



**General information required to be disseminated per
NYS Education Law 129-A:**

Section § 6431

Educating the campus community about personal safety and crime prevention:

Your safety is important! 10 strategies for staying safe:

1. Don't walk alone at night and always use well-lit areas.
2. Avoid isolated locations – such as empty laundry rooms or an isolated ATM machine.
3. If you believe you're being followed, go to the nearest business, open office, or populated area and call the police.
4. Use the buddy system at parties or social events – especially if alcohol is being served. Do not drink from open cups being handed to you.
5. Always be aware of your surroundings and follow your instincts. If your intuition tells you to get out or that you are at risk, trust your feelings and leave the situation quickly.
6. Have your keys ready when you approach your car or residence door. ALWAYS keep your car and residence locked – even if you're inside.
7. Walk confidently and assertively.
8. Keep valuable items out of sight. Carefully monitor these items in open or accessible areas such as lounges, computer labs, the library, or dining areas.
9. Do not invite people into your residence hall room or apartment unless you know them reasonably well.
10. Report all suspicious persons, thefts, or unusual activity to University Police at 587- 3999.

Students and parents are encouraged to investigate and ask questions about campus crime statistics which are maintained online and at University Police. The Annual Security Report can be found on the web at www.AlfredState.edu/university-police/annual-security-and-fire-safety-report.

Responding to inquiries from concerned persons (§6431 3-f):

People with concerns about campus safety should contact the Campus Safety Advisory Committee to raise their concern or make a suggestion. You can contact this committee by reaching either of its co-chairs, Libby Tsibulsky at Health & Wellness Services (ext. 4200) or Casey Gross at Judicial Affairs (ext. 4065). The Campus Safety Advisory Committee will respond to your concern.

Section §6432

Sexual Assault/Prevention and Education for incoming students

1. The applicable laws, ordinances, and regulations on sex offenses;
The term “sexual assault” could include several statutes within the New York State Penal Law. The college also maintains Sexual Misconduct Policies and Procedures that

include specific definitions for several sexually-related offenses.

Information on Common *New York State* Statutes, Terms, & Definitions:

Rape (1st): Sexual intercourse by force, without consent. This section can also include sexual intercourse with a person who is incapable of consent by reason of being physically helpless.

Rape (2nd and 3rd): Often referred to as “statutory rape,” these offenses include having sexual intercourse with someone less than 17 years of age (when actor is 21 or over) or having sexual intercourse with someone less than 15 years of age (when actor is 18 or over). The statute can include sexual intercourse with another person who is mentally disabled (2nd).

Sexual Misconduct: Sexual intercourse with another person without such person’s consent. This can include any person who is under 17 years of age. This could also include oral sexual conduct or anal sexual conduct without such person’s consent.

Unlawful Imprisonment: Restraint that interferes substantially with a person’s liberty. Refusing to let a person leave is a crime.

Sexual Abuse: Unwanted or forced sexual contact including any touching of another person’s intimate parts. This can also include the use of foreign objects (becomes Aggravated Sexual Abuse).

Forcible Touching: Unwanted touching of the sexual or other intimate parts of another person. This can include touching through clothing.

Sexual Harassment: Not a legal term in the Penal Law; loosely defined as uninvited sexual advances or related conduct that creates an intimidating, hostile or offensive environment. This conduct is prohibited by college rules. If the conduct is persistent or excessive, it may rise to the level of a crime via other statutes such as Harassment or Aggravated Harassment.

Date Rape: Not a legal term in the Penal Law; loosely defined as or can include acquaintance-based rape. Most rape victims know their attacker.

2. The penalties for commission of sex offenses;

Being found responsible by the campus for any sexual offense could lead to a range of sanction that includes suspension or expulsion from the college. Being found guilty of a sexual offense in a criminal court of law could result in a fine, imprisonment, probation, or a combination of multiple outcomes.

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

The right to:

- Have disclosures of sexual violence treated seriously.
- Make a decision about whether or not to disclose a crime or incident and participate in the conduct or criminal justice process free from outside pressures from college officials.
- Be treated with dignity and to receive from college officials courteous, fair, and respectful health care and counseling services.
- Be free from any suggestion that the victim/survivor is at fault when these crimes

and violations are committed or should have acted in a different manner to avoid such a crime.

- Describe the incident to as few individuals as practicable and not to be required to unnecessarily repeat a description of the incident.
- Be free from retaliation by the college, the accused, and/or their friends, family and acquaintances.
- Exercise civil rights and practice of religion without interference by the investigative, criminal justice, or conduct process of the college.

Students also have the right to obtain an advocate from Cattaraugus Community Action as a liaison with any internal/external law enforcement, judicial hearings or Title IX investigations.

1. The availability of counseling and other support services for the victims of sex offenses;
 - There are many resources available to you. Health & Wellness Services is available as well as other support services including law enforcement, Title IX Coordinator and judicial affairs.
2. The nature of and common circumstances relating to sexual offenses on college campuses;
 - The large majority of reported sexual assaults on a college campus involve people who know one another. Alcohol usage is a common element in reported sexual assaults. You can help take the following steps to help keep you safer:
 1. Know your limits and communicate clearly.
 2. Do not use ambiguous language: Say no when you mean no and yes when you mean yes.
 3. Avoid being in secluded places or someone's room alone.
 4. Monitor your alcohol usage.
 5. Never leave an alcoholic beverage unattended.
 6. Friends stay together, make sure everyone you go out with comes home together.
 7. Trust your instincts – if they tell you to get out, follow your intuition.
6. The methods the college employs to advise and to update students about security procedures;
 - Alfred State notifies students of security concerns in a number of ways. Most importantly, in a pro-active manner, students are reminded during orientation, the residential check-in process, and periodically during the semester of the importance of good choices and personal security as they go about their daily lives.

In addition: Flyers reminding students of areas of concern are produced and distributed across the campus and are available 24 hours a day in University Police. The importance of locking doors and securing personal possessions is also widely addressed and student staff is instructed to secure any door that is found unlocked. Equally important, students are reminded of the importance of exercising good judgment in the selection of activities in which they engage and individuals with whom they affiliate. Students and parents are encouraged to investigate and ask questions about campus crime statistics which are maintained online and at University Police. The Annual Security Report can be found on the web at www.AlfredState.edu/university-police/annual-security-and-fire-safety-report.

You are urged to report any incident of sexual misconduct!

Alfred State utilizes affirmative consent when investigating instances of sexual misconduct. This means that consent is given willingly and clearly—your actions are defined by the presence of a "yes" rather than the absence of a "no." When coming forward with a claim both the reporting party and witnesses will be granted alcohol amnesty, meaning that they will *not* be subject to any disciplinary actions for being under the influence when reporting. For more information on affirmative consent and alcohol amnesty please see the Student Code of Conduct at www.AlfredState.edu/sites/default/files/downloads/Student_Code_of_Conduct.pdf

Section §6432

Domestic Violence & Stalking / Prevention & Education for incoming students

1. The applicable laws, ordinances, and regulations of domestic violence and stalking incidents;
 - The college prohibits behaviors commonly associated with domestic violence or stalking incidents. The Student Code of Conduct, Section 11.2 states that "Physical/Verbal Harassment: Verbal abuse, threats, physical harassment, intimidation, stalking, coercion (whether written or oral), and/or physical conduct which threatens or endangers the health, well-being, or safety of any person that intentionally inflicts psychological or bodily harm upon any person are prohibited."
 - The New York State Penal Law also prohibits both domestic violence and stalking through specific statutes. As of 7/21/08, the definition of "members of the same family" was expanded and now includes "victims not previously married and without children in common, but who are or have been in an intimate relationship or significant dating relationship. This also includes same sex relationships." This definition change impacts college students in dating relationships and envelops them within the domestic violence laws of New York State. Committing a crime (i.e. assault) against a person that qualifies as a domestic incident will result in the completion of a New York State Domestic Incident Report Form (DIR) and subsequent action by the police – including potential mandatory arrest.
 - If you are the victim of domestic violence or stalking, you should report it to the University Police Department immediately.
 - Specific stalking laws are found in sections 120.45, 120.50, 120.55, and 120.60 of the New York State Penal Law. The offenses range from Class B Misdemeanor to a Class D Felony. The general criteria includes an intentional and illegitimate course of conduct directed at another person that the instigator knows is likely to cause fear of harm or concern for the safety of the person or a family member that the behavior is directed toward.
2. The penalties for commission of a domestic violence or stalking incident;
 - Being found responsible by the campus for any domestic violence or stalking-related incident could lead to a range of sanction that includes Disciplinary Warning to Disciplinary Expulsion.
 - Being found guilty of a domestic-violence related crime or stalking offense in a criminal court of law could result in a fine, imprisonment, probation, or a combination of multiple outcomes.
3. The procedures in effect at the college for dealing with a domestic violence or stalking incident;
 - All of the categories defined above are against college rules and regulations. You should read the college's Student Code of Conduct (including definitions), located at www.alfredstate.edu/sites/default/files/downloads/Student_Code_of_Conduct.pdf
 - A victim has the right to:
 1. Privacy.
 2. Access to medical/psychological care and follow-up.

3. Early and ongoing support, advocacy, and counseling.
4. Protection including 'no contact conditions,' alternate room, class and employment assignments as appropriate.

- The police are mandated – legally required to investigate domestic violence cases and if conditions are met, take action and prepare a Domestic Incident Report (DIR). The police must give the victim the opportunity to sign it and give him/her a copy.

You are urged to report any incident of domestic violence or stalking!

4. The availability of counseling and other support services for the victims of domestic violence or stalking;
 - There are many resources available to you. Health & Wellness Services is available and can be reached at ext. 4200 or by stopping in to their office in TA Parish Hall. Other support services include law enforcement (University Police), judicial affairs and the Title IX Coordinator. You are never alone and know that someone will always help you if you reach out for help.
5. The nature of and common circumstances relating to incidents of domestic violence or stalking on campus;
 - Domestic Violence and Stalking are not common offenses on campus but they do in fact occur. You cannot always avoid a domestic violence or stalking situation – even if you thought the person would never do something like that when you first met.

Symptoms of domestic violence can include:

- Pushing, slapping, punching, biting, shaking, pinching, pulling hair, bending fingers, twisting arms
- Hitting with an object, slamming against wall
- Grabbing, restraining, preventing exit
- Dropping off in car at distant or unsafe location
- Withholding resources (financial, medical)
- Forcing consumption

Symptoms of stalking can include:

- Following, approaching, confronting, or intentionally appearing within sight of the victim at home, work, or school
- Entering or remaining at the victim's residence or property
- Repeatedly contacting the victim against their will
- Keeping tabs on the victim
- CYBERSTALKING: using search engines, online communities like Facebook to harass

Section §6436

Bias-related crime prevention information

3. 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 four- hundred eighty-five of the penal law;

What is a bias-related hate crime?

Hate Crimes Act 2000 (Title Y, Chapter 107, Article 485, New York State Penal Code) Under New York State law, a hate crime is committed when a person commits a "specified offense," such as murder, assault, kidnapping, arson, or other crimes against an individual because of his or her race, color, national origin, ancestry, gender, age, disability, religion or religious practice or sexual orientation. A bias-related crime is an act or a threatened or attempted act by any person or group of persons against the person or property of another individual or group which

in any way constitutes an expression of hostility toward the victim because of his/her race, religion, sexual orientation, national origin, or ethnicity. This includes, but is not limited to: threatening phone calls, hate mail, physical assaults, vandalism, cross burning, destruction of religious symbols, and fire bombings.

4. The penalties for commission of bias-related crimes;
Bias-related crimes are deemed a violent felony offense and conviction of a hate crime can lead to penalties ranging from a misdemeanor and a class E felony. In addition to criminal charges, students charged disciplinarily (see Disorderly Conduct, section 3.1.f of the Student Code of Conduct) and found responsible will be sanctioned accordingly. Please note that the severity of such an infraction is serious and could warrant a sanction of suspension or expulsion from Alfred State.
5. The procedures in effect at the college for dealing with bias-related crime;
You can report any act of violence to any staff member at Alfred State. Staff (excluding counselors in Health & Wellness Services) and faculty are required to immediately report any act of violence and any other crimes reported to them directly to University Police (587-3999). You can also speak with the Sr. Director of Health & Wellness Services (587-4200) in a confidential setting and explore your options at that time.

Reporting Crimes to University Police

Incidents reported to University Police (587-3999 or 911) will be treated with the utmost degree of confidentiality. Alleged incidents of bias-related crimes will result in a thorough investigation and University Police will also assist where appropriate in the presentation of a case before the courts. The University Police also has full access to other government agencies (such as the Department of Human Rights and the State Police) in the completion of an investigation and in the rendering of criminal charges.

Anonymous Reporting

Alfred State also encourages anonymous reporting of bias-related crimes to University Police. Anonymous reporting helps Alfred State collect valuable information and may help in any investigation current or in the future. This can be done online from the University Police web page. Point your browser to www.AlfredState.edu/webforms/silent-witness

Campus Notification (Timely Warning/RAVE Alert)

In the event of an incident, the Vice President for Student Affairs (or his designee) will publish information to the campus that contains information intended to sensitize the campus community to the nature of any current concern. The privacy of the individual(s) involved is pre-eminent, but in most cases sufficient detail is included that provides the campus community with valuable information to decrease the likelihood of further occurrence. A campus policy precludes the use of orange paper for other than emergency notifications such as incidents of sexual/assaults and bias-related crimes.

Concerns of Personal Safety

In addition, if at any time following an incident the victim feels his/her personal safety is at risk, he/she should immediately contact University Police who will contact the Vice President for Student Affairs (587-3911). The Vice President for Student Affairs will complete an assessment of the risk and render a decision that is appropriate to the situation.

Remember: you are encouraged to report any bias-related offenses or conduct!

4. The availability of counseling and other support services for the victims of bias-related crime;
- Health & Wellness Services (587-4200) provides therapeutic and confidential support for any Alfred State student who has been a victim of a crime, bias-related or otherwise. Students who are victims of bias-related crimes (and any other acts of violence) and students charged with a bias-related crime can also receive counseling support throughout any investigation or criminal process.
 - Students may also seek support and assistance by initiating a conversation with their Resident Assistant, Residence Director, academic adviser, faculty, Coordinator of Equity, Inclusion and Title IX (587-4076), Coordinator of Student Affairs (Wellsville campus) (587-3103), Associate Dean for Judicial Affairs (587- 4065), Vice President for Student Affairs (587-3911), Director of Human Resources (587-4025) or support staff in any office about any concern or incident regarding a bias-related crime or bias-related harassment.

5. The nature of and common circumstances relating to bias-related crime on college campuses;

Have you been a victim of or witnessed a bias-related crime?

- Someone might have used a derogatory word that disrespected your gender.
- Someone might have written something on the wall, desk, or door that made you feel uncomfortable about your religion.
- Someone sent you an email that made you feel unwelcome based on your sexual orientation.
- Someone physically harmed you because you looked different than them.
- Someone made fun of your background because you were born in a foreign country.
- Someone touched you in a way that made you feel ashamed of your body.

Alfred State is fortunate that bias-related crime is a rare event in our area.

Examples of what would constitute a bias-related offense:

- Words, symbols, or acts, which are or may be offensive to an identifiable group used by the perpetrator. Ex, burning cross, swastika, derogatory words or slurs directed at a particular race, religion, sexual orientation, national origin, ethnicity, or gender.
- Written words, slurs or graffiti on walls, boards, buildings, desks, posters, and emails directed at a particular race, religion, sexual orientation, national origin, ethnicity, or gender.
- The victim and the perpetrator are members of different race, religion, sexual orientation, national origin, ethnicity, or gender.
- The victim or victim's group has been subjected to past incidents of a similar nature.
- There has been tension or hostility between the victim's group and another particular race, religion, sexual orientation, national origin, ethnicity, or gender.
- When multiple incidents occur at the same time, and all victims are of the same particular race, religion, sexual orientation, national origin, ethnicity, or gender.
- The perpetrator responsible has a true understanding of the impact of the crime/incident on the victim or other group members.
- The crime/incident indicates possible involvement by an organized hate group.

6. The methods the college employs to advise and to update students about security procedures:

- Alfred State notifies students of security concerns in a number of ways. Most importantly, in a pro-active manner, students are reminded during orientation, the residential check-in process, and periodically during the semester of the importance of good choices and personal security as they go about their daily lives.

In addition:

Flyers reminding students of areas of concern are produced and distributed across the campus and are available 24 hours a day in University Police.

The importance of locking doors and securing personal possessions is also widely addressed and student staff is instructed to secure any door that is found unlocked.

Equally important, students are reminded of the importance of exercising good judgment in the selection of activities in which they engage and individuals with whom they affiliate.

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