 <p>Category: Facility Management / Safety Student Affairs</p> <p>Responsible Office: <a href="#">University Police</a></p>	<p>Policy Title: Campus Safety Advisory Committees, Establishment of</p> <p>Document Number: 5401</p> <p>Effective Date: July 01, 2004</p> <p>This policy item applies to: State-Operated Campuses</p>
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## Summary

It is the policy of the State University of New York (University) to comply with legal requirements of Article 129-A of NYS Education Law §6431 (Regulation of Conduct on Campus and Other College Property Used for Educational Purposes). Accordingly, the Board of Trustees of the State University of New York has adopted written rules requiring campuses to establish campus safety advisory committees. These committees will provide advice and written reports on issues relating to personal safety on the campus as well as perform identified requirements of [20 USC §1092\(f\)](#), also known as the “Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act.” (See the University procedure on Campus Security Policy and Campus Crime Statistics Reporting for information regarding the requirements and format for reporting official crime statistics.)

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## Policy

### **I. Establishment of Campus Safety Advisory Committee**

It is the policy of the State University of New York (University) to comply with legal requirements of Article 129-A of NYS Education Law §6431 (Regulation of Conduct on Campus and Other College Property Used for Educational Purposes). Accordingly, the Board of Trustees of the University has adopted written rules requiring campuses to establish campus safety advisory committees.

A. Committee Composition – The committee shall consist of a minimum of six members:

1. at least half of the committee shall be female;
2. one-third of the committee shall be appointed from a list of students that contains at least twice the number to be appointed, which is provided by the largest student governance organization on the campus;
3. one-third of the committee shall be appointed from a list of faculty members that contains twice the number to be appointed, which is provided by the largest faculty organization on the campus; and
4. one-third of the committee shall be selected by the president.

B. Committee Responsibilities - The committee shall review current campus security policies and procedures and make recommendations for their improvement. It shall specifically review current policies, plans and procedures for:

1. educating the campus community, including security personnel and those persons who advise or supervise students, about sexual assault pursuant to §6432 of Article 129-A of NYS Education Law;
2. educating the campus community about personal safety and crime prevention;
3. reporting sexual assaults and dealing with victims during investigations;
4. referring complaints to appropriate authorities;
5. counseling victims; and
6. responding to inquiries from concerned persons.

C. Written Annual Reporting - The committee shall report in writing, at least once (June 15) each academic year to:

1. the campus president;
2. the entire campus including faculty, staff, administrators and students in publications or appropriate mailing; and

3. when requested, applicants for enrollment or employment.

This annual written report does not constitute the mandatory reporting of official crime statistics (see the University procedure on Campus Security Policy and Campus Crime Statistics Reporting).

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#### Definitions

There are no definitions relevant to this policy.

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#### Other Related Information

[Rules for the Maintenance of Public Order](#)

[Sexual Assault Prevention Policy](#)

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#### Procedures

[Student Consumer Information and Disclosures](#)

[Campus Security Policy and Campus Crime Statistics Reporting](#)

[Campus Conduct & Other College Property used for Educational Purposes](#)

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#### Forms

There are no forms relevant to this policy.

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#### Authority

[NYS Education Law §6431](#) (Advisory committee on campus safety)

Chapter 739, Laws of 1990.

Chapter 457, Laws of 1990.

Chapter 676, Laws of 1980.

State University of New York Board of Trustees Resolution, 99-172, adopted October 26, 1999.

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#### History

Memorandum to presidents from office of student affairs and special programs dated August 22, 1995 announcing the creation of a University-wide Safety Task Force. The purpose of the Task Force is to help in (1) developing and cataloging educational programs about safety issues; (2) identifying programs successfully started by campus safety committees; (3) reviewing and, if necessary, recommending changes in University policies and practices; (4) establishing response protocol for serious crime and disaster incidents that campuses might adopt and (5) identifying model programs addressing campus safety problems.

Memorandum to presidents from office of student affairs and special programs, dated December 21, 1990 announced the Board of Trustee revisions to the policy on personal safety advisory groups (dated October 25, 1990) in order to conform to the recent amendment to Section 6450 of the Education Law (Chapters 457 and 739 of the Laws of 1990).

Memorandum to presidents from office of the chancellor dated October 2, 1989 asked to continue the practice of filing campus committee annual report with the president and a synopsis forwarded annually, by June 15, to the vice chancellor for student affairs and special programs. Additionally, committee reports were to be available to the campus community, the contents should include the charge to the committee, a list of members, recommendations made and proposed resolution of the recommendations, and any other issues that were addressed during the academic year.

Memorandum to presidents from the office of the chancellor dated January 22, 1986 outlined the report "Measures to Improve Personal Safety on Campus," presented to the Board of Trustees at its regular meeting on November 19, 1985. The Report summarized the campus reports submitted during this past year, outlines several University-wide efforts to improve personal safety on campus, and presents a number of recommendations for future campus activities and reports to the Board of Trustees.

Memorandum to presidents from office of the chancellor dated June 29, 1984 reminding campuses to form a safety advisory group and recommends utilizing academic programs and involving the faculty in actions related to the enhancement of personal safety.

Memorandum to presidents from office of the chancellor dated April 20, 1984 calling for campuses to form a broad-based and continuing advisory group to assess the quality of safety on campus and issue periodic reports to campus constituents.

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## Appendices

There are no appendices relevant to this policy.




  Category: Student Affairs   Responsible Office: <a href="#">University Life</a>	Policy Title: Sexual Assault Prevention Policy  Document Number: 3852  Effective Date: July 01, 2004  This policy item applies to: Community Colleges State-Operated Campuses
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## Summary

It is the policy of the State University of New York (University) to comply with legal requirements of 20 USC §1092 (f) and §6432 of Article 129-A of NYS Education Law. Accordingly, the Board of Trustees of the University has adopted written rules for campuses for providing information to incoming students regarding sexual assault and its prevention.

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## Policy

### Sexual Assault Prevention

It is the policy of the State University of New York (University) to comply with legal requirements of §6432 of Article 129-A of NYS Education Law. Accordingly, the Board of Trustees of the University has adopted written rules for campuses for providing information to incoming students regarding sexual assault and its prevention:

- A. Education and Information - Each campus shall inform incoming students about sexual assault prevention measures through programs which may include workshops,

seminars, discussion groups, and film presentations, in order to disseminate information about sexual assault, promote discussion, encourage reporting of incidents of sexual assault, and facilitate prevention of such incidents. Specifically, the campuses shall provide education programs to promote the awareness of rape, acquaintance rape and other sex offenses. Specifically, these education and informational programs should include, but not be limited to, the following subjects:

1. the applicable state laws, ordinances, and regulations regarding sex offenses.
2. the penalties under state law for commission of sex offenses as well as on-campus disciplinary sanctions for the same;
3. the procedures in effect at the college for dealing with sex offenses;
4. the availability of counseling and other support services for the victims of sex offenses on campus and off-campus;
5. the nature of and common circumstances relating to sex offenses on campuses; and
6. the methods the campus employs to advise and to update students about security procedures.

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#### Definitions

The following link to FindLaw's [New York State Laws](#) is provided for users' convenience; it is not the official site for the State of New York laws.

For definitions of specific sex offenses see [NYS Penal Law §130](#).

In case of questions, readers are advised to refer to the New York State Legislature site for the menu of [New York State Consolidated](#).

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#### Other Related Information

[Rules for the Maintenance of Public Order](#)

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#### Procedures

[Campus Conduct & Other College Property used for Educational Purposes](#)

[Student Consumer Information and Disclosures](#)

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#### Forms

There are no forms relevant to this policy.

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## Authority

[20 USC §1092 \(f\)](#) (Institutional and financial assistance information for students)

[§6432 of New York State Education Law – Article 129-A](#) (Regulation by Colleges of Conduct on Campuses and Other College Property Used for Educational Purposes)

Chapter 739, Laws of 1990

State University of New York Board of Trustees Resolution, 90-238, adopted October 25, 1990

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## History

Memorandum to presidents from office of student affairs and special programs dated March 4, 1994, advising campuses of amendment to 1992 Campus Security Act. Specifically, campuses are required to include sexual assault statistics and report on policies that address prevention, procedures for reporting and campus judicial procedures related to sexual assault.

Memorandum to presidents from the office of University counsel and the vice chancellor for legal affairs dated December 30, 1992, outlining new requirements under selected provisions of the Higher Education Amendments of 1992.

Memorandum to presidents from office of student affairs and special programs dated September 10, 1991, outlining State Education reporting requirements on sexual assault prevention information.

In the Memorandum to Presidents, Vol. 91, No. 3, dated August 2, 1991; campuses were advised of the passage of the Campus Security Act, which requires institutions to collect statistics on specific campus crimes, including rape, and to gather information on their own security policies for dissemination in an annual security report to current and prospective students and employees.

Memorandum to presidents from office of student affairs and special programs, dated December 21, 1990, explained that the Board of Trustees had updated the policy on personal safety advisory groups to conform to an amendment to §6450 of New York State Education Law (Chapters 457 and 739 of the Laws of 1990). This amendment required certain changes in the composition of University campus personal safety committees, and there were new requirements for providing sexual assault prevention information to entering students during campus orientation programs.

Memorandum to presidents from the office of the chancellor, dated January 12, 1989, announcing a teleconference on acquaintance/date rape


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## Appendices

There are no appendices relevant to this policy.





 <p>Category: Student Affairs</p> <p>Responsible Office: <a href="#">University Life</a></p>	<p>Procedure Title: Campus Conduct &amp; Other College Property used for Educational Purposes</p> <p>Document Number: 3650</p> <p>Effective Date: July 01, 2004</p> <p>This procedure item applies to: Community Colleges State-Operated Campuses</p>
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## Summary

This procedure implements the legal requirements of Article 129-A of NYS Education Law (Regulation by Colleges of Conduct on Campuses and Other College Property Used for Educational Purposes), hereinafter Article 129-A. Accordingly,

1. The Board of Trustees of the State University of New York (University) has adopted written rules for the maintenance of public order on campuses and for the enforcement thereof; a copy of which shall be provided to all students enrolled in the campuses of the State University of New York; and shall be deemed to be part of the by-laws of all organizations operating on such campuses; such by-laws shall be annually reviewed with the organizations;
2. University campuses must, on July 1 of each year, file a certificate of compliance with the New York State Education Department (SED) attesting that they have in place the policies and programs required by Article 129-A;

3. University campuses must, by July 1, 2004 and whenever amended, file with SED copies of their rules relating to the mandated student conduct policies. No further filing of student conduct rules will be necessary for a period of ten years;
4. University campus presidents must appoint an advisory committee on campus safety to review specific campus policies and procedures on safety and to make written recommendations for their improvement at least once each academic year;
5. University campuses must provide information to incoming students concerning sexual assault prevention and bias related crime prevention and the method the University employs to advise and update students about safety procedures;
6. University campuses must indicate in their campus catalog, student handbook and viewbook how to access the campus crime statistics that are filed annually with the United States Department of Education;
7. University campuses must adopt and implement a plan providing for coordination with local law enforcement agencies in connection with investigation of any violent felony offenses occurring at or on the grounds of the campus, and for the investigation of reports of any missing student.

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## Process

This procedure implements the legal requirements of Article 129-A of NYS Education Law (§ 6430 – 6436). This procedure outlines the specific requirements for campuses as mandated by the law.

### **I. Rules for the Maintenance of Public Order**

- A. The Trustees of the State University of New York (University) have adopted written rules for the maintenance of public order on University campuses and other college property used for educational purposes and for the enforcement thereof.
- B. A copy of such rules shall be given to all students enrolled at each University campus and shall be deemed to be part of the by-laws of all organizations operating on said campus which shall review annually such by-laws with individuals affiliated with such organizations.
- C. Each University campus shall annually file with the SED (Office of Quality Assurance, 981 EBA, Albany, NY 12234) on or before the first day of July, [a certificate of compliance](#) with the provisions of Article 129-A of NYS Education Law.
- D. Each University campus shall file a copy of all written policies and procedures adopted as required in Article 129-A with the SED (Office of College and University Evaluation, New York State Education Department, 5 North Mezzanine, Albany, NY 12234) on or before the first day of July, two thousand four, when such policies are amended and once every ten years thereafter.

E. Nothing contained in this policy shall:

1. be construed to limit or restrict the freedom of speech and peaceful assembly; or
2. prevent or limit a campus from setting forth additional standards of conduct for students.

## **II. Advisory Committee on Campus Safety.**

The president of each University campus shall appoint an advisory committee on campus safety in accordance with University policy (Establishment of Campus Safety Advisory Committees Policy).

## **III. Sexual Assault Prevention Information.**

Each campus shall inform incoming students about sexual assault prevention measures through programs which may include workshops, seminars, discussion groups, and film presentations, in order to disseminate information about sexual assault, promote discussion, encourage reporting of incidents of sexual assault, and facilitate prevention of such incidents (Sexual Assault Prevention Policy). Such information shall include, but not be limited to:

1. the applicable laws, ordinances, and regulations on sex offenses;
2. the penalties for commission of sex offenses;
3. the procedures in effect at the campus for dealing with sex offenses;
4. the availability of counseling and other support services for the victims of sex offenses;
5. the nature of and common circumstances relating to sex offenses on college campuses; and
6. the methods the campus employs to advise and to update students about safety procedures.

## **IV. Campus Crime Reporting and Statistics.**

A. Each University campus shall indicate in its campus catalog, student handbook and viewbook how to access the campus crime statistics that are filed annually with the United States department of education as required under [20 US 1092\(f\)](#). Every campus catalog, student handbook and viewbook shall state that "The Advisory Committee on Campus Safety will provide upon request all campus crime statistics as reported to the United States Department of Education."

B. The information in the catalog, student handbook and viewbook shall include the [United States Department of Education's](#) web site address for campus crime statistics and a campus phone number for a designated college campus contact who is authorized to provide such statistics for that college. Whenever an individual requests such campus crime statistics, the campus shall provide a hard copy mailed to the individual within ten days of the request and that

information will include all of the statistics that the campus is required to report under 20 US 1092(f).

C. The president of each University campus shall, working with the advisory committee on campus safety, take steps to inform students and prospective students of the existence of the campus crime statistics on an annual basis and other campus safety policies and procedures of the school (Campus Security Policy and Campus Crime Statistics Reporting Procedure).

## **V. Investigation of Violent Felony Offenses.**

Each University campus shall adopt and implement a plan providing for the investigation of any violent felony offense (as defined in NYS Penal Law §70) occurring at or on its grounds and providing for the investigation of a report of any missing student. A missing student is defined as any student of a campus who resides in a facility owned or operated by a campus and who is reported to such campus as missing from his or her residence). Such plans shall provide for the coordination of the investigation of such crimes and reports with local law enforcement agencies. Local law enforcement agencies are defined as any agency or agencies employing peace officers or police officers for the enforcement of the laws of the state and which has or have jurisdiction under provisions of the criminal procedure law over offenses occurring at or on the grounds of any institution). Such plans shall include, but not be limited to, written agreements with appropriate local law enforcement agencies providing for the prompt investigation of such crimes and reports.

## **VI. Bias Related Crime Prevention Information.**

Each University campus shall inform incoming students about bias-related crime prevention measures through programs which may include workshops, seminars, discussion groups, and film presentations, in order to disseminate information about bias related crime, promote discussion, encourage reporting of incidents of bias related crime, and facilitate prevention of such incidents (see the University policy on Bias-Related Crime Prevention). Such information shall include, but not be limited to:

1. the applicable laws, ordinances, and regulations on bias related crime, including the provisions and coverage of the hate crimes act of 2000 codified in article 485 of the penal law;
2. the penalties for commission of bias related crimes;
3. the procedures in effect at the college for dealing with bias related crime;
4. the availability of counseling and other support services for the victims of bias related crime;
5. the nature of and common circumstances relating to bias related crime on college campuses;  
and
6. the methods the campus employs to advise and to update students about safety procedures.

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## Forms

There are no forms relevant to this procedure.

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## Related Procedures

There are no related procedures relevant to this procedure.

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## Other Related Information

[Campus Safety Advisory Committees, Establishment of](#)

[Bias-Related Crime Prevention Policy](#)

[Sexual Assault Prevention Policy](#)

[20 U.S.C. 1092 \(f\)](#) (Institutional and financial information for students)

The following links to FindLaw's [New York State Laws](#) are provided for users' convenience; it is not the official site for the State of New York laws.

Penal Law:

[§70](#) (Sentence of imprisonment for felony)

[§130](#) (Sex offenses; definitions of terms)

[§485](#) (Legislative findings)

In case of questions, readers are advised to refer to the New York State Legislature site for the menu of [New York State Consolidated](#).

[U.S. Department of Education, Office of Postsecondary Education](#)

[New York State Department of Education, Office of Quality Assurance](#)

[New York State Department of Education, Office of College and University Evaluation](#)

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## Authority

The following link to FindLaw's [New York State Laws](#) is provided for users' convenience; it is not the official site for the State of New York laws.

[Article 129-A](#) (Regulation by Colleges of Conduct on Campus and Other College Property Used for Educational Purposes.)

In case of questions, readers are advised to refer to the New York State Legislature site for the menu of New York State Consolidated.

Chapter 597, Laws of 2003

Chapter 590, Laws of 2003

Chapter 22, Laws of 1999

Chapter 739, Laws of 1990

State University of New York Board of Trustees Resolution 99 – 18, adopted October 29, 1999.

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## History

Memorandum to presidents from the office of University counsel and vice chancellor for legal affairs dated August 9, 2004

Memorandum to presidents from the office of the chancellor dated April 27, 2004

Memorandum to presidents from the office of University counsel dated October 8, 2003

Memorandum to the presidents from office of vice chancellor and chief operating officer dated April 26, 2002

Memorandum to presidents from the office of the chancellor dated April 18, 2003

Memorandum to presidents from the vice chancellor and secretary of the University dated November 4, 1999.

Memorandum to presidents from office of University counsel and the vice chancellor for legal affairs dated August 3, 1991.

Memorandum to presidents from office of student affairs and special programs dated December 21, 1990.

Memorandum to presidents from office of University counsel and the vice chancellor for legal affairs and the office of student affairs and special programs dated November 26, 1990.

Memorandum to presidents from the chancellor of the University dated October 2, 1989.

Memorandum to presidents from the chancellor of the University dated January 22, 1986.

Memorandum to presidents from office of University counsel and the vice chancellor for legal affairs, dated May 23, 1977.

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## Appendices

There are no appendices relevant to this procedure.