

Dutchess Community College
Policy on Sexual Harassment and Sexual Violence

[\(Note: Click here to make an anonymous report of sexual harassment or sexual assault.\)](#)

I. Statement on Nondiscrimination

Dutchess Community College is committed to the principle of equal opportunity in education and employment and does not engage in unlawful discrimination based on an individual's race, color, national origin, religion, creed, age, disability, sex, gender identity, sexual orientation, familial status, pregnancy, predisposing genetic characteristics, military status, domestic violence or dating violence victim status, or criminal conviction in the execution of its educational programs, activities, employment, daily operations or admission policies, in accordance with all applicable federal, state and local laws. These laws include the Americans with Disabilities Act (ADA), Section 504 of the Rehabilitation Act of 1973, Title IX of the Education Amendments of 1972, Title VII of the Civil Rights Act of 1964 as Amended by the Equal Employment Opportunity Act of 1972, and the New York State Human Rights Law.

Employees, students, applicants or other members of the College community (including but not limited to vendors, visitors, and guests) may not be subjected to harassment that is prohibited by law, or treated adversely or retaliated against based upon a protected characteristic. The College will not tolerate any form of sexual harassment including sexual assault, sexual violence, and sexual misconduct. It is therefore the responsibility and obligation of all members of the College community to report and or to assist others in reporting incidents of sexual harassment. All members of the College community are expected to cooperate and assist in investigations related to such incidents.

Dutchess Community College (DCC) has established a Title IX Coordinator to oversee the investigation of claims of violations of the College's policy of non-discrimination and prohibition of sexual harassment and assault.

Reports of violations and or inquiries regarding the application of Title IX and other laws, regulations and policies prohibiting discrimination may be directed to:

Esther Couret, Director of Human Resources Management and Title IX Coordinator
Bowne Hall, Room 220
Dutchess Community College
53 Pendell Road, Poughkeepsie, NY 12601
845-431-8673
esther.couret@sunydutchess.edu

Alternatively, reports or inquiries may be directed to:

The Office of the Dean of Student Services and Enrollment Management
SSB, Room 304
Dutchess Community College
53 Pendell Road, Poughkeepsie, NY 12601
845-431-8974

Inquiries or complaints regarding the College's procedures and compliance with applicable laws, statutes, and regulations may also be directed to:

United States Department of Education's Office for Civil Rights
32 Old Slip 26th Floor
New York, NY 10005-2500
Tel (646) 428-3800;
Email: OCR.NewYork@ed.gov.

400 Maryland Avenue, SW
Washington, DC 20202-1100

Customer Service Hotline: 800-421-3481 TDD 877-521-2172
Email: OCR@ed.gov Web: <http://www.ed.gov/ocr>

II. Definition of Sexual Harassment

Sexual harassment is behavior that is defined as unwelcome sexual advances, requests for sexual favors, and other physical or verbal conduct of a sexual nature when it meets any of the following:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or academic status.
- Submission to or rejection of such conduct by an individual is used as the basis for employment or academic decisions affecting such individual.
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance or creating an intimidating, hostile, or offensive environment for working, learning, or living on campus.

Sexual harassment can occur between any individuals associated with the College, e.g., an employee and a supervisor; coworkers; faculty members; a faculty, staff member, or student and a customer, vendor, or contractor; students; or a student and a faculty member.

Types of Sexual Harassment

Sexual Misconduct

Such behavior includes unwelcome sexual advances; requests for sexual favors; and other direct verbal or physical conduct of a sexual nature. Sexual misconduct includes pervasive or severe behaviors such as 'sexting', sexually laced humor, displays of sexually offensive materials, and other inappropriate sexually based actions.

Sexual Assault and Sexual Violence

Sexual assault is a severe form of sexual harassment. Such behavior includes, but is not limited to, forcible penetration with a part of one's body or object, touching, pinching, patting, or pressing up against someone, exposing the genitalia, sexual based stalking or bullying, peeping, or the invasion of one's sexual privacy. Sexual assault is also defined as non-forcible sexual activity with a person who is physically or mentally incapacitated. Incapacity is defined as one in a state where he or she is unable to grant an affirmative consent (as defined herein) to sexual activity. Incapacity may occur in a person who is: under the influence of alcohol or drugs, suffering from a physical or mental illness, and or experiencing emotional trauma.

Sexual violence, as that term is used in this policy and in prior U.S. Office for Civil Rights guidance, refers to physical sexual acts perpetrated against a person's will or where a person is incapable of giving an affirmative consent. A number of different acts fall into the category of sexual violence, including rape, sexual assault, sexual battery, sexual abuse, and sexual coercion. Sexual violence can be carried out by other students, college employees, or third parties. All such acts of sexual violence are forms of sex discrimination prohibited by Title IX.

Every member of the College community is entitled to a work and learning environment free from the devastating effects of sexual harassment. No person or group of individuals shall engage in sexual behavior toward any individual against one's will and without one's verbal consent. Dutchess Community College expressly prohibits the sexually aggressive conduct noted above and employees and students found engaging in it will be subject to severe disciplinary action on campus, including termination, suspension, or academic dismissal. In addition, any violators may also be subject to criminal charges and prosecution under local and state laws.

Definition of Affirmative Consent

Affirmative consent is a knowing, voluntary, and mutual decision among all participants to engage in sexual activity. Consent can be given by words or actions, as long as those words or actions create clear permission regarding willingness to engage in 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.

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

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

Sexual Violence Victim/Survivor Bill of Rights

The State University of New York and Dutchess Community College are committed to providing options, support and assistance to victims/survivors of sexual assault, domestic violence, dating violence, and/or stalking to ensure that they can continue to participate in College-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:

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

Options in Brief:

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

- Receive resources, such as counseling and medical attention;
- Confidentially or anonymously disclose a crime or violation ([for detailed information on confidentiality and privacy, visit LINK TO Options for Confidentially Disclosing Sexual violence](#));
- Make a report to a person or an employee with the authority to address complaints, including:

- the Title IX Coordinator
- a Student Conduct employee
- a Human Resources employee
- College Safety and Security
- Local Law Enforcement
- Family Court or Civil Court

Copies of this Bill of Rights shall be distributed annually to students, made available on the college's website, and posted in each campus residence hall, dining hall, and student union or campus center and shall include links or information to access the Sexual Violence Response Policy and the Options for Confidentially Disclosing Sexual Violence.

III. Sexual Violence Response Policy

In accordance with the Students' Bill of Rights, reporting individuals shall have the right to pursue more than one of the options below at the same time, or to choose not to participate in any of the options below:

Reporting:

I. To report *confidentially* of an incident to one of the following college officials, who by law may maintain confidentiality, and can assist in obtaining services ([for detailed information on confidentiality and privacy, visit LINK TO Options for Confidentially Disclosing Sexual Violence](#));

- Anonymously via an internet or telephone anonymous reporting system: SHARE @ DCC www.sunydutchess.edu/share-at-dcc
- The DCC Counseling Office 845-431-8040
- The DCC Health Office 845-431-8075

II. To disclose *confidentially* of an incident and obtain services from:

- New York State, New York City or county hotlines: <http://www.opdv.ny.gov/help/dvhotlines.html>.
- Additional disclosure and assistance options are catalogued by the Office for the Prevention of Domestic Violence and presented in several languages: <http://www.opdv.ny.gov/help/index.html> (or by calling 1-800-942-6906);
- SurvJustice: <http://survjustice.org/our-services/civil-rights-complaints/>
- Legal Momentum: <https://www.legalmomentum.org/>;
- NYCASA: <http://nycasa.org/>;
- NYSCADV: <http://www.nyscadv.org/>;
- Pandora's Project: <http://www.pandys.org/lgbtsurvivors.html>;
- GLBTQ Domestic Violence Project: <http://www.glbtqdv.org/>;
- RAINN: <https://www.rainn.org/get-help>;
- Safe Horizons: <http://www.safehorizon.org/>.

Note that these hotlines are for crisis intervention, resources, and referrals, and are not reporting mechanisms, meaning that disclosure on a call to a hotline does not provide any information to the campus. Reporting individuals are encouraged to additionally contact a campus confidential or private resource so that the campus can take appropriate action in these cases.

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

the criminal justice process uses different standards of proof and evidence other than internal procedures and questions about the penal law or the criminal process should be directed to law enforcement or district attorney, :

Title IX Coordinator 845-431-8673

- College Security 845-431-8070 or on campus in an emergency - 4911 (24 hour availability)
- Office of Student Services 845-431-8974

IV. To file a criminal complaint with Campus Security and/or with local law enforcement:

- Dutchess Community College Security office, 845-431-8070 or on campus emergency line 4911
Student Services Building - SSB 1st floor
53 Pendell Road, Poughkeepsie, NY 12601
- Town of Poughkeepsie Police Department
19 Tucker Drive, Poughkeepsie, NY 12603
845-485-3666
- City of Poughkeepsie Police Department
62 Civic Center Plaza, Poughkeepsie, NY 12601
845-451-4000
- Village of Wappingers Falls Police Department
2628 South Avenue
Wappingers Falls, New York 12590
Phone: 845-297-1011

V. To file a report of sexual assault, domestic violence, dating violence, and/or stalking, and/or talk to the Title IX Coordinator for information and assistance. Reports will be investigated in accordance with College policy.

VI. When the accused is an employee, a reporting individual may also report the incident to the Office of Human Resources or may request that one of the above referenced confidential or private employees assist in reporting to Human Resources. Disciplinary proceedings will be conducted in accordance with applicable collective bargaining agreements.

VII. When the accused is an employee of an affiliated entity or vendor of the college, college officials will, at the request of the reporting individual, assist in reporting to the appropriate office of the vendor or affiliated entity and, if the response of the vendor or affiliated entity is not sufficient, assist in obtaining a persona non grata letter, subject to legal requirements and college policy.

Esther Couret
Director of Human Resources Management and Title IX Coordinator
Bowne Hall, Room 220
Dutchess Community College
53 Pendell Road, Poughkeepsie, NY 12601
845-431-8673 email: esther.couret@sunydutchess.edu

VIII. To File an External or Criminal Complaint Against a College Employee or Student:

Victims of sexual assault or misconduct have the right to file an external or criminal complaint before, during, or after the College's investigation of sexual assault or misconduct. Criminal complaints may be reported to local authorities such as Town of Poughkeepsie or Wappingers Falls Police Departments. External administrative complaints may be filed with the Office for Civil Rights email at ocr@ed.gov or online at <http://www.ed.gov/about/offices/list/ocr/complaintintro.html>.

You may withdraw your complaint or involvement from the College process at any time.

Resources:

To obtain effective intervention services.

- Office of Counseling and Career Services 845-431-8040 located in the Student Services Building, 3rd Floor at no charge.
- DCC Health Office 845-431-8075 located in the Student Services Building, 1st Floor at no charge.
- Sexual contact can transmit Sexually Transmitted Infections (STI) and may result in pregnancy. Testing for STIs and emergency contraception is available at no or minimal cost at the following:
 - Planned Parenthood
 - Dutchess County Health Department
 - Local area Pharmacies (for emergency contraception)
- Within 96 hours of an assault, you can get a Sexual Assault Forensic Examination (commonly referred to as a rape kit) at a hospital. While there should be no charge for a rape kit, there may be a charge for medical or counseling services off campus and, in some cases, insurance may be billed for services. You are encouraged to let hospital personnel know if you do not want your insurance policyholder to be notified about your access to these services.
- The New York State Office of Victim Services may be able to assist in compensating victims/survivors for health care and counseling services, including emergency funds. More information may be found here: http://www.ovs.ny.gov/files/ovs_rights_of_cv_booklet.pdf, or by calling 1-800-247-8035. Options are explained here: <http://www.ovs.ny.gov/helpforcrimevictims.html>.
- To best preserve evidence, victims/survivors should avoid showering, washing, changing clothes, combing hair, drinking, eating, or doing anything to alter physical appearance until after a physical exam has been completed.

Protection and Accommodations:

- When the accused is a student, to have the College issue a “No Contact Order,” consistent with college policy and procedure, meaning that continuing to contact the protected individual is a violation of college policy subject to additional conduct charges; if the accused and a protected person observe each other in a public place, it is the responsibility of the accused to leave the area immediately and without directly contacting the protected person. Both the accused/respondent and reporting individual may request a prompt review of the need or and terms of a No Conduct Order consistent with College policy. Parties may submit evidence in support of their request.
- To have assistance from College Security or other college officials in initiating legal proceedings in family court or civil court, including but not limited to obtaining an Order of Protection or, if outside of New York State, an equivalent protective or restraining order.
- To receive a copy of the Order of Protection or equivalent and have an opportunity to meet or speak with a college official who can explain the order and answer questions about it, including information from the Order about the accused’s responsibility to stay away from the protected person(s); that burden does not rest on the protected person(s).
 - To an explanation of the consequences for violating these orders, including but not limited to arrest, additional conduct charges, and interim suspension.
 - To have assistance from College Security in effecting an arrest when an individual violates an Order of Protection or, if outside of New York State, an equivalent protective or restraining order within the jurisdiction of the Campus Security or to call on and assist local law enforcement in effecting an arrest for violating such an order.
 - When the accused is a student and presents a continuing threat to the health and safety of the community, to have the accused subject to interim suspension pending the outcome of a conduct process. Parties may request a prompt review of the need for and terms of an interim suspension.
 - When the accused is a not a student but a member of the college community, to subject the accused to interim measures in accordance with applicable collective bargaining agreements, employee handbooks, and College policies and rules.

- When the accused is not a member of the college community, to have assistance from College Security or other college officials in obtaining a persona non grata letter, subject to legal requirements and college policy.
- To obtain reasonable and available interim measures and accommodations that effect a change in academic, housing, employment, transportation, or other applicable arrangements in order to ensure safety, prevent retaliation, and avoid an ongoing hostile environment. Parties may request a prompt review of the need for and terms of any interim measures and accommodations that directly affect them. While reporting individuals may request accommodations through any of the offices referenced in this policy, the following office can serve as a point to assist with these measures:

The Office of the Dean of Student Services and Enrollment Management
 SSB, Room 304
 Dutchess Community College
 53 Pendell Road, Poughkeepsie, NY 12601
 845-431-8974

Student Conduct Process:

Conduct proceedings are governed by the procedures set forth in the DCC Campus Code of Conduct as well as federal and New York State law, including the due process provisions of the United States and New York State Constitutions.

When reporting an incident all individuals have the right and can expect that throughout the conduct proceedings, the accused and the reporting person will have:

- The right to have incidents of harassment or discrimination taken seriously by DCC,
- The same opportunity to have access to an advisor of their choice. Participation of the advisor in any proceeding is governed by federal law and the Campus Code of Conduct;
- The right to a prompt response to any complaint and to have their complaint investigated and adjudicated in an impartial and thorough manner by individuals who receive annual training in conducting investigations of sexual violence, the effects of trauma, and other issues related to sexual assault, domestic violence, dating violence, and stalking.
- The right to an investigation and process conducted in a manner that recognizes the legal and policy requirements of due process and is not conducted by individuals with a conflict of interest.
- The right to receive written or electronic notice of any meeting or hearing they are required to or are eligible to attend.
- The right to have a conduct process run concurrently with a criminal justice investigation and proceeding, except for temporary delays as requested by external municipal entities while law enforcement gathers evidence. Temporary delays should not last more than 10 days except when law enforcement specifically requests and justifies a longer delay.
- The right to review available evidence in the case file.
- The right to a range of options for providing testimony via alternative arrangements, including telephone/videoconferencing or testifying with a room partition.
- The right to exclude prior sexual history or past mental health history from admittance in the college disciplinary stage that determines responsibility. Past sexual violence findings may be admissible in the disciplinary stage that determines sanction.
- The right to ask questions of the decision maker and via the decision maker indirectly request responses from other parties and any other witnesses present.
- The right to make an impact statement during the point of the proceeding where the decision maker is deliberating on appropriate sanctions.
- The right to simultaneous (among the parties) written or electronic notification of the outcome of a conduct proceeding, including the sanction(s).

- The right to know the sanction(s) that may be imposed on the accused based upon the outcome of the conduct proceeding and the reason for the actual sanction imposed. *For students found responsible for sexual assault, the available sanctions are suspension with additional requirements and expulsion/dismissal.*
- The right to choose whether to disclose or discuss the outcome of a conduct hearing.

For information, contact the Director of Student Conduct and Community Standards:

The Office of the Dean of Student Services and Enrollment Management
 SSB, Room 304
 Dutchess Community College
 53 Pendell Road, Poughkeepsie, NY 12601
 845-431-8970

IV. Statement of Alcohol and/or Drug Use Amnesty in Sexual Violence Cases

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

V. Options for Confidentially Disclosing Sexual Violence

The State University of New York and Dutchess Community College want you to get the information and support you need regardless of whether you would like to move forward with a report of sexual violence to campus officials or to police. You may want to talk with someone about something you observed or experienced, even if you are not sure that the behavior constitutes sexual violence. A conversation where questions can be answered is far superior to keeping something to yourself. Confidentiality varies, and this document is aimed at helping you to understand how confidentiality applies to different resources that may be available to you.

Privileged and Confidential Resources:

Individuals who are *confidential* resources will not report crimes to law enforcement or college officials without your permission, except for extreme circumstances, such as a health and/or safety emergency. At DCC this includes:

- DCC Counseling Services Contact 845-431-8040
- DCC physicians, licensed medical professionals or supervised interns when they are engaged in a physician/patient relationship: Contact the DCC Health Office 845-431-8075.

Off-campus options to disclose sexual violence *confidentially* include (note that these outside options do not provide any information to the campus):

- Off-campus counselors and advocates. Crisis services offices will generally maintain confidentiality unless you request disclosure and sign a consent or waiver form. More information on an agency's policies on confidentiality may be obtained directly from the agency.
- Off-campus healthcare providers

- o Note that medical office and insurance billing practices may reveal information to the insurance policyholder, including medication and/or examinations paid for or administered. The New York State Office of Victim Services may be able to assist in compensating victims/survivors for health care and counseling services, including emergency compensation. More information may be found here: http://www.ovs.ny.gov/files/ovs_rights_of_cv_booklet.pdf, or by calling 1-800-247-8035. Options are explained here: <http://www.ovs.ny.gov/helpforcrimevictims.html>.

Note that even individuals who can typically maintain confidentiality are subject to exceptions under the law, including when an individual is a threat to oneself or others and the mandatory reporting of child abuse.

Non-Professional Counselors and Advocates:

Non-professional counselors and other advocates such as faculty, managers, and advisors can also assist without sharing information that could identify you. At DCC these individuals will report the nature, date, time, and general location of an incident to DCC's Title IX Coordinator, but will consult with you to ensure no personally identifying details are shared without your consent. These individuals are not considered confidential resources as discussed above.

Privacy versus Confidentiality:

Even DCC offices and employees who cannot guarantee *confidentiality* will maintain privacy to the greatest extent possible. The information you provide to a non-confidential resource will be relayed only as necessary to investigate and/or seek a resolution and to notify the Title IX Coordinator or designee, who is responsible under the law for tracking patterns and spotting systemic issues. DCC will limit the disclosure as much as possible, even if the Title IX Coordinator determines that the request for confidentiality cannot be honored.

Requesting Confidentiality: How Dutchess Community College Will Weigh the Request and Respond:

If you disclose an incident to a DCC employee who is responsible for responding to or reporting sexual violence or sexual harassment, but wish to maintain confidentiality or do not consent to the institution's request to initiate an investigation, the Title IX Coordinator must weigh your request against the College's obligation to provide a safe, non-discriminatory environment for all members of our community, including you.

DCC will assist you with academic, housing, transportation, employment, and other reasonable and available accommodations regardless of your reporting choices. While reporting individuals may request accommodations through several college offices, the following office can serve as a primary point of contact to assist with these measures:

The Office of the Dean of Student Services and Enrollment Management
SSB, Room 304
Dutchess Community College
53 Pendell Road, Poughkeepsie, NY 12601
845-431-8974

The College also may take proactive steps, such as training or awareness efforts, to combat sexual violence in a general way that does not identify you or the situation you have disclosed.

The College may seek consent prior to conducting an investigation. You may decline to consent to an investigation, and that determination will be honored unless the DCC's failure to act does not adequately mitigate the risk of harm to you or other members of the College community. Honoring your request may limit our ability to meaningfully investigate and pursue conduct action against an accused individual. If we determine that an investigation is required, DCC will notify you and take immediate actions as necessary to protect and assist you.

When you disclose an incident to someone who is responsible for responding to or reporting sexual violence or sexual harassment, but wish to maintain confidentiality, DCC will consider many factors to determine whether to proceed despite that request. These factors include, but are not limited to:

- Whether the accused has a history of violent behavior or is a repeat offender;

- Whether the incident represents escalation, such as a situation that previously involved sustained stalking;
- Whether there is the increased risk that the accused will commit additional acts of violence;
- Whether the accused used a weapon or force;
- Whether the victim/survivor is a minor;
- Whether the College possesses other means to obtain evidence such as security footage;
- Whether the report reveals a pattern of perpetration at a given location or by a particular group.

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

Public Awareness/Advocacy Events: If you disclose a situation through a public awareness event such as “Take Back the Night,” candlelight vigils, or protests, DCC is not obligated to begin an investigation. DCC may use the information you provide to inform the need for additional education and prevention efforts.

Anonymous Disclosure:

Share @ DCC - An online mechanism via the College’s website is available to collect reports of sexual harassment and sexual assault. This web based form is anonymous and confidential and will be sent to select College officials including the Title IX Coordinator, Director of Student Conduct, and the Director of Security and Safety. Completing this form does NOT constitute a police report or an official student conduct report. Additionally, survivors or witnesses who may not initially be inclined to report an incident of sexual harassment or assault to the police or to DCC have the right to change their mind at any time.

Anonymous reports are used for the following:

- Gathering and recording information regarding the incidence of sexual harassment and assault on and around our campus;
- Tracking incidents of sexual assault on campus; certain information on this form may be used on the annual report submitted to the Department of Education in compliance with the Clery Act.
- Informing the community about the campus climate.

External resources for anonymous disclosure

New York State Hotline for Sexual Assault and Domestic Violence: 1-800-942-6906

The Hotline is for crisis intervention, resources and referrals and is not a reporting mechanism.

Institutional Crime Reporting

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

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

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

VI. Retaliation

Retaliation against anyone who, in good faith, reports or participates in an investigation of an act of sexual harassment of any type is strictly prohibited. Anyone responsible for retaliation, including the accused party or someone affiliated with the accused party, will be subject to disciplinary action by the College.

VII. Student Onboarding and Ongoing Education Guide

Dutchess Community College complies with the SUNY system-wide policy on the training and awareness obligations of its students. To that end, DCC will continue to educate all new and current students using a variety of best practices aimed at educating the entire college community in a way that decreases violence and maintaining a culture where sexual assault and acts of violence are not tolerated.

The State University of New York and its State-operated and community colleges believe that sexual violence prevention training and education cannot be accomplished via a single day or a single method of training. All new first-year and transfer students will, during the course of their onboarding to a SUNY State-operated or community college, receive training on the following topics, using a method and manner appropriate to the institutional culture of each campus:

- The institution prohibits sexual harassment, including sexual violence, domestic violence, dating violence, stalking, other violence or threats of violence, and will offer resources to any victims/survivors of such violence while taking administrative and conduct action regarding any accused individual within the jurisdiction of the institution.
- Relevant definitions including, but not limited to, the definitions of sexual violence and consent.
- Policies apply equally to all students regardless of sexual orientation, gender identity, or gender expression.
 - The role of the Title IX Coordinator, University Police/Campus Security, and other relevant offices that address sexual violence prevention and response.
 - Awareness of violence, its impact on victims/survivors and their friends and family, and its long-term impact.
 - The Victim/Survivor Bill of Rights and Sexual Violence Response Policy, including:
 - How to report sexual violence and other crimes confidentially, and/or to college officials, campus law enforcement and security, and local law enforcement.
 - How to obtain services and support.
 - Bystander Intervention and the importance of taking action, when one can safely do so, to prevent violence.
 - The protections of the Policy for Alcohol and/or Drug Use Amnesty in Sexual Violence Cases.
 - Risk assessment and reduction including, but not limited to, steps that potential victims/survivors *and* potential assailants and bystanders to violence can take to lower the incidence of sexual violence.
 - Consequences and sanctions for individuals who commit these crimes.

The onboarding process is not limited to a single day of orientation, but recognizes that students enroll at different times at different SUNY campuses and gives campuses the flexibility to best educate students at a time and manner that can most effectively bring these points to light. SUNY will conduct these trainings for all new students, whether first-year or transfer, undergraduate, graduate, or professional. Each campus shall use multiple methods to educate students about sexual violence prevention. Each SUNY institution will also share information on sexual violence prevention with parents of enrolling students.

Students at SUNY State-operated and community college campuses shall be offered general and specialized training in sexual violence prevention. Each institution will conduct a campaign, compliant with the requirements of the Violence Against Women Act, to educate the student population.

Further, institutions will, as appropriate, provide or expand specific training to include groups such as international students, students that are also employees of the campus, leaders and officers of registered/recognized student organizations, online and distance education students. Institutions will also provide specific training to members of groups identified as likely to engage in high-risk behavior.

Beginning in the 2015-2016 academic year, SUNY State-operated and community colleges will require that student leaders and officers of registered/recognized student organizations and those seeking recognition complete training on domestic violence, dating violence, sexual assault, or stalking prevention as part of the approval process and require student-athletes to complete training in domestic violence, dating violence, sexual assault, or stalking prior to participating in intercollegiate athletics.

Methods of training and educating students may include, but are not limited to:

- President's welcome messaging;
- Peer theater and peer educational programs;
- Online training;
- Social media outreach;
- First-year seminars and transitional courses;
- Course syllabi;
- Faculty teach-ins;
- Institution-wide reading programs;
- Posters, bulletin boards, and other targeted print and email materials;
- Programming surrounding large recurring campus events;
- Partnering with neighboring SUNY and non-SUNY colleges to offer training and education;
- Partnering with State and local community organizations that provide outreach, support, crisis intervention, counseling and other resources to victims/survivors of crimes to offer training and education. Partnerships can also be used to educate community organizations about the resources and remedies available on campus for students and employees seeking services; and
- Outreach and partnering with those local business that attract students to advertise and educate about these policies.

Each institution must engage in an occasional assessment of their programming under this policy to determine effectiveness. The institution may either assess its own programming or conduct a review of other campus programming and published studies to adapt its programming to ensure effectiveness and relevance to students.

VIII. Campus Climate Assessment Policy

Dutchess Community College complies with the SUNY system-wide policy on the assessments that afford institutions the opportunity to better understand their campus and to make informed decisions when it comes to providing a safe educational environment.

Beginning in the 2015-2016 academic year, each State University of New York State-operated and community college will conduct a uniform climate survey that ascertains student experience with and knowledge of reporting and college adjudicatory processes for sexual harassment, including sexual violence, and other related crimes.

The survey will address at least the following:

Student and employee knowledge about:

- The Title IX Coordinator's role;
- Campus policies and procedures addressing sexual assault;
- How and where to report sexual violence as a victim/survivor or witness;
- The availability of resources on and off campus, such as counseling, health, academic assistance;
- The prevalence of victimization and perpetration of sexual assault, domestic violence, dating violence, and stalking on and off campus during a set time period (for example, the last two years);
- Bystander attitudes and behavior;

- Whether victims/survivors reported to the College/University and/or police, and reasons why they did or did not report.
- The general awareness of the difference, if any, between the institution's policies and the penal law: and
- The general awareness of the definition of affirmative consent.

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

Beginning in the spring semester of 2015, the Chancellor or designee will convene a group of scholars and practitioners to review methods of assessing campus climate, specific questions asked in past surveys, relevant data on responses and response rates, issues and problems encountered in survey implementation, and lessons learned from past surveys. The Chancellor or designee will gather this data and seek to develop a standardized survey, with the advice of relevant members of the SUNY community and knowledgeable outside entities, that uses established measurement tools, to be implemented every two years by all SUNY State-operated and community colleges beginning in the 2015-2016 academic year.

This section of the policy may be changed by the DCC Board of Trustees in the event that either the SUNY Chancellor or designee or federal and/or State legislation require a different process or duplicate efforts to assess campus climate via survey.

Approved by Board of Trustees Resolution #2015-44, dated April 28, 2015