For more information on Federal Drug-Free Schools and Communities Act please see:

<https://www.stonybrook.edu/policy/policies.shtml?ID=108>

Violators are subject to University student conduct action and may be arrested by the University Police Department for criminal prosecution, which can result in fine and/or imprisonment. The [Office of Student Conduct and Community Standards](#) and the [Division of Campus Residences](#) each have jurisdiction to investigate and enforce student violations of the University's illegal drug policies as well.

If employees are seeking assistance relating to alcohol or substance abuse, they should reach out to the [Employee Assistance Program](#).

Narcan

The Stony Brook University Police Department Community Relations team (CRT) provides Narcan training to the campus community. Opioid medications (e.g.-Vicodin, oxycodone, etc.) and heroin are currently being abused in epidemic proportions. This class provides proper training to anyone who suffers from an opioid overdose. Completion of this training program will qualify participants in the proper administration of Naloxone/Narcan, the antidote for an opioid overdose and will also receive a Naloxone/Narcan kit.

Center for Prevention and Outreach (CPO)

The University Center for Prevention and Outreach, an office under Student Health, Wellness and Prevention Services is a group of professional staff and student peer educators who focus on prevention, early intervention and support for any member of the University community. To ensure student success and well-being, CPO uses a public health approach that provides in-depth and best-practices

education and training on sexual violence (SV), alcohol/other drug (AOD) prevention, general physical health (GPH), mental health and suicide prevention (MH&SP) for students, and consultation for faculty, staff and stakeholders to ensure consistency of our community's messaging and awareness of available resources. These resources include print and online materials such as, web applications, posters, e-mail, trainings and workshops. CPO annually participates in professional and student staff trainings and consultations for departments (such as Campus Residences, Orientation and Family Programs, Athletics, Student Activities, etc.), in order to create competent networks of professionals that can handle student distress or concerns related to SV, AOD, GPH and MH&SP.

CPO provides in-depth prevention messaging to all incoming students within the first six weeks of their arrival to campus. All incoming freshmen are provided multiple opportunities to learn about campus resources for issues related to SV, MH&SP and AOD. All incoming freshmen are required to complete an AOD education program (E-Check-up to Go).

During the first 6 weeks of school, all freshmen students participate in an hour-long awareness raising course through their Undergraduate College seminar class. Instructors explore bystander intervention and encourage students to get involved in various bystander intervention trainings offered on campus. CPO also provides 2 - 4 hour bystander intervention training to combat Power-Based Personal Violence through the evidence-based [Green Dot](#) model. Peer educators focused on violence intervention, prevention and relationship education help promote and deliver a range of ongoing and consistent sexual violence awareness raising programs that range from student led workshops to large community-based programs, such as Take a Stand/Walk With Me, Take Back the Night, and a Suicide Prevention walk called Walk of Hope. CPO further collaborates with

different student clubs and organizations, and other on-and-off-campus offices to present a month-long awareness raising programs, workshops and bystander intervention trainings during October for Domestic Violence Awareness Month (DVAM) and in April for the Sexual Assault Awareness Month (SAAM) programs. For all programs on SV, CPO focuses on using gender-inclusive language to ensure materials are inclusive of and welcoming to members of our community.



(Click to Enlarge)

CPO employs a comprehensive program to combat high-risk substance use on campus, which includes the Red Watch Band bystander intervention program, peer education, psycho-educational programs, brief motivational interviewing sessions and groups which provide support to students at risk or in early recovery. CPO coordinates a for-credit peer education internship program, which includes a dedicated team of student leaders who promote the mission of the Red Watch Band program and raise awareness about health messages for students around alcohol and other drug use. CPO also provides informational workshops addressing health risks associated with AOD use. Educational and counseling programs are available for students who violate the drug and alcohol policy on campus. All first-time offenders of the University's alcohol and other drug (AOD) policies are required to have an educational intervention with a University official (RHD, student conduct office, etc.) and complete an online education intervention program. A second-time offender is required to participate in a substance education course led by a certified alcohol and substance abuse specialist, upon receipt of an educational directive from the Office of Student

Conduct and Community Standards or Residential Programs. If a student is transported to the hospital due to an AOD issue, the student is mandated to attend a one-on-one AOD evaluation and education intervention with a certified alcohol and substance abuse specialist.

In addition, CPO hosts several credit bearing internship and peer education programs in all the areas mentioned. These peer educators provide programming all year to educate students on issues related to SV, MH&SP, GPH and AOD. CPO provides ongoing mental health and suicide prevention outreach by holding programs such as Mind Matters @SBU resource tabling, Question Persuade Refer (QPR) Suicide Prevention Bystander Trainings, multiple psychoeducational and skill-building workshops, drop-in engagement spaces all year long, and specialized suicide prevention and mental health awareness events during the month of September (Suicide Prevention Awareness Month).

For more information on the Center for Prevention and Outreach visit:
<http://studentaffairs.stonybrook.edu/cpo/>

Counseling and Psychological Services (CAPS)

The University's Counseling and Psychological Services (CAPS) compliments CPO's resources by providing free and confidential mental health services to currently enrolled students. Services include: crisis interventions, short-term counseling for individuals, couples and groups; a 24-hour mental health support line (CAPS Crisis Line); psychiatric consultation and medication management; and consultations for students, faculty, staff, friends and parents that includes assistance with referrals to community or other on-campus resources. CAPS also provides outreach and educational programs on a variety of mental health topics to the campus community, including bystander intervention programs for recognizing signs of mental health

related distress and connecting students to support services. CAPS has partnered with TimelyCare Virtual Services to provide 24/7 counseling and medical services for all our students thereby reducing barriers to access and increasing continuity of care.



Rape Aggression Defense (RAD) Program

RAD is a comprehensive course that begins with awareness, prevention, risk reduction and avoidance, and progresses to the basics of hands-on defense training. Police officers who are Certified RAD instructors teach the course. The RAD approach to personal safety blends threat avoidance strategies and real world assault resistance tactics by focusing on the development of easily mastered personal safety skills, which can be safely practiced within a comfortable learning environment. The coupling of those physical skills with a cognitive threat assessment process is designed to increase the participant's physical safety awareness. The overall goal is to reduce victimization through informed decision making and action. Each course is twelve (12) hours long. The program is sponsored by the Residence Hall Association, University Police and Campus Residences, and is free to all female members of the campus community.

For more information visit:
<http://www.stonybrook.edu/commems/police/programs/RAD.html>



Self-Defense Training: Open to All Members of the Campus Community

Similar to the fundamentals of the RAD program, this risk reduction and self-defense course is open to all members of the Stony Brook campus community. The program is provided by the University Police Community Relations Team and entails a brief discussion on crime prevention, learning and practicing self-defense skills, and adrenaline stress conditioning through scenario training.

Pink Gloves

Pink Gloves is a fitness program provided by the University Police Community Relations Team that delivers an amazing workout and emotionally rewarding experience to small communities of empowered women. The program is unique because it puts a great deal of focus on the social and emotional growth as well as physical growth of its members. Learn real boxing skills, make meaningful connections, and train in an empowering atmosphere.

Sexual Assault: Procedures to Follow

If you are the victim of sexual violence, you are not alone. Sexual violence happens to people of all genders and sexual orientations. Your safety is our primary concern and you have options. You can notify the University Police Department, receive assistance with notifying police (if you choose), or decline to notify authorities. The following are suggested steps to take after an incident.

Be Safe. If you are in immediate danger contact University Police at 911 or 333 from a campus phone or 631-632-3333 from a non-campus phone. The University Police will meet with you privately at a place of your choosing to take a complaint report and will ensure confidentiality to the extent practical and/or permitted by law. If you are not on campus, contact 911 for local police.

Go to a safe place and seek immediate support from a trusted friend, family member or University staff member.

Get Medical Help as soon as possible.

Within 120 hours (5 days) of the incident, you may go to the Sexual Assault Nurse Exam Center (SANE) at Stony Brook University Medical Center and request a free medical and forensic exam.

University Police can provide transportation to the hospital regardless of whether an official police report is filed. In addition, University Police will provide a list of all available resources, both on- and off-campus, including a crisis response advocate from ECLI-VIBES, the local family violence and rape crisis center.

The SANE nurse is trained to obtain evidence, should you decide to report the incident to police and/or press charges. You are provided an emergency room companion and crisis counseling begins immediately.

Recommendations are to NOT bathe, change clothes, eat or use the bathroom immediately after an assault, as doing so could destroy evidence. But even if you have already taken any of these actions you can still access SANE services for 120 hours after the incident.

SANE services are open to all people at no cost. A student's parents will not be notified and a police report is not required.

For more information on the Sexual Assault Nurse Examiner (SANE) Center at Stony Brook University Hospital visit: <https://www.stonybrook.edu/commcms/studentaffairs/cpo/sexual-violence/resources.php>

If 120 hours (5 days) have passed since the incident, a student may obtain confidential medical care on-campus at Student Health Service (located next to

Kenneth P. LaValle Stadium parking). For more information on Student Health Service call (631) 632-6740 or visit: <http://studentaffairs.stonybrook.edu/shs/>

Get Confidential Emotional Support.

Confidential emotional support and counseling begin immediately if you go to the SANE Center for a medical exam within 120 hours (5 days) of the incident. Free support is also available through Counseling and Psychological Services (CAPS), located on the second floor of the Student Health Service building. You can also use off-campus counseling services at ECLI-VIBES by calling their Hotline at [631-360-3606](tel:631-360-3606).

Survivor Advocate Services Cell [631-457-9981](tel:631-457-9981)

Provides support and resource options for students who experience sexual violence, and can assist survivors with obtaining crisis support/emergency response.

Anyone who reports being a victim of dating violence, domestic violence, sexual assault or stalking will be provided with a written explanation of their rights and options, regardless of whether the offense occurred on-campus. Such written notification will include information about the following resources/options: counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, other services available for victims both within the institution and in the community, and the availability of changes to academic, living, transportation, and working situations, or protective measures regardless of whether the victim reports to law enforcement.

For more information on visa and immigration services visit: <http://www.stonybrook.edu/commcms/visa/>.

Support is also available at CAPS, located on the second floor of the Student Health Service building. For information on Counseling and Psychological Services

(CAPS) visit: <http://studentaffairs.stonybrook.edu/caps/>.

You can also use off-campus counseling services at ECLI-VIBES, the local family violence and rape crisis center by calling their hotline at (631) 360-3606. For SUNY Korea you can contact the sexual assault prevention, support and counseling at 032-338-5801 and/or the local hospital One-Stop Center (Inside of the Incheon Medical Center) 217 Bang chuc ro, Dong Gu, Incheon 401711 (032-580-600 or 032-582-1170).

Any member of the campus community can report the incident officially to Stony Brook University Police at (631) 632-3333, the Office of Student Conduct and Community Standards at (631) 632-6705, and/or the Stony Brook University's Assistant Vice President for the Office of Equity and Access (OEA) and the Title IX ADA Coordinator, Marjolie Leonard at (631) 632-6280. In addition, any member of the campus community can report the incident officially to the New York State Police statewide hotline for victims at (844) 8457269. The Office of Student Conduct and Community Standards (SCCS) investigates violations of the University Code of Student Responsibility; the University Police investigates criminal complaints in collaboration with the Suffolk County Police Department and/or the Suffolk County District Attorney's Office. The University's Title IX Coordinator investigates discrimination on the basis of sex, which includes sexual harassment, sexual assault, dating violence, domestic violence, stalking and sexual violence complaints.

Stony Brook Red Book

The Stony Brook Red Book website includes signs to look for and how to respond to student situations including emotional distress, disruptive behavior, medical emergency, or other concern that requires support or intervention.

Familiarize yourself with the link at the top of the Red Book called “Report a Student of Concern.”

For more information on the Stony Brook Red Book please visit:

<https://www.stonybrook.edu/commcms/studentaffairs/redbook/>

To File a Title IX Complaint.

A federal law known as Title IX protects all Stony Brook students, faculty and staff by prohibiting sexual discrimination and harassment in all forms. If you wish to file a complaint of sexual misconduct, go to www.stonybrook.edu/reportit or contact Stony Brook’s Assistant Vice President for OEA and Title IX Coordinator, Marjolie Leonard at (631) 632-6280 or email at Titleix@stonybrook.edu. The University has also designated Deputy Title IX Coordinators, who are University wide points of contact available to those seeking information or wanting to report sexual harassment, misconduct or violence. For more information on Title IX, including a full list of Deputy Title IX Coordinators, visit:

<https://www.stonybrook.edu/commcms/oea-titleix/contact-us.php#view-deputies>

Investigations will be conducted in a prompt, fair and impartial process from the initial investigation to the final result. The evidentiary standard applied in all OEA investigations is the “preponderance of the evidence.” In other words, the question that must be posed and answered is whether it is “more likely than not” that any alleged event(s) occurred. If the answer is yes, the complaint has been substantiated. In reaching its findings, the OEA staff shall evaluate all facts and evidence, and consider the severity and frequency of the alleged act(s). To view the University’s Complaint Procedure for Allegations of Discrimination (which includes Title IX Complaints), visit:

<https://www.stonybrook.edu/commcms/oea-equity/complaint-procedure.php>

Complaints against employees will be investigated by the Office of Equity and Access (OEA) in collaboration with the respective Office of Human Resources and/or Labor Relations, in accordance with its procedures for complaints against management confidential employees, or for complaints against an employee who is a member of a union, in accordance with the disciplinary procedures set forth in the applicable NYS collective bargaining agreements negotiated statewide through the NYS Governor’s Office of Employee Relations.

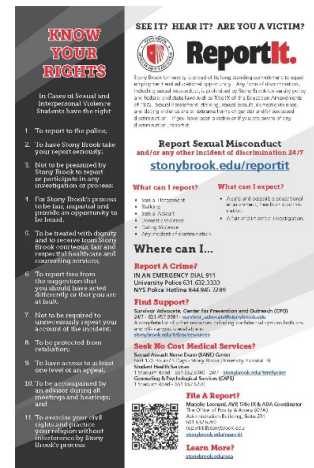
Reporting a sexual assault does not mean you must pursue criminal charges, but the report may help the University identify the offender and prevent the victimization of other community members. The institution will provide written notification to employees about existing counseling, health, mental health, and victim advocacy and other services available for victims both within the institution and in the community.

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

What to Do if You Know a Victim of Sexual Misconduct.

Encourage that person to seek medical care and talk to a trained counselor or sexual assault advocate. Be clear that you support that person. Most importantly, consider and protect that person’s privacy. Be sensitive to what they are going through as part of the healing process.

Employee Report It Resources: (Click to Enlarge)



The following is a list of resources available to all victims:



(Click to Enlarge)

For additional information (in any language) about available resources both on- and off- campus, visit SUNY’s Sexual Assault & Violence Response (SAVR) resources page at: <https://www.suny.edu/violence-response/>.

Enough is Enough

In July 2015, Governor Andrew M. Cuomo announced that the New York State Police would launch a campaign to raise awareness about campus sexual assault. The campaign builds on outreach efforts underway by the State Police Campus Sexual Assault Victims Unit, which has been attending college orientation sessions and providing training for stakeholders across the state. The State

Police CSAVU was created by the landmark “Enough is Enough” legislation and its mission is to reduce the incidence of sexual assault through a prevention education program, which includes orientation for college students, faculty and support staff, and training for stakeholders. The unit will also investigate campus sexual crimes that are reported to the State Police, and provide investigative support as requested by campus and local law enforcement agencies.

University’s Non-Discrimination Notice

Stony Brook University (including Stony Brook Medicine, Long Island State Veterans Home, and all other Stony Brook University facilities and programs) has a longstanding commitment to equal employment and educational opportunity, and environments that foster respect, dignity, fairness, and equity. The community includes, but is not limited to employees, students, visitors, guests, contractors, and vendors associated with Stony Brook University. Stony Brook University is committed to creating and maintaining workplace, educational, and recreational environments that are safe and accessible, and free of all forms of discrimination, discriminatory harassment and sexual harassment, including nonconsensual sexual contact, sexual violence, domestic violence, dating violence, and stalking. To view the President’s message in its entirety please visit:

https://www.stonybrook.edu/commcms/pr es/from_president/message_092221.php

For more information on the University’s Equal Opportunity/Affirmative Action Policy (105) visit:

https://www.stonybrook.edu/policy/_pdf/e qual_opportunity_affirmative_action_poli cy.pdf.

For more information on the University’s Sexual Misconduct and Reporting Policy (106) visit:

https://www.stonybrook.edu/policy/_pdf/s exual_misconduct_and_reporting_policy. pdf.

VII. SEXUAL MISCONDUCT POLICY AND PROCEDURE

A. Executive Summary

Stony Brook University is committed to fostering diverse and inclusive educational and recreational environments that are safe and accessible for all students. Sexual misconduct that falls outside the scope of the University’s Title IX policy is prohibited as it violates this Code. This policy sets forth the manner in which an allegation of non-Title IX sexual misconduct, (which includes sexual harassment, non-consensual sexual contact, dating/domestic violence, stalking, and retaliation) will be addressed by the Office of Student Conduct and Community Standards in consultation with the Office of Equity and Access. The University takes all complaints of sexual misconduct very seriously and will respond to all allegations brought to its attention. A complaint may be filed with any of the following offices/Responsible Employees (also detailed in University Sexual Misconduct & Reporting Policy¹).

1. Office of Student Conduct and Community Standards (SCCS)

Location: Stony Brook Union, Suite 209
Phone Number: (631) 632-6705
Link:

<https://www.stonybrook.edu/commcms /studentaffairs/sccs/>

Office of Equity and Access (OEA)

Location: Administration Building, Suite 201

Phone Number: (631) 632-6280

Link: <http://www.stonybrook.edu/oea>

2. University Police Department (UPD)

Location: Dutchess Hall on South Campus

Phone: (631) 632-3333

Link:

www.stonybrook.edu/police

3. Campus Sexual Assault Victims Unit

New York State Police

Hotline: 1-844-845-7269

Certain faculty, administrators, and staff, known as “Responsible Employees” are any employee who has the authority to take action to redress sexual violence; who has been given the duty of reporting incidents of sexual violence or any other misconduct to the Office of Equity and Access or other appropriate school designees; or whom a community member could reasonably believe has this authority or duty.

The following employees have reporting obligations and must report any incident of sexual misconduct they become aware of to the Office of Equity and Access:

- Senior Administrators (Directors and above and in the hospital, Nurse Managers and above)
- Chairs of Academic Departments
- Supervisors
- Ombudsmen
- Assistant/Associate Directors in Campus Residences
- Residence Hall Directors
- Athletics Coaching Staff
- University Recognized Sports Club Coaches
- Academic Faculty Members
- Professional Staff In:
 - o Academic Advisement
 - o Career Services

¹

https://www.stonybrook.edu/policy/_pdf/sexual_misconduct_and_reporting_policy.pdf

- o Continuing Education
- o Financial Aid
- o Instructional Support
- o Athletics
- o Campus Residences
- o Student Activities or Student Affairs

Students who wish to find out about their options for reporting an incident and/or support resources should contact:

1. Stony Brook University Office of Equity and Access Webpage

The website provides you with information regarding resources and reporting options at Stony Brook University

www.stonybrook.edu/oea

2. SUNY Sexual Assault & Violence Response (SAVR) Resources

The website provides you with information you can use to seek resources and support, and to report the crime to law enforcement and the campus. Information provided in over 120 languages.

Students who wish to speak confidentially about an incident should contact:

1. Center for Prevention and Outreach (CPO)

Location: Stony Brook Union Suite 108

Phone: (631) 632-2748

Link: [Home | Center for Prevention and Outreach](#)

2. Counseling and Psychological Services

Location: Student Health Center – Second Floor

Phone: (631) 632-6720

Link:

<https://www.stonybrook.edu/caps/>

3. SAFE/SANE Program (Sexual Assault Forensic Examiner)

Location: University Hospital / Stony Brook Medicine

Phone: ECLI-VIBES Hotline (631) 630-3606

The SAFE/SANE at Stony Brook University Medical Center provides confidential medical care and a forensic exam by a Sexual Assault Nurse Examiner. SAFE/SANE services are available within 120 hours of the incident.

4. Student Health Service

Location: Student Health Center –

First Floor

Phone: (631) 632-6740

Link:

<https://www.stonybrook.edu/commcms/studentaffairs/shs/>

Should a complaint result in a University administrative hearing, a Complainant has options regarding their level of involvement in the Review Panel Proceedings (detailed below), which includes but is not limited to: Acting as a Complainant and presenting their case to the Review Panel; or Acting as a Witness and providing statements to the Review Panel. Regardless of which option(s) they choose, the Complainant may further choose to: have a partition between the Complainant and Respondent; teleconference/videoconference into the proceeding; or request another method of shielding.

The Complainant may also choose not to attend the hearing at all. The level of Complainant’s involvement (presence or absence) at the Review Panel Proceedings will not factor into the Review Panel’s determination.

B. Students’ Bill of Rights

All students have the right to:

1. Make a report to local law enforcement and/or state police;
2. Have disclosures of domestic violence, dating violence, stalking, and sexual assault treated seriously;
3. Make a decision about whether or not to disclose a crime or violation and participate in the student conduct process and/or criminal justice process free from pressure by the University;
4. Participate in a process that is fair, impartial, and provides adequate notice and a meaningful opportunity to be heard;
5. Be treated with dignity and to receive from the institution courteous, fair,

and respectful health care and counseling services, where available;

6. Be free from any suggestion that the reporting individual is at fault when these crimes and violations are committed, or should have acted in a different manner to avoid such crimes or violations;
 7. Describe the incident to as few University representatives as practicable and not be required to unnecessarily repeat a description of the incident;
 8. Be protected from retaliation by the University, any student, the accused and or the Respondent, and/or their friends, family and acquaintances within the jurisdiction of the University;
 9. Access to at least one level of appeal of a determination;
 10. Be accompanied by an advisor of choice who may assist and advise a reporting individual, accused, or Respondent throughout the student conduct process including during all meetings and hearings related to such process; and
 11. Exercise civil rights and practice of religion without interference by investigative, criminal justice, or student conduct process of the University.
- C. The University has outlined in the following pages the sexual misconduct policy and the procedure for adjudicating any allegations when the accused (Respondent) is a student (as defined in Section I).**
1. **Confidentiality**
The Office of Student Conduct and Community Standards (SCCS) in collaboration with the Office of Equity and Access will conduct the investigation in a confidential manner to the extent practicable and/or

permitted by law. The parties and witnesses are expected to cooperate fully in the investigation and maintain and preserve the confidentiality of the investigation. Hearings shall be closed to members of the campus community and to the public. Student conduct records, except as hereinafter provided, will be confidential in accordance with Federal and State laws relating to disclosure.

2. Privacy versus Confidentiality

Students who wish to speak confidentially about an incident should contact the Center for Prevention and Outreach at (631) 632-2748, Counseling and Psychological Services (CAPS) at (631) 632-6720, Student Health Service at (631) 632-6740, or the SAFE/SANE Program (Sexual Assault Forensic Examiner) at (631) 360-3606. Reports made to these resources will be kept confidential and individually identifiable information will not be reported to the Office of Equity and Access.

Even Stony Brook University offices and employees who cannot guarantee confidentiality will maintain your privacy to the greatest extent possible. The information you provide to a non-confidential resource will be relayed only as necessary for the Office of Student Conduct and Community Standards and the Office of Equity and Access to investigate and/or seek a resolution. Stony Brook University will limit the disclosure as much as possible, even if the Office of Equity and Access determines that the request for confidentiality cannot be honored.

3. Obligation to Investigate

If a student discloses an alleged incident of sexual misconduct to a non-confidential employee that disclosure may be reported to the Office of Equity and Access whether or not the student requests confidentiality. Certain Stony Brook

employees, designated as responsible employees, are required to report incidents of sexual misconduct.

If the Office of Equity and Access becomes aware of an incident of sexual misconduct, Stony Brook may be required to investigate. The Office of Equity and Access may not be able to honor a request not to investigate or for confidentiality if failure to investigate does not adequately mitigate a potential risk of harm to the reporting individual or other members of the community. The Office of Equity and Access must weigh the request against Stony Brook's obligation to provide a safe, welcoming and non-discriminatory environment. Factors used to determine whether to or not to honor a request for confidentiality or not to investigate include (but are not limited to):

- a. whether the respondent has a history of violent behavior or is repeat offender;
- b. the increased risk that the respondent will commit additional acts of violence;
- c. whether the accused used a weapon or force;
- d. whether the reporting individual is a minor;
- e. whether the University has other means to obtain evidence such as security footage;
- f. and whether available information reveals a pattern at a given location or by a particular group.

Stony Brook may provide interim measures or other assistance to a reporting individual regardless of whether that individual consents to an investigation.

If an individual discloses information through a public awareness event such as candlelight vigils, protests, or other public event, Stony Brook is not obligated to begin an investigation based on this information.

4. Amnesty

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

5. Retaliation

Retaliation against an employee, student or any witness who participates in any University investigation is prohibited. Retaliation is also prohibited against any individual who files a sexual misconduct complaint or participates in a complaint investigation in any manner. Any substantiated act of retaliation may result in sanctions or other student conduct action as covered by the Code of Student Responsibility or University policy and/or the conduct procedures pursuant to the applicable collective bargaining agreements and applicable policies and procedures.

6. Sexual Misconduct

Sexual misconduct, which can occur in many forms, is discrimination on the basis of sex and/or gender, and may occur between people of the same or opposite sex, or who identify as LGBTQ, and it is prohibited. The Parties will be made aware of their rights and available resources. The following behaviors constitute sexual misconduct:

a. Sexual Harassment

No student shall perform any acts that are considered to be sexual harassment. Sexual harassment encompasses unwelcome sexual advances, unwelcome requests for sexual favors or requests for sexual favors in exchange for some benefit, and/or verbal or physical conduct of a sexual nature. Sexual violence is a form of sexual harassment. Sexual harassment is a form of sexual discrimination. Sexual harassment occurs when:

- i.** Submission to such conduct is made either explicitly or implicitly a term of or condition of any individual's employment or education; or
- ii.** Submission to or rejection of such behavior by an individual is used as the basis for employment of educational decisions affecting the individual; or
- iii.** A behavior is sufficiently severe or pervasive to interfere with any individual's work or educational performance, or create an intimidating, hostile, or offensive work or educational environment. Such prohibited conduct includes, but is not limited to, unwelcome sexual communication, touching, and non-consensual sexual contact, including but not limited to sexual touching, intercourse, and violence. Examples of sexual harassment include, but are not limited to:
 - a.** Comments
 - b.** Derogatory statements or other verbal abuse
 - c.** Exploitation

- d.** Graphic or sexually suggestive comments about an individual's attire or body
- e.** Graphic or sexually suggestive gestures
- f.** Exposing one's genitals
- g.** Inquiries or discussions about sexual activities
- h.** Profanities
- i.** Sexually suggestive letters or other written materials
- j.** Slurs
- k.** Teasing
- l.** Touching

b. Non-consensual sexual contact

No student shall perform any acts that are considered to be non-consensual sexual contact. Non-consensual sexual contact is any contact of a sexual nature which is unwanted or unwelcome. Sexual contact with another person without consent (as described in Section VII.C.6. below) is prohibited. Non-consensual sexual contact may include but is not limited to:

- i.** Attempted penetration
 - ii.** Brushing up against another in a sexual manner
 - iii.** Fondling
 - iv.** Grabbing
 - v.** Kissing
 - vi.** Pinching
- c. Non-consensual sexual intercourse and/or penetration**
- No student shall perform any acts that are considered to be non-consensual sexual intercourse and/or penetration. Non-consensual sexual intercourse and/or penetration is any sexual penetration or intercourse that is unwanted or unwelcome. Prohibited conduct includes but is not limited to non-consensual:
- i.** Anal and vaginal penetration and attempted penetration and/or intercourse.
 - ii.** Oral sex or attempted oral sex, or the insertion of a foreign object into the vagina, urethra, penis or rectum of another.

- iii.** This also includes what may be referred to as sexual assault, which is also commonly known as "rape," whether forcible, or non-forcible, "date rape" and "acquaintance rape." For parties found responsible for Non-consensual sexual intercourse and/or penetration, the available sanctions are suspension with additional requirements and expulsion.

d. Non-consensual physical violent contact during sexual contact

No student shall perform any acts that are considered to be non-consensual physical violent contact during sexual contact. Prohibited conduct includes but is not limited to punching, choking, burning or otherwise intentionally causing serious physical harm without consent of a partner.

e. Dating Violence

No student shall perform any acts that are considered to be dating violence. Dating violence is 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 victim. The existence of such a relationship shall be determined based on the victim's statement and with consideration of the nature and length of the relationship and the frequency of interaction between the persons involved in the relationship. Two people may be in a romantic or intimate relationship, regardless of whether the relationship is sexual in nature; however, neither a casual acquaintance nor ordinary socializing between two individuals in a business or social context shall constitute a romantic or intimate relationship. This definition does not include acts covered under domestic violence. Dating violence includes:

- i.** Isolation: Trying to cut off relationships with other family and friends.
- ii.** Emotional abuse: Humiliating the Complainant in front of friends, guilt and manipulation if confronted, extreme and persistent jealousy.

- iii. Intimidation: Instilling fear through threatening behavior, verbal aggression, abuse of animals or destruction of property.
 - iv. Coercion: Threatening to harm themselves or a third party if demands are not met or the relationship is ended.
 - v. Physical: Using or threatening to use physically assaultive behavior such as hitting, shoving, grabbing, shaking, slapping, beating, kicking, etc.
 - vi. Sexual: Non-consensual sexual touching or non-consensual sexual activity.
 - vii. Harassment: Using electronic media (internet, cell phones, texting, and social media) or other means to keep track of the Complainant.
- f. Domestic Violence**
No student shall perform any acts that are considered to be domestic violence. Domestic violence is any felony or misdemeanor crime of violence committed by a current and/or former spouse and/or intimate partner of the victim. An intimate partner includes persons legally married to one another; persons formerly married to one another; persons who have a child in common, regardless of whether such persons are married or have lived together at any time, couples who are in an intimate relationships, including but not limited to, couples who live together or have lived together.
- g. Stalking**
No student shall engage in stalking. The term stalking means intentionally engaging in a course of conduct, directed at a specific person, which is likely to cause a reasonable person to fear their safety or the safety of others or cause that person to suffer substantial emotional damage. Examples include, but are not limited to, repeatedly following such person(s), repeatedly committing acts that alarm, cause fear, or seriously annoy such other person(s) and that serve no legitimate purpose, and repeatedly communicating by any means, including electronic means (cyberstalking), with such person(s) in a manner likely to harass, intimidate, annoy, or create a nuisance or alarm.
- 2. Affirmative Consent**
Affirmative consent is a knowing, voluntary, and mutual decision among all participants to engage in sexual activity. Consent can be given by words or actions, as long as those words or actions create clear permission regarding willingness to engage in the sexual activity. Silence or lack of resistance, in and of itself, does not demonstrate consent. The definition of consent does not vary based upon a participant's sex, sexual orientation, gender identity, or gender expression.
- a. **Non-consent/Limitations of Consent**
 - i. Consent to any sexual contact or any specific sexual act cannot be given if an individual is under the age of 17.
 - ii. 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.
 - iii. Consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with any other person.
 - iv. Consent is required regardless of whether the person initiating the act is under the influence of drugs and/or alcohol.
 - v. 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:
 - a. A physical or mental condition, infirmity or disability that limited informed decision making;
 - b. The lack of consciousness or being asleep;
 - c. Being involuntarily restrained; or
 - d. If an individual otherwise cannot consent.
 - vi. Depending on the degree of intoxication, someone who is under the influence of alcohol, drugs, or other intoxicants (whether involuntary or voluntary) may be incapacitated and therefore unable to consent.
 - a. Consent cannot be given when it is the result of any coercion, intimidation, force, or threat of immediate or future harm.
 - b. Coercion is the use of an unreasonable amount of pressure to engage in sexual activity. Coercion is more than an effort to persuade, entice or attract another person to engage in sexual activity.
 - c. Intimidation is an implied threat that menaces or causes reasonable fear in another person.
 - vii. Consent cannot be given when it is the result of the use of physical intimidation to secure compliance with sexual activity.
 - viii. Intoxication or impairment of the Respondent is no defense to charges of sexual misconduct.
 - b. **Revocation of Consent**
 - i. Consent may be initially given, but it may be revoked/or withdrawn at any time, either verbally, through physical resistance, or by losing consciousness.
 - ii. When consent is withdrawn or cannot be given, sexual activity must stop.
 - iii. Failure to cease sexual contact promptly in response to withdrawal of consent constitutes prohibited non-consensual sexual contact.
- B. Sexual Misconduct Procedures/Resolving Complaints**
The Complainant has the right to make a complaint against the Respondent. If charges are brought and a hearing is conducted, a finding of responsibility as to each of the charges must be supported by a preponderance of the evidence; whether it is "more likely than not" that the incident occurred. The Respondent enjoys a presumption of not responsible unless and until proven otherwise by a preponderance of the evidence. If the totality of all the information presented meets this standard, then the Respondent will be found responsible.

1. Time Limits

In the interest of ensuring a safe and welcoming environment at University facilities and University sponsored programs or affiliated activities there is no time limit which bars the reporting of an incident of alleged sexual misconduct. Note, however, that the more time that lapses between the incident and the investigation the more difficult it will be for the University to obtain complete and accurate witness statements and other information to address the complaint.

2. Time Frame

Absent extenuating circumstances, the investigation process from receipt of a complaint through determination is expected to take place within ninety (90) calendar days from the University's receipt of the complaint. Note however, the period of time required to take in an initial inquiry, report or complaint from the initial interview process through the conclusion of the investigation and resolution, may be impacted by various factors, such as the complexity of the case, immediate availability of parties, witnesses and other information in support or defense of an allegation, on-going criminal investigations, etc. Therefore, the time frame may exceed ninety (90) calendar days.

Stony Brook University will comply with law enforcement requests for cooperation, which may require the Office of Student Conduct and Community Standards and other University offices to temporarily suspend the fact-finding aspect of an investigation while the law enforcement agency is in the process of gathering evidence. Temporary delays should not last more than ten (10) business days except when law enforcement specifically requests and justifies a longer delay. Stony Brook University will promptly resume its investigation as soon as notified by the law enforcement agency that it has

completed the evidence gathering process. As necessary, Stony Brook University will implement appropriate interim steps during the law enforcement agency's investigation to provide for the safety of the parties and the University community, and to avoid retaliation.

3. Timely Notice of Meetings

Both parties will be given timely notice of any meeting they are required or eligible to attend.

4. Interim Measures

When deemed necessary the University will take appropriate interim measures concerning the interaction of the parties: Pending the investigation process; Before the final outcome of the investigation and if applicable; Review Panel. Interim measures include but are not limited to:

a. Temporary Restriction from Personal Contact

Imposing a temporary restriction from personal contact means that the parties are prohibited from having any personal, verbal, electronic (email, instant message, text message, social media etc.), written, phone, cell phone, or third-party contact with another person pending an investigation and/or hearing whenever the contact could constitute a danger to the person or to the safety of the person or property, or the seriousness of the allegations warrants such action. If the accused/respondent and a reporting individual/complainant observe each other in a public place, it will be the responsibility of the accused/respondent to leave the area immediately and without directly contacting the reporting individual/complainant. Intentional contact with the other party is a violation of University policy and may result in additional student conduct action. Any student so restricted may obtain an explanation of the basis for such restriction upon request.

b. Interim Suspension

Whenever the continued presence of a student charged with Code violations would constitute a danger to the student or to the safety of persons or property on the premises of the institution, or his/her presence would pose a threat of disruptive interference with the normal conduct of the institution's activities and functions, or the seriousness of the charges warrants such action, the Vice President of Student Affairs or designee may issue an Interim Suspension may apply to a portion of the University or the entire campus.

c. Alternate Academic Scheduling

A student's academic schedule may be altered/limited. Limitations include: restricting parties from attending class/classes, reassigning parties to a different class section, allowing parties to attend their scheduled class but with restrictions, allowing students to attend classes but requiring parties to sign in and out, restricting parties from certain areas of campus, restricting parties from campus but allowing parties to fulfill class requirements via internet, restricting parties from attending graduation or other ceremonies, etc.

d. Campus Restrictions

Students may be restricted from: certain areas/buildings/facilities/departments/offices on campus, participating in events/activities/sponsored events, parking and/or driving on campus or in certain areas, or from utilizing certain services including but not limited to, using Stony Brook bus services, etc.

e. Technological Restrictions

Students may be restricted from accessing campus internet or SINC sites, and/or another party's Stony Brook email accounts.

f. Housing Restrictions

Students may be restricted from certain buildings/quads/areas on campus, relocating parties to different

room assignments; or have their guest privileges restricted.

g. Employment Restrictions

Employment, including but are not limited to, restricting the dates/times/locations/hours permitted to work.

Both the Complainant and the Respondent may request a prompt review, reasonable under the circumstances, of the need for and terms of an interim measure (b. through g.), including potential modification and shall be allowed to present evidence in support of their request.

5. Student Conduct Conference

When the evidence does not merit conduct charges but concerns regarding conduct or escalating behavior remain, the University may request that a student attend a Student Conduct Conference to review the University's concerns and the applicable sections of the Code of Student Responsibility. Students will be encouraged to be more mindful of the Code of Student Responsibility and their behavior. When appropriate the student may be advised at a Student Conduct Conference of any interim measures during the investigation that will continue.

6. Prehearing Procedure

A University official will inform the Complainant(s) and Respondent(s) of the V. scheduled hearing.

a. Navigator

The Complainant(s) and Respondent(s) will each be offered a Navigator by the University. The role of the Navigator(s) is to assist the parties throughout the process. Navigator(s) may be present at any meetings or hearings with their assigned parties but may not engage in any verbal presentation or questioning at the Review Panel.

b. Advisor

In addition to a Navigator, the parties may each select an advisor of their choice. However, the parties may each

have only one person at the Review Panel. Advisors for either party may advise or assist but may not engage in any verbal presentation or questioning at the Review Panel. Attorneys may serve as advisors to the parties, subject to the same limitations and conditions as delineated above.

c. Investigation

Investigations will be conducted by a University Investigator in accordance with the time frame set forth in Section VII.D.2. The Investigator is a neutral, fact-finding, impartial individual who is trained annually in investigating sexual misconduct complaints.

- i.** The investigation will include interviews with the parties and witnesses.
- ii.** Both parties will have the opportunity to offer information in support or defense of allegation(s).
- iii.** Students are expected to cooperate with the investigation, however, failure to respond to request for timely meetings will not halt the investigation.
- iv.** In circumstances involving the investigation of complaints where the Complainant does not choose to proceed, the University official reserves the right to continue its investigation regardless of Complainant cooperation or involvement.

Upon completion of the investigation, the Investigator will prepare a report which the Complainant(s) and Respondent(s) will be permitted to review prior to the hearing.

d. University's Decision to Proceed

Upon completion of the investigation, the Office of Equity and Access and the Office of Student Conduct and Community Standards shall determine whether there is sufficient evidence to warrant further action. If such evidence exists, the following will occur.

e. Directive to Appear and Notice of Charges

The student charged with an alleged violation of the sexual misconduct policy will be provided written notice of the allegations. The Notice will include the date, time, location, and description of the alleged incident giving rise to the charges, the section(s) of the Code allegedly violated as well as the sanctions that could be imposed if the student is found responsible for the allegations. The Notice will also direct the student to attend a Review Panel on a specified date. The Review Panel shall be scheduled for no less than ten (10) calendar days from the date of the Notice.

f. Hearing Waiver

Respondent may choose to accept responsibility for and not contest the charges against them. If this election is made, the student will sign a waiver of their right to a hearing and must accept the sanction(s) identified in the waiver. A student's decision to waive their hearing and accept the sanction(s) is final and not appealable by the respondent.

g. Information in Support/Defense of Allegations

Information in support/defense of allegations should be provided to the Office of Student Conduct and Community Standards prior to the conclusion of the investigation.

- i.** The parties will be permitted to review the investigative report five (5) business days prior to the Review Panel Hearing.
- ii.** Following review of the investigative report, parties must submit any rebuttal information in support/defense of the allegations to the Office of Student Conduct and Community Standards three (3) business days prior to the Review Panel Hearing.
- iii.** Additional rebuttal information received by the Office of Community Standards following the completion of the investigation and the issuance of the investigative

report will be reviewed to determine relevance and admissibility.

- iv. Additional information determined to be relevant and admissible will be provided to all parties no later than one (1) business day prior to the Review Panel Hearing.

h. Information to be Presented at the Hearing

All written information that will be presented at the hearing will be made available to the parties prior to the hearing as outlined above in g. The University official presiding at the Review Panel may exclude information in support/defense of allegation(s) that has not been provided as required above or adjourn the hearing. The University official will make the final decision relating to the admissibility of all information in support/defense of allegations. Written statements in support/defense of the allegations may be considered. Firsthand oral statements will be given greater weight than hearsay statements.

7. Mediation (Dispute, Conflict Resolution)

Mediation is a process available for resolving certain disputes between individuals or groups. For sexual misconduct cases, mediation is only available in cases where the Office of Equity and Access believes that mediation would be an appropriate option for resolution. In those cases, the Office of Equity and Access will present that option to Complainant(s) and Respondent(s). Stony Brook University will not compel a Complainant(s) or Respondent(s) to participate in mediation and mediations will only move forward with the consent and agreement of all parties involved. Any party can withdraw from mediation at any time. Mediation is a voluntary, confidential, and non-judgmental process providing an opportunity for parties in conflict to meet with trained mediators to present the issues. Mediation can be an alternative to or supplement the

formal student conduct process for certain types of conflict. The mediator's role is to facilitate a written agreement between or among parties in conflict. Mediation agreements are enforceable as Official Directives, and failure to comply with an agreement may be a violation of the Code. When a satisfactory agreement cannot be reached through mediation, any party may refer the complaint for student conduct action.

8. Review Panel Members

a. Attendance at the Review Panel

Those in attendance at the Review Panel may include the Complainant(s), Respondent(s), their navigator or advisor, and witnesses (while giving statements), the presiding University official and Review Panel Members. The presiding University official shall determine whether additional persons may be present. Hearings shall be closed to members of the campus community and to the public.

b. Review Panel Composition

Review Panels are composed of faculty and staff members.

c. Training

All members of the Review Panel, upon receiving notice of appointment, shall be given necessary information about their responsibilities and the means by which they may fulfill them. Review Panel members will receive training and be knowledgeable about sexual violence and confidentiality requirements.

9. Review Panel Hearing

a. Admittance of Prior Sexual/Mental Health History/Student Conduct History

Prior sexual history with anyone other than the parties will not be permitted. Past mental health history will not be permitted. The prior student conduct history of the Respondent(s), if any, shall not be considered until a finding of responsibility has been made and such record will be relevant only to a

determination of the appropriate sanction(s).

b. Questioning

Parties are prohibited from directly cross examining each other. All questions must be written and directed to the Hearing Officer. All questions must be directly relevant to the incident and policies allegedly violated. The Hearing Officer will ensure that improper questions are dismissed as such. The University may provide options for statements without direct contact, including but not limited to a room partition, separate hearing rooms, video conferencing, or phone conferencing. Each party has the right to ask questions regarding the investigation summary and/or report; parties may also question any witness present.

c. Opening

The presiding University official states the charges and identifies the individuals present.

d. Challenge

Any party may request and cite cause for the removal of any member of the Review Panel. The Hearing Officer will determine whether the cited cause warrants removal.

e. Student Response

The Respondent(s) will be asked to state their response (i.e., responsible, or not responsible) to each of the alleged violations.

f. Investigation Summary/Report

The University's designated investigator will commence the process by reading and/or summarizing the investigation report and providing the facts of the case.

g. Complainant Presentation

Complainant's presentation should begin with an opening statement describing the alleged conduct. The Complainant(s) may opt out of presenting an opening statement, in light of the investigator presenting a summary of the facts. The presentations should also include all information in support of the allegations. The Respondent(s), then

the Review Panel members, may question the Complainant(s) regarding the opening statement and information in support of allegation(s).

h. Respondent Presentation

Respondent's presentation should begin with an opening statement, describing the alleged conduct. The presentation should also include all information in defense of allegations. The Complainant(s), then the Review Panel members may question the Respondent regarding the opening statement and information in defense of allegation(s). The Respondent may opt out of presenting an opening statement, in light of the investigator presenting a summary of the facts.

i. Witnesses

The Hearing Officer will introduce the witnesses and ask for their statements. The Complainant, then the Respondent, followed by the Review Panel members, may question the witnesses. The parties may only submit written statements from character witnesses. Oral statements from character witnesses will not be permitted.

j. Closing Statement/Impact Statement

After all witnesses have presented statements and all questioning has been completed, closing statements are made first by the Respondent(s), then by the Complainant(s). Closing statements are intended to summarize the information previously introduced during the investigation process and hearing. No new evidence or statements may be introduced during closing statements. During this time, both parties may also provide an impact statement on how the incident/allegation has affected their University experience. No questioning is allowed during or after closing statements.

k. Deliberation

Upon conclusion of closing statements, the Review Panel reviews all information in support and defense of the allegation to determine the

Respondent's responsibility as to each of the charges.

l. Decision

A decision regarding the Respondent(s) responsibility as to each of the charges shall be made by a majority vote of the Review Panel members. A decision of responsibility shall be made only if the allegations contained in each charge have been established by a preponderance of the evidence (more likely than not standard).

m. Recommendation/Determination of Sanction

The Review Panel shall recommend sanctions to the Vice President of Student Affairs or designee. Upon receipt of the recommendations and after review of any previous student conduct record of the Respondent, the Vice President of Student Affairs or designee in consultation with the Assistant Vice President for Equity and Access or designee will make a final determination of sanctions.

10. Post Hearing Procedure/Notification of Disposition

The disposition of the hearing will be communicated in writing to the parties. The disposition will include the date and time of the hearing, the findings, the sanctions to be imposed, the reason for any sanction imposed, and the method for submitting appeals. Each party has the right to choose whether to disclose or discuss the outcome of a hearing. Unless otherwise required by law, all information obtained during the course of the investigation and hearing shall be protected from public release.

11. Sanctions

The following are sanctions that may be imposed. Please note: Pursuant to the Campus Residences Terms of Occupancy <https://www.stonybrook.edu/commcm/s/studentaffairs/res/safety/policies.php> and Housing Agreement, any student removed from campus housing due to

a student conduct decision will be ineligible for a refund of room fees and will be responsible for all amounts owed.

a. Written Warning

A written warning indicates that a student has committed a violation of University policy and that continued or repeated violations of University policy will result in further student conduct action.

b. Restitution

Restitution for violations against University property may include the restoration or replacement cost of the lost or damaged property.

c. Special Restriction or Loss of Privileges

Students may be restricted from participating in specified events or activities and may be prohibited from specific areas of the campus or entering specific facilities and/or offices. A student's access to specific services may also be restricted.

d. Residential Probation

Students may be placed on residential probation for a specified period of time. During this time, students are permitted to continue to reside in University housing however, violations of University policy during the probationary period may result in additional and more significant sanctions including but not limited to housing suspension or expulsion.

e. University Probation

Students may be placed on University probation for a period of time. Violations of University policy during the probationary period may result in additional and more significant sanctions. Upon successful completion of the probation period, the student may be required to attend periodic meetings with a University official. The terms of the probation will be tailored to fit the individual circumstances and may include a recommendation for alcohol/psychological counseling or satisfactory attendance at a substance education course, prevention

workshop, program, or group, or the completion of other projects and service to the University or affiliated entities. Students placed on University probation may not hold student staff positions, including but not limited to: Resident Assistant, Office Assistant, Building Coordinator, Orientation Leader, Residential Safety Patrol, Work Crew and Residence Orientation, for the duration of the probationary period. Students placed on University probation may not hold executive board or leadership positions in recognized student organizations and/or councils.

f. University or Residential Service & Educational Projects and Programs

Students may be assigned projects, programs and service (hereinafter referred to as “University Service”) to the University or affiliated entities. “University Service” will be work performed at a stipulated location within the University and with a stipulated supervisor. The Director of the Office of University Community Standards, or designee, will arrange and administer University Service sanctions. Failure to complete the assigned University Service or Educational Project within the specified time period may increase the assignment or result in additional sanctions. Failure to satisfactorily complete an assigned project, program or service will result in the notation: “Conduct penalty not completed” on the academic record. The notation will be removed upon completion of the assigned educational project, program or service.

g. Suspension from the Residence Halls/Apartments

A student may be required to move out of the residence halls/apartments for a given period. The student may apply to be readmitted to the residence halls/apartments following the period of suspension. No preference shall be given to such student in the readmission or re-entry

process. Any individual under suspension from the residence halls/apartments is prohibited from entering all residence facilities, residence hall cafeterias and the grounds/roadways around the residence hall quads and apartment complexes. Any individual found violating these terms of suspension from the residence halls/apartments may be suspended from the University and subject to prosecution under the law.

h. Expulsion from the Residence Halls/Apartments

A student may be required to move out of the residence halls/apartments completely and permanently. Any student expelled from the residence halls/apartments is prohibited from entering all residence facilities, residence hall cafeterias and the grounds/roadways around the residence hall quads and apartment complexes. Any individual found violating these terms of expulsion from the residence halls/apartments may be suspended from the University and subject to prosecution under the law.

i. Suspension from the University

Upon suspension from the University, a person loses all the rights and privileges of a student of the University for a stipulated period and is prohibited from using or entering the campus or its facilities. Any suspended individual found on campus during the suspension period will be subject to arrest. Suspension from the University will result in a notation on the student’s academic record. After a period of five (5) years, a student may request removal of the notation. Any student suspended will be blocked from registering for classes and must schedule a meeting with the Office of Student Conduct and Community Standards prior to registering/returning to the University.

j. Expulsion from the University

Upon expulsion from the University, a person loses all of the rights and privileges of a student and is prohibited from using or entering the campus or its facilities. Any expelled individual found on campus will be subject to arrest. Expulsion from the University will result in a notation on the student’s academic record.

k. Restriction from Personal Contact

A student may be restricted from having any personal, verbal, electronic (email, instant message, text message, social media etc.), written, phone, cell phone, or third-party contact with another person. Intentional contact with the other party is a violation of University policy and may result in additional student conduct action.

12. Appeals

a. Grounds for Appeal

Either party may appeal the Review Panel findings on the following limited grounds:

- i.** Significant violation of student conduct procedures;
- ii.** New information, unavailable at the time of the hearing, has become available and could have substantially impacted the decision; and/or
- iii.** The sanction(s) imposed is/are disproportionate in relation to the student’s conduct records and/or the nature of the violation.

b. Application for Appeal

Students wishing to appeal a disposition must submit a written application to the designated office within seven (7) calendar days of receipt of the disposition. The application for appeal must identify which of the three grounds forms the basis of the appeal. Students must be in compliance with the disposition at the time of their appeal request and until a final decision on their appeal is rendered.

c. Appeal Procedure

If the appeal has been submitted within the specified time frame and has identified at least one of the

permissible grounds for appeal the designated Appeals Panel will review all information submitted. The Appeals Panel may also request interviews with the parties involved. The Appeals Panel will provide the student with its decision in writing. The decision of the Appeals Panel will be final.

13. Links

- a. Office of Student Conduct and Community Standards (SCCS) <https://www.stonybrook.edu/commcms/studentaffairs/sccs/>
- b. Office of Equity and Access <http://www.stonybrook.edu/oea>
- c. Students Bill of Rights <https://www.stonybrook.edu/commcms/oea/documents/Student-bill-of-rights.pdf>
- d. Complaint Procedure for Allegations of Discrimination https://www.stonybrook.edu/commcms/oea/documents/Complaint_Procedure%2005_01_2018.pdf
- e. On-Line Sexual Misconduct Report Form <http://www.stonybrook.edu/reportit/>

The Students' Bill of Rights is available by clicking here:

https://www.stonybrook.edu/commcms/studentaffairs/cpo/sexual-violence/bill_of_rights.php

KNOW YOUR RIGHTS
In Cases of Sexual and Interpersonal Violence, Students have the right to report to the police.

- To report to the police.
- To have Stony Brook take your report seriously.
- Not to be punished by Stony Brook to report to police or to pursue any legal action.
- For Stony Brook's process to be fair, respectful and provide an opportunity to be heard.
- To be treated with dignity and to receive from Stony Brook treatment that respects health and wellbeing.
- To report free from the suspicion that you should have acted differently or that you are at fault.
- Not to be required to immediately report your account to the police.
- To be protected from retaliation.
- To have access to at least one level of support.
- To be accompanied by an advisor during all meetings and hearings.
- To oversee your trial and practice your right to present evidence to the Stony Brook's process.

SEE IT? HEAR IT? ARE YOU A VICTIM?
ReportIt.
Stony Brook University is proud of its long-standing commitment to equal employment and educational opportunity. Any form of harassment, including sexual harassment, is prohibited by Stony Brook University and by federal and state laws, such as Title IX of the Education Amendments of 1972. Sexual harassment includes sexual assault, domestic violence and other behaviors that constitute forms of gender or sexual orientation violence. If you have been affected by an experience of any of these behaviors, please report it.

Report Sexual Misconduct and/or any other incident of discrimination 24/7
stonybrook.edu/reportit

What can I report?
• Sexual harassment
• Rape
• Sexual assault
• Stalking
• Sexual violence
• Stalking
• Stalking
• Stalking

What can I expect?
• A safe and secure reporting environment
• Confidentiality
• Confidentiality
• Confidentiality
• Confidentiality

Where can I...?
Report a Crime?
IN AN EMERGENCY, DIAL 911
UNIVERSITY POLICE: (516) 632-5513
NYP POLICE: (646) 462-7248
STONY BROOK POLICE: (516) 632-5513

Final Support?
Survivor Advocate, Center for Prevention and Outreach (CPO)
207-111-8778 | advocate@stonybrook.edu
A survivor advocate is available to provide support and guidance to students who have experienced sexual violence.

Seek No Cost Medical Services?
Stony Brook University's Medical Health Services
207-111-8778 | www.stonybrook.edu/healthservices
A survivor advocate is available to provide support and guidance to students who have experienced sexual violence.

File A Report?
Multiple locations: AWP Title IX & ADA Coordinator
The Office of Equity and Access
207-111-8778 | www.stonybrook.edu/oea
207-111-8778 | www.stonybrook.edu/oea

Learn More?
stonybrook.edu/oea

(Click to Enlarge)

VIII. TITLE IX GRIEVANCE POLICY AND PROCEDURE

A. Introduction

1. What is the purpose of the Title IX Grievance Policy?

Title IX of the Educational Amendments of 1972 prohibits any person in the United States from being discriminated against on the basis of sex in seeking access to any educational program or activity receiving federal financial assistance. The U.S. Department of Education, which enforces Title IX, has long defined the meaning of Title IX's prohibition on sex discrimination broadly to include various forms of sexual harassment and sexual violence that interfere with a student's ability to equally access our educational programs and opportunities.

On May 19, 2020, the U.S. Department of Education issued a Final Rule under Title IX of the Education Amendments of 1972 that:

- Defines the meaning of “sexual harassment” (including forms of sex-based violence)
- Addresses how this University must respond to reports of misconduct falling within that definition of sexual harassment, and
- Mandates a grievance process that this University must follow to comply with the law in these specific covered cases before issuing a disciplinary sanction against a person accused of sexual harassment.

See, 85 Fed. Reg. 30026 (May 19, 2020). The full text of the Final Rule and its extensive Preamble are available here: <http://bit.ly/TitleIXReg>

Based on the Final Rule, Stony Brook University will implement the following Title IX Grievance Policy, effective August 14, 2020.

2. How does the Title IX Grievance Policy impact other campus disciplinary policies?

In recent years, “Title IX” cases have become a short-hand for any campus disciplinary process involving sex discrimination, including those arising from sexual harassment and sexual assault. But under the Final Rule, Stony Brook University must narrow both the geographic scope of its authority to act under Title IX and the types of “sexual harassment” that it must subject to its Title IX investigation and adjudication process. **Only** incidents falling within the Final Rule’s definition of sexual harassment will be investigated and, if appropriate, brought to a live hearing through the Title IX Grievance Policy defined below.

Stony Brook University remains committed to addressing any violations of its policies, even those not meeting the narrow standards defined under the Title IX Final Rule.

Specifically, our campus has:

- A **Code of Student Responsibility** that defines certain behavior as a violation of campus policy, and a separate **Sexual Misconduct Policy** that addresses the types of sex-based offenses constituting a violation of campus policy, and the procedures for investigating and adjudicating those sex-based offenses.

To the extent that alleged misconduct falls outside the Title IX Grievance Policy, or misconduct falling outside the Title IX Grievance Policy is discovered in the course of investigating covered Title IX misconduct, the University retains authority to investigate and adjudicate the allegations under the policies and procedures defined within the [Code of Student Responsibility](https://www.stonybrook.edu/commcms/studentaffairs/sccs/conduct.php) (<https://www.stonybrook.edu/commcms/studentaffairs/sccs/conduct.php>) or Complaint Procedure for Allegations of Discrimination.

The elements established in the Title IX Grievance Policy under the Final Rule have no effect and are not transferable to any other policy of the College for any violation of the Code of Student Responsibility, employment policies, or any civil rights violation except as narrowly defined in this Policy. This Policy does not set a precedent for other policies or processes of the University and may not be cited for or against any right or aspect of any other policy or process.

3. How does the Title IX Grievance Policy impact the handling of complaints?

Our existing Title IX office and reporting structure remains in place. What has changed is the way our Title IX office will handle different types of reports arising from sexual misconduct, as detailed in full throughout Section 2.

B. The Title IX Grievance Policy
1. General Rules of Application

a. Effective Date

This Title IX Grievance Policy will become effective on August 14, 2020 and will only apply to formal complaints of sexual harassment that occurred on or after August 14, 2020. Complaints regarding incidents occurring prior to August 14, 2020, will be investigated and adjudicated according to the Sexual Misconduct Policy and Procedure detailed in the Code of Student Responsibility or the Complaint Procedure for Allegations of Discrimination.

b. Revocation by Operation of Law

Should any portion of the Title IX Final Rule, 85 Fed. Reg. 30026 (May 19, 2020), be stayed or held invalid by a court of law, or should the Title IX Final Rule be withdrawn or modified to not require the elements of this policy, this policy, or the invalidated elements of this policy, will be deemed revoked as of the publication date of the opinion or order. All reports after

that date, as well as any elements of the process that occur after that date if a case is not complete by that date of opinion or order publication, shall also be revoked. Should the Title IX Grievance Policy be revoked in this manner, any conduct covered under the Title IX Grievance Policy shall be investigated and adjudicated under the existing Code of Student Responsibility or Discrimination Complaint Procedure.

c. Non-Discrimination in Application

The requirements and protections of this policy apply equally regardless of sex, sexual orientation, gender identity, gender expression, or other protected classes covered by federal or state law. All requirements and protections are equitably provided to individuals regardless of such status or status as a Complainant, Respondent, or Witness. Individuals who wish to file a complaint about the University’s policy or process may contact the Department of Education’s Office for Civil Rights using contact information available at <https://ocrcas.ed.gov/contact-ocr>.

2. Definitions

a. Covered Sexual Harassment

For the purposes of this Title IX Grievance Policy, “covered sexual harassment” includes any conduct on the basis of sex that satisfies one or more of the following:

1. An employee conditioning educational benefits on participation in unwelcome sexual conduct (i.e., quid pro quo);
2. Unwelcome conduct that a reasonable person would determine is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the University’s education program or activity;
3. Sexual assault (as defined in the Clery Act), which includes any sexual act directed against another person, without the consent of the victim including instances where the victim is incapable of giving consent;

4. Dating violence (as defined in the Violence Against Women Act (VAWA) amendments to the Clery Act), which includes any violence committed by a person: (A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (B) where the existence of such a relationship shall be determined based on a consideration of the following factors: (i) The length of the relationship; (ii) The type of relationship; (iii) The frequency of interaction between the persons involved in the relationship.

5. Domestic violence (as defined in the VAWA amendments to the Clery Act), which includes any felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under New York domestic or family violence laws or by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of New York.

6. Stalking (as defined in the VAWA amendments to the Clery Act), meaning engaging in a course of conduct directed at a specific person that would cause a reasonable person to-- (A) fear for their safety or the safety of others; or (B) suffer substantial emotional distress.

Note that conduct that does not meet one or more of these criteria may still be prohibited under the Code of Student Responsibility.

b. Consent

For the purposes of this Title IX Grievance Policy, “consent” is a knowing, voluntary, and mutual decision among all participants to engage in sexual activity. Consent can be given by words or actions, as long as those words or actions create clear permission regarding willingness to engage in the sexual activity. Silence or lack of resistance, in and of itself, does not

demonstrate consent. The definition of consent does not vary based upon a participant’s sex, sexual orientation, gender identity, or gender expression.

c. Education Program or Activity

For the purposes of this Title IX Grievance Policy, Stony Brook University “education program or activity” includes:

- Any on-campus premises
- Any off-campus premises that Stony Brook University has substantial control over. This includes buildings or property owned or controlled by a recognized student organization.
- Activity occurring within computer and internet networks, digital platforms, and computer hardware or software owned or operated by, or used in the operations of Stony Brook University’s programs and activities over which Stony Brook University has substantial control.

d. Formal Complaint

For the purposes of this Title IX Grievance Policy, “formal complaint” means a document – including an electronic submission - filed by a complainant with a signature or other indication that the complainant is the person filing the formal complaint, or signed by the Title IX Coordinator, alleging sexual harassment against a respondent about conduct within a Stony Brook University education program or activity and requesting initiation of the procedures consistent with the Title IX Grievance Policy to investigate the allegation of sexual harassment.

e. Complainant

For the purposes of this Title IX Grievance Policy, Complainant means any individual who has reported being or is alleged to be the victim of conduct that could constitute covered sexual harassment as defined under this policy.

f. Relevant evidence and questions

“Relevant” evidence and questions refers to any questions and evidence that tends to make an allegation of sexual harassment more or less likely to be true.

“Relevant” evidence and questions do not include the following types of evidence and questions, which are deemed “irrelevant” at all stages of the Title IX Grievance Process:

- Evidence and questions about the complainant’s sexual predisposition or prior sexual behavior unless:
 - They are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or
 - They concern specific incidents of the complainant’s prior sexual behavior with respect to the respondent and are offered to prove consent.
- Evidence and questions that constitute, or seek disclosure of, information protected under a legally-recognized privilege.
- Any party’s medical, psychological, and similar records unless the party has given voluntary, written consent.

g. Respondent

For the purposes of this Title IX Grievance policy, Respondent means any individual who has been reported to be the perpetrator of conduct that could constitute covered sexual harassment as defined under this policy.

h. Privacy vs. Confidentiality

Consistent with the Code of Student Responsibility references made to *confidentiality* refer to the ability of identified confidential resources to not report crimes and violations to law enforcement or college officials without permission, except for extreme circumstances, such as a health and/or safety emergency or child abuse. References made to *privacy* mean Stony Brook University offices and employees

who cannot guarantee confidentiality but will maintain privacy to the greatest extent possible, and information disclosed will be relayed only as necessary to investigate and/or seek a resolution and to notify the Title IX Coordinator or designee, who is responsible for tracking patterns and spotting systemic issues. Stony Brook University will limit the disclosure as much as practicable, even if the Title IX Coordinator determines that the request for confidentiality cannot be honored.

i. Disability Accommodations

This Policy does not alter any obligations of the University under federal disability laws including the Americans with Disabilities Act of 1990, and Section 504 of the Rehabilitation Act of 1973. Parties may request reasonable accommodations for disclosed disabilities to the Title IX Coordinator at any point before or during the Title IX Grievance Process that do not fundamentally alter the Process. The Title IX Coordinator will not affirmatively provide disability accommodations that have not been specifically requested by the Parties, even where the Parties may be receiving accommodations in other institutional programs and activities.

3. Making a Report Regarding Covered Sexual Harassment to the University

- a. Any person may report sex discrimination, including sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment), in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person’s verbal or written report.

Contact Information for the Title IX Coordinator:

Name: Marjolie Leonard

Title: Assistant Vice President,
 Title IX & ADA Coordinator
 Office Address: 201 Administration
 Building, Stony Brook, NY 11794-0251
 Email Address: titleix@stonybrook.edu
 Telephone Number: (631) 632-6280
 Website to File a Report:
<https://stonybrook.edu/ReportIt>

Such a report may be made at any time (including during non-business hours) by using the telephone number or electronic mail address, or by mail to the office address listed for the Title IX Coordinator.

a. Confidential Reporting

The following Officials provide confidentiality

- Counseling and Psychological Services (CAPS)
- Center for Prevention and Outreach
- SANE Program (Sexual Assault Nurse Examiner)
- Student Health Services

The following Officials will provide privacy, but not confidentiality, upon receiving a report of conduct prohibited under this policy:

- Title IX Coordinator, Title IX Investigator, or designee
- The Office of Equity and Access
- The Office of Student Conduct and Community Standards
- Human Resources
- Labor Relations
- Responsible Employees:
 - Senior Administrators (Directors and above and in the hospital, Nurse Managers and above)
 - Chairs of Academic Department
 - Supervisors
 - Ombudsmen
 - Assistant/Associate Directors in Campus Residences
 - Residence Hall Directors
 - Athletics Coaching Staff
 - University Recognized Sport Club Coaches
 - Deputy Title IX Coordinators

- Academic Faculty Members
- Professional Staff In:
 - Academic Advisement
 - Career Services
 - Continuing Education
 - Financial Aid
 - Instructional Support
 - Athletics
 - Residential Life
 - Student Activities or Student Affairs
- Residence Hall Directors
- Athletics Coaching Staff
- University Recognized Sport Club Coaches
- Deputy Title IX Coordinators
- Academic Faculty Members
- Professional Staff In:
 - Academic Advisement
 - Career Services
 - Continuing Education
 - Financial Aid
 - Instructional Support
 - Athletics
 - Residential Life
 - Student Activities or Student Affairs

4. Non-Investigatory Measures Available Under the Title IX Grievance Policy

a. Supportive Measures

Complainants (as defined above), who report allegations that could constitute covered sexual harassment under this policy, have the right to receive supportive measures from Stony Brook University regardless of whether they desire to file a complaint. Supportive measures are non-disciplinary and non-punitive.

As appropriate, supportive measures may include, but not be limited to:

- Counseling
- extensions of deadlines or other course-related adjustments
- modifications of work or class schedules
- campus walk service
- restrictions on contact between the parties (no contact orders)
- changes in work or housing locations
- leaves of absence

- increased security and monitoring of certain areas of the campus.

b. Emergency Removal

Stony Brook University retains the authority to remove a respondent from Stony Brook University’s program or activity on an emergency basis, where Stony Brook University (1) undertakes an individualized safety and risk analysis and (2) determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of covered sexual harassment justifies a removal.

If Stony Brook University determines such removal is necessary, the respondent will be provided notice and an opportunity to challenge the decision immediately following the removal. Details on emergency removals (Interim Suspension) can be found in section II.1 of the Code of Student Responsibility.

c. Administrative Leave

Stony Brook University retains the authority to place a non-student employee respondent on administrative leave during the Title IX Grievance Process, consistent with the applicable collective bargaining agreement.

5. The Title IX Grievance Process

a. Filing a Formal Complaint

The timeframe for the Title IX Grievance Process begins with the filing of a Formal Complaint. The Grievance Process will be concluded within a reasonably prompt manner, and no longer than ninety (90) calendar days after the filing of the Formal Complaint, provided that the Process may be extended for a good reason, including but not limited to the absence of a party, a party’s advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities. The procedure for applying for extensions is described below.

To file a Formal Complaint, a complainant must provide the Title IX Coordinator or designee a written, signed complaint describing the facts alleged. Complainants are only able to file a Formal Complaint under this Policy if they are currently participating in, or attempting to participate in, the education programs or activities of Stony Brook University including as an employee. For complainants who do not meet this criteria, the University may utilize existing policy procedures detailed in the Code of Student Responsibility or the Complaint Procedure for Allegations of Discrimination.

If a complainant does not wish to make a Formal Complaint, the Title IX Coordinator may determine a Formal Complaint is necessary. Stony Brook University will inform the complainant of this decision in writing, and the complainant need not participate in the process further but will receive all notices issued under this Policy and Process.

Nothing in the Title IX Grievance Policy or Code of Student Responsibility prevents a complainant from seeking the assistance of state or local law enforcement alongside the appropriate on-campus process.

b. Informal Resolution

A complainant who files a Formal Complaint may elect, at any time, to address the matter through the Institution's Informal Resolution Process. All Parties to a Formal Complaint must agree to enter the Informal Resolution Process through an informed written consent. Information about this Process is available here: [\[https://www.stonybrook.edu/commcms/oea-sm-tix/titleix/informal-resolution.php\]](https://www.stonybrook.edu/commcms/oea-sm-tix/titleix/informal-resolution.php)

c. Multi-Party Situations

The institution may consolidate Formal Complaints alleging covered sexual harassment 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

covered sexual harassment arise out of the same facts or circumstances.

d. Determining Jurisdiction

The Title IX Coordinator or designee will determine if the instant Title IX Grievance Process should apply to a Formal Complaint. The Process will apply when all of the following elements are met, in the reasonable determination of the Title IX Coordinator:

1. The conduct is alleged to have occurred on or after August 14, 2020;
2. The conduct is alleged to have occurred in the United States;
3. The conduct is alleged to have occurred in Stony Brook University's education program or activity; and
4. The alleged conduct, if true, would constitute covered sexual harassment as defined in this policy.

If all of the elements are met, Stony Brook University will investigate the allegations according to the Title IX Grievance Process.

e. Allegations Potentially Falling Under Two Policies

If the alleged conduct, if true, includes conduct that would constitute covered sexual harassment and conduct that would not constitute covered sexual harassment, the Title IX Grievance Process will be applied in the investigation and adjudication of all of the allegations.

f. Mandatory Dismissal

If any one of these elements are not met, the Title IX Coordinator or designee will notify the parties that the Formal Complaint is being dismissed for the purposes of the Title IX Grievance Policy. Each party may appeal this dismissal using the procedure outlined in "Appeals," below.

g. Discretionary Dismissal

The Title IX Coordinator or designee may dismiss a Formal Complaint brought under the Title IX Grievance Policy, or any

specific allegations raised within that Formal Complaint, at any time during the investigation or hearing, if:

- A complainant notifies the Title IX Coordinator in writing that they would like to withdraw the Formal Complaint or any allegations raised in the Formal Complaint;
- The respondent is no longer enrolled or employed by Stony Brook University; or,
- If specific circumstances prevent Stony Brook University from gathering evidence sufficient to reach a determination regarding the Formal Complaint or allegations within the Formal Complaint.

Any party may appeal a dismissal determination using the process set forth in "Appeals," below.

h. Notice of Dismissal

Upon reaching a decision that the Formal Complaint will be dismissed, the institution will promptly send written notice of the dismissal of the Formal Complaint or any specific allegation within the Formal Complaint, and the reason for the dismissal, simultaneously to the parties through their institutional email accounts. It is the responsibility of parties to maintain and regularly check their email accounts.

i. Notice of Removal

Upon dismissal for the purposes of Title IX, Stony Brook University retains discretion to determine if a violation of the Code of Student Responsibility or the Complaint Procedure for Allegations of Discrimination has occurred. If so, Stony Brook University will promptly send written notice of the dismissal of the Formal Complaint under the Title IX Grievance Process and removal of the allegations to the appropriate conduct process.

j. Notice of Allegations

The Title IX Coordinator or designee will draft and provide the Notice of Allegations to each party to the allegations of sexual harassment. Such notice will occur as soon as practicable, after the University receives a Formal Complaint of the allegations, if there are no extenuating circumstances.

The parties will be notified by their University email accounts if they are a student or employee, and by other reasonable means if they are neither.

The University will provide sufficient time for the parties to review the Notice of Allegations and prepare a response before any initial interview.

The Title IX Coordinator or designee may determine that the Formal Complaint must be dismissed on the mandatory grounds identified above, and will issue a Notice of Dismissal. If such a determination is made, each party to the allegations of sexual harassment identified in the Formal Complaint will receive the Notice of Dismissal in conjunction with, or in separate correspondence after, the Notice of Allegations.

k. Contents of Notice

The Notice of Allegations will include the following:

- Notice of the University's Title IX Grievance Process (including information on the informal resolution process) and a hyperlink (or hard copy if Notice cannot be sent by email) to a copy of the process.
- Notice of the allegations potentially constituting covered sexual harassment, and sufficient details known at the time the Notice is issued, such as the identities of the parties involved in the incident, if known, including the complainant; the conduct allegedly constituting covered sexual harassment; and the date and location of the alleged incident, if known.

- 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 grievance process.
- A statement that the parties may have an advisor of their choice, who may be, but is not required to be, an attorney;
- A statement that before the conclusion of the investigation, the parties may inspect and review evidence obtained as part of the investigation that is directly related to the allegations raised in the Formal Complaint, including the evidence upon which the University does not intend to rely in reaching a determination regarding responsibility, and evidence that both tends to prove or disprove the allegations, whether obtained from a party or other source, as required under 34 C.F.R. § 106.45(b)(5)(vi);
- A statement that prohibits knowingly making false statements or knowingly submitting false information during the grievance process as detailed in section III.6 of the Code of Student Responsibility.

l. Ongoing Notice

If, in the course of an investigation, the University decides to investigate allegations about the complainant or respondent that are not included in the Notice of Allegations and are otherwise covered "sexual harassment" falling within the Title IX Grievance Policy, the University will notify the parties whose identities are known of the additional allegations by their University email accounts or other reasonable means.

The parties will be provided sufficient time to review the additional allegations to prepare a response before any initial interview regarding those additional charges.

m. Advisor of Choice and Participation of Advisor of Choice

Stony Brook University will provide the parties equal access to advisors and support persons; any restrictions on advisor participation will be applied equally.

Stony Brook University has a long-standing practice of requiring students to participate in the process directly and not through an advocate or representative. Students participating as Complainant or Respondent in this process may be accompanied by an Advisor of Choice to any meeting or hearing to which they are required or are eligible to attend. The Advisor of Choice is not an advocate. Except where explicitly stated by this Policy, as consistent with the Final Rule, Advisors of Choice shall not participate directly in the process as per standard policy and practice of Stony Brook University.

Stony Brook University will not intentionally schedule meetings or hearings on dates where the Advisors of Choice for all parties are not available, provided that the Advisors act reasonably in providing available dates and work collegially to find dates and times that meet all schedules.

Stony Brook University's obligations to investigate and adjudicate in a prompt timeframe under Title IX and other college policies apply to matters governed under this Policy, and Stony Brook University cannot agree to extensive delays solely to accommodate the schedule of an Advisor of Choice. The determination of what is reasonable shall be made by the Title IX Coordinator or designee. Stony Brook University will not be obligated to delay a meeting or hearing under this process more than five (5) days due to the unavailability of an Advisor of Choice, and may offer the party the opportunity to obtain a different Advisor of Choice or utilize one provided by Stony Brook University.

n. Notice of Meetings and Interviews

Stony Brook University will provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings with a party, with sufficient time for the party to prepare to participate.

o. Delays

Each party may request a one-time delay in the Grievance Process of up to five (5) days for good cause (granted or denied in the sole judgment of the Title IX Coordinator, Director of Student Conduct and Community Standards or designee) provided that the requestor provides reasonable notice and the delay does not overly inconvenience other parties.

For example, a request to take a five day pause made an hour before a hearing for which multiple parties and their advisors have traveled to and prepared for shall generally not be granted, while a request for a five day pause in the middle of investigation interviews to allow a party to obtain certain documentary evidence shall generally be granted.

The Title IX Coordinator, Director of Student Conduct and Community Standards or designee shall have sole judgment to grant further pauses in the Process.

6. Investigation

a. General Rules of Investigations

After issuing the Notice of Allegations, the Title IX Coordinator and/or an investigator designated by the Title IX Coordinator will perform an investigation under a reasonably prompt timeframe of the conduct alleged to constitute covered sexual harassment.

Stony Brook University and not the parties, has the burden of proof and the burden of gathering evidence, i.e. the responsibility of showing a violation of this Policy has occurred. This burden does not rest with either party, and either party may decide not to share their account of

what occurred or may decide not to participate in an investigation or hearing. This does not shift the burden of proof away from Stony Brook University and does not indicate responsibility.

Stony Brook University cannot access, consider, or disclose medical records without a waiver from the party (or parent, if applicable) to whom the records belong or of whom the records include information. Stony Brook University will provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence, (i.e. evidence that tends to prove and disprove the allegations) as described below.

b. Inspection and Review of Evidence

Prior to the completion of the investigation, the parties will have an equal opportunity to inspect and review the evidence obtained through the investigation. The purpose of the inspection and review process is to allow each party the equal opportunity to meaningfully respond to the evidence prior to conclusion of the investigation.

Evidence that will be available for inspection and review by the parties will be any evidence that is directly related to the allegations raised in the Formal Complaint. It will include any:

1. Evidence that is relevant, even if that evidence does not end up being relied upon by the University in making a determination regarding responsibility;
2. Inculpatory or exculpatory evidence (i.e. evidence that tends to prove or disprove the allegations) that is directly related to the allegations, whether obtained from a party or other source.

All parties must submit any evidence they would like the investigator to consider prior to when the parties' time to inspect and review evidence begins.

The institution will send the evidence made available for each party and each party's advisor, if any, to inspect and

review (through an electronic format or a hard copy). Stony Brook University is not under an obligation to use any specific process or technology to provide the evidence and shall have the sole discretion in terms of determining format and any restrictions or limitations on access.

The parties will have ten (10) calendar days to inspect and review the evidence and submit a written response by email to the investigator. After the ten (10) calendar day review and response period, the investigator will not be required to accept a late submission. The investigator will consider the parties' written responses before completing the Investigative Report. After reviewing the parties' written responses, the investigator may provide the parties' with written notice extending the investigation and explaining the reason for the extension.

Any evidence subject to inspection and review will be available at any hearing, including for purposes of cross-examination.

The parties and their advisors must sign an agreement not to disseminate any of the evidence subject to inspection and review, not to photograph or otherwise copy the evidence or use such evidence for any purpose unrelated to the Title IX grievance process.

c. Inclusion of Evidence Not Directly Related to the Allegations

Evidence obtained in the investigation that is determined in the reasoned judgment of the investigator not to be directly related to the allegations in the Formal Complaint will not be disclosed, or may be appropriately redacted before the parties' inspection to avoid disclosure of personally identifiable information of a student. Any evidence obtained in the investigation that is kept from disclosure or appropriately redacted will be documented in a "privilege log" that may

be reviewed by the parties and their advisors.

d. Investigative Report

The Title IX Coordinator and/or an investigator designated by the Title IX Coordinator will create an Investigative Report that fairly summarizes relevant evidence, and will provide that Report to the parties at least ten (10) calendar days prior to the hearing in an electronic format or a hard copy for each party's review and written response.

The Investigative Report is not intended to catalog all evidence obtained by the investigator, but only to provide a fair summary of that evidence.

Only relevant evidence (including both inculpatory and exculpatory – i.e. tending to prove and disprove the allegations - relevant evidence) will be referenced in the Investigative Report.

The investigator may redact irrelevant information from the Investigative Report when that information is contained in documents or evidence that is/are otherwise relevant.

7. Hearing

a. General Rules of Hearings

Stony Brook University will not issue a disciplinary sanction arising from an allegation of covered sexual harassment without holding a live hearing unless otherwise resolved through the University's informal resolution process.

The live hearing may be conducted with all parties physically present in the same geographic location, or, at Stony Brook University's discretion, any or all parties, witnesses, and other participants may appear at the live hearing virtually through Zoom or any other acceptable digital platform. This technology will enable participants simultaneously to see and hear each other. At its discretion, Stony Brook University may delay or adjourn a hearing

based on technological errors not within a party's control.

All proceedings will be recorded through audio recording.

Prior to obtaining access to any evidence, the parties and their advisors must sign an agreement not to disseminate any of the testimony heard or evidence obtained in the hearing or use such testimony or evidence for any purpose unrelated to the Title IX Grievance Process. Once signed, this Agreement may not be withdrawn.

b. Continuances or Granting Extensions

Stony Brook University may determine that multiple sessions or a continuance (i.e. a pause on the continuation of the hearing until a later date or time) is needed to complete a hearing. If so, Stony Brook University will notify all participants and endeavor to accommodate all participants' schedules and complete the hearing as promptly as practicable.

c. Participants in the live hearing

Live hearings are not public, and the only individuals permitted to participate in the hearing are as follows:

Complainant and Respondent (The Parties)

- The parties cannot waive the right to a live hearing.
- The University may still proceed with the live hearing in the absence of a party, and may reach a determination of responsibility in their absence.
- Stony Brook University will not threaten, coerce, intimidate or discriminate against the party in an attempt to secure the party's participation.
- The decision-maker cannot draw an inference about the determination regarding responsibility based solely on a party's absence from the live hearing or refusal to answer cross examination or other questions.
- The parties shall be subject to the

institution's Rules of Decorum [<https://www.stonybrook.edu/comms/oea-sm-tix/titleix/decorum-rules.php>]

The Decision-maker

- The hearing body will consist of a single decision maker (the Hearing Officer).
- The Hearing Officer will not have served as the Title IX Coordinator, Title IX investigator, or advisor to any party in the case, nor may any member of the hearing body serve on the appeals body in the case.
- The Hearing Officer will not have a conflict of interest or bias in favor of or against complainants or respondents generally, or in favor or against the parties to the particular case.
- The Hearing Officer will be trained on topics including how to serve impartially, issues of relevance, including how to apply the rape shield protections provided for complainants, and any technology to be used at the hearing.
- The parties will have an opportunity to raise any objections regarding the Hearing Officer's actual or perceived conflicts of interest or bias at the commencement of the live hearing.

Advisor of choice

- The parties have the right to select an advisor of their choice, who may be, but does not have to be, an attorney.
- The advisor of choice may accompany the parties to any meeting or hearing they are permitted to attend, but may not speak for the party, except for the purpose of cross-examination.
- The parties are not permitted to conduct cross-examination; it must be conducted by the advisor. As a result, if a party does not select an advisor, the University will select an advisor to serve in this role for the limited purpose of conducting the cross-examination at no fee or charge to the party.

- The advisor is not prohibited from having a conflict of interest or bias in favor of or against complainants or respondents generally, or in favor or against the parties to the particular case.
- The advisor is not prohibited from being a witness in the matter.
- If a party does not attend the live hearing, the party's advisor may appear and conduct cross-examination on their behalf.
- If neither a party nor their advisor appear at the hearing, Stony Brook University will provide an advisor to appear on behalf of the non-appearing party.
- The advisors shall be subject to the University's Rules of Decorum [<https://www.stonybrook.edu/commcms/oea-sm-tix/titleix/decorum-rules.php>]

Witnesses

- Witnesses cannot be compelled to participate in the live hearing, and have the right not to participate in the hearing free from retaliation.
- Witnesses shall be subject to the University's Rules of Decorum [<https://www.stonybrook.edu/commcms/oea-sm-tix/titleix/decorum-rules.php>]<https://www.stonybrook.edu/commcms/oea-titleix/decorum-rules.pcf>].

Other University Personnel

- Other University Personnel, including but not limited to a representative from the Stony Brook University Office of General Counsel, a representative from the Office of Student Conduct and Community Standards, and the Title IX Investigator, may also be present for the hearing.

d. Hearing Procedures

For all live hearings conducted under this Title IX Grievance Process, the procedure will be as follows:

- Hearing Officer will open and establish rules and expectations for the hearing;
 - The Parties will each be given the opportunity to provide opening statements;
 - The Hearing Officer will ask questions of the Parties and Witnesses;
 - Parties will be given the opportunity for live cross-examination after the Hearing Officer conducts its initial round of questioning; During the Parties' cross-examination, the Hearing Officer will have the authority to pause cross-examination at any time for the purposes of asking the Hearing Officer's own follow up questions; and any time necessary in order to enforce the established rules of decorum.
 - Should a Party or the Party's Advisor choose not to cross-examine a Party or Witness, the Party shall affirmatively waive cross-examination through a written or oral statement to the Hearing Officer. A Party's waiver of cross-examination does not eliminate the ability of the Hearing Officer to use statements made by the Party.
 - After all parties and witnesses have presented statements and all questioning has been completed, closing statements are made first by the Respondent(s), then by the Complainant(s). Closing statements are intended to summarize the information previously introduced during the investigation process and hearing. During this time, both parties may also provide an impact statement on how the incident/allegation has affected their University experience. No questioning is allowed during or after closing statements.
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- e. Live Cross-Examination Procedure**

Each party's advisor will conduct live cross-examination of the other party or parties and witnesses. During this live-cross examination the advisor will ask the

other party or parties and witnesses relevant questions and follow-up questions, including those challenging credibility directly, orally, and in real time.

Before any cross-examination question is answered, the Hearing Officer will determine if the question is relevant [<https://www.stonybrook.edu/commcms/oea-sm-tix/titleix/relevance-policy.php>]. Cross-examination questions that are duplicative of those already asked, including by the Hearing Officer may be deemed irrelevant if they have been asked and answered.

f. Review of Audio Recording

The audio recording of the hearing will be available for review by the parties subsequent to issuance of the determination. The recording of the hearing will not be provided to parties or advisors of choice but will be available for review upon request.

8. Determination Regarding Responsibility

a. Standard of Proof

Stony Brook University uses the preponderance of the evidence standard for investigations and determinations regarding responsibility of formal complaints covered under this Policy. This means that the investigation and hearing determine whether it is more likely than not that a violation of the Policy occurred.

b. General Considerations for Evaluating Testimony and Evidence

While the opportunity for cross-examination is required in all Title IX hearings, determinations regarding responsibility may be based in part, or entirely, on documentary, audiovisual, and digital evidence, as warranted in the reasoned judgment of the Hearing Officer.

The Hearing Officer shall not draw inferences regarding a party or witness' credibility based on the party or witness' status as a complainant, respondent, or

witness, nor shall it base its judgments in stereotypes about how a party or witness would or should act under the circumstances.

Generally, credibility judgments should rest on the demeanor of the party or witness, the plausibility of their testimony, the consistency of their testimony, and its reliability in light of corroborating or conflicting testimony or evidence.

Still, credibility judgments should not rest on whether a party or witness' testimony is non-linear or incomplete, or if the party or witness is displaying stress or anxiety.

The Hearing Officer will afford the highest weight relative to other testimony to first-hand testimony by parties and witnesses regarding their own memory of specific facts that occurred. Both inculpatory and exculpatory (i.e. tending to prove and disprove the allegations) evidence will be weighed in equal fashion.

Except where specifically barred by the Title IX Final Rule, a witness' testimony regarding third-party knowledge of the facts at issue will be allowed, but will generally be accorded lower weight than testimony regarding direct knowledge of specific facts that occurred.

The Final Rule requires that Stony Brook University allow parties to call "expert witnesses" for direct and cross examination. Stony Brook University does not provide for expert witnesses in other proceedings. While the expert witness will be allowed to testify and be cross examined as required by the Final Rule, the decision-maker will be instructed to afford lower weight to non-factual testimony of the expert relative to fact witnesses, and any expert testimony that is not directed to the specific facts that occurred in the case will be afforded lower weight relative to fact witnesses, regardless of whether the expert witness testimony is the subject of cross examination and regardless of whether all parties present experts as witnesses.

The Final Rule requires that Stony Brook University allow parties to call character witnesses to testify. While the character witnesses will be allowed to testify and be cross examined as required by the Final Rule, the decision-maker will be instructed to afford very low weight to any non-factual character testimony of any witness.

The Final Rule requires that Stony Brook University admit and allow testimony regarding polygraph tests ("lie detector tests") and other procedures that are outside of standard use in academic and non-academic conduct processes. While the processes and testimony about them will be allowed to testify and be cross

examined as required by the Final Rule, the Hearing Officer will be instructed to afford lower weight to such processes relative to the testimony of fact witnesses.

Where a party or witness' conduct or statements demonstrate that the party or witness is engaging in retaliatory conduct, including but not limited to witness tampering and intimidation, the Hearing Officer may draw an adverse inference as to that party or witness' credibility.

c. Components of the Determination Regarding Responsibility

The written Determination Regarding Responsibility will be issued simultaneously to all parties through their University email account, or other reasonable means as necessary. The Determination will include:

1. Identification of the allegations potentially constituting covered sexual harassment;
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 which policies

if any, the respondent has or has not violated.

5. For each allegation:
 - a. A statement of, and rationale for, a determination regarding responsibility;
 - b. A statement of, and rationale for, any disciplinary sanctions (possible sanctions for student respondents are detailed in section V. of the Code of Student Responsibility) the University imposes on the respondent; and
 - c. A statement of, and rationale for, whether remedies designed to restore or preserve equal access to the University's education program or activity will be provided by the recipient to the complainant; and
6. The University's procedures and the permitted reasons for the complainant and respondent to appeal (described below in "Appeal").

d. Timeline of Determination Regarding Responsibility

If there are no extenuating circumstances, the determination regarding responsibility will be issued by Stony Brook University within ten (10) business days of the completion of the hearing.

e. Finality

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 consistent with the procedures and timeline outlined in "Appeals" below, or if an appeal is not filed, the date on which the opportunity to appeal expires.

9. Appeals

Each party may appeal (1) the dismissal of a formal complaint or any included allegations and/or (2) a determination regarding responsibility. To appeal, a party must submit their written appeal within seven (7) calendar days of being notified of the decision, indicating the grounds for the appeal.

The limited grounds for appeal available are as follows:

- Procedural irregularity that affected the outcome of the matter (i.e. a failure to follow the University's own procedures);
- 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;
- The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against an individual party, or for or against complainants or respondents in general, that affected the outcome of the matter.
- The sanction(s) imposed is/are disproportionate in relation to the student's conduct records and/or the nature of the violation.

The submission of an appeal puts any sanctions on hold while the appeal decision is pending. Supportive measures remain available during pending appeal.

If a party appeals, the University will as soon as practicable notify the other party in writing of the appeal, however the time for appeal shall be offered equitably to all parties and shall not be extended for any party solely because the other party filed an appeal.

Appeals will be decided by an Appeals Panel, who will be free of conflict of interest and bias, and will not serve as investigator, Title IX Coordinator, or the Hearing Officer in the same matter.

Outcome of appeal will be provided in writing simultaneously to both parties, and include rationale for the decision.

10. Retaliation

Stony Brook University will keep the identity of any individual who has made a report or complaint of sex discrimination confidential, including the identity of any individual who has made a report or filed a Formal Complaint of sexual harassment

under this Title IX Grievance Policy, any Complainant, any individual who has been reported to be the perpetrator of sex discrimination, any Respondent, and any witness, except as permitted by the FERPA statute, 20 U.S.C. 1232g, or FERPA regulations, 34 CFR part 99, or as required by law, or to carry out the purposes of 34 CFR part 106, including the conduct of any investigation, hearing, or judicial proceeding under this Title IX Grievance Policy.

No person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX of the Education Amendments of 1972 or its implementing regulations.

No person may intimidate, threaten, coerce, or discriminate against any individual because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding or hearing under this Title IX Grievance Policy.

Any intimidation, threats, coercion, or discrimination, for the purpose of interfering with any right or privilege secured by Title IX or its implementing regulations constitutes retaliation. This includes any charges filed against an individual for conduct that do not involve sex discrimination or sexual harassment, but that arise from the same facts or circumstances as a report or complaint of sex discrimination or a report or Formal Complaint of sexual harassment. Stony Brook University strongly encourages students to report sexual harassment or sex discrimination to University officials. A bystander acting in good faith or a reporting individual acting in good faith that discloses any incident of sexual harassment or sex discrimination to Stony Brook University officials or law enforcement will not be subject to Stony Brook University Code of Student Responsibility action for violations of policies occurring at or near the time of the commission of sexual harassment or sex discrimination. Complaints alleging retaliation may be filed according to the Office of Equity and Access' Complaint Procedure for Allegations of Discrimination.

As required by the Campus Sex Crimes Prevention Act of 2000, the Stony Brook University Police Department provides a link to the New York State Division of Criminal Justice Services, the State agency which supplies sex offender registry information to law enforcement and the public. The law requires sex offenders to register in any state in which the offender is employed, pursues a vocation or is a student. In New York, when released to the community after conviction for an offense requiring registration, a sex offender is required to register with the New York State Division of Criminal Justice Services. Level 1 offenders must register for a minimum of twenty years; level 2 and 3 offenders must register for life. By law, only information

about higher-risk offenders (levels 2 and 3) is available on-line. See the New York State Division of Criminal Justice Services site: <http://www.criminaljustice.ny.gov/>.

Missing Resident Students

Definition: A missing resident student is defined as an individual subject to the provisions of Section 355(17) of the New York State Education Law, who resides in a facility owned or operated by Stony Brook University and who is reported under the following categories:

1. Currently mentally or physically impaired to the extent he/she needs treatment, cannot care for themselves, or may be a danger to themselves or others;
2. Absent under circumstances indicating unaccountable or involuntary disappearance;
3. Have been missing for more than twenty-four hours.

Investigative Response:

When the Stony Brook University Police Department becomes aware of a missing resident student, an immediate preliminary investigation will be conducted in an effort to determine the whereabouts of the missing individual. The preliminary investigation includes a canvas search of the location of residence and other possible locations, as well as interviews of all available witnesses and others who may have relevant information. If the results of the preliminary investigation are unsuccessful, the University Police Department supervisor on scene will make immediate notifications to the University Police Department Duty Chief and representatives from the Division of Campus Residences. The University Police Department Duty Chief will provide oversight into additional investigative steps to be taken. Additional steps include, but are not limited to, an immediate notification to the Vice President for Student Affairs, surrounding

local law enforcement authorities, and University investigators who will conduct and be responsible for investigative aspects related to the event.

There are occasions when a resident student is reported missing to Student Affairs staff. In this instance, Student Affairs representatives may conduct a preliminary inquiry to determine the missing student's location prior to notifying University Police. If Student Affairs staff members determine the missing student is currently mentally or physically impaired, may be a danger to themselves or others, or has involuntarily disappeared, an immediate notification will be made to the University Police Department who will conduct an investigation and make appropriate notifications.

All students are provided the option to confidentially register an emergency contact person or persons to be contacted by the University Police Department in the event the student is determined to be missing for more than twenty four hours. A student who wishes to identify a confidential contact can do so by managing their personal information on Stony Brook University's SOLAR system. A student's confidential contact information will be accessible only to authorized campus officials and law enforcement personnel when conducting a missing person investigation is necessary. If a resident student is missing for more than twenty four hours, the University Police Department will be notified. The University Police Department will ensure that the individual designated by the student as an emergency contact will be notified and provided with all relevant information within twenty four hours of the determination that the student is missing. If the resident student is less than eighteen years of age and is not emancipated, in addition to notifying any contact person designated by the student, the University Police Department will notify a custodial parent or guardian no later than twenty four hours after the student is determined missing.

Procedures for Reporting a Missing Person/Student on Campus:

A Stony Brook University employee, student or family member receiving information regarding an alleged missing person/student should immediately report it to the University Police Department by dialing 333 from a campus phone or (631) 632-3333 from a non-campus or cellular phone. The following individuals are also authorized to receive reports of missing resident students:

- Vice President for Student Affairs and Dean of Students
- Assistant Vice President for Campus Residences
- The Office of Student Conduct and Community Standards

Assembly and Access to Crime Statistics

This report is a collaborative effort prepared by the University Police Department with the cooperation of local law enforcement agencies whose jurisdiction borders the campuses of Stony Brook University, Stony Brook Southampton, Stony Brook Manhattan and other University locations; the Office of Campus Residences; the Office of the Vice President for Student Affairs; the Office of University Counsel; Student Health Services and Campus Security Authorities that offer educational and student outreach programs, including the Office of the Dean of Students, Office of Campus Residences, Office of Student Conduct and Community Standards and Department of Athletics. In accordance with State law, additional information may be provided by University Hospital health care practitioners and the Counseling and Psychological Services staff who may inform their clients of the procedures to report crime to the University Police or to Campus Security Authorities on a voluntary or confidential basis. This report includes statistics for the previous three years of reported crimes that occurred on-campus, on off-campus

sites owned or controlled by Stony Brook University and on public property immediately adjacent to and accessible from the campus.

Paper copies of this report are available at University Police Department Headquarters located at Dutchess Hall (SBU South Campus); at East Cottage (Stony Brook Southampton); at Environmental Health and Safety at Suffolk Hall (SBU South Campus) or by calling (631) 632-6350. Prospective employees may obtain a copy of this report from Stony Brook University Human Resources Administration Building Room 390 or by calling (631) 632-6161.

New York State Crime Definitions

Arson

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

Criminal Homicide- Manslaughter by Negligence

The killing of another person through gross negligence.

Criminal Homicide - Murder and Non-negligent Manslaughter

The willful (non-negligent) killing of one human being by another.

Robbery

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

Aggravated Assault

An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. (It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could and

probably would result in serious personal injury if the crime were successfully completed.)

Burglary

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

Motor Vehicle Theft

The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned including joyriding.)

Weapon Law Violations

The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; and all attempts to commit any of the aforementioned.

Drug Law Violations

The violation of State and Local laws involving the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); synthetic narcotics (Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine).

Effective April 1, 2021 the NYS Legislature overhauled the laws governing the possession, sale and use of marijuana in Article 220 and are now reflected in newly created [Article 222](#). The key changes are:

Individuals who are 21 or older may lawfully:

Possess 3 ounces or less of marijuana in a public place
Possess up to 5 pounds of marijuana in their residence
Possess higher amounts of marijuana if prescribed by a doctor
Give lawful amounts of marijuana to other people who are 21 or over so long as no compensation is exchanged
Smoke marijuana almost anywhere that cigarette smoking is allowed including on sidewalks, on front stoops and other public places. As a result, smoking marijuana in any of these locations is not a basis for an approach, stop, summons, arrest or search.

Individuals who are 21 or older may not:

Give marijuana to anyone under 21
Persons of any age may not:
Drive under the influence of marijuana
Smoke marijuana while driving
Sell marijuana for Compensation
Smoke marijuana where cigarette smoking is prohibited such as bars, restaurants, childcare centers, within 100 feet of a school entrance, places of employment and indoor arenas.

Smoke marijuana in parks where no smoking signs are posted

Individuals who are under 21:

Are not permitted to possess marijuana, even in small quantities (i.e. 3 ounces or less). However, under the current state of the law, there is no mechanism for the Stony Brook University Police Department to take enforcement action against a person under 21 who possesses 3 ounces or less. In the future, SBUPD may have the ability to issue a civil summons for such violations. Until that time, possession of 3 ounces or less by a person under 21 cannot be the basis of an approach, stop, summons, juvenile report or arrest. Possession by individuals under 21 of more than 3 ounces is enforceable under Article 222 of the Penal Law.

While SBUPD does not have a mechanism to enforce against mere

possession in small amounts for people under 21, there is an enforcement mechanism for individuals aged 20 and under who are observed smoking in a place where cigarette smoking is prohibited. Those individuals may be issued a criminal court summons PL 222.10(1). Referrals to the Office of Student Conduct and Community Standards can be made regarding these violations.

Liquor Law Violations

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

Hate Crimes

Criminal offenses that may manifest evidence of prejudice based on race, religion, sexual orientation, gender, disability, ethnicity, national origin, or gender identity can be classified as hate crimes.

Consent (Penal Law)

Lack of consent results from: forcible compulsion; or incapacity to consent; or where the offense charged is sexual abuse or forcible touching, any circumstances, in addition to forcible compulsion or incapacity to consent, in which the victim does not expressly or impliedly acquiesce in the actor's conduct. Where the offense charged is rape in the third degree, criminal sexual act in the third degree, or forcible compulsion in circumstances under which, at the time of the act of intercourse, oral sexual conduct or anal sexual conduct, the victim clearly expressed that he or she did not consent to engage in such act, and a reasonable person in the actor's situation would have

understood such person's words and acts as an expression of lack of consent to such act under all the circumstances. A person is incapable of consent when he or she is: less than 17 years old; or mentally disabled; or mentally incapacitated; or physically helpless; or committed to the care and custody of the state department of correctional services, a hospital, the Office of Children and Family Services and is in residential care, or the other person is a resident or inpatient of a residential facility operated by the Office of Mental Health, the Office for People with Development Disabilities, or the Office of Alcoholism and Substance Abuse Services, and the actor is an employee, not married to such person, who knows or reasonably should know that such person is committed to the care and custody of such department or hospital.

Dating Violence

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

Domestic Violence

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

children in situations in which such person or such person's child is a victim of the act.

Family or Household Member

Person's related by consanguinity or affinity; Persons legally married to one another; Persons formerly married to one another regardless of whether they still reside in the same household; Persons who have a child in common regardless of whether such persons are married or have lived together at any time; Unrelated persons who are continually or at regular intervals living in the same household or who have in the past continually or at regular intervals lived in the same household; Persons who are not related by consanguinity or affinity and who are or have been in an intimate relationship regardless of whether such persons have lived together at any time. Factors that may be considered in determining whether a relationship is an "intimate relationship" include, but are not limited to: the nature or type of relationship regardless of whether the relationship is sexual in nature; the frequency of interaction between the persons; and the duration of the relationship. Neither a casual acquaintance nor ordinary fraternization between two individuals in business or social contexts shall be deemed to constitute an "intimate relationship"; any other category of individuals deemed to be a victim of domestic violence as defined by the Office of Children and Family Services in regulation. Intimate relationship status shall be applied to teens, lesbian/gay/bisexual/transgender, and elderly individuals, current and formerly married and/or dating heterosexual individuals who were, or are in an intimate relationship.

Parent

Means natural or adoptive parent or any individual lawfully charged with a minor child's care or custody.

Sexual Assault

New York State does not specifically define sexual assault. However, according to the Federal Regulations, sexual assault

includes offenses that meet the definitions of rape, fondling, incest, or statutory rape as used in the FBI's UCR program.

Sexual Misconduct

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

Rape in the Third Degree

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

Rape in the Second Degree

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

Rape in the First Degree

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

Criminal Sexual Act in the Third Degree

When a person engages in oral or anal sexual conduct (1) with a person who is

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

Criminal Sexual Act in the Second Degree

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

Criminal Sexual Act in the First Degree

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

Forcible Touching

When a person intentionally, and for no legitimate purpose, forcibly touches the sexual or other intimate parts of another person for the purpose of degrading or abusing such person; or for the purpose of gratifying the actor's sexual desire; or subjects another person to sexual contact for the purpose of gratifying the actor's sexual desire and with intent to degrade or abuse such other person while such other person is a passenger on a bus, train, or subway car operated by any transit agency, authority or company, public or private, whose operation is authorized by New York State or any of its political subdivisions. It includes squeezing, grabbing, or pinching.

Persistent Sexual Abuse

When a person commits a crime of forcible touching, or second or third degree sexual abuse within the previous ten year period, has been convicted two or more times, in separate criminal transactions for which a sentence was

imposed on separate occasions of one of one of the above mentioned crimes or any offense defined in this article, of which the commission or attempted commissions thereof is a felony.

Sexual Abuse in the Third Degree

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

Sexual Abuse in the Second Degree

When a person subjects another person to sexual contact and when such other person is (1) incapable of consent by reason of some factor other than being less than 17 years old; or (2) less than 14 years old

Sexual Abuse in the First Degree

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

Aggravated Sexual Abuse

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

Aggravated Sexual Abuse in the Fourth Degree

When a person inserts a (1) foreign object in the vagina, urethra, penis or rectum of another person and the other person is incapable of consent by reason of some factor other than being less than 17 years old; or (2) finger in the vagina, urethra, penis, rectum or anus of another person causing physical injury to such person and such person is incapable of consent by reason of some factor other than being less than 17 years old.

Aggravated Sexual Abuse in the Third Degree

When a person inserts a foreign object in the vagina, urethra, penis, rectum or anus of another person (1) (a) by forcible compulsion; (b) when the other person is incapable of consent by reason of being physically helpless; or (c) when the other person is less than 11 years old; or (2) causing physical injury to such person and such person is incapable of consent by reason of being mentally disabled or mentally incapacitated.

Aggravated Sexual Abuse in the Second Degree

When a person inserts a finger in the vagina, urethra, penis, rectum or anus of another person causing physical injury to such person by (1) forcible compulsion; or (2) when the other person is incapable of consent by reason of being physically helpless; or (3) when the other person is less than 11 years old.

Aggravated Sexual Abuse in the First Degree

When a person subjects another person to sexual contact: (1) By forcible compulsion; or (2) when the other person is incapable of consent by reason of being physically helpless; or (3) when the other person is less than eleven years old; or (4) when the other person is less than thirteen years old and the actor is twenty-one years old or older.

Consent of Sexual Conduct against a Child in the Second Degree

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

Consent of Sexual Conduct against a Child in the First Degree

When a person over a period of time, not less than three months in duration, a person: (1) Engages in two or more acts of sexual conduct, or aggravated sexual contact with a child less than 11 years old; or (2) being 18 years old or more engages in two or more acts of sexual conduct which includes at least one act of sexual intercourse, oral sexual conduct, anal sexual conduct, or aggravated sexual contact with a child less than 13 years old.

Facilitating a Sex Offense with a Controlled Substance

A person is guilty of facilitating a sex offense with a controlled substance when he or she: (1) knowingly and unlawfully possesses a controlled substance or any preparation, compound, mixture or substance that requires a prescription to obtain and administers such substance or preparation, compound, mixture or substance that requires a prescription to obtain to another person without such person's consent and with intent to commit against such person conduct constituting a felony defined in this article; and (2) commits or attempts to commit such conduct constituting a felony defined in this article.

Incest in the Third Degree

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

Incest in the Second Degree

A person is guilty of incest in the second degree when he or she commits the crime of rape in the second degree, or criminal sexual act in the second degree, against a person whom he or she knows to be related to him or her, whether through marriage or not, as an ancestor, descendant, brother or sister of either the

whole or the half blood, uncle, aunt, nephew or niece.

Incest in the First Degree

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

Stalking in the Fourth Degree

When a person intentionally, and for no legitimate purpose, engages in a course of conduct directed at a specific person, and knows or reasonably should know that such conduct: (1) is likely to cause reasonable fear of material harm to the physical health, safety or property of such person, a member of such person's immediate family or a third party with whom such person is acquainted; or (2) causes material harm to the mental or emotional health of such person, where such conduct consists of following, telephoning or initiating communication or contact with such person, a member of such person's immediate family or a third party with whom such person is acquainted, and the actor was previously clearly informed to cease that conduct; or (3) is likely to cause such person to reasonably fear that his or her employment, business or career is threatened, where such conduct consists of appearing, telephoning or initiating communication or contact at such person's place of employment or business, and the actor was previously clearly informed to cease that conduct.

Stalking in the Third Degree

When a person (1) Commits the crime of stalking in the fourth degree against three or more persons in three or more separate transactions, for which the actor has not been previously convicted; or (2) commits the crime of stalking in the fourth degree against any person, and has previously been convicted, within the preceding ten

years of a specified predicate crime and the victim of such specified predicate crime is the victim, or an immediate family member of the victim, of the present offense; or (3) with an intent to harass, annoy or alarm a specific person, intentionally engages in a course of conduct directed at such person which is likely to cause such person to reasonably fear physical injury or serious physical injury, the commission of a sex offense against, or the kidnapping, unlawful imprisonment or death of such person or a member of such person's immediate family; or (4) commits the crime of stalking in the fourth degree and has previously been convicted within the preceding ten years of stalking in the fourth degree.

Stalking in the Second Degree

When a person: (1) Commits the crime of stalking in the third degree and in the course of and in furtherance of the commission of such offense: (a) displays, or possesses and threatens the use of, a firearm, pistol, revolver, rifle, shotgun, machine gun, electronic dart gun, electronic stun gun, cane sword, billy, blackjack, bludgeon, plastic knuckles, metal knuckles, chuka stick, sand bag, sandclub, sligshot, slungshot, shirken, "Kung Fu Star," dagger, dangerous knife, dirk, razor, stiletto, imitation pistol, dangerous instrument, deadly instrument or deadly weapons; or (b) displays what appears to be a pistol, revolver, rifle, shotgun, machine gun or other firearm; or (2) commits the crime of stalking in the third against any person, and has previously been convicted, within the preceding five years, of a specified predicate crime, and the victim of such

specified predicate crime is the victim, or an immediate family member of the victim, of the present offense; or (3) commits the crime of stalking in the fourth degree and has previously been convicted of stalking in the third degree; or (4) being 21 years of age or older, repeatedly follows a person under the age of fourteen or engages in a course of conduct or repeatedly commits acts over a period of time intentionally placing or attempting to place such person who is under the age of fourteen in reasonable fear of physical injury, serious physical injury or death; or (5) commits the crime of stalking in the third degree, against ten or more persons, in ten or more separate transactions, for which the actor has not been previously convicted.

Stalking in the First Degree

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

Unfounded Crimes

If a reported crime is investigated by law enforcement authorities and found to be false or baseless, the crime is considered to be unfounded. In 2022, there were four offenses determined to be unfounded by University Police; two incidents of forcible touching and two burglaries.

Clery Act Geographical Definitions

On-Campus

(i) 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, including residence halls; and (ii) any building or property that is within or reasonably contiguous to the area identified in paragraph (i) of this definition, that is owned by the institution but controlled by another person, is frequently used by students and supports institutional purposes (such as a food or other retail vendor).

On-Campus Residential Facilities

Residential facilities are a subset of the on-campus category. Institutions must disclose the total number of on-campus crimes, including those in residential facilities for students on campus, and must also make a separate disclosure limited to the number of crimes occurring in student residential facilities on campus.

Non-Campus Building or Property

(i) Any building or property owned or controlled by a student organization that is officially recognized by the institution; or (ii) 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 thoroughfares, streets, sidewalks and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.



Crime Statistics

		Crimes Reported											Arrests/Student Conduct Referrals					Dating, Domestic, & Stalking Amendments			
		Murder/Non-negligent Manslaughter	Manslaughter by Negligence	Rape	Fondling	Incest	Statutory Rape	Robbery	Aggravated Assault	Burglary	Motor Vehicle Theft	Arson	Liquor Laws Arrests	Liquor Law Referrals	Drug Arrests	Drug Referrals	Weapons Arrests	Weapons Referrals	Dating Violence	Domestic Violence	Stalking
Stony Brook Campus																					
On Campus	2022	0	0	13	7	0	0	2	6	7	5	2	0	123	1	18	1	2	11	7	15
	2021	0	0	13	8	0	0	2	6	3	3	2	1	99	4	20	1	0	23	1	16
	2020	0	0	12	7	0	0	2	6	5	1	0	0	89	3	34	2	0	17	2	14
Residential Facilities	2022	0	0	12	0	0	0	0	1	4	0	1	0	117	0	18	1	1	9	2	5
	2021	0	0	10	4	0	0	0	0	2	0	0	0	93	2	19	0	0	11	0	2
	2020	0	0	11	3	0	0	0	1	4	0	0	0	89	0	27	0	0	10	1	6
Noncampus	2022	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	1
	2021	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	0	0
	2020	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Public Property	2022	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	2021	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Southampton Campus																					
On Campus	2022	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	2021	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0~	0	0
Residential Facilities	2022	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	2021	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Noncampus	2022	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0
	2021	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0
	2020	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1~	0	0
Public Property	2022	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	2021	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
~Amended location based upon further review.																					

Crime Statistics

Crimes Reported												Arrests/Student Conduct Referrals					Dating, Domestic, & Stalking Amendments		
Murder/Non-negligent Manslaughter	Manslaughter by Negligence	Rape	Fondling	Incest	Statutory Rape	Robbery	Aggravated Assault	Burglary	Motor Vehicle Theft	Arson	Liquor Laws Arrests	Liquor Law Referrals	Drug Arrests	Drug Referrals	Weapons Arrests	Weapons Referrals	Dating Violence	Domestic Violence	Stalking

Manhattan Campus

On Campus	2022	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	2021	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Residential Facilities	2022	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	2021	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Noncampus	2022	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	2021	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0
Public Property	2022	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	2021	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

SUNY Korea

On Campus	2022	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	2021	0	0	0	0	0	0	0	0	0	0	0	11**	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Residential Facilities	2022	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	2021	0	0	0	0	0	0	0	0	0	0	0	4**	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Noncampus	2022	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	2021	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2*
	2020	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Public Property	2022	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	2021	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

*Reported by Univ. of Utah **Reported by George Mason University ^Reported by SUNY Optometry

Crime Statistics

		Hate Crimes														
		Murder/Non-negligent Manslaughter	Manslaughter by Negligence	Rape	Fondling	Incest	Statutory Rape	Robbery	Aggravated Assault	Burglary	Motor Vehicle Theft	Arson	Larceny-Theft	Simple Assault	Intimidation	Destruction/Damage/Vandalism of Property
Stony Brook Campus																
On Campus	2022	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0
	2021	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0
	2020	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0
Residential Facilities	2022	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	2021	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0
	2020	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Noncampus	2022	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	2021	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Public Property	2022	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	2021	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Southampton Campus																
On Campus	2022	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	2021	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Residential Facilities	2022	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	2021	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Noncampus	2022	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	2021	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Public Property	2022	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	2021	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Crime Statistics

		Hate Crimes														
		Murder/Non-negligent Manslaughter	Manslaughter by Negligence	Rape	Fondling	Incest	Statutory Rape	Robbery	Aggravated Assault	Burglary	Motor Vehicle Theft	Arson	Larceny-Theft	Simple Assault	Intimidation	Destruction/Damage/Vandalism of Property
Manhattan Campus																
On Campus	2022	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	2021	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Residential Facilities	2022	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	2021	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Noncampus	2022	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	2021	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Public Property	2022	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	2021	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
SUNY Korea																
On Campus	2022	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	2021	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Residential Facilities	2022	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	2021	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Noncampus	2022	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	2021	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Public Property	2022	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	2021	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Annual Fire Report and Statistics

The Annual Fire Report is prepared by the Department of Environmental Health & Safety (EH&S) Fire Safety office. EH&S, residing under the Division of Enterprise Risk Management, works closely with the Division of Student Affairs, University Police Department (UPD), Emergency Management, Building Managers and other staff to develop and implement the policies, procedures, training programs, inspections and other activities that are part of a comprehensive fire safety program and assures the safety of students, faculty and staff at Stony Brook.

EH&S Fire Marshals provide round-the-clock fire safety and emergency response coverage, 24 hours a day, 7 days a week (24/7). All fires and automatic fire alarms are reported to the UPD headquarters. Upon receiving a report of a fire or fire alarm, a trained UPD dispatcher immediately notifies a Fire Marshal and a Police Officer along with the local fire department, if necessary. These officers are able to quickly assess the situation, recommend appropriate emergency procedures (i.e., evacuation) and coordinate the response of the fire department. Residential hall fires for the last three years are reported on pages 41-43 of this report.



2022 Residential Hall Fires				
Location	Cause of Fire	Deaths	Injuries	Property Damage
STONY BROOK CAMPUS – 100 Nicolls Road, Stony Brook, NY				
Ammann Hall	No Fires			
Baruch Hall	No Fires			
Benedict Hall	No Fires			
Cardozo Hall	Stove Top Fire	0	0	\$0-99
Chapin Apartment A	No Fires			
Chapin Apartment B	Stove Top Fire	0	0	\$0-99
Chapin Apartment C	No Fires			
Chapin Apartment D	No Fires			
Chapin Apartment E	Stove Top Fire	0	0	\$0-99
Chapin Apartment F	No Fires			
Chapin Apartment G	No Fires			
Chapin Apartment H	No Fires			
Chapin Apartment I	No Fires			
Chapin Apartment J	No Fires			
Chapin Apartment K	No Fires			
Chapin Apartment L	No Fires			
Chavez Hall	No Fires			
Dewey Hall	No Fires			
Douglass Hall	Stove Top Fire	0	0	\$0-99
Dreiser Hall	No Fires			
Eisenhower Hall	No Fires			
Gershwin Hall	No Fires			
Gray Hall	No Fires			
Greeley Hall	No Fires			
Hamilton Hall	Garbage Can Fire	0	0	\$1,000-9,999
Hamilton Hall	Poster Fire	0	0	\$0-99
Hand Hall	No Fires			
Hendrix Hall	No Fires			
Irving Hall	No Fires			
James Hall	No Fires			
Keller Hall	No Fires			
Langmuir Hall	No Fires			
Lauterbur Hall	No Fires			
Mount Hall	Vent Pipe/Dryer Fire	0	0	\$0-99
O'Neill Hall	No Fires			
Chinn Hall (Formally Sanger)	No Fires			
Schick Hall	Bed Linen Fire	0	0	\$0-99
Schomburg A	Electrical Lamp Fire	0	0	\$0-99
Schomburg B	Oven Fire	0	0	\$0-99
Stimson Hall	No Fires			
Toscanini Hall	No Fires			
Tubman Hall	No Fires			
Wagner Hall	No Fires			
West Apartments A	No Fires			
West Apartments B	No Fires			
West Apartments C	No Fires			
West Apartments D	No Fires			
West Apartments E	No Fires			
West Apartments F	No Fires			
West Apartments G	No Fires			
West Apartments H	Stove Top Fire	0	0	\$0-99
West Apartments I	No Fires			
West Apartments J	No Fires			
West Apartments K	No Fires			
Whitman Hall	No Fires			
Yang Hall	No Fires			
TOTAL STONY BROOK CAMPUS FIRES: 11				
SOUTHAMPTON CAMPUS - 39 Tuckahoe Road, Southampton, NY				
Amagansett	No Fires			
Greenport	No Fires			
Mattituck	No Fires			
Sagaponack	No Fires			
Shelter Island	No Fires			
Southold	No Fires			
TOTAL SOUTHAMPTON CAMPUS FIRES: 0				

2021 Residential Hall Fires				
Location	Cause of Fire	Deaths	Injuries	Property Damage
STONY BROOK CAMPUS – 100 Nicolls Road, Stony Brook, NY				
Ammann College	No Fires			
Baruch College	No Fires			
Benedict College	No Fires			
Cardozo College	No Fires			
Chapin Apartment A	No Fires			
Chapin Apartment B	No Fires			
Chapin Apartment C	No Fires			
Chapin Apartment D	Stove Top Grease Fire	0	0	\$0 - \$99
Chapin Apartment E	No Fires			
Chapin Apartment F	No Fires			
Chapin Apartment G	No Fires			
Chapin Apartment H	Stove Top Fire – Pot	0	0	\$0 - \$99
Chapin Apartment I	No Fires			
Chapin Apartment J	No Fires			
Chapin Apartment K	No Fires			
Chapin Apartment L	Stove Top Fire – Utensils	0	0	\$0 - \$99
Chavez Hall	No Fires			
Dewey College	No Fires			
Douglass College	No Fires			
Dreiser College	No Fires			
Eisenhower College	No Fires			
Gershwin College	Oven Fire	0	0	\$100 - \$999
Gray College	No Fires			
Greeley College	No Fires			
Hamilton College	No Fires			
Hand College	No Fires			
Hendrix College	No Fires			
Irving College	No Fires			
James College	No Fires			
Keller College	No Fires			
Langmuir College	No Fires			
Lauterbur Hall	No Fires			
Mount College	No Fires			
O’Neill College	No Fires			
Sanger College	No Fires			
Schick College	No Fires			
Schomburg A	No Fires			
Schomburg B	No Fires			
Stimson College	No Fires			
Toscanini College	No Fires			
Tubman Hall	No Fires			
Wagner College	No Fires			
West Apartments A	No Fires			
West Apartments B	No Fires			
West Apartments C	No Fires			
West Apartments D	No Fires			
West Apartments E	No Fires			
West Apartments F	No Fires			
West Apartments G	No Fires			
West Apartments H	No Fires			
West Apartments I	No Fires			
West Apartments J	No Fires			
West Apartments K	No Fires			
Whitman College	No Fires			
Yang Hall	No Fires			
TOTAL STONY BROOK CAMPUS FIRES: 4				
SOUTHAMPTON CAMPUS - 39 Tuckahoe Road, Southampton, NY				
Amagansett	No Fires			
Greenport	No Fires			
Mattituck	No Fires			
Sagaponack	No Fires			
Shelter Island	No Fires			
Southold	No Fires			
TOTAL SOUTHAMPTON CAMPUS FIRES: 0				

2020 Residential Hall Fires				
Location	Cause of Fire	Deaths	Injuries	Property Damage
STONY BROOK CAMPUS – 100 Nicolls Road, Stony Brook, NY				
Ammann College	No Fires			
Baruch College	No Fires			
Benedict College	No Fires			
Cardozo College	Stove top grease fire	0	0	\$0-\$99
Chapin Apartment A	No Fires			
Chapin Apartment B	No Fires			
Chapin Apartment C	Stove top cooking – oil flash	0	1	\$0-\$99
Chapin Apartment D	No Fires			
Chapin Apartment E	No Fires			
Chapin Apartment F	No Fires			
Chapin Apartment G	No Fires			
Chapin Apartment H	No Fires			
Chapin Apartment I	No Fires			
Chapin Apartment J	No Fires			
Chapin Apartment K	No Fires			
Chapin Apartment L	No Fires			
Chavez Hall	Garbage pail fire due to incense improperly disposed	0	0	\$0-\$99
Dewey College	No Fires			
Douglass College	No Fires			
Dreiser College	No Fires			
Eisenhower College	No Fires			
Gershwin College	No Fires			
Gray College	No Fires			
Greeley College	No Fires			
Hamilton College	No Fires			
Hand College	No Fires			
Hendrix College	No Fires			
Irving College	Toaster Fire	0	0	\$0-\$99
James College	No Fires			
Keller College	No Fires			
Langmuir College	No Fires			
Lauterbur Hall	No Fires			
Mount College	No Fires			
O’Neill College	No Fires			
Sanger College	No Fires			
Schick College	No Fires			
Schomburg A	No Fires			
Schomburg B	No Fires			
Stimson College	No Fires			
Toscanini College	No Fires			
Tubman Hall	No Fires			
Wagner College	No Fires			
West Apartments A	No Fires			
West Apartments B	No Fires			
West Apartments C	No Fires			
West Apartments D	No Fires			
West Apartments E	Oil in pan on stove top fire	0	0	\$0-\$99
West Apartments F	No Fires			
West Apartments G	No Fires			
West Apartments H	No Fires			
West Apartments I	Stove top grease fire	0	0	\$1,000-\$9,999
West Apartments J	No Fires			
West Apartments K	No Fires			
Whitman College	No Fires			
Yang Hall	No Fires			
TOTAL STONY BROOK CAMPUS FIRES: 6				
SOUTHAMPTON CAMPUS - 39 Tuckahoe Road, Southampton, NY				
Amagansett	No Fires			
Greenport	No Fires			
Mattituck	No Fires			
Sagaponack	No Fires			
Shelter Island	No Fires			

Southold	No Fires			
TOTAL SOUTHAMPTON CAMPUS FIRES: 0				

Fire Safety (Protection) Systems

All Residence Halls are equipped with fire protection and fire alarm systems as noted in the table below, including fire extinguishers, sprinklers, carbon monoxide detectors, smoke and heat detectors, manual pull stations, signaling devices (e.g. fire alarm horns, speakers and strobes), and mass (voice) notification, as noted in the Fire Protection System table below. In addition to sounding a local alarm, each Residence Hall fire alarm panel communicates with a central monitoring station located in University Police headquarters, where trained personnel continuously monitor the panel for alarm and trouble conditions. Buildings with partial sprinkler systems have sprinklers located in trash rooms, utility closets and certain common areas.

RESIDENCE HALL FIRE PROTECTION SYSTEMS								
Building	Extinguishers	Full Sprinklers	Partial Sprinklers	Carbon Monoxide Alarm	Fire/Smoke Alarm	Pull Station	Signal Devices	Mass Notification
STONY BROOK CAMPUS								
Ammann	✓		✓	✓	✓	✓	✓	✓
Baruch	✓		✓		✓	✓	✓	✓
Benedict	✓		✓		✓	✓	✓	✓
Cardozo	✓		✓	✓	✓	✓	✓	✓
Chapin A-L	✓	✓			✓	✓	✓	✓
Chavez	✓	✓		✓	✓	✓	✓	✓
Dewey	✓		✓		✓	✓	✓	✓
Douglass	✓		✓	✓	✓	✓	✓	✓
Dreiser	✓		✓		✓	✓	✓	✓
Eisenhower	✓		✓		✓	✓	✓	✓
Gershwin	✓		✓	✓	✓	✓	✓	✓
Gray	✓		✓	✓	✓	✓	✓	✓
Greeley	✓		✓		✓	✓	✓	✓
Hamilton	✓		✓		✓	✓	✓	✓
Hand	✓		✓		✓	✓	✓	✓
Hendrix	✓		✓		✓	✓	✓	✓
Irving	✓		✓	✓	✓	✓	✓	✓
James	✓		✓	✓	✓	✓	✓	✓
Keller	✓		✓	✓	✓	✓	✓	✓
Langmuir	✓		✓		✓	✓	✓	✓
Lauterbur	✓	✓			✓	✓	✓	✓
Mount	✓		✓		✓	✓	✓	✓
O'Neill	✓		✓	✓	✓	✓	✓	✓
Sanger	✓		✓	✓	✓	✓	✓	✓
Schick	✓		✓		✓	✓	✓	✓
Schomburg A&B	✓	✓		✓	✓	✓	✓	✓
Stimson	✓		✓		✓	✓	✓	✓
Toscanini	✓		✓		✓	✓	✓	✓
Tubman	✓	✓		✓	✓	✓	✓	✓
Wagner	✓		✓		✓	✓	✓	✓
West A-K	✓	✓		✓	✓	✓	✓	✓
Whitman	✓		✓		✓	✓	✓	✓
Yang	✓	✓			✓	✓	✓	✓
SOUTHAMPTON CAMPUS								
Amagansett	✓	✓		✓	✓	✓	✓	✓
Greenport	✓	✓		✓	✓	✓	✓	✓
Mattituck	✓	✓		✓	✓	✓	✓	✓
Sagaponack	✓	✓		✓	✓	✓	✓	✓
Shelter Island	✓	✓		✓	✓	✓	✓	✓
Southold	✓	✓		✓	✓	✓	✓	✓



Fire Drills

Fire drills are conducted to ensure that students, faculty and staff are aware of the fire alarm signaling devices and evacuation procedures. Fire Marshals conduct a minimum of two (2) mandatory supervised fire drills each semester in every Residence Hall. Fire drills are also conducted in Residence Halls that house students attending summer courses and in halls that house individuals attending summer camp programs. During the drills, Fire Marshals, RHD's and RA's conduct random inspections to ensure that students have evacuated. They also use this opportunity to re-enforce evacuation protocols and to remind students about fire safety and evacuation procedures, including the location of fire extinguishers, fire alarm pull-stations, and assembly areas. Students who failed to evacuate during a fire alarm or drill are referred for judicial action. In 2022, 268 required fire drills were conducted.

Policies

Policies on the use of portable electrical appliances, smoking, open flames and other health and safety regulations are set forth in the Terms of Occupancy for Residence Halls and the Code of Student Responsibility. Smoking is strictly prohibited in all campus buildings, including the Residential Halls. The use of grills, microwaves, hot plates, toasters, toaster ovens, candles, oil lamps, incense, electric blankets, extension cords and electric heaters are strictly prohibited in Residence Halls. Policies also prohibit the inappropriate discharging of fire extinguishers or tampering with fire alarm and fire protection equipment. Details on these policies can be found below:

Code of Student Responsibility

A. General University Policies

1. Respect for Persons

Treating people with respect means acting in a manner that supports the safety, freedom and well-being of others. The nature and history of the relationship between the parties involved in alleged violations of this Code shall in no way diminish the seriousness of incidents. The following violations are specifically prohibited:

- c. Dangerous conditions: No student shall create a condition that endangers or threatens the safety or

well-being of themselves or others. This includes but is not limited to the misuse of devices such as box cutters, laser pointers, paint ball guns, and compromising fire and security systems. All wheeled modes of transportation or motor vehicles, with the exception of handicapped service equipment, are prohibited within the confines of any University facility.

If you are awakened by the sound of a fire alarm:

- If you smell or see smoke, roll out of your bed.
- If you see smoke, stay low and crawl to the door.
- Feel the door to see if it is hot.
- If the door is not hot, kneel against the door and open it slightly.
- Check the hall for smoke and flames.
- If there's no smoke or flames, calmly walk to the fire exit. If there is smoke, crawl along the floor of the corridor to the fire exit, staying low.
- If there are flames in the hallway, close the door and remain in the room. Call 333 or (631) 632-3333 from any campus phone and wave out a window for help.
- Leave the building and do not re-enter until an authorized person signals it is safe to do so.

4. Health and Safety

Students shall comply with all environmental, health, and safety requirements, Environmental Health and Safety Policies and Procedures: (see:

<https://ehs.stonybrook.edu//resources/ehs-policies-and-procedures>) and fire safety policies. Therefore:

- a. Students shall not engage in any activity or behavior that creates a threat to the safety and well-being of themselves, the environment, or others, or engage in acts that compromises the safety of the University Community.
- b. Students shall not set fires, attempt to set fires, or act in a manner that disregards fire safety policies and procedures and results in a fire.
- c. No student shall set off false fire alarms, maliciously discharge fire extinguishers; or damage, tamper with, dismantle, or disconnect fire safety systems or equipment on the campus.
- d. Students must evacuate any University facility (residence hall, academic building, library, etc.) when the fire alarm is activated.

Tobacco Free University

Stony Brook University Tobacco-Free Policy establishes a tobacco-free environment. No form of tobacco use, which

includes electronic cigarettes, is allowed on University property. This includes all indoor and outdoor locations. The use of tobacco is also prohibited in all University vehicles,

which includes, but are not limited to, buses, vans, cars, and trucks. The policy, along with resources, is available on the University's tobacco-free website available at:

<http://www.stonybrook.edu/commcms/tobaccofree>

Division of Campus Residences Terms of Occupancy

IV. Standards of Living

A. Cooking

Cooking may occur only in apartment/suite kitchens or University provided public kitchens. Food that is cooking should not be left unattended and should be checked regularly. Any knives used for cooking purposes must be kept clean and stored away. No knives should be visible in any bedroom or common room/area. Kitchens must be kept clean and free from dirt, grease, garbage, and trash. Range hoods, cooking tables, and adjacent surfaces must be kept free of grease. Residents must dispose of grease properly and not in bathroom, hall, or public sinks. Hot grease must not be discarded in waste receptacles. Failure to comply with cleanliness standards will result in a conduct referral and/or assessment of cleaning fees. Outdoor grilling or cooking is prohibited on any residential property.

B. Prohibited Appliances

The following electrical appliances are prohibited from possession and/or use in bedrooms/suites/apartments and are subject to removal by staff:

1. Washing machines not provided by the University
2. Irons without automatic shut-off
3. Air conditioners not supplied by the University
4. Space heaters not supplied by the University
- Lamps that do not use compact florescent bulbs (CFL) or light-emitting diode (LED) bulbs and lamps that have non-USB power outlets built in
5. Any motorized (or motor propelled) devices including, but not limited to: hover boards, motorized skateboards, and Segways
6. Any heat-generating appliances including, but not limited to: hot plates, non-University issued/provided microwaves, grill cookers, non-single brew coffee makers without automatic shut-off, and toaster ovens

V. Safety and Security

D. Fire Safety

1. No person shall refuse to observe any safety regulations or procedures. Fire Safety, University Police, and/or Division of Campus Residences staff may enter rooms during fire alarms to ensure compliance with evacuation procedures. The University reserves the right to require that prohibited items are removed immediately from the residence halls/apartments.
2. Examples of other prohibited behavior or items include, but are not limited to:
 - Tampering with, or otherwise misusing, fire-fighting equipment including, but not limited to: fire extinguishers, fire hoses, fire alarms, fire doors, pull stations, heat and smoke detectors, and exit signs
 - a) Possessing/using/starting: fires, grills, candles, incense, or other combustible or flammable items. Possessing/using: gas, kerosene, alcohol, or other flame producing appliances.
 - (1) Residents may not use or possess charcoal, bottled gas, or any torch or flaming device including, but not limited to: gasoline-fueled stoves, in the rooms/suites/apartments or on the balcony. Kerosene heaters are strictly prohibited. Failure to comply may result in arrest or suspension from on-campus housing and resident(s) may be held accountable through a conduct referral.
 - (2) EXCEPTION: Grills/barbecues used by authorized University personnel during University-sanctioned events are permitted.
 - c) Any electrical appliance or device with wiring that is frayed, broken, or taped
 - d) Remaining in the residence hall/apartments during fire alarms
 - e) Possessing lofts/loft beds not supplied by the Division of Campus Residences
 - f) Overloading outlets or using/possessing extension cords, and use/possession of multi-plug splitters
 - g) Connecting surge protectors to other surge protectors. Surge protectors must be plugged directly into a wall outlet.
 - h) Activating the fire alarm from the use of any heat producing device including, but not limited to: curling irons, hair straighteners, and flat irons. Placing heat producing devices on top of electrical wiring or any flammable surface is prohibited.
 - i) The use of multiple plugs for cooking
 - j) Blocking or restricting access to hallway, window, room/suite/apartment exists. This regulation includes, but is not limited to: the presence of refrigerators or other furniture in such locations.
 - k) Use/possession of non-U.L. approved appliances anywhere in the residential facility

- l) Failure to remove grease/oil from range hoods, cooking tables, or adjacent surfaces.
 - m) Improper disposal of grease
 - n) Any unattended cooking
- Excessive occupancy (each resident of a room/suite may host no more than two guests; total occupancy may never exceed twice the number of residents assigned to that space)
- o) Natural Christmas trees (artificial Christmas trees are permitted, between the fourth Thursday of November to February 2nd, but must be less than six feet tall)
 - p) Plug-in air fresheners
 - q) Holiday or decorative string lights, which includes battery-powered lights. Cannot be placed on any item other than artificial trees
- r) Improper installation of items: Students may not affix anything to the ceilings in their room (e.g. curtains, tapestries) nor may items be hung in front of the room door or used as room dividers. Any items made of fabric (i.e. tapestries, clothing, sheets, etc.) may not be hung up on the walls. Flammable materials are not to be posted on the exterior surface of room doors or on walls or hallways except on designated bulletin boards or in displays. Wall and door postings must not cover in excess of 10% of total surface area.

(1) Exterior apartment/room/suite door postings are limited to one name tag per resident, and one dry erase board.

Remember the following fire safety tips:

- Hot plates, toasters, electric heaters and similar heat-producing portable electrical appliances are prohibited.
- Outlets should never be overloaded with multiple plugs.
- Do not use extension cords. Use only multi-outlet power strips that have their own self-contained circuit breaker.
- Never cover light bulbs with paper or clothing.
- Candles are not permitted in because of the fire hazard.
- Torch-style halogen lamps are strictly forbidden.

Building Evacuation

In case of a fire, immediately evacuate the building. Pull the fire alarm pull-station as you exit the building, if the alarm is not already sounding. All building occupants must immediately evacuate using the nearest exit upon the activation of a fire alarm signal. If you have a disability, and cannot exit from the ground floor, seek refuge in a designated area or a fire-rated stairway.

Fire evacuation signs and maps are posted on the back of all Residence Hall room doors, along with fire survival instructions. All building staff including operations staff are trained on fire evacuations. Students receive evacuation information during orientation programs. Residence Hall

staff is instructed to knock on doors as they leave the buildings, if it is safe to do so, during evacuations.

Fire Safety Education

Fire Marshals and Residential Safety and Support Services provide fire safety training for Residence Hall staff at the beginning of each semester. Fire safety awareness information is posted on bulletin boards and distributed to parents as well as resident students during orientation programs and at Residence Hall meetings. Additional training programs are conducted by Fire Marshals in all Residence Halls when there is reason to believe that fire safety policies or procedures are not being complied with, or as requested by Residence Hall staff.



Each September, as part of National Fire Prevention Month, EH&S Fire Marshals and the Department of Campus Residence host numerous fire prevention events. Each residential quad is visited to teach our students about fire safety. Resident students learn about fire dangers, how to prevent fires, and what to do if a fire occurs. Lectures about general fire safety, cooking safety and residence hall fire safety systems are followed by demonstrations with fire extinguishers as well as a live burn of a mock residence hall room where students see how rapidly a fire can spread. These fire prevention activities are highlighted by a Fire Safety Day fair that includes participation from fire and emergency response agencies with demonstrations and displays of fire, hazmat and emergency response equipment.

Report a Fire

In case of a fire, immediately evacuate the building. Pull the fire alarm pull-station as you exit the building if the alarm is not already sounding. Report all fires, fire alarms and other emergency situations to the University Police Department (UPD). The UPD dispatcher immediately notifies the local fire department and dispatches a Fire Marshal and Police

Officer. The dispatcher will notify other University administrative staff as necessary.

More Information

A Fire Log of all fires on-campus student housing is maintained and available in the University Fire Marshal's Office during regular business hours. The office is located at 110 Suffolk Hall on Stony Brook University's Main Campus at 100 Nicolls Road, Stony Brook, NY. All fire and life safety concerns should be addressed to the Fire Marshal's Office at 631-632-9678. The following individuals may also be contacted:

- Manager of Fire Safety
- Associate Vice President for Environmental Health & Safety
- Director of Campus Residences for Safety and Support Services

Future Improvements

Fire safety systems in all existing Campus Residence facilities currently meet fire and building code requirements, and there are no planned improvements at this time.

Cooking Fire Safety Tips:

- Never leave cooking food unattended. Unattended meals are the number one cause of cooking fires.
- Wear short or close-fitting sleeves. Loose clothing can catch fire.
- Clean cooking surfaces to prevent food and grease build-up.
- Keep curtains, towels and pot holders away from hot surfaces.
- Store solvents and flammable cleaners away from heat sources.
- Turn pan handles inward to prevent accidental spilling.
- Slide a pan lid over flames to smother a grease or oil fire, then turn off the heat and leave the lid in place until the pan cools. Never carry the pan to the sink or outside; you may spread the fire that way.
- Make sure a dry chemical fire extinguisher is located near the cooking area.
- Never use water on grease fires.
- Close the oven door and shut off the heat to smother an oven or broiler fire.

Additional fire safety information for Residence Halls can be found on-line at the Environmental Health and Safety website: <https://ehs.stonybrook.edu/programs/fire-safety>.

In Case of an Emergency

Call University Police

Campus Phone: 333

Non-Campus Phone: 631-632-3333