# Campus Security and Fire Safety Report

## **2024** Report

*Published July 2025*

## Farmingdale State College

Farmingdale State College

State University of New York

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*Published in compliance with United States Code Section 1092 (f) the Jeanne Clery Disclosure of Campus Security Policy and Campus Statistics Act (hereinafter referred to as the Campus Security Act) and the Code of Federal Regulations (CFR)*

## Inside This Report


• Emergency Response & Communication
• Reporting Agents
• Safety & Security Responsibility
• Alcohol & Other Drugs
• Definitions for Crime Data Reporting
• Sample of Campus Programs
• Sexual Crimes, Assistance for and NY State Penalties
• Crime Statistics: 2022, 2023, 2024
• Map of Reporting Area
• Community Resources
• Fire Safety Information


## General Information

Farmingdale State College enrolls a full-time undergraduate student population of 7930 and a part-time undergraduate student population of 4252. The college also enrolls a full-time graduate student population of 1 and a part-time graduate student population of 34. The campus employs a full and part-time workforce (excluding undergraduate students) of 1541. This year, 748 students resided in 3 residence halls on the campus.

To help prevent crimes, it is always important to secure valuable belongings and be aware of one's surroundings. To emphasize crime prevention awareness, campus educational programs, seminars, videos, posters, brochures, student newspaper articles, messages from administration, etc., address personal safety including rape/sexual assault, substance use/abuse, importance of locking doors and windows, "buddy" system, and fire and property safety such as operation ID, and taking belongings home during breaks. This information also includes safety services such as escorts, counseling, mental health services, medical resources, and emergency services.

## Related Web Sites

History of the Campus Security Act: http://clerycenter.org/the-clery-act

- Campus judicial procedures including student behavior expectations, violation definitions, victims' rights, violators rights, hearing procedures, potential sanctions:
  *Code of Student Conduct and Related Policies:*
  https://www.farmingdale.edu/dean/policies.shtml

  Crime alert information, crime statistics & prevention, patrol information, emergency blue light phone system, http://www.farmingdale.edu/university-police/index.shtml

- Crime statistics—US Department of Education: **http://ope.ed.gov/security/**

# General Information

**The Student Right-to-Know and Campus Security Act** was signed into law in November of 1990. Title II of this act was known as the Crime Awareness and Campus Security Act which was amended and renamed in 1998 as the Jeanne Clery Disclosure of Campus Security Policy and Campus Statistics Act. This law mandates that institutions receiving Title IV federal funds disseminate crime statistics for certain serious offenses that occurred on campus and in adjacent areas for the current and previous two calendar years. The purpose of this report is to provide our current and prospective faculty, staff, and students with campus safety information including crime statistics and procedures to follow to report a crime. This document was compiled by the University Police Department and is also available on the Web at: https://www.farmingdale.edu/university-police/pdf/clery-2024-report-final.pdf

The College will not retaliate or allow any retaliation toward a person(s) who reports alleged violations of this act.

**Confidentiality:** Students have the option of having their directory information unlisted. Details are available from the Registrar's Office or in the Farmingdale State Code of Conduct.

# Missing Students

Students are encouraged to identify a person who College personnel should contact in the event they are determined to be "missing". In addition to confidential crime reporting procedures, students who wish to identify a confidential contact for police to utilize in the event they are reported missing may do so within their web account at https://oasis.farmingdale.edu/ . From the OASIS main menu, click "Personal Information", then either the "View" or "Update" Emergency Contacts links. Follow the links on the update page to add a new contact and select "Missing Person Contact" as the "Relationship". If a student is reported missing to University Police, an attempt will be made to locate the student to determine his or her state of health and wellbeing. If at any point during the investigation, information arises that indicates a missing person crime report should be filed, the information will be shared with all appropriate law enforcement agencies, including the Suffolk County Police Department. Appropriate investigative measures will be coordinated with the involved law enforcement agencies. If the student listed a missing person contact, University Police will contact the listed individual. Parents may be notified as part of the investigative process. If the student reported missing is an off-campus student, the appropriate law enforcement agency will be contacted. Investigative and crime reporting procedures will be coordinated by that agency or the agency in the jurisdiction where the student was last reported. University Police will assist as appropriate. If the student listed a missing person confidential contact in Banner, University Police will contact the listed individual.

Missing persons should be reported directly to University Police. **Do not wait** if you believe a student is missing. Federal law states that the campus is required to provide missing person notification to: 1) all local police agencies pursuant to the Memorandums of Understandings; 2) the student's designated contact person if provided; and 3) parents of students under 18 years of age. University Police immediately conducts an initial investigation, and if after a reasonable period of time (not more than 24 hours) the student has not been located, University Police will proceed with the required notifications. The sooner an investigation begins, the better the chance of locating a missing person.

*Section 355 of the NYS Education Law states "Missing student" means any student of an institution subject to the provisions of this subdivision, who resides in a facility owned or operated by such institution and who is reported to such institution as missing from their residence.*

**Paper copies of this document are available at the University Police Department, the Admissions Office, and the Human Resources Office.**

# Emergency Response

The College's leadership is trained in assessing emergency situations, appropriately responding to said emergencies, and initiating necessary communication with those immediately impacted by the event and the greater campus community. The Chief of University Police, in consultation with the Executive Vice President – Chief Financial Officer, is responsible for determining the level of an incident. In the absence of the chief, the Inspector of Patrol, the Inspector of Auxiliary Services, the shift lieutenant or the officer in charge, will make appropriate consults and level determination. If there were a serious, immediate threat to the health and safety of the campus community, the emergency response protocol would be enacted as appropriate to the situation. This can include activation of RAVE Alert telephone and text notification, campus siren, loudspeaker, the campus video messaging system, and an alert message on the Farmingdale State College home page. Notification to the greater campus community is coordinated between University Police and the Public Relations Office pursuant to policies and agreements with local law enforcement agencies and media outlets. Subsequent to the emergency response and for other non-imminent serious incidents, a "**Campus Crime Alert**" or "**Timely Notification Bulletin**" would be prepared and distributed on campus via campus e-mail, video messaging system, building main entrances, and/or the University Police Web site. Such reports shall be prepared and distributed within two hours of said determination. Standard notification procedures may be altered if the emergency response authorities determine it would compromise efforts to assist a victim, or compromise efforts to contain, respond to or otherwise mitigate the emergency. Note that Farmingdale State College tests its entire emergency notification system two times per year, and its siren and fire alarms three times per year. Pursuant to its procedures, fire drills are not announced, and testing of the other emergency systems may be announced or unannounced. For more information on the emergency notification system, visit http://www.farmingdale.edu/university-police/index.shtml

# Standard Facility Access

Students and employees have access to academic, recreational, and administrative facilities and locations hosting cultural and recreational events during scheduled hours. Access to the residence halls is limited to students and their guests according to guest procedures (see Code of Student Conduct and The Guide to Residence Hall Living available from the Residence Life Office) as well as residence hall and facilities personnel in the performance of duties.

# Reporting Crimes

All members of the campus community are urged to report criminal incidents, emergencies and suspicious activity. The campus emergency phone number is (934) 420- 2111 or 911. These numbers should be used for all fire, medical, and police emergencies. All reports are classified, logged, and responded to thoroughly. The on-campus emergency number is 911. Crimes in progress and any other emergency on campus can be reported directly by any student or employee to University Police who can also be reached by using the campus emergency blue light phones or the residence hall lobby phone. University Police officers are dispatched immediately to the site of the complaint. Incident reports are prepared and are kept on file. All criminal activity on campus is to be reported to the University Police Department.

***People need to be aware that no matter how safe our community is, the potential for crime exists everywhere, including college campuses. Everyone in the community must do their part to keep themselves and others safe. Do not let your behavior put yourself or others at risk.***

# Safety and Security Responsibility

### University Police

Campus safety and law enforcement is coordinated by the University Police Department which has a force of sworn police officers with full arrest powers. SUNY police officers must meet the highest standards in New York State for law enforcement officers. Officers have successfully completed a basic training program administered by the State University at the New York State Police Academy in Albany, New York, or a local regional academy, and undergo continuous training to upgrade their skills. Officers have been trained in emergency medical procedures and first aid. Foot, bike, and vehicle patrols are conducted on campus and in residence hall areas, 24 hours a day, 365 days a year. The Department's objective is to provide a safe environment and protect the lives and property of students, employees, and visitors, pursued within the framework of the State University of New York rules and regulations and all local, state, and federal laws. The investigation of crimes committed on campus falls under the jurisdiction of University Police. A daily log of incidents that occur on campus is kept and is available for the public to view from 8 a.m. - 4 p.m. Monday through Friday or by request. The log includes the date, time, general location, and disposition of the complaint, and entries are available for review (unless they are deemed "confidential" by the Chief of University Police for safety and security reasons). University Police also works closely with the Suffolk County Police Department to assist with incidents that occur off campus but may involve campus staff or students. The New York State Campus Security Act requires all public, private, and community colleges and universities in New York to have a formal plan that provides for the investigation of missing students and violent felony offenses on campus. This includes written agreements between university and college authorities and the municipal law enforcement agencies having concurrent jurisdiction. The University Police Department at Farmingdale State College has a local Mutual Order of Understanding (MOU) with the Suffolk County Police Department, in the event that a violent felony or a missing student is reported to campus authorities. Should such a report be received, Farmingdale State University Police would request assistance from this agency and would conduct a complete investigation.

## Campus Safety Advisory Committee (CSAC)

The Campus Safety Advisory Committee's responsibilities are: to advise the president and Chief of University Police on matters of campus security, public safety (including signage and parking), and personal safety; to review and suggest improvement in safety and education programs; to assess availability of counseling services for crime victims; to review victim referral and campus response procedures for sexual assault situations; to conduct ongoing assessment of the quality of campus personal safety policies, practices, procedures, and programs; and to conform to the 1990 Amendment to Section 6450 of the Education Law by providing information to incoming students about sexual assault prevention measures, penalties, and related security procedures. Annual reports must be filed with the commissioner of education.

## The Students of Concern Committee

The Students of Concern Committee's intent is to formalize a process for reporting and addressing specific, alarming behaviors that do not fall within existing reporting procedures such as those established by the Counseling Center, University Police, Residence Life and Housing, and the Dean of Students. Specifically, this team will: create a care management system to intervene early with students who are at risk; watch for information, both oral and written, from faculty and staff about behavior that may be threatening; stay attuned to escalating behavior or potential physical violence; and develop a plan of action for the student such as contacting parents, referrals to various campus resources, disciplinary action, etc.

## The Governance Health and Safety Committee

This committee was established to add campus employee health and safety to shared governance. The committee conducts regularly scheduled open committee meetings for the campus community to discuss health and safety concerns in an environment of cooperation. It provides an opportunity for committee review and follow up of health and safety concerns submitted by any member of the campus community. The committee also encourages the campus community to share ideas on how to assure and improve health and safety for all and build a culture of proactive safety. Additionally, every 3 months an updated Health and Safety Report is published online on the FSC Governance webpage.

## Facilities Operations

Facilities Operations maintains the campus buildings and grounds with a priority of safety and security. The staff inspect campus facilities regularly, promptly make repairs affecting safety and security, and respond immediately to reports of potential safety and security hazards such as broken windows and locks. For concerns about the physical safety of campus buildings and grounds, call the office (ext. 2017), 8:00 a.m. - 4:00 p.m. Monday through Friday.

***Emergencies outside of these hours should be reported to University Police (ext. 2111).***

The campus is well lit, and improvements on lighting are a constant consideration. Farmingdale State has installed high-intensity sodium vapor lights on buildings, in parking lot areas, in areas with heavy landscaping and trees, and along pathways frequently traveled by students. As noted previously in "reporting crimes", outdoor emergency blue light phones and residence hall door phones are connected directly to University Police. In addition, security cameras have been added to areas vulnerable to vandalism and continue to be added to facilities as they are improved and renovated.

## Residence Life & Housing

The Residence Life staff is committed to providing a safe environment for students within the residence halls. Students are made aware of safety concerns as well as prevention tactics and personal responsibility through a variety of in-hall mediums. Each residence hall is supervised by a residence hall director — a professional staff member who resides within the hall. Each building is also staffed with a number of trained resident assistants (RAs). There is a designated residence hall director "on duty" from 4:30 p.m. to

8 a.m. each weekday and all day every weekend. Each residence hall has an RA "on duty" from 8 p.m. to 8 a.m. each weekday and 9 p.m. to 8 a.m. on weekends. Residence hall students are issued a key to their room and use their Farmingdale State College ID card for access to their own residence hall main entrance. Hall entrances are locked 24 hours a day.

**For residence hall guest and other policies and procedures, see the "Room & Board License" or "The Guide" available from the Residence Life Office.**

# DEFINITIONS RELATED TO REPORTING LOCATIONS

Federal law requires that campuses report specific criminal activities that occur on campus property and specific areas around those properties. Crimes occur in the community beyond what is required to be reported in this document. Students are advised to exercise caution in ALL locations.

## Reporting Locations

**Campus:** defined in 34 CFR 668.46(a) as "(i) Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and (ii) any building or property that is within or reasonably contiguous to the area identified in paragraph (i) of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor)."

**Non-Campus building or property:** as defined in 34 CFR 668.46(a), means "(i) [a] any building or property owned or controlled by a student organization officially recognized by the institution; or (ii) [a] any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution."

**Public Property:** is defined in statute as "all public property that is within the same reasonably contiguous geographic area of the institution, such as a sidewalk, a street, other thoroughfare, or parking facility, and is adjacent to a facility owned or controlled by the institution if the facility is used by the institution in direct support of, or in a manner related to the institution's educational purposes." The regulatory definition of "public property" in 34 CFR 668.46(a) includes "all public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus." (a reference map is found later in this document).

# POLICY STATEMENT ON DRUGS AND ALCOHOL

## Compliance with the Drug Free Schools and Communities Act of 1989

Farmingdale State College hereby prohibits the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees on our property or as any part of our institutional activities.

The College will impose sanctions on students and employees who violate this policy consistent with local, state, and federal law. Students will be subject to the judicial procedures specified in this publication. Corrective action may include the completion of an appropriate rehabilitation program.

The College will interpret local, state, and federal regulations in the strictest sense to assure a drug free work place.

The College provides students and employees with information describing the health risks associated with the use of illicit drugs and the abuse of alcohol.

The College is committed to offering employees and students counseling and/or referral to the appropriate agencies for problems associated with drugs and alcohol. For students, the Office of Mental Health Services is available for confidential counseling and referrals.

Finally, Farmingdale State College commits to biennial reviews of our programs associated with this statement to determine program effectiveness and implement necessary changes. It is also our intention to ensure consistent application of this policy to all students and employees alike.

**Regulations Regarding Alcoholic Beverages**

The College has an obligation to develop policies and procedures that reflect our relationships to the larger community and to New York State. The campus alcohol policy has been revised because of legislative amendments to the New York State Alcohol Beverage Control Law. The College will, however, continue to stress the importance of alcohol education within the campus community. As is true with any policy or regulation, voluntary compliance is essential for its successful implementation.

While procedures have been developed for addressing violations of the campus alcohol policy, respect for issues of student privacy and security from unreasonable intrusions will be consistent with policy and past practice.

**New York State Education Law** prohibits hazing that involves the forced consumption of alcohol.

The College will comply with the requirements of the New York State Alcohol Beverage Control Law. Amendments to the law provide that, "No person under the age of 21 shall possess any alcoholic beverage with the intent to consume such beverage." College regulations pertaining to this law will be implemented in the following manner:

### Residence Halls

In accordance with the policy detailed in the Residence Life Handbook, alcoholic beverages are permitted within campus residential facilities. However, no events will be approved in which alcohol will be served or consumed. Residents are subject to all local and state laws concerning the use, possession, sale, and transportation of alcoholic beverages.

### Other Areas

College policy prohibits open containers of alcoholic beverages in all outside campus areas. Bringing alcoholic beverages to any public or private event on campus is not permitted.

### Occasional Service

The Office of the Vice President for Student Affairs is responsible for establishing application procedures and enforcing guidelines under which alcohol may be served at any College event. The provision (ordering, distribution or service) of alcohol at events may only be done by the contracted campus food service provider.

### Application to Serve Alcohol

Individuals or organizations requesting alcohol service must do so by completing the appropriate College Activity Registration forms and submitting them to the Office of the Vice President for Student Affairs or his/her designee, no later than 30 days before the proposed event. The Vice President, in consultation with the appropriate divisions of the College making up the Alcohol Permitting Committee, will inform the applicant of the decision within 48 hours of the receipt of the application.

## Violations (resulting from "occasional service" as outlined above)

Violation of this policy will result in appropriate disciplinary sanctions up to and including dismissal, as provided for under established College judicial procedures. While students are subject to the provisions of campus alcohol policy, the following information is provided regarding provisions of the Alcohol Beverage Control Law:

*Violators are subject to a fine of up to $50 per offense, but are not subject to arrest. Alcoholic beverages involved in alleged violations of this law may be seized by authorized law enforcement officials, including campus police officers. Disposal and destruction of seized alcoholic beverages are also authorized but cannot be carried out until three days after the initial appearance date, unless otherwise ordered by a court.

* Persons under the age of 21 who present falsified or fraudulently altered proofs of age for the purpose of purchasing or attempting to purchase alcoholic beverages are guilty of a violation, punishable by a fine of up to $100 and a community service requirement of up to 30 hours. Previously, violations of this section were punishable only by the imposition of a one-year probationary period and a fine.

* A person under the age of 21 who presents an altered New York State driver's license for the purpose of illegally purchasing an alcoholic beverage may be subject to a suspension of that driver's license for up to 90 days and may also be required to apply to the Department of Motor Vehicles for a restricted use driver's license following the suspension.

* No person shall sell, deliver, give away, permit, and procure to be sold, delivered, or given away, any alcoholic beverages to any intoxicated person or any person under the influence of alcohol.

*Any person who shall be injured in person, property, means of support or otherwise by an intoxicated person, or by reason of the intoxication of any person, whether resulting in his/her death or not, shall have a right of action against any person who shall, by unlawfully selling to or unlawfully assisting in procuring liquor for such intoxicated person, have caused or contributed to such intoxication; and in any such action, such person shall have a right to recover actual and exemplary damages.

* Social host liability creates civil liability for anyone who knowingly furnishes alcoholic beverages to any intoxicated person or anyone under the legal age of purchase if intoxication results in injury or damages to a third party.

### Drugs

The possession, sale, or use of any illegal drug on or off campus by students or employees of Farmingdale State College will not be condoned.

The College, through the Farmingdale ADAPT Campus and Community Coalition, is committed to providing the campus with an ongoing program to deal with the problems related to drug abuse and aimed specifically at its prevention through education.

## Effects and Health Risks of Drugs and Alcohol

### Alcohol

Alcohol consumption causes a number of marked changes in behavior. Even low doses significantly impair the judgment and coordination required to drive a car safely, increasing the likelihood of an accident. Low to moderate doses of alcohol also increase the incidence of a variety of aggressive acts, including spouse and child abuse. Moderate to high doses of alcohol cause marked impairments in higher mental functions, severely altering a person's ability to learn and remember information. Very high doses cause respiratory depression and death. If combined with other depressants of the central nervous system, much lower doses of alcohol will produce the effects just described.

Repeated use of alcohol can lead to dependence. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms, including severe anxiety, tremors, hallucinations, and convulsions. Alcohol withdrawal can be life threatening. Long term consumption of large quantities of alcohol, particularly when combined with poor nutrition, can also lead to permanent damage to vital organs, such as the brain and liver.

Mothers who drink alcohol during pregnancy may give birth to infants with fetal alcohol syndrome (FAS) or fetal alcohol effect (FAE). Both FAS and FAE are the leading known cause of mental retardation, which is irreversible. To prevent this syndrome, total abstinence from alcohol during pregnancy is necessary. Alcohol should also be avoided if you are trying to become pregnant, as significant damage may occur before pregnancy is discovered.

### Tobacco and the Body

Tobacco, commonly smoked through pipes, cigars, and cigarettes, can also be chewed and inhaled in the form of snuff. Nicotine is the active ingredient in all forms of tobacco. Nicotine stimulates the heart and central nervous system and is a powerful constrictor of small arteries which can cause an insufficient amount of oxygen being delivered to the heart. This can lead to heart disease, cardiac arrest or stroke. Smoking causes the lungs and bronchioles to be inflamed and congested. Possible health risks of tobacco include arteriosclerosis, emphysema, chronic bronchitis, heart disease, and lung cancer.

## Cannabis

(Also referred to as marijuana, pot, grass, reefer, joint, acapulco gold, sinsemilla, thai sticks, weed, THC, marinol, hashish, hashish oil)

The psychoactive ingredient in marijuana is tetrahydrocannabinol (THC). The amount of THC in a joint is what affects the user. THC is used medically as an anti-nauseate for cancer patients receiving chemotherapy.

Possible signs of use or abuse of cannabis include: increased heart and pulse rate, bloodshot eyes, increased appetite, dryness in mouth and throat, hallucinations, paranoia or panic, impaired memory, altered sense of time, and decreased concentration, reaction time, and coordination.

Health risks include**:** damage to heart and lungs, damage to brain nerve cells, lung cancer, memory disorders, interference with psychological maturation, temporary loss of fertility in men and women, psychological dependence, and bronchitis. For pregnant women, health risks are premature births and low birth weights.

## Designer Drugs

Designer Drugs are lab-made versions of drugs that are designated controlled substances under U.S. law. Under provisions of the Controlled Substance Analog Act, designer drugs are illegal. Early designer drugs included substitutes for heroin, amphetamines and hallucinogens, including MDMA (also referred to as "E","X"," XTC," ecstasy).

Risks of designer drugs are often related to how the drugs are made and used. Base chemicals such as phenyl acetic acid, formaldehyde, carbamate, acetic anhydride, and others can build up to toxic levels in the labs. In the process of synthesizing, some chemicals can poison the final product, creating seizure inducing forms of PCP. Many times, the chemist does not know exactly what drug has been created until it has been "tested" on a subject and confirmed by medical examiners.

## MDMA, MDA, XTC, ADAM, Rhapsody, E, X, ecstasy.

Risks associated with MDMA include the possibility of overdose and related risk of hypothermia. Because MDA/MDMA are amphetamines tolerance develops quickly and overdose is possible, liver damage and exhaustion can occur. The drugs are known to intensify heart problems. Research indicates that there may be damage to brain cells that manufacture the neurotransmitter serotonin.[1]

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[1] Source: Charts I, II, and III, "A Matter of Facts," prepared by the Minnesota Prevention Resource Center, Minnesota Institute of Public Health, for the Chemical Dependency Program Division, Minnesota Department of Human Services.

# Chart I

## DRUG ACTIONS CLASSIFIED BY TYPE OF DRUG

| | Drug Type | Facts | Possible Signs of Use/Abuse | Possible Health Risks of Use/Abuse |
|---|---|---|---|---|
| **D E P R E S S A N T S** | Alcohol *(Brew, Juice, Liquor)*<br><br>Barbiturates (Downers, Barbs)<br><br>Benzodiazepines (Valium, Librium, Tranquilizer*)*<br><br>Chloral Hydrate (Knock Out, Mickey Finn*)*<br><br>Glutethimide (Doriden, Ludes)<br><br>Methaqualone Quaalude<br><br>Other Depressants: Equanil, Miltown, Noludar, Placidyl, Valmid | **Depressants** depress or slow down the central nervous system by relaxing muscles, calming nerves and producing sleep. Alcohol is a depressant. Depressants are composed of sedative-hypnotic and tranquilizer drugs. Depressants are addictive. Users of depressants develop a tolerance to the drugs, meaning larger doses must be taken each time to produce the same effect | Relaxation and drowsiness; lack of concentration; disorientation; loss of inhibitions; lack of coordination; dilated pupils; slurred speech; weak and rapid pulse; distorted vision; low blood pressure; shallow breathing; staggering; clammy skin; fever, sweating; stomach cramps; hallucinations; tremors; and delirium. | Liver damage; convulsions; addiction with severe withdrawal symptoms; coma, death due to overdose. For pregnant women, the newborn may be dependent and experience withdrawal or suffer from the birth defects and behavioral problems. |
| **H A L L U C I N O** | Lysergic Acid Diethylamide*(LSD)*<br><br>Phencyclidine *(PCP, Angel Dust)*<br><br>Mescaline and Peyote *(Mexc, Buttons, Cactus)*<br><br>Psilocybin *(Mushrooms)*<br><br>Amphetamine Variants *(MDMA/Ecstasy, MDA/Love drug)*<br><br>*TMA DOM, DOB, PMA, STP, 2.5>€ 'DMA* | **Hallucinogens** are psychedelic, mind altering, drugs that affect a person's perception, feelings, thinking, self-awareness, and emotions. A "bad trip" may result in the user experiencing panic, confusion, paranoia, anxiety, unpleasant sensory images, feelings, of helplessness, and a loss of control. A "flashback' is a reoccurrence of the | Dilated pupils; increased body temperature, heart rate and blood pressure; sweating, loss of appetite, sleeplessness; dry mouth; tremors; hallucinations; disorientation; confusion, paranoia; violence; euphoria; anxiety; and panic. | Agitation; extreme hyperactivity; psychosis; convulsions; mental or emotional problems; death. |

| | | | | |
|---|---|---|---|---|
| **G E N S** | Phencyclidine Analogues (PCE, PCP, TCP)<br><br>Other Hallucinogens: Bufotenine, lbogaine, DMT, DET Psilocybin | original drug experience without taking the drug again. | | |
| **I N H A L A N T S** | Amyl Nitrite (*Poppers, Snappers*)<br><br>Butyl Nitrite (*Rush, Bolt Bullet*)<br><br>Chlorohydrocarbons (*Aerosol Sprays, Cleaning Fluids*)<br><br>Hydrocarbons (*Solvents, gasoline, Airplane Glue, Paint Thinner)*<br><br>Nitrous Oxide *(Laughing Gas, Whippets*) | **Inhalants** are substances that are breathed or inhaled through the nose. Inhalants are depressants and depress or slow down the body's Functions. Inhalants are normally not thought of as drugs because they are often common household or industrial products. However, inhalants are often the most dangerous drugs per dose. | Euphoria and lightheadedness; excitability; loss of appetite; forgetfulness; weight loss; sneezing; coughing, nausea and vomiting; lack of coordination; bad breath; red eyes; sores on nose and mouth; delayed reflexes; decreased blood pressure; flushing (skin appears to be reddish); headache; dizziness; and violence. | Depression; damage to the nervous system and body tissues; damage to liver and brain; heart failure; respiratory arrest; suffocation; unconsciousness; seizures; heart failure; sudden sniffing death. |
| **N A R C O T I C S** | Codeine (*School Boy*)<br><br>Heroin (*H, Harry, Junk, Brown Sugar, Smack*)<br><br>Hydromorphine (*Lord*s)<br><br>Meperidine (*Doctors*)<br><br>Morphine (*Morpho, Miss Emma*)<br><br>Opium (*Dovers Powder*)<br><br>Other Narcotics: Percodan, Talwin Lotomil, Carvon, Numporphan, Percocet, | **Narcotics** are composed of opiates and synthetic drugs. Opiates are derived from the seed pod of the Asian poppy. Synthetic drugs called popiods are chemically developed to produce the effects of opiates. Initially, narcotics stimulate the higher centers of the brain, but then slow down the activity of the central nervous system. Narcotics relieve pain and induce sleep. Narcotics, such as Heroin, are often diluted | Euphoria; restlessness and lack of motivation; drowsiness; lethargy; decreased pulse rate; constricted pupils; flushing (skin appears reddish); constipation; nausea and vomiting; needle marks on extremities; skin abscesses at injection sites; shallow breathing; watery eyes; and itching | Pulmonary edema; respiratory arrest; convulsions; addiction; coma; death due to overdose. For users who share or use unsterile needles to inject narcotics: tetanus, hepatitis, AIDS. For pregnant women: premature births, stillbirth, and acute infections among newborns. |

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|---|---|---|---|---|
| | Tylox, Tussionex, Fentanyl | with other substances (i.e. water, sugar) injected. Other Narcotics are extremely addictive. Users of narcotics develop a tolerance to the drugs, meaning larger doses must be taken each time to produce the same effect. | | |
| **S**<br>**T**<br>**E**<br>**R**<br>**O**<br>**I**<br>**D**<br>**S** | Anabolic-Androgenic (*Roids Juice, D-Ball*) | **Steroids** may contribute to increases in body weight and muscular strength. Anabolic-Androgenic steroids are chemically related to the male sex hormone testosterone. Anabolic means to build up the muscles and other tissues of the body. Androgenic refers to the development of male sex characteristics. Steroids are injected directly into the muscle or taken orally. | Sudden increase in muscle and weight; increase in aggression and combativeness; violence ("roid rage"); hallucinations; jaundice; purple or red spots on body, inside mouth or nose; swelling of feet or lower legs (edema); tremors; and bad breath. For women, breast reduction, enlarged clitoris, facial hair and baldness, deepened voice. For men: enlarged nipples and breasts, testicle reduction, enlarged prostate, baldness. | Acne; high blood pressure; liver and kidney damage; heart disease; increased risk of injury to ligaments and tendons; bowel and urinary problems; gallstones and kidney stones; liver cancer. For women, menstrual problems. For men, impotence and sterility. For users who share or use unsterile needles to inject steroids: hepatitis, tetanus, AIDS. |
| **S**<br>**T**<br>**I**<br>**M**<br>**U** | Amphetamines (*Uppers, Pep Pills*)<br><br>Cocaine (*Coke, Flake, Snow*)<br><br>Crack *(Rock)* | **Stimulants** stimulate the central nervous system, increasing alertness and activity. Users of stimulants develop a tolerance, meaning larger doses must be taken to get the same effect. Stimulants | Increased alertness; excessive activity; agitation; euphoria; excitability; increased pulse rate, blood pressure and body t Increased alertness; excessive activity; agitation; euphoria; | Headaches; depression; malnutrition; hypertension; psychosis; cardiac arrest; damage to the brain and lungs; convulsions; coma; death. |

| | | | | |
|---|---|---|---|---|
| **L**<br><br>**A**<br><br>**N**<br><br>**T**<br><br>**S** | Methamphetamines (*Ice, Crank, Crystal*)<br><br>Phenmetrazine (Preludin, *Preludes*)<br><br>Other Stimulants: Adpix, Cylert, Didres, Ionamin, Mefiat, Plegine, Sanorex, Tenuate, Tepanil, Prelu-2 | are psychologically addictive. | excitability; increased pulse rate, blood pressure & body temperature; insomnia, loss of appetite; sweating dry mouth and lips; bad breath; disorientation; apathy; hallucinations; irritability; & nervousness. | |

## Chart II

CONTROLLED SUBSTANCES CRIME AND PENALTIES IN
NEW YORK STATE

**Class A-1 Felony: 15-25 years minimum; life term maximum**

***Possession:*** 4 oz. Narcotic Drugs (Opiates, Heroine, Morphine, Opium derivatives, codeine, coca leaves, cocaine, other drugs listed in Public Health Law 3306 Sch. 1 (b), (c); II (b) and (c) excluding Methadone); 5760 mg. Methadone.

**Sale**: 2 oz. Narcotic Drugs; 2880 mg. Methadone

**Class A-II Felony: 3-8 years minimum; life term maximum**

***Possession*:** 2 oz. Narcotic Drugs; 2880 mg. Methadone; 10 gm. Stimulants (Fenethylline, N-ethyl amphetamine, Amphetamine, Methamphetamine [ 2 oz.]); 25 mg. LSD; 625 mg. Hallucinogens (DOM, STP, N- Methyl-3- Piperidyl Benzilate, Psilocybin, Psilocybin, Psilocyn, Tetrahydrocannabinols, Ethylamine analog of (PCP); 25 gm.

Hallucinogenic Substances (DMA, PMA, DET, DMT, LSD, Marijuana, Mescaline Peyote).

**Sale**: >½ oz. Narcotic Drugs 360 mg. Methadone; 5 gm. Stimulants; >½ oz. Methamphetamine; 5 mg. LSD; 125 mg.

Hallucinogens; 5 gm. Hallucinogenic Substances.

**Class B. Felony: 1-8 years minimum; 3-25 years maximum**

***Possession*:** >½ oz. Narcotic Drugs; 5 gm. Stimulants; >½ oz. Methamphetamine; 5 mg. LSD; 1250 mg. Phencyclidine (PCP); 125 mg. Hallucinogens; 5 mg. Hallucinogenic Substances.

**Sale**: Any amount of Narcotic Drugs; any amount Narcotic Preparations; 1 gm. Stimulants; 1/8 oz. Methamphetamine; 1 mg. LSD; 250 mg. Phencyclidine (PCP); 25 mg. Hallucinogens; 1 gm. Hallucinogenic Substances.

**Class C Felony: Maximum 15 years prison**

***Possession**:* 1/8 oz. Narcotic drugs; 2 oz. Narcotic Preparations; 360mg. Methadone; 1 oz. Concentrated Cannabis; 1 gm. Stimulants; >½ oz. Methamphetamine; 1 mg. LSD; 250 mg. PCP; 25 mg. Hallucinogens; 1gm. Hallucinogenic Substances; 10oz. Dangerous Depressants (Methaqualone; Phencyclidine; Amobarbital, Glutethimide, Pentobarbital, Secobarbital, Barbital, Methohexital, Mephobarbital, Phenobarbital); 2 lb. Depressants (items in P.H.L. 3306*, Sch. IV [c] not listed above), 10 lbs. aggregate Marijuana.

**Sale:** Any amount Narcotic Preparations, Methadone, Concentrated Cannabis; (to persons 19 yrs. on school ground, any amount Stimulants, Methamphetamines;, LSD, PCP, Hallucinogens, Hallucinogenic Substances, Dangerous Depressants, Depressants); 50mg. PCP, 10 oz. Dangerous Depressants; 2 lb. Depressants; more than 100 lbs of Cannabis or concentrated Cannabis.

**Class D Felony: Maximum 7 years prison**

***Possession*:** 500 mg. Cocaine, >½ oz. Narcotic Preparations; 4 lbs or more Concentrated Cannabis; 50 mg. PCP, 10 lbs aggregate** Cannabis

**Sale**: Any amount Stimulants; Methamphetamines; LSD; PCP; Hallucinogens; Hallucinogenic Substances; Dangerous Depressants; Depressants; more than 5 lbs of Cannabis or more than 2 lbs of concentrated Cannabis.

**Class E Felony: Maximum 4 years prison**

***Possession*:** 5 lbs. aggregate** Cannabis; 2 lbs aggregate** concentrated Cannabis.

**Sale:** More than 16 oz of Cannabis or more than 5 oz of concentrated Cannabis; more than 3 oz of Cannabis or more than 24 gms of concentrated Cannabis sold or given by someone 21 years or older to a person under 18 years old.

**Class A Misdemeanor: Maximum 1-year prison or $1,000 fine**

***Possession*:** Any amount of Narcotic Drugs; Narcotic preparations; Methadone; Stimulants; Methamphetamines; LSD; PCP; Hallucination; Hallucinogenic Substances; Dangerous Depressants; Depressants; more than 16 oz Cannabis; more than 5 oz of concentrated Cannabis.

**Sale**: More than 3 oz of Cannabis or more than 24 gms of concentrated Cannabis; any amount of Cannabis sold or given to a person under 21 years old.

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*Public Health Law 3306- available from Public Safety

** Aggregate is the gross weight of material in which "pure" marijuana is contained.

## Chart III

## CONTROLLED SUBSTANCES CRIMES AND PENALTIES UNDER FEDERAL LAW

**Possession**:

100 grams or more methamphetamine or kilogram or more methamphetamine mixture, 1 kilogram or more heroin mixture, 5 kilograms or more cocaine mixture, 50 grams or more crack mixture, 100 grams or more PCP or 1 kilogram or more PCP mixture, 10 grams of more LSD mixture, 400 grams or more Fentanyl mixture, 100 grams or more Fentanyl analogue mixture, 1000 or more marijuana plants.

**Penalty**:

*First Offense*: 0 to life, 10-year mandatory minimum; if death or serious injury, 20 year minimum; up to $4 million fine individual, $10 million other than individual.

*Second Offense*: 0 to life, 20-year mandatory minimum; if death or serious injury, not less than life; up to $8 million fine individual, $20 million other than the individual.

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**Possession**:

10-99 grams methamphetamine or 100-999 grams methamphetamine mixture, 100-999 grams heroine mixture, 500-4999 grams cocaine mixture, 5-49 grams crack mixture, 10-99 grams PCP or 100-999 grams PCP mixture, 1-10 grams LSD mixture, 4-399 grams Fentanyl, 10-99 grams Fentanyl analogue, 100-1000 kilograms marijuana, 100-1000 marijuana plants.

**Penalty**:

*First Offense*: 0 to 40 years, 5-year mandatory minimum; if death or serious injury, 20 year minimum; up to $ 2 million fine individual, $ 5 million other than individual.

*Second Offense*: 0 to life, 10-year mandatory minimum; if death or serious injury, not less than life; up to $ 4 million fine individual, $ 10 million other than individual.

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**Possession:**

Any amount of other Schedule I and Schedule II Controlled Substances, 50-100 kilograms marijuana, 50-99 marijuana plants, 10-100 kilograms hashish, 1-100 kilograms hashish oil.

**Penalty**:

*First Offense*: 0 to 20 years; if death or serious injury, 20 year minimum, not more than life; up to $1 million fine individual, $ 5 million other than individual.

*Second Offense*: 0to 30 years; if death or serious injury, not less than life; up to $ 2 million fine individual, $ 10 million other than individual.

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**Possession**:

Any amount of Schedule IV Controlled Substances.

**Penalty**:

*First Offense*: 0 to 3 years; up to $ 250,000 fine individual, $ 1 million other than individual.

*Second Offense*: 0 to 6 years; up to $ 500,000 fine individual, $ 2 million other than individual.

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**Possession**:

Any amount of Schedule V Controlled Substances.

**Penalty:**

*First Offense:* 0 to 1 year; up to $ 100,000 fine individual, $ 250, 000 other than individual.

*Second Offense*: 0 to 2 years; up to $ 200, 000 fine individual, $ 500, 000 other than individual.

In addition to the above penalties for controlled substances crimes, Federal law provides for:

(1) forfeiture of personal and real property used to possess or to facilitate possession of a controlled substance if that offense is punishable b more than one-year imprisonment;
(2) forfeiture of vehicles, boats, aircraft or any other conveyance used to transport or conceal a controlled substance;
(3) a civil fine of up to $10,000 (pending adoption of final regulations);
(4) denial of Federal benefits, such as student loans, grants, contracts, and professional and commercial licenses, up to 1 year for first offense, up to 5 years for second and subsequent offenses;
(5) ineligibility to receive or purchase a firearm; and
(6) revocation of certain Federal benefits, e.g. pilot licenses, public housing tenancy, etc., as determined by individual Federal agencies.

# Crime Definitions

*The Campus Security Act also delineates what violations need to be reported. The offense definitions are excerpted from the Uniform Crime Reporting Handbook. The definitions of sex offenses are excerpted from the national incident-based reporting edition of the Uniform Crime Reporting Handbook (FBI Uniform Crime Reporting (UCR)/National Incident-Based Reporting System (NIBRS) definitions.*

**Hate Crime:** when a person is victimized intentionally because of her/his actual or perceived race, gender, gender identity, sexual orientation, ethnicity, national origin or disability.

**Robbery:** taking or attempting to take anything of value from the care, custody, or control of a person(s) by force or threat of force or violence and/or by putting the victim in fear.

**Aggravated Assault:** an unlawful attack by one person upon another to inflict severe or aggravated bodily injury. This is usually accompanied by the use of a weapon or by means likely to produce great bodily harm or death, although it is not necessary that injury result when a weapon is used.

**Burglary:** unlawful entry of a structure to commit a crime including, but not limited to, larceny, arson, sexual assault, criminal mischief, and all attempts to do so.

**Motor Vehicle Theft:** the taking (or attempt) or use of a motor vehicle by persons not having lawful access.

**Drug Abuse Violations:** violations of state and local laws related to possession, sale, use, growing or manufacturing of narcotic drugs, marijuana, or other controlled substances.

**Liquor Law Violations:** violations and attempted violations of laws or ordinances prohibiting manufacturing, selling, transporting, furnishing, or possessing intoxicating liquor including, but not limited to: maintaining unlawful drinking places; furnishing liquor to a minor or intoxicated person; and drinking on a common carrier.

**Arson:** willful or malicious burning or attempting to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle, personal property of another, etc.

**Weapon Law Violations:** violations of laws or ordinances dealing with weapon offenses, regulatory in nature, such as manufacture, sale or possession of deadly weapons and all attempts to commit any of the aforementioned.

**Criminal Homicide, Manslaughter by Negligence:** the killing of another person through gross negligence.

**Criminal Homicide, Murder and Non-Negligent Manslaughter:** the willful killing of one human being by another.

**Sexual Abuse & Aggravated Sexual Abuse:** Sexual abuse is the touching of the private body parts of another person for the purpose of sexual gratification forcibly and/or against that person's will or in circumstances where the victim is incapable of giving consent because of his/her youth or mental defect or mental or physical incapacity. Aggravated sexual abuse is sexual abuse by use of an object that is inserted (no matter how slightly) into the genital or anal cavity of the victim forcibly or in circumstances where the victim is incapable of giving consent because of his/her youth or mental defect or mental or physical incapacity. The crime is compounded when injury occurs.

**Sex Offenses (forcible):** any sexual act directed against another person, forcible and/or against that person's will; or not forcibly against the person's will where the victim is incapable of giving consent.

> **Forcible Rape:** the carnal knowledge of a person forcibly and/or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity or because of his/her youth.
>
> **Forcible Sodomy:** oral or anal sexual intercourse with another person forcibly and/or against that person's will or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

**Sex Offenses (non-forcible):** unlawful, non-forcible sexual intercourse.

> **Incest:** non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
>
> **Statutory Rape:** Non-forcible sexual intercourse with a person who is under the statutory age of consent. A person is deemed incapable of consent when he or she is less than seventeen years old.

## Weapons Policy

**Firearms and dangerous weapons of any type are not permitted on campus. Intentional use, possession or sale of firearms or other dangerous weapons by anyone is a violation of state law and College policy.**

## Sexual Offender Registration Act

This Act requires the Division of Criminal Justice Services (DCJS) to maintain a Sex Offender Registry. The Registry contains information on sex offenders classified according to their risk of re-offending as follows: low risk (level 1), moderate risk (level 2), and high risk (level 3). The Act requires that DCJS also maintain a subdirectory of level 3 sex offenders. The DCJS Sex Offender Registry site may be found at http://www.criminaljustice.ny.gov/SomsSUBDirectory/search_index.jsp and contains their Subdirectory of Level 3 sex offenders as well as other information regarding New York State's Sex Offender Registry. Sex offenders in New York are required to notify the Registry of any institution of higher education at which he or she is, or expects to be, whether for compensation or not, enrolled, attending or employed, and whether such sex offender resides or expects to reside in a facility operated by the institution. Changes in status at the institution of higher education must also be reported to the Registry no later than ten days after such change is available to the public.

## Sexual Crimes and Assistance for Victims

Victims of sexual assault should immediately report the incident to University Police (ext. 2111) if it occurred on campus or to an off -campus police agency if it occurred off campus through the 911 emergency service.

## Title IX Sexual Harassment and Sexual Misconduct Policy

Sexual misconduct of any kind is a form of discrimination and is unacceptable at the College. We cultivate an atmosphere of freedom of expression, yet such an environment is only possible in conjunction with the responsibility to observe the rights of others. The President and the College community will not tolerate sex discrimination nor condone it in any form, and are committed to providing and preserving an atmosphere free from sexual misconduct and sexual harassment.

**Sex Discrimination** - behaviors and actions that deny or limit a person's ability to benefit from, and/or fully participate in the educational programs or activities or employment opportunities because of a person's sex. This includes but is not limited to sexual harassment, sexual assault, sexual violence by employees, students, or third parties. Employees should report sexual harassment that they observe or become aware of to Human Resources.

**Sexual assault** - defined as a physical sexual act or acts committed against a person's will and consent or when a person is incapable of giving active consent, incapable of appraising the nature of the conduct, or incapable of declining participation in, or communicating unwillingness to engage in, a sexual act or acts. Sexual assault is an extreme form of sexual harassment. * Sexual assault includes what is commonly known as "rape," whether forcible or non-forcible, "date rape" and "acquaintance rape." Nothing contained in this definition shall be construed to limit or, conflict with the sex offenses enumerated in Article 130 of the New York State Penal Law, which shall be the guiding reference in determining if alleged conduct is consistent with the definition of sexual assault.

**Sexual Harassment in the Educational Setting** - unwelcome conduct of a sexual nature. Sexual harassment can include unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature. Sexual harassment of a student denies or limits, on the basis of sex, the student's ability to participate in or to receive benefits, services, or opportunities in the educational institution's program.

**Sexual Harassment in the Employment Setting** - unwelcome sexual advances, requests for sexual favors, or verbal or physical conduct of a sexual nature when any of the following occurs:

> Submission to such conduct is made a term or condition of an individual's continued employment, promotion, or other condition of employment.
> Submission to or rejection of such conduct is used as a basis for employment decisions affecting an employee or job applicant.
> Such conduct is intended to interfere, or results in interference, with an employee's work performance, or creates an intimidating, hostile, or offensive work environment.

Such conduct, whether committed by supervisors or non-supervisory personnel, is specifically prohibited. This includes, but is not limited to: repeated offensive and or unwanted sexual flirtations, advances, or propositions; verbal abuse of a sexual nature; graphic or degrading verbal comments about an individual or their appearance; the unwanted display of sexually suggestive objects or pictures; or any offensive physical contact, such as patting, pinching, or brushing against another's body.

**Sexual Violence** - physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent.

**Preponderance of the Evidence** – the standard of proof in sexual harassment, sexual violence and sexual assault cases, which asks whether it is "more likely than not" that the sexual harassment, sexual assault or sexual violence occurred. If the evidence presented meets this standard, then the accused should be found responsible.

Title IX of the Education Amendments of 1972 (Title IX), 20 U.S.C. §§1681*et seq.,* and its implementing regulations, 34 C.F.R. Part 106, prohibit discrimination on the basis of sex in education programs or activities operated by recipients of Federal financial assistance. Sexual harassment of students, which includes acts of sexual violence and sexual assault, is a form of sex discrimination prohibited by Title IX.

Sexual violence and sexual assault is a form of sexual harassment prohibited by Title IX. Title IX also prohibits gender-based harassment, which may include acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex or sex-stereotyping, even if those acts do not involve conduct of a sexual nature.

# Filing a Sexual Harassment Sex Discrimination Complaint

The College has a duty to promptly address complaints of sex discrimination, including sexual harassment, sexual assault and sexual violence, to limit the effects of the discrimination, and to prevent its recurrence.

## Faculty & Staff

Any faculty or staff member who believes they have been the target of sexual misconduct should promptly report this to their immediate supervisor or the FSC Affirmative Action Officer (AAO). In a case where the complaint may involve the immediate supervisor, the AAO should be contacted directly. AAO Joseph Moresky can be located in Horton Hall room 135. His phone number is (934) 420-2707 and email: moreskjv@farmingdale.edu .

## Students

Any Farmingdale State student who believes he/she has been the target of sexual misconduct should promptly report this matter to the Dean of Students, a Farmingdale State staff member, the Director of Human Resources or University Police, who in turn will report the complaint to the Title IX Coordinator, Kathleen Flynn at (934) 420-5772. Students may also directly report incidents to the Title IX coordinator who is located in Dewey Hall room 115. Email: title-ix@farmingdale.edu .

## Investigation Process

Pursuant to the State University of New York's Discrimination Complaint Procedure, the complaint will be investigated expeditiously by the Title IX Coordinator, or the FSC Affirmative Action Officer depending on the whether the complainant is a student or an employee. Confidentiality shall be maintained whenever possible. However, absolute confidentiality is not always possible. Complaints are handled with discretion according to the principles of due process and fundamental fairness as follows:

1. A person bringing a complaint in good faith will suffer no retaliation.
2. The complaint should be in writing and sufficiently detailed.
3. The person charged will be promptly notified and given an opportunity to respond.

If a complaint is found to be valid, appropriate administrative action shall be taken, which may include, but is not limited to, counseling referrals, termination, demotion, reassignment, suspension, reprimand or training, depending on the severity of the behavior.

Retaliation against a person who files a complaint, serves as a witness, or assists or participates in any manner in this procedure is strictly prohibited and may result in disciplinary action. Retaliation is an adverse action taken against an individual as a result of complaining about unlawful discrimination or harassment, exercising a legal right, and/or participating in a complaint investigation as a third-party witness. Students who experience retaliation should contact the Title IX Coordinator, Kathleen Flynn at (934) 420-5772. Employees who experience retaliation should contact the FSC Affirmative Action Officer, Joseph Moresky at (934) 420-2707.

Sexual harassment in the workplace is a prohibited practice under Section 703 of Title VII of the 1964 Civil Rights Act as amended by the Equal Employment Opportunity Act of 1973. Inasmuch as the Equal Employment Opportunity Commission holds supervisory personnel liable for the actions of their

employees and outsiders with respect to the above policy, supervisory personnel are required to inform their staff of the institutional policy and of the seriousness of the issue.

## Encouraging Prompt Reporting

Campus policy encourages every member of the campus community to report a crime promptly to University Police if the victim wants to and is unable to report. Campus personnel will assist the community member in notifying local authorities, if the member requests the assistance of the local authorities.

***Reporting a crime to the police or to a campus office does not obligate the victim to pursue criminal prosecution.***

## Definitions

**DATING VIOLENCE**
Dating violence is any act of violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the victim's statement and with consideration of the type and length of the relationship and the frequency of interaction between the persons involved in the relationship. Two people may be in a romantic or intimate relationship, regardless of whether the relationship is sexual in nature; however, neither a casual acquaintance nor ordinary fraternization between two individuals in a business or social context shall constitute a romantic or intimate relationship. This definition does not include acts covered under domestic violence.

**DOMESTIC VIOLENCE**
Domestic violence is any violent felony or misdemeanor crime committed by a current or former spouse or intimate partner of the victim, a person sharing a child with the victim, or a person cohabitating with the victim as a spouse or intimate partner.

**STALKING**
The term stalking means intentionally engaging in a course of conduct, directed at a specific person, which is likely to causes a reasonable person to fear for his or her safety or the safety of others or cause that person to suffer substantial emotional damage. Examples include, but are not limited to, repeatedly following such person(s), repeatedly committing acts that alarm, cause fear, or seriously annoy such other person(s) and that serve no legitimate purpose, and repeatedly communicating by any means, including electronic means, with such person(s) in a manner likely to intimidate, annoy, or alarm him or her.

**CONSENT**
Lack of consent results from: forcible compulsion; or incapacity to consent; or where the offense charged is sexual abuse or forcible touching, any circumstances, in addition to forcible compulsion or incapacity to consent, in which the victim does not expressly or impliedly acquiesce in the actor's conduct. Where the offense charged is rape in the third degree, a criminal sexual act in the third degree, or forcible

compulsion in circumstances under which, at the time of the act of intercourse, oral sexual conduct or anal sexual conduct, the victim clearly expressed that he or she did not consent to engage in such act, and a reasonable person in the actor's situation would have understood such person's words and acts as an expression of lack of consent to such act under all the circumstances. A person is incapable of consent when he or she is: less than 17 years old; or mentally disabled; or mentally incapacitated; or physically helpless; or committed to the care and custody of the state department of correctional services, a hospital, the office of children and family services and is in residential care, or the other person is a resident or inpatient of a residential facility operated by the office of mental health, the office for people with development disabilities, or the office of alcoholism and substance abuse services, and the actor is an employee, not married to such person, who knows or reasonably should know that such person is committed to the care and custody of such department or hospital.

**CONSENT, ABBREVIATED:**
Clear, unambiguous, and voluntary agreement between the participating to engage in specific sexual activity.

**FAMILY OR HOUSEHOLD MEMBER**
Person's related by consanguinity or affinity; Persons legally married to one another; Person formerly married to one another regardless of whether they still reside in the same household; Persons who have a child in common regardless of whether such persons are married or have lived together at any time; Unrelated persons who are continually or at regular intervals living in the same household or who have in the past continually or at regular intervals lived in the same household; Persons who are not related by consanguinity or affinity and who are or have been in an intimate relationship regardless of whether such persons have lived together at any time. Factors that may be considered in determining whether a relationship is an "intimate relationship" include, but are not limited to: the nature or type of relationship regardless of whether the relationship is sexual in nature; the frequency of interaction between the persons; and the duration of the relationship. Neither a casual acquaintance nor ordinary fraternization between two individuals in business or social contexts shall be deemed to constitute an "intimate relationship"; Any other category of individuals deemed to be a victim of domestic violence as defined by the office of children and family services in regulation.

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

**PROCEEDING**
All activities related to a non-criminal resolution of an institutional disciplinary complaint, including, but not limited to, fact-finding investigations, formal or informal meetings, and hearings.

**ADVISOR**
Any individual who provides the accuser or accused support, guidance, or advice.

**RESULT**
Any initial, interim, and final decision by any official or entity authorized to resolve disciplinary matters within the institution. The result must include any sanctions imposed by the institution. The result must also include the rationale for the result and the sanctions.

In addition to criminal definitions, Sexual Assault and Rape are prohibited conduct as specified in the Farmingdale State College *Code of Student Conduct,* located here: https://www.farmingdale.edu/dean/pdf/fscstudentcodeofconduct20182019.pdf

## Procedures for Survivors of Domestic Violence, Dating Violence, Sexual Assault or Stalking

Survivors/victims of these crimes will be provided written information about evidence preservation, how and to whom to report these crimes, options about involvement of law enforcement and campus authorities, and assistance in notifying law enforcement if the victim chooses, as well as the option to decline to notify authorities. Victims will also be provided information in writing about rights and institutional responsibilities regarding no contact orders, orders of protection, or other available applicable options.

**Evidence preservation**
In order to best preserve evidence, victims 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.

**Reporting**

**Victims should report to the University Police Department immediately at:**

**934-420-2111 or**
**police@farmingdale.edu**

**You may also wish to speak with other Campus Support professionals:**

**Personal Counseling Services (For Students)**
Dr. Andrew Berger - Director
Phone: (934) 420-2006
Email: counseling@farmingdale.edu

**Dean of Students Office**
Michael Nembhard, Acting Dean of Students
Phone: (934) 420-5232
Email: nembhama@farmingdale.edu

**Human Resources**
Marybeth McCloskey, Assistant Vice President for Human Resources
Whitman Hall - Room 279
Phone: (934) 420-2542
Email: mcclosm@farmingdale.edu

**National EAP (Employee Assistance Program)**
Email: info@nationaleap.com
Phone: 1-800-624-2593

**Notifying Law Enforcement**
Victims have the right to notify law enforcement, and the campus can assist in notifying law enforcement if victims choose. Victims may also choose to decline to notify authorities.

**Procedures for Institutional Disciplinary Procedures in Cases of Domestic Violence, Dating Violence, Sexual Assault, and Stalking**
The institutional disciplinary procedures will provide a fair, prompt, and impartial process from investigation to final result. The investigation and any hearing will be conducted by those who receive annual training on issues related to domestic violence, dating violence, sexual assault, and stalking, training on how to conduct an investigation, and training on how to conduct a hearing process that protects victim safety and promotes accountability. The investigation and any hearing shall also be conducted free of individuals who may have a conflict of interest or bias for or against the accuser or the accused.

**Parties' Rights to Advisors**
The respondent and complainant may be assisted during disciplinary hearings and related meetings, by an advisor of their choice. The respondent and complainant may present witnesses and may produce other evidence for consideration by the student conduct body. The respondent and complainant are responsible for presenting evidence on their own behalf. Advisors may speak privately to their advisee, respondent or

complainant, during the proceeding. Either party may request a brief recess to consult with their advisor which will be granted at the discretion of the Dean of Students or designee. Advisors for the respondent and complainant may not present evidence or question witnesses.

### Establishing Time Frames for the Review Process

The College will conduct a timely review of all complaints of domestic violence, dating violence, and/or stalking. Absent extenuating circumstances, review and resolution is expected to take place within sixty (60) calendar days from receipt of the complaint.

The preliminary review of all complaints, including any necessary interviews to be conducted and any necessary interim measures to be put in place, will usually be completed within 24 days (all uses of the word days refers to calendar days) of receipt of the complaint.
The subsequent, comprehensive review and investigation of the complaint, including interviews with all involved parties and gathering of evidence, is usually completed within 48 days of receipt of the complaint.

Results of the complaint, via either a formal hearing or waiver of hearing are typically issued within 60 days of receipt of the complaint.

An appeal of the results must be submitted within 7 days of receipt of the written result. Absent extenuating circumstances, decisions on appeals are typically issued within 7 days of submission of the appeal.

### Burden of Proof

The burden of proof in all cases is "the preponderance of the evidence" – whether it is "more likely than not" that the sex discrimination, dating violence, domestic violence, sexual assault, or stalking occurred. If the evidence presented meets this standard, then the respondent must be found responsible.

### Extensions

All deadlines and time requirements in the Code may be extended for good cause as determined by the Dean of Students. Both the respondent and the complainant will be notified in writing of the delay, the reason for delay, and provided the date of the new deadline or event. Extensions requested by one party will not be longer than 5 business/school days.

### Evidence

Evidence to be presented by complainant(s) and respondent(s) during any hearing on the charges must be shared with the opposing party at least two (2) business days in advance of the scheduled hearing. The College Official presiding at and/or hearing the case may exclude evidence that has not be shared or adjourn the hearing to afford all parties the opportunity to review evidence to be presented during the hearing. The College Official presiding at and/or hearing the case will make the final decision relating to the admissibility of all evidence.

### Notification of Findings

Within five (5) class days after the adjournment of the hearing, the student conduct hearing body shall submit written findings of fact, conclusions regarding the charge(s), and imposition of a sanction, if any, to the respondent and any College Official who is determined by the Dean of Students to have a legitimate interest in the result. In the case of sexual misconduct and violations involving dating violence, domestic violence, sexual assault, or stalking, both the complainant and respondent shall also receive simultaneous notice of the results and sanctions imposed (and the rationale for the result and sanctions),

as well as notice of the appellate procedures available, any possible changes to the result that may occur before it becomes final, and when the result becomes final.

### Written Notifications to Students, Employees, and Victims of Dating Violence, Domestic Violence, Sexual Assault, and Stalking

***For Students and Employees:*** The College will provide written notification to students and employees about existing and available counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, and other services available in community and on campus to victims of dating violence, domestic violence, sexual assault and stalking. The College will also provide information about these services in writing to victims of domestic violence, dating violence, sexual assault and stalking.

***For Survivors/Victims:*** The College will provide written notification to victims regarding rights and options, including: available and existing on- and off-campus services such as victim advocacy, counseling, health, mental health, legal assistance, visa and immigration assistance; available and applicable institutional disciplinary procedures, and an explanation of those procedures; confidentiality in protective measures and Clery reporting and disclosure; and reasonable and available options and assistance with changing academic, living, transportation, and working situations, regardless of whether the victim chooses to report the crime to law enforcement.

### Sanctions

Farmingdale State College considers dating violence, domestic violence, sexual assault, and stalking as extremely serious violations and subject to SUSPENSION and/or EXPULSION from the institution. In such cases, the Exceptional Procedure of EXECUTIVE SUSPENSION also may be invoked. Following a final determination of an institutional disciplinary procedure for cases of rape, acquaintance rape, dating violence, domestic violence, sexual assault, or stalking, the following sanctions or protective measures may be imposed: *suspension, expulsion, education programs, community service, probation, no-contact order*. Campus penalties for students found responsible for sex offenses are determined for each individual case. For more information on victims' rights and/or the rights of the accused, contact the Dean of Students office or University Police.

### Retaliation

No member of the campus community shall retaliate, intimidate, threaten, coerce or otherwise discriminate against a person who files a Title IX complaint, serves as a witness, or assists or participates in a Title IX proceeding in any manner. Participants who experience retaliation should report the incident to Farmingdale State's Title IX coordinator, Kathleen Flynn at (934) 420-5772 or the Assistant Vice President for Human Resources, Marybeth McCloskey, in Whitman Hall room 279.

### Hospital Emergency Room

If the assault involved a sexual penetration or other physical injuries, the victim should be treated as soon as possible by medical personnel. The victim should not wash, change clothing or otherwise "clean up." Evidence can be collected several hours after an attack, but its value may be diminished. Victims should bring a full change of clothes because the clothes worn during the assault may be kept as evidence.

## VICTIMS OF CAMPUS SEXUAL ASSAULT: STATEMENT OF PRINCIPLES AND RIGHTS

The College is committed to providing a safe and secure environment in which all members are treated with dignity and respect, and a campus free from all discrimination on the basis of sex. To that end, the College takes the strongest possible stance against sexual misconduct in all its forms, including sexual harassment, sexual assault, sexual violence or the use of coercion, intimidation or exploitation of others for sexual purposes. The College is actively engaged in educating its members about these vital issues and in providing timely support and assistance to victims of sexual assault.

Should a sexual assault be reported, the College will investigate allegations and take appropriate actions, to the fullest possible extent. The College supports the victim's right to privacy. In the event that a victim wishes to remain anonymous, the College will respect that request while evaluating the obligation to protect the safety and well-being of the broader community. For example, in the event that the assault/crime must be reported, the request for anonymity would be weighed against other factors, such as whether the accused individual is the subject of other complaints. In such instances, every safeguard will be taken in order to ensure the victims' anonymity. It is imperative that victims be fully supported in their efforts to heal and respond as they determine is in their own best interests. To this end the College will provide information about campus and community medical and counseling resources and support the victim's right to make choices about these resources and options.

All members and representatives of the College community, including campus officers, administrators, faculty, professional staff, employees, and students are expected to recognize and abide by the following principles regarding victims of campus-related sexual assaults:

## 1) THE RIGHT TO HUMAN DIGNITY

Victims shall:

- Be treated with fairness and respect for their dignity;
- Have their privacy honored;
- Be free from any suggestions that they must report sexual assaults to be assured recognition of any other identified principles or rights;
- Have their allegations of sexual assault treated seriously;
- Be free from any suggestion that they are responsible for the sexual assaults committed against them;
- Be free from any threat of retaliation or other attempt to prevent the reporting of sexual misconduct;
- Be free from unwanted pressure from campus personnel to:
    - Report sexual assaults if they do not wish to do so,
    - Report sexual assaults as less serious offenses,
    - Refrain from reporting sexual assaults for any reason, including the fear of unwanted personal publicity.

## 2) THE RIGHT TO RESOURCES ON AND OFF CAMPUS

Victims shall:

- Receive notice describing options to pursue a criminal complaint with the appropriate law enforcement agency, to pursue the College's disciplinary process, or to pursue both processes simultaneously;
- Be notified of existing campus and community-based medical, counseling, mental health and student services for victims of sexual assault whether or not the assault is formally reported to campus or civil authorities;
- Have access to campus counseling;
- Be informed of and assisted in exercising:
    - Any rights to confidential or anonymous testing for sexually transmitted infections, HIV, and pregnancy,
    - Any rights to preventive measures such as emergency contraception or HIV prophylaxis,
    - Any rights that may be provided by law to obtain the communicable diseases test results of sexual assault suspects;
- Be informed of the possible availability of crime victim assistance compensation through the New York State Crime Victims Board
- Additional information about resources and options to aid in recovery are available, see page 27.

## 3) THE RIGHT TO CAMPUS JUDICIAL PROCEEDINGS

Victims have the right to:

- Written and advance notice about a disciplinary hearing involving the person or persons accused of sexually assaulting them;
- Have the opportunity to present witnesses and other evidence, and to receive notice of the process, information about procedures, and written notice of the outcome in a manner that is equivalent to the process of the accused;
- Have a person of their choice accompany them throughout the disciplinary hearing;

- Remain present during the entire proceeding, whenever possible; alternative arrangements may be made for those who do not want to be present in the same room as the accused during the disciplinary hearing;
- Be heard at the proceeding;
- Be assured that their irrelevant past sexual history will not be discussed during the hearing;
- Make a "victim impact statement" if the accused is found in violation of the code;
- Be informed in a timely fashion (60 days) of the outcome of the hearing;
- Have the right to appeal the outcome of the hearing.

**4) THE RIGHT TO LAW ENFORCEMENT AND CAMPUS INTERVENTION**

- Reports of sexual assault will be investigated and evaluated by the appropriate criminal and civil authorities of the jurisdiction in which the sexual assault is reported;
- Victims shall receive full and prompt cooperation and assistance of campus personnel in notifying the proper authorities;
- Victims shall receive full, prompt, and victim-sensitive cooperation of campus personnel with regard to obtaining, securing and maintaining evidence, including a medical examination when it is necessary to preserve evidence of the assault; "No contact" orders (e.g., Cease and Desist orders) shall be issued promptly and in writing to all parties to a reported sexual assault after the College receives notice of a complaint;
- Campus personnel shall take reasonable and necessary actions to prevent further unwanted contact by victims' alleged assailants;
- Victims shall be notified of the options for and provided assistance in changing academic and living situations if such changes are reasonably available.

***5)* NOTE*: STATUTORY MANDATES***

- Nothing in this Statement of Principles and Rights shall be construed to preclude or in any way restrict the University from issuing a Timely Warning when the College is aware of a reported sexual assault incident that potentially puts the campus community at risk. The College will take care not to identify the victim in such notices but may, in certain cases of continuing danger, identify the suspect, assailant or the address where the crime occurred.

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

**Due Process Rights -- Code of Student Conduct Violations**
• A student has the right to a hearing by an unbiased judicial body.
• A student has the right to have an advisor present at the hearing.
• A student has the right to written notice of the charges which indicates the time and place of the hearing. Proper written notification shall be defined as delivery of mail to a student's address of record, hand-delivery by campus staff, or delivery by the U.S. Post Office or commercial carrier to a student's on campus address. Students shall be held responsible for the contents of mail for which they have refused receipt.
• A student has the right to receive factual information regarding the circumstances and allegations involved. This information shall generally be given to the student at the time that they receive notification of the time and place of the hearing or at the hearing.
• A student has the right to object to a Board/Panel member or Hearing Officer who is serving in the capacity of the judicial body. The judicial advisor will determine the validity of the objection.
• A student has the right not to present information against herself/himself.
• A student has the right to hear and respond to all information presented against her/him. This includes the right to question all parties through the judicial body.
• A student has the right to present information and witnesses on her/his own behalf.
• A student has the right to written notification of the results of a hearing in a timely fashion.
• A student has the right to appeal the Dean of Student's Judicial Hearing Board Sanction within established criteria and time lines promulgated in the Student Handbook.
• A student must be informed of their right to appeal, and the process by which to do so.

## New York State Penalties for Sex Offenses

New York State definitions for sex offenses differ slightly from those required for this report (i.e., the FBI Uniform Crime Reporting (UCR)/National Incident-Based Reporting System (NIBRS) definitions). The following is a list of sexual crimes defined in the State statutes and the associated penalties for such crimes:

**SEXUAL ASSAULT:** New York State does not specifically define sexual assault. However, according to the Federal Regulations, sexual assault includes offenses that meet the definitions of rape, fondling, incest, or statutory rape as used in the FBI's UCR program.

**SEX OFFENSES; LACK OF CONSENT:** Whether or not specifically stated, it is an element of every offense defined in this article that the sexual act was committed without consent of the victim.

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

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

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

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

**CRIMINAL SEXUAL ACT IN THE THIRD DEGREE:** When a person engages in oral or anal sexual conduct (1) with a person who is incapable of consent by reason of some factor other than being less than 17 years old; (2) being 21 years old or more, with a person less than 17 years old; (3) with another person without such persons consent where such lack of consent is by reason of some factor other than incapacity to consent.

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

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

**FORCIBLE TOUCHING:** When a person intentionally, and for no legitimate purpose, forcibly touches the sexual or other intimate parts of another person for the purpose of degrading or abusing such person; or for the purpose of gratifying the actor's sexual desire. It includes squeezing, grabbing, or pinching.

**PERSISTENT SEXUAL ABUSE:** When a person commits a crime of forcible touching, or second or third degree sexual abuse within the previous ten-year period, has been convicted two

or more times, in separate criminal transactions for which a sentence was imposed on separate occasions of one of one of the above-mentioned crimes or any offense defined in this article, of which the commission or attempted commissions thereof is a felony.

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

**SEXUAL ABUSE IN THE SECOND DEGREE:** When a person subjects another person to sexual contact and when such other person is (1) incapable of consent by reason of some factor other than being less than 17 years old; or (2) less than 14 years old.

**SEXUAL ABUSE IN THE FIRST DEGREE:** When a person subjects anotherperson to sexual contact (1) by forcible compulsion; (2) when the other person is incapable of consent by reason of being physically helpless; or (3) when the other person is less than 11 years old; or (4) when the other person is less than 13 years old.

**AGGRAVATED SEXUAL ABUSE:** For the purposes of this section, conduct performed for a valid medical purpose does not violate the provisions of this section.

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

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

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

**AGGRAVATED SEXUAL ABUSE IN THE FIRST DEGREE:** When a person subjects another person to sexual contact: (1) By forcible compulsion; or (2) when the other person is incapable of consent by reason of being physically helpless; or (3) when the other person is less

than eleven years old; or (4) when the other person is less than thirteen years old and the actor is twenty-one years old or older.

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

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

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

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

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

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

**STALKING IN THE FOURTH DEGREE:** When a person intentionally, and for not legitimate purpose, engages in a course of conduct directed at a specific person, and knows or reasonably should know that such conduct (1) is likely to cause reasonable fear of material harm to the physical health, safety or property of such person, a member of such person's immediate family or a third party with whom such person is acquainted; or (2) causes material harm to the mental or emotional health of such person, where such conduct consists of following, telephoning or initiating communication or contact with such person, a member of such person's immediate family or a third party with whom such person is acquainted, and the actor was previously clearly informed to cease that conduct; or (3) is likely to cause such person to reasonably fear that his or her employment, business or career is threatened, where such conduct consists of appearing, telephoning or initiating communication or contact at such person's place of employment or business, and the actor was previously clearly informed to cease that conduct.

**STALKING IN THE THIRD DEGREE:** When a person (1) Commits the crime of stalking in the fourth degree against any person in three or more separate transactions, for which the actor has not been previously convicted; or (2) commits the crime of stalking in the fourth degree against any person, and has previously been convicted, within the preceding ten years of a specified predicate crime and the victim of such specified predicate crime is the victim, or an immediate family member of the victim, of the present offense; or (3) with an intent to harass, annoy or alarm a specific person, intentionally engages in a course of conduct directed at such person which is likely to cause such person to reasonably fear physical injury or serious physical injury, the commission of a sex offense against, or the kidnapping, unlawful imprisonment or death of such person or a member of such person's immediate family; or (4) commits the crime or stalking in the fourth degree and has previously been convicted within the preceding ten years of stalking in the fourth degree.

**STALKING IN THE SECOND DEGREE:** When a person: (1) Commits the crime of stalking in the third degree and in the course of and furtherance of the commission of such offense: (a) displays, or possesses and threatens the use of, a firearm, pistol, revolver, rifle, sword, billy, blackjack, bludgeon, plastic knuckles, metal knuckles, chuka stick, sand bag, sandclub, sligshot, slungshot, shirken, "Kung Fu Star," dagger, dangerous knife, dirk, razor, stiletto, imitation pistol, dangerous instrument, deadly instrument or deadly weapons; or (b) displays what appears to be a pistol, revolver, rifle, shotgun, machine gun or other firearm; or (2) commits the crime of stalking in the third against any person, and has previously been convicted, within the preceding five years, of a specified predicate crime, and the victim of such specified predicate crime is the victim, or an immediate family member of the victim, of the present offense; or (3) commits the crime of stalking in the fourth degree and has previously been convicted of stalking in the third degree; or (4) being 21 years of age or older, repeatedly follows a person under the age of fourteen or engages in a course of conduct or repeatedly commits acts over a period of time intentionally placing or attempting to place such person who is under the age of fourteen in reasonable fear of physical injury, serious physical injury or death; or (5) commits the crime of stalking in the third degree,

against ten or more persons, in ten or more separate transactions, for which the actor has not been previously convicted.

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

## Education Programs

The College has education programs to promote the awareness of rape, acquaintance rape, dating violence, domestic violence, sexual assault, and stalking. These education programs include primary prevention and awareness programs for all incoming students and new employees. These education programs will include: a statement that these crimes are prohibited at the College; definitions of consent, domestic violence, dating violence, sexual assault, and stalking in the College's jurisdiction; safe and positive bystander intervention when there's a risk of one of those incidents; information on risk reduction to recognize warning signs of abusive behavior and avoiding potential attacks; and information about the institutional disciplinary procedures.

### Definitions:

**1. Prevention Programs:** These are programs to prevent dating violence, domestic violence, sexual assault, and stalking. The programs are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research or assessed for value, effectiveness, or outcome. They also consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community, and societal levels.

**2. Awareness Programs:** These are community-wide or audience-specific programming, initiatives, and strategies that increase audience knowledge and share information and resources to prevent violence, promote safety, and reduce perpetration.

**3. Bystander Intervention:** These programs and trainings offer safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking. They include recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene.

**4. Ongoing Prevention & Awareness Campaigns:** These include programming, initiatives, and strategies that are sustained over time and focus on increasing understanding of topics relevant to and skills for addressing dating violence, domestic violence, sexual assault, and stalking, using a

range of strategies with audiences throughout the college/university and including information provided in campus education programs.

**5. Primary Prevention Programs:** These include programming, initiatives, and strategies informed by research or assessed for value, effectiveness, or outcome that are intended to stop dating violence, domestic violence, sexual assault, and stalking before they occur through the promotion of positive and healthy behaviors that foster healthy, mutually respectful relationships and sexuality, encourage safe bystander intervention, and seek to change behavior and social norms in healthy and safe directions.

**6. Risk Reduction Programs:** These programs present options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence.

**Preserving Personal Safety: Sexual Assault Programs Offered**

At the beginning of each school year, Farmingdale State College provides sexual assault awareness programs in the residence halls. These programs are open to the entire campus community. The University Police Department also offers a sexual assault awareness program. This program is designed to offer members of the campus community the opportunity to speak with a University Police officer in small groups on the topic of sexual assault awareness and campus issues. The topics discussed will touch upon victims' rights, support services, campus policies concerning sexual assault, and New York State Penal Law.

**Safety and Security Programming**

The University Police Department at Farmingdale State College has a long tradition of providing a wide variety of community services geared towards the safety and security of our campus community. Our goal with community outreach programs is to create a dialogue with the community, maintain open lines of communication, provide educational materials and programs, and assist students in reducing the opportunity for crime. These programs offer students, faculty, and staff the opportunity to meet representatives of the department and to increase awareness of their surroundings with regards to personal safety.

One such program conducted by members of the University Police Department is the RAD course. The Rape Aggression Defense System (RAD) is a program of realistic, self-defense tactics and techniques. The RAD system is a comprehensive course for women that includes awareness, prevention, risk reduction, and avoidance, as well as the basics of hands-on defense training.

At every new student orientation, a representative of the University Police Department speaks to incoming students about the University Police Department, its outreach programs and ways to be safe. Students are reminded to contact University Police for all emergencies and ways to contact the department in order to participate in some of its safety programs. Students are also strongly encouraged to sign up for RAVE Alert. RAVE Alert is a secure, web-based emergency alert

system that is able to warn students, faculty and staff of an impending emergency, such as an unsafe campus condition or severe weather, and provide timely and ongoing information to protect lives and minimize campus disruption. RAVE Alert can notify registrants by email, text message or telephone call.

Frequently our officers are invited by college professors to speak in their classes about safety issues and features of the department. After a brief presentation, the officer will conduct a question and answer session with regards to safety and current events.

Several of our officers are first aid, AED (Automated External Defibrillator), and CPR instructors. Several classes are conducted each semester and personal safety is a component of each class. With the placement of over 90 AEDs at Farmingdale State, the department has gone to great lengths to train as many staff, faculty, and students as it can.

At RA training each semester, the University Police Department makes it a point to have one of its members speak to all of the RA's. This is absolutely crucial, because not only are they on the front lines of reporting incidents in the residence halls, but they provide an opportunity to do programming inside the residence halls on personal safety topics and crime prevention. The University Police Department is routinely asked to do programs for RA's and our various programs are always well received. Whether it is the RAD program or a discussion of personal safety issues, University Police is a staple in the residence halls and throughout the campus community.

Operation Identification — a state-wide effort to discourage burglary and theft by engraving property with an easily traced (in the US and Canada) identification number. This is a free service through University Police.

**Campus Judicial Actions**

Off -Campus Jurisdiction — Farmingdale State College's policy allows for pursuing campus judicial action against students who are involved in off-campus incidents which also violate College policy and/or federal, state, and/or local laws, statutes, or ordinances.

Suspension/Dismissal — students who are suspended or dismissed are NOT ALLOWED to be on campus or at campus-sponsored events for any reason unless permission has been granted by the Dean of Students office.

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

**UNFOUNDED CRIMES**

If a reported crime is investigated by law enforcement authorities and found to be false or baseless, the crime is determined to be "unfounded" and will be indicated as such on the police reports about the incident. **Only sworn or commissioned law enforcement personnel may "unfound" a crime.** All unfounded crimes will be reported to the Department of Education and be disclosed in the Annual Security Report's Chart of Annual Crime Statistics.

**Notice**

*Compliance with the provisions found in this annual safety report does not constitute a violation of section 444 of the General Education Provisions Act (20 U.S.C. 1232g), commonly known as the Family Educational Rights and Privacy Act of 1974 (FERPA).*

# CAMPUS FIRE SAFETY REPORT

Farmingdale State College's "fire log" is maintained and available by contacting University Police. The following chart is a compilation of fires that occurred on campus residential property for 2020-2022. Cases of arson would also be reported in the crime section of this document.

| Year | Location | Type/Cause | Number of related injuries treated at medical facility | Related deaths | Property damaged | Value of damaged property |
|---|---|---|---|---|---|---|
| 2022 | Child Care Center (front sidewalk) | Fire-producing agent placed in garbage can creating sparks and fire within can | None | None | Melted garbage can | $30.00 |
| 2023 | None | | | | | |
| 2024 | Parking Lot 12 | Pair of shoes melted next to dumpster with Sterno-can nearby | None | None | None | $0 |

**If a fire occurs in your room:**

- Report all fires to 911.
- Get out of the building and stay out.
- Activate a pull box if the building alarm has not sounded.
- Do not fight the fire.
- Close the door to the room after exiting.
- Exit the building using emergency exits and stairwells.
- Do not use elevators.
- Once outside, move to a safe area at least 150 feet from the building.
- Call University Police at (934) 420-2111.
- Do Not Return to an evacuated building unless notified by University Police.
- If you are unable to evacuate the building, Dial 911 with your location, then remain in the room, close the door to the room, block the bottom of the door with a wet towel if possible to prevent smoke from entering.
- If possible, identify your location by hanging clothing outside a window.
- Keep low, where air is less toxic

**For the safety of all residents, use and/or possession of these appliances will not be allowed in any of the residence halls:**

- heaters
- hot pots
- sun lamps, halogen lamps
- any lamps with plastic shades, i.e. “octopus” lights
- refrigerators exceeding 4.3 cubic feet
- extension cords*
- any other electrical appliance used for cooking or preparing food
- hot plates
- potpourri pots
- electric coils
- lava lamps
- toaster/toaster ovens, foreman grills, propane grills
- air conditioners
- microwave ovens
- electric blankets
- electric percolators, coffee pots, cooking/heating appliances

*All extension cords used at Farmingdale State College must have a surge protector. Regular extension cords/zip cords/adaptors/3-way taps/orange heavy cords/damaged cords or wires are prohibited.

Firearms, (including BB, pellet and paintball), weapons, ammunition, firecrackers, explosives, harmful chemicals or any other type of flammable materials are not to be stored or used in or around the residence halls. Internal combustion engines are prohibited within the buildings. No combustible materials are permitted in the residence halls.

Each campus room is permitted one refrigerator that must be UL-approved with three-pronged plug, tight-fitting door gasket and un-frayed feeder line. The maximum size for student refrigerators is 4.3 cubic feet. Refrigerators must be inspected by a staff member as you are checking into your residence hall.

All residence halls are non-smoking within as well as 25 feet outside of residence halls.

Candles or incense of any type are not permitted in student rooms, apartments or common areas due to the potential fire threat they pose to all students living in the community. This includes any decorative or fragrant candles. An open flame of any kind (including charcoal, propane, grills, stoves and incense) cannot be allowed in the residence halls.

# Fire Safety Systems

Student Housing Facilities

| Building | Assembly Space | Detection Type | Sprinkler or Fire Suppression (Y/N) | Fire Alarm Sound | Strobe Lights (Y/N) |
|---|---|---|---|---|---|
| Orchard Hall | Sinclair Hall | Heat/Smoke | Y | Horn | Y |
| Dewey Hall | Sinclair Hall | Heat/Smoke | Y | Horn | Y |
| Alumni Hall | Sinclair Hall | Heat/Smoke | Y | Horn | Y |

## Student Housing

In the residence halls, students are expected to leave the facility immediately after the fire alarm is activated. They are instructed to not use elevators and particular stairwells (center stairwells in low rise halls). Staff members are expected to leave at the time of an alarm and make cursory checks of floors and wings as they progress downward to the main floor of a hall. Moreover, staff members assume responsibilities such as calling the elevators to the ground floor, and securing the outside doors to prohibit students from reentering the hall as they wait for the University Police/fire department to determine the cause of the alarm activation. Staff members report to University Police and the local fire department any special needs or issues they observe while evacuating the facility. Once the facility is deemed safe, staff members check rooms to verify that evacuation protocol has been observed by students. Specific evacuation procedures and Staff responsibilities are outlined in the "Residence Life Handbook" which is available online and through the Office of Residence Life.

## Fire Safety Education and Training

All faculty, staff, and students are expected to familiarize themselves with the evacuation plan for the buildings which they occupy including the identified assembly places.
Evacuation routes are posted in the hallways on every floor. In the residence halls, students are instructed at the dormitory floor meeting and other wing meetings on evacuation procedures. Programs are also presented in residence halls on various safety issues including fire safety. Students are reminded about fire evacuation procedures during all hall meetings, floor meetings, or after problems occur during fire drills and accidental activations of the alarm.

Employees will receive Emergency Action Plan training when they are initially assigned to a position and annually thereafter. Employees will also receive training when certain responsibilities and aspects of this plan change. This training will include: protocol for reporting fires; procedures for evacuating a building; use of fire extinguishers; and how to respond to other emergencies. Students will receive this training during the beginning of the fall semester or during orientation sessions.

## Health and Safety Checks

Additionally, student rooms are thoroughly inspected during Thanksgiving, winter, and spring breaks. Any "illegal" item found during an inspection is confiscated and, in some instances, students may be referred to the Dean of Students.

## Fire Drills

In accordance with New York State Law, 9 Fire Drills were conducted in 2024 in the residence halls.

# Responsibilities

**Facilities Operations and University Police** have the following responsibilities under the Comprehensive Emergency Management Plan:
1) reviewing and updating the safety standards;
2) evaluating the standard's effectiveness;
3) providing or coordinating Emergency Action Plan training;
4) reporting fires, emergencies, and related issues to the appropriate agencies;
5) responding to or assisting with other campus emergencies.
**Supervisors** will assist with efforts to provide Emergency Action Plan training to employees.

**University Police** has responsibility for
1) assisting with fire drills and emergency evacuations;
2) reporting fires and emergencies to the appropriate agencies; and
3) responding to or assisting with other campus emergencies.

**Visitors** have responsibility for observing evacuation procedures and protocol for other campus emergencies.

**Employees** have responsibility for
1) reporting fires and other emergencies;
2) correcting or reporting unsafe conditions; and
3) observing evacuation procedures and protocol for other campus emergencies.

**Students** have responsibility for
1) reporting fires and other emergencies;
2) correcting or reporting unsafe conditions;
3) observing evacuation procedures and protocol for other campus emergencies; and
4) cooperating with college officials during an emergency situation.

Copies of the Farmingdale State Fire Safety Report are available through Farmingdale State University Police.

**Maps of Farmingdale State College Reporting Areas**

Main Campus

Aerospace Facility

# Clery Statistics Calendar Year 2024

| Offense (Reported By Hierarchy) | Year | On Campus | Non-Campus | Public Property | Total | Residential Facilities |
|---|---|---|---|---|---|---|
| Murder/Non Negligent Manslaughter | 2024 | 0 | 0 | 0 | 0 | 0 |
| | 2023 | 0 | 0 | 0 | 0 | 0 |
| | 2022 | 0 | 0 | 0 | 0 | 0 |
| Negligent Manslaughter | 2024 | 0 | 0 | 0 | 0 | 0 |
| | 2023 | 0 | 0 | 0 | 0 | 0 |
| | 2022 | 0 | 0 | 0 | 0 | 0 |
| Sex Offenses, Forcible (Rape, Sodomy, Sexual Assault w/object and Fondling) | 2024 | 1 | 0 | 0 | 1 | 1 |
| | 2023 | 1 | 0 | 0 | 1 | 1 |
| | 2022 | 4 | 0 | 0 | 4 | 4 |
| Sex Offenses, Non Forcible (Incest and Statutory) | 2024 | 0 | 0 | 0 | 0 | 0 |
| | 2023 | 0 | 0 | 0 | 0 | 0 |
| | 2022 | 0 | 0 | 0 | 0 | 0 |
| Robbery | 2024 | 0 | 0 | 0 | 0 | 0 |
| | 2023 | 0 | 0 | 1 | 1 | 0 |
| | 2022 | 0 | 0 | 0 | 0 | 0 |
| Aggravated Assault | 2024 | 0 | 0 | 1 | 1 | 0 |
| | 2023 | 3 | 0 | 0 | 3 | 3 |
| | 2022 | 6 | 0 | 0 | 6 | 4 |
| Burglary | 2024 | 1 | 0 | 0 | 1 | 0 |
| | 2023 | 0 | 0 | 0 | 0 | 0 |
| | 2022 | 1 | 0 | 0 | 1 | 0 |
| Motor Vehicle Theft | 2024 | 0 | 0 | 0 | 0 | 0 |
| | 2023 | 0 | 0 | 0 | 0 | 0 |
| | 2022 | 0 | 0 | 0 | 0 | 0 |
| Liquor Law Arrests | 2024 | 0 | 0 | 0 | 0 | 0 |
| | 2023 | 0 | 0 | 0 | 0 | 0 |
| | 2022 | 0 | 0 | 0 | 0 | 0 |
| Drug Law Arrests | 2024 | 0 | 0 | 1 | 1 | 0 |
| | 2023 | 0 | 0 | 0 | 0 | 0 |
| | 2022 | 0 | 0 | 0 | 0 | 0 |
| Weapons Law Arrests | 2024 | 0 | 0 | 0 | 0 | 0 |
| | 2023 | 2 | 0 | 0 | 2 | 2 |
| | 2022 | 0 | 0 | 0 | 0 | 0 |
| Liquor Law Violations Referred for Disciplinary Action | 2024 | 10 | 0 | 0 | 10 | 0 |
| | 2023 | 20 | 0 | 0 | 20 | 17 |
| | 2022 | 22 | 0 | 0 | 22 | 22 |
| Drug Law Violations Referred for Disciplinary Action | 2024 | 11 | 0 | 1 | 12 | 10 |
| | 2023 | 0 | 0 | 0 | 0 | 0 |
| | 2022 | 9 | 0 | 0 | 9 | 9 |
| Weapons Law Violations Referred for Disciplinary Action | 2024 | 0 | 0 | 2 | 2 | 0 |
| | 2023 | 1 | 0 | 0 | 1 | 0 |
| | 2022 | 1 | 0 | 0 | 1 | 1 |

| Offense (Crimes Not Reported By Hierarchy) | Year | On Campus | Non-Campus | Public Property | Total | Residential Facilities |
|---|---|---|---|---|---|---|
| Arson | 2024 | 1 | 0 | 0 | 1 | 0 |
| | 2023 | 0 | 0 | 0 | 0 | 0 |
| | 2022 | 1 | 0 | 0 | 1 | 0 |
| Domestic Violence | 2024 | 2 | 0 | 1 | 3 | 1 |
| | 2023 | 0 | 0 | 4 | 4 | 0 |
| | 2022 | 0 | 0 | 0 | 0 | 0 |
| Dating Violence | 2024 | 1 | 0 | 0 | 1 | 0 |
| | 2023 | 0 | 0 | 0 | 0 | 0 |
| | 2022 | 1 | 0 | 0 | 1 | 1 |
| Stalking | 2024 | 1 | 0 | 0 | 1 | 0 |
| | 2023 | 2 | 0 | 0 | 2 | 0 |
| | 2022 | 0 | 0 | 0 | 0 | 0 |

## HATE CRIME REPORTING: (DO NOT INCLUDE IN THE CHART ABOVE)

**2024**

1. Intimidation during in-person dispute, On campus, Hate crime based on bias towards disability
2. Intimidation during in-person dispute, On campus, Hate crime based on bias towards religion

**2023**

1. Intimidation during in-person dispute, On campus, Hate crime based on bias towards religion

**2022**

1. Destruction of property (graffiti), On campus, Hate crime based on bias towards sexual orientation
2. Destruction of property (graffiti), On-campus, Hate crime based on bias towards religion