

# Written Notification

This notification explains the rights, options, and resources for those involved in a sexual assault, domestic violence, dating violence, and/or stalking incident.

## Written Notification

If you or someone you know has experienced dating violence, domestic violence, sexual assault, and/or stalking, Adelphi University is here to help. You have the right to live, learn, and/or work in a safe and welcoming environment. Violence is unacceptable, and University policy prohibits acts of violence including (but not limited to) sexual assault, domestic violence, dating violence, and stalking. This document outlines steps to take depending on what services you want or need.

### Unsure of where to start?

You may want more information or to talk to someone confidentially as you decide what you would like to do moving forward. You can access crisis counseling, information, and support by connecting with the resources listed below

## First Steps: Things to Consider

### Are you in Danger?

If yes, Call 911

Adelphi University Department of Public Safety can also provide support. You can contact the Department of Public Safety and Transportation immediately by dialing "5" or ext. 3507 or 3511 from any in-house telephone, utilize any blue light emergency call box, pick up any red phone, contact any public safety officer, or respond to the public safety command center located in Levermore Hall. To contact Public Safety via a cell phone, please call 516.877.3511. If off campus, the local Garden City Police Department is located at 349 Stewart Ave, Garden City, NY, 11530; Telephone: 516.465.4100 or for emergencies call 911.

If at one of the Adelphi Centers, one should:

Manhattan Center: Located at 75 Varick Street, NYC, NY, 10113

Call 212.965.8340 or contact the contract security officer located at the main entry to the Adelphi area on the second floor.

Off Campus, contact the New York City Police Department 1st Precinct located at 16 Ericsson place, NYC, NY, 10113; Telephone: 212.334.0611 or for emergencies call 911.

Hudson Valley Center: Located at Saint Francis Medical Arts Pavilion, 241 North Road, Poughkeepsie, NY, 12601

Call 845.471.3348 or contact the contract officer at the main entry to the Adelphi area located on the fourth floor.

Off Campus, contact the local Police Department, Town of Poughkeepsie located at 19 Tucker Drive, Poughkeepsie, NY, 12601; Telephone: 845.485.3666 or for emergencies call 911.

Hauppauge Center: Located at 55 Kennedy Drive, Hauppauge, NY, 11788

Call 631.300.4367 or 516.237.8605 or contact the public safety officer located in the lobby.

Off Campus, contact the Suffolk County Police Department 4th Precinct located 727 Veterans Memorial Highway, Smithtown, NY, 11787; Telephone: 631.854.8400 or for emergencies call 911.

### Do you need medical attention?

You can receive medical attention at any medical facility; however, certain facilities have specially trained staff to help survivors of sexual assault. The following locations have sexual assault nurse examiners.

#### Cooperating Hospitals with a Sexual Assault Nurse Examiner (SANE):

Nassau University Medical Center\*  
2201 Hempstead Turnpike,  
East Meadow, NY, 11554

North Shore University Hospital  
300 Community Drive,  
Manhasset, NY, 11030

\*NUMC is preferred for incidents involving minors.

It is important to preserve evidence that may be useful in obtaining a protection order or in proceeding with a criminal investigation should you choose to do so. Completing a forensic exam does not require you to file a police report or report to the institution, although we encourage these reports if you are comfortable doing so.

Medical exams can also address other physical needs or trauma and assess for sexually transmitted infections or pregnancy. If possible, please do not bathe, douche, smoke, use the toilet or clean the location where the incident occurred. Save items you were wearing, sheets, or towels in a paper bag. Text messages, records of phone calls, emails, pictures, notes, and gifts can all be pertinent for a report of sexual assault, dating violence, domestic violence or stalking.

Your immediate and long-term safety is what is most important. The resources and options outlined below may be helpful as you decide what next steps are a good fit for you.

## Emotional and Physical Impact

### Emotions are to be expected.

Dating violence, domestic violence, sexual assault, and stalking are significant and can be traumatizing. Though each person's experience is unique, there are a wide range of emotions that may be felt over the days, weeks, months and even years following a traumatic experience. These reactions may change over time and it may be helpful to address them with the assistance of a trained counselor or therapist, victim/survivor advocate or even a trusted friend or family member.

### Possible physical effects may include:

- Pain and soreness
- Injuries, Nausea
- Vomiting
- Headaches
- Panic attacks
- Sleep pattern disturbances
- Insomnia or sleeping more than usual
- Loss of appetite or change in eating habits (overeating or under-eating, etc.)

### Possible psychological and/or emotional effects may include:

- Impaired memory
- Shock, Denial
- Irritability and anger
- Sadness and grief
- Social withdrawal
- Apathy (detachment, loss of caring)
- Hypervigilance (always on guard)
- Sleep disturbance (including nightmares)
- Flashbacks
- Difficulty concentrating
- Loss of trust in self or others
- Guilt, shame or embarrassment
- Thoughts of suicide or death
- Diminished interest in activities or sex
- Increased interest in sexual activity

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## Confidential Resources on Campus

### Student\* Counseling Center:

[Student Counseling Center Location Information](#)

Hours of Operation: Regular Semester Hours: Monday–Thursday:

8:30 a.m.–7:00 p.m.; Friday: 8:30 a.m.–4:30 p.m.;

Summer Hours: Monday–Friday: 8:30 a.m.–4:30 p.m.

p – 516.877.3646; e – [scc@adelphi.edu](mailto:scc@adelphi.edu)

For more information: [Student Counseling Brochure](#)

Counseling services are also available for students\* at our learning hubs through our Student Assistance Programs. For assistance, please contact your center at:

Hauppauge Center: 800.624.2593; Hudson Valley Center:

845.431.8740; Manhattan Center: 800.833.8707

\*Note: Employees do have access, as needed, to counseling at the Main Campus and learning hubs.

### Health Services Center: Waldo Hall

Hours of Operation: 24/7 during the semester (for specific hours/days, please visit <https://health.adelphi.edu/>)

p – 516.877.6000; e – [healthservicescenter@adelphi.edu](mailto:healthservicescenter@adelphi.edu)

For more information: [Health Services Brochure](#)

There are no Health Services available at our learning hubs.

### Pastoral Counseling: Interfaith Center- [Interfaith Center Location Information](#)

Hours of Operation: Monday–Friday: 8:30 a.m.–4:30 p.m.

p – 516.877.3113; e – [auinterfaith@adelphi.edu](mailto:auinterfaith@adelphi.edu)

For more information: [Interfaith Center Brochure](#)

There are no Pastoral Counseling Services available at our learning hubs.

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## If You Need Medical Attention

### On Campus Services

Adelphi University Health Services Center

Waldo Hall

p – 516.877.6000

e – [healthservicescenter@adelphi.edu](mailto:healthservicescenter@adelphi.edu)

The center is under the direction of a nurse practitioner. Registered nurses or emergency medical technicians are available 24 hours a day, seven days a week, when classes are in session during the fall and spring semesters. During the summer and semester breaks, the center is open from 8:00 a.m. to 4:00 p.m., Monday through Friday. Our services are available to all registered students. In case of emergency, when the Health Services Center is closed, call the Office of Public Safety and Transportation by dialing "5" from any campus telephone, or by dialing 516.877.3511.

The Health Services Center offers many services including: Nurse practitioners trained in primary and urgent care; Routine gynecological care; Birth Control; Emergency Contraception; HPV testing (PrEP:Pre-Exposure Prophylaxis-HIV prevention option); STI Testing; Clearances for student-athletes; Emergency response to accidents or injuries on the Adelphi campus; Referrals to other healthcare professionals or community organizations for non-emergency concerns, as appropriate; Peer educators who provide programs of interest and need to the campus population; LGBT Health and Wellness Services; Registered dietitian for consultation by appointment; and more.

Visit [health.adelphi.edu](http://health.adelphi.edu) for more information about Adelphi University and the Health Services Center.

### Off Campus Services

Cooperating Hospitals with a Sexual Assault Nurse Examiner (SANE):

Nassau University Medical Center\*

2201 Hempstead Turnpike,  
East Meadow, NY, 11554

North Shore University Hospital

300 Community Drive,  
Manhasset, NY, 11030

\*NUMC is preferred for incidents involving minors.

Adelphi University does not provide direct transportation to these hospitals. If the victim is not taken by ambulance, Health Services or Public Safety can provide the victim with a Taxi Voucher. Please obtain the Taxi Voucher before going to the hospital.

## Quick Guide: Available Resources

### On Campus Resources

#### Victim Advocacy

The Safe Center Long Island  
Visits Adelphi University Every Week  
For More Information Contact  
Student Counseling Center or  
The Safe Center LI 24-hour hotline:  
516.542.0404

#### Counseling & Mental Health

Student Counseling Center  
[Student Counseling Center Location Information](#)  
Main Campus: p – 516.877.3646  
Hauppauge Center: 800.624.2593;  
Hudson Valley Center: 845.431.8740;  
Manhattan Center: 800.833.8707  
e – [scc@adelphi.edu](mailto:scc@adelphi.edu)  
[Student Counseling Brochure](#)

#### Health Services Center- Main Campus

Waldo Hall  
p – 516.877.6000  
e – [healthservicescenter@adelphi.edu](mailto:healthservicescenter@adelphi.edu)  
[Health Services Brochure](#)

#### Visa & Immigration Assistance

Office of International Student Services  
Post Hall, Room 203  
p – 516.877.4990  
e – [internationalstudentservices@adelphi.edu](mailto:internationalstudentservices@adelphi.edu)  
[global.adelphi.edu/daca-immigration-and-international-support](http://global.adelphi.edu/daca-immigration-and-international-support)

#### Student Financial Aid

Office of Student Financial Services  
Levermore Hall, Lower Level  
p – 516.877.3080  
e – [financialservices@adelphi.edu](mailto:financialservices@adelphi.edu)

### Off Campus or Community Resources

#### Victim Advocacy/Counseling & Mental Health

##### In the Garden City area:

*The Safe Center LI 24-hour hotline:*  
516.542.0404

*Long Island Crisis Center Online/Mobile Chat Counseling:*

[longislandcrisiscenter.org/get-help-now/#mobile](http://longislandcrisiscenter.org/get-help-now/#mobile)

##### In the Hauppauge Center area:

*Victims Information Bureau of Suffolk:*  
631.360.3606 (24-hour crisis line)

*Long Island Crisis Center Online/Mobile Chat Counseling:*

[longislandcrisiscenter.org/get-help-now/#mobile](http://longislandcrisiscenter.org/get-help-now/#mobile)

##### In the Manhattan Center area:

*Safe Horizon hotlines:*

*Domestic violence hotline:* 800.621.4673

*Crime victims hotline:* 866.689.4357

*Rape, sexual assault and incest hotline:* 212.227.3000

*TTY phone number for all hotlines:* 800.621.4673

[safehorizon.org](http://safehorizon.org)

##### In the Hudson Valley Center area:

*Rape crisis/Crime victim hotline:*

845.452.7272 (24-hour hotline);

845.452.1110

[familyservicesny.org](http://familyservicesny.org)

#### ADDITIONAL RESOURCES

*New York State Domestic and Sexual Violence Hotline:*

800.942.6906 (English and Spanish bilingual accessibility)

Deaf or hard of hearing: 711

[suny.edu/violence-response/](http://suny.edu/violence-response/) - NY SAVR Resources

#### Health

Cooperating Hospitals with a Sexual Assault Nurse Examiner (SANE):

Nassau University Medical Center\*

2201 Hempstead Turnpike, East Meadow, NY, 11554

\*NUMC is preferred for incidents involving minors.

North Shore University Hospital

300 Community Drive, Manhasset, NY, 11030

#### Legal Assistance

Main Campus: Garden City Police Department

349 Stewart Ave, Garden City, NY, 11530;

Telephone: 516.465.4100 or for emergencies call 911

Manhattan Center: New York City Police Department

1st Precinct located at 16 Ericsson place, NYC, NY, 10113

Telephone: 212.334.0611 or for emergencies call 911

Hudson Valley Center: Town of Poughkeepsie Police

Department

19 Tucker Drive, Poughkeepsie, NY, 12601;

Telephone: 845.485.3666 or for emergencies call 911

Hauppauge Center: Suffolk County Police Department 4th

Precinct

727 Veterans Memorial Highway, Smithtown, NY, 11787;

Telephone: 631.854.8400 or for emergencies call 911.

#### Visa & Immigration Assistance

For more information and links visit:

[Asylum Clinic - Hofstra Law](#)

[Deportation Defense Clinic- Hofstra Law](#)

[Legal Aid Society / Legal Aid Society - en espanol](#)

[Community Legal Advocates of New York](#)

[Catholic Charities of New York, Immigration Services](#)

[HIAS / New York Legal Assistance Group / NYCLU](#)

[NY State Bar Association- Dept. of Pro Bono Services](#)

[LawHelpNY.org / Informed Immigrant](#)

### Additional Resources

Adelphi University Website Links related to VAWA Offenses: Sexual Assault, Domestic Violence, Dating Violence, & Stalking

[Anti-Discrimination-Harassment-And-Retaliation-Policy](#) [Link to Brochures & Pamphlets](#) [Annual Security & Fire Safety Report](#)

## Making a Report

You may choose to report to law enforcement, you may choose to report to Public Safety, you may choose to report to a CSA, you may choose to report to Title IX, you may choose to report through our campus disciplinary process, you may report to all, or may choose to access none of these options. Adelphi University will protect your identity in publicly available information, such as within our annual security report or in warnings sent to the campus community. You can access the accommodations listed below regardless of where you choose to report and we will keep these accommodations confidential, as long as it does not limit our ability to provide them to you. If we would need to share information in order to provide an accommodation, we would notify you of what information needs to be shared, why, & with whom prior to sharing the information.

### On Campus

There are people on and off campus who can support you in reporting to law enforcement if you choose to do so.

You can contact Adelphi University Department of Public Safety. They can assist you in notifying law enforcement and can help connect you to other people and resources on our campus.

Regardless of whether or not you report to the police, you can report to the University by contacting:

#### Department of Public Safety & Transportation

##### Main Campus: Garden City

Command Center- Levermore Hall 1st Floor

p – 516-877-3507

p – 516-877-3511

Dial “5” from any campus phone

If at one of the Adelphi Centers, one should:

##### Manhattan Center:

75 Varick Street, NYC, NY, 10113

p – 212.965.8340

contact the contract security officer located at the main entry to the Adelphi area on the second floor.

##### Hudson Valley Center:

Saint Francis Medical Arts Pavilion, 241 North Road, Poughkeepsie, NY, 12601

p – 845.471.3348

contact the contract officer at the main entry to the Adelphi area located on the fourth floor.

##### Hauppauge Center:

55 Kennedy Drive, Hauppauge, NY, 11788

p – 631.300.4367

p – 516.237.8605

contact the public safety officer located in the lobby.

#### Division of Student Affairs

Vice President for Student Affairs

p – 516.877.3660

e – [divisionofstudentaffairs@adelphi.edu](mailto:divisionofstudentaffairs@adelphi.edu)

#### Office of Community Concerns & Resolution

Chief of Community Concerns & Resolution

p – 516.877.6864

e – [occr@adelphi.edu](mailto:occr@adelphi.edu)

#### Student Conduct & Community Standards

Director of Student Conduct and Community Standards

p – 516.877.3612

e – [studentconduct@adelphi.edu](mailto:studentconduct@adelphi.edu)

#### Title IX Coordinator

Leah Saxtein

Adelphi University

Title IX Coordinator,

Director of Equity and Compliance

One South Avenue

Levermore Hall, Room 207

Garden City, NY, 11530

p - 516.877.4819

e - [titleix@adelphi.edu](mailto:titleix@adelphi.edu)

#### Reporting Website

To report incidents of alleged discrimination, harassment, or retaliation- follow this link: [Title IX Report](#)

#### Law Enforcement

If you would like to contact the local police department, you can do so with the below information.

##### Main Campus: Garden City Police Department

349 Stewart Ave, Garden City, NY, 11530;

Telephone: 516.465.4100 or for emergencies call 911

##### Manhattan Center: New York City Police Department

1st Precinct located at 16 Ericsson place, NYC, NY, 10113

Telephone: 212.334.0611 or for emergencies call 911

##### Hudson Valley Center: Town of Poughkeepsie Police Department

19 Tucker Drive, Poughkeepsie, NY, 12601;

Telephone: 845.485.3666 or for emergencies call 911

##### Hauppauge Center: Suffolk County Police Department 4th Precinct

727 Veterans Memorial Highway, Smithtown, NY, 11787;

Telephone: 631.854.8400 or for emergencies call 911.

Please note that what law enforcement agency to report to can vary depending on the specifics of your case, but we can help you figure out where to go and will assist you in reporting to law enforcement.

Many survivors find law enforcement to be a great resource. Others choose not to report to law enforcement. We always encourage reporting, but know that only you can determine if doing so is the right decision for you.

Regardless of whether or not you report to the police, there are campus options, including resolution through the University process, available to you.

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## Requesting Reasonable Accommodation & Supportive Measures

Regardless of whether you choose to report to local police or public safety, there are specific options available to you, if requested and reasonably available. These options include Living Accommodations, Academic Accommodations, Transportation Accommodations, Working Accommodations and additional protective measures, including an institutional “no contact” order. For more information on how to obtain these measures, contact the Office of Student Conduct & Community Standards at 516.877.3612 or the Title IX Coordinator at 516.877.4819.

## Order of Protection for Family, Criminal, & Supreme Court

You can also access orders of protection within our state as well as within the institution. Depending on the nature of the incident, Adelphi University may be able to issue a no contact order to prevent contact between two individuals.

To request a no-contact order, please contact the Title IX Coordinator, Leah Saxtein, Levermore Hall-Rm 207 at 516.877.4819.

A Family Court Order of Protection, Criminal Court Order of Protection, or Supreme Court Order of Protection may also be available. Adelphi University complies with all Court Order of Protections.

**Adelphi University Department of Public Safety & Transportation can assist you in obtaining an order of protection.**

To obtain a Family Court order of protection you need to file a form called a "Family Offense petition". The form requires the petitioner to list the reasons for the order, which can include: disorderly conduct, harassment, aggravated harassment, criminal mischief, sexual abuse, strangulation, menacing, reckless endangerment, sexual misconduct, stalking, and forcible touching.

A criminal court order of protection can only be issued against a person who has been charged with a crime. The judge decides whether to issue the order of protection for the victim or complaining witness and what terms and conditions will be included in the order.

A Supreme Court order of protection can be issued as part of an ongoing divorce proceeding. During an ongoing divorce case you can submit a written or make an oral request at a court appearance. The judge decides whether to issue the order of protection and what terms and conditions will be included in the order.

<b>Adelphi University Main Campus [Garden City- Nassau County]</b>		
Court	Location	Contact
Family	Nassau County Family Court 1200 Old Country Road, Westbury, NY 11590	(516) 493-4000
Criminal	Nassau County Courthouse 262 Old Country Road, Mineola, NY 11501	(516) 493-3600
	Nassau County District Court, 1st District 252 Old Country Road, Mineola, NY 11501	(516) 493-4200
Supreme	Nassau County Supreme Court 100 Supreme Court Drive, Mineola, NY 11501	(516) 493-3401
	Nassau County Supreme Court Matrimonial Center 400 County Seat Drive, Mineola, NY 11501	(516) 493-3444
	Nassau County Supreme Court 262 Old Country Road, Mineola, NY 11501	(516) 493-3600

<b>Adelphi University Hauppauge Center [Hauppauge- Suffolk County]</b>		
Court	Location	Contact
Family	Suffolk County Family Court John P. Cohalan Jr., Courthouse 400 Carleton Avenue, Central Islip, NY 11722	(631) 740-3800
Criminal	Suffolk County Court Arthur Cromarty Court Complex 210 Center Drive, Riverhead, NY 11901	(631) 852-1462
	Suffolk County District Court, 4th District Court Veterans Memorial Highway North County Complex Building 158 Hauppauge, NY 11788	(631) 208-5775
Supreme	Suffolk County Supreme Court John P. Cohalan Jr., Courthouse 400 Carleton Avenue, Central Islip, NY 11722	(631) 740-3850

<b>Adelphi University Hudson Valley Center [Poughkeepsie- Dutchess County]</b>		
Court	Location	Contact
Family	Dutchess Family Court - 9th JD 50 Market Street, Poughkeepsie, NY 12601	(845) 431-1850
Criminal	Dutchess Supreme and County Court 10 Market Street, Poughkeepsie, NY 12601	(845) 431-1710
	City Court of Poughkeepsie 62 Civic Center Plaza, Poughkeepsie, NY 12601	(845) 483-8200
Supreme	Dutchess Supreme and County Court 10 Market Street, Poughkeepsie, NY 12601	(845) 431-1710

<b>Adelphi University Manhattan Center [New York City]</b>		
Court	Location	Contact
Family	New York City Family Court 60 Lafayette Street New York, NY 10013;	(646) 386-5223 <a href="mailto:manhattanfamilycourt@nycourts.gov">manhattanfamilycourt@nycourts.gov</a>
Criminal	New York City Criminal Term Court 100 Centre St., NY, NY 10013	(646) 386-4500
Supreme	Supreme Court, Criminal Term, New York County 100 Centre St, New York, NY 10013	(646) 386-4000
	Supreme Court, Criminal Term, New York County 111 Centre St, New York, NY 10013	(646) 386-4301



## Campus Disciplinary Process: Rights & Options

You have the right to:

- A prompt, fair, and impartial process from the initial investigation to the final result (completed within the timeframes laid out by our policy in a manner that is transparent, provides timely notice of meetings and equal access to information to both the complainant and the respondent, and conducted by officials without a conflict of interest or bias for either party that receive annual training on how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability)
- Have others present during any institutional disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by an advisor of your choice\*
- Notification, in writing, of:
  - The result of any institutional disciplinary proceeding from your report of dating violence, domestic violence, sexual assault, or stalking
  - The institution's procedures to appeal the results [only if such procedures are available]
  - Any change to the results
  - When the results become final\*

\*Also afforded to the respondent

### PROCESS A: TITLE IX SEXUAL HARASSMENT GRIEVANCE PROCESS

#### Step 1: Reporting & Resources

There is no time limit on when a complaint may be made. Once an incident is reported to Title IX or an Official with Authority. Resources [private and confidential] are made available which provide information about on- and off-campus resources, reporting options, and rights.

**Any individual (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute Title IX sexual harassment) who believes that he/she has been a victim of a sexual offense, dating violence, domestic violence, and stalking is encouraged to report these incidents to Public Safety, Title IX Coordinator (at any time, including non-business hours), the police, or any campus authority, including Resident Assistants, Faculty, Deans or Administrators. Reports of Title IX sexual harassment may be made using the following options:**

- In person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator;
- Using the telephone number or email address, or by mail to the office address listed for the Title IX Coordinator;
- Reporting online at: <https://www.adelphi.edu/hr/title-ix/report/>; or
- By any other means that results in the Title IX Coordinator receiving the person's verbal or written report.

#### **Student Complainants:**

- Department of Public Safety at 516.877.3507 and 516.877.3511; Levermore Hall, 1st Floor, Suite 113
- Leah Saxtein (Title IX Coordinator & Director Equity & Compliance) at [titleix@adelphi.edu](mailto:titleix@adelphi.edu) or 516.877.4819
- R. Sentwali Bakari (Vice President for Student Affairs), [sbakari@adelphi.edu](mailto:sbakari@adelphi.edu) or 516.877.3151,
- Joseph De Gearo (Dean of Students & Strategic Initiatives), [degearo@adelphi.edu](mailto:degearo@adelphi.edu) or 516.877.3654, or;
- You may also report online to: [adelphi.edu/hr/title-ix/report/](https://www.adelphi.edu/hr/title-ix/report/)\*

#### **Employee or Third Party Complainants:**

- Department of Public Safety at 516.877.3507 and 516.877.3511; Levermore Hall, 1st Floor, Suite 113
- Leah Saxtein (Title IX Coordinator & Director Equity & Compliance) at [titleix@adelphi.edu](mailto:titleix@adelphi.edu) or 516.877.4819
- Jane Fisher (Director of Talent Management & Labor Relations) at [fisher2@adelphi.edu](mailto:fisher2@adelphi.edu) or 516.877.3222
- You may also report online to: [adelphi.edu/hr/title-ix/report/](https://www.adelphi.edu/hr/title-ix/report/)\*

\*You may choose to file this complaint form anonymously. This form will be received and reviewed by the Director of Talent Management and Labor Relations and/or the Title IX Coordinator, Director of Equity and Compliance. The University will comply with all federal, state and local mandates regarding the reporting of crimes to appropriate authorities.

#### **General Comments or Inquiries:**

- Department of Public Safety at 516.877.3507 and 516.877.3511; Levermore Hall, 1st Floor, Suite 113
- Leah Saxtein (Title IX Coordinator & Director Equity & Compliance) at [titleix@adelphi.edu](mailto:titleix@adelphi.edu) or 516.877.4819

In addition, you may contact any member of the Anti-Harassment, Discrimination (including Sexual Misconduct), and Retaliation Panel ("Anti-Discrimination Panel")

Confidentiality will be maintained to the extent required by law and to the extent possible given the University's obligations under law and under this Policy. At the beginning of the process, the University will inform the complainant about confidentiality standards and privacy concerns, as well as confidential and other resources available.

#### Step 2: Assessment

Dependent on who you report the incident to, a case can be created by Title IX or Student Conduct. If you report to Public Safety, Public Safety will refer the incident to the appropriate party if you wish for disciplinary action.

If you report or are referred to Title IX, a case is created by Title IX Staff or Conduct Staff (Dependent on who is the first point of contact). After the case is created, the Title IX coordinator does an initial assessment within 5-7 business days to determine the whether the scope of the allegations fall within the jurisdiction if the Title IX sexual harassment and its applicable grievance process.

During this time the Title IX coordinator will:

- Contact the complainant to provide them with a written explanation of their rights and options with respect to he report of a Title IX Sexual harassment;
- Provide a written explanation of the Formal Complaint Process [A]; and
- Promptly make supportive measures available to the complainant upon receipt of notice [with or without filing a formal complaint].

## Step 3: Grievance Process Decision

At this time, the complainant has the following three options

- Process A: Title IX Sexual Harassment Grievance Process [described below]
- Process B: Process for resolution of Allegations of Discrimination, Harassment (including Sexual Misconduct), &/or Retaliation; &/or
- Supportive Measures [is supportive measures only, then no further action wishes to be taken by the complainant at this time].

**\*\*\*\*For the purpose of Formal complainants of Sexual Assault [Rape, Fondling, Incest, Statutory Rape], Domestic Violence, Dating Violence, and Stalking, Process A or Supportive Measures are used to resolve the incident.\*\*\*\***

### Supportive Measures

Supportive measures are non-disciplinary and non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the parties before or after the filing of a complaint or formal complaint or where no complaint or formal complaint has been filed. Such measures are designed to restore or preserve equal access to the University's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the University's educational environment, or deter prohibited conduct.

The University will maintain as confidential any supportive measures provided to the parties, to the extent that maintaining such confidentiality would not impair the ability of the University to provide the supportive measures. The Title IX Coordinator will work with the complainant to determine their requests for supportive measures and confirm that such requests are considered.

The determination of appropriate supportive measures must be based on the facts and circumstances of that situation. Supportive measures include but are not limited to [this is not an exhaustive list]:

- Providing campus escort services;
- Modifications to work or class schedules;
- Extensions of deadlines or other course-related adjustments;
- Changes to work, academic, housing, living, transportation, or other applicable situations including changes in residence hall assignments or office locations;
- Providing counseling and academic support services, such as tutoring;
- Referral to counseling, medical and/or other healthcare services;
- Proving course-related adjustments such as extensions of deadlines;
- Providing leaves of absence;
- Establishing restrictions on contact (no-contact orders) between the parties;
- Providing increased security, supervision or monitoring of certain areas of the campus; and
- Other similar measures or any other actions deemed appropriate by the Title IX Coordinator.

The University will review the facts and circumstances of each case and will implement measures in a way that does not unreasonably burden the other party. Upon written request and in accordance with University policies, a student may seek prompt review of the need for/terms of supportive measures to the extent the relevant supportive measure has a direct impact on them. This request should include the basis for the request and any supporting evidence. A student may also ask for review of a request for additional supportive measures and submit evidence in support of the request. Such requests should be submitted in writing to the Title IX Coordinator. The other party will have the right to respond to the request for review to the extent the relevant supportive measure has a direct impact on them.

## Step 4: Investigation

### File a Formal Complaint

Process A: Title IX Sexual Harassment Grievance Process starts once a Formal Complaint is filed, and will lead to a resolution within sixty (60) to ninety (90) business days. A Formal complaint is a signed document by the Complainant or the Title IX coordinator which initiates the grievance process and may be filed with the Title IX coordinator in person, by mail, or by electronic mail, using the contact information listed above.

The Complaint then has two options: Formal grievance Process or an Informal Grievance Process.

*Note: A complainant may withdraw a report or formal complaint from the University at any time. However, the University may still have an obligation to investigate and/or take action. The University may also be compelled to act on alleged employee conduct regardless of the complainant's wishes*

### Advisor of Choice

The parties may have an advisor present during the course of any grievance process, including the opportunity to be accompanied to any related meeting, interview, or hearing by the advisor of their choice who may advise and assist the parties. A party's advisor of choice may be, but is not required to be, an attorney. Each party is permitted one advisor. If a party does not have an advisor present for a Process A hearing, Adelphi will appoint an advisor of Adelphi's choice, free of charge, to conduct cross-examination on behalf of that party.

Throughout the process, the role of the advisor is narrow: they may attend and help the Party prepare for all proceedings, such as meetings, interviews, and hearings, that the Party is entitled to attend, but the Parties themselves must ask and answer any questions other than asking cross-examination questions during a Process A hearing; those questions will be asked by an Advisor because Parties are not permitted to personally do so. Except for cross-examination during a hearing, as described below, advisors cannot actively participate or speak on behalf of the parties, or act as a proxy for

any party. However, as reasonably needed, they may confer privately with the Party during the proceedings. Accommodations, including scheduling of the process, generally will not be made for any advisors if they unduly delay the process, as determined by the Title IX Coordinator. The University reserves the right to take appropriate action regarding any advisor who disrupts the process, or who does not abide by the restrictions on their participation as determined in the sole discretion of the Title IX Coordinator.



### Formal Grievance Process

Once the formal grievance process is initiated, through a formal complaint, the Title IX Coordinator will provide an initial notice of allegations, which will include:

- Notice of the formal grievance process, including any informal grievance process that may be available;
- Notice of the allegations of sexual harassment potentially constituting Title IX sexual harassment, as well as sufficient details known at the time and with sufficient time to prepare a response before any initial interview;
- Sufficient details include the identities of the parties involved in the incident, if known, the conduct allegedly constituting Title IX sexual harassment under 34 C.F.R. § 106.30, and the date, location, and factual allegations of the alleged incident, if known;
- The specific section(s) of this Policy alleged to have been violated;
- A statement about the University's prohibition on retaliation;
- A description of the range of possible disciplinary sanctions and remedies or a list the possible disciplinary sanctions and remedies that the University may implement following any determination of responsibility;
- A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the formal grievance process;
- A statement that informs the parties that they may have an advisor of their choice, who may be, but is not required to be, an attorney;
- A statement informing the parties that they may inspect and review the evidence collected in an investigation; and
- A statement informing the parties that this Policy prohibits knowingly making false statements or knowingly submitting false information during the formal grievance process.

This is followed promptly by an investigation of the Formal Complaint through an appointed trained investigator. Should parties choose, they have three (3) business days after receiving the investigators name to object the investigator with reasoning. If no objections, the Trained investigator has up to thirty (30) business days from the formal complaint to conduct interviews, discuss allegations, and inspect and review any evidence obtained\*. By the end of the thirty (30) business days, the Trained Investigator will send the final investigative report to both parties and advisors. The parties will then have ten (10) business days to submit a written response. The Trained investigator will then Finalize and Send the Case File and Investigative report to both parties ten (10) business days prior to hearing [Step 5].

\* **The standard of evidence used throughout the University disciplinary proceedings (student or employee) is the preponderance of the evidence. The preponderance of the evidence means such evidence (testimonials; documents (emails/screenshots/etc.); photos; physical evidence; etc) that, when considered and compared with that opposed to it, is more convincing, creating the belief that what is sought to be shown is more likely than not to have occurred.**

### Step 5: Hearing & Resolution

#### Formal Grievance Process

At the time of release of the Investigative Report and Case File, the hearing Panel is chosen from the Anti-Discrimination Panel [this occurs 10 business days prior to hearing]. Five (5) business days before the hearing, both parties and advisors will receive a Written Notice, which includes, at the minimum:

- The date, time, and place of the hearing [which has to occur 10 business days after the release of Investigative Report]
- The name and contact information of the Hearing Panel.
- The participants in the hearing (including but not limited to the parties, witnesses, etc.)
- Any technology expected to be utilized at the hearing.
- The purpose of the hearing

A party wishing to challenge the participation of the Hearing Panel must notify the Title IX Coordinator, in writing, within three (3) business days of receipt of the notice of hearing, stating the specific reason(s) for the party's objection.

The hearing will take place on the date and time specified in the notice of hearing. If circumstances arise that require a change in the hearing date or time, the University will provide the parties with written notice explaining the reason for such change.

### Informal Grievance Process

#### Informal Grievance Process Initiated

At any time prior to reaching a determination of responsibility, the University may offer the parties the option to resolve the formal complaint through the voluntary informal grievance process without completing a full investigation and hearing. The informal grievance process may not be used: (1) to resolve an allegation of Title IX sexual harassment unless a formal complaint is filed, or (2) to resolve an allegation of Title IX sexual harassment against a University employee where the complainant is a student.

Unless there is good cause for temporary delay(s) or limited extension(s), the University will promptly resolve an informal grievance process within thirty (30) business days of the filing of a formal complaint of Title IX sexual harassment with the Title IX Coordinator.

Note: Any party may withdraw from the informal grievance process at any time and resume the formal grievance process with respect to the formal complaint.

#### Written Notice & Consent

If a complaint or formal complaint is eligible for informal resolution, an informal resolution may begin at any time prior to a determination regarding responsibility being reached if the University:

- Provides to the parties a written notice disclosing:
  - the allegations;
  - the requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations, provided, however, that at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint; and
  - any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared; and
- Obtains the parties' voluntary, written consent to the informal resolution process.

*[See Step 5 for resolution of informal grievance process]*

### Hearing and Resolution

#### 1- Live Hearings

Live hearings may be conducted with all parties physically present in the same geographic location, or under the discretion of the University, any or all parties, witnesses, and other participants may appear at the live hearing virtually, with technology enabling participants to simultaneously see and hear each other.

#### 2- Cross-Examination

During the live hearing, cross-examination will be conducted directly, orally, and in real time by the party's advisor of choice. Cross-examination will never be conducted by a party and at no point shall the parties be permitted to question each other. If a party does not have an advisor present at the live hearing, the University will provide to that party, without fee or charge, an advisor of the University's choice, who may be, but is not required to be an attorney, to conduct cross-examination on behalf of that party. Resolution

#### 3- Hearing Panel Deliberation

The parties will be offered an opportunity to provide impact statements to the Hearing Panel while the Hearing Panel is deliberating on appropriate sanctions. The impact statement must be provided to the Title IX Coordinator. Parties will also receive a copy of submitted impact statements. The Title IX Coordinator provides the impact statements to the Hearing Panel only once the

#### 5- Disciplinary Sanctions and Remedies

Both the complainant and the respondent have the right to receive simultaneous written notice of the outcome of the proceeding, the right to appeal the decision, receive simultaneous written notice of any change to the result, and receive simultaneous written notice when the results become final. The Hearing Panel may impose any of the following disciplinary sanctions that are determined to be fair and proportionate to the violation of the Policy under the grievance process:

- A reprimand or written warning;
- Changing the respondent's work or academic schedule;
- Disciplinary probation;
- Revocation of honors, awards, or a degree;
- Community service and/or training;
- Restricting the respondent's access to University's facilities or activities;
- Changing the respondent's work or housing assignment;
- Dismissal from or restricting or reassignment of University employment;
- Removing the respondent from student housing;
- Suspension (limited time or indefinite);
- Expulsion or termination;
- Forfeiture of a benefit, honor, leadership position, or other privilege enjoyed by virtue of the person's membership as adjunct faculty, staff, or administration;
- Demotion or forfeiture of promotion or salary increase;
- Reassignment of University employment;
- respondents who are non-student employees may also be placed on administrative leave during the pendency of a formal grievance process or resolution process
- Any other actions deemed appropriate by the Title IX Coordinator.

### Informal Grievance Process Resolution

Once the parties can reach a mutually satisfactory resolution, which may include an acceptance of responsibility and sanctions by the respondent, the matter will be considered final without involving a full formal investigation and hearing determination. At that point, the agreed upon sanctions will be promptly implemented. *[Note: there is no appeal option after the parties reach a resolution through informal means]*

### Step 6: Appeal Process (If Requested) & Resolution

#### Grounds for an Appeal

1. A procedural irregularity that affected the outcome of the matter;
2. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made that could affect the outcome of the matter; and
3. The Title IX Coordinator, investigator, and/or Hearing Panel had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the formal complaint.

#### Appeal Process

Within five (5) business days of the delivery of the written determination of responsibility or from dismissal of the formal complaint or any allegations therein, the respondent and/or complainant may file an appeal with the Title IX Coordinator. The appeal must contain the party's grounds for the appeal indicating why the party requesting the appeal believes the determination of responsibility, or dismissal of the formal complaint or any allegations therein, was inappropriate. The appealing party may also submit a written statement challenging the outcome. The Title IX Coordinator will promptly notify the non-appealing party about the appeal in writing and will implement appeal procedures equally to the parties. Within five (5) business days from the notification of the appeal, the non-appealing party may submit a written statement in support of the outcome.

A panel composed of three members of the Anti-Discrimination Panel, the "Appeals Panel," will review the appeal. The Appeals Panel shall not include the Title IX Coordinator, the Hearing Panel, or investigator. The Appeals Panel shall be fair and impartial and will not include individuals with a conflict of interest. The Appeals Panel will decide the merits.

The Appeals Panel will simultaneously issue a written decision to the parties describing the result of the appeal and the rationale for the result within ten (10) business days of receipt of the complete record, including the written submissions of the parties. The decision of the Appeals Panel regarding the appeal is final.

Hearing Panel is deliberating on appropriate sanctions. Impact Statements cannot and will not be considered by the Hearing Panel when reaching a determination of responsibility

#### 4- Determinations Regarding Responsibility

The Hearing Panel will evaluate the allegations under a "preponderance of the evidence" standard. The respondent will only be found responsible for the alleged Title IX sexual harassment if the Hearing Panel concludes, based upon careful review of all information presented, that such Title IX sexual harassment more likely than not occurred in violation of the Policy. The Hearing Panel will determine any disciplinary sanctions imposed on the respondent and any remedies to be provided to the complainant, and the Title IX Coordinator will enforce and implement the same. Within ten (10) business days from the hearing, the Hearing Panel will simultaneously issue both parties a written notice of the determination regarding responsibility. The determination regarding responsibility becomes final either on the date that the University provides the parties with the written determination of the result of the appeal, as described below, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

### OTHER CAMPUS DISCIPLINARY PROCEEDINGS\*

\*Including Process B: Process for Resolution of Allegations of Discrimination, Harassment (including Sexual Misconduct), and/or Retaliation; Code of Conduct; Employee Handbook

#### Step 1: Report the Incident

All complaints can be filed with the Department of Public Safety at 516.877.3507 and 516.877.3511. If you do not wish to report to Public Safety, there are others you can report to.

##### Student Complainants:

- Department of Public Safety at 516.877.3507 and 516.877.3511; Levermore Hall, 1st Floor, Suite 113
- Leah Saxtein (Title IX Coordinator & Director Equity & Compliance) at [titleix@adelphi.edu](mailto:titleix@adelphi.edu) or 516.877.4819
- Division of Student Affairs, Nexus Building, Room 303, [divisionofstudentaffairs@adelphi.edu](mailto:divisionofstudentaffairs@adelphi.edu) or 516.877.3660
- You may also report online to: [adelphi.edu/hr/title-ix/report](https://adelphi.edu/hr/title-ix/report)\*

##### Employee or Third Party Complainants:

- Department of Public Safety at 516.877.3507 and 516.877.3511; Levermore Hall, 1st Floor, Suite 113
- Leah Saxtein (Title IX Coordinator & Director Equity & Compliance) at [titleix@adelphi.edu](mailto:titleix@adelphi.edu) or 516.877.4819
- Jane Fisher (Director of Employment, Employee, and Labor Relations) at [fisher2@adelphi.edu](mailto:fisher2@adelphi.edu) or 516.877.3222
- You may also report online to: [adelphi.edu/hr/title-ix/report](https://adelphi.edu/hr/title-ix/report)\*

\*You may choose to file this complaint form anonymously. This form will be received and reviewed by the Director of Talent Management and Labor Relations and/or the Title IX Coordinator, Director of Equity and Compliance. The University will comply with all federal, state and local mandates regarding the reporting of crimes to appropriate authorities.

##### General Comments or Inquiries:

- Department of Public Safety at 516.877.3507 and 516.877.3511; Levermore Hall, 1st Floor, Suite 113
- Leah Saxtein (Title IX Coordinator & Director Equity & Compliance) at [titleix@adelphi.edu](mailto:titleix@adelphi.edu) or 516.877.4819

In addition, you may contact any member of the Anti-Harassment, Discrimination (including Sexual Misconduct), and Retaliation Panel ("Anti-Discrimination Panel")

*Confidentiality will be maintained to the extent required by law and to the extent possible given the University's obligations under law and under this Policy. At the beginning of the process, the University will inform the complainant about confidentiality standards and privacy concerns, as well as confidential and other resources available.*

#### Step 2: Case Created, Assigned, and Supportive Measures Implemented (if necessary)

Dependent on who you report the incident to, a case can be created by Title IX or Student Conduct. If you report to Public Safety, Public Safety will refer the incident to the appropriate party if you wish for disciplinary action.

If you report or are referred to Title IX, a case is created by Title IX Staff or Conduct Staff (Dependent on who is the first point of contact). After the case is created, the Title IX coordinator does an initial inquiry to determine the need for supportive measures and proper assignment of the case. In addition to interim measures, Title IX will advise Public Safety in determining the need for a Timely Warning. Then the case is assigned for Title IX investigation or screened out as not Title IX and reassigned to Conduct or elsewhere.

If you report or are referred to Student Conduct, a case worker or conduct staff creates an incident and it is assigned to a caseworker. The caseworker will determine and identify if there is a complainant. If there is a complainant, the caseworker will meet with the complaining party first. If there is no complaining party, the caseworker determines the need to pursue without a complainant.

##### Advisor of Choice / Faculty Advocate

An Advisor of Choice or Faculty Advocate [Faculty Advocate is only available to students and is appointed by a provost] may be a member from within or outside the University community and may include, among other people, a family member or an attorney. Advisors and Faculty Advocates cannot actively participate or speak on behalf of the complainant or respondent. If any advisor's/advocate's conduct is not consistent with these guidelines, he or she may be excluded from the process. **Advisors and Faculty Advocates are meant as moral support and guidance during the investigation and process/action.**

##### Right to an Attorney

**No University employee, student, or third party may be accompanied by an attorney** unless: (a) complainant or respondent are referred to the University Hearing Board pursuant to the Code of Conduct, or; (b) Criminal charges arising from the same incident have been filed, or (c) The case involves allegations of sexual misconduct, dating violence, domestic violence and/or stalking. In such cases, the role of the attorney or advisor of choice will be limited to private consultation with the complainant or respondent and the advisor of choice or attorney may not actively participate in the proceedings or meetings in any way.

#### Step 3: Investigation

An information gathering investigation is conducted, including interviewing witnesses, and review of evidence\* to determine which type of disciplinary proceeding is most appropriate for the case and if resolution without a hearing board is possible. The determination is made based on the outlined criteria below and varies based on the circumstances of the allegation.

The University will conduct an investigation and make all efforts to provide a resolution of the investigation ideally within sixty (60) to ninety (90) days from the time the University receives notice. However, the resolution of a complaint may vary depending on the complexity of the investigation and/or extent of the alleged harassment or discrimination. The sixty (60) to ninety (90) day time period does not include the time period for the appeal process.

\*The standard of evidence used throughout the University disciplinary proceedings (student or employee) is the preponderance of the evidence. The preponderance of the evidence means such evidence (testimonials; documents (emails/screenshots/etc.); photos; physical evidence; etc) that, when considered and compared with that opposed to it, is more convincing, creating the belief that what is sought to be shown is more likely than not to have occurred.

### Step 4: Disciplinary Proceeding/Action and Appeal Process

#### Student Disciplinary Proceedings

The following Disciplinary Proceedings apply only to Student Complaints against a Student Respondent Incidents.

##### Informal Resolutions:

- Investigator/caseworker meets with complainant, respondent, and witnesses
- Referrals are made
- An outcome letter, which includes document agreements, discussion, referrals, etc., is distributed to relevant parties
- Referrals for Disciplinary Action or follow ups are made
- Case Completed

##### Disciplinary Conference:

- Meetings with complainant, respondent, and witnesses
- Investigator will investigate the incident further and make determination and document the outcome
- Conduct Staff will send out an outcome letter, with implemented sanctions (if applicable) to relevant parties
- The investigator/caseworker will track sanctions, if applicable, or follow-up with referrals made. The incident is resolved and is pending sanctions
- Case completed

##### Disciplinary Hearing (Hearing Board):

- Notice of Complaint provided by complainant
- Answer to Complaint provided by respondent
- Hearing Scheduled
- Hearing Board makes determination and documents outcome
- Hearing board writes Outcome Letter which is delivered by a Conduct Officer to relevant parties
- There is an opportunity to appeal the outcome. If the appeal is valid, a new hearing is scheduled with the review board
- The Conduct Officer will track sanctions, if applicable, or follow-up with referrals made. The incident is resolved and is pending sanctions
- Case Completed

#### Employee Disciplinary Action

Employees do not go through a Disciplinary Proceeding. Any employee who, after appropriate investigation, has been found to have violated a policy ("Responsible"), will be subject to disciplinary action through the following methods:

##### Complaints Against Employee

Recommendations for disciplinary action against employees accused of violations of a policy will be forwarded to a designee in Human Resources, who will initiate disciplinary proceedings in accordance with the University Policies. The Proceedings are in the form of a meeting with Human Resources. After completion of the proceedings, the Human Resources designee will issue an outcome letter to the complainant and respondent with a copy to the Title IX Coordinator for their files.

##### Complaints against Union Employee

Recommendations for disciplinary action against employees accused of violations of a policy will be forwarded to a designee Human Resources, who will initiate disciplinary proceedings in accordance with the Collective Bargaining Agreement between the University and Union. The proceedings are in the form of a meeting with Human Resources. After completion of the proceedings, the Human Resources designee will issue an outcome letter to the complainant and respondent with a copy to the Title IX Coordinator for their files.

##### Complaints against Faculty Employee

Recommendations for disciplinary action against faculty members accused of violations of a policy will be forwarded to the Provost, who will initiate disciplinary proceedings in accordance with Article XIX of the Collective Bargaining Agreement between the University and the American Association of University Professors (AAUP). The Proceeding is in the form of a Meeting with the Provost and Human Resources. After completion of the proceedings, the Provost will issue an outcome letter to the faculty member with a copy to the Complainant, Title IX Coordinator, and a designee of Human Resources for their files.

**Note: If an employee is found to not be responsible for violation of a policy, no disciplinary action will be given but the Provost or Human Resources designee will issue an outcome letter to the complainant and respondent with a copy to the Title IX Coordinator for their files.**

#### Appeal Process (If Requested)

##### Grounds for an Appeal

1. A procedural error has occurred that significantly impacted the outcome (e.g. substantiated bias, material deviation from established procedures, etc.). This error must be described in the letter requesting an appeal. Minor or harmless deviations from the process will not invalidate the proceedings;
2. The discovery of significant and relevant new information that was unavailable during the original process, which has become available and could impact the outcome. A summary of this new evidence, why it was previously unavailable and its potential impact must be included in the request for an appeal;
3. The sanction imposed is clearly not appropriate for the violation.

##### How to Make an Appeal

**Step 1** - File for an appeal within (3) business days after the receipt of the original outcome. Appeals can be made to the Human Resources Designee or Student Conduct Designee. (Note: if no appeal is made, the results are made final the parties will be simultaneously informed.



**Step 2-** Once a request for an appeal is received, a decision will be rendered on eligibility for appeal usually within ten (10) business days. If grounds are not met, the request for an appeal will be denied with no further appeal through this Policy and the parties will be simultaneously so informed. If appropriate grounds are present, these will be presented to an appellate body (Appeal Panel) composed of three members of the Anti-Discrimination Panel, or will be returned to the investigator(s) for reconsideration.

**Step 3-** An Appeal Panel will make changes to the finding only where there is clear procedural error and changes to the sanction(s) only if there is a compelling justification to do so. An appeal proceeding will include all parties to the complaint and all related documents. The Appeal Panel will be solely responsible for determining who should participate, what information is needed, and how proceedings will be structured.

**Step 4-**The appeal panel may find that: (a) The appeal does not have sufficient merit as to the grounds listed above. In this case, the finding stands, as does the sanction; (b) The process in the original hearing/conference/meeting contained improprieties that substantially affected the outcome of the case. In this case, the matter will normally be returned to the original hearing/investigative body or person to reopen the hearing/conference/meeting with instructions for further proceedings. In unusual cases, the appeal board may require a new hearing/conference/meeting; (c) There is relevant new information that was not available at the time of the original hearing/conference/meeting. In this case, the matter will normally be returned to the original hearing/investigative body or person for consideration; (d) The sanction is clearly inappropriate. In this case, it may, at its discretion, refer the matter back to the original hearing/investigative body or person, or modify the sanction.

**Step 5-** The final outcome of the appeal will be communicated simultaneously to the parties usually within five (5) business days following deliberations.

For more specific information for Students see the [Code of Conduct](#) page 24-25; and for Employees see the [Anti-Discrimination-Harassment-\(Including-Sexual-Misconduct/Title-IX\)-and-Retaliation Policy](#) page 60-61.

### **Step 5: Resolution**

Both the complainant and the respondent have the right to call witnesses, present evidence, receive simultaneous written notice of the outcome of the proceeding, the right to appeal the decision, receive simultaneous written notice of any change to the result, and receive simultaneous written notice when the results become final.

#### **Possible Sanctions to be imposed:**

- Warning
- Censure
- Educational Sanction-Guidebook Sanction
- Education Sanction- Other
- Referral for substance abuse assessment, counseling &/or treatment
- Substance Abuse Education Referral
- BASICS 1 for Alcohol
- BASICS 2 for Alcohol
- BASICS 3 for Alcohol
- BASICS 1 for Cannabis
- BASICS 2 for Cannabis
- BASICS 3 for Cannabis
- Rehabilitation/Counseling
- Disciplinary Probation
- Residence Probation
- Restitution
- Fines
- Community Service
- Termination of Employment
- Suspension without Pay
- Suspension with Pay
- Reduction in Rank
- Reduction in Compensation
- Removal of Privileges/Restriction from Facilities and Activities
- Clubs/Organization Revocation
- Referral to police/fire authorities for prosecution
- Referral to Governmental Agencies
- Suspension
- Expulsion
- Residence Suspension
- Interim Suspension
- Persona-Non-Grata (PNG)
- Permanent Removal from Housing
- Permanent Restriction from building(s)
- Temporary Restriction from building(s)
- Interim Restriction from Residence Halls
- Interim Restriction from Other Campus Buildings
- Interim No Contact Order

For more information, please see the [Annual Security and Fire Safety Report](#)





## Student Bill of Rights: What You Are Entitled To

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### For sexual assault, dating violence, domestic violence and stalking.

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Complainants of the above offenses are entitled to:

1. The right to make a report to the local law enforcement and/or the state police;
2. The right to have disclosures of sexual assault, dating violence, domestic violence and stalking treated seriously;
3. The right to make a decision about whether or not to disclose a crime or violation and participate in the University disciplinary process and/or criminal justice process free from pressure from the University;
4. The right to participate in a process that is fair, impartial and provides adequate notice and meaningful opportunity to be heard;
5. The right to be treated with dignity and to receive from the University courteous, fair and respectful health care and counseling services where available;
6. The right to be free from any suggestion that the reporting individual is at fault when these crimes and violations were committed, or should have acted in a different manner to avoid such crimes or violations;
7. The right to describe the incident to as few University representatives as practicable and not be required to unnecessarily repeat a description of the incident;
8. The right to be protected from retaliation by the University, any student, the accused and/or the respondent, and/or their friends, family and acquaintances within the jurisdiction of the University;
9. The right to at least one level of appeal of a determination;
10. The right to be accompanied by an advisor of choice who may assist and advise a reporting individual, accused or respondent throughout the University disciplinary proceedings including all meetings and hearings related to such proceedings;
11. The right to exercise civil rights and the practice of religion without interference by the investigative, criminal justice or disciplinary proceedings of the University.

## For Reporting Individuals and Complainants

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### For sexual assault, dating violence, domestic violence and stalking.

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1. A reporting individual or complainant's identity shall remain private at all times if the reporting individual or complainant wishes to maintain privacy.
2. If the accused is an employee of the University, the complainant has the right to disclose the incident to Human Resources and the right to request a confidential or private employee to assist in the reporting.
3. The right to receive assistance from an appropriate University representative on how to initiate legal proceedings in family or civil court.
4. The right to withdraw a complaint or involvement from the University process at any time. The University may still have obligations pursuant to state and federal law to investigate the incident and take action. The complainant may participate in the process to whatever degree they wish.
5. All parties have the right to be provided with information about available resources, including intervention, mental health counseling and medical services, including costs. The University will also provide information on sexually transmitted infections, sexual assault forensic examinations and resources available through New York State Office of Victim Services.
6. To have the University issue a "No-Contact Order" in cases where the accused is a student, consistent with the procedures outlined in the Code of Conduct which also provides for prompt review.
7. To be assisted by Public Safety in obtaining an Order of Protection or an equivalent protective or restraining order.
8. To receive a copy of the Order of Protection or equivalent when received by the University and be provided with the opportunity to speak with a Public Safety Officer to answer questions and explain the provisions of the order.
9. To receive assistance from Public Safety in effecting an arrest when an Order of Protection is violated.
10. When the accused is not a student, but is a member of the University Community and presents a continuing threat to the health and safety of the community, to subject the accused to interim measures in accordance with applicable collective bargaining agreements and the policies of the University.
11. To receive reasonable interim accommodations (also referred to in this policy as supportive measures) regarding academics, housing, employment, transportation or other applicable arrangements to help ensure safety, prevent retaliation and a hostile environment, consistent with the University's policies. Both parties and the reporting individual shall, upon request, be afforded a prompt review, reasonable under the circumstances, of the need for and terms of any such interim measure and accommodation that directly affects them, and shall be allowed to submit evidence in support of their request.
12. To request student conduct charges be filed against an accused student governed by this Policy in conjunction with the Code of Conduct, which include, among other things, the right to receive written notice of the charges, date, time, location and factual allegations concerning the violation, dates of meetings, the final determination, possible sanctions, to review the record and evidence in the case file, or otherwise in the possession or control of the University, and relevant to the conduct case, present witnesses and evidence and be accompanied by an advisor of choice to all meetings and the presumption that the respondent is not responsible until proven otherwise.

13. To receive a prompt response to the complaint and have it investigated and adjudicated by impartial individuals who do not have a conflict of interest and who have been trained annually in conducting investigations involving sexual assault, dating violence, domestic violence and stalking, the effects of trauma, the need for impartiality, the rights of the accused and the presumption of “not responsible”.
14. Both parties have the right to exclude their own prior sexual history with persons other than the other party to the proceedings or their own mental health diagnosis and/or treatment from admittance into the disciplinary stages that determines responsibility. Past findings of dating violence, domestic violence, stalking or sexual assault may be admissible in the sanction stage.
15. Both parties have the right to choose whether to disclose or discuss the outcome of the University proceeding and have information obtained during the proceedings protected from public release until the appeals panel makes final determination, unless required by law.
16. For crimes of violence, including, but not limited to sexual violence, defined as crimes that meet the reporting requirements pursuant to the federal Clery Act established in 20 U.S.C. 1092(f)(1)(F)(i)(I)-(VIII), the University will make a notation on the transcript of students found responsible after a conduct process that they were “suspended after a finding of responsibility for a code of conduct violation” or “expelled after a finding of responsibility for a code of conduct violation.” For a respondent who withdraws from the University while such conduct charges are pending, and declines to complete the disciplinary process, it will make a notation on the transcript of such students that they “withdrew with conduct charges pending.” A student has the right to appeal such transcript notation to request its removal in the event of a suspension, provided that such notation shall not be removed prior to one year after conclusion of the suspension. Notations for expulsion shall not be removed. If a finding of responsibility is vacated for any reason, any such transcript notation shall be removed.
17. Adelphi University has a Memorandum of Understanding with the Sexual Assault Nurse Examiner Program at Northwell Health (formerly North Shore Hospital) to provide forensic examinations in appropriate sexual assault cases.
18. The University will conduct an anonymous Campus Climate Survey every other year to ascertain general awareness and knowledge of issues pertaining to sexual assault, dating violence, domestic violence and stalking, which will be developed using standard and commonly recognized research methods. The results of this survey will be published on the University website provided that no personally identifiable information or information which can reasonably lead a reader to identify an individual shall be shared. The University will take steps to ensure that answers to climate surveys remain anonymous and that no individual is identified. Information discovered or produced as a result of the climate survey will not be subject to discovery or admitted into evidence in any federal or state court proceeding or considered for other purposes in any action for damages brought by a private party against the University, unless, in the discretion of the court, any such information is deemed to be material to the underlying claim or defense.
19. Adelphi will make reports of certain crimes occurring in specific geographic locations that shall be included in Adelphi’s annual security report pursuant to the Clery Act, 20 U.S.C. 1092(f), in an anonymized manner that identifies neither the specifics of the crime nor the identity of the reporting individual. Adelphi is obligated to issue timely warnings of crimes enumerated in the Clery Act occurring within relevant geography that represent a serious or continuing threat to students and employees, except in those circumstances where issuing such a warning may compromise current law enforcement efforts or when the warning itself could potentially identify the reporting individual. A reporting individual shall not be identified in a timely warning. FERPA allows Adelphi to share information with parents when i. there is a health or safety emergency, or ii. when the student is a dependent on either parent's prior year federal income tax return. Generally, Adelphi shall not share information about a report of domestic violence, dating violence, stalking, or sexual assault with parents without the permission of the reporting individual.
20. Information regarding confidential and other available resources are addressed herein and posted on the University website under “Title IX and Sexual Respect.”
21. If an individual discloses information at a public awareness event the University is not obligated to initiate an investigation but may use the information to inform education and prevention efforts.



**Working together as a community, we will continue to ensure a safe environment for everyone at Adelphi University.**

