The College will assist reporting individuals initiate legal proceedings in family court or civil court, including, but not limited to, obtaining an Order of Protection against the accused student or individual, or, if outside New York State, an equivalent protective or restraining order.

The College will provide the opportunity to meet with or speak to the reporting individual and the accused to explain the Order of Protection and answer questions, including that it is the responsibility of the accused to stay away from the protected person(s) and that the burden does not rest with the protected person, and will explain the consequences of violating an order, including, but not limited to arrest, additional conduct charges, and interim suspension. University Police will assist the protected person by effecting an arrest when the accused violated an Order of Protection, or, if outside New York State or the University Police jurisdiction, will call on and assist local law enforcement in effecting an arrest for violation of an order.

University Police has a confidential Crime Tip online reporting form which can be accessed at: www.brockport.edu/support/university_police/confidential_form.html

3. **File Complaint with the Student Conduct System or Title IX and College Compliance Officer:** Students may file a complaint of gender-based and/or sexual misconduct directly with the student conduct coordinator or the Title IX & college compliance officer. Complaints will be investigated in accordance with College policy.

**Student Conduct Coordinator Contact Information:**
Location: Residential Life/Learning Communities and Student Conduct, Thompson Hall, West Wing
Phone Number: 585-395-2122 or 585-395-2108
Email: studentconduct@brockport.edu
Webpage: www.brockport.edu/studentconduct/ to file a complaint on the confidential online reporting form.

**Title IX and College Compliance Officer Contact Information:**
Denine K. Carr, JD
Division of Enrollment Management and Student Affairs
Location: 511 Allen Administration Building
Phone Number: (585) 395-5066
Email: titleix@brockport.edu
Webpage: www.brockport.edu/titleix

The Title IX & college compliance officer is responsible for monitoring and oversight of implementation of Title IX & VAWA Compliance at the College, including coordination of training, education, communications, and administration of complaint procedures for faculty, staff, students, visitors and other members of the College community.

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

**PART F: CATEGORY II: PROCEDURES FOR GENDER-BASED AND SEXUAL MISCONDUCT CODE OF STUDENT CONDUCT VIOLATIONS**

**A. Conduct Procedures**
1. **The Complaint.** A complaint of gender-based and/or sexual misconduct can be filed with the Student Conduct System, University Police, appropriate law enforcement agency or the Title IX & college compliance officer. The College Official may request the reporting individual provide the complaint in writing.

2. **Initial Meeting with Reporting individual.** The College Official will schedule an individual meeting with the reporting individual in order to: 1) identify immediate support services and accommodations available
to the reporting individual; and 2) inform the reporting individual of the process for addressing the
gender-based and/or sexual misconduct complaint.

a. Immediate services may include, but are not limited to, medical and counseling services by
referral to student health and counseling and local hospital (referenced above); RESTORE (rape
crisis services); academic support; referral to University Police; and offering safe rides. Students
can call (585) 395-SAFE (7233) or pick up any blue-light phone and a University Police Officer or
members of the student patrol will respond quickly to escort students to their cars or residence
halls, any time.

b. This meeting may also involve a discussion of any accommodations that may be appropriate
concerning the reporting individual's overall health and safety including academic, housing,
and/or employment.

3. Policy for Alcohol and/or Drug Use Amnesty in Sexual Violence Cases. The student conduct officer will
inform the reporting individual of the Policy for Alcohol and/or Drug Use Amnesty in Sexual Violence
Cases, as follows. The health and safety of every student at the College at Brockport is of utmost
importance. The College recognizes that students who have been drinking and/or using drugs (whether
such use is voluntary or involuntary) at the time that violence, including but not limited to, domestic
violence, dating violence, stalking, or sexual assault, occurs may be hesitant to report such incidents due
to fear of potential consequences for their own conduct. The College strongly encourages students to
report incidents of domestic violence, dating violence, stalking, or sexual assault to College officials. A
bystander acting in good faith, or a reporting individual acting in good faith, who discloses any incident of
domestic violence, dating violence, stalking, or sexual assault to College officials or law enforcement will
not be subject to the College's code of conduct for violations of alcohol and/or drug use policies occurring
at or near the time of the commission of the domestic violence, dating violence, stalking, or sexual
assault.

4. Resolution Options of Complaint. The conduct official will review and explain the gender-based and
sexual misconduct resolution procedures which include: 1) Informal resolution through the Student
Conduct System; and 2) Formal resolution which includes an administrative resolution or board hearing
resolution through the Student Conduct System [Note: Mediation or Informal Resolution will not be used
to resolve complaints of non-consensual sexual intercourse.]

a. The student conduct officer will seek input from the reporting individual on resolution of the
complaint and will complete the Reporting individual/Victim Acknowledgment Form.

5. Accused Student. The student conduct officer will schedule an individual meeting with the accused
student in order to review the student conduct procedures, review the accused student’s rights, and
identify immediate interventions or support that may be needed. Any threat of retaliation, by the accused
student or third parties including, friends, witnesses, family members, or associates towards the reporting
individual or third parties including, friends, witnesses, family members, or associates, will not be
tolerated, and may subject the accused student and his/her associates to being charged with retaliation.

6. Interim Measures. In all cases of alleged gender-based and sexual misconduct, the College will undertake
an appropriate inquiry and take prompt and effective action to support and protect the reporting
individual, including taking appropriate interim steps before the final outcome of the investigation and
hearing.

a. The student conduct official may impose a “no-contact” order, consistent with College policy,
which generally includes a directive that the parties refrain from having contact with one
another, directly or through proxies, whether in person or via electronic means, pending the
investigation and outcome of case. If the accused and protected individual observe each other in
a public place, it is the responsibility of the accused to leave the area immediately and without
directly contacting the protected individual. If the accused is a non-student, s/he may be issued a
letter, restricting him/her from campus. The College will promptly review existing no contact
orders at the request of either the reporting individual or the accused, including requests to
modify the terms of or discontinue the order. The reporting individual and/or the accused may
submit evidence in support of their request. If the College finds it appropriate, it may make a
schedule for both the reporting individual and the accused to use the same facilities, while maintaining the terms of the no contact order.

b. The Title IX & college compliance officer or designee may take further protective action that s/he deems appropriate, to separate the reporting individual and the accused student, to minimize the burden on the reporting individual. Violation(s) of the college official’s directives and/or protective actions may lead to additional disciplinary action for the accused student. The College will promptly review existing interim measures and accommodations, including interim suspensions, and requests to modify the terms or discontinue the measures, at the request of the person affected by it. The reporting individual and/or the accused may submit evidence supporting their request for a prompt review of the need for and terms of an interim suspension.

c. When the accused is not a member of the college community and presents a continuing threat to the health and safety of the community, the College will subject the accused to interim measures in accordance with the applicable collective bargaining agreements, employee handbooks, and College policies and rules. University Police or other College officials will provide assistance to the reporting individual in obtaining a persona non grata letter, subject to legal requirements and College policy.

d. The conduct official will inform the reporting individual to report any and all forms of retaliation from the accused student(s) and/or his or her associates to the student conduct office. The conduct officer will follow-up with reporting individual(s) to determine whether any retaliation or new violations of the Code of Student Conduct have occurred.

B. Gender-Based and Sexual Misconduct Resolution

1. Informal Resolution. The student conduct officer will seek input from the reporting individual on the resolution of the complaint. The “Informal resolution,” although less formal than formal resolution, is not mediation. Informal Resolution will not be an option for complaints of nonconsensual sexual intercourse.

   a. Purpose of Informal Resolution. Informal resolution provides an opportunity for the reporting individual to confront the accused student, in the presence of, and facilitated by, a presiding student conduct officer, and the ability to communicate his/her feelings and perceptions regarding the incident, the impact of the incident, and his/wishes and expectations regarding protection in the future. The accused student will have an opportunity to respond.

   b. Advisors for Reporting Individual and Accused. Both the reporting individual and the accused student may have advisors of their choice present to support and assist them during the informal resolution process. The student conduct officer will offer to each student an advisor who has been formally trained by the College, or the reporting individual and accused student may select an advisor of their choice.

   c. Outcome of Informal Resolution. This process will not result in a formal disciplinary sanction but may result in the imposition by the Student Conduct System of protective actions agreed upon by the parties, or (with or without such agreement) based upon information derived from the proceedings, along with any other relevant information known to the College at the time of the Informal resolution.

   d. Election of Formal Resolution. The College or the reporting individual may, at any time prior to the conclusion of the Informal Resolution, elect to end such proceedings and initiate a formal resolution instead.

2. Formal Resolution. The student conduct officer, with input from the reporting individual, may elect an administrative resolution, as described in section 2a. below, or elect a Conduct Board Hearing Resolution, as described in section 2b below.

2a. Administrative Resolution:

   a. Administrative Resolution. This will consist of a student conduct officer or designee adjudicating the student conduct case. The student conduct officer reviews the complaint for information that may indicate a violation of the Code. The student conduct officer reviews the student’s rights with both the
reporting individual and accused student separately, and provides an overview of the conduct process for an administrative resolution.

b. **Notice of Charges.** The student conduct officer reviews the complaint with the accused student and provides him/her the opportunity to respond to the complaint. The accused student is given a notice of the alleged gender-based and/or sexual misconduct charge(s) and is informed of possible disciplinary actions that may be imposed.

c. **Investigation.** A preliminary investigation of the complaint may precede a full investigation. The student conduct officer, in consultation with the Title IX & college compliance officer or designee, will review the preliminary investigation findings to determine if a full investigation of the complaint should be pursued. If a full investigation is pursued, the student conduct officer assigned to the case will complete an investigation of the complaint, which will be conducted in a manner that recognizes the legal and policy requirements of due process, including fairness, impartiality, and a meaningful opportunity to be heard. Within 24 hours of receiving notice of the student conduct officer who is assigned to investigate the case, either the reporting individual or the accused student may, in writing, raise bias or conflict of interest regarding the assigned student conduct officer, stating the specific reasons(s) for the party’s concern. The Title IX & compliance officer will determine whether the challenge has merit, and may change assign a different investigator, if appropriate. If the Title IX & compliance officer is the subject of a student’s concern, then the vice president for enrollment management and student affairs will make the determination.

The student conduct officer will request a list of witnesses from both the reporting individual and the accused student. The student conduct officer may elect to have a two-member investigation team complete the investigation. A typical investigation will be completed within sixty (60) days.

- The student conduct officer will prepare a written report of the findings, which will be distributed simultaneously to both of the parties and to the Title IX & college compliance officer, and the parties will have the opportunity to respond to the report. If a hearing is held, the board members will also be provided a copy of the investigation report.

d. **Granting/Denying a Hearing.** The Title IX & college compliance officer or designee, in consultation with the student conduct officer, will determine whether a hearing should be granted after reviewing the facts from the investigation by determining if the alleged conduct constitutes a violation of the Gender-Based and/or Sexual Misconduct Policies.

- When the Title IX & college compliance officer or designee determines that a hearing should be granted, notice of that determination will be delivered, simultaneously, to both parties. The student conduct officer may specify which charges of Gender-Based and/or Sexual Misconduct Prohibited Behavior(s) will go forward to a hearing.

- A reporting individual whose request for a hearing is denied may appeal that decision to the vice president for enrollment management and student affairs or designee, whose decision will be final.

e. **Notice of Violation and Disciplinary Action.** Based upon careful review of the investigative findings and all information brought forward in the conduct case, the student conduct officer determines whether a violation of the Code occurred, using a preponderance of the evidence standard. If a determination is made that the accused student is responsible for violating any of the charges, the student conduct officer determines what disciplinary action may be imposed. Written or electronic notice is provided to the accused student and reporting individual simultaneously and will state whether the accused student is responsible for having violated the charge(s) and what discipline will be imposed, if applicable, as well as the rationale for the decision and any sanctions.

### 2b. Conduct Board Hearing Resolution:

a. **Conduct Board.** The Board is a formal group composed of trained faculty and staff appointed by the vice president for enrollment management and student affairs or designee, who also appoints the Board Chair. For Category II violations, gender-based and sexual misconduct cases, students will only serve on the conduct board if deemed appropriate by the Board Chair. The Board Chair will confirm
that all Board members have received the required annual training. The Board Chair will select the board members, and serve as the presiding chair or appoint the presiding chair.

b. **Notice of Complaint.** The student conduct officer assigned to the case reviews the complaint with the accused student and reporting individual separately and provides the accused student the opportunity to respond to the complaint.

c. **Investigation.** A preliminary investigation of the complaint may precede a full investigation. The student conduct officer, in consultation with the Title IX & college compliance officer or designee, will review the preliminary investigation findings to determine if a full investigation of the complaint should be pursued, and if a determination is made to pursue a full investigation, then the student conduct officer will request a list of witnesses from both the reporting individual and the accused student. The reporting individual and the accused have the right to offer evidence during the investigation. The student conduct officer may elect to have a two-member investigation team complete the investigation. An investigation will typically be completed within sixty (60) days. The student conduct officer will prepare and distribute a written report of the findings which will include the factual allegations concerning the violation(s), simultaneously to the reporting individual, the accused, and to the Title IX & college compliance officer or designee. If a hearing is held, the board members will also be provided a copy of the investigation report.

d. **Notice of Potential Conflict.** Within 24 hours of receiving notice of the identity of student conduct officer, and/or co-investigator, or Board hearing members assigned to investigate the case, either the reporting individual or the accused student may raise, in writing, bias or conflict of interest regarding the assigned person(s), stating the specific reasons(s) for the student’s concern. The Title IX & compliance officer, designee or Board Chair will determine whether the challenge has merit, and may assign a different investigator and/or Board member, if appropriate. If the Title IX & compliance officer, designee or Board Chair is the subject of a student’s concern, then the vice president for enrollment management and student affairs will make the determination.

e. **Granting/Denying a Hearing.** The Title IX & college compliance officer or designee, in consultation with the student conduct officer, will determine whether a hearing should be granted, after reviewing the facts from the investigation by determining if the alleged conduct constituted a violation of the Gender-Based and/or Sexual Misconduct Policies. A reporting individual whose request for a hearing is denied may appeal that decision to the vice president for enrollment management and student affairs or designee, whose decision will be final.

f. **Notice of Hearing.** When a hearing is granted, the Board Chair will commence the formal conduct process by providing advance written or electronic notice simultaneously to the reporting individual and the accused (the "Notice of Hearing"), which specifies: (1) the alleged violation(s) and a reference to the specific code of conduct; (2) possible sanctions; (3) the date, time, and place of the pre-hearing meeting at which preliminary matters will be discussed; (4) the date, time, and place of the hearing, subject to change; and (5) the names of the Board members selected.

g. **Delivery of Notice of Hearing.** The Notice of Hearing will be delivered, at the Board Chair’s discretion, by email or in person, and will be considered effective immediately upon receipt. The hearing will take place promptly, following delivery of the Notice of Hearing, and the parties are expected to cooperate in the scheduling of the hearing. If either the reporting individual or the accused fails to appear at the scheduled hearing, the Board Chair may postpone the proceedings or direct that the Board proceed and determine the complaint on the basis of the evidence presented, provided the absent individual was duly notified of the scheduled hearing date, as outlined above.

h. **Advisors for Reporting Individual and Accused.** Both the reporting individual and the accused student may be accompanied by advisors of their choice, who may assist and advise them throughout the conduct process and any related hearings or meetings. Participation of the advisor in any proceeding is governed by federal law and the Student Code of Conduct.
   - The Board Chair will offer each student an advisor who has been formally trained on Gender-Based and Sexual Misconduct Policies, or the reporting individual and accused student may select an advisor of their choice.
Outside legal counsel may privately consult with and advise the student through the conduct process, but may not examine witnesses or otherwise directly participate in any conduct procedures on behalf of either student.

An advisor may not direct questions to the Board or witnesses at the hearing, but may suggest questions in writing to the Board Chair and may consult with the student that s/he is assisting.

The Board Chair will not allow an advisor’s presence to inhibit the conduct board hearing.

3. **Hearing Procedures: Board Pre-Hearing**
   a. **Submissions.** The Board Chair will provide the reporting individual and the accused with a copy of the list of witnesses, and identification of or copies of documents or other information submitted by the other party. In the absence of good cause, as determined by the Board Chair, the parties may not introduce witnesses, documents, or other evidence at the hearing that were not provided to the Chair by the designated deadline. The Board Chair has the discretion to determine relevancy of the witnesses and determine the need for attendance of witnesses at the hearing. The parties are also responsible for the attendance of their witnesses at the hearing.

   If, at any time prior to the hearing, after reviewing the student conduct officer’s investigation report and the reporting individual’s list of witnesses and other evidence, the accused student elects to acknowledge his or her actions and take responsibility for the alleged gender-based and/or sexual misconduct, he or she may request that the Board Chair propose a resolution to the charges and a sanction and, with the consent of the reporting individual, resolve the complaint without a hearing.

   b. **Pre-Hearing Meeting and Determination of Charges and Witnesses.** The Chair will schedule a pre-hearing meeting prior to the hearing date. At the meeting, the Chair will review hearing procedures with the parties. The Chair will also review the charges of alleged gender-based and/or sexual misconduct (and related misconduct, if applicable), and review the proposed witness list to assist in eliminating redundant testimony. The College reserves the right, through the Board Chair to: (a) add to or modify the charges specified by the student conduct officer or designee, (b) add witnesses to the witness lists at the pre-hearing meeting and/or at the hearing.

   c. **Pre-Hearing Discussion.** Once a Board member has been assigned to the case, s/he may not discuss the merits of the complaint with anyone 1) not involved in the proceedings; 2) with the reporting individual or the accused; or 3) with anyone acting on the behalf of the parties. The Chair will provide Board members with a copy of the Notice of Hearing, the student conduct officer’s investigation report, and the list of witnesses submitted by the parties, with an instruction to avoid private discussion of the merits of the complaint.

   d. **Board’s Counsel.** The Board Chair may seek advice from the State University of New York, Office of the General Counsel throughout the hearing process.

   e. **Privacy of the Conduct Process.** In order to comply with FERPA and to provide an orderly process for the presentation and consideration of relevant information without undue intimidation or pressure, the hearing process is not open to the general public.

4. **Conduct of the Hearing.** The hearing will not follow a courtroom model, and formal rules of evidence will not be observed.

   a. The Board Chair will determine the order of the witnesses and resolve any questions of procedure arising during the hearing. The reporting individual and the accused are responsible for ensuring that their proposed witnesses are present. The Board will review in advance of the hearing all the written materials provided to them by the Chair. Only the Board Chair and Board members may question the individual parties and any witnesses.

   - The reporting individual and the accused or their advisors may ask the Chair to pose additional questions, in writing, or inquire further into specific matters by submitting their requests in writing. (If necessary, a brief recess may be granted to allow both parties an opportunity to
prepare and submit such requests.) The Chair is empowered to disallow any questions that are irrelevant or redundant. After all witnesses have been questioned, each party may make a closing statement or impact statement and request a short recess to prepare it.

- If the Board determines that unresolved issues exist that would be clarified by the presentation of additional evidence, the Chair may recess the hearing and reconvene it in a timely manner to receive such information. (A recess may not be based on the failure of witnesses to appear without good cause or on the proposed introduction of documents or other evidence that should have been presented at the pre-hearing meeting).

b. **Statement or Participation.** Neither the accused student nor the reporting individual is required to provide a statement; the exercise of that option will not preclude the Board from proceeding and determining the complaint on the basis of the information presented.

- If the accused student fails to appear at the hearing, after being duly notified of its place and time, the Board Chair may postpone the proceedings or direct that the Board proceed.
- If the reporting individual decides not to participate, the hearing may proceed at the Board Chair’s discretion, with the Board relying upon the information presented during the hearing to make a determination.

c. **Alternate Statement Options.** The College will provide the reporting individual the option to provide a statement outside the physical presence of the accused student during the hearing in appropriate circumstances. The availability of providing a statement through the use of a room partition or technology, such as Skype and telephone/videoconferencing, will be at the sole discretion of the Board Chair.

d. **Recording.** The Board Chair will arrange for the hearing to be recorded and may arrange for the preparation of any transcript of the recording that s/he deems appropriate or which a party requests. Such recording will be arranged through the Office of the Vice President for Enrollment Management and Student Affairs or designated office. Individuals requesting a copy of the hearing transcript may be charged a reasonable fee.

e. **Evidentiary Standard.** The Department of Education’s Office of Civil Rights has interpreted Title IX legislation to require schools to evaluate evidence of alleged gender-based and/or sexual misconduct under a “preponderance of the evidence” standard, and that is the standard adopted by this Policy. A preponderance of the evidence means that the conduct in question “more likely than not” occurred. In the context of a hearing, the accused student will be found responsible for the alleged misconduct if the Board concludes that such misconduct more likely than not occurred, based upon careful review of all information presented.

f. **Sanction.** In determining an appropriate sanction for the accused, the Board may consider any record of past violations of the **Code of Student Conduct,** as well as the nature and severity of such past violation(s). The Board will consider as part of its deliberations, whether the accused student poses a continuing risk to the reporting individual and/or the College community. The Board may consult with the Title IX & college compliance officer or designee concerning the disciplinary action(s). The Board will make the sanction decision by majority vote. Per SUNY Uniform Policy on Sexual Violence:

- The Board must exclude the reporting individual’s prior sexual history with persons other than the accused and the mental health diagnosis or treatment of both the reporting individual and the accused from admittance in college and cannot use that information when determining responsibility. Findings related to the accused student’s past sexual violence may be considered at the disciplinary stage when determining sanctions.
- Past finding(s) of domestic violence, dating violence, stalking, or sexual assault may be admissible in the disciplinary stage that determines sanction of the accused.
- For students found responsible for Non-Consensual Sexual Intercourse, the available disciplinary actions are: 1) conduct suspension with additional requirements; and 2) conduct dismissal.

g. **Decision.** The Board Chair will provide the Board’s decision in writing or electronically to both the reporting individual and accused simultaneously, to the vice president for enrollment management.
and student affairs, and the Title IX & college compliance officer or designee, within ten (10) business days from the conclusion of the hearing.

h. **Issuing of Documents.** Following the hearing, the Board will issue two documents to the accused student and the reporting individual: 1) the Board’s Decision Letter; and 2) a Memorandum Opinion. Each such document will be issued simultaneously to the accused student and the reporting individual. The Board Chair will ensure that personally identifiable information is properly redacted prior to issuance.

- The decision letter will contain only the following information: the name of the accused student; whether the accused student has been found responsible or not responsible for gender-based and/or sexual misconduct; and the sanction imposed, if any. By law, both the accused student and the reporting individual have a right to this information. College policy neither encourages nor discourages further disclosure of the decision letter by either student.
- The memorandum opinion will contain an explanation of the Board’s reasoning for its decision.

i. **Appeals.** Both the student found responsible and the reporting individual have the right to appeal the decision and/or sanctions to the vice president for enrollment management and student affairs or designee in writing within five (5) business days of receipt of the conduct letter or the final outcome of the conduct case. An appeal may be heard on the following grounds only:

- **Due Process.** The Conduct Board or student conduct officer failed to observe the procedural requirements established by the *Code of Student Conduct*.
- **Severity of Sanction.** The sanction is “too severe” or “not severe enough” based on the proven offense.
- **New Evidence.** New evidence has appeared that: 1) was not known at the time of the original hearing; 2) could not have reasonably been discovered at the time of the original hearing; and 3) is material, so may have had an impact on the outcome of the original conduct decision.

Neither the students found responsible nor reporting individuals have the opportunity to meet with the appeal panel, unless, in its the discretion, a meeting would serve to clarify an issue on appeal. The appeal panel may take any of the following actions:

- Affirm the findings and sanctions of the original conduct official or conduct board;
- Modify the charges and/or sanctions; or
- Determine the student/student organization not responsible of the charge(s).

**NOTE:** Appeals must be delivered to: Appeals Officer, Vice President for Enrollment Management and Student Affairs, 7th Floor, Allen Administration Building or designee.

j. The appealing student will have access to a full and fair record of the Board Hearing, which will be preserved and maintained for at least five years. The appealing student may access the record by contacting Dr. Kathryn Wilson, Vice President of Enrollment Management and Student Affairs at: (585) 395-2137, 7th floor Allen Administration Building, The College at Brockport, 350 New Campus Drive, Brockport, NY 14420. Notice of the appeal will be sent to the Board Chair, who will notify the student found responsible or reporting individual, as appropriate. The appeal panel, which will consist of a minimum of two College Officials, will rely upon the audio recording and/or written record of the Board, and may consult with Board members. The appeal panel will generally **not** conduct a new factual investigation. Both the reporting individual and the student found responsible will be notified simultaneously in writing of the outcome of the appeal. Members of the Board will also be notified in writing of the appeal outcome.

k. **Effective Date of Sanction.** Sanctions imposed by a Board are not effective until timely appeal of the decision to the appeal officer is resolved. However, if advisable, to protect the welfare of the reporting individual and/or the College community, the Board may include in its determination letter that the conduct probation, conduct suspension, or conduct dismissal be effective immediately and continue in effect until such time as the vice president or other Appeal Panel Chair may otherwise determine. The vice president or other Appeal Panel Chair may suspend the determination pending exhaustion of appeal, allow the accused student to attend classes or other activities on a supervised
or monitored basis, or make such other modifications to the determination as may be advisable. The
decision of the vice president’s or other Appeal Panel Chair may not be appealed.

I. Transcript Notation in Cases of Conduct Suspension or Conduct Dismissal. If the Board imposes a
sanction of conduct suspension or conduct dismissal, then, following exhaustion of any appeals as set
forth above, the Board Chair will notify the College Registrar to place a notation on the transcript of
the student found responsible that states, “Suspended after a finding of responsibility for a code of
conduct violation,” with the period of suspension specified, or “Dismissed after a finding of
responsibility for a code of conduct violation.”

PART G: CAMPUS RESOURCES
The College at Brockport provides victim-centered services through a multidisciplinary approach. A small team of
professionals work collaboratively to offer sexual assault response services which may include, but are not limited to the
following: a) The Student Health Center assists victims of sexual assault and rape by providing immediate medical
attention to the victim, referral to a local emergency room for a Sexual Assault Nurse Examiner (SANE) exam, and
manages the necessary follow up care. Also, the Student Health Center has on staff a qualified SANE nurse. For
afterhours care, students are referred to a local emergency room and to RESTORE (Rape Crisis Services) for immediate
medical care and support; b) The Counseling Center assists victims who are Brockport students through crisis
intervention, individual and group counseling services; and c) University Police will assist students with filing a criminal
report and/or d) The College’s student conduct system or Title IX & college compliance officer can discuss reporting
options, student conduct options and interim measures. For campus and community resources, refer to the SUNY
Violence Response Resources webpage at http://www.suny.edu/violence-response/

Important contact information:
● Student Health Center, Hazen Hall, (585) 395-2414, www.brockport.edu/healthctr
● Counseling Center, Hazen Hall, (585) 395-2207, www.brockport.edu/cc
● Student Conduct, Thompson Hall, (585) 395-2122 or 2108, www.brockport.edu/studentconduct
● Title IX & College Compliance Officer, 511 Allen Administration Building, (585) 395-5066,
  www.brockport.edu/titleix
● University Police, Lathrop Hall, (585) 395-2226, www.brockport.edu/up
● RESTORE (Rape Crisis) 24-hour hotline at (800) 527-1757, www.plannedparenthood.org/ppcwny/
● Women’s Center, Seymour Union, lower level, B124, (585) 395-5584, www.brockport.edu/womensctr
● For further information on resources refer to the College’s Title IX Webpage at www.brockport.edu/titleix and
  the College’s Campus Safety Report at:

Section IX of the Code of Student Conduct complies with the NYS Legislative Educational Policies for Sexual Assault,
Dating Violence, Domestic Violence and Stalking, SUNY Uniform Policies on Sexual Violence, Title IX and the Office
of Civil Rights mandates, in addition to the VAWA reauthorization, Section 304, Campus Sexual Violence Act (SaVE Act)
regulations. The College at Brockport will conduct a campus climate survey that analyzes prevalence and attitudes
regarding sex discrimination, including sexual harassment, sexual violence, dating violence, and other related
crimes, on a biennial basis.

The College employs a collaborative approach to prevention and education on gender-based and sexual violence
including, but not limited to, programs implemented by The Center for Select Respect and Prevention and Outreach
Services such as EagleCHECK (bystander intervention training); a mandatory online program for new undergraduate
students called—Think About It; a summer orientation program for students; and Welcome Week educational programs,
in addition to ongoing efforts throughout the year.